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Menekşe 2 Sokak 16/6-7 Kızılay, 06440 - ANKARA/TÜRKİYE

Tel: (90-312) 417 71 80 Fax: (90-312) 425 45 52

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HRFT
Human Rights Foundation of Turkey

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T U R K E Y
HUMAN RIGHTS REPORT

Ankara, September 1995



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ABBREVIATIONS

ANAP	Motherland Party	HEP	People's Labour Party
CHP	Republican People's Party	İHD	Human Rights Association
CMUK	Code of Criminal Procedures	MHP	National Movement Party
DEP	Democracy Party	RP	Welfare Party
SSC	State Security Court	SHP	Social Democratic Populist Party
DİSK	Confederation of Progressive Workers' Trade Unions	HRFT	Human Rights Foundation
DYP	True Path Party	TTB	Turkish Medical Association
HADEP	People's Democracy Party	Türk İş	Confederation of Workers' Trade Unions of Turkey

PREFACE

One more annual human rights report by the Human Rights Foundation of Turkey is being made public. This report, dealing with the human rights abuses observed in 1994^(*), was prepared by the Documentation Center of the HRFT. With the aim of informing and warning the public at home and abroad, as well as authorities, about human rights abuses, and enabling them to reach their own conclusions, we produced this report.

For this report, we assessed the news received from our own sources, newspapers, journals and other publications, evaluated HRFT's daily reports, the information given by the Human Rights Association Headquarters and branches, and other human rights activists, as well as official statements and speeches of authorities at every level. Since we are an independent non-governmental organization defending human rights, the abuses originating from the structure and the characteristics of the regime that are caused by anti-democratic provisions of the Constitution and laws, or by the political power or public officers, are given priority. Nevertheless, taking into consideration the dimensions and extent of the violence in Turkey and its present situation, the acts and attacks carried out by certain armed groups, particularly by the PKK, were also assessed and included in the report.

While preparing the report, we were extremely careful about the accuracy of information and the trustworthiness of the sources, and we tried to present the events objectively. Many reports which were obtained from just a single source, but could not be confirmed or were not reliable and deemed to be exaggerated, were not included in the report. During the preliminary studies, we behaved objectively and without any prejudice, in most cases we applied to many sources and examined some cases in depth, causing a delay in the preparation of the report. We hope that any individual, organization, authoritative body or any circle that will read out our report will assess it without any prejudice and be objective in a similar way.

This human rights report includes 8 main sections, namely, "Introduction", "The Kurdish Problem", "Murders by Unknown Assaultants", "Extra-judicial Executions", "Capital Punishment", "Torture", "Freedom of Thought, Press and Belief" and "Freedom of Organization". These sections were divided into sub-sections, which include many samples. However, the examples do not cover all of the developments and abuses observed during the year; they only

(*) "Turkey Human Rights Report-1994" is available in return for US \$ 10 or its TL equivalent from "TIHV Menekşe 2 Sok. No: 16/6 Kızılay - Ankara (06440)"

reflect a small portion of them. Therefore, one should take into account that there were many more human rights violations in 1994 than figures and examples show.

HRFT President Yavuz Önen's article entitled "As for Foreword" which evaluates the human rights situation and present human rights problems and enumerates the measures that should immediately be taken on this issue is also included in the report. In his evaluation, Yavuz Önen touches on the approach of the Foundation towards certain important subjects in Turkey and in the world in 1994 and gives information about the works of the Foundation, and pressure and difficulties it faced.

The Documentation Center formed within the HRFT started its work as of March 1990 when the Foundation began functioning. The Center has been preparing 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 individuals and organizations interested in human rights, and supports the human rights struggle in this way.

During the 5-year period, the Documentation Center has prepared various reports along with its daily work, made these reports public in Turkey and abroad, and contributed to publicizing the activities of the Foundation. The reports are as follows:

- 1990 Press Report (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)
- Turkey Human Rights Report - 1993 (Turkish-English)
- File of Torture -12 September 1980/1994 (Turkish-English)
Confiscated, prosecuted at the Ankara SSC and acquitted.
- Education in the Emergency State Region 1984/1994 (Turkish-English)

The Documentation Center of the HRFT 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 and to quote us their criticisms about the report.

Wishing that a peaceful future in which the human, human rights and freedoms are totally respected is very close, we present our respects to our friends who supported us and forwarded information and documents at every stage of our work, and to all human rights advocates with whom we have been struggling together for years.

AS FOR FOREWORD

1994 was no different from previous years in essence. We did not observe any move towards protecting, promoting and improving human rights in any way, nor were investigations begun against those who abused human rights. Therefore, it can be said that our report is not much different from previous annual reports.

Systematic and widespread torture, extra-judicial executions, murders by unknown assailants, disappearances, prosecution of persons for their writings and speeches especially under Article 8 of the "Law to Fight Terrorism", in which freedom of expression is equated with terrorism, abuses of civilians' rights -by security forces or armed groups- in the Emergency State Region, village burnings/evacuations, forced migrations, destruction of villagers' belongings, defilement of food, prevention of agriculture and stock-breeding, the killing of animals and burning of forests, aerial or surface-bombardment of villages and hamlets during operations continued.

One of the most important events of the last year was the lifting of the parliamentary immunities of DEP deputies, closure of the party by the Constitutional Court and acceptance of the argument of Prime Minister Çiller that "the deputies were PKK members" by the SSC and higher court (the Constitutional Court). After the closure decision was disclosed, some of the deputies left the country, and others were imprisoned with long sentences. Thus, political discussions on the Kurdish problem were meant to be impeded and the message that "speaking about this problem would be identified with separatist armed movement" was conveyed.

Detailed examination of our report will show that a total of 4,041 people were killed in the country in 1994 as a result of all these abuses, armed clashes, armed attacks and bombings. The majority of these people died in the Emergency State Region.

Over a thousand villages and hamlets were evacuated or burnt down. Village evacuations and burnings, which were mostly observed in Tunceli and its surroundings, was evaluated as "state terrorism" by Azimet Köylüoğlu, State Minister responsible for human rights. In the process, 2 or 3 million people were uprooted from their cultural environment and lands where they had lived for years. Urban centers were flooded by Kurdish immigrants. A large mass of people, in need of employment, health services, education, food, accommodation and security is currently living a dramatic episode in those centers. Turkey witnessed a mass emigration (20,000 people) even across its borders (Northern Iraq).

One hundred and ninety-two people, including 37 children, were killed in armed attacks or bombings -of which more than half were attributable to PKK militants- against civilians and defenseless people. Attacks against defenseless people and civilian targets increased communal

hatred and chauvinist-racist tendencies in the country. In the attacks and assassinations against teachers and other public officials, workers employed in governmental installations, party members, repentants, village guards and persons declared as “agents” or “state supporters”, most of which were carried out by PKK militants and some other by armed leftist groups, 218 people died.

Twenty-four of the 33 teachers assigned to the Emergency State Region were killed by the PKK, and the remaining by unknown assailants. Besides 33 teachers, 7 health officers working in the region were killed.

In murders by unknown assailants, 423 people were killed, mostly in the Emergency State Region, and especially in Diyarbakır and Batman. One hundred and twenty-nine people were killed in the “extra-judicial executions” by security forces. Thirty-four people died in prisons and detention, under suspicious circumstances or because of torture. Neither deaths due to torture nor disappearances were eliminated. Throughout the year, 49 people, about whom there were serious evidence and witnesses that they had been detained or taken away by security officers, disappeared. Cases of deaths due to torture and disappearances vastly increased when compared to previous years.

Freedom of thought, press and conscience were seriously suppressed. Strict judicial measures were taken and attacks were carried out against opposition press. The main target of pressure was the newspaper Özgür Ülke. Its offices were bombed, and it was rendered unable to publish. Two newspaper employees were killed. A total of 172 people, of whom 45 were convicted and 102 arrested (columnist, writer, publisher), including 8 deputies and 17 party officials, were imprisoned. The total of prison terms given to journalists and writers reached 448 years 6 months 25 days, and fines totaled TL 71 billion 614 million 945 thousand.

Over TL 400 trillion of the budget was used for military operations. The village guards alone were paid wages equivalent to 30 million US dollars. Turkey became the second biggest purchaser of arms and military equipment.

An economic austerity package introduced on 5 April and put into force on the same day affected a greater part of the population negatively. Six hundred and fifty thousand people lost their jobs. The inflation rate reached 160 percent. The US dollar, valued at TL 14,000 at the beginning of the year increased to TL 40,000 occasionally in the course of the year. The budget deficit reached 5 billion US dollars.

The figures in this grievous table are striking, and it is possible to give numerous other examples. In the rest of our report, detailed information on these subjects is given, presenting the grave picture of human rights during the year.

* * *

As for developments in our foundation’s two main operating fields, we extended a helping hand to 472 torture victims in Ankara, Istanbul and Izmir treatment centers last year. We reported human rights abuses to our subscribers and authorities through our daily reports. We prepared written and oral answers to internal and international questions on related subjects. 1994 was a busy year in respect of our international relations. We had meetings with many officials and civilian groups and individuals.

We took a significant step towards spreading and expanding our treatment services in the last months of 1994. The HRFT Representative Office in Adana was established in line with the

“Five Cities Project” which was initiated at the beginning of 1994. The opening ceremony of the representative office on 4 February 1995 was attended by State Minister responsible for human rights Azimet Köylüoğlu, Adana Governor Naci Parmaksız, Vice-representative of the Commission of the European Communities in Turkey Jörg Ketelsen, Vice-president of the IRCT Prof. Eric Holst, Dr. Zepp Grassmann from Germany, German Friedrich Naumann Foundation representative Wilhelm Hummen, British Embassy Press Consultant Owen Jenkins, representative of the Center for Tortured Refugees in Stockholm Per Stadig, Turkey Human Rights Support Committee representatives (Sweden) Lars Odefors and Albert Foneme, IHD Chairperson Akin Birdal, IHD Izmir Branch Chairperson Yeşim İşlegen and IHD Adana Branch Chairperson Öcal Ata, representatives from political parties, trade unions and democratic civic organizations. Staff from our foundation attended the ceremony in Adana as well.

Apart from daily reports, we released various publications in English and Turkish, prepared by our Documentation Center during the year. After the DEP was closed and immunities of the deputies were lifted, a report on legal aspects of the situation was prepared. A report on torture (File of Torture-12 September 1980/1994), concerning torture cases and their manifold consequences between the Military Coup in 1980 and 1994, was published. Towards the year’s end, a report (Education in the Emergency State Region/1984-1994) on attacks and assassinations against teachers in the Emergency State Region was released.

Our studies had a significant effect on the local and international public. Some prizes were bestowed to the HRFT as a result. Those awards are: International Helsinki Federation for Human Rights Andrei Sakharov Prize, Lawyers Committee for Human Rights Roger Baldwin Medal of Liberty, International Human Rights Law Group Partners Prize, Progressive Journalists Association Board of Directors 1994 Honor Prize.

International organizations’ support for our treatment and documentation work continued. Currently some future projects are under discussion with United Nations Volunteer Fund for Torture Victims, Commission of the European Communities, Swedish Red Cross Center for Tortured Refugees in Stockholm and The John Merck Fund.

Another response to our works came from the Ankara SSC Prosecution Office. The torture report concerning 1980-1994 period we published was the subject of an investigation. A trial, in which a prison sentence from 2 to 5 years and a fine of TL 100 million was demanded, was launched under Article 8 of the “Law to Fight Terrorism” against me and our Administrative Board member Fevzi Argun on charges of making separatist propaganda in our articles. Our hearings coincided with the hearings of IHD Chairperson Akin Birdal, Secretary General Hüsni Öndül, former vice president Sedat Aslantaş and Administrative Board member Erol Anar, who were put on trial for a book they had published. Both trials ended with acquittal on the same day (11 January 1995). The acquittal decisions were upheld by the Supreme Court in May 1995.

The trial against us brought the support of Amnesty International (AI), International Rehabilitation Council for Torture Victims (IRCT), Rehabilitation and Research Center for Torture Victims (RCT), Advocates for Human Rights (USA), European Parliament Greens Group, German Greens Party and their deputies Cem Özdemir and Amke Dieter-Schener, Bengt Hurtig (Leftist Party-Sweden), Centre for the Independence of Judges and Lawyers (Switzerland), Association for the Prevention of Torture, Commission Nationale Consultative des Droits de l’Homme (France), David Durenberger (USA-Senator), Women in Decision-Making (Greece), Human Rights Watch (Belgium), Human Rights Watch/Helsinki (Helsinki Watch), International Federation des Droits de l’Homme, International Helsinki Federation for Human Rights (Austria),

International Human Rights Law Group (USA), International PEN, Representation of the Commission of the European Communities in Turkey, Committee To Protect Journalists (CPJ), Lawyers Committee for Human Rights (USA), Medical Rehabilitation Center for Torture Victims (Greece), Swedish Parliament, Victoria Coalition for Survivors of Torture (Canada), Women for Mutual Security (Greece) and Demokratisches Türkei Forum (Germany).

Hearings of the trials against the HRFT and the IHD administrators were followed by Ali Yurttagül on behalf of European Parliament Greens Group, German Greens Party Deputy Amke Dieter-Schener, on behalf of Center for Victims of Torture Douglas Johnson, Mark Williams and Michael Cline, Vice-representative of the Commission of the European Communities in Turkey Jörg Ketelsen, some diplomats, representatives of International Federation des Droits de l'Homme, Amnesty International, Centre for the Independence of Judges and Lawyers, and administrators and personnel of the HRFT, leaders and members of the IHD, members of parliament, leaders of political parties and democratic civic organizations.

At the final hearings of the HRFT and the IHD administrators, representatives of the member countries of the European Community were present (by common decision). Representatives of the US and Russian embassies were among the spectators as well.

We thank all international organizations and others who supported us and never left alone during the prosecution.

* * *

The reaction against our work was not restricted to that of the SSC Prosecutor. The international relations of the HRFT and the IHD were criticized by several groups who prescribed human rights as “a mask used by developed countries to destroy Turkey from inside”, and called us “collaborators” or even “traitors”. Some journalists and politicians writing/commenting for some newspapers and television channels collaborated with governmental spokesmen to accuse and disparage human rights defenders by referring them as “separatists” in their writings, speeches and comments.

The risk and threat of coming under the influence of developed country governments and their intelligence agencies, which has been frequently commented upon recently, is not only valid for the human rights field, but -especially- valid for political and unionist organizations, too. We shall remain in the established legal and institutional infrastructure of international human rights field. We shall preserve our independent status. It would be better for some political and unionist groups, who are criticizing us, to review and change their ideological and actual relations and dependencies.

Our struggle to defend, protect and promote human rights and to struggle against abuses, of course has a “political” context. Opposing abuses, criticizing various practices of the government and stressing responsibilities of the government, inviting it to take necessary measures, adds an opposition mission on this “political” context, whether one likes it or not. The HRFT adds “politicization” and “opposition” to its mostly disliked mission of human rights defense in Turkey, by documenting human rights abuses, displaying torture, calling it a wide-spread and systematic practice, treating torture victims.

Our foundation informs the public and warns the officials, official bodies and the government through its activities. We even witnessed the Prime Minister's words, “Find me an interrogation method having no torture in it, and remove torture equipment from police stations.”

This was, in fact, an acknowledgement of torture, which had been denied until then. This proves that we are acquiring results in accordance with our essential objective of defend-ing and promoting human rights. However, this is not enough. Our activities and studies have aimed at “removal of torture.”

Our extensive activities are quite annoying for the official circles in Turkey where almost every opposition is kept under pressure.

They first silenced social democrats by taking them into coalition; then they silenced Kurds by closing the DEP, and sending their deputies out of parliament, to other countries and to prison, accusing them of being “extension of the PKK”. Then it was the turn of human rights organizations, which were the sole opposing voice, in a public silenced thanks to the active propaganda of the official ideology and the contribution of the governments which were apparently civilian but in fact the leftover of the fourteen year old military regime. This is why trials and accusation campaigns are on the agenda. We of the HRFT will continue docu-menting human rights abuses and providing treatment for the torture victims in the country, and cooperating with our internal and international associates. These activities, contrary to the allegations, are beneficial for the public and the country. The principle of universality and in-tegrity of human rights is correct; and non-governmental civil organizations have constructed an international infrastructure in human rights issue, as in the issues of women, children, ecology and other issues.

In Turkey, the atmosphere of criticism and suppression of human rights was created by the leadership of religious and nationalist movements. In this atmosphere, the reaction against us, which was voiced as “Down with human rights!” in funeral ceremonies of killed policemen and soldiers in 1992, turned into threatening chauvinism in the international arena in 1994. Even football matches have become the scenes of nationalistic paranoia recently. Festivities after the successes of the Turkish teams turned into street demonstrations and racist-chauvinist melees in which guns were fired. There were deaths and injuries because of the random firing.

In present-day Turkey, talking about human rights, democracy, peace and especially about the Kurdish problem and a peaceful political solution are considered equal to terrorism, collaborating with foreign countries and even high treason. This is why democratization pack-age of the coalition government could not be put into operation, despite all promises. A racist-chauvinist-religious alliance in the parliament, reminiscent of the “Nationalist Front” of 1970s, is one of the biggest obstacles to democratization. The most important factor strength-ening the fascist ideology institutionalized in the country is ongoing wars in various parts of the world. The inhuman practices of Serbs in Bosnia Herzegovina, just neighboring Europe, and the fact that no serious attempt to stop them is made, Armenian invasion of Azerbaijan and Karabagh, the Russian invasion of Chechnya, forceful and arm wielding solutions to problems, push democracy and democratization practices out of agenda in Turkey. The Nationalist Front says, “First maintain peace, democracy and human rights in Bosnia Herzegovina, and then in Turkey.” The parliament is under the influence of such ideas.

Under these conditions, the European Council’s and Parliament’s demands for an end to human rights abuses, changes in the Constitution, cancellation of Article 8 of the “Law to Fight Terrorism” and release of DEP deputies have put the status quo and its defenders ex-plained above, into hardship. It is not difficult to predict that the existing political powers will be facing an arduous test. Besides, we do not presume the European Union and the USA will be in a different position. Any internal and external support given to the government for main-taining the anti-democratic structure of Turkey will be equal to not defending universal human rights and

democracy jurisprudence or destroying them. We wonder if human rights in Turkey will still be under violation, as in Bosnia Herzegovina.

The most prominent feature of 1994 was the government declaration that “1994 would be a year to end terrorism and separatist threats”. The deadline given in the declaration made in New Year’s Eve was May or June. In a statement made on 9 March it was, “September, at the latest”, in summer months they said “It will end by the end of the year”. At the end of the year it was “March or April 1995”, but the clashes intensified, and gained permanency. Democratization was indexed to “removal of PKK”. So, civilization and democratization in Turkey remained dependent on Serbs in Bosnia Herzegovina and on the PKK in Turkey. Nevertheless, democratization promises were continuously given by the government and in the Parliament.

Steps to be taken in democratization, longed by the people gathered around human rights struggle, are definite. Our proposals for urgent democratization, addressed to the government and parliament and publicized on different occasions, are as follows:

1. Torture must be prevented. To this aim;
 - CMUK must be revised thoroughly to include political-natured investigations, ensuring complete rights to detainees to contact their lawyers, families and relatives whenever they want.
 - Detention periods must be in accordance with the Human Rights Convention standards (In practice, political suspects are kept in detention for 4 days if they are alone, 15 days if they are a group, and 30 days if they are in the Emergency State Region).
 - Perpetrators must be investigated, prosecution must be allowed and the penalties must be given in a short time and must be deterrent. Penalties should be increased. Legal proceedings for this should begin as soon as possible. Concerned articles in the “Law to Fight Terrorism” and “Act for Jurisprudence of Officials”, which has been in effect since 1913, should be removed or changed.
2. Freedom of thought and organization must be guaranteed. To this aim;
 - Articles 6 and 8 of the Law to Fight Terrorism” and Articles 155, 158, 159 and 312 of the Turkish Penal Code should immediately be lifted or changed. The Law to Protect Atatürk, the Law on Press, the Law to Protect Children from Harmful Publications and similar laws should be included in this framework. All criminals of thought, beginning with the ones imprisoned under Articles 6 and 8 of the “Law to Fight Terrorism” and aforesaid articles of the Turkish Penal Code, should immediately be released, and all pending trials should be dropped.
 - The path to democratization should be opened. The amendments made to the Constitution are superficial and do not provide much freedom. Therefore, the issue of amendments to the Constitution should be dealt with again. Laws regulating democratic life should be redefined. Laws on associations, political parties, elections, the police force, labour unions, labour, meetings and demonstrations should immediately be discussed and changed. By these changes, the coalition government’s promises in their program will be fulfilled and various problems beginning with the Kurdish problem will be open to discussion.
3. Emergency State legislation and the village guard system should be ended. Thus, promises, given in 1991, 1992, 1993 and 1994 by the coalition government that came into power at the end of 1991, will be fulfilled.

4. The burnt down and demolished villages should be reconstructed, and turned into habitable areas again. The systematic and continuous policy of forcing people to migrate should be abolished.

5. Operations against civilians and killings of various kind in the Emergency State Region, should be stopped.

6. The right to life should be guaranteed. Extra-judicial executions, disappearances, murders by unknown assailants should end. The state should make effective investigations and find the assailants.

7. Civil servants should be provided with union rights including the right to collective bargaining and holding strikes.

8. Humane living conditions should be maintained in prisons.

It is clear that these measures aim at urgent improvement. We are ready to accept a limited improvement. The society continues to remain passive. The Kurdish problem, the Emergency State legislation, and the propaganda made and measures taken “to defend indivisible integrity of the state with its country and nation”, loom above the peace and hopes of democracy just like Damocles’ sword. The instinct of protecting and defending values such as “integrity of the country” and “unity of the nation”, which are already under the protection of national and international law, influences not only the National Security Council, President, Parliament, Government, SSC judges and prosecutors, security forces, but also the slum-dwellers, factory and office workers, farmers, people in the streets, i.e. a large part of the society, and causes them to look upon with suspicion to our democratic, peaceful solutions and political proposals, and induces everybody to maintain the status quo. Under these circumstances, military authority replaces “civilian” authority.

Unless the fear of separation and disintegration is eliminated, and civilian thoughts and approaches prevail, demands for democracy and human rights will remain on paper. In the last decade, the ever-present threat of division has begun to lose its credibility, and suspicions concerning its reality are increasing. Undoubtedly there is a logic and ground for the continuation of this armed conflict despite of all its negative aspects which has struck great blows to national economy, increased arms purchase, caused inflation, decreased standards of living, increased the number of the unemployed people, halted investments, caused enmity among people, and complicated our relations with Europe and rest of the world. However, the danger of separation and disintegration is the least persuasive among them.

It is clear that the chauvinist nationalistic ideology and its organizations in the country, as a part of its seventy-year old program, have succeeded in obstructing democratic development. That is why the democratic part of the society which defends human rights, universal rights and freedoms, complains about the oppressive practices of the 12 September military regime. That is why it is important for certain forces capable of overcoming the conservative and fundamentalist barrier, to build up their identity, to express their opinions freely, and to organize around their opinions in a democratic environment. The existing Constitutional system and its legal constructs are supported especially by the representatives of large capital, because they believe that “liberal democracy” will be harmful to Turkey; “a democratic social life” is dangerous. A tendency to modify the laws which regulate labour life and which are against the ILO agreements, oppressive and exploiting, and attempts to reach the European Union standards with respect to the social

regulations such as union rights, minimum wage, retirement, social welfare, unemployment fee, attract harsh criticism of the representatives of large capital. Owners of these rejoinders, whom we try to expose on any occasion, are the most important supporters of the official ideology. Democratic expansions need “visas” and authorities of the visas are representatives of capital. The current balance of power in the society is against democratic forces and democratization, and that’s why the government, the Parliament and the political parties of this ambience are continuously revitalizing the conjecture that the society is not ready for a “Western” type democracy.

Undoubtfully, each county, each society has its own social, political, cultural back-ground and this background exists along with daily problems. Turkey’s more than two hund-red years old connection with “Western” civilization, its relations with Western countries and rest of the world, the increased capacity and speed of economic relations due to recent scien-tific-technological advances, are preparing the conditions for fast accomplishments in a short interval. Keeping Turkey as a democratically handicapped country within the European family and making the public pay for this defect places a heavy and historical burden on the people governing Turkey. Undoubtfully, social transformations essentially necessitate transformation of the ideas prevailing in society. We believe the ones who need to change their mentality are those in charge of today’s Turkey. Contrary to the thesis of the official ideology, the society can be prepared for transformation in a short time, with less effort than spent by the racist-chauvinist-religious channeling against democratization.

Our efforts in the field of human rights aim at making Turkey an important, respected and influential part of the construction of a democratic, secular and modern world in the recent setting in Balkans, Middle East, Central Asia and Caucasus.

All our demands and proposals should be appraised in this context.

Imminence of a future in which concrete steps are taken for human rights and free-doms, all rights, particularly the right to life, written in human rights documents are respected, human beings do not kill other human beings, and peace is prevailing, is our biggest wish.

10 September 1995 / Ankara

Yavuz Önen
President of the HRFT

TURKEY HUMAN RIGHTS REPORT 1994



SAMPLE CASES OF HUMAN RIGHTS ABUSES

INTRODUCTION

Turkey remained in the red on the human rights balance sheet in 1994. Human rights and freedoms, including the primary right to life, were continuously abused during the year. Extra-judicial executions and murders by unknown assailants continued intensively. Torture continued to be systematically applied in police stations and particularly in centers where political detainees were held. Claims concerning torture cases were not followed up. The Kurdish problem was not solved and even became more complex. Instead of finding a peaceful and political solution to the Kurdish problem, the government preferred to increase the military measures which have been applied for years. Clashes in the Emergency State Region intensified. Armed and bomb attacks carried out by the PKK against defenceless and unarmed civilians, mass transportation vehicles and facilities available to tourists continued at an accelerated pace. The dimension of the violence increased compared to the previous years. A total of **4041** people lost their lives as a result of clashes, extra-judicial executions, torture cases, armed attacks and assassinations, and because of murders by unknown assailants (the number of people who lost their lives was 2,933 in 1992, and 3,492 in 1993).

Books, journals and newspapers were confiscated and destroyed. People who wrote and spoke were silenced and imprisoned. Bomb and armed attacks against press facilities and journalists continued. The public was informed by only one side and the facts were greatly distorted. Pressure and attacks against political parties, trade unions and democratic mass organizations continued to increase day by day. Work 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 security officers. The DEP was closed, immunities of deputies were lifted, deputies were arrested and convicted. Armed attacks against the administrators of political parties could not be prevented.

Expectations concerning working life were frustrated. Amendments to be made related to workers' rights and union rights on the laws, that had been put into force by the 12 September regime, were not brought onto the agenda. Dismissals continued in an intensive manner. Civil servants' trade unions were not provided with a legal status. Turkey also experienced busy days apart from the human rights issue in 1994, witnessed important developments and had economic setbacks. It fell on hard days in foreign policy. Most of the rights and freedoms called for in the international human rights documents were deemed as "luxuries". During the year, instead of the

human rights, those who violate them were protected. The human rights ad-vocates became targets, and were accused of being extensions, supporters or members of armed organizations. The figures concerning the deaths, torture victims, confiscated publications and sentenced journalists increased several-fold when compared to the last year. Even some posi-tive decisions taken in the previous years were dispensed with. For example, the period for military service was extended, and studies were started in order to extend the retirement age.

The DYP-SHP coalition government did not take important step to defend human rights and put them into practice. The coalition government which gave promises (*) on “democratization” and an “administration respectful to human rights” did not keep the promises, but acted in contradiction to its promises. The dark picture summarized above was experienced in a period during which a government which made promises on democracy, a state of law and human rights, was in power.

The DYP-SHP coalition government spent the year giving promises on democratiza-tion. For example, Prime Minister Tansu Çiller and Deputy Prime Minister Murat Karayağın in a press conference on 18 May, made public the promises which had been included in the coalition protocol and the government program, under the title of “Democratization Package”. The democratization package comprised a list of 62 articles about amendments to the Constitu-tion and laws, and foresaw changes to 8 articles of the Constitution and to 20 laws. This pack-age made public under the name of “Democratization and Re-structuring Implementation Program” was never seriously put on the agenda. Only two of the promises were kept.

The first of them was the law that foresees return of the rights to those who were relieved of duty or not allowed to start duty for security reasons or various justifications (those under 1402). However, during debates at the National Assembly, the law was changed in a manner that does not remove the problem, and those people were only given partial rights. The second issue was the Convention on Rights of Children. The Convention on Rights of Children was adopted in the session held on 9 December. All of the deputies cast favour votes except the deputies of the RP who claimed that the Convention was in contravention to usage and cus-toms. The Convention had been kept waiting on the agenda of the National Assembly for about 2.5 years. The Convention was ratified by President Süleyman Demirel one day later and came into force. Thus, the number of the countries which are parties to the Convention, reached 145. Turkey put reservation on Articles 17, 29 and 30 of the Convention which determine the rights of minority children to learn their mother tongue and race.

(*) The following promises on democratization and human rights took place in the protocol signed between the two parties on the stage of forming the coalition government: “Union rights, firstly rights of col-lective 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 to freedom of press and thought will be lifted. Amendments on the emergency state 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 the Press Law, Law on Associa-tions, Law on Assemblies and Demonstrations, Law to Fight Terrorism, Law on Police Duties and Competences, will be revised. 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. The social security system will be generalized and made financially healthy.”

In the meantime, the ministers of the cabinet from the SHP (*) were changed on 27 July. Consequently, Mehmet Moğoltay was assigned to the Ministry of Justice, Azimet Köylüoğlu to the State Ministry responsible for human rights, Önay Alpaço to the State Ministry responsible for women and family, Mümtaz Soysal to the Ministry of Foreign Affairs, Nihat Matkap to the Ministry of Labour, and Timurçin Savaş to the Ministry of Culture. Foreign Affairs Minister Mümtaz Soysal resigned his duty on the evening of 28 November. Stating in his resignation petition that he was not on good terms with Tansu Çiller over appointments at the Ministry of Foreign Affairs, Mümtaz Soysal said to the Prime Minister: "I do not reconcile your attitude with my understanding of state governing." Following the resignation by Mümtaz Soysal, SHP Chairperson Murat Karayalçın undertook the post of the Ministry of Foreign Affairs.

Because of human rights abuses, Turkey was frequently condemned on international platforms in 1994, and remained on the agenda. Turkey became a country criticized and condemned in the reports by many human rights organizations particularly by Amnesty International and Helsinki Watch. The condemnations of Turkey intensified on the Kurdish problem, torture cases, extra-judicial executions and freedom of thought. The criticism and condemnations on Turkey increased more when the DEP deputies were arrested, the DEP was closed, the deputies were convicted and when some administrators of the HRFT and IHD were sued.

Turkey was also frequently criticised by certain states, firstly by the USA, because of human rights abuses. The US administration decreased its military aid (amounting to US \$ 364 million) to Turkey in 1995, by withholding 10 percent in September on the pretext of the human rights abuses and the Cyprus problem. The US administration asked Turkey to make a satisfactory effort to improve the human rights situation in the country and on the Cyprus problem so that it could give the military aid foreseen for Turkey, without any discount. Then the Turkish government disclosed that it would not accept the 10 percent portion of the aid even if the condition was lifted.

Criticism from the US was not limited to the decrease in the military aid. The US administration criticized the conviction of the DEP deputies. Making an initiative in the opinion of the Ministry of Foreign Affairs on 12 December, James Holmes, the Undersecretary of the US Embassy in Ankara, stated that the US administration was anxious about the decision concerning the DEP deputies. John Shattuck, the Deputy Secretary of State responsible for human rights, used harsh language against Turkey in the statement he made on 13 December. John Shattuck who used the following expression "It is preoccupying that certain personal rights and freedom of thought were prevented through courts in Turkey", pointed out that human rights activists and journalists in Turkey were sentenced because of their activities. In the 1994 report by the US State Department, Turkey was harshly criticized because of human rights abuses.

(*) SHP and CHP were unified under the roof of the latter. The unification decision was taken in the congresses held by the two parties on 18 February in Ankara. After the unification decision, Hatay Deputy Hikmet Çetin was elected the Chairperson of the CHP. Unification of the SHP and CHP caused some changes in the Cabinet. Mehmet Moğoltay was assigned to the Ministry of Justice, Algan Hacaloğlu to the Ministry of State responsible for human rights, Aysel Baykal to the Ministry of State responsible for women and family, Erdal İnönü to the Ministry of Foreign Affairs, Aydın Güven Gürkan to the Ministry of Labour and Ercan Karakaş to the Ministry of Culture. Because of dispute within the Cabinet, Aydın Güven Gürkan and Ercan Karakaş resigned. Then, Ziya Halis was assigned to the Ministry of Labour and Ismail Cem to the Ministry of Culture.

The European Parliament decided to freeze relations with the National Assembly. In the session held on 29 September, the Parliament decided to suspend operation of the Turkish-European Joint Parliamentary Commission until the DEP trial ended. In the voting in which 258 members of parliament participated, 254 members voted in favour while 4 members of parliament remained abstained. The closure of the DEP was ascribed as an “attack on pluralist democracy” and a call was made for release of the arrested deputies. In the decision Turkish authorities were accused of raising difficulties for the transfer of humanitarian aid to Northern Iraq, and it was stated that the measures taken by Turkey on this issue were in contravention to the United Nations’ decision. The Turkish-European Joint Parliamentary Commission had been suspended subsequent to the 12 September Military Coup and started to function again in 1988, after a 8-year interval. The 29 September 1994 dated decision of the European Parliament which meant blowing up the political bridge, was deemed as the gravest decision since 12 September. The authorities of the European Parliament said that Europe was disappointed since the coalition government which had given great hope, had not taken any steps on the human rights issue, and that it was not possible to remain silent in this case.

The human rights abuses were also frequently put on the agenda during the negotiations on the Customs Union between the European Union and Turkey. This situation caused Turkey to experience hard times. The European Parliament which is the parliamentary wing of the European Union, demanded the Customs Union negotiations to be immediately stopped and the Association Council meeting to be held on 19 December in Brussels to be postponed. The decision was taken by 145 votes in favour to 87 votes against in the General Assembly, while 2 MPs abstained. In the decision it was stressed that the DEP deputies had been convicted in a manner that is in violation of fundamental laws and human rights since they had only expressed their political views. Besides this, conviction of Diyarbakır former Mayor Mehdi Zana because of his speech in the European Parliament and the trials against the administrators of the HRFT and IHD, were condemned.

Turkey, which was depressed due to the criticism by international human rights organizations regarding human rights abuses, was also troubled by individual cases made to the European Human Rights Commission in 1994. Sometimes, it had to accept to pay compensation to torture victims. This case put Turkey in a flurry. For example; Yusuf Kenan Doğan, the Undersecretary of the Justice Ministry, said in a statement in July that about 300 cases had been filed to the European Human Rights Commission against Turkey because of human rights abuses and thus Turkey faced the liability of paying a considerable amount of compensation. Indicating that the cases harmed the prestige of the country, Yusuf Kenan Doğan said: “Democratization and judicial reforms are indispensable. If the structure of state law is not organized according to the Western standards, the attitude of European countries and human rights organizations may be seen as an interference in internal affairs. Whereas, if we achieve Western standards, their attitude will not be deemed as an interference in our internal affairs.”

In the meantime Prof. Dr. Bakır Çağlar who undertook the advocacy of Turkey in the Human Rights Commission resigned. Indicating that the number of the trials against Turkey was more than 500, Bakır Çağlar stated the following: “The European judicial authorities take one principle seriously. Democratic society order, and the individuals who live in the democratic society order and particularly lay claim to human dignity. Therefore administrative or legal measures that injure the human dignity, are condemned by the commission. There is something that Turkey should have done, but did not after being a party to the European Human Rights

Convention and adopting the right to bring individual cases. Since Turkey has not adapted its internal judicial system to European standards, its dirty linen is washed in Strasbourg. The human rights slate of Turkey is not clean in Strasbourg. If Turkey wants to integrate with Europe, it must make its judicial system harmonious with that of Europe. Along with the negative aspects of the increase in the number of the trials launched in Strasbourg, there is a positive aspect. These trials may play an important role for harmonization of the Turkish judicial system with the European judicial system.”

Protests against Turkey enhanced the protests against international human rights organizations and officers of foreign countries as of August. Foreign delegations coming to Turkey to monitor human rights and democratization were forbidden to meet with judges and prosecutors. The following idea played a determining role in this policy which was put on the agenda by Foreign Affairs Minister Mümtaz Soysal: “Since Turkish deputies have no opportunity to meet judges and prosecutors and to affect them regarding the trials which are under way, why do we give such a privilege to foreign MPs? An opportunity which is begrudged Turkish deputies should not be given to foreign MPs.” The first foreigner affected by this policy was Michael Angel Martinez, the Chairperson of the Parliamentary Assembly of the Council of Europe, who came to Turkey in September. During preparation of his visit schedule, appointments with Constitutional Court President Yekta Güngör Özden and Ankara SSC Prosecutor Nusret Demiral were made for Michael Angel Martinez. Both of the appointments were cancelled upon the request of Mümtaz Soysal. Michael Angel Martinez was not allowed to meet with the administrators of the HRFT and IHD, either.

On the same days, Jonathan Sugden, the Chief of the Turkey Desk of Amnesty International, was denied entry to Turkey. In the statement Jonathan Sugden said after being informed about the decision: “I am accused of spreading propaganda of the PKK. However, Amnesty International never makes propaganda of an organization. I wanted to go to Turkey in September in order to make some research, but I have not been allowed. I am unable to make sense of this measure and I have not received a satisfactory explanation.” Stating that the issue was put on the agenda by England, Netherlands and the US in the CSCE meeting held in Bucharest, Jonathan Sugden said that Amnesty International’s General Director had talked to Foreign Affairs Minister Mümtaz Soysal about the subject, but Mümtaz Soysal had contented himself by repeating “Sugden has links with the PKK” which was formerly claimed by the Interior Ministry. IHD Chairperson Akın Birdal sent a letter to Foreign Affairs Minister Mümtaz Soysal about the ban on Jonathan Sugden and said: “Such bans raise difficulties and isolate not only the government and the state but also all of us in international platforms. We ask for the lifting of the ban, protection of human rights and implementation of concerning liabilities.” In spite of all initiatives, Jonathan Sugden was denied entry to Turkey and this case continued also in 1995.

Other noteworthy incidents, and political and economic developments witnessed in Turkey in 1994, are as follows:

Turkey faced a serious economic crisis in January. The crisis began when the international rating institutions decreased the rating of Turkey. Thereupon, the foreign currency market began moving as of 17 January and 1 US Dollar, which was worth of TL 13,000, climbed TL 20,000. Since none of the measures taken by the Central Bank could prevent the climb in foreign currency, the government increased the rate of the foreign currency by 13.6 percent and devaluated Turkish Lira for the first time since 24 January 1980. Subsequently, Central Bank Manager Bülent Gültekin resigned, indicating that determining mechanisms of the economy were stopped up and

money markets started to waver because of faulty internal borrowing policies of the government. Increase in foreign currency could hardly be prevented.

A military unit going for an operation in the vicinity of the Narlı village of the Çukurca district of Hakkari on 2 February fell victim to an avalanche, and 13 enlisted men died and more than 10 enlisted men were wounded. A helicopter which was going to the region to carry the wounded crashed and its pilot Yusuf Turgut lost his life.

Five military students (candidates for second lieutenancy), Ekrem Okutan, Ismail Kaya, Murat Tuncer, Osman Bozdağoğlu and Cüneyt Güden died when a bomb left at a railway station in Istanbul Tuzla exploded on 12 February morning. 31 people, including 21 military students, 8 enlisted men, and 2 women, were wounded during the explosion. The PKK claimed responsibility for the attack.

A highly destructive bomb left at the Headquarters of the DEP was located in Ankara, on the Necatibey Street, exploded at about 6.15 p.m. on 18 February. In the explosion, Ekrem Akçakaya (30) died and 16 people were wounded, 2 of them severely. The explosion caused serious damage to the surrounding buildings.

Recep Koç, the Mayor of Istanbul Prince Islands, was killed in Büyükada on 19 February by Osman Özen, whose house he had attempted to have demolished. Osman Özen who was arrested after the murder, was convicted to life imprisonment.

The DEP decided not to participate in the local elections on 27 March 1994. The decision taken by the majority of votes during the DEP's Assembly held on 23 and 24 February in Ankara, was made public by Hatip Dicle, the Chairperson of the DEP. He said: "We decided to withdraw from the local elections that we had been wanted to be present in form, and we will not serve as tools for the anti-democratic measures and the policies aiming at denying the people's will."

The Ankara Public Prosecution Office launched an investigation on 1 March on the grounds that the Welfare Party had received aid of \$ 500.000 illegally from the International Invitation Society based in Libya.

The Parliamentary immunities of Diyarbakır Deputy and DEP Chairperson Hatip Dicle, Muş Deputy Sırrı Sakık, Mardin Deputy Ahmet Türk, Diyarbakır Deputy Leyla Zana, Şırnak Deputies Orhan Doğan, Selim Sadak and Mahmut Alınak and Istanbul Deputy Hasan Mezarıcı, who resigned from the Welfare Party were lifted by the National Assembly at the beginning of March. The deputies whose immunities were lifted were detained. Out of the detained deputies, Hasan Mezarıcı and Selim Sadak were released while Hatip Dicle, Leyla Zana, Mahmut Alınak, Ahmet Türk, Sırrı Sakık and Orhan Doğan were arrested on 17 March. These developments caused Turkey to be condemned in international platforms.

A Cypriot-flagged tanker and a Greek-flagged cargo ship collided in the Istanbul Strait on the night of 13 March and as a result 18 people died and numerous people were wounded. In the accident, the tanker burnt completely. The accident and consequent fire endangered the Istanbul Strait and caused environmental pollution which also spread to the Marmara Sea. The accident hindered transportation in the Strait.

When a sentence of 20 months in prison and a fine of TL 41 million passed on Associate Prof. Dr. Fikret Başkaya in connection with his book "Paradigmanın İflası-Resmi İdeolojinin Eleştirisine Giriş" (Bankruptcy of the Paradigm-Introduction to the Critics of the Official

Ideology) were upheld, he was detained at 2.00 a.m. on 18 March by policemen at his house. Fikret Başkaya was arrested and sent to the Ankara Central Prison on the same day.

During Newroz festival, there were not any significant incidents in Turkey nor any widely-participated demonstrations in the Emergency State Region. Meetings and demonstrations were not held on the occasion of the Newroz in some settlements in the Emergency State Region.

In the local elections held on 27 March, the DYP capturing 21.4% of the votes (used for provincial general assemblies) came in first place; with 21% of the votes the ANAP became the second, the RP received 19 % of the votes and ranked third, the SHP with 13.5% of the votes came in fourth, the DSP came in fifth with 8.6% of the votes and the MHP was the sixth with 8% of the votes. The DYP was successful in provincial general assemblies, the RP in metro-politan mayoralties and the ANAP in mayoralties and general assemblies excluding those of big cities. As a result of the elections, the DYP won 861 mayoralties, the ANAP 765, the SHP 430, the RP 311, the MHP 113, the CHP 63, the DSP 23 and the other parties and independent candidates won 57 mayoralties. Participation in the election was about 90 percent overall. However, the participation in the Emergency State Region and in some places where the Kurds have been concentrated, was less when compared to the figures of overall Turkey.

A series of economic measures presented under the title of “Austerity Measures” was announced in a press conference held by Prime Minister Tansu Çiller on 5 April. Prices of goods and services produced and rendered by state establishments were increased by 50 to 120 %, as part of the measures taken. Closure of some plants and enterprises owned by the State and the privatization of some others were decided. Agricultural subventions were almost lifted. The salaries of civil servants and workers at state enterprises were increased at low rates until the end of the year. While some tax rates were increased, additional taxes were brought for those who have a car or more than one property. The austerity measures had a negative impact on the daily life of an important part of the society, especially on life of workers and civil servants, and the cost of living, unemployment and social restlessness increased. The measures drew criticism from workers and civil servants, and from trade unions.

The Central Bank controlled deposit accounts and credit procedures of banks and increased the obligatory provisions allocated for foreign currency and Turkish Lira deposits of the banks. As a result of the official currency being indexed to the interbank interest rate, the Turkish Lira was devaluated by 38.4 percent. Following the devaluation, 1 USA \$ went up to TL 40,000. Upon the sharp rise in the foreign currency, the Central Bank had to raise nightly interest rates up to 1000 percent. Many banks came to the point of bankruptcy because of these developments. The Board of Ministers closed down Turkish Investment, Tourism and Credit Bank (TYT) on 12 April on the grounds that it could not cover its payments and started to liquidate it. Subsequently, Marmarabank and Impexbank were closed down, too. The panic was stopped when the deposits in the banks were taken under the guarantee of the government.

Intensified Serbian attacks against the city of Gorajde in Bosnia-Herzegovina and rumors that “Chemical weapons were used during those attacks” caused protest demonstrations. Supporters of the MHP, RP, BBP and of certain radical Islamic groups organized protest demonstrations in some cities, firstly in Ankara, Istanbul, Erzurum and Kayseri, on 10 April. The police did not intervene in the demonstrations that lasted all day. During the demonstration in Ankara, the windows of the United Nations’ Turkey Representation Office, the US Embassy, Commercial Attaché Office of Russia, the TRT building and of the Headquarters of the DYP were broken by protestors throwing stones, and some journalists were harassed. During the

demonstrations in Istanbul, the Radio building, Istanbul Provincial Organization Office of the Workers Party, The Marmara Hotel and journalists were attacked. Groups trying to attack the buildings of Fener Rum Patriarchate, the Istanbul Consulate of the US and the Israel Consulate were prevented by the police. Nobody was detained during the incidents.

Necmettin Erbakan, the Chairperson of the RP, who delivered a speech in an assembly of RP in the National Assembly on 13 April, stated that his party would come to power and Turkey would certainly come to a "just order". He said "Now, the problem is whether this change will be bloody or not. Hard or soft?" These words by Necmettin Erbakan provoked a reaction and were discussed for a long period.

The draft law regulating private radio and television stations was adopted after debates in the Parliamentary General Assembly on 13 April. Upon ratification of the draft law by President Süleyman Demirel, it was promulgated in the Official Gazette on 20 April and came into force. According to the act, authority for control of radio and television stations, issuing licenses and halting broadcasts was given to a Radio-Television Supreme Board to be formed. In addition, the Prime Minister or a minister charged by the Prime Minister was authorized to halt broadcasts.

The May Day Worker's Holiday was celebrated with authorized demonstrations and meetings held in many places, especially in Istanbul, Ankara and Izmir. Groups marching after the meeting in Ankara were forcefully dispersed on Sıhhiye Bridge by police. During the dispersion, 10 people, 3 of whom are police officers, were injured and 16 people were detained. Meanwhile, Ankara Deputy Salman Kaya was also beaten by the police. Salman Kaya was treated at hospital for some time for injuries he received. The groups marching after the May Day demonstration in Istanbul were also dispersed under police beating. The meetings and demonstrations held in other places ended without any incidents.

Ankara Security Director Orhan Taşanlar was discharged from his duty on 4 May after the ruthless beating of Ankara Deputy Salman Kaya drew an outcry from public. An investigation was launched against 3 police officers, whose names were revealed, who beat Salman Kaya. Subsequently, a trial was launched against the police officers. Orhan Taşanlar was reinstated on 18 May.

An investigation was launched against Süleyman Mercümeç, who was accused of having sent the money which had been collected with the aim of aiding Bosnia-Herzegovina, back to Turkey over Germany for its use by the RP during the election campaign. This case raised new questions about the financial sources of the RP.

A new party with the name of People's Democracy Party was founded as the closure of the DEP by the Constitutional Court became certain. Murat Bozlak, the former Secretary General of the DEP, was named Chairman of the HADEP which was founded on 11 June. The first congress of the HADEP was held on 26 June in Ankara. In consequence of the congress, Murat Bozlak was re-elected the Chairperson of the HADEP, receiving 344 out of 346 votes.

Ergun Göknel, former General Director of the ISKI (Istanbul Water and Sewerage Administration) and ISKI administrators Ziya Kurtaran and Ahmet Haluk Berksoy were sentenced to 8 years 4 months in prison each on the grounds that they had caused losses to ISKI by buying high-price chlorine. In the trial which ended on 13 May, Nurettin Sözen, the former Mayor of Istanbul Metropolitan Municipality, and businessman Halil Bezmen were acquitted.

Diyarbakır former Mayor Mehdi Zana was sentenced to 4 years in prison and a fine of TL 200 million in a trial launched at the Ankara SSC in connection with a press conference he had held in the European Parliament on 28 October 1992 and a speech he had delivered there on 3 December 1992. With the disclosure of the verdict on 12 May, an arrest warrant was issued against him in absentia. He was detained on 13 May and then arrested.

The Diyarbakır SSC Prosecution Office launched a trial against 35 people who are members of Menzil wing of the Hezbollah organization, in May. The indictment claimed that the defendants had been involved in 39 armed and bomb attacks and attacks with meat cleavers in which 25 people had been killed and 32 had been wounded. In the indictment, the death penalty was recommended for 15 of the defendants and sentences of 5 to 15 years in prison were sought for the remaining 20 defendants. With the indictment, the first large-scale trial against the Hezbollah organization was launched.

Muhsin Melik who is a member of the HADEP's Party Council and former Chairperson of the DEP Urfa Provincial Organization, was attacked by 4 unidentified people while he was leaving his house in the Yenişehir quarter of Urfa on the morning of 2 June. Muhsin Melik, who was severely wounded in the attack, died at hospital. Before he died, Muhsin Melik told his relatives who visited him in the hospital; "I know who shot me. They are police officers. They were continuously pursuing me".

The Constitutional Court decided the DEP should be closed down on the grounds that "it made separatist propaganda, and acted against the Constitution". The verdict by the Constitutional Court, which was made public on the evening of 16 June, was unanimously taken. Upon the verdict, the 13 deputies of the DEP lost their parliamentary status. Subsequently, Naif Güneş, Zübeyir Aydar, Remzi Kartal, Mahmut Kılınç, Ali Yiğit and Nizamettin Toğuş went abroad. The decision concerning the closure of the DEP was promulgated in a special issue of the Official Gazette on the evening of 30 June. Sedat Yurtdaş and Selim Sadak who did not leave Turkey, were detained on 1 July and arrested on 12 July.

A military unit of 1,462 soldiers that Turkey sent to Bosnia in order to take part in the Peace Keeping Force of the United Nations went to Split in Croatia on 22 June. The unit arrived at Zenica, where it had been assigned, on 7 July.

Ten of 15 administrators of the HEP (closed by the Constitutional Court in 1993), on trial for speeches they had made, were sentenced to various prison terms and fines. In the trial that ended at the Ankara SSC on 23 June, Kemal Okutan, out of the defendants, was sentenced to 6 years in prison and a fine of TL 250 million while Abdülcabbar Gezici and Feridun Yazar (the former Chairperson of the HEP) were sentenced to 4 years in prison and a fine of TL 100 million, and 2 years in prison and a fine of TL 100 million, respectively. Hüseyin Turhallı, Salih Şahin, Harun Çakmak, Felemez Başboğa, Mustafa Kemal Öztürk, Güven Özata and Mehmet Gemsiz were each sentenced to 2 years in prison and a fine of TL 50 million.

Mehmet Kahraman, the State Minister responsible for human rights, resigned his post. He resigned in protest after debates on the draft bill related to the establishment of the Human Rights Ministry that should have been held in the National Assembly at 24 June night were obstructed by deputies from the DYP. After he resigned, Mehmet Kahraman said the following, "I cannot work without staff and authority. I could no longer bear the stress put on me for 2,5 years." In some newspapers released on the day of Mehmet Kahraman's resignation, there was news relating to a new appointment to the State Ministry responsible for human rights.

Five bombs left in dustbins on the streets around the military residences and Fenerbahçe Orduevi (a military guesthouse) in the Kalamış quarter of Istanbul exploded one after another at about 2.30 p.m. on 26 June. The explosions caused damage. During a search in the region after the incident, 2 more bombs were found. The first of the bombs was defused by bomb defusing experts, but the second bomb exploded while police officers were trying to defuse it and police officers Süleyman Aktaş and Hurşit Şeker in charge at the bomb defusing team, died in the explosion.

Journalist-writer Haluk Gerger gave himself up the Ankara Public Prosecution Office on 27 June because of his 20 months imprisonment in connection with a message he had sent to a meeting held in Ankara in May 1993. Haluk Gerger who was later arrested, was first sent to the Ankara Central Closed Prison and then to the Haymana Prison.

Sociologist Ismail Beşikçi was sentenced to 10 years 4 months in prison and a fine of TL 416,660,000 at the end of the trial in connection with 15 of his books. In the trial which ended on 30 June at the Ankara SSC, Ünsal Öztürk, the owner of the Yurt Publishing House which had published the books in question was also given a sentence of 2 years 7 months in prison and a fine of TL 516,660,000. Ismail Beşikçi had been previously prosecuted in connection with the 15 books at the Ankara SSC and sentenced 4 years and 8 months in prison. However, the sentence had been found insufficient by the Supreme Court and overturned.

Turkey put into force the New Straits Regulations which control passage through the Istanbul and Çanakkale Straits, on 1 July. Russia protested Turkey alleging that the regulations transgressed the principle of free passage and they were in contravention to the Montreux Convention.

Ömer Haluk Sipahioğlu, the Undersecretary of the Turkish Embassy in Athens, lost his life in an armed attack while he was on his way from his home to his office on the morning of 4 July. The "17 November" organization claimed responsibility.

Upon a call by trade unions, hundreds of thousands of workers and civil servants carried out one-day "warning" protest throughout Turkey on 20 July to protest the government. They either did not go to work or stopped work at their work places for periods ranging from one hour to 8 hours. The effect of the warning was mostly felt in Istanbul with daily life in the city highly affected. There were serious hitches in the transportation because of marches and non-operating mass transportation.

The prosecution of deputies Hatip Dicle, Ahmet Türk, Sırrı Sakık, Leyla Zana, Orhan Doğan and Mahmut Alınak who were arrested after their parliamentary immunities had been lifted, started on 2 August at the Ankara SSC. Nobody except the lawyers, journalists, some foreign observers and a few colleagues of the deputies were permitted to watch the first hearing.

The 9th General Assembly of the Confederation of Progressive Worker's Union (DISK) which convened on 4 August in Istanbul ended on 7 August. As a result of elections, Rıdvan Budak was elected Chairperson of the DISK, Mehmet Atay was elected the Secretary General, and Enver Öktem, Vahdettin Karabay, Çetin Uygur, Doğan Halis and Sabri Kaplan were elected the members of the Executive Board.

In consequence of the cholera outbreak which affected Turkey in August, more than 100 people, 17 in Istanbul, 14 in the Dilovası district of Kocaeli, 14 in Ankara, and 18 in Çorum, died. Because of the epidemic, 3,000 people sought treatment in health units in Dilovası while the number of those who went to hospitals in Ankara suspected of having cholera reached 2,000.

Eighty enlisted men were treated at the Gülhane Military Medical Academy Hospital after being diagnosed with cholera. An outbreak of intestinal infections was reported in Erzurum, Samsun and Gaziantep. Health Minister Kazım Dinç claimed that the cases were not cholera, but “acute intestinal infections”. However, microbiological tests on certain hospitalized patients, showed the “vibrio” bacteria which caused cholera. The World Health Organization decided to send a delegation to Turkey after the cholera epidemic. Selim Ölçer, the Chairperson of the Central Council of the Turkish Medical Union stressed in the press conference he held on 18 August that cholera was an illness that could be prevented. He said the following: “Our people do not deserve this illness. Such kind of illness can be obviated in Turkey, but its existence is not accepted. There is no need to panic, because there is sufficient man power and technology to handle this issue.” It was revealed that the cholera epidemic in Çorum had been caused by the use of non-chlorinated water. Doğan Baran, who became the Minister after Kazım Dinç, said in October that 66 people had died because of intestinal infection in 1994.

Dursun Karataş, the leader of the Revolutionary People Liberation Party-Front (Revolutionary Left) was caught while entering France on 9 September and arrested. Subsequently, Turkey staged initiatives for extradition of Dursun Karataş to Turkey. The lawyers of Dursun Karataş appealed to many local and foreign organizations, including the HRFT, to help prevent extradition of Dursun Karataş to Turkey. In the appeals, it was stated that torture was generally and systematically applied in Turkey and stressed that Dursun Karataş’s life would be in danger, if he was extradited to Turkey. A trial was launched against Murat Demir (arrested), Ahmet Düzgün Yüksel and Zeki Rüzgar, out of the lawyers who tried to prevent Dursun Karataş’s extradition. Dursun Karataş was released in 1995.

Prime Minister Tansu Çiller who attended a ceremony held on the occasion of the opening of the Izmir Fair on 9 September, was protested by a large group of workers. Seven trade union leaders accused of organizing the protest demonstration were detained by the police officers coming to their houses at night. The 7 trade unionists, detained upon orders of Interior Minister Nahit Menteşe were released on the evening of 10 September on condition they would be tried without arrest.

A group of PKK militants who raided the Darkent town of the Mazgirt district of Tunceli on the night of 11 September, executed by shooting 6 teachers, namely Metin Kaynar (29), Ali İhsan Çetinkaya (29), Vedat İnan (25), Buminhan Temizkan (27), Rüstem Şen (29) and Mustafa Kaynarca (32), who were working in the town.

The book “File of Torture/1980-1994” prepared by the HRFT on the occasion of the 14th anniversary of the 12 September Military Coup was made public on 12 September. The book assessed torture cases witnessed during the last 14 years and the approach of the authorities towards torture, and included detailed breakdown and information about those who had died under torture. According to the book, a total of 420 people died during the last 14 years, since 12 September 1980. 390 of those people died in detention places or prisons, 13 of them during hunger strikes staged to demand improvement in inhuman living conditions in prisons while 17 of them died because of illnesses due to torture in prisons or because they could not receive necessary medical treatment. The Ankara SSC Prosecution Office launched an investigation into the book under Article 8/1 of the “Law to Fight Terrorism” in October and decided to confiscate the book. In consequence of the investigation, a trial was launched with the demand of prison sentences of 2 to 5 years and fines of up to TL 100 million against HRFT President Yavuz Önen and Administrative

Board member Fevzi Argun. They were acquitted on 11 January 1995. The acquittal was ratified by the Penal Office No.9 of the Supreme Court in May 1995.

Engin Civan, former General Manager of Emlak Bank, was wounded as a result of an armed attack on 19 September. This attack brought to light a bribery scandal which captured public attention for a long period. A trial was launched against Engin Civan, who was arrested (on 4 October) after the incident, on charges of accepting a bribe. The names of many famous people, including those of the wife and children of former President Turgut Özal, were involved in the scandal.

Holding a press conference on 27 September, Azimet Köylüoğlu, the State Minister responsible for human rights, disclosed that Human Rights Supreme Consultancy Board had been formed. Azimet Köylüoğlu said: "This board will guide the government in determining and arranging policies on human rights and for overcoming difficulties in this field. The names of the 22 people who are members of the Consultancy Board are; "Toktamış Ateş, Aysel Çeliker, Korkmaz Alemdar, Ekrem Aksoy, Tekin Akilloğlu, Okan Hasan Aktan, Füsün Arsala, Mehmet Aydın, Aysel Aziz, Süheyl Batum, Lütfü Doğan, Hüsnü Göksel, Cahit Talas, Tahir Hatipoğlu, Nevzat Helvacı, Yakup Kepenek, Joanna Kuçuradi, Yaşar Nuri Öztürk, Maksut Mumcuoğlu, Rifat Önsoy, İlhan Tekeli and Kamil Turan." Nevzat Helvacı, one of the members of the Board, resigned since the report prepared on torture cases, was not made public. Following Helvacı, also Süheyl Batu and Aysel Çeliker left the Board.

Mehmet Topaç (lawyer), former Uşak Deputy from the ANAP and former Minister of Justice, was shot dead by the militants of Revolutionary People Liberation Party-Front (DHKP-C/Revolutionary Left) at his office in the Kızılay quarter of Ankara at about 2.30 p.m. on 29 September. 1 August Circular that had caused considerable unrest and prevalent hunger strikes in prisons between 1988 and 1991, had been prepared when Mehmet Topaç had been the Minister of Justice.

Rebih Çabuk (37), the Chairperson of the HADEP's Adana Yüreğil District Organization, and Sefer Cerf (40), an administrator of the district organization, were killed in the Mutlu district of Adana on the morning of 3 October as a result of a fire opened by unknown people. In the incident, a HADEP member named Salih Satan was also wounded on his leg.

Twenty villages of the Çemişgezek, Hozat and Ovacık districts of Tunceli were evacuated and some of them were burnt down by security officers at the end of September. In a statement he made on the first days of October, SHP Tunceli Deputy Sinan Yerlikaya put the issue of burnt down villages on the agenda of the National Assembly. Subsequent to Sinan Yerlikaya, Azimet Köylüoğlu, the State Minister responsible for human rights, confirmed the burnings, and said the following: "We have determined that 218 houses in the Ovacık district of Tunceli have been burnt down. The state has evacuated and burnt down villages in Tunceli."

A trial was launched against the administrators of the IHD in connection with the book "Yakılan Köylerden Bir Kesit" (A Crosssection of the Burnt Down Villages) which had been released by the IHD but confiscated shortly after publication. The indictment prepared by the Ankara SSC Prosecution Office, sought 2 years in prison under Article 8 of the "Law to Fight Terrorism" for IHD Chairperson Akın Birdal, IHD Secretary General Hüsnü Öndül and IHD Vice Chairperson Sedat Aslantaş and for Erol Anar, who is responsible for IHD publications. The administrators of the IHD whose trial began on 17 October, were acquitted on 11 January 1995. The acquittal was ratified by the Supreme Court in May 1995.

Bayram Duran (26) who was kept under custody in the Gazi Police Station in Gaziosmanpaşa, Istanbul died on 16 October. Police alleged that he had died from a heart attack. However, this allegation was not accepted by relatives of Bayram Duran. A group of people claiming that he had been tortured to death, gathered in front of the Gazi Police Station and protested the incident. Bayram Duran's father Ali Duran filed an official complaint about the police officers in charge in the police station in question.

Çetin Arkaş, Nuran Ekingen, Soner Önder, Ziya Büyükişık, Cemal Tekin, Lütfü Ya-vuz, Hüseyin Bilge and Nevzat Güngör out of the 28 people tried in connection with the demonstration which was held on 25 December 1991 in Bakırköy, Istanbul and resulted in the killing of 12 people when the demonstrators burned down a shopping center (Çetinkaya Shopping Center belonging to the brother of Necati Çetinkaya, former Governor of the Emergency State Region) were life sentenced. In the trial which ended on 18 October at the Istanbul SSC, Ahmet Yurttaş was sentenced to 3 years 9 months in prison and Kadir Ergün to 1 year 8 months in prison while 18 people were acquitted.

Aziz Nesin received an award from the Hiroşima Foundation, given to those who carry out works decreasing the tension but strengthening the peace among nations, communities and people, and which amounts to \$ 30,000, in 1994. Aziz Nesin received the award which has been given out since 1989, at the end of October. Aziz Nesin was also awarded the "1994 International Freedom of Press Award" by the Committee to Project Journalist, on the same days.

In order to protest the decision to close the Karabük Iron Steel Works, a wide-scale act which lasted for 4 hours was made in Karabük on 8 November. During the act, students did not go to schools, workers and civil servants did not go to work, shops were not opened, vehicles were not driven and traffic was stopped. In addition, a large demonstration was held in the city center. The act ended without any incidents. In the meantime, upon an official complaint filed by the District Governor, an investigation was initiated against the leaders of mass organizations who organized the act.

During the official ceremony held in the "Anıt-Kabir" (Mausoleum) on 10 November on the 56th anniversary of the death of Mustafa Kemal Atatürk, the founder of the Turkish Republic, a radical Islamic person, named Mahmut Kaçar (36) made a demonstration. Waving the Koran, Mahmut Kaçar approached President Süleyman Demirel to a distance of 3 meters at the moment of silence at about 9.05 a.m., the hour when Atatürk died, and shouted: "What you are doing is worshipping idols. Do not prostrate yourself before stones and bones. The stones do not save you. I invite you to the Koran." Subsequently, he was detained by police. Mahmut Kaçar who was arrested by the Ankara SSC on 22 November, was convicted to 4 years 6 months in prison. His sentence was upheld by the Supreme Court in 1995.

Lawyer Medet Serhat (59) was shot dead by unidentified people who blocked his car on the way to his house in Erenköy, Istanbul at about 1.30 a.m. on 12 November. In the attack, Medet Serhat's driver Ismail Karaalioglu also died and his wife Yurdanur Serhat was severely wounded. Medet Serhat who had been detained following the 12 September Coup because of his political activities, was among the defendants of Peace Association Case.

Thirty-three members of the international environmental organization Greenpeace held a demonstration on 11 November in front of the General Directorate building of the Turkish Electricity Authority in order to protest the planned nuclear power plant in Sinop Akkuyu. Greenpeace members who went to General Directorate building early in the morning hung a

placard saying “No need for more Chernobyls!”. Then, they prevented people from entering or exiting the building by lying on the ground or chaining themselves to the door. The 33 demonstrators, including 28 foreigners and 5 Turks, were dragged away and detained by the police. The detainees were released 5 hours later, but a trial was launched against them.

The disagreement between Turkey and Greece on the Aegean Sea continental shelf, grew in November. Greece stated before its military manoeuvres in the Aegean Sea (which coincided with manoeuvres by Turkey), that it would have the right to increase its territorial water to 12 miles on 16 November, the date when “UN International Act on Maritime Law” was put into force. This statement caused tension. As its traditional policy, Turkey stressed that an increase beyond 6 miles of the territorial waters of Greece in the Aegean Sea would be a cause for war. No clash arose despite the manoeuvres carried out in such an atmosphere.

Period of the emergency state legislation enforced in Southeastern Turkey since July 1987 was extended (for the 22nd time) for 4 months after debates at the National Assembly on 16 November. All deputies of the RP and the CHP, and some deputies of the SHP opposed the decision which was adopted with 218 “Yes” votes against 56 “No” votes.

The first Privatization Law of the Turkish Republic was passed in the Parliamentary General Assembly on 23 November. Prime Minister Tansu Çiller stated that a new era was begun with the Privatization Law and said: “Turkey was the last socialist state in its region. We demolished that with privatization.”

The report prepared by the HRFT on the effect of the clashes and attacks which have been continuing in the Southeast and East of Turkey for years, on the education in the region and, mainly, to determine the teachers killed as a result of attacks, was made public on 24 November. According to the report entitled “Education and Training in the Emergency State Region”, a total of 128 teachers were killed in armed and bomb attacks, attacks with meat cleaver or clubs, or during clashes or other violent acts between 15 August 1984 when the PKK staged its armed activities, and 20 November 1994. Eighty-one of those teachers were killed by PKK militants, 43 of them were killed by unidentified assailants while the remaining 4 died in various incidents.

In order to protest the attempts to close mines, a large protest lasting 4 hours was carried out in Zonguldak on 23 November. During the protest, students did not go to schools, workers and civil servants did not work, shops remained closed, vehicles were not driven and traffic stopped. In addition, a large demonstration was held in the city center. The act ended without any incidents.

Osman Erdemir, Ali Rıza Bayramçavuş and Can Özbilen who attempted to plot against businessman Jak Kamhi on 31 January 1993, were sentenced to 15 years in prison and fine of TL 416 million each, on 23 November.

More than 50,000 workers and civil servants held a demonstration on 26 November to protest the economic measures planned by the government in 1995. The workers, civil servants and members of civic organizations who gathered in the Tandoğan Square in the morning hours, first went to the Anıt Kabir (Mausoleum) at noon, and then, shouting slogans protesting at the government and calling Prime Minister Tansu Çiller to resign, they started to march towards the National Assembly building. The crowd marching in heavy snow was stopped by police officers who barricaded the road around the Assembly building. Nobody was detained during or after the march.

Bombings were carried out by allegedly unidentified people against the headquarters of Özgür Ülke in Kadırga, Istanbul and its offices in Cağaloğlu and in Ankara early in the morning on 3 December. In the attacks carried out between 3.15 a.m. and 3.50 a.m., one person died, 21 people were wounded and the bombed buildings suffered great damage. Nobody claimed responsibility for the attacks.

Lawyer Sedat Aslantaş, former Vice Chairperson of the IHD was sentenced to 3 years in prison and a fine of TL 150 million in connection with his speech during the congress of the association held on 24 October 1992 in Ankara. Upon the verdict, he was arrested and sent to Ankara Central Closed Prison.

The trial of 7 former deputies of the DEP and Mahmut Alınak, independent deputy from Şırnak, ended on 8 December at the Ankara SSC. Hatip Dicle, Ahmet Türk, Orhan Doğan, Leyla Zana and Selim Sadak were convicted to 15 years in prison each under Article 168/2 of the Turkish Penal Code, Sedat Yurttaş was convicted to 7 years 6 months in prison under Article 169 of the same while Sırrı Sakık and Mahmut Alınak were sentenced to 3 years 6 months in prison and fine of TL 60 million, each under Article 8 of the "Law to Fight Terror-ism". With the verdict, Sırrı Sakık and Mahmut Alınak were released.

Faik Candan, the Chairperson of the Ankara Provincial Organization of the HEP, (closed by the Constitutional Court) who disappeared after he left his office in the Sıhhiye quarter of Ankara on 2 December was found dead on 14 December. It was revealed that Faik Candan whose corpse was found on a deserted area in the Salih Bey region 15 kilometers from the Bala district of Ankara, had been shot with 4 shots in the head, neck and chest.

In mid-December, Interior Minister Nahit Menteşe ordered the Istanbul Governorate to launch an investigation against Fener Rum Patriarch Bartelemeos. There are various accusations against Patriarch Bartelemeos, such as conducting activities against Turkey abroad and collaborating with Russia and Greece in order to be the spiritual leader of Orthodoxies.

Dentist Fuat Çık (major-36) working at the Elazığ Military Hospital was killed in an armed attack by Revolutionary People Liberation Party-Front (DHKP-C/Revolutionary Left) militants in his office on the evening of 14 December.

An arrest warrant was issued against 7 members of the Administrative Board of the IHD Diyarbakır Branch in connection with a book they had prepared. The names of the IHD leaders in question are as follows: "Halit Temli (Vice Chairperson of the IHD and Chairperson of the IHD Diyarbakır Branch) Mahmut Şakar (Secretary of the Diyarbakır Branch-Lawyer), Nimetullah Gündüz (lawyer), Abdullah Çağır (lawyer), Melike Alp, Hayri Veznedaroğlu and Hüseyin Yıldız." Upon the warrant, Mahmut Şakar, Nimetullah Gündüz and Abdullah Çağır were arrested on 17 December, and Melike Alp on 29 December. The arrested IHD administrators were released in the hearing held at the Diyarbakır SSC on 17 April 1995.

Bingöl Mayor Selahattin Aydar, a member of the RP, was sentenced to 1 year in prison in connection with his speech during a meeting in Diyarbakır. In the trial, which ended on 22 December at the Diyarbakır SSC, Bedri Baran, the Chairperson of the Diyarbakır National Youth Foundation, who organized the meeting in question was also sentenced to 1 year in prison in connection with his speech. The sentences of Selahattin Aydar and Bedri Baran were suspended later. The trial had been launched under Article 312 of the Turkish Penal Code.

The New Democracy Movement led by businessman Cem Boyner (former Chairperson of the Turkish Industrialists and Businessmen Association) became a party with the same name on 22 December. Cem Boyner, who was elected the Chairperson of the party, said that the party would come to power by receiving 45 percent of the votes in the coming elections.

The trial in connection with Sivas incidents which resulted in deaths of 37 people in a fire on 2 July 1993, resulted in lighter than expected sentences. In the trial, which ended on 26 December at the Ankara SSC, 26 of the defendants were first sentenced to death. However, on the justification that the crime had been committed under heavy provocation, the sentences of 22 defendants were reduced to 15 years, that of 3 defendants to 10 years and the sentence of one defendant to 5 years. Fifty-four of the defendants accused of acting in contravention to the Law on Assemblies and Demonstrations were sentenced to 3 years in prison while 6 of them were sentenced to 2 years in prison each. Thirty-seven defendants were acquitted, the case against one defendant was separated since he could not be apprehended, and 12 of the 33 arrested defendants were released. Besides this, the court board decided to file an official complaint against writer Aziz Nesin on allegations that he provoked the incidents in Sivas, to the Public Prosecution Office under Articles 159 and 175 of the Turkish Penal Code. After the verdict was disclosed, the defendants threw coins, lights and sticks against the journalists who were watching the hearing and against the court board.

The Board of Ministers decided to extend the period of military service on 26 December. According to the decision, the period of military service was set at 18 months instead of 15 months for enlisted men, 16 months instead of 12 months for second lieutenants and 8 months instead of 6 months for short-term enlisted men.

A Boeing 737-400 type passenger plane of Turkish Airlines crashed in the vicinity of Van at about 2.00 p.m. on 29 December while on a flight from Ankara to Van. In the crash which was caused by heavy snow, 56 people lost their lives and 20 people survived.

A bomb placed by unidentified people within a coat in the cloakroom of the Opera Pastry Shop in the Istanbul Taksim Square, exploded at about 7.15 p.m. on 30 December. As a result of the explosion, a woman named Yasemin Cebenoyan (36) died and Onat Kutlar, one of the columnists for the newspaper Cumhuriyet and a well-known cinema critic, was severely wounded. Onat Kutlar, whose backbone was broken and spinal cord was injured, was treated at the American Hospital. In spite of all efforts, Onat Kutlar's health deteriorated day by day and he lost his life on 11 January 1995 at the hospital.

THE KURDISH PROBLEM

The most vital issue of Turkey in 1994 was the Kurdish problem, again. The Kurdish problem which is the most important reason for most part of human rights abuses in Turkey, became more complex than in the previous years as a result of new developments and negative events. Political powers preferred to intensify military methods used for years, instead of finding a democratic and peaceful solution. All democratic demands for solution of this problem were disregarded. Military methods were seen to be the unique way to solve the problem and were applied. Violence continued to be the most significant aspect of the Kurdish problem. The National Security Council and the General Staff Office were entrusted with determining and applying a policy on the Kurdish issue in 1994, as in 1993.

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 different from the official ideology were subjected to heavy sanctions. Journalists and writers were arrested and sentenced, political parties were closed, and pressure on democratic mass organizations and human rights activists intensified. The deputies whose immunities were lifted were detained, arrested, prosecuted and convicted. Whatever was experienced in the Emergency State Region and the incidents that occurred there, were hidden from the public or made public with the facts turned inside out.

State of emergency provisions, which have been in operation since July of 1987 in southeastern Turkey, and the village guard system were not lifted in 1994, despite the promises given by the coalition government, but they 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. The number and power of village guards were increased, and security affairs in some settlements were completely devolved upon village guards (for example in Siverek). During the operations carried out against the PKK, certain Kurdish tribes which supported the state were entrusted along with the village guards. Numerous ground and air operations were carried out against the PKK camps and positions either in Turkey or outside its borders.

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 and districts were damaged. Thousands of people left the settlements they had been living

in for years and emigrated to other places and sometimes to abroad. Extemporaneous quarters, where tens of thousands of people who had to leave their hometowns and emigrate have been living, were thrown up in Diyarbakır, Van, Adana and Mersin. Most of the migrants had to live in unhealthy conditions. Extra-judicial executions, murders by unknown assailants and torture cases intensified.

The PKK increased its attacks against civilians, defenceless groups and foreign tourists. Such attacks were mostly carried out in big cities like Istanbul, Izmir and Adana. Buses, shopping centers, restaurants, hotels were bombed and shot with guns. There was a considerable increase in forest fires. Gendarmerie stations were subjected to PKK attacks. Clashes which arose between the security officers and PKK militants sometimes lasted for days. Every-day corpses of young soldiers who died during the clashes, raids or traps, were sent to cities in western parts of Turkey. Funerals for the killed soldiers enhanced the reactions (which were continuously provoked also by some of the TV establishments, newspapers and political parties) against the Kurdish people.

The Kurdish problem caused great damage to the Turkish economy, too. As a result of the violence, Turkey had to take on a financial burden amounting to trillions of TL. An economic balance which had hitched for years was completely disrupted. The bill of this economic bottleneck was paid by workers, civil servants and people of small income.

As a result of the lasting struggle between the administrators who insist on military solution, and the PKK, which continues its attacks, the Kurdish problem was jammed in a triangle of violence, pressure and death, and became almost unsolvable. Thousands more people were added to thousands of people (*) who lost their lives. Enmity, separation and difference, the repair of which is very difficult, emerged between Turks and Kurds. (On the one hand, many a Kurd whose son, daughter or spouse died, who had to leave the soil s/he had been living for years, witnessed violence and was subjected to torture. On the other hand, the relatives of soldiers who died during clashes and attacks, security officers who have crippled and the Turkish people who are restless because of the attacks against civilians.)

(*) The report concerning the incidents experienced in the 10 years since 15 August 1984 when the PKK began its acts and attacks, which was prepared by the NSC's National Security Policy Office in order to be submitted to the National Security Council, gave impressive figures. The report disclosed that 4,644 security officers, 244 of whom were military officers, 621 non-commissioned officers, 275 police officers and the remaining village guards and enlisted men, and 4,036 civilians had lost their lives while 6,443 PKK militants had been killed during the operations and clashes. When we take into account that the death toll of the Turkish Army was 484 (38 military officers, 36 non-commissioned officers, 409 enlisted men and 11 civilian workers) during the 1st and 2nd Cyprus operations in 1974, we realize the dreadful picture of the clashes in the Emergency State Region. The report stated that 2 war planes and 3 helicopters had been brought down, 5 tanks had been destroyed during the operations, and some weapons and ammunition had become out of service as a result of armed attacks. The report indicated that 16,400 people who had been caught during the operations had been sued and some of them had been kept arrested, and stressed that seized weapons and ammunition were enough to equip an army. Indicating that numerous security officers were wounded, the report stated that out of those wounded, 170 military officers, 264 non-commissioned officers, 400 specialized sergeants and 795 enlisted men had become crippled. The report pointed out that 10-year cost of the Kurdish problem was 987 trillion liras and the amount of national wealth lost during that period was 4.2 quadrillion liras. It emphasized that contribution of the region to the national budget had decreased by 370 trillion liras when compared to previous years. The report also stressed that ecological balance in the region had been broken because of the operations, and stated that natural beauties (forests, caves, historical places) had been devastated to a great extent and it was not possible to create them again.

Following are the sub-sections covering information about the developments related to the Kurdish problem, inhuman treatment in the Emergency State Region, attacks by the PKK and similar events in 1994 (*):

a)- The Newroz festival

Before the Newroz Festival, an anxious expectation prevailed in Turkey similar to previous years. The local elections to be held just after the Newroz Festival were another factor that increased the tension. Provocative statements and acts intensified towards 21 March. Remembering certain events which had taken place in the previous years, the society waited with some apprehension. Security measures and pressure in the Emergency State Region increased. However, the atmosphere was mollified to some extent since the PKK called on people to celebrate the Newroz at their homes, and the applications made by local administrators in order to organize meetings were accepted without any difficulties. This situation did not remove the tension and anxiousness completely. Pressure and obstruction continued. For example, hanging the placard prepared by the IHD Istanbul Branch relating to the Newroz Festival was banned by the Istanbul Governorate. No justification was given for the decision. On the placards which were banned was written "A World Without War, A Newroz Without Blood".

In his article "*Diyarpolis City*" published in the 21 March 1994 issue of the newspaper Milliyet, journalist Nazım Alpman exposed the atmosphere prevailing in the region before the Newroz Festival.

Some of the press members who swarmed to Diyarbakır because of the Newroz were worried that they would be "disappointed":

- *If nothing happens, what then?*
- *Is it terrible?*
- *Why did we come here with our cameras?*

It is not easy to understand those who are walking around with their cameras madly and asking, "Isn't there anything bloody?" Some of our colleagues are working too "soundly". They are wandering with steel waistcoats in the city. The "dream" of foreign colleagues is to take pictures of the burnt-down villages.

Before the 1991 general elections we were again in Diyarbakır. Whoever we asked something told us so much. Everyone had some "true or false" ideas about the solution to this problem, and with great desire they told journalists their ideas. Without fear, without hesitation. But now, they are even afraid of giving their names. When we ask "How is it going?" just for something to say, they reply indifferently:

- *What do you expect! Everything is like you see. We are living!*

(*) 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 region. However, 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.

We are walking around in the streets of Diyarbakır on 20 March. In order to have a “hot contact” with peddlers, we buy trifles. Pocket-lighter, rosary, simit, screwdriver. Chats are “abstract”. Then, we try the style of the TRT’s “emergency state reporter”:

- You welcome the arrest of the DEP deputies, don’t you?

My poor source is balking. He is flushing. When he sees that there are no accessories such as kalashnikovs, tanks, carriers, he is smiling:

- No, I do not think so. It is not so good!

Children are always sincere. They talk imprudently. We step onto a weighing machine. We are not looking at the pointer. The owner of the machine is a child. His voice is blasting like a pistol:

- Leyla Zana!

- Where is she now?

- In prison.

- In which city?

- In Istanbul.

Such a mistake may be tolerated in a city where newspapers are sold only in police stations.

We arrive at a kiosk and buy two packages of cigarettes. We are like vendors of “tekel” products. We have lot of cigarettes. And a tin of coke. Perhaps, we may have a chat while drinking. The case is better than we expect. The owner of the kiosk knows us.

- Brother, come in. Drink a cup of tea.

Being acquainted in the previous years is useful. We broach the matter. He says:

- Just before, foreign television teams have come. They have asked whether there is pressure. I said, “How do you make sense of it?” There is no pressure here!

- Why have you said so?

- There were 10 people behind them. 4-5 of the people were from the intelligence office. May I speak in such a case?

We drink one more cup of tea. The subject is Newroz and the “festival gesture” of Tansu Çiller. The person spoken to says “When it is mentioned about compassion, our flesh creeps. Because when the state talks about compassion, we get a beating. We quote the words by Ünal Erkan, which were published in Milliyet on the 20 March:

- The Governor says that you should not deem everyone a terrorist. If you do so, there will be no one with you.

- He says good things. However, the state deems every person a PKK militant! Then, he is showing the all-equipped soldiers passing by:

- Please, look at those soldiers, police officers. Are not they our soldiers? This soil is not the Palestinian soil. We are faithful to our state and against the PKK, but they do not believe us.

The crowd of security officers in Diyarbakır is commented upon in a “witty” manner by those living in Diyarbakır:

- Diyarbakır has become Diyarpolis!

Diyarbakır, which was described as Paris of the East once upon a time, now also has the name of “ancient city”.

This time we enter a passage.

I am lucky. While I am having my shoes polished, we talk to a draper.

- How is your business going?

- Bad. Very bad. Is it possible that commerce is going well in a city where 3-4 people are killed in a day?

Among the rolls of clothes, he continues talking as a sociologist of politics:

- There is no industry in the region. Because of the “known situation”, agriculture and animal-husbandry have no strength left. Those who have money escape to the West, and hungry people come instead of them. There are two migrations. For the time being, everyone watches the goings-on. Respect should be shown to people of this region!

We are with a businessman past middle-age. The subject is the Newroz. First he criti-cises two things.

- Neither the state nor the public knows what Newroz is.

Then he goes back to the previous years:

- How enthusiastic we were while celebrating before. Once we were in the district of Silopi. A friend who was a driver, found nothing to fire, and he burnt his truck!

Staring in amazement we ask:

- Well. What will happen tomorrow (today)?

- I will go to this square (pointing to Dağkapı) and celebrate Newroz. The state should not interfere.”

During the Newroz Festival, there were no significant incidents in Turkey and no widely-participated meetings in the Emergency State Region. Meetings were not held on the occasion of the Newroz Festival in some of the settlements in the Emergency State Region. Contrary to previous years, there were no incidents which resulted in death during meetings and demonstrations in 1994 (during the Newroz celebrations, a total of 92 people lost their lives in 1992 and 3 people in 1993). However, without discriminating between foreigner or native, pressure was applied, and some of those who attended demonstrations were beaten or detained.

A delegation of 59 people that came from Germany to Van in order to watch the incidents that might occur during the Newroz Festival was kept in custody for 5 hours at the Van Airport on 19 March. The passports and IDs of the delegation members, who were held by police officers immediately after they got off the plane, were forcibly seized. Nazmi Gür, the Chairperson of the IHD Van Branch, and Necati Bayram, one of the administrators of the Branch who went to the airport to welcome the delegation, were detained, too. The German delegation was then sent to Istanbul by plane. The delegation members who organized a press conference in Istanbul on 20

March, reported that they had been harassed and insulted at the Van Airport where they had been held in detention. In addition, another German delegation of 17 people that came to Van on 17 March was forcibly brought to the airport by the police officers who came to the hotel they were staying in, and was sent to Ankara. Members of the delegation who wanted to spend the Newroz Festival in Doğubeyazıt, were returned to Van by police officers blocking their way, while going to Doğubeyazıt on 17 and 18 March. In addition, a 4-person delegation from Finland, was not allowed to go to Mardin.

Some members of a delegation of 23 people who came from Switzerland to Van were detained on 20 March. The Swiss citizens, who were released on the night of the same day, were not allowed to meet anyone, including authorities of consulates, while in detention. Anina Martki, a member of the delegation, stated the following on 21 March: “When we went out of the hotel, we were attacked by police officers. They attempted to seize our cameras. We were detained. When we wanted to buy bread after being released, we were harassed. When we returned to the hotel we were not allowed to meet anyone. Our phone calls to the consulate were not linked and lines were cut off.”

Three journalists, named Michegel Enger, Hans Peter Wermer and Corina Guttstadt who came from Germany to Turkey in order to observe any incidents that might occur during the Newroz Festival, were beaten by the plainclothes officers in Tatvan. Cameras of the journalists who came to Turkey in the name of the German TV Spiegel were destroyed and 4 video-cassettes that were with them were seized during the incident on 19 March. The journalists, who left Tatvan and went to Diyarbakır upon the incident, reported that while coming to Diyarbakır, they had been kept in custody for 2 hours and insulted by gendarmes blocking their way in the vicinity of Bismil.

Authorized meetings were held in Adana, Gaziantep and Izmir by the DEP while unauthorized demonstrations were organized in Kızıltepe, Tarsus and Mersin by some groups on 20 March, on the occasion of the Newroz Festival. The authorized meetings ended without incident because the police did not intervene. More than 50 people were detained after the unauthorized demonstration in Tarsus. A group of 250-300 people who gathered in the Yum-ruktepe quarter of Mersin, which is mostly inhabited by Kurds, set fire and danced “halay”. During dispersion of a group of people who wanted to demonstrate in the Selçuklular quarter, 2 people were injured. The demonstrations in Mersin also continued on 21 March. In consequence of operations carried out by police on 19 and 20 March, 257 people were detained in Ankara, 89 people in Istanbul and 5 people in Gaziantep. In addition, curfew was proclaimed in Cizre and in the Kurtalan district of Siirt between 6.00 p.m. and 6.00 a.m. on the days of 19, 20 and 21 March.

Unauthorized demonstrations were held in the Incirli, Merter and Sarıgazi quarters of Istanbul on 21 March. The demonstrations in Incirli and Sarıgazi in which police did not intervene, ended without incident. A group who attempted to march after the demonstration in Merter was prevented by police beating. The clash with stones and sticks which arose there-upon, ended before becoming large after the withdrawal of police officers from the scene by the police authorities who intervened by wireless. Meanwhile, a 13-year old girl who was wanted to be detained by the police on the claim of “carrying the flag of the PKK”, was released upon the reconciling efforts of some journalists.

A fire was set and folk dances were staged by small groups, mostly of children, in Diyarbakır on 21 March. The Emergency State Region Governor Ünal Erkan attended one of these demonstrations, too. On the other hand, a group formed of village guards and their families gathered at Dörtöyl Square in Cizre in the morning hours and held a demonstration which lasted for

hours against the PKK and its leader on the pretext of “Newroz Celebration”. The PKK’s call, “Celebrate Newroz Festival at home”, was effective especially in small settle-ments. People living in these settlements did not go outside their house for the day, and the shops were not open. Additionally, shops in the Bağlar, Şehitlik and Melikahmet quarters of Diyarbakır remained closed until noon hours on 21 March. Closed hall meetings were organ-ized in Ankara, Antalya and Muğla by the DEP. Unauthorized demonstrations were held in some quarters of Ceyhan, Mersin, Iskenderun and Adana on the occasion of the Newroz Fes-tival. The police who prevented some demonstrations in Adana, detained about 100 people. Gabriele Ohl, cameraman for the German ARD TV and journalists Ali Berber and Mehmet Alan who watched an unauthorized demonstration on the morning of 21 March, were kept for 2 hours under police custody.

A group of students who attempted to hold a demonstration at the Göztepe Campus of Istanbul Marmara University on 21 March were prevented by the police. Upon the insistence of the students on the march, the police fired three gun shots into the air and 8 students were detained. The Newroz Festival was also celebrated by various demonstrations in the Nurtepe, Avcılar, Kasımpaşa, Gazi, Küçükköy, Yenikapı, Gülsuyu and Kadırğa quarters of Istanbul and at the Avcılar Campus of Istanbul University. Taner Tanrıverdi, İrşad Aydın, Hakan Alak, Re-cep Yürek and Gülen Aygül, members of a music group “Grup Yorum”, who wanted to attend the demonstration in the Nurtepe quarter, were kept in custody for some time. A closed hall meeting was organized in Istanbul on the night of 21 March by the Kurdish Rights and Freedoms Foundation on the occasion of the Newroz Festival.

Newroz celebrations organized by the DEP on the night of 20 March in the Konyaaltı Open Air Theatre in Antalya went on with enthusiasm. About 5,000 people attended the celebrations. About 90 people who left the Ömerpaşa and Habipler quarters in order to go to celebrations by service buses were reportedly detained. Demonstrations which were to be held in the Ahatlı and Şafak quarters of Antalya on 21 March were prevented by the police and some demonstrators were detained.

In the Viranşehir district of Urfa, people celebrated the Newroz Festival by making bonfires and shooting into the air on the streets in the Cumhuriyet, Demirel, Enver Paşa and Tekke quarters on the evening of 21 March. About 300 people most of whom were youths gathered in the Yenişehir quarter of Viranşehir on the same evening and started to march. However, as a result of shooting into the air by soldiers who tried to prevent the march, 2 people were wounded by ricocheting bullets.

b)- Local elections

Another phenomenon which caused social tension and worry in 1994 was the 27 March local elections. The atmosphere became more tense because the elections were going to be held just after the Newroz Festival, the clashes which have been continuing in the Emergency State Region for 10 years became more severe and pressure was intensified in many places (especially in the towns and villages in the Emergency State Region). Pressure was especially intensified on the DEP and its candidates or members. The tension caused by the local elections grew because of armed and bomb attacks in big cities and the atmosphere of violence which appeared as of the beginning of 1994. The tension and fear increased when the DEP boycotted the elections and 6 of its deputies were arrested.

Sample cases related to the incidents, pressure and attacks during the period between the first days of January and the end of February, when the DEP disclosed it would not participate in the elections, are as follows:

Releasing a leaflet at the beginning of January, the PKK stated that all parties, except the DEP, were forbidden to function in the region and those who attended activities organized by the parties would be punished. The following was stated in the statement: "Nobody should go to listen to them. Those who try to gather people with the aim of having them listening to them will be deemed the enemy and will be responded to harshly." Mustafa Karasu, one of the PKK representatives abroad, made a statement in London on the same days and stated that the local elections would be sabotaged unless the elections were democratic. Claiming that the Kurdish problem can only be solved through democratic weans, Mustafa Karasu said, "A democratic solution is available in a democratic state. Our democratic solution can only be possible with a democratized Turkey."

The Payamlı village of the Erüh district of Siirt (the village where Siirt Deputy Zübeyir Aydar is from) was raided by security officers on 10 January and 26 people were detained. While leaving the village, the security officers ordered villagers to evacuate the village within 10 days. The same village was raided again on 25 January and the villagers were ordered to leave the village. The security officers who raided the Başpınar village of the Digor district of Kars on 15 January stated that the village would be burnt down if the villagers voted in favour of the DEP in the local elections. A 5-person delegation of the DEP which went to the Pınarbaşı town of Adıyaman on 17 January for election propaganda was kept in detention in the gendarmerie station in the region and lives of the delegation members were threatened. In consequence of the operations launched in Van and its districts on 18 January, 100 people including Burhan Kartal, Cevdet Kayhan and Şükrü Kelsaç who are administrators of the DEP Van Provincial Organization were detained.

A bomb was placed in the building of the DEP Ankara Yenimahalle District Organization by unknown people on the night of 20 January. Fahrettin Aydoğan who was working as a tea server in the building, was wounded as a result of the explosion. The Ankara Mamak District Organization Office of the DEP was bombed on the night of 29 January by unknown people. The explosion caused damage of TL 200 million, but nobody died or was wounded. The building of the Ankara Provincial Organization of the DEP was bombed on the night of 14 February by unidentified people. The bomb that exploded in the building located on Mithat-paşa Street, caused great damage to the building. Three people from the personnel of a construction company in the same building were slightly injured.

Notables in the Başköy, Derince and Sorgulu villages of Digor were invited to the Digor Gendarmerie Commandership on 26 January and threatened. They were told to relinquish their vote for the DEP. On 1 February, the office of the DEP Derik District Center and the shop of DEP Derik District Chairperson Veysi Karagül, who was in prison at that time, were burnt down by unknown people. On the same day, Mardin Deputy Mehmet Sincar's father Tevfik Sincar (70), who was supposed to be a mayoral candidate from the DEP in the Kızıltepe district of Mardin was detained. The Maraş Provincial Center of the DEP was raided on 3 February by the police, and provincial chairperson Ali Gökot was detained.

Mehmet Yardımcıel, the Chairperson of the DEP Digor District Organization, was detained by police officers raiding his house on the morning of 3 February. Yardımcıel, who was released at noon on the same day after being taken to security directorate, said: "Since the local

elections is drawing near, detentions against the DEP members have intensified. In this direction, our party organization in Digor is subjected to pressure. I was tortured for 4 hours.”

Kozluk (Batman) Mayor Abdullah Kaya and Kurtalan (Siirt) Mayor Cemil Akgül were removed from duty by the Interior Ministry in February. DEP Chairperson Hatip Dicle as-sessed the removal of the mayors from duty as a state intervention in the elections and protested the implementation, said “With this decision, the political power has shown what it may do in the election atmosphere.”

Şırnak Deputy Selim Sadak, who went to Cizre together with a group of journalists in order to conduct an examination in the election region on 5 February, was not allowed to enter the district for an hour. Selim Sadak who could enter the district later, met with Mayor Haşim Haşimi. Selim Sadak said “If a deputy is not allowed to enter the district from where s/he was elected, this means that there will not be security during the election and the election will not be democratic. I invite Tansu Çiller to Cizre. She should see Cizre, Şırnak, Idil and Silopi. She should see the region where blood sheds in streams. They must take the necessary steps to ensure a democratic election. I call to the PKK and the state. Do not put pressure on people. Let people vote in a democratic atmosphere.”

Murat Bozlak, the Secretary General of the DEP, was wounded as a result of gun fire by 2 unknown people while he was coming to his house in the Keçiören quarter of Ankara on the night of 5 February. Murat Bozlak received 4 bullet wounds in his arm and chest, and was treated at a hospital for some time.

Halil Aksu and Mehdi Olga, candidates from the DEP for the Siirt Provincial General Assembly, were beaten and threatened by Eruh Gendarmerie Squadron Commander First Lieutenant Hüseyin Kurt on 7 February. Kurt was trying to persuade them not to be candidates. On the same day, Kadri Bektaş, DEP’s mayoral candidate for Siirt, was threatened and told to relinquish the mayoralty candidacy.

Five military students (candidates for second lieutenancy) named Ekrem Okutan, Ismail Kaya, Murat Tuncer, Osman Bozdağoğlu and Cüneyt Güden died as a result of the explosion of a bomb left at a railway station in Istanbul Tuzla on the morning of 12 February. Thirty-one people, 21 military students, 8 enlisted men, and 2 women, were also wounded during the explosion. Responsibility for explosion was claimed by the PKK. The attack at the train station provoked indignation all over Turkey. After the attack, certain publications launched a campaign against the DEP and DEP deputies. While the campaign was under way, the statement “Everyone who carries a military uniform is a target.” made by DEP Chairperson Hatip Dicle enhanced the indignation.

DEP’s Diyarbakır Metropolitan Mayoral candidate Metin Toprak and district mayoral candidates Musa Özsat and Nebahat Akkoç were detained by police officers who raided their house on the night of 12 February. The detainees were released on 22 February. After being released, Metin Toprak said that he had been tortured under police custody.

Abdullah Yılmaz, DEP’s mayoral candidate in the Uludere district of Şırnak, was beaten and ordered to give up his candidacy while in the gendarmerie station where he had been called on 14 February. He was also beaten by special team members in front of the Uludere District Election Board where he went in order to file his candidacy application on 18 February, and his documents were torn. DEP’s Ankara Sincan Mayoral Candidate Ahmet Kızıl was detained by police officers who went to his office on 21 February.

The corpse of Ömer Alevcan (28), who had been detained by police in the Aydınlar town of Siirt on 9 February, was delivered to his family on the morning of 19 February. Ömer Alevcan, the son of DEP's Aydınlar Mayoral candidate Hüseyin Alevcan, was detained shortly after he had met with Siirt Deputy Zübeyir Aydar who had gone to the town.

As a result of the explosion of a highly-destructive bomb left in the building where the DEP's Headquarters was located on the Necatibey Street, a person named Ekrem Akçakaya (30) died and 16 people, 2 of them severely, were wounded. The bomb, which exploded at about 6.15 p.m. on 18 February also caused considerable damage.

Brothers Soner Tekeş (20) and Ahmet Tekeş (28), both of whom were DEP members, were killed in an armed attack by 3 unidentified persons on the Bağlar Street in Diyarbakır on 24 February.

Election Boycott

Because of these developments, the DEP decided not to participate in the local elections. The decision, taken by the majority of the voters during the meeting of the DEP's Party Assembly held on 23 and 24 February in Ankara, was made public by Chairman Hatip Dicle. He said the following about the decision: "In spite of all obstacles, we intensified our efforts after the start of election campaigns. We determined our candidates in many settlements. However, we became the target of attacks every day. Seven of our members were killed in the last 45 days. Six buildings where our provincial or district organizations have been located were bombed. Our secretary general was subjected to an armed attack in his house. Our general center became unusable because of bombing. While these attacks were under way, the security forces threatened people living in the settlements where we had great potential of votes, to prevent them from voting for our party. Many of our candidates were detained and threatened. The Law on Election was arranged again in order to ban us. Under these circumstances, we decided to withdraw from the local elections in which we have been forced to enter just in a form, and not to serve as tools of the anti-democratic apparatus and of the policies aiming at the elimination of the people's will." Following the decision by the DEP, the Socialist Power Party and certain illegal left-wing organizations stated that they would also boycott the elections.

Kani Yılmaz, one of the PKK's spokesmen in Europe, ordered people not to vote in 27 March the local elections. Kani Yılmaz, who assessed the withdrawal of the DEP from the elections as "a correct decision and choice of Kurdish people", said the following in a statement he made on 1 March. "The state has been shooting, arresting, detaining and torturing the candidates who do not think in the same way as it thinks and who are not on its side. Those who electioneer have been shoot, mayors have been discharged, headquarters of the parties have been bombed, bullet boxes have been placed at garrisons, the security of the bullet boxes has been guaranteed by the village guards and special team members. Mentioning the elections under these circumstances is completely hypocrisy. Neither a democratic process nor free elections can be mentioned in a place where we have been experiencing the dreadful consequences of a special war. We know that people will not go for voting under these circumstances. People will behave in a more authorized manner and obey our announcement. If there is a vote, this will mean voting at the garrisons of the State. There is political authority of the PKK. The colonist political parties had been banned before. Those who disobey our announcement and insist on candidacy are targets and will be punished. We are for bringing the people's will into light. The state should withdraw its soldiers back to their barracks, stop its counter-guerrilla attacks. Let's carry out a referendum under the inspection of the world."

Meanwhile, Prime Minister Tansu Çiller started working to lift the parliamentary immunity of some DEP deputies. Her efforts, which were assessed as a vote-getter by political circles, showed their effects within a short time. Drafts to lift the immunities of certain deputies, particularly that of Hatip Dicle, were put on the agenda of the National Assembly.

The parliamentary immunities of DEP Chairperson Hatip Dicle, Muş Deputy Sırrı Sakık, Mardin Deputy Ahmet Türk, Diyarbakır Deputy Leyla Zana, Şırnak Deputies Mahmut Alınak, Orhan Doğan and Selim Sadak were lifted during the sessions of the National Assembly on 2 and 3 March. Istanbul Deputy Hasan Mezarıcı, who had recently resigned from the Welfare Party, became the 8th deputy whose immunity was lifted. The deputies whose immunities were lifted were detained later. Out of the detained deputies, Hasan Mezarıcı and Selim Sadak were released on the night of 4 March. Hatip Dicle, Leyla Zana, Mahmut Alınak, Ahmet Türk, Sırrı Sakık and Orhan Doğan were arrested on 17 March.

Following are sample cases concerning bomb and armed attacks against parties which participated in the elections and their candidates, and clashes and pressure:

Bombs were thrown into the RP Adıyaman Provincial Center, DYP Diyarbakır Provincial Center and an election office belonging to the DYP in Izmir on the night of 6 March. The PKK claimed responsibility for the attacks in Adıyaman and Diyarbakır, and the TIKB (Revolutionist Communists Union of Turkey) for the attack in Izmir. Nobody died or was wounded but the bomb attacks did cause damage to the buildings.

The election office of Yıldırım Gezgin, the independent mayoral candidate for Karşı-yaka (Izmir), in the Yamanlar quarter was raided by the police on the night of 7 March. Meral Yiğit, Uğur Hüseyin Çalkın and Özlem Gökü, who left the office an hour after the raid, were detained by police. The 3 people interrogated in the Izmir Political Police Center were released on 10 March. Yıldırım Gezgin was detained by police officers who raided his election office in the Yamanlar quarter on 15 March and kept under custody for one day.

A child named Abdüllatif Soylu (13) lost his life when a bomb placed in a unfinished building on the Inaloğlu Street of Diyarbakır exploded at about 4.30 p.m. on 8 March. The unfinished building where the bomb was placed was reported to be 50 meters away from an election office of the DYP. Another bomb placed in a construction project next to the RP Diyarbakır Provincial Center, exploded on 9 March, and caused damage.

DEP's Party Council members Melik Aygöl, Ahmet Karataş and Ahmet Civan were detained without any justification after they left the Worker's Party Headquarters on 8 March. Melik Aygöl was released on the morning of 10 March; Ahmet Karataş and Ahmet Civan on 16 March. Ahmet Karataş was publicized as a person helping and sheltering PKK militants. In the statement he made at the Ankara Security Directorate, Ahmet Karataş said that the accusations against him were not true. While under police custody, Ahmet Karataş suffered from his heart and was hospitalized. Saying he was detained and publicly accused because of a police plot, Ahmet Karataş said that he had fallen ill because of torture and intensive psycho-logical pressure.

PKK militants carried out bomb attacks against 2 election offices of the ANAP in the Dağkapı quarter and on the Turistik Street in Diyarbakır on the night of 11 March. During the attack against the office in the Dağkapı quarter, a clash arose between police officers who were in charge of protecting the election office and the PKK militants. In the clash police officer Kazım Tunç was severely wounded.

Murat Yücesu (35), an independent candidate for Mayoralty of the Yüreğir district of Adana, was detained by the police on 16 March. Murat Yücesu, who was detained while watching a demonstration held in the Karşıyaka quarter by a group protesting traffic accidents, was interrogated on charges of having relation with an illegal organization. Murat Yücesu was released on 17 March.

Muhyettin Ayata (50), a CHP Mayoral Candidate in the Kayapınar town of Diyarbakır, lost his life as a result of an armed attack by unknown people on the night of 16 March. Muhyettin Ayata's wife Rahime Ayata (45) and a relative Abdurrahman Güler (28), were severely wounded in the attack which took place in the Huzurevi quarter. Abdurrahman Güler died on 19 March at the hospital where he was under treatment. On the night of 16 March, Ahmet Öner who is the uncle of Ali Öner, the ANAP's mayoral candidate for the Yüksekova district (Hakkari), was abducted by PKK militants.

The DYP Sason (Batman) District Center was bombed and damaged by PKK militants on the night of 17 March when there was nobody there.

Leaflets distributed in the name of the PKK in Diyarbakır on 18 March stated that all meetings and propaganda activities related to the elections were forbidden and said: "We warn everybody. We will not feel ourselves responsible for any harm that may be given those who organize or attend these meeting and activities." The leaflets included statements like, "Do not act as a stooge for the tricks of the Turkish Republic. Do not forget that you, including all members of your family, will be the target of our barrels if you disobey our decision. In the event that you participate in the elections, you will have to account for this after the elections." The leaflets also demanded the withdrawal of the candidates and boycotting the election.

A bomb attack was carried out against an election office of the SHP in the Suriçi quarter of Diyarbakır on the night of 18 March. In the attack, 17 people were wounded, 2 of them severely. The names of some of those wounded are Mehmet Pudak, Muhittin Baran, Mustafa Çiçek, Ali İhsan Şanlı, Abdülkadir Aktaş, Servet Cemal, Naif Aslan, Abdülbaki Şanlı, Mustafa Çetiner, Mehmet Bozan, Mehmet Ali Alçay and Mehmet Aslan. Out of those wounded, Mehmet Aslan lost his life on 22 March at the hospital where he was under treatment.

Ayhan Sağan, Murat Tokdemir and Haluk Akay, members of the music group Kutup Yıldızı, were detained by police on 18 March in Adana where they went for a concert. Şeyda Gergin, the director of Adana Culture and Art Center where the concert was to be performed and a youth named Uğur Gürdoğan, were detained along with the group members. The latter were detained while leaving the election office of Murat Yücesu, mayoral independent candidate for Yüreğir, in the Anadolu quarter.

Ahmet Kaya, DYP's Mayoral candidate in the Topsöğüt town, Malatya, was wounded as a result of an armed attack on 19 March. On the same day, explosives were thrown into an election office of the DYP in the Akdeniz district of Mersin and into the SHP Bingöl Provincial Center and CHP Patnos District Center.

Two hand grenades were thrown into an office of a pro-RP National Youth Foundation, in the Çamçeşme quarter of the Pendik district in Istanbul on the night of 20 March. In the explosion, a man named Abdullah Subaşı (48) died and 11 people were wounded, 2 of them severely. The names of those wounded are as follows: "Mustafa Akyol (40), Abdülaziz Akyol (8), Abdurrahman Akyüz (12), Dursun Çakmak (35), Şevket Aydın (34), Necati Sivri, Orhan Telli (40), Adil Koç, Mahmut Satılmış, Taşkın Çeteoğlu (18) and Bekir Aktaş".

Explosives were thrown at 5 separate places in Istanbul, including 2 election offices of the RP and one election office of the SHP, at about the same hours on the night of 20 March. Nobody was killed or wounded during the explosions that caused damage. The Revolutionist Communist Union of Turkey claimed responsibility for the attack on the SHP office. On the same night, the headman office in the Gürselpaşa quarter of Adana, a bank branch on the opposite of the Adana Metropolitan Municipality Office, a bank branch in Diyarbakır and a garage in Hakkari were bombed by PKK militants.

Sadık Boyanbaş, candidate for Bingöl Provincial General Assembly from the RP, who was abducted by 4 armed people carrying out a raid against Arıcılar village of Bingöl on the night of 21 March, was found dead in the vicinity of the village on the morning of 22 March.

The house of Mustafa Cerit, mayoral candidate of the Worker's Party in Gebze, was attacked by unidentified people with stones and clubs, and severely damaged.

A bomb attack was carried out against the election office of the DYP in the Suriçi quarter of Diyarbakır at noon on 23 March, and as a result Ayten Aksin and Zülfü Karademir (68) who were in the office were wounded. On the same day, an explosive was thrown into the RP Patnos (Ağrı) District Center. A bomb thrown into an election office of the ANAP was defused.

Two Socialist Unity Party followers who were hanging election posters in the Kadıköy district of Istanbul on the night of 23 March were knifed and wounded by a group of MHP members. Two of the MHP members who were detained following the incident were released by the court.

A bomb and armed attack was carried out against a coffee house in the Samandıra quarter of the Kartal district of Istanbul during a meeting organized by Abdullah Bayram, Samandıra mayoral candidate from the RP, on the night of 24 March. As a result of the attack, Osman Aytemur and Durmuş Ekici died and 9 people were wounded, 4 of them severely. Nobody claimed responsibility for the attack. On the same night, 3 people were wounded as a result of the explosion of a bomb thrown into a coffee house in the Ceylanpınar district of Urfa used by members of the DYP. In a quarrel which arose between DYP and SHP followers who were hanging placards in the Fatih quarter of Tarsus, Muvaffak Tezel, Onur Tezel, Çetin Fıdanoglu and Ramazan Fıdanoglu were wounded. Meanwhile, a university student named Cem Eker who was trying to place a bomb in the Bursa Provincial Organization building of the SHP, was wounded upon premature explosion of the bomb. Cem Eker who was reportedly a member of a radical Islamic organization (IBDA-C), was arrested later.

In Adana, election offices of the DYP and MHP in the Debboy quarter and the election office of the RP in the Bahçelievler quarter were bombed by unidentified people on the night of 25 March. In the attack against the DYP office, a child named Serdar Aydeniz (12) died. On the same night, the MHP's Güngören District Center in Istanbul was shot at with automatic guns. In the incident, Yusuf Kahraman, Mehmet Taşdelen, Şaban Koca and Necmettin Kılıç-kaya were wounded. Because of the shooting by 3 unidentified people on an election office of the ANAP in the Suriçi quarter of Diyarbakır, Abdürrahim Doğan died and 6 people, one of whom is a police officer, were wounded.

RP's election office in the Bahçelievler quarter of Mersin was bombed on the night of 25 March. A clash broke out between the police officers who went to the scene after the incident and 2 armed people. In the clash, a youth named Mirza Bilen (22), who was reportedly the person who threw the bomb into the office, was killed and a police officer was wounded. On the same night, a

bomb was thrown into the car of DYP District Chairperson Bahri Türe in the Şemdinli district of Hakkari, and into the house of DYP's candidate Faysal Ceylan in the Kur-talan district of Siirt.

Explosives thrown by PKK militants into ANAP's election office in the Şemdinli district of Hakkari on the evening of 26 March caused damage. On the same evening, 3 people were slightly injured as a result of explosives thrown into the SHP's and RP's election offices in the Üçoklar quarter of Gaziantep.

Elections

In the local elections held on 27 March, the DYP that took 21.4% of the votes (used for provincial general assemblies) became the first, ANAP received 21% of the votes and became the second, the RP that received 19 % of the votes ranked the third, the SHP that won 13.5% of the votes became the fourth, the DSP taking 8.6% of the votes ranked the fifth and the MHP became the sixth with 8% of the votes. The DYP was the most successful in the provincial general assemblies, the RP in metropolitan mayoralities, and the ANAP in mayoralities and general assemblies excluding those of big cities. Candidates from the RP won the mayoralities of Istanbul, Ankara, Diyarbakır, Konya, Erzurum, Siirt, Bitlis, Malatya, Bingöl, Sivas, Maraş, Van, Muş, Elazığ, Urfa and Batman, candidates from the DYP won the mayoralities of Iğdır, Mardin, Antalya and Izmir, candidates from the ANAP won the mayoralities of Bursa, Adana, Mersin and Şırnak, candidates from the SHP won the mayoralities of Tunceli, Hakkari, Gaziantep and Kocaeli, and candidates from the MHP won the mayoralities of Erzincan and Kars. In sum, the DYP won 861 mayoralities, the ANAP 765, the SHP 430, the RP 311, the MHP 113, the CHP 63 and the other parties won 143 mayoralities.

Participation in the election was about 90 percent all over Turkey. However, the participation in the Emergency State Region and in some places where the Kurds have concentrated, was less when compared to the figures of overall Turkey. Besides this, a significant portion of the votes were cast in an invalid manner. The rate of those who did not participate in the voting or cast invalid votes was over 50 percent in Izmir Kadifekale, 33 percent in Istanbul Esenyurt, 25 percent in Adana, Istanbul Sultanbeyli and in Adana Osmaniye and between 30 and 50 percent in Diyarbakır, Mardin, Kars, Hakkari, Tunceli, Siirt, Digor, Yüksekova, Şem-dinli, Nusaybin, Cizre, Doğubeyazıt and Ceylanpınar. Newspapers and televisions did not give any information about the number of those who did not cast vote and how many votes were invalid.

In the Sultanbeyli district of Istanbul, which was one of the places that the DEP was pretentious, RP's candidate Nabi Koçak won the mayoralty by receiving 19,373 votes. A total of 6,968 people did not cast votes in Sultanbeyli, where the number of registered voters was 43,248. In addition, 2,968 of 36,425 people who cast votes, recorded invalid votes. One of the most striking results was in Diyarbakır. 82,850 voters (48.9 percent) boycotted the metropolitan mayoralty election by either not participating in the election or casting invalid votes. Ahmet Bilgin, the candidate from the RP, won the Diyarbakır Metropolitan Mayoralty by receiving votes of 21,000 out of 170,000 voters in the province. In Kars, 38,000 of 149,000 voters did not cast votes, and 8,000 of them cast invalid votes.

During the election period, clashes and quarrels arose because of political differences or various disputes. As a result of these incidents, **15** people died, and at least **26** people were wounded all over Turkey.

A clash arose between CHP and MHP followers because of posters being hung in the Bahçe quarter of Mersin on the night of 8 March. A youth named Hasan Topçu (23), was knifed to death and 2 people, named Osman Bektaş (23) and Alaattin Alyani (31) were wounded during the clash. The killed and the wounded were reported to be CHP followers.

During an armed clash which arose between the followers of the ANAP and DYP in the Orhangazi district of Bursa on 25 March, Abdurrahman Demirhan (28) died and 5 people, Habib Kurhan (severely), Müslüm Kaya, Yadigar Demirci, Rıza Çiçek and Uğur Yüksel were wounded. During another clash with sticks that arose between Worker's Party and MHP followers who were hanging posters in the Kısıklı quarter of Istanbul on the night of 25 March, Ali Tokgöz (Üsküdar Mayoralty candidate from the IP) was wounded.

A man named Nihat Kırbaç was knifed to death in the Erdek district of Balıkesir, and another man named Ali Seydi Özel in the Ilıca town of the Darende district of Malatya during the incidents which occurred while the voting was underway. As a result of the explosion of a hand grenade which was thrown by an unknown person into the garden of İsmetpaşa Primary School in Diyarbakır while ballots were being counted, 2 police officers and a 7-year old child were wounded.

Fire was opened by unknown people on the Kilis District Center of the SHP in Gaziantep on the night of 27 March. In the incident, 2 people named Polat Çakmak (44) and Yusuf Özkasapoğlu (16) died. The attack was supposedly carried out by the followers of the MHP. On the same night, a highly-destructive bomb was placed in front of the building of the MHP on Cumhuriyet Street in the Tatvan district of Bingöl. Nobody was killed or wounded, but the building was destroyed because of the explosion.

While the voting was continuing in the Alabağ town of the Baykan district of Siirt on 27 March, an armed clash arose between followers of the DYP and RP. In the clash, Hikmet Lale, the candidate from the RP and 3 people were wounded. Hikmet Lale, who won the mayoralty, died on 9 April at the Hacettepe University Hospital in Ankara where he was under treatment. Upon his death, officials decided to call a by-election on 4 December in Alabağ. Ekrem Canpolat, who was to be mayoralty candidate from the DYP in the election, was killed in an armed attack while driving to Baykan. In the attack which was carried out in the vicinity of Baykan on 9 November, Ekrem Canpolat's brother Abdurrahman Canpolat was also severely wounded.

In the Altınüzüm town of the İslahiye district of Gaziantep, a quarrel arose between DYP and SHP followers who were discussing the elections on the night of 28 March. In the quarrel, Mustafa Zahit Uçar (30) was knifed to death, and Mehmet Karaca and Kadir Korkmaz were wounded. After the incident, a curfew was announced in the town.

An armed clash arose on the morning of 29 March between the followers of the DYP which won the mayoralty in the Patnos district of Ağrı, and of the RP which lost the election. In the clash 5 people namely Fahrettin Esin (40-mayoralty candidate from the RP), Nurullah E-sin (23), Mirza Esin (50), İrfan Yarol (22) and Murat Yarol (30) died, and 8 people were wounded. Upon the incidents, a curfew was announced in Patnos.

In the Gecikmez village of the Sarıkamış district of Kars, a quarrel arose between two families discussing the results of the election on the evening of 30 March. In the quarrel, Mehmet Çolak was knifed to death, and Efendi Çolak was severely wounded.

In 1994, **10** people died and **35** people were wounded in the clashes and quarrels which broke out because of political differences or religious issues.

In a quarrel which arose between left and right-wing students at the Malatya İnönü University at about on 26 February, right-wing student Şakir Yiğit (20) was knifed and killed. After the incident, 5 students namely Devrim Gül, Mikail Avcı, Servet Toktaş, Muhammet Güldiş and Sezai Badem were arrested. Right-wing students who held a demonstration in Malatya after the incident, wrote "Blood to blood revenge" on the door of the IHD Malatya Branch. Threat messages were left in the Malatya Office of the periodical Mücadele and Malatya Halkevi.

In a dormitory where university students stay in the Ceyhan district of Adana, a quarrel arose among students on the queuing up for dinner. A student named Orhan Albayrak (22) who attempted to escape the dormitory after the quarrel, was shot dead. The quarrel reportedly arose since Orhan Albayrak did not wait for dinner together with fasting students and tried to receive his meal. The identities of those who killed Orhan Albayrak were not revealed.

Sinan Gürer, the Chairperson of the SHP Erzincan Central Youth Commission, was knifed to death in an attack by a group of MHP followers on 30 August. Sinan Gürer was laid to rest in Erzincan on 1 September after a funeral in which about 3,000 people participated. Four people who were allegedly involved in the attack were caught and arrested.

A group of MHP followers hanging posters on the night of 1 September to announce a meeting they would hold in Izmir beat and wounded university students Erkin Ulutaş, Savaş Sözak and Doğan Sever. The wounded students stated that they had also been beaten by certain plain clothes people who had got off a car during the incident and introduced themselves as police officers.

An armed clash arose between DYP and SHP members who were preparing for the local election to be held in the Çavuşlu town of the Midyat district of Mardin on 12 September. In the clash on 2 September, Süleyman Cansu (26) and a 12-year old child were killed while 17 people were wounded, 6 of them severely.

A quarrel which broke out between MHP followers, who wanted to hand out placards concerning a campaign for aid to Bosnia on 9 December in the Güzeltepe quarter of Izmir, and dwellers of the quarter, turned into a clash in which knives and clubs were used. In the clash worker Gazi Özer was knifed and wounded. Ten people were detained after the incident.

The house where SHP-member Sıddık Çetinkaya, the Mayor of the Yücebağ town of the Sason district of Batman, was present as a guest was raided by a group of 10 people including village guards at about 11.00 a.m. on 11 December. In the raid, Yücebağ Mayor Sıddık Çetinkaya and his relatives Sabri Oruç, Hüseyin Bil, Şahin Bil and Hurfiye Çetinkaya were killed. When those who were in the house reciprocated against the attackers a clash broke out during which village guard Abdulvahap Çetinkaya was killed. Fourteen people were wounded, 6 of whom severely, because of the long clash. Those who raided the house were fellows of ANAP-member Ali Yücebağ who was the former mayor and lost the mayoralty at the end of the local election on 27 March 1994. After the incident, Ali Yücebağ and his associates Kemal İşyer, Nevzat İşyer, Fadıl Çetin, Felemez Çetinkaya and Vahdetin Önük were arrested.

c)- Clashes, operations and attacks

Bloody clashes, operations and raids were witnessed in the Emergency State Region and its surrounding during 1994. 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. There was a considerable rise in the number of security officers and PKK militants who died during the clashes, when compared

to the previous year. Turkey conducted many air and ground operations against PKK camps and units within or outside its borders. During the operations, civilian settlements were sometimes destroyed. Some people died who had no connections with either the PKK or other Kurdish organizations.

In 1994, there were numerous clashes between security officers and armed groups all over Turkey, particularly in the Emergency State Region, in Istanbul and Adana. A total of **1737** militants or armed people died during the clashes and attacks, including raids against military stations and units in the Emergency State Region. The total number of security officers or people who died during clashes, and of the people who were accidentally killed in those clashes, is **1077**. Following is the breakdown of the security officers, militants and other people who died during the clashes (*):

Enlisted man	574	PKK	1598
NCO-Specialized sergeant	88	DHKP-C	33
Military officer	54	TIKKO	44
Policeof.-Watchman	44	TDKP	13
Village guard	253	TDP	1
Bank officer	3	Hezbollah	3
Repentant	1	Unknown	18
Other	60	Smuggler	27
TOTAL	1077	TOTAL	1737

PKK : Partiyê Karkeran Kürdistan (Kurdistan Worker's Party)

DHKP-C : Revolutionary People Liberation Party/Front (Revolutionary Left)

TIKKO : Workers' Peasants' Liberation Army of Turkey

TDKP : Revolutionary Communist Party of Turkey

TDP : Revolution Party of Turkey

During the clashes and attacks many security officers were wounded and became crippled. Some officers were also captured. For example, enlisted men Mehmet Nuri Aykut and Yalçın Yaşar were captured by PKK militants in June, and second lieutenant Mustafa Öz-güleler in September. The captured soldiers had not been set free by the end of 1994. Official authorities did not show any interest in the captured soldiers and their relatives. Demands by the families of the captured soldiers for assistance were returned. Thus, relatives of those soldiers asked the IHD for assistance and applied to certain international organizations such as the Red Cross, Amnesty International and the United Nations.

In the meantime, non-commissioned officer Mustafa Çelik, who was captured by PKK militants in July 1992, was given the status of war prisoner, and his wife Hülya Çelik was assigned a salary within this framework. It was stated that since there was no regulations about payments for personnel abducted by terrorist organizations, the non-commissioned officer had been assessed as a prisoner of war. In the inscription concerning the case sent to Hülya Çelik and to the Mardin 70th Mechanized Infantry Brigade Commandership and Midyat 2nd Infantry Battalion Commandership, where the non-commissioned officer was in charge, it was stated: "With the aim of not making aggrieved families, it has been decided to assign salary to

(*) A total of **218** people who died during armed attacks and assassinations and whose chronological information is given on pages between 96-100 are not included in this section.

legal heirs of military officers, non-commissioned officers and specialized sergeants who are definitely known to have been abducted by terror organizations, until it becomes certain that they will not return, that they have died or have disappeared.”

The funerals of the soldiers killed in the clashes became scenes for various events. The funerals attended by thousands of people turned into demonstrations against the “PKK” and the “Kurds”. At the ceremonies, slogans were chanted demanding execution of the DEP deputies, and calling the government to resignation. No serious efforts were made to prevent incidents that took place during the funeral ceremonies or even to prevent repetition of similar events. For example, the funeral held on 21 January in Erzurum for second lieutenant Kadir Kılıcı, who lost his life in January in an attack against the Pirinçeken Gendarmerie Station around the Çukurca district of Hakkari, turned into a demonstration in which 5,000 people participated. Those who participated in the funeral shouted slogans including “Damn the PKK”, “Government Resign”, “Çiller Resign” and “Boo to Güreş”.

The reactions of relatives of soldiers who lost their lives in clashes were not limited to funerals. Relatives of second lieutenant Nizamettin Şensoy, who lost his life during a clash which broke out in 1993 around the Hamur district of Ağrı, found the TL 130 million paid them insufficient. Demanding virtual and corporal compensation of TL 1.5 billion, they launched a trial against the Ministry of Interior. The provision “The administration is obliged to pay the loss originating from its acts and procedures.” in Article 125 of the Constitution was argued as legal justification for recompense in the trial held at the Military Supreme Administrative Court. In the application made on behalf of Şensoy family, the following was stated: “Nizamettin Şensoy was a petroleum engineer. He became a martyr while carrying out his duty. Although any faults that can be attributed to the administration cannot be mentioned, it is obvious that the loss which occurred while executing duty, stemmed from duty. In accordance with the principal and theory of irreproachable responsibility, the administration is required to compensate the loss virtually and corporally.” In the answer given by the Ministry of Interior to the court, the following was said: “The incident occurred during service for maintaining security and order. We considered the incident within the framework of the Law on Compensation in Cash and Salary Assignment, numbered 2330, and compensation of TL 130,851,000 was given to litigants Çağatay Şensoy and Zehra Şensoy provided that it will be equally divided between them. Since there is nobody in need of the income of the deceased, the demand for salary assignment is not proper and therefore it should be rejected.”

An increase in the number of clashes and operations in the Emergency State Region and its surroundings occasioned extension (*) of the compulsory military service period once more. Discharges were suspended for a period of time with a decision unexpectedly taken by the Board of Ministers on 6 January. As a result of the decision, second lieutenants were discharged 5 months later, enlisted men 4 months later and short-term enlisted men 2 months later. In addition, demands by military and non-commissioned officers for resignation or retirement were shelved. In the statement made concerning the suspension of discharges it was expressed that political developments experienced in the countries neighbouring Turkey, particularly in Greece and the Russian Republic, played a role in taking such a decision. Relatives of those rendering military service, reacted strongly to the decision.

(*) At the beginning of 1992, just after receiving vote of confidence, the DYP-SHP coalition government decided to shorten the compulsory military service period.

In a statement she made on 7 January, Prime Minister Tansu Çiller said that the decision to suspend discharges would only be taken once. Reminding that a similar decision had been taken during the Gulf War, Tansu Çiller said: "At least 110,000 soldiers are needed for the region. During the winter, militants replenish themselves. This year, we will not allow such a replenishing." However, the events proved Tansu Çiller's statement "Discharges will only be suspended once." false. The Board of Ministers also suspended the discharges in July and September. Colonel Nedim Tetik, Secretary General of the Ministry of Defence, explained on 11 July the reasons of the suspension as follows: "The operations against the terrorist organization which has activities against the integrity of the country are continuing successfully. We are about to reach the aims previously determined. Continuation of the operations uninterrupted by experienced personnel is vital from the view of securing the entire integrity and security of the country. Therefore, the experienced personnel are required to be on duty for a longer period of time in order to perpetuate our success against the terror organization, to punish the organization without letting it replenish itself and to continue putting pressure on it."

The discharges were suspended 3 times in 1994, and then suspension became permanent. The Board of Ministers decided to extend the period of the military service on 26 December. According to the decision, military service periods will be 18 months instead of 15 months for enlisted men, 16 months instead of 12 months for second lieutenants and 8 months instead of 6 months for short-term enlisted men. Thus, the DYP-SHP coalition government relinquished its decision which shortened the military service and which was one of its several positive performances. The suspension of discharges and extension of the military service period brought a burden of more than TL 1.5 trillion on the budget. The suspension decision affected about 100,000 enlisted men (monthly cost for each of whom is TL 3 million) and 3,500 second lieutenants (monthly cost for each of whom is TL 10 million) in 1994.

Other consequences of the bloody clashes in the Emergency State Region were the development of enmity in the society and grudges which became a kind of gangrene. In his article entitled "**Return of the Second Lieutenant**" published in the newspaper Cumhuriyet on 11 November 1994, journalist Mustafa Balbay demonstrated an impressive example of this:

They enrolled the Faculty of Dentistry of Istanbul Çapa University in the same year. They became familiar with the university life, together. While they were only school mates, then they became good friends. They smoke their first cigarette together. One could guess what the other was thinking on any subject which was on the agenda. They graduated. They met with "life". After graduation, Aydın decided to start his professional life. After several insignificant experiences, he settled down in Van. There he met dental technicians, he had a good working relationship with them. Mehmet had a rest for a while, and then the military service. Fundamental military training, subsequently military conscription. Çukurca fell to him.

At the end of the 17 months, he received his discharge papers and went to the central gathering place, that's to say Van. Is it possible not to visit his friend in Van? "Hullo, Mehmet..." , "Oh! Aydın..." After embracing each other, they asked:

- What are we doing tonight?

- Let's chat like we did during the years at the university.

They took the road to Çem Restaurant.

After running about and tiring me during the whole day in Van, on the evening of the same day I asked, "Where may I go to have dinner with enjoyment?" and was told "In Çem

Restaurant.” I thought about the two youths who were sitting across me “They must be doctors. Perhaps, they came here because of the compulsory service.” After a while, I said “Hello”, and sat at their table. The focal point of chat was military service, Turkey, terror... Mehmet could hardly understand Aydın, and Aydın could hardly understand the former.

MEHMET- Well Aydın, villagers take your side, if you beat them.

AYDIN- Oh, No! Mehmet. How do you think so?

MEHMET- I saw. The PKK has terrorized them. If there are young men in a house, the PKK takes one of them to the organization. It obtains food by beating. If soldiers behave kindly, the people side with the PKK. They think that soldiers are kind to them in any case.

AYDIN- Well, how is the case worked out by this way, Mehmet? Didn't we talk about humanism while studying at the university?

MEHMET- Anyway, Aydın. I will ask something. Have you ever come face to face with death? Have you ever lived death?

AYDIN- I am trying to understand you, but I am afraid of the course of events. If such an understanding prevails the whole world... The end of the course of events will be the return of the Middle Ages. The course of events is bad in the whole world. We are beginning the Middle Ages again.

MEHMET- Aydın, please don't speak philosophically. I am telling you about what I experienced. There is a clash at the foot of a mountain in Hakkari. The soldiers give the back to the mountain and are fighting against terrorists. Gun fire was opened from Hakkari at soldiers. What do you do? Turning to Hakkari, do you say “Please, we kindly ask you not to open fire.” or “Bring that terrorist, otherwise we will ruin the city”? Of course, you have to say the latter.

AYDIN- Mehmet, haven't you told that half of the people in the region are on the mountain, and the other of them side with the state. How can soldiers settle the case? Killing, how long? What I mean is that. Those who are village guards, and drug and arm smugglers collaborating with the PKK become rich in the region. Will those guys allow the end of terror in the region?

MEHMET- In some places, soldiers are trapped. When we examine the region, we find village guards there. That's to say, terrorists should have clashed with the village guards before the soldiers, but they did not. We do not understand how it happened.

AYDIN- Let's talk about democracy.

MEHMET- In Turkey, there is much democracy. More than should be.

AYDIN- No, democracy is deficient. This is the problem.

The chat lasted throughout the night. I do not want to write most of the things said by Mehmet since it is necessary to write them with evidence. The hypocrisy of the regional people and the relations of smugglers with the state authorities, who are agents and buyers in the weapon trade.

Following are examples of the operations, attacks, clashes and similar incidents inside or outside Turkey in 1994:

The Cizre district of Şırnak was raided on the night of 22 January by PKK militants. A police officer was killed and 6 others were wounded during the raid the target of which was the

Security Directorate building. The clash that arose because of the raid lasted for about 2 hours. About 150 houses and shops were damaged during the clash. Most of the houses and shops were reportedly damaged in the bullets randomly shot by the security forces. Şırnak Deputy Or-han Doğan's house and the office of Mehmet Ali Dinler, Cizre representative of the IHD, were among the damaged houses.

On 28 January, Turkish war planes carried out a comprehensive air attack against the PKK and bombed the Zaleh Camp, which was an important base for the PKK. The bombardment, in which 50 war planes participated, lasted half an hour. During the operation, a transportation plane and 5 helicopters were also used. The General Staff Office stated that the Zaleh Camp had been completely damaged and about 500 PKK militants had been killed. The statement made by the PKK, on the other hand, said that the camp had been evacuated because they had been informed about the operation before. The following was claimed in the statement: "The attack aiming at a complete extermination of our existent force failed. We have 7 deaths and 7 injuries. Our air defence was very effective and 2 planes were shot down. The operation was carried out in order to disguise the latest economic measures and devaluation decision." Just after the operation, the General Staff Office gave a briefing to Prime Minister Tansu Çiller. After the briefing, Tansu Çiller said: "This camp was substituted for the Bekaa Valley. We had intelligence that there were 1600 terrorists there, including leaders of the organization. We know that about 300 of them are armed female militants. The operation started at 8.10 a.m. and the camp was bombed at 9.00 am. We were informed that the operation was fully successful. This is a political decision." Murat Karayalçın, then Deputy Prime Minister, stated that the operation had cost TL 1 trillion. During the operation some settlements in the borders of Iran were also damaged. In the Şene village, one of the damaged settlements, 9 persons died and 17 persons were wounded. First, Turkey did not admit that the incident had taken place. However, upon strong reaction from Iran, the Ministry of Foreign Affairs made a statement on 3 February and asked Iran to be excused for the incident. The following was stated: "Turkey will strive to help heal wounds caused by this sorrowful incident. It has been determined that several fragmentation bombs which were thrown at anti-aircraft positions on a hill alongside the Iranian border broke into pieces in the air and the pieces ricocheted towards Iran and caused casualties. We are deeply sorrowful that Iranian citizens sustained losses because of this incident." Turkey paid a compensation of US \$ 273,000 to Iran for the damaged settlements.

An operation in which planes and helicopters were used was carried out on 6 February against PKK militants based in the Mezi and Keryaderi regions of Northern Iraq, which are very close to the Turkish border. On the one hand, the General Staff Office asserted in its statement that the bombardment inflicted great losses on the PKK. On the other hand, a statement made in the name of the PKK alleged that PKK militants did not suffer any losses during the bombardment.

The Silopi district of Şırnak was raided by PKK militants on the night of 11 February. A clash arose when security officers reciprocated to the PKK militants who opened fire with automatic guns at the state buildings and some military targets in Silopi. One police officer and 5 PKK militants were killed during the clash that lasted until the morning of 12 February. In addition, 2 children who were in a house hit by a cannon in the Karşıyaka quarter and a woman living in the Cudi quarter, died. The Emergency State Region Governorate stated that 18 PKK militants, one of whom was female, had been killed during the clash. On the contrary, in a statement made in the name of the PKK it was said that 13 security officers and 3 PKK militants had been killed during the clash. Sources in the region reported that many houses and shops had been destroyed by the

security officers after the clash had ended, 3 buses had been set fire to, some civilians who had been in the destroyed buildings had died and they had been attempted to be introduced to public as “PKK militants killed during the clash”.

During a clash which broke out in the woodland between the Şenkaya district of Erzurum and the Göle district of Kars on 1 March and continued until 6 March, 3 non-commissioned officers, 13 enlisted men and 15 PKK militants died while 6 security officers were wounded. The names of the killed soldiers are: “Non-commissioned officers Zeynel Öztören, Hüseyin Şen and Arif Yüksel Kaya, enlisted men Naci Emil, Kemal Çankaya, Tarık Daşar, Veysi Dere, Olcay Erteğli, Kasım Topuz, Yaşar Özdil, Haydar Topuz, Cengiz Ercan, Hüseyin Öcal, Kemal Demir, Arif Kalkan and Aziz Karaçizmeli.” In the meantime, while the clash was under way in the region, a military unit which surrounded the Değirmendere village of Göle opened fire on special team members in the region. In the incident, special team member Yücel Gür died and 9 special team members were wounded. It was revealed that fire was opened on the team members because they resembled PKK militants.

An air operation was launched around noon on 21 March against PKK militants based in the Northern Iraqi regions close to the Turkish border. During the operation which continued on 22 March, the Shivi Valley (in the South of the Çukurca district of Hakkari and Bey-tüşşebap district of Şırnak), was bombed. On the same days, an air operation was carried out against PKK units on Gabar Mount in the vicinity of Şırnak. While the authorities of the General Staff Office confirmed the air operations, the PKK did not make any statements.

During a clash which broke out between the Kayalıbaş and Çeltikli villages of Bitlis on 6 April and lasted until the evening of 8 April, 10 security officers including second lieutenant Mustafa Burcu and enlisted men Ayhan Ercan and Halim Naneci lost their lives and 4 security officers were wounded. About 30 PKK militants were reportedly killed during the operation which was sometimes supported by war planes. In another clash which broke out on 10 April in the mountainous region between Şırnak and the Darğecit district of Mardin, one non-commissioned officer and 4 enlisted men died and 16 security officers were wounded. In the same region, one of the planes which participated in the air operation against the PKK units crashed on 8 April. Two pilots in the plane escaped by parachuting from the plane.

A ground and air operation was launched against some PKK camps in Northern Iraq on 12 April. Within the framework of the operation, the PKK units in the Mezi, Keryaderi and Shivi regions were bombed by war planes and helicopters. Then a military unit of 2,000 persons landed from the air in the Shivi region. During the operation 3 security officers lost their lives. The Governor Office of the Emergency State Region claimed that 57 PKK militants had been killed in the operation. The statement by the Governor Office was denied by the PKK.

A group of 30-35 persons most of whom were youths aged 17-20 who took to the mountains in order to join the PKK, was surrounded by security officers on Bezar Mount between Adıyaman and Malatya on the morning of 15 May. As a result of the operation in which Cobra helicopters were also used, 28 persons were killed. Regional sources reported that 25 of 28 persons were unarmed youths who had planned to join the PKK. The names of some of those killed are “Şükrü Töre, Fidel Töre, Yusuf Turan, Bahri Ekinci, İrfan Çintay, Ergun Bozkuş, Seyit Ahmet Özdemir, Ferhat Buran, Hüseyin İlhanlar, Hüseyin Sarıtaş and Hüseyin Kanlıbaş”. Mustafa Ekmekçi, one of the columnists of the newspaper Cumhuriyet, gave some information about the clash on Bezar Mount in his article published in the newspaper on 22 May 1994. The article entitled “*Cry From Malatya*” is as follows:

It was Thursday evening. The phone rang, I replied. Before introducing himself, caller asked:

- Are you Mr. Ekmekçi?

- Yes, I am.

- I am calling from Malatya. Hüseyin was abducted. They killed him on the mountains of Adyaman yesterday. Around Çelikhhan. Twenty-eight persons were killed there, but only 3 of them were PKK militants. All the remaining were students. They were studying at Malatya Anatolian Lyceé and Merkez Dershanesi (private courses for university entrance exam). When went there, we could not believe our eyes. Their hands and feet had been tied. They had been dragged behind vehicles from Çelikhhan to Adyaman. When we went there, it was impossible to identify them. They threw bombs from helicopters.

I was listening in silence. Who was calling? I asked:

- How old was Hüseyin?

- He was 17. He was a student. He was studying at Malatya Anatolian Lyceé. He was not a person who had taken arm in hand. Once, we went hunting. His uncle said, "Hüseyin, fire at an animal and kill!" He replied "I never open fire at the living." I do not think that such a person could join the PKK voluntarily. Several friends there said, "They also took us by force, but we escaped!" Why does the state do this. What I cannot understand is that.

- He was caught together with PKK militants, was he not?

- No, he was caught on the mountain, Mr Ekmekçi!

- What were they doing on the mountain?

- They were being taken to a PKK camp by three armed men. They had forcibly been taken from Malatya. Nobody went to the schools in Malatya because dangerous men were wandering.

- What a pity! That's to say, they were killed in a confused scuffle.

- What I want to tell is that. Why did they behave towards the children, who had been killed in a confused scuffle, in such a manner? We went there, and they treated us as if we were animals. They do not pay attention to us. Although those people were forcibly taken, they felt no pity for them.

- When did they die?

- They were killed yesterday, Mr. Ekmekçi. We went yesterday and brought the corpse.

- Yesterday. 18 May Wednesday!

- We returned today. By God we have just arrived for dinner and I have called you in order to inform you.

- What is your telephone number?

- Do you also need the area code for Malatya? (He said. I wrote his name, too.)

- Well. Could you give some information about the other persons killed?

- From Adiyaman to Malatya, they brought 6 corpses. There were 20 more persons there. Nobody could recognize them. A stone had been laid on one corpse, they could not remove it. It was a big stone.

- I see. What shall be done in such a case? They will say, "They joined the PKK, they would be trained and then would fight."

- Mr. Ekmekçi. I am from Haçova. People of Haçova never join the PKK!

- I see! (Persons of Haçova are Kurdish-Alewis, therefore they do not join the PKK. I learnt this fact later.)

- Four imams were afraid and did not wash the corpse. Each of them said "I cannot wash him. They had ruined him."

- Any bullet wounds?

- No. Most of them were the wounds caused by dragging on the ground. They also threw bombs on them.

- Well, how long does it take to go from Malatya to the mountain?

- It takes about for 4 hours. They were escaping. He had been missing for 4 days. We searched everywhere. We went to Iskenderun, Antalya. We searched, but could not find him.

- What about his father?

- He went mad. He is in a coma now.

- What does the father do?

- He is a servant in Feyzullah Taşkansoy Primary School.

- How many sisters and brothers does he have?

- Three. He was the only son. The others are girls. They did something to human beings which should not be done to animals. This is what I cannot digest. I read the newspaper Cumhuriyet every day. We are faithful to our state, but what I do not understand is why the state deems proper such treatment to us. Without making a call which would enable them to surrender themselves, they killed. There are many weapons, many vehicles there. Everywhere was occupied by military vehicles. Against such an amount of vehicles, only 28 persons. And only 3 of them were armed. The others had nothing that can be considered weapons. That's to say, they were abducted persons. There is no place that we did not go for looking for him. He was not a person to join the PKK. That is what I cannot digest. You should write this. The state must find a way. Many people here believe that the state did so, not the PKK. They say, "If the state had wanted, it would have not connived at the incident." The children were publicly abducted, at daytime and in front of people, and nobody could say "What are you doing?". Besides this, when we went to the office of deputy governor, he showed us the door. This is what I do not understand, Mr. Ekmekçi.

In the clashes which broke out at the beginning of June in the Alandüzü region in the vicinity of the Yüksekova district of Hakkari, non-commissioned officer Nursel Gürlek and 7 enlisted men, namely Cengiz Toplu, Mehmet Malçuk, Şenol Çolak, Seyit Şahin, Ercüment Bozdoğan, Ahmet Yalçınkaya and Mehmet Akkurt, lost their lives.

A clash arose between security officers and the PKK militants who attacked the Umurlu and Yolgeldi villages of the Derecik district of Hakkari on the morning of 5 June. In the clash, 3

villages guards, one enlisted man and 6 PKK militants died while 13 persons, most of whom security officers, were wounded. In addition, 2 persons named Ibrahim Yılmaz (60) and Serdar Yılmaz, and a child named Hadi Yılmaz (3), who were in a house hit by a mortar shell, died.

In a clash which broke out on the morning of 14 July on Modul Mount around the Kağızman district of Kars and lasted for 2 days, second lieutenant Kemal Yüzgeç, 12 enlisted men and 24 PKK militants died. In the clash 12 security officers were wounded. The names of 4 of the killed enlisted men were Murat Kümesu, Kudret Özcan, Asım Türk and Tahir Güngör.

In several days of clashes which broke out during an operation launched on 20 July against PKK militants based on Cudi Mount, 9 security officers lost their lives and 5 security officers were wounded. No reliable information could be obtained about PKK casualties. However, through some information later made public, it was revealed that 5 PKK militants (*) including Yılmaz Uzun, one of the PKK commanders, had been killed on 21 July. As result of the operation, the Dedeören Gendarmerie Station used by PKK militants since the end of 1991 was taken back by security officers. Subsequently, the Turkish flag was hoisted at the station with a ceremony.

A major, 4 enlisted men and a PKK militant died as a result of an explosion in a shelter used by PKK militants in the Silopi district of Şırnak. The incident that took place on 25 July, developed as follows: "A PKK militant caught on 24 July by security officers carrying out an operation around the Silopi district of Şırnak, consented to reveal a shelter used by the PKK in the region during his interrogation. Then, the PKK militant, whose name was not disclosed, was brought to the shelter in question along with a group of soldiers. The militant, who entered the shelter accompanied by soldiers, set off the bombs he found and obliterated the shelter. As a result of the explosion, major Abdülkadir Kılavuz, 4 enlisted men, and the PKK militant in question died. No explanation related to the incident was made public. It was learnt that the major who died had been interrogated during the liquidation operation launched after the 12 September military coup against left wing military officers, kept under arrest for some time and that it had been decided not to evict him from the army at the last minute. After the 12 September military coup, about 1,000 military officers, non-commissioned officers and cadets, most of whom were from the left wing, had been evicted from the army because of their political views and religious beliefs.

Certain PKK locations in the Mezi region in Northern Iraq, located 25 kilometers from the border between Turkey and Iraq, were bombed by war planes on the morning of 26 July. On the one hand, officials claimed that one ammunition store of the PKK had been annihilated and about 70 PKK militants had been killed. On the other hand, in a statement made by the PKK it was alleged that there was no military base in the bombed region and a village inhabited by civilians had been aimed. In the statement, it was added that 2 PKK militants had been killed and 3 PKK militants had been wounded during the bombardment. Sefin Dizayi, the Ankara Representative of the Kurdistan Democrat Party confirmed the air operation, but avoided giving information about the consequences of the operation.

A military convoy of 8 vehicles on way for an operation to Mor Mount in the vicinity of the Başkale on 28 July, was attacked by PKK militants. In the attack, 14 security officers lost their lives and 39 security officers were wounded. The names of the killed security officers are as follows:

(*) In a news story published in the newspaper Özgür Ülke, it was alleged that Yılmaz Uzun and his friends had been killed under torture after being caught alive. In the news story, expressions of a person who allegedly witnessed the incident and escaped from the soldiers by pretending to be dead, were given.

“Hüseyin Bedir, Murat Alıcı, Müseyyit Uluışık, Hüseyin Koçar, Mustafa Dünder, Ayhan Ocak, Mustafa Korkmaz, Nurettin Yel, Muharrem Taş, Hüseyin Demirel, İsmail Külek, Recep Avşar, Bülent Karataş and Sezai Erbil.” The regional sources claimed the number of the security officers killed in the attack was much more than the officially disclosed figure.

An air operation was carried out against some of the PKK bases and positions in the Hakurk and Haftanin regions of Northern Iraq on the morning of 3 August. Concerning the operation, the General Staff Office stated that numerous PKK militants had been killed and the PKK suffered significant losses. The statement was denied by the PKK.

Some bases and positions of the PKK in the Sinat Region (15 kilometers from the Turkish-Iraqi border) of Northern Iraq were bombed by war planes on the morning of 8 August. In the official statement about the operation it was claimed that many PKK militants had been killed and the operation had inflicted heavy losses on the PKK.

A training camp of the PKK in the Badawan-Khidran region of Northern Iraq was bombed by war planes on the morning of 23 August. Thirty-two planes participated in the air operation against the PKK’s training camp which is located 230 kilometers from the Turkish-Iraqi border and 25 kilometers from the Iraqi-Iranian border. The General Staff Office indicated that the PKK had suffered heavy losses during operation.

A military helicopter returning from an operation on 28 August, crashed around Tunceli city center. In the crash, 3 military officers, Suat Karadağ (colonel), Önder Balkaya (first lieutenant) and Adem Köse (lieutenant), and one enlisted man, Fikri Öztürk, lost their lives, while 2 security officers were wounded. It was alleged that the helicopter was shot down.

In a clash which broke out in the vicinity of the Reşane village in the triangle of Lice, Hazro and Silvan districts of Diyarbakır on 30 August, 11 PKK militants were killed. The names of 4 of the militants were revealed to be Mehmet Çelik, Orhan Ersöz (physician), Doğan Aydın and Mehmet Şenol (journalist). The corpses of Orhan Ersöz and Mehmet Şenol were not handed over to their families until the instructions of the Lice Public Prosecution Office given after a long period. Orhan Ersöz’s elder brother, Mustafa Ersöz, and uncle, Fevzi Ersöz, and Mehmet Şenol’s brother, Hikmet Şenol, who went to Lice in order to receive the corpses were detained on 5 September. Those 3 persons were taken to the Diyarbakır Gendarmerie Regiment Command, and were released by the Diyarbakır SSC on 14 September.

During a clash, which broke out on 22 September in the Kutuderesi region between the Pülümür and Ovacık districts of Tunceli and continued for 3 days, first lieutenant Efkân Yıldırım, one enlisted man and 19 PKK militants died. While the clash, during which war planes and helicopters were also used, was under way, a bomb thrown from a plane caused the deaths of 4 persons in the Kutuderesi village, which gave its name to the region.

In a clash which arose between security officers and PKK militants who raided the Gökbudak village in the Pervari district of Siirt on the evening of 28 September, 2 enlisted men died. When the clash was heard, reinforcements were sent to the region. The reinforcements were ambushed on the Süleyman Plateau near the village and as a result 3 non-commissioned officers, 2 enlisted men and 4 village guards were killed during the village raid and in the ambush.

Positions of the PKK in the Bote region of Northern Iraq were bombed by war planes at about 2.30 p.m. on 9 October. Twenty-one war planes participated in the air operation against the Bote region located 100 kilometers from the Turkish-Iraqi border.

Some positions and bases of the PKK in the Metina region in Northern Iraq were bombed by war planes and helicopters on the morning of 12 December. Concerning the operation, the General Staff Office stated that they had inflicted heavy losses to the PKK. The PKK did not make any statements on the operation.

d)- Attacks against settlements

During the year, events similar to the ones witnessed in Şırnak (*) in 1992, and in Lice in 1993 frequently took place in some settlements in the Emergency State Region. In addition, village and hamlet evacuations and burnings continued with increasing pace. Settlements were destroyed during the operations or by security officers who opened fire at random or on the pretext of attacks or sniper fire by PKK militants. In consequence of those events 51 persons (in similar events 41 persons died in 1992 and 46 persons in 1993) died, and more than 50 persons were wounded. The damage during the events is estimated at billions of liras. Ten thousands of people left the settlements where they had been living for years and migrated to other places.

Cizre: Gunshots were heard from the mountains around the Cizre district on the night of 6 January. Upon the gunshots, the Tank Brigade opened fire indiscriminately with automatic guns and cannons. Mehmet Emin Kakmış (60), Mümine Kakmış (13) and Ali Kakmış (10-month) who were in a house hit by a cannon ball, died. In the incident, Hani Kakmış (50), İsmail Tetik, Yusuf Tetik and Osman Tetik (21) were severely wounded. In addition, the houses of Salih Kayasız, Emin Kakmış, İsmail Tetik and Ramazan Oran were damaged. In consequence of the random fire by security forces on the pretext of the gunshots heard in Cizre on the night of 9 January, a cannon ball hit a house, killing 6 persons, 2 of whom were children, and wounding 5 persons. The names of the 6 persons are as follows: "Ramazan Bilgiç, Sabiha Bilgiç (26), Hediye Bilgiç (27), Muhammed Bilgiç (5), Ahmet Bilgiç (6), Sabiha Bilgiç (Boz-kurt-30)". Şırnak Deputy Mahmut Alınak claimed that Prime Minister Tansu Çiller and Head of the General Staff Doğan Güreş were responsible for the incidents in Cizre. Mahmut Alınak added that sniper fire opened by PKK militants does not justify bombing a settlement.

Following the attack by PKK militants against certain state buildings in Cizre on the night of 3 March, security officers launched an operation in the district on the morning of 4 March. The security officer who opened fire at random, caused damage to some houses in the Dağkapı, Karşıyaka and Yeşiltepe quarters. In the gun shots, a 1-year old child, İbrahim Süner, and 3 adults named Abbas Zeyrek, İsmail Baliç and Resul Baliç, died. During the incidents, 11 shops on Mardin Street were burnt down by village guards. The Cizre Office of the newspaper Özgür Gündem was destroyed by rocket launcher fire. Fire was opened at some houses and shops on the night of 4 March and at tradesmen who wanted to go their shops on 5 March.

Derik (Mardin): Curfew was proclaimed in the Derik district of Mardin on 15 February on the grounds that a group of PKK militants had entered the district, and an operation was launched. During the operation, houses in the district were searched one by one and about 2,000

(*) The sniper fire in Şırnak on the night of 18 August 1992 that lasted a short time, was harshly reciprocated by security forces. Şırnak, under fire for more than 48 hours, was turned into rubble recalling scenes following an earthquake. During the incidents, a total of 26 persons, including a policeman and 3 enlisted men, died, 60 persons were wounded, and more than 500 persons were detained. During the incidents in Lice on 22 and 23 October 1993, at least 30 persons died, about 100 persons were wounded, 401 houses and 242 shops were burnt or damaged to a great extent, the municipality building was destroyed, and numerous vehicles were rendered unusable.

people were rounded up in the district square. Among those rounded up, fifteen persons, most of whom are members of the DEP, were detained. The security authorities in the district told the crowd that had been rounded up that they would repeat similar measures if necessary. The people from Derik alleged that the security officers had registered them on records in order to make them targets of counter-guerrilla actions. They said the following: ‘First we heard sounds of gun shots in the morning. Then, the security officers raided houses and gathered all the men in the square. In the square, photographs of us were taken one by one. There were 2 civilian dressed persons in a military panzer in the square. By making us pass in front of the panzer, they showed us to the two persons. Most probably, they were repentants. Subsequently, they said to us ‘We have been informed that a group has sneaked in the district. Therefore, we have gathered you together. We will resort to similar measures when we search for militants in the future.’ and then they asked us to disperse.”

Heybetli village (Batman): Security officers opened cannon fire at the Heybetli vil-lage of the Sason district in Batman on the night of 24 February. In the incident, 9 persons, 3 of whom were children, died and 12 persons, 4 of whom were children, were wounded. The first cannon ball fired at the Heybetli village, whose people had been targeted by security officers since they gave up serving as village guards, fell near the mosque. The ball wounded the imam who was in front of the mosque. Two cannon balls hit the villagers who went to the scene in order to help the wounded imam. Those cannon balls killed 9 persons and injured 12 others. Subsequently, 3 more cannon balls fell on the village. However, they did not cause any damage. The names of the 9 persons that were killed are as follows: “Sadık Aydın (57-imam of the village), Esad Çetin (60), Vahdetin Öngün (23), Kadir Dilek (55), Hanifi Yıldız (13), Abdül-rahim Yıldız (23), Hüseyin Tekin (16), Halime Öngün (30) and Sohbet Öngün (3).” Out of the wounded, Hayriye Sayım (60) and Ayşe Aydın (5) were treated at the Diyarbakır State Hospital while the remaining were treated in Batman. The names of some of those who were treated in Batman are as follows: “Yusuf Yıldız (60), Yusuf Çelikkilek (25), Naime Çelikkilek (20), Aziz Öngün (21), Adile Öngün (25) and Abdullah Akman (60).” The Heybetli village was raided by security officers also in January and 8 persons were detained while 7 houses in the village were burnt down. After the raid, a great number of the villagers migrated to other places.

Kumçatı, Sapaca, Gever, Çağlayan and Hisar villages (Şırnak): The Kum-çatı, Sapaca, Gever, Çağlayan and Hisar villages of Şırnak were bombed by war planes on 25 and 26 March. In the Kumçatı village, Sever Koçar, Hone Koçar (60), Şemsi Koçar (18), Ayşe Bengin (65), Newroz Bengin (6), Zahide Kırac (2), Hone Koçar (40) and Fatma Bedir died, and Lale Erdil (25), Bahar Bengin (4), Bediye Bengin (31), Zülfü Bengin, Nafiye Bengin (4), Hüsnüye Karaağaç, Ercan Bayır (6) and Mehmet Ayhaç were wounded. In the Sapaca village, 2 persons named Meryem Şen (55) and Salih Şen (65) died and 6 persons named Esmer Şengül, Nimet Şengül, Hikmet Şengül, Emine Şengül, Leyla Şen and Abdullah Şengül were wounded. As a result of the bombing, at least 10 persons reportedly died in the Gever village while at least 4 persons (the names of 2 of them are Ahmet Ceren and Selamet Inegül) died in the Çağlayan and Hisar villages. Those who were wounded during the bombing were taken for treatment to hospitals in Diyarbakır, Mardin and Şırnak. A woman named Hikmet Şengül who was wounded when the Sapaca village was bombed, said the following: “The security officers were putting pressure on us in order to make us accept to serve as village guards. For this purpose, they came to the village once more 2 hours before the village was bombed. We did not accept to serve as village guards. After two hours we saw planes flying towards the village. We thought that they would bomb the mountains, as usual, but they started to bomb the village. As a result of the bombing, the village, with 50 houses,

was razed to the ground. Since our village is located on a flat field, each of the bombs hit.” Later, an important part of villagers migrated to Northern Iraq and were settled in refugee camps there.

Protesting the village bombing, IHD Secretary General Hüsni Öndül said the following: “Village bombing is one of the most savage actions. State authorities are silent. Which military/civilian authority gave the bombing order? Which pilot bombed settlements, houses, babies, women, old people and civilian and unarmed people?” Out of those wounded during the bombardment, Leyla Şen, Emin Şengül and Hikmet Şengül were later taken to Mersin for treatment. The HRFT provided financial support for treatment of those persons. Leyla Şen (70) said that they had had to come to Mersin since they had not found a chance for treatment at the Şırnak State Hospital and Diyarbakır Medical Faculty Hospital. Alleging that a physician at the Şırnak State Hospital said to her “We will not treat you, unless you say that you were wounded by stepping on a mine planted by the PKK.”, Leyla Şen said that the village had been bombed since they had not accepted to work as village guards.

The case of village bombings was put on the agenda of the National Assembly by Şırnak Deputy Selim Sadak at the beginning of April. In the motion he submitted to the Assembly Chairmanship, he demanded a reply by Interior Minister Nahit Menteşe. Selim Sadak stated in the motion that he had news that 48 persons had died and more than 100 persons had been wounded during village bombings. Stressing that he could not learn the names of all of the dead or wounded since entrance to and exit from the region were forbidden and villagers had emigrated to other places, Selim Sadak asked Nahit Menteşe some questions including: “Will an investigation be launched into the incident?”, “When will the testimonies of the people living in the bombed villages be received?” and “Will they make good the loss in the villages?” In addition, Selim Sadak demanded those who ordered the bombings to be found and punished.

Şemdinli (Hakkari): Military panzers patrolling in the center of the Şemdinli district at about 10.00 p.m. on 2 June opened fire at random. During the firing, which continued for about half an hour, nobody was killed or wounded, but many shops were damaged. Şemdinli Mayor Hacı Özel said that the soldiers had opened fire arbitrarily and said damage in the district was about TL 1 billion.

Yukarı Karataş village (Tunceli): The security officers who were carrying out an operation around the Ovacık district of Tunceli on 5 June opened fire with rocket launchers and automatic guns at the Yukarı Karataş village. A child named Didar Elmas (7) died and 3 persons named Zarife Boztaş (64), Güleender Akgül (55) and Ismail Akgül were wounded. Zarife Boztaş said the following about the incident: “They carried out operations in the region for 3 days. On 3 June, a clash broke out between security officers and PKK militants around the village. After the clash the village was surrounded. First, we heard sound of a big explosion and thought that a plane had dropped a bomb. Then, sounds of explosion and fire increased. The village was under fire for 20 minutes. Houses were damaged. Didar Elmas decapitated when rocket launcher artillery hit her house.

Lice (Diyarbakır): The security officers who carried out an operation after gunshots were heard in the Lice district of Diyarbakır in the morning hours on 18 July, burnt down and destroyed more than 100 houses, shops and sheds. The security officers who fired at random during the operation staged after proclaiming a curfew, searched the houses in the district. During the incidents that lasted until the evening hours, Hacı Tahir Kozat (70) whose house was burned down, suffocated to death, 2 youths named Tarık Yağan and Sedat Yağan were injured, and numerous animals perished. The incidents intensified in the Yeşilyurt, Çarşı, Molla, Körtü and

Yenişehir quarters in the vicinity of the Lice Gendarmerie Battalion Com-mandership. Protesting the incidents, Halit Temli, the Chairperson of the IHD Diyarbakır Branch, said, “No one can stand as mere a spectator to the burning of Lice. We invite all demo-cratic establishments to be sensitive to the incident. If we remain silent against the measures taken in Lice today, the same measure will be attempted in other centers tomorrow.”

Yüksekova (Hakkari): Upon gunshots heard in the Yüksekova district of Hakkari on the night of 23 July, the security officers in the district opened fire at random. During the incidents, which lasted for 5 hours, a woman named Perihan Soylu died, 2 men named Nejdet Adaş and Sait Kömür were wounded and 4 houses and 12 shops were damaged. On the one hand, people living in Yüksekova reported that firing into the air by several village guards had occasioned the incidents. On the other hand, the following was said in the official statement about the incident, “The incidents occurred because the security officers reciprocated against PKK militants who attempted to raid the district.”

Kunuklu village (Diyarbakır): During the cannon shots fired from the military positions around the Kunuklu village of the Kulp district of Diyarbakır towards the mountain-ous area where PKK militants were located on the night of 12 August, 2 of the cannon shells hit the houses in the Kunuklu village. In the incident, 2 women named Mümine Zümrüt (18) and Netice Coşkun died, and 8 people were wounded. Out of the wounded Hakkı Coşkun, Muğtezer Zümrüt and Habibe Coşkun, whose situation was critic, were taken under treatment at the Di-yarbakır State Hospital. Five people who were slightly injured in the incident were treated at the Kulp Health Center. Habibe Coşkun, one of the wounded who were hospitalized, said that their village had been intentionally bombed as they did not accept to be village guards.

Hazro (Diyarbakır): As a result of fire opened at random by village guards and soldiers in the Hazro district of Diyarbakır on the night of 14 August, Gazal Osnil (60) and his 8-year-old grand child (D.O.) were wounded. In the statement he made at the Diyarbakır State Hospital where he was treated, Gazal Osnil said: “I was performing ritual prayer. Suddenly, the electricity went out. I took my grandchildren on my lap. However, I was shot together with my grand child when a panzer passing by opened fire. My grandchild was severely wounded. I could not remember anything further.”

Evacuated, burnt down and raided villages

Village and hamlet evacuations continued at an increasing pace in 1994. During the year, more than **1000** villages and hamlets were evacuated. The evacuations targeted the vil-lages and hamlets where people who had refused to serve as village guards were living. Pressure against the villages and hamlets was not limited to evacuations. They were frequently raided. Villagers were killed, wounded, and tortured. Houses, stables and barns in many villages were burnt down and became unusable. Villagers were forced to migrate. Pressure generally con-tinued until the villagers left their villages. At the end of 1994, there were almost no inhabited villages or hamlets in the Emergency State Region and its surroundings, excluding those in-habited by village guards. In the official statements it was claimed that the villages had been evacuated or burnt down by PKK militants or because of economic bottleneck.

Interior Minister Nahit Menteşe stated in April that 871 villages and hamlets had been evacuated for various reasons since July 1987. Replying to a related question by Diyarbakır Deputy Sedat Yurtdaş, Nahit Menteşe said that 178 villages and 39 hamlets had been partially

evacuated, and 288 villages and 366 hamlets had been completely evacuated. Claiming that the villages and hamlets were evacuated because of pressure by the PKK or economic reasons, Nahit Menteşe said "Therefore, people emigrated from rural areas to provincial and district centers and to certain provinces outside the region." With this statement by Nahit Menteşe, village evacuations under way in the Emergency State Region were officially confirmed for the first time. In another statement he made later, Nahit Menteşe said that the number of completely or partially evacuated villages was 2,297. Replying to a motion by Hatay Deputy Fuat Çay, Nahit Menteşe stated that a total of 285 hamlets and villages, 30 of which partially and 255 of which completely, had been burnt down. Indicating that the number of the burnt down houses in the region was 7,064, Nahit Menteşe said 37,752 people had migrated since their houses had been burnt down and 225,283 people had migrated since they had become homeless for other reasons. He stressed that most of the migrants had gone to settlements in the Şırnak, Mardin, Diyarbakır, Bitlis and Bingöl provinces. The figures given by Nahit Menteşe showed that the attempts to depopulate the region increased in 1994 (*).

Village evacuations and burnings, which caused many social problems, also harmed the economy of both the region and Turkey. In a study by the Turkey Agriculturists Association (TZD), it was indicated that the economic loss occasioned by village evacuations and burning forests was about 12-13 trillion Turkish Lira. According to the study, in Mardin alone 371,492 decares of agricultural areas, and 115,447 hectares of pastures were put out of use due to village evacuations. Also, 70,000 decares of the fields where cereals were cultivated were burnt down, and the fruit of 120,000 trees could not be harvested. A decrease of 31.2 percent was observed in animal breeding. In Diyarbakır, the number of animals fell by 50 percent while forest area decreased by 60 percent. Interpreting the data compiled through the research made in Diyarbakır and Mardin, TZD Chairperson Ibrahim Yetkin said the following: "The place where we carried out the research is a region that we can call a zone of war. This region forms 15.88 per-cent of the total agricultural area in Turkey. The research shows us that the losses have put a great burden of 12-13 trillion Turkish Lira on the economy."

Because of burnt down villages, Turkey was frequently put on the agenda in international platforms and condemned. In addition, such incidents were also on the agenda of the European Human Rights Commission as aggrieved persons enjoyed their rights to present individual cases. For instance; the case brought by the people of the Kelekçi village of the Dicle district of Diyarbakır, which was evacuated and destroyed in 1993, was taken into account by the European Human Rights Commission. The Commission began to examine the case on 17 October. IHD former Vice Chairperson Sedat Aslantaş represented the aggrieved villagers while a 3-person delegation headed by Prof. Dr. Bakır Çağlar defended Turkey. Pointing out that their case, which was brought before they tried all methods of legal recourse in the country, was accepted by the Commission, Sedat Aslantaş said: "This is an important issue. If the case is concluded in our favour, it will be possible to bring cases directly to the Commission without exhausting all internal legal avenues. The Law on Prosecution Procedures for Civil Servants, which has been in effect since 1913, is a big handicap to arraignment of public officers. Therefore, along with human rights abuses, we will continue to bring cases before the Commission. Turkey will lose trials, particularly the trials about burnt down villages, and may be condemned to pay TL billions of compensation."

(*) In studies by the IHD, it has been revealed that 923 villages or hamlets in the Emergency State Region and neighbouring provinces were evacuated from the beginning of 1990 to the end of 1993.

Some of the information compiled by the HRFT concerning the evacuated, burnt down, destroyed and raided villages, is as follows:

The soldiers who raided the Akdiken village of the Eruh district of Siirt on 31 January burnt down 4 of the houses in the village. Siirt Deputy Zübeyir Aydar who put the issue on the agenda of the National Assembly, said: "Soldiers granted a one-week period for total evacuation of the village. In the same days, the Kuşdalı and Gedikaşar villages of Eruh were raided by soldiers and the villagers were ordered to evacuate the villages." Indicating that the Yurt village of Siirt was raided by soldiers on 2 February, Zübeyir Aydar said that the soldiers had beaten the villagers and threatened to burn down the village.

The Bağlan village of the Lice district of Diyarbakır was raided by village guards on 12 February. During the raid which was carried out after the killing of a village guard named Haydar in a clash with PKK militants, 7 persons were beaten and wounded. The names of those wounded are "Refik Solmaz (57), Halim Al (45), Hacı Mahmut Kaplan (65), Hacı Mehmet Ceylan (55), Halim Şahin (60), Nuri Demirbaş (35) and Ekrem Demirbaş". In addition, the houses of Refik Solmaz, Bayram Yıldırım, Celal Yıldırım, Mehmet Yıldırım, Emin Yıldırım, Kasım Yıldırım, Mustafa Yıldırım, Hacı Selami Öner, Semiha Yıldırım, Haydar Kahraman, Fevzi Ceylan and Refik Bulut were burnt down during the raid. One of the wounded, Refik Solmaz, said the following at the Diyarbakır State Hospital where he was treated: "Village guards from the Ormankaya village came to our village and gathered all of us in the village square. Insulting all of us, they said 'You are Armenian.' and started to beat us, beginning with the elderly. At that time they set our houses on fire. They did not allow us to take our belongings." The issue was brought to the agenda of the National Assembly by Diyarbakır Deputy Sedat Yurtdaş. In the motion to which a reply by Interior Minister Nahit Menteşe was demanded, Sedat Yurtdaş asked whether an investigation into the incident had been launched, and demanded losses of villagers to be compensated.

The Eykent village of the Eruh, Siirt which was evacuated on 3 November 1993, was burnt down by security forces on 6 March on the grounds that houses in the village were used by PKK militants. Reacting to the burning of their houses, the villagers said: "Since we did not accept to serve as village guards we were exposed to pressure. Therefore, we had to leave our village. However, we were planning to go back to the village in the spring time and we often stated our plan. They burnt down our houses in order to prevent us from returning to our villages."

A vehicle carrying some materials to the Emekçiler Gendarmerie Station around Siirt struck a mine. Just after the incident which occurred on 20 March, the Kezere village was raided by security forces and 20 houses, beginning with the house of village headman, were burnt down. Stressing that they were not allowed to take the belongings in their houses, the villagers said that the soldiers had told them "Be thankful to God that we do not burn you together with your houses." The villagers whose houses were burnt down migrated to neighbouring settlements, particularly to Siirt.

The Çökekyazı, Süttaş, Ürünveren, Şen, Ardaş, Tasuh and Veras villages of the Hizan district of Bitlis were evacuated by security forces in May. Most of the houses in the evacuated villages were burnt down. During the fire, numerous animals perished.

As a result of gunfire by the security forces who raided the Binatlı village of Batman on 30 May night, a 2-year-old child was shot and wounded. During the raid, some houses were damaged

too. The names of those whose houses were damaged are as follows: “Yusuf Aygo, Ih-san Aygo, Osman Yardımcı, Hikmet Aygo, Ömer Çağına, Ahmet Aygo and Mustafa Çağına.”

The Kocalar village of the Bismil district of Diyarbakır and the Alaca village of the Kulp district were raided by security forces on the night of 30 May. Following the raid, 17 of the houses in the Kocalar village and 12 in the Alaca village were burnt down after gasoline was poured on them. Two persons named Mehmet Ulutaş (41) and Seyfettin Kaplan (45) in the Alaca village which was raided 4 times within 2 years, were beaten and wounded. Upon in-creasing pressure, a large number of the people living in the villages migrated to other places.

The security forces who raided the Bayraklı village of the Derik district of Mardin on the night of 1 June, destroyed some of the houses in the village and an agricultural machine. The names of the villagers whose houses were destroyed are “Hamit Er, Ali Er, Güle Yıldız, Harun Özsoy, Halil Romioğlu and Zerga Özsoy”. During the raid, Sinan Romioğlu and Harun Özsoy were beaten with rifle butts and sticks and wounded. Sinan Ramioğlu whose 4 ribs were broken and head was split, was treated at the Diyarbakır State Hospital.

In a statement he made at the beginning of June, Defence Minister Mehmet Gölhan said that settlements around Ağrı and Tendürek Mountains would be evacuated and the area would be declared a military zone. Stating that those who entered the region without per-mission after completion of evacuation would be fired upon, Mehmet Gölhan said: “With this measure, a de facto buffer zone will be created on the Iranian, Armenian and Nachcivan bor-der. Therefore, the PKK’s activities will be easily controlled and prevented.” Mehmet Gölhan said that the number of settlements to be evacuated was about 50 and in consequence of this move tens of thousands people would have to emigrate.

The Sarısaman, Keklikdere, Yazkonağı, Yolaçtı and Çevirme villages of the Genç dis-trict of Bingöl were raided by gendarmes on 24 and 25 June on the grounds that Indian hemp was cultivated there. During the raids, carried out by soldiers sent from the Gendarmerie Com-mando Unit in the Silvan district of Diyarbakır, about 350 of the houses in the villages, some of them with furniture still in them, were burnt down. The incident was revealed when the vil-lagers contacted parties and the Governorate of the Emergency State Region. Thereupon, Emergency State Region Governor Ünal Erkan and Gendarmerie Order Commander General Hasan Kundakçı who went to the burnt down villages, talked to the villagers and asked to be pardoned. They promised villagers that the loss would be covered by the state.

The Akçayurt and Yayladere villages of the Hani district of Diyarbakır were burnt down by security officers at the beginning of July and those living in the villages were forcibly taken to a camp located on the Tigris River coast in the Topçular region. Hundreds of people who were taken to the camp had to live under unhealthy conditions in the open air for a long time. When the case was made known to the public and international protest began appearing, the camp was scattered. Those who had been kept in the camp were allowed to go to wherever they wanted. In addition, an investigation was launched by the Hani Public Prosecution Office. In the investigation, which was launched when Mehmet Günkan, the headman of the Akçayurt village, which was completely burnt down by soldiers brought from Bolu, disclosed that the village had been burnt down and the villagers had been tortured, testimonies of the villagers who witnessed the incident were recorded. Furthermore, people of the Kaledibi, Turali, Topçu-lar and Sarıbudak villages were invited to the Public Prosecution Office and asked questions such as “whether they knew who burnt down the Akçayurt village” and “whether they were aware of the concentration camp.” In the meantime,

pregnant Emine Çelik (36) who was among the people taken to the camp, gave birth prematurely and the baby died later. Emine Çelik's mother, Fatma Çelik, who was kept in the camp for a while after the Yayladere village was burnt down, and subsequently migrated to Adana, said the following about the incident: "At the same time as our houses were being burnt down and girls were being tortured. When my daughter saw them, she was frightened and fainted. Then, her labour-pains started. She was lying on hot sand. The soldiers waiting near her prevented those who wanted to help her. At the end she gave a birth. She had a son. However, the baby died after a while."

The security forces who raided the Gözderesi village of the Silvan district of Diyarbakır and the Yukarıgören hamlet of the village on the morning of 4 July burnt down 8 houses and furniture. Many animals in the stables, which were burnt along with the houses, perished. Two persons named Celal Alphan and Cevat Alphan were detained. In the meantime, a person named Cüneyt Alphan, whose house was burnt down by security forces during a clash in the Gözderesi village on 16 June 1991, won a court case against the Interior Ministry in March. In the court verdict, the security forces were found to be at fault and the state was ordered to pay a compensation of TL 135 million to Cüneyt Alphan. However, the local administrators did not pay the amount. Thereupon, Cüneyt Alphan made a statement in September and said: "My house was completely burnt together with its furniture when a bomb was thrown by security officers into a neighbouring house during a clash between security officers and PKK militants. I launched a trial against the Ministry of Interior for compensation. Although I won the court case, I did not receive the compensation amount. Since the compensation of TL 135 million was not paid on time, it has been losing value."

The village guards who raided the Sargin village of the Gercüş district of Batman on 7 July burnt all the houses, excluding 3, in the village together with their furniture. The village guards left the village after they set the crops on fire. The villagers whose houses were burnt down migrated to Gercüş and Hasankeyf.

The Sinemerg hamlet of the Kelhasan village of the Sason, Batman, was raided by security forces on the morning of 7 July and 10 of the houses in the hamlet were burnt down. About 100 sheep in the stables which were burnt together with the houses, perished. Out of the villagers who migrated to Sason after their houses were burnt down, Bedia Şanlı applied to the Sason Court of First Instance and stated that her house had been burnt down by soldiers. She also asked the judge to determine the damage. The case brought by Bedia Şanlı on 12 July was accepted and it was decided that the site of the incident would be examined. A 5-person delegation, headed by Sason First Instance Court Judge Hakkı Hakan Alanur, went to the burnt down hamlet and conducted an examination. As a result of the examination, it was determined that the damage that Bedia Şanlı suffered amounted to TL 940 million. Subsequently, Bedia Şanlı applied to the Diyarbakır Regional Administrative Court and launched a case against the Interior Ministry.

A total of 24 villages in Hakkari and its Çukurca district were completely evacuated by security forces in July. Most of about 12,000 people living in the evacuated villages went to live with their relatives in the other villages and districts in the region, while some of them went to Northern Iraq. The names of the evacuated villages and their population are as follows: "Akkuş (400), Cevizdibi (600), Sütluçe (98), Elmacık (1115), Kaval (935), Kavak (2500), Hendek (425), Oğul (387), Çaltık (613), Pınarca (400), Sevin (197), Gevirkan (135), Zeranıs (145), Çatıkuru (213), Kaymaklı (640), Koçlu (128), Akbulut (386), İlik (116), Doğanca (1300), Demirli (140), Armutlu (395), Güzelkonak (310), Kırtańıs and Zawüte."

Between 1 and 15 August, the Pertevküt, Anadare, Pancas, Engesor, Pıhık, Inzan, Ax-kis and Sallica villages of Tatvan, the Tulumtaş, Uşi, Merge, Surtalanbağı, Bihışka villages of the Kurtalan district of Siirt, the Yerlibahçe village of the Erüh district of Siirt and the Göltepe village of the Silvan district of Diyarbakır were evacuated by security forces. In addition, 20 vil-lages in the region were given a deadline to evacuate. Those living in the evacuated villages migrated to surrounding provinces and districts.

Special team members raided the Topyıldız village of the Gürpınar district of Van on 14 September morning and ordered evacuation of the village within 3 days. The special team members, who threatened the villagers by saying “Unless you evacuate the village, we will burn you down along with the village.” detained 10 village guards in the village. The village guards, who were released on 15 September stated that they had been tortured in detention.

During operations in the Kiğı district of Bingöl in September, 25 villages were either burnt down or evacuated. The villages in question are as follows: “Ağaçöven, Aşağı Serinyer, Bakkallı, Çanakçı, Çiçektepe, Çomak, Darköprü, Eşikavak, Molla İbrahim, Nacaklı, Demir-döş, Eşme, Güneyyağı, Kutluca, Sırmacık, Sabirtaşı, Yukarı Serinyer, Yeniçevre, Yazılı, Yay-ladere, Üçgül, Yatansöğüt, Sırmalioya, Sarıbudak, Yerkaya and the hamlets of those villages.” Some of the people from the evacuated villages migrated to Kiğı, some of them to big cities such as Istanbul, Mersin, Izmir.

The Pirinçeken village and the Kardeşler hamlet of the Yüksekova district of Hakkari were raided and burnt down by security forces. Most of the villagers whose houses were burnt down migrated to Northern Iraq. A group of villagers who wanted to migrate to the Uzundere town was prevented from doing so by security forces. Security forces who raided the Derede village of the Çukurca district of Hakkari on the same day ordered the village to be evacuated. Thereupon, most of the villagers had to migrate.

The Pamuklu, Akkuş, Balıcalı, Okçular and Deliktaş villages of the Karakoçan district of Elazığ were evacuated by security forces in October. Most of the people living in the evacuated villages settled near their relatives in Karakoçan.

Evacuation of the Bağıyaka, Serinli and Durusu villages of the Savur district of Mardin were ordered. The decision taken by the Mardin Gendarmerie Brigade Commandership was conveyed at the beginning of November by a military officer in charge at the Savur Gendarmerie Commandership to the headmen of the Bağıyaka, Serinli and Durusu villages, and the vil-lagers were given until 28 November to evacuate the villages. Upon the notification, Şerif Za-man, the headman of the Serinli village, went to the Mardin Governorate on 25 November. Stating that most of the people living in the village are women, children and the elderly, Şerif Zaman asked for the annulment of the decision or extension of the evacuation deadline until the summer time. Stressing that the Savur Gendarmerie Commander told them that the village would be burnt down unless it was evacuated, Şerif Zaman said that this case would increase the aggravation of the villagers. After the initiatives, it was given up to evacuate the villages.

A delegation headed by İhsan Arslan, the Chairperson of the Mazlum Der (Association for Human Rights and Solidarity With the Oppressed) conducted an investigation in Novem-ber concerning the evacuated and burnt down villages. Results of the investigation the delega-tion conducted in Tunceli, Elazığ, Muş, Bingöl, Batman, Diyarbakır, Mardin and some of their districts were gathered in a report and made public at the beginning of December. The report stressed that villages had been burnt down by security officers, that those aggrieved were not aided and that the

state built houses only for village guards, and stated the following: “The policies towards the region aims at leaving rural areas depopulated. The villages of those who did not accept to serve as village guards have been evacuated in succession and houses in the villages have been burnt down. People have become immigrants. According to our determinations, 50-60 villages were burnt in each province. Most of those villages were burnt down and evacuated by security officers and some of them by village guards. Also, it has been revealed that several villages where village guards have been living were burnt down by the PKK. There are about one million immigrants in Diyarbakır. Other provinces and districts are similar to Diyarbakır. Because of intensive migrations, they have become provinces of the unemployed. Promises of the governing authorities have not been kept. It is obvious that nobody receives aid. The state deems people who did not accept to serve as village guards as potential criminals and ill-treats them. The state that tries to bind people to it through psychological pressure will suffer the damage of this attitude. Human rights abuses are at a peak in the region. Soldiers treat people maliciously. There is no right to life and security. People cannot travel and live freely. The schools in all villages, except those of village guards, was closed and freedom of education were restricted. The people who have been facing injustice cannot find any one to turn to for help. There is no freedom of press in the region. The only news source is the statements made by the Emergency State Region.”

Villages of Tunceli

Twenty villages of the Hozat, Çemişgezek and Ovacık districts of Tunceli and some hamlets of these villages were evacuated by security officers at the end of September and at the beginning of October. The following are the evacuated villages: “Aslıca, Karataş, Hanuşağı, Cevzlidere, Bilgeç, Yazıören, Mollaaliler, Yanıkkaya, Şahverdi, Elgazi, Kuşluca, Otlubaççe, Tepsili, Eğrikavak, Çat, Çemberlitaş, Işıkvuran, Halitpınar, Gökçek and Ayıklitepe.” The houses in 15 of the evacuated villages were burnt down together with their furniture. In addition, 17 of the people living in these villages disappeared. Out of those 17 people, reportedly taken away by security forces, Müslüm Kavut, Aslan Yıldız, Ali Hıdır Işık and Hasan Çiçek were found dead later. The fate of other persons could not be revealed by the end of 1994. Most of the people living in the evacuated and burnt down villages went to Ovacık while some of them to Elazığ.

The village burnings in Tunceli drew a great public outcry and were discussed for a long period. With a speech delivered by Tunceli Deputy Sinan Yerlikaya on 4 October, the incidents were put on the agenda of the National Assembly for the first time. Sinan Yerlikaya indicated that some of the villages in Tunceli had been evacuated and burnt down by security forces and that civilians who had not been involved in clashes suffered during the operations in the region. He said: “Villages have been burnt down and furthermore, our citizens have been forced to migrate. Three bridges over the Munzur Creek have been dismantled and thus, transportation has been rendered difficult. Because of the foodstuff embargo, villagers are unable to take even flour and sugar to their houses. Our forests have been burnt and destroyed. My appeals to the Ministry of Interior remain fruitless. Authorities are indifferent to the incidents. Illegitimate actions should be stopped as soon as possible.” Sinan Yerlikaya added that the villages had been burnt down by soldiers specially brought from Bolu and Kayseri.

Making a statement on 6 October, IHD Chairperson Akın Birdal said that evacuation and burning of villages in the Emergency State Region was continuing and that 15 villages in the Çemişgezek and Ovacık districts of Tunceli had been burnt down within a week. Criticizing the indifference of the state to these incidents, Akın Birdal said the following: “We call the National Assembly to duty. This inhuman practice should immediately be stopped. Those who are

responsible for burning of villages should be found. A commission to be formed within the Parliament should go to the region and determine the extent of savageness.” Representatives of the people who lived in the burnt down villages came to Ankara and met with authorities on the same day and told of their problems. In addition, Tunceli deputies Sinan Yerlikaya and Kamer Genç appealed many authorities, particularly to Prime Minister Tansu Çiller. The incidents in Tunceli were protested at press meetings and demonstrations held in Ankara and Istanbul. Deputy Prime Minister Murat Karayalçın, who had to take action in the face of the protests, went to the Ovacık district of Tunceli on 8 October together with State Minister Esat Kıratlıođ-lu. Military authorities did not allow Murat Karayalçın and persons with him to enter the burnt villages. In the speech that Murat Karayalçın, who was met with protest demonstrations and was booed in Ovacık, could hardly deliver, he said: “We are here, as the state and government, in order to express our sorrow to our citizens who came to Ovacık. Every kind of measure will be taken to solve the problems. Higher authorities did not order the burning of the villages. In clashes, some unjust, defective and wrong practices may appear.”

Azimet Köylüođlu, the then State Minister responsible for human rights, confirmed in a statement he made on 10 October that the villages in Tunceli had been burnt down by security forces. He said: “We determined that 218 houses were burnt down in Tunceli. The incidents have occurred in Tunceli. Terrorist acts in other provinces have been carried out by the PKK. The terror in Tunceli is state terror. The state has evacuated and burnt down villages in Tunceli. We insist especially on Tunceli. There are 2 million homeless people in the Southeast. We cannot give them even a tent.”

Thereupon Interior Minister Nahit Menteşe made a statement on 14 October. He alleged that the villages had not been burnt down by security forces and criticized State Minister Azimet Köylüođlu, harshly without mentioning his name. Nahit Menteşe said that the Karataş, Cevzlidere, Yazıören, Mollaaliler, Yarıkkaya, Şahverdi, Elgazi, Kuşluca and Otlubahçe vil-lages were out of the operation region and security forces had not entered those villages, but that some of the houses in the Tepsili and Eğrikavak village had been burnt since security forces had reciprocated against those who had opened fire at them during operations in the villages in question. He added the following: “Security forces intercepted instructions issued by the separatist organization to burn down the villages which had been voluntarily evacuated by villagers as a precaution for raids and massacres by terrorists and in order to escape persecu-tion. Such claims actually aim at protecting the terrorists who are having great difficulty in the region. Another fact is that ill-minded citizens have burnt down low-quality buildings in order to receive compensation from the state and to build new houses and stables.” Military autho-rities claimed that some of the villages had been burnt down by PKK militants wearing military uniforms. They also brought journalists and showed them the burnt down villages and the uniforms which had allegedly been found in the shelters of the PKK. In addition, they had some repentants make statements that the villages had been burnt down by PKK militants.

Those living in the burnt down villages appealed to the Ovacık Public Prosecution Office in the midst of October and lodged an official complaint against the security forces. The official complaint was later sent to Azimet Köylüođlu, the State Minister responsible for hu-man rights, by fax. Making a statement about the incident, Azimet Köylüođlu said that 15 villages had been completely burnt down during the operations carried out by security officers in Ovacık. He said the following: “I received a petition through fax indicating that a total of 15 villages were completely burnt down during the operations in the villages of Ovacık. In the petition there were names and

seals of the Ovacık Mayor and headmen of 10 villages. Along with the 15 burnt villages, the people of 30 villages also left their houses due to panic. The issues stated in the petition were verified through phone calls to related persons. The petition indicates that house owners were not granted enough time to evacuate their houses, all furniture and jewellery were burnt and that women were not allowed to take even undergarments and diapers for their babies.”

When the village burnings in Tunceli provoked protests, an investigation was launched into the incident. In the investigation launched by the Ovacık Public Prosecution Office, first, the testimonies of 444 persons who filed official complaints stating that their houses had been burnt down were taken. Subsequently, testimonies of certain witnesses and security officers working in the region were received in the investigation carried out by 2 prosecutors. No results had been drawn from the investigation by the end of 1994.

Headmen of 10 of the burnt villages of the Ovacık district of Tunceli met with Prime Minister Tansu Çiller at the National Assembly on 27 October. State Minister Azimet Köylü-oğlu and Tunceli Deputy Sinan Yerlikaya were also present in the meeting. Sinan Yerlikaya and the headmen who made a statement after the meeting, said that they had given information to Tansu Çiller about the burnt villages. The headmen said that Tansu Çiller had told them, “You should not think that every helicopter is belonging to the Turkish army. I cannot believe, even if I see. They might have come from abroad. They may have been referring to helicopters of Armenia, Russia, PKK or Afghanistan.” when they reported that helicopters had been spotted while the villages had been being burnt down. The words of Tansu Çiller, which caused discussions, protests and jokes among the people, astonished diplomatic circles. A diplomat in charge at the Afghanistan Embassy stated that Afghanistan was very far from the region in question and stressed that it was impossible that the helicopters mentioned by the villagers were those of the Afghanistan army. The Russian Federation and Armenia did not make any statements concerning the issue. The PKK preferred remaining silent rather than making a statement about whether it had any helicopters or not.

A delegation formed of artists, writers and leaders of democratic civic organizations which went to Tunceli in order to examine the down villages and human rights abuses, was not allowed to enter the region. Gendarmerie authorities who stopped the buses carrying the members of the delegation on the morning of 9 November on the Tunceli provincial border, stated that the visit had been banned by the Emergency State Region Governorate and turned back the buses. The following was stated to some delegation members: “Since we think that your visit to Tunceli will disturb public order, you have been banned from entering provincial and district borders in accordance with Article 11-K of the Emergency State Law.”

Journalist Sungur Savran touched upon the village burning in Tunceli in his article entitled “*Confession!*” published in the newspaper Özgür Ülke on 19 October 1994. Following are some excerpts from the article of Sungur Savran who wrote “The Vietnamese were lucky they were slant-eyed. American soldiers could not say ‘Those who burnt down villages were Vietcong guerrillas disguised as American soldiers.’ after burning villages and hamlets.”:

This is an anecdote. Before the collapse of the Soviet Union, Americans thought way to send an agent to that country. They taught Russian to one of the best spies and made him memorize everything, from Russian history to daily, from its culture to meal customs. He even became addicted to tea steeped in a samovar. Finally, they landed him down in Siberia. After walking for a while, the agent arrived at a town and went to a coffee house there. Saying, “I am Ivan” he

introduced himself and started to chat. Townsfolk immediately informed the police and the police came and arrested the man. The agent was bewildered. He could not help asking the commissioner "How have you realized that I am a spy." The commissioner replied: "It is not usual to find black persons here!"

The villages and forests of Dersim were in flames for days. Even the reactionary military-leaning press was shaken by the news. Even a member of the cabinet, stating that forests were burnt down by the state, claimed there was state terror in Dersim. AFP spread this news all over the world. However, the Interior Minister, with an irritating cold smile on his face, again alleged: "The PKK burnt down the villages and forests." Nobody believed him. The government was cornered. Then, a new method was tried. On Sunday evening, all television stations broadcast the new claims by the General Staff Office: "The PKK militants in the guise of soldiers burnt down the villages."

This argument that they put forward, is in fact a confession. Those who said "The PKK burnt.", now cannot disguise the fact that all witnesses point the finger at soldiers, and have to accept that the soldiers burnt down the villages. So, they say, "But the soldiers are not soldiers." What is their evidence which verifies that they are not soldiers? Military vests taken out of a sack. As if the army does not have many vests! Let's think, first you put the vests into a sack and then take them out of the sack in front of TV cameras. And this is the evidence. Do you need more evidence? False "repentants", who were made talk with their face turned away from the cameras and who alleged that PKK militants had been involved in village burnings. As if there are not any traitors who speak Turkish with a Kurdish accent. More? Only one villager who has claimed that the PKK burnt down the villages in Dersim! The TV reporter asks, "How do you know that those who came to the village were PKK militants in guise of soldiers?" Answer: "The soldiers always come during daytime." It means they were not soldiers, because they should not be!

On the one hand, private television channels show different footage of villagers crying. Each of them says their villages were burnt by soldiers. On the other hand, the TRT shows only the pictures of the villagers who complained about soldiers on other channels. The commentator says the opposite of what the villagers said. This is called news broadcasting. The reason for the immediate permission given to cameramen to enter the villages, after even the Deputy Prime Minister had been denied permission, is clear: Since the village burnings by soldiers were disclosed, they have attempted to divert attention to this fact. However, this attempt, alone, is a confession at the same time. It has been registered that the physical appearance of those who burnt down villagers are soldiers!

The only thing that should be asked now is "Why have those who remained silent while 1,300 villages in Botan were being evacuated, burnt down and plundered, flew into a rage this time?" It is not possible to reply to this question with superficial answers such as "Kamer Genç is a Deputy from Tunceli." or "Sinan Yerlikaya made sacrifices." The real answer is completely different. The Kurdish people in Dersim are Alewi and therefore, the Alewi society has risen up. If the SHP and certain deputies lose votes from Alewis, they will also lose their political future. Kamer Genç has begun to talk for this reason. When we went to Ankara last week for the March of Freedom of Thought he shamelessly said "Human rights are not of importance in a country where there are terrorist activities." Why has he raised his voice about Dersim issue? Human rights are only important in the region where Kamer Genç has political interests. Disregarding the contradictions of Kamer Genç and Minister Azimet Köylüoğlu, the important thing is that the

freedom of Kurdish people embracing the Kurdish Alewis has caused a crack in the heart of chauvinism.

e)- Those who migrated

The incidents, pressure and inhuman practices, attacks and operations in districts, towns and villages in the Emergency State Region afflicted hundreds of thousands of people. Villages, towns and districts were destroyed. Two to 3 million people had to leave the settlements where they had lived for years. Some of the immigrants went to provinces such as Diyarbakır, Van, Elazığ in the region while some of them went to the provinces in the West, such as Istanbul, İzmir, Mersin, Antalya and Adana. Jerry-built quarters established by tens of thousands of immigrants, appeared in Diyarbakır, Van, Adana and Mersin. As a consequence of the migration, the population of Mersin which was 422,000 in the census in 1990, has reached 1 million, that of Tarsus, which was 177,000, has reached 350,000, that of Adana, which was 927,000 has become 2 million, that of Diyarbakır, which was 380,000 has reached 1 million and that of Gaziantep, which was 600,000 has reached 1 million. Most of those who migrated are in unhealthy conditions, sometimes under the same roof with 30-40 people. Economic and social problems caused by the migration became more complex in 1994.

Migration was not confined within the boundaries of Turkey. Thousands of people who were forced to leave their houses migrated to Northern Iraq beginning in the first months of 1994. The number of immigrants to Northern Iraq exceeded 20,000 at the end of 1994. After a long effort, the immigrants were settled in the camps under the control of the United Nations. Most of those people were given refugee status.

A delegation formed by the IHD in order to examine the conditions under which the immigrants to Northern Iraq lived went to Northern Iraq in June. The delegation, headed by IHD Chairperson Akin Birdal, conducted investigations in Zaho and its surroundings on 14 and 15 June. The report, prepared by the delegation, was made public in a press statement by Akin Birdal on 28 June. Akin Birdal stated that the immigrants to Northern Iraq had had to move away because of the pressure by security forces, and said: "Those people want to return to their villages. We should want the same, too. We should exert ourselves to secure their return." The report is briefly summarized as follows:

What has been experienced in the East and Southeast of Turkey, are known, more or less, by the public. Last year, about 2 million people migrated to the southern and western regions of Turkey. However, it has been reported in the last months that there was mass migration from Hakkari and Şırnak to Northern Iraq and related reports have been published in newspapers and broadcast on TV. In the same period, the IHD received requests to examine the conditions which caused the migration and to take action on the issue. Thereupon, the IHD called civic organizations, political parties and press and asked them to take part in a delegation to be formed in order to examine the migrations. Following are the thoughts of the delegation, which conducted investigations and held negotiations in Zaho and its surroundings and in Duhok, with the aim of learning about the living, conditions of the immigrants:

The delegation set out from Ankara to Diyarbakır on 13 June. Delegation members stayed at Nezirhan facilities located between Nusaybin and Cizre on 13 June and crossed to Zaho through the Habur Customs Gate on 14 June. The delegation members interviewed Kurdish Federal State Customs Police Chief Nakip Muhammet and Zaho Governor Muhammet Mecit on the same day. Subsequently, they visited about 200 Kurdish immigrants who were on a hunger strike at the

Teacher's Club in Zaho, and spoke with them about their reasons for migration, living conditions and their demands. On 14 June, they investigated and held negotiations in the Hizawa, Baheri and Şeranişe regions around Zaho where the camps are located.

On 15 June, talks were held with United Nations' Iraq Section Officer Ayman Ghrai-bah, Duhok Governor Abdülaziz Tayip, Duhok representatives of the Red Crescent and Red Cross, and Northern Iraq Human Rights Association Chairperson Selah Zeru. According to information we obtained during the talks, migration from Turkey to Northern Iraq has been continuing for approximately one year. The migration intensified in April and May and almost every day 20-30 families crossed the border within 2 months and settled in some regions 25 kilometers from the border. Because of attempts by security forces to prevent migration by blockading the villages of Hakkari, Şırnak, Cizre, Silopi, Uludere and Çukurca and some districts of Diyarbakır, and strict military controls on the border, the number of the migrating families reportedly decreased to 2-3 per day in the last 10-15 days. It was stressed by local authorities, United Nations representative and immigrants in the camps, that the migration was still continuing, but decreasing.

Evaluating the information received from local authorities, the United Nations Representative and those in the camps, we drew the conclusion that the number of immigrants was about 10-12 thousand. We learnt that there were camps for immigrants in the Zaho, Tikabar, Darkar, Forga regions, along with 3 camps and the Teacher's Club visited by the delegation. According to the results drawn as a result of talks with the immigrants in the camps, the reasons for the migration are as follows: Pressure to serve as village guards; raids against houses and villages because of refusal; torture inflicted on men; soldiers entering houses where women are present while the men were confined to the village square; cannon balls and incendiary bombs thrown at houses; plunder of food via special raids and checks; hunger; continuous detention of men and torture of them; killing of at least one person from each family, in detention or by special team members; sexual abuse or torture of women and young girls; abduction of some young girls; evacuation and burning down of villages; burning down of agricultural fields and forests; absence of security; the dilemma of being forced "either to be a village guard or to be killed"; not being given one more chance; fear of being bothered even in other parts of Turkey; etc."

Some of the immigrants in the camps have been staying in shelters made of leaves and some of them in tents provided by the United Nations. In the camps, water has been secured via a network with several taps. It was observed that bread was prepared with flour distributed by the United Nations and cooked on iron sheets over fires lit among the tents and shelters, and their only furnishing consisted of several pans, blankets and mattresses. The children were living without shoes, in dust and dirt and even harassed by mosquitoes. One toilet was provided for 200 persons. Children were inadequately nourished. It was stated that the immigrants did not receive regular food, except flour and sugar weekly distributed by the United Nations, and that were insufficient. It was reported that a physician came once a week but wrote prescription only according to complaint without any examination, and prescriptions written for the old and babies were the same.

According to information from the United Nations Iraq Section Officer, about 20 malaria cases appeared along with cases of diarrhoea and intestinal parasites. There was a fear that the malaria cases would spread. The United Nations Officer stated that they tried to provide medicines from UNICEF for the immigrants, and in addition, health examinations were carried out each week in co-operation with the health organization Qandil. However, since there was no stationary or itinerant hospital, it was not possible to take any measures beyond giving medicine

even for emergency cases. Six persons in the Şeranişe Camp suffered the loss of organs such as hand, arm, leg or eye. According to the persons in question, they were wounded during bombardment or cannon fire against their villages before they migrated. Another Kurdish immigrant aged 36 who was walking with the help of a crutch, said that he had been born crippled, but since he had spent his life in gendarmerie stations, in detention and under torture, he could not bear it and had escaped from Erüh to Uludere and then crossed the border.

We also met with 200 Kurdish villagers, who migrated from the Akduman, Sapaca, Hi-lal, Işıkveren, Taşdelen, Kayadibi, Kalemlı, Ballı, İnceler and Balveren villages and staged a hunger strike in the Teacher's Club in Zaho. These persons stated that they had been exposed to the practices mentioned above and therefore had migrated, arriving at Zaho after travelling on foot or by mule under bombardment from plane and cannon fire and by hiding during daytime and walking at nights. It was reported that 8 persons among them had been killed by bombs thrown from planes. The villagers demanded their destroyed and burnt villages to be visited, and solutions to their health, nutrition and settlement problems.

A United Nations official, with whom the delegation negotiated, said that the immigrants were under responsibility and protection of the United Nations, tents and medical aid were secured for them, food had been procured within the framework of the World Food Program and a network had been installed for potable water in the camps. He added that the existing situation was not an ideal one, but they had tried to do everything possible in the emergency case. Stating that they were collaborating with anti-malaria teams and the Duhok Governorate, the U.N. official said that 2-3 families have come to the region each day and they were studying for the reasons of the migration. The official said that the migration to Iraq was a new case for them and that UN offices in Turkey, Iraq and Geneva were looking for a solution to the problem. The official pointed out that one of the solutions would be the return of the immigrants to the places they had lived previously, if the conditions permitted, however, he said they could not force the immigrants. He added that if the immigrants stayed there, the situation would be very difficult in winter conditions and that they should be transferred to places where transportation means was easier. Stressing that the UN would stop aiding the immigrants immediately if they were found to be involved in political activities, he said that they were aware of how complex the situation was and that the immigrants behaved as if they had escaped from a clash or war. He stated there must have been a reason for the migration, but since they did not know whether everybody had the same reason or not, they were investigating the issue.

The person responsible for the camps in the Kurdish Federal State with whom the delegation talked, stated that the United Nations had put an embargo on Iraq and Iraq had reciprocated against the Kurdish Federated State, therefore the state had difficulties since it could not bring in industrial materials although it had opportunities and reserves. Their people experienced the same conditions the Kurdish immigrants experienced, and they shared their means with the Kurdish immigrants. The Duhok Governor said that the people had been asked to give shelter to and help the immigrants, they shared their food with them, they gave aid precedence to immigrants, they had also housing problems since their villages had been burnt down, they reported the situation to the United Nations Immigrants Office and Red Crescent, and they would allocate a transportation to a water source. However, he expressed that the immigrants did not want to leave the border area, that the solution of the problem was in Turkey and that the immigrants did not want to settle, but to return. Representatives of the Red Cross and Red Crescent disclosed that the mission of their institutions was to help Northern Iraqi people who were also in

need of help, they were working with restricted means and could provide limited help. The Northern Iraq Human Rights Association Chairperson stated that they were interested in the problems of the immigrants, however since the association is a non-governmental and volunteer organization independent from parties, its means were very limited.

The delegation completed its talks towards the evening of 15 June and left Zaho. After crossing Turkey, the delegation members saw military vehicles and personnel under war conditions on its route. Security forces stopped the vehicle of the delegation 11 times while going and returning. However, we did not face any difficulties since they had been informed about the delegation. While returning we saw dense smoke on the mountainous region and woodland on the both sides of the road. The woodland, 70 kilometers to Mardin was burning, villagers with shovels and pickaxes in their hands were running towards the woodland, which also included farmed areas. We saw also a military vehicle waiting on the foot of a hill near the woodland. The horizon was completely covered with flames when we were 20 kilometers to Nusay-bin. While it was darkening our vehicle was stopped by security forces. When we asked them "What happened?", they said "Plants are burnt." While reaching Mardin, we saw 2 blind-folded persons whose hands were tied and who were taken away in each of 2 military vehicles.

Conclusion

- *For peace and human rights, our delegation decided to make an urgent call to national and international organizations for help.*
- *The immigrants have nutrition and health problems. Thanks to seasonal conditions children, women and the old can live in tents made of nylon and leaves, but it is not possible for them to live under these conditions in winter. We call on everyone to take initiatives and help find solutions to the health, nutrition and housing problems of the immigrants and to improve their conditions.*
- *Delegations should be formed within the National Assembly, political parties and government, the human tragedy which was experienced there should be observed on the spot and an immediate solution should be brought to the problem. The United Nations, Red Cross, and peace and human rights organizations should bring urgent aid channels into action.*
- *The conditions which occasioned mass migrations should be removed, and amendments regarding human rights and democracy should be made.*
- *Measures which will encourage immigrants to return their hometowns should be taken and the immigrants should be persuaded to do so.*
- *Demand and longing of the immigrants for humane living conditions should be taken into account and necessary arrangements should be made.*

Hüseyin Okçu, a member of the Administrative Board of the Mazlum Der (the Association for Human Rights and Solidarity with the Oppressed) Istanbul Branch, who was in the delegation that went to Northern Iraq, held a press conference on 25 June in Istanbul and spoke about his observations about the immigrants. Indicating that the migration to Northern Iraq has been continuing for one year, Hüseyin Okçu said: 'The state's explanations such as "They migrated because of the pressure by the PKK. The PKK took them forcibly." are untrue. The state had made some offers to them. It had offered them jobs as village guards, as informers. It had threatened them with punishment. Some of their villages had been burnt down, some of their children had been taken, lost, tortured, imprisoned. Therefore, they had no chance.' Hüseyin Okçu quoted

journalists an incident he witnessed while visiting the camps, "One of the women in the camp attempted to burn herself by pouring gasoline over her. When we asked her why she attempted burn herself, 'I had 3 sons. One day, soldiers came to our village and wanted to take all of my sons. I know what will happen to youths taken by soldiers. They either lose, maim or imprison them. I begged the soldiers in order to dissuade them. I said they were not involved in the conflict. However, they said they were bound to do so. Then I gave them my golden coins. They released my sons, and took the golden coins. One day after the incident, the village was bombed. In the bombing, one of my sons died. We started to escape in panic. They also bombed us while we were on the road and my other son died there. I could not even embrace his corpse. My son who survived went on a hunger strike and has been waiting for death. What shall I do, except killing myself?' she said."

The report which was prepared in consequence of a study made in the Beypazarı district of Ankara by another delegation formed in the structure of the IHD General Center, strikingly portrayed the situation of those who migrated to big cities. The report prepared by the delegation headed by IHD Vice Secretary General Nazmi Gür is summarized as follows:

Upon appeals to the IHD and news stories published in the press, we went to the Beypazarı district of Ankara in June to examine the housing, nutrition, health, education and other problems of 50 families who migrated from certain provinces in the Southeast to Beypazarı. The delegation consisted of administrators of the Tüm Sağlık Sen which replied to the call by the IHD, and a group of journalists. We observed that the camp, in which the immigrants settled was located outside the Beypazarı city center in an area without sanitary facilities. Another issue which drew our attention was electricity lines crossing through the camp. Before meeting with the camp dwellers, we examined the general situation of the camp and the jerry-built nylon tents used as shelter. We determined that the shelters were not healthy and had no protection against weather conditions such as rain and snow.

When we arrived at the camp, we were welcomed by immigrants and taken to a place in the middle of the camp. There, we talked to a group of immigrants about their problems. First, we explained the aim of our visit to the camp and then asked them to tell us the problems they faced because of the migration. The immigrants said that the reason for the migration was the war in the region, being forced to accept the village guard system, the difficulty in feeding themselves because of war conditions and lack of security under those conditions. We learnt that there were 50 families in the camp who migrated from the Işıkkaya, Yukarı Ocak, Aşağı Ocak, Karalan villages of the Mazıdağı district of Mardin, from Urfa and Siverek, that the migration had been continuing for 4-5 years, that about 300-400 people were living in the shelters made of nylon and most of those living in the camp were children between 0-7 years old. The problems and complaints that we determined while talking to the immigrants are as follows:

The immigrants stated that they were living in extremely unhealthy and primitive shelters, which they built by their own means on a land without any infrastructure, the living conditions were difficult, there were many health problems originating from the location of the settlement, they used open areas as toilets, the potable water was not sufficient and clean. In consequence of these conditions, the children living in camp were suffering from various illnesses such as diarrhea. Besides this, hepatitis was diagnosed in one child.

The immigrants stressed that none of the organizations helped them about their health or other problems in spite of all appeals, and they took cares themselves with restricted means. They

added that some of the immigrants worked as day-labourers or on daily pay in the district or in other population centers, but the money they gained was spent for medicines and treatment of children, and therefore their nourishment was based on only bread without any additives. The inefficient health conditions in the camps were seen and verified. We learnt that only 5 of the school-age children in the camp went to a school in the district and the remaining had no such opportunity. Another case that the delegation found interesting was that we saw a religious journal, *Islam*, in the hands of 7-8 children who were at school age, in front of a shelter near the camp. The children stated that foreign men who had come to the camp had given the journals to them.

While talks to the immigrants were under way, Beypazarı Security Chief and several plain clothes police officers came to the region where we were. The police officers observing everyone took notes until the delegation left the camp. The security chief asked a list including the names of the delegation members.

After the examination in the camp, we went to the Beypazarı Municipality in order to meet with officials and to speak about the problems we observed in the camp. Since the Mayor was not present in his office, we met with Deputy Mayor Ibrahim Demir. We told him our observations and asked whether there had been any efforts to solve the problems. He said that the immigrants had not come to them for help. Ibrahim Demir said that he had seen their wretched situation while on his way to and from the slaughterhouse. When we asked "Do the immigrants have any problems with the residents of the district?", he replied that the politicians from the MHP and DYP and the people supporting the parties in question did not want the immigrants to live there since they were Kurdish, and therefore tension had increased sometimes.

Consequently, it is obvious that no public institutions or enterprises, including local administration units, showed interest in the problems of persons, who had to leave their hometowns and came to Beypazarı. The unique and concrete service rendered to the immigrants for the last 4 years since the beginning of the migration is the journal *Islam* that we saw in the hands of children. This case shows the indifference to the immigrants. It has been understood that an artificial discrimination between the immigrants and the district dwellers is maintained, the Kurdish issue is continuously brought forward and this is the underlying reason for the poor conditions of the camp. Therefore, we demand all related public institutions and enterprises to find an immediate solution to housing, health, education and unemployment problems of the immigrants. We also call on democratic organizations to show an interest in and help those people.

Kurdish people, who had to migrate to big cities were subject to pressure or threats, sometimes from security forces sometimes from unidentified persons. For example, those living in the Barbaros quarter, which is inhabited by the Kurdish people who left their villages and migrated to Mersin due to pressure, were threatened by unidentified armed persons in the last months of 1994. A woman, Hatice Kut (70), who is living in the Barbaros quarter, where the people who had migrated generally from Diyarbakır, Hakkari, Ağrı, Batman, Mardin and Tunceli had settled said that 6 civilian dressed armed persons used to come to the quarter in the evening and walk around on the roofs and in gardens of houses until morning. She said "They show their guns. Although our quarter is under the control of the police, these armed persons walked around on the streets and the roofs of houses. Who are they? We do not know why they come. Because we are afraid, we do not go out at nights. The atmosphere which forced us to migrate continues here. If these armed persons harm us, who will account for this?" Ayhan Na-rin, who is living in the same quarter, stated that

those armed persons walked around especially on the roofs of the houses of Şeyhmus Üzümcü, Esmer Mertçe and Celil Özer and sometimes in their gardens. He added the following: "It is as if they are waiting for or following somebody. They come between 6.00 p.m. and 10.00 p.m. everyday. They wander the streets and gardens. The quarter residents have started to guard the streets. How can armed persons walk around easily in a place under police control? These persons try to frighten and chase us under police control. We will act soundly, and frustrate these provocative efforts."

f)- Attacks against civilians

Armed and bomb attacks directed at civilians and defenceless people, important among human rights problems in Turkey, continued also in 1994. The number of the people killed in attacks decreased considerably, particularly in the Emergency State Region, when compared to last year, but the number and continuity of the attacks and uneasiness among the people caused by those attacks increased to a great extent when compared to previous years. Villages and hamlets known to be supporting the state, houses and families of village guards, settlements in which people who refused to be village guards live, facilities and regions available to tourism, central places of big cities, political party buildings and mass transportation vehicles were frequently targets. Bombs were left in streets, shopping centers, buses, cinemas and restaurants in many cities, particularly in Adana and Istanbul.

<u>Organization</u>	<u>No. of attacks</u>	<u>Death toll</u>	<u>Children</u>	<u>Wounded</u>
PKK	70	156	34	355
IBDA-C	15	1	-	36
Kawa	1	-	-	6
Unsolved	48	35	3	212
TOTAL	134	192	37	609

In **134** attacks (*) carried out all over Turkey, **192** people, **37** of whom children, died (in the attacks against civilians a total of 189 people, 34 of whom children, died in 1992 and 406 people, 107 of whom children, died in 1993) and at least **609** people were wounded. **Forty-two** of those attacks were carried out in the Emergency State Region while **92** of them in the big cities or regions available to tourism in the western or southern parts of the country.

During the attacks in the Emergency State Region, **159** people died, **37** of whom were children, and **163** people were wounded. **Twenty-eight** of these attacks were carried out by PKK militants. In attacks carried out by PKK militants, **134** people died, **34** of whom were children, and **107** people were wounded. It could not be discovered by whom and why 14 attacks were carried out. In the unsolved attacks, **25** people, including **3** children, died and **56** people were wounded. The unsolved attacks were generally carried out against the settlements people of which were known to be supporters of the PKK or did not become village guards. There was a common

(*) Hundreds of armed and bomb attacks carried out against bank branches, governmental buildings and facilities, firms, factories, shops, houses, private or official vehicles, and party buildings when there was nobody in the areas (mostly at the night hours) were excluded.

thought that those attacks were carried out by village guards or dark forces known as the “counter-guerrillas”.

In consequence of the attacks in the big cities in the western or southern parts of Turkey and in the regions available to tourism, **33** people died, **4** of whom were foreigners, and **446** people, including **35** foreigners, were wounded. **Forty-two** of these attacks (in which 22 died and 248 were wounded) were carried out by PKK militants, **15** of them (in which 1 died and 36 were wounded) by the radical Islamic IBDA-C organization and **one** of them (in which 6 were wounded) by the Kawa organization. It could not be determined by whom the remaining **34** (in which 10 died and 156 were wounded) attacks were carried out.

Attacks against defenceless people and civilian targets caused great hatred. Public anger served as a justification for further anti-democratic practices. Human rights activists were subject to unjust and baseless accusations because of these attacks. In statements made by the PKK or its leader Abdullah Öcalan, it was frequently said that attacks would be carried out against places available to tourists, industrial plants and entertainment centers, especially in big cities. The aforesaid statements and the attacks subsequently carried out, increased enmity against Kurdish people in western settlements.

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

Emergency State Region

A group of PKK militants who blocked the Diyarbakır-Elazığ road around the Maden district on the night of 1 January, murdered 8 people, including one police officer, who were in 2 buses stopped by the militants. The names of 6 of those killed are: “Osman Turan (police officer), Nahit Ergene (Elazığ National Education Vice Director), Süleyman Ulusoy (civil servant), Nejat Dönmez (civil servant), Yahya Bulut (teacher) and Fevzi Çalış.”

Bomb and armed attacks were carried out by PKK militants at some buildings including a night club and the office of the newspaper Söz in Diyarbakır on the evening of 2 January. In the attack against the newspaper, 4 people, 2 of whom were police officers, were wounded. Two of the PKK militants carrying out the attack were killed in a clash with police officers.

Three people, named Zerrin Akyürek (25), Şebnem Akyürek (18 and pregnant) and Ömer Aksu (28) and 2 children named Hanım Akyürek and Bedri Akyürek, who were in a house hit by a rocket fired by PKK militants who raided the Dikboğaz village of the Eruh district of Siirt on the night of 2 January, lost their lives. During the clash which arose between the PKK militants and village guards, 3 militants were killed and 3 village guards were wounded.

Two men named Abdülkerim Karatoprak and Osman Işcan, and a 2-year old child died as a result of the explosion of 2 hand grenades thrown by unknown people into a house in the Balveren village of Şırnak on the evening of 14 January. In the incident, 8 people, namely Abdullah Fidan, Fadile Karatoprak, Ömer Karatoprak, Ali Karatoprak, Gurbet Karatoprak, Halime Karatoprak, Ismail Karatoprak and Hatice Karatoprak were wounded. The sources in the region stated that Balveren village was known to be in favor of the PKK. Nobody claimed responsibility for the attack.

PKK militants who raided the Akyürek and Ormancık villages of the Savur district in Mardin on the night of 22 January killed 20 people including 4 village guards, 6 children and 9

women. Eight people were wounded during the raid, too. Authorities from the Emergency State Region Governor's Office stated that PKK militants had used gas bombs during the raids and 2 of the militants had been killed in the fire opened by village guards. The names of those killed in the raid are "Behiye Fidan (18), Hanım Düzgün (70), Sabiha Düzgün (21), Bilal Düzgün (10), Cemal Düzgün (20), Menekşe Düzgün (18), Sevi Düzgün (18), Cemile Düzgün (20), Dilber Düzgün (20), Zeynep Düzgün (40), Hüseyin Düzgün (7), Fahri Düzgün (7), Feride Düzgün (10), Imran Düzgün (15), Sevi Aykal (30), Hüseyin Aykal (16), Resul Fidan (village guard), Hüsni Düzgün (vil. guard), İsmail Aykal (vil. guard) and Şirin Düzgün (vil. guard)."

As a result of gunfire opened by PKK militants on two minibuses going from the İdil district of Şırnak to Midyat on the morning of 24 January, 3 people named Cemal Nas (24), Menci Kaya (60) and Hayriye Kurtluk (46) were killed and 7 people were wounded.

A bomb placed in a toilet in the Demographics Directorate of Diyarbakır Governor's Building exploded at about 11.00 p.m. on 25 January. In the explosion, a child named Gülistan Çelik (5) died and 7 people were wounded, 2 of whom severely. The names of the wounded are as follows: "Mehmet Demir, Şehmus Çapan, Sıddık Kaynak, Mehmet Çelik, Emine Çelik, Abdurrahman Aslan and Halime Çelik." The PKK took responsibility for the attack, and declared that similar attacks would continue to be carried out and that the citizens had to be cautious.

In the fire opened by the PKK militants who raided the Bilge village of the Mazıdağı district of Mardin on the evening of 19 February, 4 adults, Abdullah Çelebi (70), İbrahim Çelebi (44), Melek Çelebi (70) and Güllü Çelebi (80) and 2 children named Şeyhmuz Çelebi (6) and Kadriye Çelebi died and 2 people were wounded.

The Emek village of the Tatvan district of Bitlis was raided by unidentified attackers on the night of 23 February. The armed people gathered the villagers, and executed a woman, named Bilavşan Alper, and 4 men, named Zeki Asper, Ziya Beyhan, Şerif Batur and Adil Beyhan by shooting. In the incident, Necla Sibel and Mürşide Asper were wounded. In the statement made by the Emergency State Region Governor's Office, it was claimed that the attack had been carried out by PKK militants. Village headman Nuri Beyhan said the following: "There are no village guards in our village. Therefore, we have no trouble with the PKK. The villagers who do not accept to be village guards are the targets of the state, and those who accepted are that of the PKK. We are at a loss in this case. There are dark points in the incident. Authorities state that the attack was carried out by PKK militants. However, there is no reason for a PKK attack against the village." Because the Emek village is known to be a place where PKK sympathizers live, security officers wanted to evacuate it. In the 25 February 1994 issue of the newspaper Özgür Gündem, it was written that the village had been raided by soldiers under the Tatvan Armoured Brigade Command.

In an armed-bomb attack carried out by PKK militants on 17 March against the house of İsmail İpekli in the Dağbaşı town of the Siverek district of Urfa, a woman named Cahide İpekli died and 10 people were wounded.

A bomb was thrown by unknown people into the municipality building in the Çmar district of Diyarbakır at about 6.15 p.m. on 1 April. Since the bomb hit the bars in front of a window and fell outside, nobody died or was wounded, but the building was damaged. It could not be determined by whom and why the attack was carried out.

Gunfire was opened by unidentified people at a minibus on its way from the Papağanka-ya village of the Güçlükonak district of Şırnak to Siirt on 24 April. In the gunfire, Resul Kaya and Mehmet Tür died. Nobody claimed responsibility for the attack.

In consequence of the explosion of a bomb, placed in a commercial building located in the city center of Siirt, in the evening hours on 13 May, a child, Tahir Polat (12) died and 9 people, 2 of whom severely, were wounded and the 3rd floor of the 7-storey building was greatly damaged. The names of those wounded are as follows: “Emin Ünlü, Mehmet Sıddık Demir, Musa Batur, Emin Ete, Murat Yarayan, Şemsettin Polat, Halim Aydoğan, Abidin Tar-han and Ceylan Fırat”. The attack was reportedly carried out by PKK militants.

A hand grenade was thrown by unidentified people into a cinema in the Elazığ city center on 15 May. In the explosion 12 people, including 6 soldiers, were wounded. Nobody claimed responsibility for the attack.

PKK militants who raided the Edebük village of the Tercan district of Erzincan on the night of 15 May, killed 9 people, one of whom was a child. The names of the murdered people are as follows: “Rabia Köse (25), Tansu Köse (3), Selahattin Aktaş (49), Fikriye Aktaş (45), Adem Aktaş (16), Fadime Köse (45), Hünkar Çukur (80), Mustafa Aydoğan (27) and Nurten Aktaş (35).”

In consequence of gunfire opened by the PKK militants who raided the Öncüler village of the Başkale district of Van on the night of 18 May, Ahmet Kaya (65), Satı Kaya (25) and 4-month old Turan Kaya died.

A group of PKK militants raided the Ardıçlı village of the Baykan district in Siirt on the night of 23 May. As a result of gunfire by the PKK militants at houses, 7 people, 3 of whom children, were killed and 5 others were wounded. The names of those killed are: “Canan Ağır-man, Mazhar Ağırman, Çetin Ağırman, Ahmet Ağırman, Şefika Ağırman, Gülüstan Ağırman and Lokman Ağırman.”

PKK militants who raided the Yukarı Elmalı village of Bingöl on the night of 29 May, shot at a house belonging to a village guard. In the attack, an old couple, named Sabri Korkmaz (60) and Zahide Korkmaz, and their grandson Sabri Korkmaz (7) were killed.

As a consequence of the explosion of a hand grenade thrown by unknown assailants at Feritköşk Mosque in the Fiskaya quarter of Diyarbakır on the evening of 17 June, Musa Güneş (45) died, while İbrahim Kangal was severely wounded. There were 6 people in the mosque during the attack, the assailants and the purpose of which could not be determined.

A time bomb which was left by unidentified people in a cinema hall in Diyarbakır on 19 June, was found just before detonation and defused. It could not be determined why and by whom the bomb was placed.

The house of repentant Halil Taşkıran in the Yeniköprü village of the Kurtalan district of Siirt was attacked by PKK militants on the night of 19 June. In the attack, Halil Taşkıran’s mother Zahide (38), brothers Ali (4), Süleyman (6) and Ekrem (13), and sisters Filiz (7) and Ayşe (12) were killed.

As a consequence of gunfire opened by PKK militants who raided the Daltepe village of the Şirvan district of Siirt on the night of 5 July, 2 children, Vahide Kavıt (10) and Ramazan Kavıt (14), and a woman, Halime Kıvanç (51) died.

A group of PKK militants who blocked the Erzurum-Bingöl road around the Karlıova district on the evening of 20 July, killed 11 people, one of whom was a police officer, who were in vehicles passing-by. The names of some of the killed people are as follows: “Abdülkerim Yıldırım (police officer), Ibrahim Cengiz, Muhsin Cürcüş, Nafiz Coşkun and Memduh Bin-göl.” Five people were wounded in the attacks.

A bomb placed by PKK militants in a minibus going from Adıyaman to the Atatürk village of Adıyaman exploded on the morning of 21 July. In the explosion, Sait Güler (64) died and 14 people were wounded.

A coffeehouse in the Şirinevler quarter of the Ergani district of Diyarbakır, was first bombed and then raked with automatic guns by unidentified people on the night of 25 July. In the attack, 7 people, named Mahmut Ernes, Zülfikar Ernes, Rıfat Gülsüm, Ahmet Tokcan, Fe-lemes Karabulut, Şükrü Mete and Enis Çubuk were wounded. Nobody claimed responsibility for the attack.

As a result of gunfire opened at a passenger bus around the Seyitli Bridge region of the road between Elazığ and Tunceli on 25 July, an enlisted man named Ergün Kaplan and 4 people, named Kemal Timur, Filiz Aslan, Şehriban Bıyıklı and Süleyman Çelik were wounded. Official statements claimed that PKK militants had carried out the attack, while the sources in the region alleged that soldiers had shot at the bus.

The house of Silopi Mayor Neşet Ökten was bombed by unidentified people at noon on 27 July. In the incident, 2 people were wounded and the house was damaged. Nobody took responsibility for the attack.

A group of PKK militants raided the Baluşağı Obası of Maraş on the night of 3 August. As a result of gunfire by the militants, a woman named Fadime Kalem and 2 children, namely Şevket and Nuri, died.

The PKK militants who blocked the road between Van and the Bahçesaray district of Van on the evening of 10 August, opened fire at a passing bus. As a result, 11 people died, 3 of whom were children, and 8 were wounded. The names of those killed are as follows: “Abdül-ziz Zeytin, Şehabettin Meraklı, Vahdettin Orhan, Cemal Orhan, Sadettin Orhan, Çağlar Orhan (8), Elmas Orhan (7), Celal Orhan (2), Halil Çelebi, Adem Algan and Ahmet Mercimek.” It has been revealed that most of the victims were relatives of the Bahçesaray Mayor.

A group of PKK militants who raided the Halkalı village of the Alacakaya district of Elazığ on the evening of 13 August, executed 9 people by shooting them. The names of those killed are “Mehmet Özgen, Zülfü Özgen, Hüseyin Çelik, Ahmet Çelik, Mehmet Çelik, Ali Öz-demir, Hüseyin Bağcı, Mehmedi Gülşen and Mehmet Gülşen”.

A group of PKK militants raided the Tahtanaval hamlet of the Akçasırt village of Kulp, Diyarbakır on the night of 17 September. As a consequence of gunfire by the militants, 6 people were killed. The names of those killed were not disclosed.

As a result of gun shots fired at a minibus in the vicinity of the Ilıcalar town of Bingöl on the morning of 26 September, 4 people, Şerafettin Varol, Halim Kotinkaya, Zeki Kayantaş and Tayyip Kotinkaya died, while Sait Diyadin, Ali Güneşgörü, İhsan Güneşgörü, Muhittin Kayantaş, Celalettin Korkutata, Sedat Kotinkaya and Nizam Güneşgörü were wounded.

As a result of gun shots fired at a minibus passing near the Kavaklı village of Bitlis on 3 October, Macit Maral and Finda Kardeş died and 4 people were wounded. Nobody claimed responsibility for the attack.

PKK militants who raided the Gümüşkanat village of the Mutki district of Bitlis on the night of 5 October, killed 8 people, one of whom was a child and two were village guards. The names of those killed in the raid during which 6 people were wounded, are: “Zuriye Kanat (4), Nuriye Kanat (25), Meryem Kanat (18), Kemal Kanat ((20), Reşit Kanat (25), Kazım Kanat (55), Onur Kanat (45) and Hakim Özer.”

PKK militants raided the Tokaşlı village of the Tatvan district of Bitlis on the night of 22 October. As a result of gun shots fired by the militants, a woman named Nezihe Coşkun and a child, named Fatma Coşkun (8), were killed, while 2 women, named Şükran Coşkun and Nihayet Coşkun and a 3-month-old baby were wounded.

Four armed people who stopped a bus on the morning of 31 October in the vicinity of the Demirkonak village of the Yüksekova district of Hakkari executed 7 people by shooting them. The names of those killed are as follows: “Seyfettin Evin (30), Burhan Evin (24), Selim Çelikbaş (32), Abdülmecit Demir, Rıfat Şenlik (25), Sait Aslan (40) and Fikri Yılmaz (15).” In the incident, 6 people were wounded. The identities of the assailants could not be determined.

Unidentified people threw a bomb into the ANAP Diyarbakır Provincial Center at noon on 4 November. In the explosion, 7 people, named Ali Şahidin Kurcan (night watchman), Fa-tih Köse (police officer), Mehmet Emin Altay, Hatice Işık, Kenan Altın, Perin Gök and Sami Aslan, were wounded.

In the Yayvantepe region of the Idil district of Şırnak, PKK militants fired gun shots on 5 November at a bus in which there were village guards and as a result two women named Emi-ne Altıntaş and Şerife Özmen were killed.

Two youths who were trying to place a bomb in the garage of a building on the Aliemiri Street in Diyarbakır at about 10.00 a.m. on 9 November died when the bomb exploded prematurely. In the explosion, 5 adults, named Cesur Dönmez, Ibrahim Delil, Fırat Yalçınkaya, Fahri Duman and Hamdi Yavuz, and a child named Elif Ökte were wounded.

Ten people, including 2 children and 3 women, were killed as a result of gun shots fired by PKK militants who raided the Çölköy village of the Erüh district of Siirt on the night of 17 November. The names of 9 of those killed are as follows: “Yusuf Aslan, Yaşar Otman, Memiş Esin, Ethem Otman, Haydar Erdoğan, Duhize Aslan, Şükriye Özbay, Mürşide Kaymaz and Kasım Kaymaz.” In a clash which broke out during the raid, 2 PKK militants and one security officer died, 10 houses were burnt.

A child, named Bayram Gümüş (4), died as a result of the explosion of a bomb thrown by unknown people into a bakery in the Saraykapı quarter of Diyarbakır at noon on 23 November. In the explosion, 3 children, named Çiçek Buraner (13), Esra Buraner (6) and Hidayet Gümüş (8) were wounded. Nobody claimed responsibility for the attack.

A hand grenade was thrown at a police vehicle passing by the post office in the Çiftlik-kapı quarter of Diyarbakır on the evening of 29 November. As a result of the explosion of the grenade which did not hit the police vehicle, 6 people, named Aydın Taşkıran, Mehmet Taşkıran, Abuzer

Yüksekol, Fırat Yıldırım, İhsan Buralan and Bahattin Sarı who were in front of the post office at the time, were wounded.

PKK militants who blocked the Tunceli-Erzincan road around the Kırmızıköprü town on the night of 7 August abducted 2 Finnish tourists, Markoant Hotakainen (27) and Tvomo-kalevi Pollari (20). The tourists were released on the night of 30 August in the vicinity of the Kangallı village of the Pülümür district. The tourists were taken to Tunceli on 31 August by a helicopter and kept under police custody for 24 hours.

Big cities

Three people, named Ali Ertuğrul Tokaç (23), Ruhican Tul (29) and Ali Taşçıoğlu, died when time bombs placed by unknown people in 4 buses from Ankara exploded around Kırıkale, Bolu and Kızılcahamam at about the same time on the evening of 14 January. Seven-teen people were wounded, 2 of whom severely, as a result of the explosions. The PKK claimed responsibility for the bomb attacks. An unidentified person who called newspapers after the attacks said that the acts were in reprisal for pressure by the state, and the attacks against the people of Cizre, for plunder and village evacuation. The same person added, "Our attacks will increase in big cities if the pressure continues. We will aim especially at bureaucratic institutions." Ruhican Tul, who was among those killed, had been working as a translator-correspondent for the newspaper Turkish Daily News in Ankara. Ruhican Tul who also showed interest in the works of the HRFT, was laid to rest in the Kavak district of Samsun on 16 January. Hüsnü Öndül, the Secretary General of the İHD made a statement upon the attacks and said the following: "Houses of citizens are being demolished by tanks and people are being killed in Lice, Tatvan and Cizre, and we do not only oppose and protest these but we also oppose and protest the bombing of buses and killing of people, as well. No ideological-political struggle and no exalted aim can be the reason for the bus bombing. Our association has taken the Geneva Conventions as the criteria. In accordance with the common Article 3 of the Conventions, it has been opposing woundings and kidnapping, killings and torture against people who do not stand for one side of an armed dispute, regardless of who carries out the act."

Bombs were thrown by unknown people at two buildings belonging to the RP in the Unkapanı and Aksaray quarters of Istanbul on the night of 6 January. As a result of the explosion of the bombs, 6 people were wounded, 4 of whom severely. The Kawa organization took responsibility for the attacks.

Bombs were placed at 8 places in Istanbul at noon on 19 January. Two of the bombs were defused by the experts, but 6 of them exploded. The explosions, in which no one was killed or wounded, caused damage and panic among the people. The IBDA-C organization claimed responsibility for the bomb attacks. A youth named İbrahim Tatlı, who was involved in one of the bomb attacks (carried out against Beyazıt Mosque), was caught.

On the night of 23 January, 3 unknown people shot at a coffee house located near the police residence in the Halkalı quarter of Istanbul. In the incident, 11 people, 5 of whom are police officers, were wounded. The PKK claimed responsibility for the attack.

A concussion bomb left by unidentified people in a cinema which is in the Kızılay quarter of Ankara and which shows sex films, exploded at 2.30 p.m. on 1 February. The attack, in which nobody died or was wounded, caused damage to the cinema hall. The IBDA-C organization took responsibility for the attack.

Two people, named Şahide Taş (16) and Yavuz Macit (31) died as a result of an explosion in a house located on the Güllabici Street in the Cihangir quarter of Istanbul, on the evening of 4 February. A woman, Gülizar Taş (35), was wounded in the explosion. The police authorities claimed that the explosion had occurred during bomb manufacturing. A student named Soner Demirci (19) was wounded shortly before this incident when a bomb placed in a restaurant in Taksim, Istanbul exploded.

A PTT worker named Cengiz Pulat (30) died on the morning of 9 February as a result of the explosion of a bomb placed in a post office in the Bağcılar quarter of Istanbul. Nobody took responsibility for explosion, which caused considerable damage to the building.

Five military students (candidates for second lieutenancy) -Ekrem Okutan, Ismail Ka-ya, Murat Tuncer, Osman Bozdağoğlu and Cüneyt Güden- died as a result of the explosion of a bomb left at a railway station in Istanbul, Tuzla on the morning of 12 February. Thirty-one people, including 21 military students, 8 enlisted men, and 2 women, were wounded during the explosion. The names of those wounded are “Adem Adıgüzel, Necati Aydemir, Yüksel Şen, Mustafa Uludoğan, Murat Taneli, Hasan Hüseyin Atagün, Mehmet Baştur, Ufuk Başalp, Mustafa Aydemir, Nejat Aydın, Ihsan Meral, Ali Rıza Kaplan, Celal Gök, Mehmet Yıldırım, Yusuf Yazgan, Ahmet Ağırbaş, Gülay Yılmaz, Murat Besleröz, Ali Özdemir, Süleyman Er, Tanju Zigen, Uğur Demir, Mustafa Günal, Mehmet Koçak, Levent Karabodur, Doğan Uludoğan, Nesrin Arsak, Ahmet Koçak, Nevzat Baysal, Çetin Efe and Erdoğan Adıgüzel.” The PKK claimed responsibility for the attack. In the statement made in the name of that organization, the following was said “The act is in reprisal for the policies towards leaving the region depopulated and village evacuations by the state. Our acts of such kinds will increase.” Four people, namely Şeref Mercan, Hediye Aybek, Cumali Karasu and Enver Özer claimed to have left the bomb at the train station, and were arrested a short time after the attack. Şeref Mercan, one of the 4 people against whom a trial with the possibility of the death penalty was launched, committed suicide on 14 June by hanging himself in the Bursa Special Prison where he was kept under arrest. In the meantime, Kartal Public Prosecutor Bektaş İlköz alleged that an announcement saying “a suspicious package was left at the station” had been made to the police short before the explosion. Bektaş İlköz said: “I searched and learnt that the person who informed me about the declaration was the Chief of Terror Fighting Group. This person set out for the scene just after the announcement. First, he should have warned the officers at the station and people should have been removed from there.”

A highly-destructive bomb left in the building where the General Center of the DEP was located on Necatibey Street in Ankara, exploded at about 6.15 p.m. on 18 February. In the explosion, a man named Ekrem Akçakaya (30) died and 16 people were wounded, 2 of whom severely. The explosion caused serious damage to the surrounding buildings. In January, the DEP's Ankara Provincial Center and Yenimahalle and Mamak District Centers were bombed by unknown assailants. Nobody took responsibility for the attacks in which 4 people were wounded. (Detailed information is in the section entitled “Pressure on Political Parties”.)

Thirteen people, 6 of whom are enlisted men, were wounded when a bomb left by unknown people in the Central Post Office on Kızılay Street in Adana exploded at 2.25 p.m. on 13 March. The names of the wounded are “Göksel Güner (enlisted man), Şerafettin Durku (en. man), Aydın Apaydın (en. man), Uğur Baştuğ (en. man), Salih Kızıltan (en. man), Ümit Bulduk (en. man), Orhan Işık, Bülent Gider, Ismail Balık, Beyhan Sert, Ali Burçak, Ercan Özperçin and Osman Topçu.” Responsibility for the attack was claimed by the PKK. As a result of the explosion

of a bomb left in a coffeehouse in the Bitpazarı quarter of Mersin, at about same hours on the same day, 4 children were wounded, 2 of whom severely. Nobody took responsibility for the attack.

A molotov cocktail was thrown by unknown people into a restaurant serving alcoholic drinks on Fevzi Paşa Street of the Karagümrük quarter of Istanbul on the night of 15 March. In the fire, Cemal Öney (19) was burned dead and 19 people were injured, 3 of whom severely. The names of those severely injured are Haluk Yüzgeç, Mahfuz Şekban and Ramiz Karataş. Responsibility for the attack was claimed by the IBDA-C organization.

A student named Olcay Yıldırım and a worker named Arif Göç (27) were wounded when a bomb left by unknown people at a petroleum station on Kayışdağı Street in Istanbul Göztepe exploded on the morning of 16 March. A person who called newspapers after the incident said “the attack was carried out by PKK militants”.

A bomb left in a supermarket on Bağdat Street of the Kızıltoprak quarter of Istanbul exploded on the morning of 18 March. The supermarket was considerably damaged as a result of the explosion, in which nobody was killed or wounded. An unknown person who phoned newspapers after the incident reported that the bomb had been left by PKK militants.

A highly-destructive bomb exploded on 18 March in the toilet of a building where the Adana Court Bailiff and Yüreğir District Poll Board are located in the Kuruköprü quarter of Adana. A man named Arafat Aslan died in the explosion, which caused damage to the building. Arafat Aslan was reportedly from the PKK and died when the bomb exploded prematurely.

A bomb exploded in the toilet of the İstanbul Haydarpaşa Train Station on the morning of 20 March. In the explosion, a youth named Kian Koon Jerry, of Singapore, was wounded. In the same hour, a hand grenade was thrown at a petroleum station on Paşalimanı Street of the Üsküdar quarter of İstanbul. The explosion caused damage to the vehicles in the station. The attacks were reportedly carried out by PKK militants.

A bomb left in a toilet at the entrance of the Covered Bazaar in İstanbul exploded at noon on 24 March. In the explosion, 4 people, named Ismail Bulut, Sevilay Tezcan, Bejna Vesilika and Simtea Aleksandra were wounded. The PKK took responsibility for the attack.

As a result of the explosion of a bomb left near İstanbul Ayasofya Mosque, at noon on 27 March, tourists Patrisya Erandes (Spanish), Sehaper Norbert (German) and Ani Von der Bas (Dutch) were wounded. Responsibility for the attack was claimed by the PKK.

Two tourists, Jovier Castro Gonzales (48-Spanish) and Manura Nojan (40-Tunisian) died when a bomb left by unknown people in the Covered Bazaar in İstanbul exploded at noon on 1 April. In the explosion, 18 people, most of them tourists, were wounded. An unknown person phoned newspapers after the incident and said that act had been carried out by the PKK.

A hand grenade was thrown by unknown attackers into the restaurant of a hotel in the Laleli quarter of İstanbul on the night of 26 April. Fortunately, the hand grenade did not explode, but 2 Russian tourists named Kurbaçov Andrea and Anatoli Akinof were injured as a result of panic. Nobody claimed responsibility for the attack.

Two men named Ömer Becerikli and Kadir Dönmez were wounded when a hand grenade was thrown by unknown people into a local of the RP in the Kartaltepe quarter of the Bay-rampaşa district of İstanbul on the night of 6 May. Nobody took responsibility for the attack.

When a bomb left by unknown people in a toilet in the Sultanahmet quarter of Istanbul exploded at about 10.00 a.m. on 7 May, a man named Ibrahim Kaymaz (35) was wounded. Shortly after this incident, one bomb exploded in a park in the Dikilitaş quarter and another in a parking place on the Dolmabahçe quay where foreign tourists buses are parked. The explosions caused no deaths or injuries, but there was damage to the vehicles. The bomb attacks were reportedly carried out by PKK militants.

Two bombs placed under a train about to leave from Istanbul Haydarpaşa Railway Station for Ankara, exploded at about 11.30 p.m. on 8 May. The explosions in which nobody died or was wounded, caused damage to the train. During the examinations conducted throughout the train after the explosions, a time bomb was found which was set to blast while the train was on the move. By whom and why the bombs were placed could not be determined.

Metin Yıldız (26) was wounded when a time bomb placed in a dustbin in the park on Olgunlar Street of the Kızılay quarter in Ankara near book kiosks, exploded on the evening of 9 May. The IBDA-C organization took responsibility for the attack.

As a result of the explosion a bomb placed under a car in front of the Seyhan Hotel in Adana, on 15 May, 3 people, one of whom a child, were wounded. The PKK took responsibility for the attack.

In an explosion in a passenger train waiting at the Istanbul Haydarpaşa Railway Station to leave for Ankara on the night of 15 May, Servet Merter and Batman Merter were wounded. Nobody claimed responsibility for the attack.

A youth named Hüseyin Kılıç (16), who was trying to place a bomb at the Beyoğlu Telephone Regional Directorate in the Osmanbey quarter of Istanbul at noon on 16 May, died as a result of the premature explosion of the bomb. Another person, named Şahin Aksoylu, was wounded in the incident. Hüseyin Kılıç was reported to be a PKK militant.

The Santa Maria and Saint Antuan churches located on İstiklal Street in Beyoğlu, Istanbul, were bombed by unknown people at noon on 19 May. The churches were damaged as a result of the explosions, but nobody died or was wounded. An unknown person called news-papers after the incident and said that the churches had been bombed by IBDA-C militants.

A youth named Fahri Akkoç was killed and 7 people were wounded as a result of gun-fire by unknown people at a coffeehouse in the Mithatpaşa quarter of Adana on the night of 22 May. The reason for the attack could not be determined.

Four bombs placed by unknown people at the Harem Bus Station in Istanbul, exploded in succession between 11.45 p.m. and 12.00 p.m. on 24 May. In the incident, Vehbi Mus-tafaoğlu (25) and Murat Yaman (22) were wounded. The right foot of Vehbi Mustafaoğlu reportedly blown off. Nobody took responsibility for the attack.

A bomb left by unknown people in a streetcar ready to set out on Vatan Street in Ak-saray, Istanbul exploded at about 5.45 p.m. on 26 May. A man named Mehmet Gündoğdu was injured as a result of the explosion. At about the same time, a bomb exploded in front of a shop on Ordu Street of Aksaray, causing damage. Nobody claimed responsibility for the attack.

A time bomb placed by unknown people on the roof of the Fener Greek Patriarchate building in Istanbul, was found and defused by police officers short before detonation. The bomb was reportedly placed by IBDA-C militants.

Bombs were thrown into 2 hotels in the Didim district of Aydın at noon on 7 June. The attacks during which nobody died or was wounded, caused damage to the hotels. The attacks were reportedly carried out by PKK militants.

A bomb left by unknown people in a double-storied bus running between Taksim-Bostancı in Istanbul was recognized by the passengers in the bus shortly before detonation. The bomb was thrown out the side of the bus and exploded within a short time. The fragmentation bomb caused a big pit. It could not be determined by whom the bomb was placed in the bus.

A minibus carrying Ukrainian tourists in the Aksaray quarter of Istanbul was bombed by unidentified people on the evening of 10 June. Nobody died or was wounded in the explosion which caused damage to the minibus. It was reported that the attack had been carried out by IBDA-C militants.

A time bomb exploded in a ferry which was about to leave from the Eminönü wharf in Istanbul at about 1.00 p.m. on 11 June. As a result of the explosion of the bomb left by unknown people, 4 adults named Ismail Gürgün (38), Mustafa Ilke (66), Fikret Özdengüven and Halil Ilikesiz (34) and 2 children named Özkan Daniş (16) and Mustafa Ilikesiz (4) were wounded. Nobody took responsibility for the attack.

When a bomb placed by unidentified people in a tea garden in Tekirdağ exploded on the evening of 12 June, 15 people were wounded, one severely. The names of those wounded are “Bülent Sevim, Mehmet Inan, Mehmet Atalık, Ismail Hakkı, Mevlüt Bahşi, Hüseyin Şer-betçi, Behzat Karaca, Turan Ince, Mustafa Mirza, Aytaç Sözer, Ismail Başkır, Ismail Inan, Fat-ma Ibiş, Firdevs Önder and Namık Ipek.” Nobody took responsibility for the attack.

A bomb left by an unknown person in the office of a transportation company in the Istanbul Bayrampaşa Bus Station exploded on the morning of 16 June. Nobody claimed responsibility for the explosion in which the office was considerably damaged, but nobody died or was wounded. An officer from the company said: “The attack went with little damage thanks to the measures we took. If the bomb had exploded in a bus, the result would have been worse.” A similar bomb attack was carried out against the office of another transportation company on Rıhtım Street in Istanbul, Kadıköy on the morning of 18 June. In the explosion the office was damaged, but nobody died or was wounded.

A bomb exploded at about 4.50 p.m. on 19 June in the meeting square in the Karagüm-rük quarter of Istanbul where DSP Chairperson Bülent Ecevit was to deliver a speech. In the incident, 5 people named Mehmet Vedat Ödün, Ali Kaya, Güler Şahan, Şükriye Mutlu and Perihan Genç were wounded. During a subsequent search in the square, another bomb was found. No one took responsibility for the attack.

Ten people, 6 of whom foreigners, were wounded when two bombs left by unknown people in a cafeteria in the Fethiye district of Muğla exploded at about 10.50 p.m. on 21 June. The names of those wounded are “Gendo Grens (Germany), Stocher Inger (Germany), Genson Hans (Germany), George Tomson (Great Britain), Estone Brune (Germany), Meindes Matina (Austria), Erkan Koç, Mine Ünlü, Nuray Erkek and Oya Baktır.” The bombs were reportedly placed by PKK militants.

Bombs left by unknown people on a beach and in a park in the Marmaris district of Muğla exploded around noon on 22 June. In the explosion, 11 people, 4 of whom foreigners, were wounded. The names of 9 of the wounded are as follows: “Imre Metz (38-Great Britain), Silvio

Metz (41-Great Britain), Alicia Metz, Joanna Griffiths (23), Trieme Griffiths, Mehmet Yılmaz (20), Orhan Karakaya, Nurullah Hatay (22) and Serkan Inceyüz (19)". One of those wounded, Joanna Griffiths died at the hospital where she was under treatment in Great Britain. The attack was reportedly carried out by PKK militants.

Five bombs left in dustbins on the streets around the military residences and Fener-bahçe Orduevi (a military guesthouse) in the Kalamış quarter of Istanbul, exploded one after another at about 2.30 p.m. on 26 June. The explosions caused damage. During the searches carried out following the explosions, 2 more bombs were found. The first of the bombs was defused by bomb experts. The second bomb exploded while being defused. As a result of the explosion, police officers Süleyman Aktaş and Hurşit Şeker, who were in the bomb defusing team, died, while another was wounded. The PKK claimed responsibility for the attack.

Unknown people threw a bomb into a beerhouse in the Balat quarter of Istanbul on the morning of 2 July. As a result of the explosion, a worker named Ibrahim Kaya (57) was wounded. The beerhouse was reportedly bombed by IBDA-C militants.

Two bombs left by unknown people in a commercial building in the Dörtöylağzı quarter of Adana, exploded one after another at noon on 12 July. As a result of the explosion, 7 people, 2 of whom were police officers, were wounded. Nobody took responsibility for the attack.

Bombs left in 4 shops on Bağdat Street in Suadiye, Istanbul exploded one after another at about 9.45 p.m. on 23 July. The explosions, in which nobody died or was wounded, caused damage and panic. Nobody took responsibility for the attacks.

A bomb left in a park in the Çağlayan quarter of Istanbul by unknown people, exploded at about 10.00 p.m. on 2 August. As a result of the explosion 4 people, Zülfü Özkar (13), Ra-mazan Karabulut (34), Yaşar Meşe (28) and Ömer Yıldız (21) were wounded. The bomb was reportedly left by IBDA-C militants.

Two unknown people with masks on their faces opened fire on a coffeehouse in the Turgutlu district of Manisa on the night of 2 August. In the attack, Osman Aykaç died and 11 people were wounded, one of whom severely. Nobody took responsibility for the attack.

A bomb left by unknown people in the toilet of an entertainment center in the Ataköy quarter of Istanbul exploded at about 8.00 p.m. on 7 August. In the explosion, 2 people, Ahmet Akdoğan and Ali Karasan (16) were wounded. Nobody took responsibility for the attack.

Three bombs left by PKK militants in the Adana branch of Çetinkaya shops belonging to the brothers of Necati Çetinkaya, the former Governor of the Emergency State Region, were defused by police officers on 8 August.

A bomb left by unidentified people in the International Bus Terminal in Topkapı, Istanbul exploded at about 5.00 p.m. on 12 August. As a result of the explosion, a Romanian citizen, Ismail Sunay (20), died and 9 people, 3 of whom foreigners, were wounded. The names of the people wounded in the incident are as follows: "Inger Christina Frederikson (27-Sweden), Pavel Reinberger (27-Czechoslovakia), Mahmut Alkoç, Mehmet Teker, Ali Sunay, Nazım Nimet, Mustafa Rayım (19-Romania), Ayhan Pamuk and Zeynel Abidin (16)." The PKK took responsibility for the attack.

On the night of 19 August, unidentified people opened fire at a coffeehouse that is mostly frequented by Kurds in the Saruhanlı district of Manisa. In the incident, CebraİL Sıgıncı died and 3

people were wounded. Mehmet Tozan, the Chairperson of the HADEP Saruhanlı District Organization, who took the wounded people to the hospital following the incident, was kept under police custody for a while. Nobody took responsibility for the attack.

A bomb left by unknown people in the garden of a primary school in the Laleli quarter of Istanbul exploded near noon on 19 August. Nobody took responsibility for the explosion, in which Bekir Özatalay (39) was wounded.

A bomb left by unknown people in front of the Fatih Recruiting Office on Haydarbey Street in the Fatih district of Istanbul exploded at noon on 22 August. As a result of the explosion, an enlisted man named Hüseyin Ulucan (20) and two women, Meftade Gürkut (55) and Bahtiye Taşoğlu (48), died, while 4 people, Engin Havalı (19), Eyüp Murat Öktem, Mehmet Altuğ Kancan and İsmail Çınar, were wounded. The PKK claimed responsibility for the attack.

A bomb left by unidentified people in the garden of Istanbul's Topkapı Palace exploded at 11.55 a.m. on 23 August. Since there was nobody in the garden of the palace, nobody died or was wounded in the explosion. The attack was reportedly carried out by PKK militants.

A bomb left by unidentified people in the Fitaş Cinema in Beyoğlu, Istanbul exploded on 24 August and as a result of the explosion 8 people were wounded. The IBDA-C organization took responsibility for the attack.

A bomb left by unidentified people in a shopping center in the Etiler quarter of Istanbul was found by center officials around noon on 25 August. The bomb was found just before it was to detonate and defused by police. Nobody took responsibility for the attack.

A bomb left by unknown people in the Amusement Park at the Izmir Fair exploded at about 10.45 p.m. on 1 September. In the explosion, 2 adults, Bülent Oflaç (30) and Leyla Metiner (25), and 2 children, Ece Evrendilek (12) and Kıvanç Evrendilek (10), were wounded. Nobody took responsibility for the attack.

A bomb left by unidentified people in front of the PTT building in the Yenibey quarter of Adana exploded around noon on 2 September. As a result of the explosion, 2 children named Kemal Dolaş and Cumali Müstekin were injured. The PKK took responsibility for the attack.

Three bombs placed by unknown people in the toilets of the Galleria Shopping and Entertainment Center in Ataköy, Istanbul were detonated by police on 2 September. The PKK took responsibility for the attack. Another bomb left in a beerhouse on Dolmabahçe Street in Beşiktaş, Istanbul exploded on the night of 2 September. The IBDA-C organization claimed responsibility for the bomb attack, in which nobody was killed or wounded.

Unidentified people threw a bomb into a coffeehouse in the Beydili quarter of Gaziantep on the night of 10 September. As a result of the explosion, Ökkeş Naim (30) and Mehmet Aslan (40) died while Mehmet Yaşar, Mehmet Adıyaman, Ahmet Şahin and Mesut Beyhan were wounded. The bombed coffeehouse reportedly belonged to MHP-member Ahmet Güzel. Nobody claimed responsibility for the attack.

A bomb left by unidentified people in a dustbin on 1717 Street in the Karşıyaka quarter of Izmir exploded at about 4.00 p.m. on 17 September. In the explosion, two women, Figen Akar (33) and Şule Duman (26), were wounded. Nobody claimed responsibility for the attack.

A highly-destructive bomb placed by unknown people in Mersin Cumhuriyet Square exploded on the night of 23 September, just before a concert by singer Mahsun Kırmızıgül. As a

result of the explosion, a young girl named Şengül Tan (20) died and 14 people were wounded, one of whom severely. One hour before this incident, unidentified people threw a bomb into a bus around the Mersin Free Trade Zone. The bomb struck the window of the bus and exploded on the ground. In the incident, nobody died or was wounded. No one claimed responsibility for the attack.

As a result of the explosion of a bomb thrown by unknown assailants into a bus in the Yenipazar quarter of Mersin, a man named Abdülkadir Öncül (32) and two children named Sinan Uysal (11) and Adem Korkun were wounded. Nobody took responsibility for the attack.

One of the bombs left in a coffeehouse across from the Adana Court House exploded on 12 October. In the explosion, Şahin Çam and Seyfi Kılıç were wounded. A second bomb left in the coffeehouse was defused. The PKK claimed responsibility for the attack.

A bomb left by unidentified people in front of the post office on Kızılay Street in Adana exploded at about 11.15 a.m. on 13 October. As a result of the explosion, two people, Zeki Lun-kaya (35) and Ali Bikit (38) died and 8 people, one of whom a police officer, were wounded. The names of those wounded are “Sadık Yaprak (police officer), Metin Köse, Fatih Demir, Hatice Uzun, Menderes Çoban, Haydar Çubukkesen, Suat Eroğlu and Ali Demirci.” The PKK claimed responsibility for the attack.

Bombs left by unknown attackers in a shop on Nadir Nadi Street in the Konak quarter of Izmir, exploded at about 3.45 p.m. on 28 October. As a result of the explosion a peddler named Osman Işgüzar (61) died and 40 people, including 3 children, were wounded, 5 of whom severely. During the incident, work places and vehicles nearby were severely damaged. The names of those wounded during the explosion are “Tanju Kurban, Abdülhadi Bilgin, Remzi Karaman, İsmet Tugan, Mehmet Ali Özkul, Sabri Dalyan, İbrahim Tosun, Vildan Kızıllı, Seçil Harman, Ahmet Gül, Ali Akseki, Nazım Akar, Hanife Kosova, Ayşe Tüloğlu, Sıdika Şahin, Duygu Eral (6), Ayten Onan, Uğur Şumlu, Tevfik Şahlar, Azime Tosun, Ünal Özdemir, İsmet Reka, Saliha Eral, Akra Kosova (2), Sefer Şahin (2), Ferda Göktürk, Fadıl Sepli, Ülkü Ergökçe, Harun Odabaşı, Serap Türkmenoğlu, Hamit Dalyan, Niyazi Koyuncu, Özlem Gül, Gökhan İyikal, Ayhan Işgüzar, Gamze Şeker, Sertan İnan, Sadri İpek, İdris Akman and Esat Cindibek.” An unidentified person who called newspapers after the incident stated that the act had been carried out by a group of Kurds whose villages had been burnt down. Two hours after the incident, a time bomb was found in a supermarket in the region where the explosion took place and defused by police officers.

Unidentified people threw a hand grenade into a coffeehouse in the Beydilli quarter of Gaziantep on the night of 31 October. As a result of the explosion, 10 people were wounded, 2 of whom severely. The names of those wounded are as follows: “Hasan Ataş, Ömer Çelik, Süleyman Yılmaz, Mahsun Yılmaz (severely), Cuma Demir (severely), Halil Tatlı, Ahmet Demir, Hüseyin Kahraman, Kadir Gümüş and Osman Çoban.”

A bomb left by unidentified attackers in a hotel in the Kuruköprü quarter of Adana exploded on the morning of 5 November. In the explosion nobody was killed or wounded, but the surroundings suffered damage. Shortly after the incident, police officer Mustafa Katırcıoğlu was wounded while he was trying to defuse a bomb left on the Pazarlar Street in the same quarter. The attacks were reportedly carried out by PKK militants.

A bomb left by unidentified people in the Internal Diseases Service on the 5th floor of Cerrahpaşa Medical Faculty Hospital of the Istanbul University, exploded on the evening of 9 November, and as a result two patients, Hasan Urcan (32) and Halit Ünal (48) were wounded. The IBDA-C organization took responsibility for the attack. The prevention of headscarved female

students from attending classes in certain departments of the Cerrahpaşa Medical Faculty had drawn reactions from Islamic circles.

A bomb left by unidentified attackers in a cinema on Yeni Çalışlar Street in the Şirinev-ler quarter of Istanbul, exploded on the evening of 19 November, and as a result Kemal Ünver was wounded, and the cinema was damaged. An unidentified person who called newspapers after the incident stated that the attack had been carried out by PKK militants.

As a result of the explosion of a bomb in an auto gallery in the Eski Istasyon quarter of Adana on 23 November, 2 high school students named Hüseyin Engin (15) and Fuat Okutucu (17) were wounded. The PKK claimed responsibility for the attack.

A bomb left by unidentified people in a private school on İnönü Street in Adana, exploded on 24 November. As a result of the explosion, a teacher, Süleyman Çatık and one staff-member Ekrem Güner were wounded. The PKK claimed responsibility for the attack.

A bomb left by unidentified people in a shopping center in the Bağlarbaşı quarter of Üsküdar, Istanbul exploded at about 6.00 p.m. on 28 November. As a result of the explosion, Nilgün Polatoğlu (severely), Umut Güney, Murat Gökdağ, Pakize Tunca, Haydar Taşlıçay and Özkan Biryant were wounded. The PKK took responsibility for the attack.

Bomb attacks were carried out against the center of the newspaper Özgür Ülke in Ka-dırğa, Istanbul and its offices in Cağaloğlu and in Ankara early in the morning on 3 December. As a result of the attacks carried out between 3.15 a.m. and 3.50 a.m., one person died and 21 people were wounded. Nobody claimed responsibility for the attacks.

A bomb left by unknown people in the ticket-office of the Adana Hippodrome exploded at about 2.30 p.m. on 10 December. As a result of the explosion, 16 people were wounded, 2 of whom severely. PKK militants claimed responsibility for the attack.

As a consequence of an explosion in a car parked in Beyazıt Square in Istanbul on the morning of 13 December, Nurullah Güzel (28) died and a person named Cemal Yolcu was wounded. It has been disclosed that Nurullah Güzel, who was a militant of the PKK, died when the bomb he was preparing exploded prematurely, and Cemal Yolcu was passing by.

A bomb placed by unidentified people in front of a shop in the Laleli quarter of Istanbul exploded at about 11.00 p.m. on 13 December. As a result of the explosion 8 people, 4 of whom foreigners, were wounded. Nobody claimed responsibility for the attack.

A bomb left in a shop in the Pangaltı quarter of Istanbul where military officers frequently do their shopping exploded at about 4.00 p.m. on 17 December. In the explosion, a worker named Enis Saygı was wounded. The PKK took responsibility for the attack.

A bomb placed in the boot of a car left by unidentified attackers in front of the Hilton Hotel in the Konak quarter of Izmir exploded on the night of 25 December. As a result of the explosion, two persons were wounded. Nobody claimed responsibility for the bomb attack.

A bomb left by unknown attackers in a dustbin on the ground floor of a passage in the Beşiktaş quarter of Istanbul exploded at about 3.00 p.m. on 29 December, and a woman, Meryem Kurtuluş, was injured. The IBDA-C organization claimed responsibility for the attack.

A bomb left in a coat in the cloakroom of the Opera Pastry Shop in Istanbul Taksim Square by an unknown person, exploded on 30 December. In the explosion, a woman named Yasemin Cebenoyan died. Onat Kutlar, a writer for the newspaper Cumhuriyet was severely wounded. Onat Kutlar died on 11 January 1995 at the hospital where he was under treatment. It was reported that the attack had been carried out by IBDA-C militants. However, it was disclosed by the Istanbul Security Directorate in April 1995 that the PKK militants who had left the bomb in the pastry shop had been apprehended. Upon this, news stories arguing that the statement was not true and the attack had been carried out by IBDA-C militants were published in some journals having an editorial policy in the same direction as the ideas of the IBDA-C.

Three PKK militants shot at a bus from Ankara to Istanbul that they had stopped around the Hereke district on the night of 30 December, and as a result lycée student Başak Kanat (17) and second lieutenant Neşet Alper died and 25 people were wounded. The attackers got off the bus after the incident and escaped toward Istanbul. Başak Kanat was the daughter of Şahhanım Kanat who is one of the administrators of Sağlık Sen Ankara Branch and a member of the IHD Ankara Branch. In the attack, Şahhanım Kanat and her husband Ali Kanat were wounded. In the meantime, of the 3 people who carried out the attack, Ömer Yıldırım and Adalet Aktepe were arrested and a trial with the demand of the death penalty, was launched against them. In the trial at the Istanbul SSC, Ömer Yıldırım and Adalet Aktepe confessed that they had been involved in the attack.

On the eve of the New Year, a bomb placed under a car near the Akgün Hotel in Istanbul, Topkapı exploded at about 10.30 p.m., and a bomb left in a coat in the cloakroom of a night club on Nispetiye Street in Etiler exploded at about 1.30 a.m. on 1 January. Bombs left on Yeşilyurt Sıhahioğlu Street and around the Divan Hotel in Harbiye were defused. The IBDA-C organization took responsibility for the attacks, in which nobody died or was wounded.

g)- Executions by organizations

Attacks and assassinations against public officers such as soldiers, civil servants, teachers, workers for state enterprises, political party members, rependants, village guards and against some accused of working as “police agents” or of “being state supporters” continued also in 1994. Most of these attacks were carried out by PKK militants in the Emergency State Region. The attacks which were carried out outside the Emergency State Region decreased to great extent when compared to 1992 and 1993. As a result of these attacks and assassinations carried out by the PKK (193) and organizations (25) such as the Revolutionary People Liberation Party-Front (DHKP-C/Revolutionary Left) and the Worker’s Peasant’s Liberation Army of Turkey (TIKKO), a total of 218 people (in similar attacks 285 people were killed in 1992 and 341 people in 1993) died. They are listed below:

Enlisted men	3	Civil servant-Worker	9
Military officer	1	Imam	1
NCO	1	Teacher	22
Village guard	17	Driver	2
Police -Watchman	3	Village headman	14
Party member/candidate	15	Repentant	4
Guardian	1	Informant	44
Former minister	1	State supporter	65
Other	11	Clash in left-wing	4

Name & surname	Place	Date of event	Justifica.	Organ.
001)- Baki Samancı	Maraş-Elbistan	02 January 1994	S. supporter	PKK
002)- Hüseyin Arık	Adıyaman	07 January 1994	S. supporter	PKK
003)- Salih Kaya	Adana	08 January 1994	S. supporter	PKK
004)- Hakkı Baykız	Kars-Digor	19 January 1994	Vil. headman	PKK
005)- Ali İhsan Taymaz (19)	Malatya Prison	20 January 1994	Informant	PKK
006)- Mehmet Kankaya (30)	Malatya Prison	20 January 1994	Informant	PKK
007)- Ahmet Aydın (40)	Batman-Gercüş	31 January 1994	Vil. headman	PKK
008)- Hüseyin Çavuş	İğdır-Tuzluca	01 February 1994	Informant	PKK
009)- Hanım Doğan	Tunceli-Mazgirt	06 February 1994	Informant	PKK
010)- Ömer Uslu	Şırnak-Kızılsu	08 February 1994	Vil. headman	PKK
011)- Agit Külter	Şırnak-Uludere	09 February 1994	Worker	PKK
012)- Cemil Baysal	Şırnak-Uludere	09 February 1994	Worker	PKK
013)- Beşir Kabul	Şırnak-Uludere	09 February 1994	Worker	PKK
014)- Salih Baysal	Şırnak-Uludere	09 February 1994	Worker	PKK
015)- Mehmet Yılmaz (49)	Urfa-Viraneşehir	12 February 1994	Ret. watchman	PKK
016)- Şevket Direk (45)	Urfa-Viraneşehir	12 February 1994	Vil. headman	PKK
017)- Ramazan Bağırın (32)	Adana	13 February 1994	Vil. guard	PKK
018)- Ramzi Ok	Diyarbakır	21 February 1994	S. supporter	PKK
019)- Ali Özkara	Şırnak	22 February 1994	Police offi.	PKK
020)- İzzettin	İğdır-Tuzluca	23 February 1994	Vil. headman	PKK
021)-	İğdır-Tuzluca	23 February 1994	S. supporter	PKK
022)- Yakup Budak (32)	Kars-Digor	23 February 1994	S. supporter	PKK
023)- Ömer Alp (25)	Mardin	27 February 1994	NCO	PKK
024)- Mustafa Güner	Siirt-Bağlıgül	02 March 1994	S. supporter	PKK
025)- Veli Çelik	Istanbul	08 March 1994	Police offi.	PKK
026)- Abdüllatif Soylu (13)	Diyarbakır	08 March 1994	Election meet.	PKK
027)- Askeri Balkan	Şırnak-Uludere	09 March 1994	Vil. guard	PKK
028)- Muhyettin Ayata (50)	Diyarbakır	16 March 1994	Mayor candi.	PKK
029)- Abdurrahman Güler	Diyarbakır	16 March 1994	Election meet.	PKK
030)- İzzettin Kaplan	Diyarbakır Prison	16 March 1994	Repentant	PKK
031)- Abdullah Subaşı (48)	Istanbul	20 March 1994	Election meet.	....
032)- Sadık Boyanbaş	Bingöl	21 March 1994	Candidate	PKK
033)- Mehmet Aslan (26)	Diyarbakır	22 March 1994	Election meet.	PKK
034)- Osman Aytemur	Istanbul	24 March 1994	Election meet.	....
035)- Durmuş Ekinci	Istanbul	24 March 1994	Election meet.	....
036)- Serdar Aydeniz (12)	Adana	25 March 1994	Election meet.	PKK
037)- Abdurrahim Doğan	Diyarbakır	25 March 1994	Election meet.	PKK
038)- Vahap Akar (69)	İğdır	06 April 1994	RP administ.	PKK
039)- Halil Dündar	Istanbul	08 April 1994	Informant	PKK
040)- Zeki Dağ	Muş-Malazgirt	08 April 1994	Informant	PKK
041)- Hasan Polat	Muş-Malazgirt	08 April 1994	Informant	PKK
042)- Sait Baytekin	Adana-Ceyhan	10 April 1994	S. supporter	PKK
043)- Halis Aksaç	Çukurca-Kurdere	10 April 1994	S. supporter	PKK
044)- Hasan Baykız	Kars-Digor	12 April 1994	Informant	PKK
045)- Yılmaz Akkılıç	Tunceli-Ovacık	20 April 1994	Bank director	PKK
046)- Musa Tur	Tunceli-Ovacık	20 April 1994	Civil servant	PKK
047)- Hüseyin Akkaya	Tunceli-Ovacık	20 April 1994	Engineer	PKK
048)- Metin Gençdalı	Tunceli-Ovacık	20 April 1994	Teacher	PKK
049)- Halit Atakul	Siirt-Baykan	25 April 1994	Informant	PKK

050)- Zekeriya Bayır	Erzurum-Erzincan	05 May 1994	S. supporter	PKK
051)- Recep Ötügen	Erzurum-Erzincan	05 May 1994	S. supporter	PKK
052)- Kurtcebe Dağdeviren	Erzurum-Erzincan	05 May 1994	S. supporter	PKK
053)- Bünyamin Dağdeviren	Erzurum-Erzincan	05 May 1994	S. supporter	PKK
054)- Mehmet Duymaz	Pülümür-Köprü	06 May 1994	Teacher	PKK
055)- Zeynel Karahan	Bitlis-İçgeçit	08 May 1994	S. supporter	PKK
056)- Mekiye Karahan	Bitlis-İçgeçit	08 May 1994	S. supporter	PKK
057)- Aslan Talan	Bitlis-Alacabük	15 May 1994	Vil. headman	PKK
058)- Sait Talay	Bitlis-Alacabük	15 May 1994	S. supporter	PKK
059)- Fehim Ergül	Bitlis-Alacabük	15 May 1994	S. supporter	PKK
060)- Halit Demir	Hizan-Budaklı	17 May 1994	S. supporter	PKK
061)- Tahir Demir	Hizan-Budaklı	17 May 1994	S. supporter	PKK
062)- Şemsettin Demir	Hizan-Budaklı	17 May 1994	S. supporter	PKK
063)- Kemal Aktaş (44)	Hizan-Budaklı	17 May 1994	S. supporter	PKK
064)- Ahmet Kaya	Betw.Erzurum-Çat	20 May 1994	Enlisted man	PKK
065)- Mehmet Korkmaztürk	Betw.Erzurum-Çat	20 May 1994	Enlisted man	PKK
066)- Nevzat Döngel (32)	Bitlis-Çaygeçit	20 May 1994	Vil. guard	PKK
067)- Fariz Şimşek (35)	Bitlis-Çaygeçit	20 May 1994	Vil. guard	PKK
068)- Selim Aksu (22)	Bitlis-Çaygeçit	20 May 1994	Vil. guard	PKK
069)- Şükrü Aksoy (60)	Tokat-Almus	21 May 1994	Informant	TIKKO
070)- Ali Karabay	Bitlis-Tatvan	24 May 1994	Informant	PKK
071)- Mehmet Şahin	Bitlis-Tatvan	24 May 1994	Informant	PKK
072)- Hasan Palay	Bitlis-Tatvan	24 May 1994	Informant	PKK
073)- Mehmet Sait Palay	Bitlis-Tatvan	24 May 1994	Informant	PKK
074)- Cemil Kaygusuz	Izmir	28 May 1994	Informant	PKK
075)- Yaşar Öngölen	Izmir	28 May 1994	Informant	PKK
076)- Erkan Özcan	Sason-Karameşe	29 May 1994	Teacher	PKK
077)- Mehmet Çetin	Sason-Karameşe	29 May 1994	S. supporter	PKK
078)- Fahrettin Kaplan	Sason-Karameşe	29 May 1994	S. supporter	PKK
079)- Selahattin Kaplan	Sason-Karameşe	29 May 1994	S. supporter	PKK
080)-	Samsa Passing	30 May 1994	S. supporter	PKK
081)- Ayten Tenlikli	Adana	07 June 1994	Informant	PKK
082)- Osman Oğuz	Digor-Arpah	09 June 1994	Vil. headman	PKK
083)- Mehmet Oğuz (30)	Digor-Arpah	09 June 1994	S. supporter	PKK
084)- Faysal Kut	Mardin-Nusaybin	11 June 1994	Repentant	PKK
085)- İsmail Karaca (65)	Tokat-Almus	12 June 1994	Informant	TIKKO
086)- Ali Rıza Çağlayan (45)	Istanbul	20 June 1994	Religious diver.	
087)- Mehmet Aras	Tekman-Körsü	28 June 1994	Vil. headman	PKK
088)- Mehmet Şerif	Sason-Sarıyayla	06 July 1994	Vil. guard	PKK
089)- Mirzettin Süre	Muş-Üçevler	10 July 1994	Vil. guard	PKK
090)- Nezir Ekrem (50)	Batman-Kozluk	12 July 1994	S. supporter	PKK
091)- Şerif Ekrem (35)	Batman-Kozluk	12 July 1994	S. supporter	PKK
092)- Hamdiye Öner (18)	Diyarbakır	13 July 1994	Repentant	PKK
093)- Şükrü Bahçeci	Istanbul	13 July 1994	Informant	PKK
094)- Hayriye Erdoğan	Istanbul	13 July 1994	Informant	PKK
095)- Şehmus Demir	Batman	16 July 1994	S. supporter	PKK
096)- Mehmet	Uludere-Hilan	19 July 1994	Vil. guard	PKK
097)- İrfan Doğan	Erzurum Prison	23 July 1994	Informant	PKK
098)- Ercan Yıldız	Erzurum Prison	23 July 1994	Informant	PKK
099)- Sait Fidangil	Erzurum Prison	23 July 1994	Informant	PKK
100)- (female)	Ömerli-Güzelağaç	25 July 1994	Informant	PKK
101)- (female)	Ömerli-Güzelağaç	25 July 1994	Informant	PKK

102)- Süleyman Aydın	Başkale-Aydemir	27 July 1994	Vil. guard	PKK
103)- Hacı Irin (35)	Yüksekova-Yazlı	27 July 1994	Vil. guard	PKK
104)- Arif Çevik	Silopi-Silip	28 July 1994	S. supporter	PKK
105)- Yusuf Dilek	Yayladere	06 August 1994	S. supporter	PKK
106)- Mehmet Kaygu	Yayladere	06 August 1994	S. supporter	PKK
107)-	Yayladere	06 August 1994	S. supporter	PKK
108)- Faik Atilla (65)	Viranşehir	07 August 1994	Informant	PKK
109)- Ayşe Atilla (60)	Viranşehir	07 August 1994	Informant	PKK
110)- Asım Tayyar	Sivas-Divriği	13 August 1994	S. supporter	PKK
111)- Ahmet Celal Özkul	Ankara Central P.	21 August 1994	Informant	DS
112)- Simel Aydın (26)	Bayrampaşa P.	21 August 1994	Informant	DS
113)- H.Hulusi Kulak (25)	Bayrampaşa P.	21 August 1994	Informant	DS
114)- Reşit Yorgun	Pervari-Çavuşlu	21 August 1994	Shepherd	PKK
115)- Hüseyin Ördek	Pervari-Çavuşlu	21 August 1994	Shepherd	PKK
116)- Baki Bölükbaşı (45)	Pasinler	31 August 1994	Vil. headman	PKK
117)- Lütfü Bölükbaşı (20)	Pasinler	31 August 1994	S. supporter	PKK
118)- Salih Bölükbaşı (18)	Pasinler	31 August 1994	S. supporter	PKK
119)- Ahmet Çergi	Idil-Cerahi	00 September 1994	Reprisal	PKK
120)- Mehmet Geçkin	Mersin-Kazanlı	03 September 1994	....	PKK
121)- Nurgül Şahin	Mersin-Kazanlı	03 September 1994	....	PKK
122)- Erol Akgün	Gebze	08 September 1994	In left wing	DS
123)- Baki	Bingöl-Adaklı	08 September 1994	Informant	PKK
124)- Iskender Gürbüz	Çemişgezek	09 September 1994	Informant	DS
125)- Latif Gürbüz	Çemişgezek	09 September 1994	Informant	DS
126)- Ahmet Altınoluk	Çemişgezek	09 September 1994	Informant	DS
127)- Abdullah Karaduman	Çemişgezek	09 September 1994	Informant	DS
128)- Abdullah Fidan	Çemişgezek	09 September 1994	Informant	DS
129)- Şerife Çoban	Çemişgezek	09 September 1994	Informant	DS
130)- Duran Çoban	Çemişgezek	09 September 1994	Informant	DS
131)- Sıtkı Bozan	Diyarbakır	11 September 1994	Informant	PKK
132)- Metin Kaynar (29)	Mazgirt-Darıkent	11 September 1994	Teacher	PKK
133)- Ali İhsan Çetinkaya (29)	Mazgirt-Darıkent	11 September 1994	Teacher	PKK
134)- Vedat İnan (25)	Mazgirt-Darıkent	11 September 1994	Teacher	PKK
135)- Buminhan Temikan (27)	Mazgirt-Darıkent	11 September 1994	Teacher	PKK
136)- Rüstem Şen (29)	Mazgirt-Darıkent	11 September 1994	Teacher	PKK
137)- Mustafa Kaynarca (32)	Mazgirt-Darıkent	11 September 1994	Teacher	PKK
138)- İlhami Özdemir	Zara-Selimiye	11 September 1994	S. supporter	PKK
139)- Nusret Kaya	Zara-Selimiye	11 September 1994	S. supporter	PKK
140)- Muhittin Yılmaz	Zara-Selimiye	11 September 1994	S. supporter	PKK
141)- Turan Kaya	Zara-Selimiye	11 September 1994	S. supporter	PKK
142)- Fatih Yılmaz	Zara-Selimiye	11 September 1994	S. supporter	PKK
143)- Kamer Kaya	Zara-Selimiye	11 September 1994	S. supporter	PKK
144)- Halit Kaya	Zara-Selimiye	11 September 1994	S. supporter	PKK
145)- Mehmet Özdemir	Zara-Selimiye	11 September 1994	S. supporter	PKK
146)- Vahap Yılmaz	Zara-Selimiye	11 September 1994	Vil. headman	PKK
147)- Hüsnü Pehlivan (55)	Lice-Dibek vil.	12 September 1994	S. supporter	PKK
148)- Kısmet Pehlivan (18)	Lice-Dibek vil.	12 September 1994	S. supporter	PKK
149)- Mehmet Ali Aydın	Sason-Umurlu	13 September 1994	S. supporter	PKK
150)- Bedrettin Başaran	Sason-Umurlu	13 September 1994	S. supporter	PKK
151)- Şükrü Başaran	Sason-Umurlu	13 September 1994	S. supporter	PKK
152)- Ferman Başaran	Sason-Umurlu	13 September 1994	S. supporter	PKK
153)- Musa Üstünyol	Şırnak-Uludere	14 September 1994	Guardian	PKK

154)- Ahmet Dođan (55)	Lice-Dibek	16 September 1994	Reprisal	....
155)- Sadettin Dođan (10)	Lice-Dibek	16 September 1994	Reprisal	....
156)- Atilla Aydođdu	Tunceli-Nazimiye	17 September 1994	Teacher	PKK
157)- Seyit Çiçek (43)	Maraş-Gürpınar	19 September 1994	Vil. headman	PKK
158)- Adnan Tunca (37)	Beşiri-Çevrimova	22 September 1994	Teacher	PKK
159)- Mustafa Gümüş (24)	Beşiri-Çevrimova	22 September 1994	Teacher	PKK
160)- Birol Keleş (22)	Diyarbakır-Dicle	24 September 1994	Worker	PKK
161)- Yüksel Karabektaş (25)	Diyarbakır-Dicle	24 September 1994	Worker	PKK
162)- A.Ziyaettin Bulgur (38)	Diyarbakır-Dicle	24 September 1994	Driver	PKK
163)- Dilaver Sucan (43)	Diyarbakır-Dicle	24 September 1994	Driver	PKK
164)- Muhammed Güler (24)	Diyarbakır-Dicle	24 September 1994	Smith	PKK
165)- Hüseyin İpek (55)	Elbistan-Bakış	24 September 1994	Vil. headman	PKK
166)- Hakan Acer (23)	Istanbul	27 September 1994	In left wing	DS
167)- Sait Korkmaz	Doğubeyazıt-Kazan	28 September 1994	Teacher	PKK
168)- Mehmet Topaç	Ankara	29 September 1994	Ex-minister	DS
169)- Hüseyin Soysüren (66)	Elbistan-Kırankale	29 September 1994	Informant	PKK
170)- Derviş Soysüren (43)	Elbistan-Kırankale	29 September 1994	Informant	PKK
171)- Eşref Geçmez	Silvan	29 September 1994	RP member	PKK
172)- Ali Rıza Geçmez	Silvan	29 September 1994	RP member	PKK
173)- Abdullah Güçlü	Bismil	30 September 1994	S. supporter	PKK
174)- Naci Onan (26)	Yüksekova	04 October 1994	Vil. guard	PKK
175)- Davut Ayhan (24)	Yüksekova	04 October 1994	Vil. guard	PKK
176)- Tayyip Yağan (40)	Yüksekova	04 October 1994	Vil. guard	PKK
177)- Şükrü Yağan (27)	Yüksekova	04 October 1994	Imam	PKK
178)-	Kars-Hacı Halil	06 October 1994	S. supporter	PKK
179)-	Kars-Hacı Halil	06 October 1994	S. supporter	PKK
180)- Hayati Kapukaya	Bingöl-Yedievler	08 October 1994	Teacher	PKK
181)-	Bingöl-Yedievler	08 October 1994	Enlisted man	PKK
182)-	Bingöl-Yedievler	08 October 1994	S. supporter	PKK
183)- Nurullah Saraç (25)	Tekman-Taşkesen	10 October 1994	Teacher	PKK
184)- Ali Bulut (27)	Tekman-Taşkesen	10 October 1994	Teacher	PKK
185)- Ersoy Yorulmaz (28)	Tekman-Taşkesen	10 October 1994	Teacher	PKK
186)- Ragıp Köse (26)	Tekman-Katran	10 October 1994	Teacher	PKK
187)- Cemil Çakır	Şemdinli-Altınsu	13 October 1994	S. supporter	PKK
188)- Yakup Toprak (18)	Siirt-Eruh	13 October 1994	Shepherd	PKK
189)- Bayram Sevgin (10)	Siirt-Eruh	13 October 1994	Shepherd	PKK
190)- Musa Uyar	Istanbul	14 October 1994	In left wing	DS
191)- Ekrem Akkılıç	Istanbul	14 October 1994	In left wing	DS
192)-	Çemişgezek	15 October 1994	S. supporter	PKK
193)-	Çemişgezek	15 October 1994	S. supporter	PKK
194)- Ali Karadağ	Gaziantep	18 October 1994	Informant	PKK
195)- Yıldız Durak	Iskenderun	21 October 1994	S. supporter	PKK
196)- Abdullah Güner	Batman-Sason	22 October 1994	Vil. guard	PKK
197)- Musa Güneş	Batman-Sason	22 October 1994	S. supporter	PKK
198)- Ali Onuk	Batman-Sason	22 October 1994	S. supporter	PKK
199)- Abdülkerim İğnek	Batman-Sason	22 October 1994	S. supporter	PKK
200)- Burkay Ereklı (28)	Betw. Bitlis-Van	23 October 1994	S. supporter	PKK
201)- Fahri İğdır (25)	Betw. Bitlis-Van	23 October 1994	S. supporter	PKK
202)-	Kulp-Hani	27 October 1994	Vil. guard	PKK
203)- Mehmet Şerif	Uludere-Danagözü	01 November 1994	Vil. headman	PKK
204)- Hüseyin Yılmaz	Mardin-Bumade	03 November 1994	Vil. headman	PKK
205)- Emin Gelturan	Van-Erciş	04 November 1994	Repentant	PKK

206)- Mehmet Zeki Ödük	Mardin-Savur	05 November 1994	Teacher	PKK
207)- Mahmut Çatalkaya	Mardin-Savur	05 November 1994	Teacher	PKK
208)- Ali Yılmaz (25)	Mardin-Savur	05 November 1994	Teacher	PKK
209)- Erol Ercan (24)	Mardin-Savur	05 November 1994	Teacher	PKK
210)- Cuma Yıldız	Adana	07 November 1994	Informant	PKK
211)- Mehmet Canakan	Iskenderun	17 November 1994	Vil. guard	PKK
212)- Ibrahim Acar (45)	Midyat-Çalpınar	19 November 1994	MHP administ.	PKK
213)- Izzettin Acar (25)	Midyat-Çalpınar	19 November 1994	MHP member	PKK
214)- Ömer Tekin (33)	Adana	07 December 1994	S. supporter	PKK
215)- Fikret Turan	Diyarbakır	14 December 1994	S. supporter	PKK
216)- Fuat Çık (36)	Elazığ	14 December 1994	Military officer	DS
217)- Ahmet Ateş (26)	Istanbul	15 December 1994	Informant	TIKKO
218)- Hamit Demir	Adana	30 December 1994	Vil. guard	PKK

h)- Education and teachers

Attacks and clashes which have been ongoing in southeast and east of Turkey for years, negatively effected also the educational and training activities in the region. Schools were closed and the number of the teachers working in the region decreased outstandingly. Students, firstly those who had to leave the evacuated or burnt down villages and migrate to other settlements, were not able to go to schools for various reasons (such as life security, economic problems, absence of teachers and schools). The number of students dropped to a great extent. This situation did not change in 1994, either. Teachers were killed or wounded in the attacks and clashes. Schools were destroyed. Many schools were closed for various reasons. Attacks by the PKK militants and murders by unidentified assailants against teachers, continued.

A total of 1157 (by the end of 1993) primary and secondary schools were closed for various reasons in 1992 and 1993. Various justifications were made for the closure of the schools, such as "village evacuations, lack of security, lack of students attending to the school, being unable to assign teachers, teachers' not beginning to duty, repair works, PKK militants' burn-ing down the schools, insufficient number of students, lack of equipment, demolition". The number of the closed schools increased extensively in 1994. In a statement he made in October, National Education Minister Nevzat Ayaz said that the schools were kept closed mostly for security reasons, and he added "Our governors will not open the schools having no security." Following this statement, schools in those settlements where there were no village guards, were closed. For example, the schools in the Elbastı, Bonuklu, Aşağıkoyunlu, Yüksel and Yayvan-tepe villages of Ergani were closed, and teachers in those villages were appointed to settlements where there are village guards.

In a statement in December, Nevzat Ayaz disclosed that the number of the closed schools in the Emergency State Region exceeded 2,000 (*). Nevzat Ayaz who answered a parliamentary query by Ali Dinçer, CHP Deputy for Ankara, said "2,134 schools in the Emergency State Region were closed, 1,891 of which for security reasons." Ten days after his statement while answering a query on the same issue by Mustafa Baş, RP Deputy for Istanbul, Nevzat Ayaz said that 2,242 schools in the Emergency State Region were closed to education, 351 of which due to lack of teachers and 1891 due to security reasons.

(*) Apart from the schools in the provinces under the Emergency State Legislation, 23 schools were closed in Erzincan, 54 in Erzurum, 51 in Kars, 169 in Ağrı, 103 in Iğdır, 46 in Ardahan and 27 in Bayburt.

Some of the primary and secondary schools in the region were begun to be used for military aims partially or totally. For example, the schools in the Lice and Hazro districts of Diyarbakır and in some villages of these districts, were started to be used as barracks. In the same period, a 400-person commando unit came from Bolu in order to attend winter operation planned in Diyarbakır and Bingöl and was settled in the Silvan High School. Settling in some parts of the high school building, soldiers prepared positions around the school, and put heavy machine guns there. Besides, huts for guarding soldiers were built.

The report prepared by the HRFT in order to bring out impact of the clashes and attacks which have been continuing in the Southeast and East of Turkey for years, on the education in the region and, mainly, to determine the teachers killed as a result of attacks, was made public on 24 November 1994. According to the report entitled “Education and Training in the Emergency State Region”, a total of 128 teachers were killed in consequence of armed and bomb attacks, attacks with meat cleaver or clubs, or during clashes or similar violence acts between 15 August 1984 when the PKK staged its armed activities, and 20 November 1994. Eighty-one of those teachers were killed by PKK militants while 43 of them were killed by unidentified assailants. Two of the remaining 4 teachers were killed under torture in detention, one of them was killed by TIKKO militants in Adana and the remaining one was killed during the incidents which occurred in Lice on 22 October 1993. Murders by unidentified assailants were generally observed in provincial or district centers. Most of the attacks against teachers by the PKK militants, were carried out in villages, towns or rural areas. Fifty-three of the 81 teachers were killed by the PKK militants who raided the towns or villages where the teachers were in charge while 18 of them were killed by the militants who stopped the buses in which the teachers were. The attacks by PKK intensified in Mardin by the end of 1992, while as of 1993 they intensified in the Tunceli and Diyarbakır provinces.

Bomb and armed attacks against the teachers in charge in the Emergency State Region, also continued in 1994. As a result of these attacks, **33** teachers were murdered and at least **10** teachers were wounded. One dimension of the attacks against teachers was attacks by the PKK militants, while the other one was the murders by unknown assailants. **One** of the 33 teachers, (Emirali Demir), lost his life by being shot with a stray bullet during a clash which arose between the security forces and the PKK militants in the vicinity of the Ovacık district of Tunceli, while **8** teachers became victims of the murders by unknown assailants. The murders by unknown assailants were committed in provincial and district centers. Murderers of the teachers who became the victims of the unsolved murders, could not be found out, just like murderers of the remaining unsolved murders.

As a result of the fire opened by unknown people at a primary school in the Alibey quarter of Şırnak on 22 February, a teacher named Mustafa Baz was killed and a female teacher was wounded. A teacher named Mehmet Ali Durak was attacked by Hezbollah advocates with stones and clubs in the Mescit quarter of the Silvan district in Diyarbakır on 7 April. Mehmet Ali Durak who was beaten by Hezbollah advocates for a while, lost his life at hospital. A teacher named Recep Uyar (39) was shot dead on Melikahmet Street of Diyarbakır on 29 April as a result of the fire opened by unknown people. Recep Uyar was learnt to be a member of the Eğitim Sen (Trade Union of Education and Science Labourers).

A teacher named Nuri Demiralp (48) who was attacked in the Bağlar quarter of Diyarbakır on 2 June, was wounded. One of the attackers who opened fire at Nuri Demiralp was apprehended with his gun following the attack. The name of the armed person was revealed to be “Hasan Süslü”.

Nuri Demiralp died on 5 June at the hospital where he was under treatment. As a result of the fire opened by unknown people in the Şehitlik quarter of Diyarba-kır on 3 June, teacher Kemal Göçer was shot dead. At about the same hours, a teacher named Ahmet Meraloğlu (35) was severely wounded as a result of a knife attack around the Diyarbakır SSC. In the Midyat district of Mardin, teacher Tefrik Alma (29) was shot dead by 2 unknown people on 7 December.

PKK attacks aiming at the teachers, also continued in 1994, as in the previous years. **Twenty-four** of the teachers, were killed in the attacks by PKK militants.

A group of PKK militants blocking the road between Diyarbakır and Elazığ on the night of 1 January, murdered 8 people, including 2 teachers named Nahit Ergene (Deputy Di-rector responsible for National Education in Elazığ) and Yahya Bulut. A group of PKK mili-tants who blocked the road between Tunceli and Ovacık on 20 April, murdered a teacher named Metin Gençdalı and 3 public officers named Yılmaz Akkılıç (bank manager), Musa Tur (civil servant) and Hüseyin Akkaya (engineer) who were in a vehicle stopped by the mili-tants. In the incident, a teacher named Ali Öztürk was severely wounded.

A group of PKK militants who raided the Darkent town of the Mazgirt district of Tunceli on 11 September, executed 6 teachers, in charge in the town, by shooting. The names of the killed teachers are as follows: "Metin Kaynar, Ali Ihsan Çetinkaya, Vedat Inan, Bumin-han Temizkan, Rüstem Şen and Mustafa Kaynarca." While leaving the town, the PKK mili-tants abducted health officers named Kazım Kılıç, Hüseyin Vural and Mesut Demirtaş. The health officers were released one week later. The incident provoked indignation in the public. Akın Birdal, the Chairperson of the IHD, reacted against the killing of 6 teachers, and said "The IHD makes a call on every occasion and to everyone (the state or political organizations conducting an armed struggle against the state) to obey the humanitarian legislation. The IHD opposes and protests every action which contradicts the common Article 3 of the Geneva Con-ventions." This statement by Akın Birdal was not published in any publications. In a statement made by the PKK as to the incident, it was alleged that the killed teachers were members of the counter-guerrilla, and said "These teachers were attending the operations along with the sol-diers for a while, and trying to reveal the names of the villagers supporting the PKK. They had been assigned to Darkent as teachers when the schools were opened."

A non-commissioned officer, 2 soldiers and a teacher named Atilla Aydoğdu, who were in a military convoy attacked by PKK militants in the Kutudere region around the Nazimiye district of Tunceli on the morning of 17 September, died. During the attack, 3 teachers and 8 security officers were wounded. The PKK militants who raided the Çevrimova village of the Beşiri district of Batman on the night of 22 September, took two teachers named Adnan Tunca (37) and Mustafa Gümüş (24) took out of the village and executed by shooting. A group of PKK militants who carried out a raid against the Kazan village in the Doğubeyazıt district of Ağrı on the night of 29 September, executed a teacher named Sait Korkmaz by shooting.

PKK militants raided the Taşkesenli village in the Tekman district of Erzurum on the night of 10 October, executed 3 teachers named Nurullah Saraç (25), Ali Bulut (27) and Ersoy Yorulmaz (28) by shooting. Short after this incident, a teacher named Ragıp Köse (26) was also killed in a raid against the Katranlı village in the same region. The PKK militants who blocked the road between Mardin and Savur on 5 November, executed 4 teachers named Mehmet Zeki Ödük, Mahmut Çatalkaya, Ali Yılmaz and Erol Ercan who were in a passing-by vehicle.

Killed teachers

01)- Yahya Bulut	Around Diyarbakır-Maden	01 January 1994	PKK
02)- Nahit Ergene	Around Diyarbakır-Maden	01 January 1994	PKK
03)- Mustafa Baz	Şırnak-Cizre	22 February 1994	MUA
04)- Hasan Akan	Diyarbakır	01 March 1994	MUA
05)- Mehmet Ali Durak	Diyarbakır-Silvan	07 April 1994	MUA
06)- Metin Gençdalı	Between Tunceli-Ovacık	20 April 1994	PKK
07)- Recep Uyur (39)	Diyarbakır	29 April 1994	MUA
08)- Mehmet Duymaz	Tunceli-Pülümür-Köprü region	06 May 1994	PKK
09)- Sıtkı Abdioğlu (40)	Batman	17 May 1994	MUA
10)- Erkan Özcan	Batman-Sason-Karameşe vil.	29 May 1994	PKK
11)- Emirali (Temur) Demir	Tunceli-Ovacık (Stray bullet)	30 May 1994	Clash
12)- Kemal Göçer	Diyarbakır	03 June 1994	MUA
13)- Nuri Demiralp (48)	Diyarbakır	05 June 1994	MUA
14)- Metin Kaynar (29)	Mazgirt-Darıkent town	11 September 1994	PKK
15)- Ali İhsan Çetinkaya (29)	Mazgirt-Darıkent town	11 September 1994	PKK
16)- Vedat İnan (25)	Mazgirt-Darıkent town	11 September 1994	PKK
17)- Buminhan Temizkan (27)	Mazgirt-Darıkent town	11 September 1994	PKK
18)- Rüstem Şen (29)	Mazgirt-Darıkent town	11 September 1994	PKK
19)- Mustafa Kaynarca (32)	Mazgirt-Darıkent town	11 September 1994	PKK
20)- Atilla Aydoğdu	Around Tunceli-Nazimiye	17 September 1994	PKK
21)- Adnan Tunca (37)	Batman-Beşiri-Çevrimova vil.	22 September 1994	PKK
22)- Mustafa Gümüş (24)	Batman-Beşiri-Çevrimova vil.	22 September 1994	PKK
23)- Sait Korkmaz	Ağrı-Doğubeyazıt-Kazan vil.	28 September 1994	PKK
24)- Hayati Kapukaya	Bingöl-Yedievler region	08 October 1994	PKK
25)- Nurullah Saraç (25)	Tekman-Taşkesenli village	10 October 1994	PKK
26)- Ali Bulut (27)	Tekman-Taşkesenli village	10 October 1994	PKK
27)- Ersoy Yorulmaz (28)	Tekman-Taşkesenli village	10 October 1994	PKK
28)- Ragıp Köse (26)	Erzurum-Tekman-Katranlı vil.	10 October 1994	PKK
29)- Mehmet Zeki Ödük (37)	Mardin-Savur road	05 November 1994	PKK
30)- Mahmut Çatalkaya (30)	Mardin-Savur road	05 November 1994	PKK
31)- Ali Yılmaz (25)	Mardin-Savur road	05 November 1994	PKK
32)- Erol Ercan (24)	Mardin-Savur road	05 November 1994	PKK
33)- Tefvik Alma (29)	Mardin-Midyat	07 December 1994	MUA

Upon the increase in the attacks by the PKK against teachers, it was suggested that guns be given to teachers. This was first suggested by Mehmet Gölhan, the Minister of Defense in September 1994. His suggestion was followed by similar statements and demands by other authorities. Nevertheless, the suggestion drew reactions from teachers and their organizations. During the same period, some news stories stating that there were teachers given guns were published in certain publications. For example, in a news story in the 21 September 1994 issue of the newspaper Cumhuriyet, it was said: "About 40 teachers who are working in the villages in Erzurum and some of whom are females, were given guns in a ceremony held at the Erzurum Teachers' House on 20 September." However, this story was denied by Sebahattin Kara-kelle, the Erzurum National Education Director. Sebahattin Karakelle disclosed that 7 teachers in 6 villages in Erzurum had applied to the gendarmerie in order to receive guns, and said, "They applied individually. Apart from this, no guns were given to teachers." In the meantime, National Education Minister Nevzat Ayaz stated on 7 November that no teachers were given guns, and there was no plan to do so.

In 1994, the attitude of the PKK towards teachers and educational institutions changed to some extent. In a statement made by the PKK on 6 February, it was said that the ban put on educational activities in November 1993, was lifted. The following was stated: "We announced on 27 November 1993 our decision stating that our people should not send their children to the schools which are the assimilation institutions of the Kemalist education system. Our purpose in taking such a decision was not to restrict the freedom of education of our people, but the reason for the ban was the state's attempt to transform schools into contra centers and the ban aimed at stopping the intensifying murders of our patriotic youth. Obeying our decision, our people did not send their children to schools. That is to say, our aim was reached." Another statement published on 29 September, stated that the attacks against teachers had been stopped and said, "The teachers, who have attitudes against the common values and national essence of our people are not allowed to work in rural areas. Teachers who are not in such a position can continue to work only within our approval." The attacks by PKK militants against teachers ended from the beginning of 1995.

i)- Health problems and health personnel

The violence experienced in the Emergency State Region also affected the health personnel working there. In the armed attacks (all of which were murders by unknown assailants) in the last 3-4 years, nearly 20 health personnel lost their lives. Health services rendered in the region greatly decreased. The increase in the child mortality rate reached a worrisome level. Those who migrated to provincial or district centers, leaving the settlements they lived in for years, faced serious health problems. The epidemics of cholera and intestinal infections, which affected all of Turkey beginning from August, also affected the settlements in the region.

The Central Council of the Turkish Medical Association (TTB) publicized a report in March on the situation of the health services in the region and the problems of the health personnel working there. It was prepared following a visit by a 7-person TTB delegation to the region between 10-12 February (the report was translated into English and published by the HRFT). The report stressed that the Kurdish problem also deeply affected the health personnel as it affected the various sections of the society, and in short it stated the following:

"The most vital problem of the people living in the region is security. Three to 8 people, killed by unidentified assailants, have reportedly been brought to the Diyarbakır State Hospital each day. Migration from rural areas to urban areas, from the east to the west, is at an incredible level. It has been said that up to 30-35 people have been found living in one house in the provincial center of Diyarbakır. Migration and extraordinary conditions negatively affect the health of the people, health services and professionals. Collecting healthy data and rendering the necessary health services are extremely difficult in the region. The data at hand are not reliable. All indicators and observations prove that the health situation of the population has worsened for the recent years. The infrastructure of Diyarbakır is not in harmony with the increase in population, causing outbreak of various communicable diseases. Negative conditions have been affecting the health services and the health personnel to an important degree. Due to the widespread personnel migration, exiles and evacuation of the health centers, health institutions are not able to function. Despite all difficulties and restrictions, physicians and other health personnel in the region try to render health service as far as the circumstances permit. The physicians face pressure and restrictions while conducting their profession. Examining patients or giving medical reports to them might occasionally be regarded as crime. There are colleagues who were sentenced and put in prison for this reason."

In the report, which gives detailed information on the health personnel who became the victims of murders by unidentified assailants or were subject to pressure and attacks, stated the urgent measures as follows:

“An ‘extraordinary health organization’ should be established taking into account the extraordinary conditions of the region and health personnel should be trained according to the conditions. Opportunities to enable physicians to work independently should be provided. Physicians should not be subject to prosecution because of their professional activities, and a guarantee should be given on this issue. In order to prevent communicable diseases, studies aiming at the control of water, food and environmental conditions should urgently be carried out and maintained. Civic organizations should be aided in taking the necessary measures regarding the outcomes of the extraordinary migration. What is essential is an environment without violence and clashes. In order to provide such an environment and security, steps should immediately be taken.”

Seven health-related personnel lost their lives in attacks in the Emergency State Region in 1994. Out of those killed, physician Şehmuz Akin was killed in Diyarbakır on 31 January, physician Abdülislam Akgül in Diyarbakır on 1 March, health officer Hasan Keleş in the Hasankeyf district of Batman on 31 July, pharmacist Mehmet Emin Odabaşı in the Siverek district of Urfa on 20 September, physician Ahmet (his surname could not be revealed) in Diyarbakır on 20 September, physician Edward Tanrıverdi in the Midyat district of Mardin on 18 December in attacks by unknown people. A health technician named Necati Aydın (the former Chairman of Tüm Sağlık Sen Diyarbakır Branch) and two people named Mehmet Ay and Ramazan Keskin, both of whom were detained in Diyarbakır on 18 March and reportedly released by the SSC on 4 April, were found dead around Pamuk Creek on Diyarbakır-Silvan highway on 10 April. Necati Aydın and his two friends were reportedly buried into the soil up to their waists and shot in the head to death. In the meantime, physician Recai Aydın (32), working in the health center in the Çınar district of Diyarbakır, was kidnapped by unidentified people on 7 July. The fate of Recai Aydın could not be clarified until the end of the year 1994.

In the meantime, a sentence of 3 years 9 months in prison passed on İlhan Diken, one of the physician of the Diyarbakır Child Hospital, by the Diyarbakır SSC on grounds that he had treated a wounded PKK militant, was ratified by the Supreme Court in April. İlhan Diken will serve in prison 33 months. He was detained and arrested in September 1994 upon a testimony by PKK militant Nizamettin Özoğlu whom he had treated. In his defense, İlhan Diken said that he had treated Nizamettin Özoğlu without knowing that he was a PKK militant. Upon the ratification of the sentence, İlhan Diken’s lawyer Şenal Sarıhan stated that the decision was against international conventions, and applied to the European Human Rights Commission. In her appeal, Şenal Sarıhan pointed out Article 4 of the Statement of the World Medical Association which states “In emergency cases, physicians must always give the required care impartially and without consideration of sex, race, nationality, religion, political affiliation or any other similar criterion, and such medical assistance must be continued as long as patients require it”, and she said, “Regarding this case as a crime and handing down a decision in this respect, is an obvious violation of Article 7/1 of the European Human Rights Convention.”

j)- Village guards

The village guards, one of the important dilemmas of the Kurdish problem, often appeared on the agenda in 1994 because of the incidents they caused and their unrestrained behaviour. During the one-year period, village guards caused inhuman incidents. Their names were involved

in shameful crimes such as smuggling, theft, robbery, kidnapping women and rape. In official statements, it was said that nearly one thousand village guards who had been found out to have committed crimes, had been withdrawn from duty and prosecuted between 1988, when the village guard system began to spread, and 1994. High figures, uttered even in the official statements, whose credibility is seriously doubted, show the gravity of the situation and the problems caused by village guards.

The promise that the village guard system would be reviewed and abolished gradually, which was placed in government programs, was not fulfilled in 1994. On the contrary, the village guard system became more widespread. The number of the village guards in the Emergency State Region reached 57,000. Some statements were made saying that the village guard system would continue even if the Emergency State provision was abolished. When we consider the wages, as well as weapon, ammunition and equipment expenditure, the burden of the village guards on the budget of Turkey was TL 1 trillion (25 million US \$) per month in 1994. Felat Cemiloğlu, the Chairman of the Diyarbakır Commerce and Industry Chamber, claimed that at least 10 factories could have been established with the money expended for the village guards in one month, and said, "Thus, jobs could have been created for 5,000 people. If we take the families into consideration, the number of the people who would have benefited from this opportunity would be 30,000."

In the report prepared by the Parliamentary Commission to Scrutinize the Murders by Unknown Assailants and publicized in 1995, astonishing cases involving the village guards, were included. The report, which demanded an end to the village guard system, and that the weapons given to the village guards be taken back, stated that the village guards, by using the authority vested to them, engaged in smuggling and village raids as PKK militants did. The report said, in brief: "While the terrorist activities were increasing and the terrorists were trying to put pressure on the citizens in the region, the number of the village guards was increased in an effort to defeat the PKK. However, since the system is not properly applied, the villages guards are involved in certain illegal activities by using the armaments and position given to them. In the region, the vast control of the weapons and drug smuggling is under the village guards. Some village guards, using their identity, easily smuggle weapon and drug. People who have power in the region, use the village guard system as a basis for their sovereignty. Violating the law openly and without any authorization, the village guards participate in operations in area where the police are. Some village guards kill villagers they have blood feuds with, claiming that they are PKK militants, or force them to leave their villages." In the report which draws attention to serious evidence proving that some of the murders by unidentified people were committed by the village guards, there is detailed information on 30 incidents, including 5 murders, 1 wounding, 2 seizure, 1 kidnapping, 6 smuggling, all of which were carried out by the village guards. (Detailed information is on pages 118-119.)

Village guards in the Şeyhhabib village of the Derik district in Mardin, raided a house in the Viranşehir district of Urfa on 20 January and kidnapped a girl named Adile Ince. Bişar Ince, the father of the girl, said the following about the incident: "Sabri Karaaslan who is living in the Şeyhhabib village, asked my daughter's hand in marriage to his son Deniz Karaaslan. I permitted my daughter to marry Deniz. I did not know Sabri Karaaslan and his son were village guards. I learnt that they were village guards when we started to prepare for the wedding after engagement. Upon this, nobody in the family, especially my daughter, wanted this marriage. Then, I went to the Şeyhhabib village and spoke to Sabri Karaaslan. I said that I would not permit this marriage unless

they gave up being village guards. They stated that they would not give up being village guards for the sake of a girl. After this, we broke the engagement. Then, Sabri Karaaslan raided my house together with 50 village guards, and kidnapped my daughter.”

In a clash that arose in the Yolgözler village of the Korkut district in Muş on the evening of 26 March, 6 people, Nadir Tınk, Nezir Tınk, Medeni Tınk, Gülbeni Tınk, Mehmet Sayın and Neslihan Sayın, were killed and 11 people were wounded. Most of those killed and wounded in the clash, which arose because of a football match, were reportedly village guards.

A fight that arose among children in the Başkale district of Van on 22 April, turned into an armed clash between the village guards of the Ertuş and Ertaş families, in a short time. During the incident, a coffee house was raided, 7 people were killed and 10 people were wounded. Eleven village guards were charged in connection with the incident. At the end of the trial which was held in Ankara for security reasons, 4 village guards, Sadi Ertuş, Aydın Ertuş, Necdet Ertuş and Cihangir Ertaş were sentenced to life imprisonment.

On 16 May, a clash arose between two groups of village guards in the Bağtepe hamlet of the Yedioluk village of Adıyaman because of a commercial dispute. During the clash, 2 village guards named Nevzat Küçükaya and Yusuf Gezer were killed and another named Kemal Güzel was severely wounded. Village guards Ali Dolaşkan, İbrahim Bağcı, Emin Sertbaş and Selahattin Şener were detained after the clash.

A clash broke out when the village guards, laying an ambush on Şıp Plateau between Tendürek Mountain (Ağrı) and the Taşkapı village of the Erciş district of Van, mistook soldiers patrolling in the region for PKK militants and opened fire on them. During the clash which arose on the morning of 23 June, one non-commissioned officer, 6 enlisted men and one village guard were killed, and 8 security officers were wounded. Six village guards were detained in connection with the incident. The names of the killed security officers are as follows: “Non-commissioned officer Birol Akın, enlisted men İbrahim Korkmaz, Mehmet Uygun, Sinan Çilingir, Mehmet Yıldırım, Yahya Aydemir and Mehmet Aslan, village guard Hasan Geçkin”. It has been reported that the killed soldiers were dressed in civilian clothes like those worn by the local people, instead of uniforms. In the meantime, İlknur Akın (21), the wife of non-commissioned officer Birol Akın committed suicide on the morning of 25 June.

During a clash which arose between two groups of village guards in the Tikenli hamlet of the Alişar village of Elbistan district of Maraş on 25 July, a village guard named Kemal Tekerek was killed. Another clash which arose on 22 December between two groups of village guards in the Meşebağlar village of Diyarbakır, Hazro, resulted in the killing of a village guard named Şerif (19). (*)

Demonstrations, against the PKK that were mostly attended by village guards and their families, were held in the Emergency State Region in 1994. For example; A crowd of about 1.000 village guards and their families held a demonstration against the PKK in Cizre in the morning hours on 27 January. The crowd which gathered in the Dört Yol quarter of Cizre, marched shouting slogans to the District Governorate building. Members of the Atak family and village guards from

(*) During the clashes, which broke out between two groups of village guards or between soldiers and village guards, 24 people died and 30 people were wounded in 1994. Information on numerous incidents caused by village guards is in the sections on attacks against settlements and extra-judicial executions.

the villages of Idil and Silopi attended the demonstration which was supported by security forces. During the demonstration some shops and houses were destroyed.

A demonstration, under the name “condemning the PKK”, was held on 6 February in Diyarbakır. Participation in the demonstration was quite low despite all the propaganda made throughout one week. Five hundred people including village guards from the neighbouring provinces and districts, gathered at about 12.30 a.m. at Urfakapı. The crowd marched to the Station Square later on, and shouted slogans like “The PKK will go away”, “Apo is a fickle de-serving beating”, “Damn the PKK”, “We don’t want the PKK in the Assembly”. The demonstrators were protected by about 500 police officers and special team members.

A “march to condemn the PKK” was made by village guards in the Kulp district of Diyarbakır on 26 June, with the support of District Governor Kadir Koçdemir. Kadir Koçdemir delivered a speech to the village guards who came to front of the District Governorate Building after the march which was made under the protection of the security forces, and said, “The PKK will not be able to reach its aim. You have demonstrated that we are unique and together under same roof and we will not allow anything to be done against this unity. No power can distort this unity.” After the meeting, the village guards dispersed.

At the beginning of August, demonstrations under the name of “protest at the PKK”, were held in Beytüşşebap, Silopi and Cizre. Village guards and their families participated in the demonstrations, too, which were held under extensive security measures. On 15 August, a similar demonstration was held in the Idil district of Şırnak. A crowd of 1,000 people gathered in front of the Idil Security Directorate in the morning, and marched to the district center shouting slogans protesting the PKK.

Nearly 5 thousand people who gathered at the Cumhuriyet Square in Şırnak on 15 August (the 10th anniversary of the armed activities started by the PKK), protested the PKK for a period. The demonstrators, who were carrying Turkish flags and shouting slogans protesting the PKK, marched for 5 kilometers and then returned to the Cumhuriyet Square. After dancing “halay” (a kind of folkloric dance) with the accompaniment of drum and “zurna” (a primitive double-reed instrument), the crowd dispersed at about 4.00 p.m.. In his message read through loudspeakers at the end of the demonstration, Şırnak Governor Kamil Acun thanked to the participants of the demonstration. In the meantime, it was alleged that special team members and village guards who had visited the houses in Şırnak on the morning of 15 June, had stated that they would not be responsible for anything which might happen to those who did not participate in the demonstration.

k)- Other developments

Intolerance against Kurdish people, which became a serious matter in 1992, and occasionally caused clashes and attacks in 1993, continued in 1994. As a result of this, some incidents which caused tension and clashes between Turks and Kurds were experienced. Provocative broadcasting and publications, attacks by the PKK or other organizations against civilian targets, and the funeral ceremonies for soldiers killed in clashes or raids, increased the tension among people. In February, the strain between Sunni Kurds and Alevi Turks in the Doğançay village of the Karşıyaka district in İzmir, which arose because of the high volume of the loud-speakers of the mosque, turned into a fight. Erdoğan Yılmaz, one of the villagers, said the following about the incident: “The sound coming from the mosque was too loud. We were unable stay at home and hear each other. Upon this, I spoke about the problem to the village headman on 18 February, and demanded the volume to be lowered. Hearing this, Zikri Acar, a relative of the village imam,

attacked me. In the meantime, imam Sinan Acar was harassed by the women of the village, and some people were wounded with stones. Upon intervention by police, both parties calmed down that day. Two days after the incident, I was attacked and beaten while I was going out of the village to sell milk. MHP District Chairperson came to the village on 21 February and threatened the villagers. Thus, the incident acquired a political dimension.”

The court house, where 8 people detained in the Tercan district of Erzincan on charges of “aiding the PKK and harboring its members”, were brought for interrogation, was the scene of an attempted raid by a group of about 1,000 people, most of whom were MHP followers, on the evening of 26 May. The crowd, which attempted to lynch the defendants, dispersed far from the building by the soldiers opening fire into the air. The group, which blocked the road between Erzurum and Erzincan for 3 hours, dispersed following a speech made by Erzincan Governor Recep Yazıcıoğlu, who went to the district. A baseless news story saying that Mustafa Kul, Erzincan Deputy from the SHP, would have the 8 detainees be released, had been published in the 26 May 1994 dated issue of the newspaper Zaman.

Relatives of the soldiers who died in clashes in the Emergency State Region gathered at the Izmir Konak Post Office on 29 November, and sent telegrams to Prime Minister Tansu Çiller, National Assembly Chairperson Hüsametdin Cindoruk and other party leaders in order to protest the amendments planned in the “Law to Fight Terrorism”. Meanwhile, retired Colonel Lütü Aksoy said the following: “If the draft of “Law to Fight Terrorism”, prepared and sent to the Assembly by the SHP is accepted, our martyrs’ blood will fall on the ground. As the relatives of the martyrs, we do not want this draft law to be adopted by the Assembly.”

Some statements and speeches of General Staff Chief General Doğan Güreş, who left duty on 30 August, caused debate. For example, in a statement on 16 May, he said: “The PKK will not be on the agenda from the end of summer. The state has many means that it has not used, yet. If we need to, we will use them, too.” Claiming that the PKK had suffered great damage, he made the following call to PKK militants: “I say once more, ‘Come and surrender!’ The state wants to acquire you. With this aim, it has enacted various laws. Whatever your reason is in joining the PKK, pity yourself and your family. On the contrary, your adventure will end up badly.” It was not discovered what Doğan Güreş meant with his words “The state has many means that it has not used, yet.” However, certain publications interpreted his words as “The state may use chemical weapons.”

In a speech he delivered at the end of July, Doğan Güreş stated that the number of security forces fighting against the PKK had reached 220,000 and that they had succeeded in the military struggle against it. Indicating that the army has changed its tactics, he said: “Now, we have changed our tactic and started to dominate the area. We do not attack terrorists. Since we have taken the area under our control, militants cannot receive any logistic support nor any food. There cannot be a more humane practice than this. We have changed the weaponry used against the PKK. Recently, they said, ‘A village was burnt down.’ Western countries rose up. Deputies came. Actually, the incident developed as follows: While a military unit was passing-by, people were taking their belongings out of their houses. The commander took his unit up the hill. When he looked behind he saw that the village was burning. He was perplexed. Then the unit turned back in order to see what happened. The belongings were out and village was burnt down. Listen to wireless conversation between the terrorists, ‘You burnt, didn’t you?’, answer ‘Yes, we did.’ They publicized this case as a village burning by soldiers and are successful in using this as a propaganda tool.” Indicating that the PKK has made propaganda by distorting the facts, Doğan

Güreş said: "When you see how the soldiers behave the terrorists, you do not believe in your eyes. When we see corpses of 17-year old youths, who were killed, we are grieved. We think of their parents. We want them only to hold up their hands. But, they open fire. What can we do in that case?" Doğan Güreş also complained about some newspapers and journals and said: "I cannot say that the law reigns in Turkey totally. There are gaps in the law. You should fill the gaps of the judicial system well, and this is possible through proper application of the law. There is a newspaper in the name of Gündem. It writes 'Guerrillas killed any number of enemy soldiers.' every day. Although it writes such stories everyday, it is allowed to continue publishing."

IHD Secretary General Hüsni Öndül criticized the speeches and statements by Doğan Güreş and stated the following on 31 July: "The General Staff Chief threatens the public and efforts for democratization. With a weapon in his hand, he insisted on intervening in everything from freedom of press to provincial administration and to democratization discussions." Arguing that military authority has a determinative role in policies in Turkey, Hüsni Öndül made the following call to Doğan Güreş: "If you are involved in politics, lay your arm down."

Interesting cases of suicide were witnessed in Tunceli in 1994. For example; Colonel Kazım Çillioğlu, the Commander of the Tunceli Regiment, was found dead in his house in Tunceli on 3 February. It was stated that Kazım Çillioğlu had committed suicide. However, this statement was denied by his family. Colonel Çillioğlu was laid to rest in Düzcce on 5 February after a funeral. Çillioğlu's nephew Suat Çillioğlu said the following to journalists in the funeral: "My uncle decided at the last minute not to board the plane of Gendarmerie General Commander General Eşref Bitlis, which crashed in Ankara in February 1993 (*). He did not commit suicide. Dark forces killed him." Savaş Kanlıoğlu, a relative of Çillioğlu, stated:

"There are contradicting notes in the minutes of the medical examination and in the autopsy report. The autopsy report does not mention a ballistic examination. The Forensic Medicine Institute does not verify suicide without finding gunpowder traces in the palm of the person in question applying a mask. Such a procedure was taken. Gendarmerie General Commandership announced that Colonel Çillioğlu had committed suicide with a single bullet to the head at home. The empty cartridge of the bullet could not be found. We were delivered two clips, one gun and an empty cover. Both of the clips, which were given to us were full. The minute was written at 9.00 p.m. on 3 February 1994. In the minute it was written that he had died 4-5 hours before. The corpse was not taken to a hospital, but was delivered to us. According to the information we received, the colonel went to his lodging at about 10.00 a.m. on the day of the incident. Seven hours passed until his death. Although he did not answer telephone and wireless calls during the 7 hours, nobody went his home to find out why." Another nephew of the Colonel claimed that his uncle had been receiving threats and said: "I examined the corpse of my uncle. A person, who commits suicide leans his gun against the temple. However, the bullet was fired above the head. Besides, there were not traces of gun-powder on his hand. This was not a suicide."

The second case of suicide involved the PKK. The Ministry of Interior put out a statement on 24 March stating that Müslüm Durgun, code name Doctor Baran, who was one of the leaders of

(*) The plane which took off on 17 February 1993 in order to take Gendarmerie General Commander Full General Eşref Bitlis from Ankara to Diyarbakır, crashed in the vicinity of the Varlık quarter of Ankara. In the incident, Eşref Bitlis, military officers Fahri Işık, Yaşar Erian and Tuğrul Sezginler, and non-commissioned officer Emin Öner died. A theory that the plane had been sabotaged, came up. The official statements claimed that the plane had crashed because of ice.

the PKK and responsible for the Tunceli Region had committed suicide. The statement said: "Müslüm Durgun, who had been the PKK official responsible for the Tunceli region since 1992, committed suicide by exploding a hand grenade at about 4.00 a.m. on 12 March 1994 on the Yılan Mount in the Northwest of Tunceli." His suicide was later confirmed by the European Representation of the PKK. The PKK claimed the following: "Comrade Doctor Baran committed suicide. One of the characteristics of Doctor Baran, was his great loyalty to the party and its leadership. However, he had previously been criticized for his performance. He was hard up since he could not use properly the facilities of the Dersim region and could not be as successful as he wanted in this special war. He was questioning how he would face the party and its leadership with such a performance. His loyalty to the PKK and its leadership reflected to his speeches. However, he should not have showed his loyalty with such an act, which cannot be approved, but he should have continued struggling in the special war. That was what the party expected from him and his experience."

Those experienced in the Emergency State Region and the Kurdish problem came to affect everything from economy to ecology. The Environmental Commission of the IHD Istanbul Branch stated that the bombs used in the operations, especially in the air operations, in the Emergency State Region had a negative impact on the nature. The statement made in July indicated that the bombs and chemicals used in the weapons used during air operations left traces on the environment that will remain for 40-50 years, and said that burning of forests and cultivated fields during the operations was another negative impact.

Turkey faced a heavy economic crisis from the beginning of 1994, since it did not prefer a democratic way for solution to the problem and because of clashes and wide-scale operations. When the crisis gained an unbearable dimension, a series of economic measures were taken under the title of "Austerity Measures". They were announced in a press conference held by Prime Minister Tansu Çiller on 5 April.

Under the measures, called "5 April package" by the public, the prices of goods and services produced and rendered by state enterprises were increased from 50 to 120 %. Closure of some plants and establishments owned by the state and the privatization of some others were decided. Agricultural subventions were almost lifted. The salaries of civil servants and workers at state enterprises were increased at low rates until the end of the year. Some tax rates were increased and additional taxes were introduced. As a result of the official currency being indexed to the interbank interest rate, the Turkish Lira was devaluated by 38.4 %. Following the devaluation, 1 USA \$ went up to TL 40,000. Upon the sharp rise in the foreign currency, the Central Bank had to raise nightly interest rates up to 1000 percent. Many banks came to the point of bankruptcy because of these developments. The Board of Ministers closed down the Turkish Investment, Tourism and Credit Bank (TYT Bank) on 12 April on the grounds that it could not cover its payments and started to liquidate it. Subsequently, Marmarabank and Impexbank were closed down, too. In addition, the activities of more than 10 stock market intermediaries were halted. The panic, caused by those developments was stopped when the deposits in the banks were taken under the guarantee of the government.

The austerity measures had a negative affect on the daily life of large part of society, especially that of workers and civil servants, and the cost of living, unemployment and social restlessness increased. About 650,000 people were dismissed from their jobs. The inflation rate exceeded 150 %. 1 US Dollar, which was worth TL 13,000 at the beginning of 1994, climbed to TL

40,000 at the end of the year. Gross National Product per capita, which was \$ 2,933 in 1993 receded below \$ 2,000 in 1994. The budget deficit reached TL 200 trillion (US \$ 5 billion).

Turkey was discredited in international capitalist circles because of the crisis. For example, Moodys, an international rating institution, decreased the credit note of Turkey from “BBB (-)” to “BB” in January. Thus, Turkey was excluded from the category of countries which are appropriate for investment. Standard and Poors, one of the leading rating institutions of the world, decreased the credit rating of Turkey from “BBB” to “BB” in March. Therefore, the risk of credits to Turkey was set to be 60 % and Turkey was excluded among the countries available for investment.

A report by the RP in September drew protests from the public. The report prepared after an investigation made in certain settlements in the Southeast of Anatolia by administrators of the RP, stated that most of the special team members were MHP followers, that candidates who would take an exam to be special team members first applied to the MHP and special team members were selected among people suggested by the MHP. Claiming that the report in question was not true, MHP Vice Chairperson Rıza Müftüoğlu said: “There is unemployment in our country. We receive many applications for jobs. There are various demands. We also received applications related to this issue. However, we cannot do so many things, because special team members are selected through an exam. The RP is talking like the PKK and trying to wear down our party.” Upon the criticisms from the MHP, administrators of the RP said: “There is a public prejudice that ‘Nationalist, conservative people protect the country better.’ Since the state has the same mentality, the MHP has a determinative role in this subject.”

The Kurdish problem also caused disputes on various echelons of the state. For example, retired Major-General Suat Eren, Vice Secretary General of the National Security Council and National Security Policy Chief, resigned in July citing the differences in approaches about national security strategies, and certain discords in the National Security Council. Suat Eren, who was the Secretary General of the General Staff Office and thus close to the then President, Kenan Evren, after the 12 September Coup and a classmate of Gendarmerie General Command Full General Eşref Bitlis, who died in a mysterious plane crash, stated the following: “There is something which can be uttered, but cannot be written. At that time, we had some problems concerning the measures, which should have been taken. I did not leave for nothing. Our field of work was the southeast and the regions having development priority. When some cases appeared, I decided to resign.”

PKK leader Abdullah Öcalan, who sent a message to an international meeting about the Kurdish problem held in Belgium in March, said that the PKK did not want to separate Turkey, that they were ready to discuss every alternative, including federation and were open to all proposals on that issue, and that they would clear the way for an end to the war, if a ground for political solution and independent political activities was prepared. He indicated that if a bilateral cease-fire was announced and negotiations for a solution were started under international observation, they would not ignore them. Abdullah Öcalan claimed that the Kurdish problem, which has become a focus in international platforms, reached the solution stage. Stating that Turkey has an approach, which ignores the historical facts, and that the approaches of some European countries do not help find the solution, but make it harder, Abdullah Öcalan said: “Untrue discourses about our struggle such as ‘The PKK is not in favour of a solution.’ or ‘it does not have any approach except founding a separate state.’ are baseless.”

The grave point that the Kurdish problem reached and the inhumane practices in the Emergency State Region occupied an important place in the reports of international human rights organizations. In 1994, many non-governmental organizations, including Amnesty International, International Federation for Human Rights, Helsinki Human Rights Watch, published reports condemning Turkey (and sometimes the PKK) and staged campaigns. Turkey was hard pressed in front of the European Parliament and CSCE/OSCE. The Helsinki Committee of Human Rights Watch published a report in October which devoted a large section to incidents and problems in the Emergency State Region. The report, which evaluated the 10-year history of the Kurdish problem, called on Turkey, the US, Germany, the other European Union-member countries and the PKK to take action. The calls are briefly as follows:

To Turkey

- *An end to the policy, which forces villagers, especially those who refused to be village guards, to leave their houses and social environments.*
- *Respect for human rights principles during the military operations, especially the Emergency State Region.*
- *Punishment for security officers degrading, abusing and killing citizens*
- *Establishment of a commission to investigate the policy of aiming at depopulating the villages and hamlets in southeast Anatolia and particularly in the Emergency State Region, without people.*
- *Preparation of a list of the evacuated villages and reasons for evacuation, and official statistics showing the places where those people who were forced to migrate went and their latest addresses.*
- *Abolition of the village guard system and dissolution of special police teams.*
- *Compensation payment to the people forced to migrate and establishment of a commission to procure necessary materials such as tents, food, medicine to those people.*
- *Permission for Red Cross' visits to the detainees in the Emergency State Region.*
- *Permission for the Helsinki Committee of Human Rights Watch to enter the Emergency State Region to investigate into human rights abuses by both parties.*

To the US

- *In accordance with article 502-B of the Law on Foreign Aid, ceasing every kind of military and security aid to Turkey unless it discloses that there is no longer any human rights abuses in the country.*
- *Forcing the Turkish Government to give permission to humanitarian aid groups, international human rights groups and journalists to enter freely the Southeast.*
- *Condemnation for human rights abuses and necessary initiatives to force Turkey to put into force the demands by the Helsinki Committee of Human Rights Watch.*
- *Verification of the use of weapons and military aids sent to Turkey within the context of various US' aid programs and commercial sales.*

To Germany

- *Continuing to examine whether German-made weapons and military materials, especially those transferred from the NVA stocks to Turkey, are used during human rights abuses in Southeast of Turkey.*

To the European Union

- *Within the framework of the European Union, Council of Europe and CSCE, condemnation for human rights abuses by both the PKK and the Turkish Government.*

- *Forcing the Turkish Government to take the demands stated in the report into account.*

To the PKK

- *An end to action against civilians and attacks against families and relatives of village guards.*
- *An end to the executions of civil servants, unarmed village guards, those supporting the state and informers.*
- *An end to murders of civilians who have relations with the state.*
- *An immediate end to attacks against teachers and educational institutions.*
- *An end to destruction of the belongings of civilians.*

The National Security Council established a unit under the name of “Human Rights Consultative Board” to render the PKK’s propaganda ineffective in the country. The Board, reporting to the Prime Ministry will be formed of representatives to be selected from the General Staff Office, Ministries of Justice, Interior and Foreign Affairs, National Intelligence Organization and other related institutions. The Board, which was decided to be established in the NSC meeting held in November, will have an Undersecretary or a higher council with the same authority and a work group consisting technocrats. The Board will work in collaboration with the State Ministry responsible for human rights and Prime Ministry Human Rights Consultation Office. The circular related to the Board states the following about the work of the Board: “All activities of the Board should be based on true information and documents and on the concept of disseminating information. By means of the active individuals and organizations at home, bilateral contacts should be established with the active individuals and organizations abroad, and intense activities should be organized. In the seminars, conferences, congresses, symposiums and meetings to be organized inside or outside the country, the themes appropriate to the targets will be dealt with, and people will be informed. The media will be rendered conscious by means of fast and visual information provided from the regions where incidents occur, to press centers in Turkey, Europe and the US. The information and documents, that the Human Rights Consultative Board needs will be sent by related organizations and institutions within a short time without any restrictions.”

MURDERS BY UNKNOWN ASSAILANTS

Murders by unknown assailants, one of the most important human rights problems in the recent 3-4 years, continued at full speed in 1994, particularly in the Emergency State Region. Party leaders, tradesmen, lawyers, students, businessmen, teachers, taxi drivers, political refugees, in short people from every circle, every profession (a total of **423** people) lost their lives as a result of armed attacks, bombings or attacks with meat cleavers by unknown assailant or assailants. Murders by unknown assailants intensified in Diyarbakır, Batman, Nusaybin, Silvan and Midyat, and affected social life to a great extent in these places. There was a large increase in the number of closed shops and bankruptcies. The daily life in the region became limited to daylight. The settlements were reduced to silence by nightfall.

Murders by unknown assailants were directed at targets specific enough to reveal the identities of the assailants. Tradesmen who closed their shops upon calls by the PKK, Syrian Christians living in the Emergency State Region, Kurdish intellectuals, human rights advocates, people who were frequently detained or arrested because of their relations with the PKK and then released due to lack of concrete evidence, people whose relatives have joined the PKK, Kurdish businessmen and some well-known Kurdish people were murdered one after another. Among the victims of murders by unknown assailants, were also the people who had witnessed or assumed to have witnessed other murders by unknown assailants.

The insensitivity towards murders by unknown assailants continued as it was in the previous years. Hundreds of such murders remained unsolved, except a small portion, no concrete information about the assailants could be obtained. Most of the apprehended assailants were caught by passers-by immediately after the murders they committed, and they were delivered to police. Authorities either in the Emergency State Region or in Ankara did not take any action beyond issuing statements saying "the assailants will be apprehended". In these statements it was continuously stressed that murders by unknown assailants were committed by the PKK and Hezbollah militants active in the region. In some of the official statements (such as in those made by the Security General Directorate, Emergency State Region Governorate and Interior Ministry), it was announced that the assassins in some of the murder cases had been caught. However, no information about the conviction of the people who were reportedly apprehended could be obtained.

The long-time dispute between two Hezbollah factions known as “İlim” followers and “Menzil” followers, turned into a clash as of the second half of 1993. This clash, which have shaped another dimension of murders by unknown assailants, became bloodier 1994. For this reason, numerous people were murdered in attacks with meat cleavers or armed attacks or bombings. Meanwhile, during the operations held in the Emergency State Region, some people who were claimed “to be members of the ‘İlim’ or ‘Menzil’ wings of the Hezbollah”, were detained. In official statements concerning the operations, it was asserted that some incidents by unknown people had been brought to light as a result of the interrogation of the apprehended people, and that the apprehended people had been involved in many murders, attacks and bombings. Some trials were begun against these people beginning in the second half of the year. However, the number of the murders for which the defendants in these trials were charged, were limited to 113 (*).

The Diyarbakır SSC Prosecution Office launched a trial in May against 35 people, 17 of whom were under arrest, who were all apprehended in operations against the Hezbollah within the first months of 1994. In the indictment prepared, it was stated that the defendants had participated in 39 armed attacks, bombings or attacks with meat cleavers, and that 25 people had been killed and 32 others were wounded in these attacks. In the indictment, the death penalty was sought for the 15 of the defendants under Article 125 of Turkish Penal Code while for the remaining 20, sentences from 5 to 15 years in prison were demanded. The names of the defendants for whom the death penalty was sought are as follows: “Mehmet Yaşasın (responsible for the political wing), Emin Tenşi (responsible for the military wing), Gülsan Aydın, Selçuk Atasoy, Mehmet Tarduş, Abdullah Deniz, Eyüp Bozkurt, Osman Tektetin, Osman Sevim (responsible for meat cleaver attacks), Muhammed Beşir Toprak, İrfan Aydın, Vahdettin Edibali, Metin Eren, Nasip Hiçyılmaz and Hasan Gezer” The indictment, in which it was stated that the Hezbollah had been founded to fight the Marxist-Leninist organizations in the Eastern and Southeastern Turkey, especially the PKK, claimed that this organization aimed to establish a Kurdish state taking the administrative model in Iran as a model. The following information was placed in the indictment which asserted that the Hezbollah had been divided into two divisions, the “İlim” and the “Menzil”, and the “İlim group advocated armed acts but the “Menzil” group favoured the idea that “It is too early for armed acts, ways to a religious warfare should not be utilized unless the way to the Islamic revolution is blockaded.”:

“Prior to an act, the target, the place and the people who are to participate in the act are determined by the person who is responsible for the military wing. A person who is charged by the person responsible for the military wing conducts an investigation into the place of the act and the targets. The aim of the investigation is to carry the act taking the lowest risk in the most suitable place and at the most suitable time. The result of the investigation is submitted via a preliminary report to the person responsible for the military wing or to the one responsible for the mosque. Then the act is planned and the group which will carry out the act is determined. All these procedures are called ‘Fatwa’. The division of work during the act is as follows: Showing the target, maintaining the security measures around the area, close surveillance and pulling the trigger. The person who shows the target conducts investigation and intelligence studies. As a rule, he does not participate in the act directly. He provides help for those partici-pating in the act only in exceptional situations

(*) A total of 1,294 murders were committed by unknown assailants from the beginning of 1989 to the end of 1994 according to the reports of the HRFT, and a total of 908 murders were committed by unknown assailants by the end of 1993 according to the report of the Parliamentary Commission to Investigate the Murders by Unknown Assailants.

and in urgent cases. The person who maintains security measures, waits armed near the targeted place in case of interference from outside. The duty of this person is to fire at random in the case of an interference from outside and hence to warn the others, to confuse those interfering, to draw attention to him and to provide the others in the plot leave the scene.”

As a result of the operations held in Diyarbakır and Batman in April and May, 22 people, who were allegedly “members of the ‘Menzil’ and ‘İlim’ wings of the Hezbollah”, were detained. The police charged that the detainees had participated in numerous armed acts which had resulted in 27 deaths and 33 injuries. Nine of the detainees were arrested and the rest were released. Later, a trial was launched at the Diyarbakır SSC for those arrested.

As a result of the operation mounted in Diyarbakır in June by police, 13 people who were members of the “İlim” wing of the Hezbollah were detained. Eleven of the detainees were arrested by the Diyarbakır SSC while 2 of them were released. The official statement charged that the apprehended people had participated in many armed attacks and bombings which had resulted in 19 deaths and 17 injuries. The names of some of the 19 people who were claimed to have been killed by those apprehended are as follows: “Baki Kişin, Hamit Ülgen, Zülfü Akka-ya, Şehmus Adıyaman, Eşref Pervane, Mehmet Konuk, Ömür Güneş, Hasan Gündüz, Nec-mettin Kaya, Mehmet Emin Alkan and Ahmet Aydın.” A trial was launched against the 13 people in July by the Diyarbakır SSC Prosecution Office. In the indictment, the death sentence was demanded for 8 of the defendants and sentences from 5 to 15 years were sought for the remaining 5. The following information was included in the indictment: “There are 2 leaders at the top of the Hezbollah, one religious and the other political. Along with the leaders, there is an Islamic Council. The Council is formed of the people responsible for the political wing, military wing, logistics and press-publication. The Council serves as the legislative organ of the Hezbollah which issues fatwas. Just below the Council, are the military and political wing groups, which are attached to the Council. These wings are the implementation and execution organs of the Hezbollah. The propaganda (*tebliğ*) works of the organization are conducted by mullahs and lecturers at mosques, schools and offices. The works are carried out under super-vision of the people called “Sevda”, who are responsible for mosques.”

As a result of the anti-terrorist operation held in the Emergency State Region in September by the police, 28 people who were members of the “İlim” wing of the Hezbollah were detained. Twenty-six of the detainees were arrested by the Diyarbakır SSC while 2 of them were released. In the official statement issued, it was charged that the apprehended people had killed 42 people and wounded 34 others, including Burhan Karadeniz, a correspondent for the newspaper Özgür Gündem, in 63 armed attacks, bombings or attacks with meat cleavers they carried out in 1992, 1993 and 1994. The people who were reported to have been killed by the apprehended suspects are as follows: “Namık Tarancı (Diyarbakır Representative of the periodical Gerçek), İbrahim Karaaslan, Şevki Kaya, Mehmet Sait Erten (Chairman of the HEP Mazıdağı District Organization), Kemal Ekinci, Mehmet Koyuncu, Cevat Campolatan, Mehmet Tekdağ (HEP founder), Abdurrahman Akkemiş, Recep Uyur (teacher), Osman Göçer, Hasan Okur, Mehmet Çelik, Ali Şık, Zeki Murat Yıldırım, Muhittin Karaaslan, Mehmet Şerif Demir, Sedat Çağatay, Süleyman Dün, Hüseyin Çoban, Muzaffer Altın, Nimet Can, Eyüp Aslan, Rıdvan Yabancı, Hacı Murat Imre, Ahmet Tekeş, Sonet Tekeş, Hasan Akan (teacher), Sabahattin Ar, Hamit Söner, Davut Toprak (guardian), Abdulhalim Altunal (student), Baki Tekin (student), Servet Kaya, İlhan Karatekin (student), Mahmut Polat, Suphi Kaya, Mehmet Emin Aslan (student), Nihat Baz, Naif

Tolan, Hıdır Çelik and İhsan Yeşilırmak (bookstore owner).” Later, a trial was opened at the Diyarbakır SSC against the caught people.

No results were drawn throughout 1994 from the studies of the Parliamentary National Assembly Commission to Investigate Murders by Unknown Assailants, which was formed in February 1993 after the great public indignation caused by the murder of journalist-writer Uğur Mumcu in a bomb assassination (24 January 1993). In his statements, Commission Chairman Sadık Avundukoğlu said that they had received various threats and some authorities had obstructed the carrying out of their studies. The Commission managed to complete its task in April 1995. However, the prepared report sparked a discord among the Commission mem-bers. Some members of the Commission from the DYP and ANAP complained, “There are some statements and sections in the report that will lay the blame on the state.”, and demanded these sections to be corrected. For this reason, the report could not be officially released. The report which was reported in the press though it was not officially announced, caused great reverberations and gave way to discussions.

In the report, which attracted publicity, it was emphasized that murders by unknown assailants had increased rapidly since 1991 and had panicked the people to a great extent, and it was stated that 908 murders by unknown assailants had been determined by the end of 1993. In the report, it was recorded that murders by unknown assailants had been mostly committed in Diyarbakır (259 cases), Mardin (155), Istanbul (145), Batman (125), Şırnak (34), Malatya (23) and Adana (15) (together with their districts). The report also said that 781 of the murders had been committed with guns like pistols and rifles, 22 of them with bombs, 18 with knives and similar cutting objects, and 23 by throttling or hanging.

The report put forward that murders by unknown assailants had increased and the peo-ple or the organizations who had been involved in these murders had not been revealed, which generated distrust in the society and put the state under suspicion. It was added that information about these murders had not even been gathered in a serious manner by the state institutions, especially by the Ministries of Justice and Interior. The report, which drew attention to the difference between the records of the Ministries of Justice and Interior and to the prevalent public impression that “the assailants have been protected”, stated, “Political murders by unknown assailants are generally committed on streets, in the busiest places of cities and in the daytime. The assailants of these murders committed in the busiest places of cities in the day-time are not found, and this frightens citizens and causes suspicion. Security forces cannot apprehend the assailants in political murders, although they apprehend or identify the assail-ants of ordinary criminal murders within a short time, and therefore citizens think that the state is an accomplice to those political murders.”

The report stated that there were security officers, repentants and village guards who had been involved in murders by unknown assailants or who had committed murders them-selves, and gave examples on this issue. In addition, it was stated that some of the murders by unknown assailants had been committed by radical Islamic organizations like the Islamic movement and the Hezbollah, and some others by the PKK. The report pleaded that repentants in prisons had been taken out of prisons via special permissions and then charged with carrying out operations, and the repentants who had been released had been sheltered in the lodgings of the state. In the report, this case was criticized and it was stressed that some crimes committed by repentants had been disguised covered up by top level state officials.

Some of the determinations and demands related to the murders by unknown assail-ants, included in the conclusion of the report, are as follows:

- *The PKK movement in the region, which had been initiated by 200 people, has developed and has begun to set the agenda despite all the authority vested by the Emergency State Law and numerous soldiers sent to the region to serve for the Gendarmerie. Since the state institutions are not rendered functional and public services have been operated just nominally, the incidents have climbed rapidly. For this reason, the Emergency State Legislation, which serves only to pay high wages to public officers who are in charge in the region, should be lifted.*
- *The village guard system, which has become the focal point of new illegal activity and has remained insufficient in the combat against the PKK, despite the fact that the number of village guards in the region has been increasing day by day, should be abolished. Studying new alternatives (including the alternative of paying the wages they have been currently paid by the state without charging them in the region), these people should be provided new job opportunities. If necessary, the wages that these people have received should be paid in the form of unemployment compensation and they should be disarmed as soon as possible.*
- *Repentants should be provided new ID cards and relocated after they have accomplished what is asked of them. The state-repentant relationship, which according to some reports has provided those persons too many benefits from the state, should be ended. A healthy relationship should be maintained with the repentants. In addition these people should immediately be released from the police lodgings in Diyarbakır.*
- *The Gendarmerie organization should be abolished in the long term, and forces that would be specially trained should be employed instead of gendarmes.*
- *A sufficient number of experienced imams should be assigned to the region.*
- *A sufficient amount of intelligence allowance should be provided for the relevant units in the form of a discretionary fund, and counter intelligence services should be given priority. Additionally, the intelligence activities should be left to the legally authorized units and the confusion on this issue should be ended by preventing the unauthorized units from functioning.*
- *The elements within the state that demolished the state either intentionally or negligently should be eliminated and an organization should be established so that the police would function in a professional manner against murders by unknown assailants.*
- *As seen in the murders of Uğur Mumcu, etc., the implementation and the idea which suggests that the administration should defend a public official who has done wrong at all costs, should be abandoned, and the system should not be demolished for the sake of disguising the faults of a public officer.*
- *Iran, which proclaims to have been a protector of all movements in favour of the Hezbollah, provides training and support for all organizations functioning in our country under the name of Hezbollah, and trains about 400-500 children in the Southeast to fight against our country, should be warned off these kinds of activities.*
- *A copy of this report should be sent to the Supreme Board of Judges and Prosecutors to enable an assessment of the acts and procedures of Ankara SSC Chief Prosecutor Nusret Demiral and SSC Prosecutor Ülkü Coşkun who barred the works of the Commission for reasons we could not obtain, and who cut off the information and document flow to the Security Directorate, by violating the law.*

Some incidents in 1994 verified the conclusions reached in the report by the Parliamentary Commission to Investigate Murders by Unknown Assailants. For example, a tradesman named Mehmet Şerif Avşar who was abducted by armed people at his shop in the Yenişehir quarter of Diyarbakır at noon on 22 April, was found dead around the Tepebaşı village of Silvan on 7 May morning. It was determined that Mehmet Şerif Avşar (28) had been murdered with two bullets to the head. As a result of an investigation, village guards Yaşar Günbattı, Aziz Erbay, Ömer Güngör, Fevzi Gökçek and Nevzat Akçıl, and repentant Mesut Memetoğlu were arrested on the claims of “abducting and murdering Mehmet Şerif Avşar”. (Detailed information is on pages 152-153.)

In the investigation conducted after Şeyhmuz Yavuz (*) was found dead on the night of 11 March, it was learned that the murder had been committed by Ismail Yeşilmen (20), a repentant of a PKK case. Ismail Yeşilmen, who was caught along with another repentant named Burhan Şare and with a gun in a stolen car at the beginning of July after a tip was received by the Diyarbakır Security Directorate, confessed that he had committed a series of crimes including mugging, robbery, blackmail, abduction and murder. Ismail Yeşilmen said that he had killed Şeyhmuz Yavuz together with two policemen in Şırnak with a gun he had taken from the Cizre Security Directorate. He included the following in his testimony to the police:

“I joined the PKK in 1987. I stayed in the countryside for 2 years. Then I surrendered. I benefited from the Repentance Law and I did not serve in prison. In order to deserve the forgiveness of the state, I stood with the state and I began to combat the PKK. Since my attitude was considered a betrayal, I became a disliked person. I lived on pocket money from the police and soldiers. Recently, I have waged combat by going to the countryside together with the officials from the Cizre Security Directorate Special Operation Department. Under the instruction of the Cizre Security Director, a commissioner in charge at the Anti-Terror Department gave me the unlicensed pistol which was captured on me and had been used in the murder of Şeyhmuz Yavuz. Additionally, a document proving that this pistol belongs to the police was prepared. One day before the incident, I went to the Diyarbakır Provincial Center of the Nationalist Movement Party. While I was sitting there, I spoke with a policeman whom I knew from the operations in Şırnak and whose name is Hüseyin Albaş/Akbaş or Bozkurt, and with a person whom I knew but whose name I could not remember. We chatted and then parted company. One day later, police officer Hüseyin phoned to the house that I rent in the Ofis quarter of Diyarbakır. He said he was waiting for me across the National Intelligence Organization building. We met and went to the Kültür Pastry House together. Şeyhmuz Yavuz was sitting at a table. After he left the pastry house, we forced him to get in a car and abducted him.”

An important sample case proving that the repentants in prison have been taken out of the prison from time to time and have participated in operations, was that PKK repentant Alaattin Kanat who is claimed “to have been involved in numerous murders by unknown assailants”. During the period he was kept under arrest, Alaattin Kanat was repeatedly taken out of the prison with the knowledge of the Diyarbakır E Type Prison Directorate. It was determined that Alaattin Kanat had been taken out of the prison 11 times between 1991-1993 when he was under arrest, and he had spent the last 3,5 months of the arrest period outside prison. In the time Alaattin Kanat was outside

(*) Şeyhmuz Yavuz (41), abducted in Diyarbakır on 11 March by armed people who forced him to get in a car with Doğan brand, was found dead at the Diyarbakır State Hospital Morgue. It was revealed that Şeyhmuz Yavuz had been brought to the morgue after he had been found on the Diyarbakır-Silvan road on the night of 11 March, his hands tied behind his back and shot in his head.

prison, many people, including journalist-writer Musa Anter, Mardin Deputy Mehmet Sincar, and İHD Elazığ Branch Chairperson Metin Can and his friend physician Hasan Kaya, were murdered.

Alaattin Kanat (*) was detained in İstanbul on 21 August along with his three friends Nizamettin Kutlu, Kadir Akbıyık and Mehmet Yazıcıoğulları, upon a tip from a Kurdish businessman, from whom he was trying to extort DM 100,000. A list of the people from whom he was seeking money was also seized in the house of Alaattin Kanat, who threatened the police-men by saying, “How can you dare to do this? I’m Alaattin Kanat. You are wasting away your-selves.”, when he was apprehended. The trial against Alaattin Kanat and his friends who were arrested on 26 August, started at the Bakırköy Heavy Penal Court No.1 on 28 October. In his defense, Alaattin Kanat said, “I was previously a terrorist. Later I was enlisted at the intelligence service. Currently, I am fulfilling my military service. I reside in the building of the Emergency State Governorate. The gun that was captured on me had been given to me by the Diyarbakır Governorate to ensure my security. I did not want to extort money. I wanted to borrow money since I needed it. In the past, I was a member of the organization. For this reason, I might have behaved in a threatening manner.” At the end of the hearing, Nizamettin Kutlu, Kadir Akbıyık and Mehmet Yazıcıoğulları were released.

a)- Sample cases of murders by unknown assailants ()**

On 6 January, a tradesman named Hişar Demir was killed and 2 people named Şemset-tin Uslu and Ramazan Seven were wounded in the fire opened by unknown people at a shop in the Şehit Erkut Akbay quarter of Adana. While escaping, the assailants shot a child named Keko Gül (12), who witnessed the incident, in the head, wounding him.

On the morning of 10 January, Ahmet İlyasoğlu, Director of the Batman E Type Prison was shot dead by unknown assailants in the Meydan quarter of Batman. It was learned that the automatic rifle which Ahmet İlyasoğlu had carried with him for security, had been taken by security officers short before.

(*) Retired Major Cem Ersever, who had been found dead around the Elmadağ district of Ankara on 5 November 1993 after being kidnaped by unknown people, had said the following about Alaattin Kanat shortly before his death: “He joined the PKK in 1986. He was promoted within the organization very rapidly. He became the Regional Head of Mardin and Batman. In 1990, he was assigned the Regional Head of İstanbul. There, he killed Major Esat Oktay Yıldırım, Vice Commander of the Diyarbakır Military Prison. When he returned to Bekaa, Abdullah Öcalan welcomed him with a military ceremony. He was one of the most important commanders of the PKK. Later, he fell out with the PKK. Abdullah Öcalan sent a militant named Bayram Akkuş to İstanbul to kill Alaattin Kanat. However, Alaattin Kanat killed Bayram Akkuş. His ties with the organization were completely broken. He surrendered to us and made confessions. The most important person that we have caught up to that time was Alaattin Kanat. Alaattin Kanat has a team of 30-40 repentants. He formed this team in the repentants wing of the Diyarbakır Prison. I read the following in the newspaper Hürriyet. DEP deputies Hatip Dicle and Leyla Zana held a press conference and said that the murderer of Mehmet Sincar was Alaattin Kanat. I think that they met Alaattin Kanat in Batman once or twice. Alaattin Kanat and Adem Yakın from Batman were involved in the Mehmet Sincar case. Be aware of something; Alaattin Kanat never pulls the trigger. He is the brain of the squad.”

(**) The detailed information about the party administrators and members, teachers, health personnel and newspaper vendors who were victims of murders by unknown assailants is in the sections related to the human rights abuses, pressure and attacks directed at these circles.

On the morning of 11 January, a petroleum worker named Isa Özer (37) was killed in an armed attack in the Hürriyet quarter of Batman. Isa Özer (37) was discovered to be one of the former administrators of the Batman Branch of the Petrol İş Trade Union. Münir Ceylan, the Chairperson of the Petrol İş Trade Union who recried the murder of Isa Özer, said that the number of their members who had been murdered by unknown assailants within the last months, had reached 10. On the night of 11 January, a salesman named Feyruşah Saçan was shot dead in an armed attack by unknown people in the Karşıyaka quarter of Batman.

On 12 January, 3 students named Abdurrahman Ata (21), Fırat Soyvural (19) and Şerif Çoğöz (20) were killed when unknown people opened fire at the students leaving the Yahya Kemal Lyceé in the 19 Mayıs quarter of Batman. Sedat Özevin, IHD Batman Branch Chairper-son, said, “The death toll in Batman is higher than that of a war. The bloodshed should be stopped as soon as possible. People in Batman, regardless of their political opinions, should not be killed in murders by unknown assailants.” On the same day, a man named Selahattin Biçin was shot dead in an armed attack by unknown people in the Bağlar quarter of Diyarbakır.

Kurdish businessman Behçet Cantürk (44) who was abducted in Istanbul on the night of 14 January by unknown people, and his driver Recep Kuzucu were both found shot in the heads to death around the Sapanca district of Sakarya on 15 January. Behçet Cantürk had been tried in the case of Revolutionary Democratic Cultural Association (DDKD) and in another case related to drug smuggling, and acquitted in both trials. The relatives of Behçet Cantürk, who was among the founders of the newspaper Özgür Gündem, stated that the murder might have been committed by counter-guerrillas. Behçet Cantürk’s elder brother, Nizamettin Can-türk, said the following about the incident: “The murderers must be found by the state. They ask us, ‘Who might have done this?’ If we knew we would get revenge by ourselves. We have been circumspsectly mobilized to apprehend the murderers of my brother. We are still inves-tigating. We asked the authorities to give us the list of phone calls that my brother had made before he was killed. They delivered us the list of calls that had been made until 13 January. However, the list of calls made on 14 January, which is the key to untie the knot, was not de-livered. What is important for us is those calls. If they give us that, we can learn the secret.” The gun used in the killing of Behçet Cantürk and his driver was also used during two abductions that resulted in the murders of 5 people, as shall be seen on the following pages.

An imam named Kerem Gencer (42) who was kidnapped by 3 unknown people carrying out a raid on his house in the Yolcular village of Bitlis on the night of 16 January, was found dead around the Kırkbudak village of Tatvan. As a result of the autopsy of the corpse, which was found on 17 January, it was revealed that Kerem Gencer had been tortured and shot dead with a single bullet to the head. Kerem Gencer was accused by Brigadier General Kork-maz Tağma, the Commander of the Tatvan Armoured Brigade, of “being a supporter of the PKK” in 1993.

A salesman named Ramazan Mimaroğlu was wounded in an attack with meat cleaver by Hakkı Aslan, who was reportedly “a follower of the Hezbollah”, on the Izzetpaşa Street in the Dağkapı quarter of Diyarbakır at noon on 8 February. Hakkı Aslan was caught by the passers by, who attempted to lynch him. Hakkı Aslan was instead carried away by police officers coming to the scene and detained. On the same day, the corpses of 3 men named Mehmet Erek, Ramazan Erek and Ahmet Erek, who were killed by unknown people, were found around the Mazıdağı district of Mardin. The 3 men were revealed to have been shot one time in the head.

Davut Ufuk Demirel (23), a lawyer registered with the Diyarbakır Bar Association, was killed in the fire opened by 2 unknown people in his office on Gazi Street of Diyarbakır on 11 February. In the attack, a youth named Ibrahim Zilan, who was assisting Davut Ufuk Demirel, was severely wounded.

Yusuf Ekinci, a lawyer registered with the Ankara Bar Association and who had disappeared on 22 February, was found dead shot 7 times around the Gölbaşı district of Ankara on the morning of 25 February. Tank Ziya Ekinci, the elder brother of Yusuf Ekinci and a notable figure of the legal Kurdish movement, said: “The purpose behind the murder of Yusuf Ekinci is to generate fright, terror and horror in the society. The message is very clear. Kurdish intellectuals are being told that they might have been targets of these murders even if they were innocent. Because my brother was not active politically, in my opinion, this is a murder committed by dark agents, who act as if they are the state.”

On 3 March, a man named Ahmet Gülgen was killed in an armed attack in Diyarbakır, while 2 others, namely Abdullah Özdemir and Abdullah Akbaş were severely wounded. Abdullah Özdemir later died at the hospital where he was undergoing treatment. It was reported that the attack had been carried out by the “İlim” group in the Hezbollah, and the ones who had been targeted had been from the “Menzil” group.

On 8 March, 2 students, Abdurrahman Kar and Murat Yolcu who were studying at the Dicle University were killed and another student, Murat Ayhan Benlice was wounded by 2 unknown people who stopped a vehicle in the Aziziye quarter of Diyarbakır and fired. The armed attack was reportedly in connection with the discord between the ‘İlim’ and ‘Menzil’ groups within the Hezbollah.

On 11 March, minibus driver Halis Kaçar was killed in the fire opened by an unknown person in the Şehitlik quarter of Diyarbakır. On the same day, Abdülkadir Sular (55), the head-man of the Alipaşa quarter of Diyarbakır, was killed in an armed attack by an unknown person in the quarter. In the incident, a child named Nurettin Aras (6) was wounded.

Engineer Ercan Başer (24), who left his house in Diyarbakır for the Recruiting Office to complete some business transactions, on 3 March, was found dead around the Devegeçidi Dam near the Diyarbakır-Ergani road on 12 March. Ercan Başer, who was detained in 1993 on charges of “being a PKK member” and kept under arrest for about 6 months, was released on 15 February by the Diyarbakır SSC.

Guri Özer and Ibrahim Adak, who were abducted by unknown people in Cizre in January, were found dead on the road between Cizre and Silopi on 14 March. Guri Özer and Ibrahim Adak were reportedly tortured to death by security officers and repentants.

On 28 March, the corpses of two males who were shot dead in the head and then left on the road, were found around the Hendek entry on the Kınalı-Sakarya Highway. As a result of the investigation conducted, the corpses were revealed to be brothers, Fevzi Aslan (42) and Salih Aslan (32) who were born in Lice. Hüseyin Aslan, the brother of Fevzi Aslan (42) and Salih Aslan (32), told that his brothers had been abducted by people who had come to their office in Istanbul Fındıkzade on 26 March with rifles and wireless in their hands, and that those people had introduced themselves as policemen. Hüseyin Aslan, who pointed out that his brothers had been taken out of the office with their hands handcuffed and that a person with a wireless in his hand had announced, “My chief, we have the wanted man.”, said that a police-man who had called them from the Hendek Police Station on 28 March had reported the death by saying, “Come and take the

corpses.” Hüseyin Aslan who stated that Fevzi Aslan had been detained in 1993 on claims of “aiding the PKK and sheltering its militants”, said, “In Hendek, where we went in order to pick up the corpses, a police authority directed the question ‘Was your brother a candidate from the DEP?’ at us.” As a result of the ballistic examination, it was revealed that the gun used in the murder of Fevzi and Salih Aslan was the same gun used in to murder Behçet Cantürk and his driver (15 January 1994).

On 30 March, Nimet Toprak (28), was killed in an armed attack at noon around the Hacı Şirin Mosque on the 8th Street in Batman, while another person named Nesip Orak was wounded. On the night of 30 March, 2 workers named Muhittin Altun (18) and Ismail Yılmaz (16) were killed and two people named Mehmet Şerif Demir and Hakan Kaya was wounded when unknown people opened fire at a bakery in the Kısmet quarter of Batman.

On the morning of 1 April, a lycée student named Abdülhakim Aslan (17) was shot dead by unknown people in the Aydınlikevler quarter of Batman. At about the same time, Ab-dullah Temiz (24) was killed in an armed attack in the Karşıyaka quarter of Batman. On 2 April, Nurullah Ensari (16) was shot dead in an armed attack on Tekel Street of Batman. On the night of 2 April, Lokman Altun (18) was shot dead as a result of the fire opened by an un-known person.

On the evening of 7 April, lawyer Kazım Ekinci and his friend Fahri Inan, were shot dead in an armed attack by unknown people.

Two students, Tevfik Çiftsüren (17) and Metin Güzel (17) were killed, and another named Aydın Aytan was wounded when unknown people opened fire on students leaving the Diyarbakır Namık Kemal Lyceé at noon on 8 April. The attack was reportedly attributed to the “discord between the ‘İlim’ and ‘Menzil’ wings of the Hezbollah”.

On 16 April, a man named Mehmet Zeki Aksoy was shot dead in the fire opened by un-known people in the Kızıltepe district of Mardin. Mehmet Zeki Aksoy who had been detained on claims of “aiding the PKK” and tortured in 1992, had filed an individual complaint to the European Human Rights Commission. It was learned that the notification that “The complaint had been accepted by the European Human Rights Commission.” had been communicated to Mehmet Zeki Aksoy 3 days before his death.

On 23 April, a non-commissioned officer named Ahmet Aydın died, and a shop owner named Mehmet Aydın and another man named Abdülmecit Çetiner were wounded in the explosion of a bomb thrown into a shop in the Bağlar quarter of Diyarbakır.

On 25 April, unknown armed people who carried out a raid on an apartment in the Kay-nartepe settlement in the Bağlar quarter of Diyarbakır at about 2.00 a.m. killed 2 university students named Erdal Aldeniz (20) and Bahri Tekin (22) with one shot to the head each. The armed people who killed the students reportedly introduced themselves as policemen and carried out a search in some apartments of the same building.

On 25 April morning, a man named Mehmet Emin Gölcü, was shot dead in an armed attack around the Fatih Mosque in the Bağlar quarter of Diyarbakır. At the same hour, a guardian named Davut Toprak was shot dead by unknown people in the Bağlar quarter. It was learned that Davut Toprak had been working in Diyarbakır E Type Prison.

On 30 April, unknown people, who went to the Çaygeçit village in the Kozluk district of Batman at noon by minibus, executed by shooting a youth named Nazım Baran (20), whom they took outside the village. In a statement they made, the villagers said, “Nazım Baran was killed by counter-

guerrillas who introduced themselves as PKK militants.” On the contrary, in the statement made by the Emergency State Governorate, Nazım Baran was referred to as “a PKK militant killed in a clash.”

Namık Erdoğan, the Vice Chairperson of the Inspection Committee of the Ministry of Health who was abducted in Ankara on the evening of 9 May by unknown people, was found dead around Kırıkkale on the evening of 11 May. It was revealed that Namık Erdoğan had been shot 2 times in the back of the neck.

On the night of 12 May, Halil Alpsoy (45), who was abducted by 4 unknown people who came to his house in Istanbul and introduced themselves as policemen, was found dead in the Yahşihan region of the highway between Ankara and Kırıkkale on 24 May. Halil Alpsoy had left Mardin in 1993 because of the duress and settled in Istanbul.

On the morning of 25 May, a tradesman named Mahmut Önen (44) was shot and killed as a result of the fire opened by 3 people in the Urfakapı quarter of Diyarbakır. The 3 attackers, who tried to escape from the region on foot after the incident, were begun to be chased by people including Mahmut Önen’s son, İbrahim Önen, his brother Ahmet Önen and his nephew Süleyman Önen. The attackers, who were chased for some time, were surrounded in a street behind the Melikahmet Lyceé. In a clash there, Hanifi Akboğa (21) and İbrahim Halil Sarkaç (19), one of the armed people, were killed. The third armed person was brought off wounded by the police and detained. İbrahim Önen, Ahmet Önen and Süleyman Önen, who were detained following the incident, were arrested on 31 May. The Emergency State Governorate, in a statement on 31 May, reported that the guns seized on Hanifi Akboğa and İbrahim Halil Sarkaç, who had been killed after killing Mahmut Önen, had been revealed to have been used in killing Fırat Çağlar (11 January 1994), Faik Baran (4 February 1994), Ahmet Kahraman (10 February 1994), Ayhan Kayrılan (4 May 1994), Mehmet Mahmut Önen (25 May 1994) and Kenan Aydın, and wounding 2 people in another armed attack.

Adil Değirmenci (26) who was taken out of the Sulubağ village in the Silvan district of Diyarbakır on 8 May by unknown armed people who came to the village, and Hüseyin Keskin-kılıç (25) and Emin Toktaş, who both were taken in the same way on the following days from the Topluca and Bereketli villages of Silvan, respectively, were found dead in the Silvan State Hospital Morgue on 31 May. It was revealed that there were bruises of burns on the 3 corpses and their nails had been pulled out. Sources from the region reported that the 3 people had been detained by security officers and tortured to death.

A Kurdish businessman named Savaş Buldan (30), who was abducted from the Çınar Hotel in Istanbul Yeşilköy at the break of dawn on 3 June by unknown people, and his 2 friends Adnan Yıldırım (37) and Hacı Koray, were found dead around the Karakuş village of the Yığılca district of Bolu on 4 June. It was revealed that Savaş Buldan and his 2 friends had been tortured and shot in their heads. The people who abducted Savaş Buldan and his friends were claimed to be policemen. Savaş Buldan’s elder brother, Necdet Buldan, the former mayor of Yüksekova, charged in a statement that the state was responsible for the murders and added, “The event is very well organized. In this organization at least 8 people and 3 cars took place. This murder is a continuation of previous murders. Kurds, regardless of whether they are intellectuals or merchants, are considered potential criminals.” It was determined that the gun used to kill Savaş Buldan and his friends had also been used in 2 other incidents that resulted in the murders of 4 people, including the Kurdish businessman Behçet Cantürk. The police authorities said, “Another similar aspect of these murders is that the victims’ were tortured. The people who committed the murder took away

the empty bullet shells. It is not possible to determine the brand of the gun unless the shells are recovered. A message is being sent to some people via the utilization of the same gun.”

Şükrü Tutaş, who was the Mayor of the Idil district of Şırnak between 1970 and 1977, was shot dead by unknown people while getting into his car to go home on the evening of 17 June. Şükrü Tutaş, who was a well-known member of the Syriac Christian community in the region, was an independent Mayoral Candidate for Idil in the 27 March local elections.

On 21 June, minibus driver Ali Özdemir was shot dead by unknown people who opened fire on a minibus in the Köprübaşı quarter of the Nusaybin district of Mardin. In the incident, 2 people named Halim Özdemir and Selim Özdemir were wounded. Ali Özdemir had been reportedly detained for 3 times on claims of “aiding the PKK and harbouring its members”.

Mehmet Ali Kılıç (26), the imam of the Doğanlı village in the Nusaybin district of Mardin, was killed in an armed attack near the village on 30 June. On 1 July, 4 people named Ham-din Kaya (30), Abdülmeçit Kaya (35), Yusuf Yağız and Sabri Arar (30) were killed in consecutive armed attacks carried out in the district center of Nusaybin. A youth named Muzaffer Yıldırım who was wounded in an armed attack by unknown people in the Nusaybin district of Mardin on 29 June, died on 1 July in the hospital.

Ikram Mihyas (37), the former chairperson of Tüm Bel Sen’s (the trade union for workers employed by municipalities) Izmir Branch, who was abducted by unknown people just after he had left his house in Izmir on the morning of 5 July, was found dead on 6 July. Ikram Mihyas, whose corpse was found around the Yaka village of the Bornova district of Izmir, was revealed to have been shot dead 4 times, once in the head, twice in the chest and one in the chin.

Recep Yaşar (25), Behçet Yaşar (20) and Fikret Kaya (30), who were abducted by unknown people who carried out a raid on their house in the Yüksekova district of Hakkari on the night of 5 July, were found dead on the road between Yüksekova and Şemdinli on the morning of 6 July. The victims were reportedly friends and relatives of Kurdish businessman Savaş Buldan, who was abducted in Istanbul and killed in the beginning of June.

A man named Hacı Halil Basma who was abducted by 3 unknown people raiding his house in the Yapraklı quarter in the Bekirhan district of Batman on the night of 8 July, was found dead under a bridge around the Keklikpınar village on the morning of 9 July. Hacı Halil Basma was revealed to have been tortured and shot 7 bullets in the head and back.

An imam named Süleyman Turgut (35) who was abducted by 2 unknown people who came to his house in Cizre on 13 July and introduced themselves as “policemen”, was found dead around the Camili village of Idil on 15 July. Süleyman Turgut had been kept under detention for some time at the beginning of June on claims of “aiding the PKK”.

On 22 July, the corpses of 3 farmers, Fadıl Toptan, Abdurrahman Arıkan and Muhittin Tekin, who were killed by unknown people, were found in a field around the Gediktepe village of the Beşiri district of Batman. There were claims that the 3 were killed by security officers.

On 12 August, Hasan Ertaş was killed in an armed attack in the Nusaybin district of Mardin. On the same day, the corpse of a shepherd named Abdurrahman Aras (28), who was killed by unknown people, was found around the Oymataş village of Batman. A man named Şehmus Kızılmaz was killed in an armed attack on 13 August.

On 26 August, 4 men named Izzettin Altan (33), Hüseyin Bayık (32), Abdülmelik Al-tan (39) and Hamit İlhan, were shot and killed by unknown people in an attack on a minibus near the Kozluk district of Batman. Sources from the region reported that the attack might have been carried out by village guards or Hezbollah followers.

On the night of 28 August, a tradesman named Mehmet Emin Çelik who was ousted by 2 armed people in a house raid in the Yenimahalle quarter in the Kozluk district of Batman, was executed by shooting. Mehmet Emin Çelik's brother, Mehdi Çelik who was also ousted from the house along was shot at but not wounded. The relatives of Mehmet Emin Çelik pleaded that the armed people who raided the house were "special team members".

On the evening of 29 August, unknown people carrying out a house raid in the Mezarlık quarter in the Yüksekova district of Hakkari, executed by shooting a civil servant named Niyazi Tekin (52). It was learned that Niyazi Tekin had been working in the Yüksekova Municipality as a constabulary chief. On the same night, a man named Hüseyin Güya died as a result of the explosion of a bomb thrown by unknown people into a house in the Dicle district of Diyarbakır.

On the evening of 1 September, a youth named Nurettin Doruk (18) died from his wounds in hospital after being attacked with a meat cleaver in the Bağlar quarter of Diyarbakır. On the same evening, an imam named Siddik who was attacked with a meat cleaver in the Kızıltepe district of Mardin, was severely wounded.

On 3 September, furniture seller Metin Balaban (34) was shot dead in the 5 Nisan quarter of Diyarbakır by unknown people. Metin Balaban had been kept under arrest for 7 months in 1990 on the claim of "being a PKK member".

University student Mehmet Ali Aslan who was abducted in Diyarbakır in April by unknown people was found dead in the Geyiktepe region of Diyarbakır on 5 September.

On the evening of 7 September, Nasah Yalçın (27) was killed in an armed attack in the Şirinevler quarter of Gaziantep. On the same evening, 2 brothers named Halis Kaplama and Şahin Kaplama were shot and wounded by unknown people in the Fatih quarter of Diyarbakır.

On 13 September, a man named İhsan Elmas was shot dead in an armed attack in the Batıkent quarter of Diyarbakır at noon. A man named Nihat Aspırak who reportedly "killed" İhsan Elmas, was apprehended by police after the incident. On the same day, the corpse of municipality worker Abdullah Çıtak (40), who was abducted on 11 September by unknown people, was found in the Yüksekova district of Hakkari.

A businessman named Abdullah Aydın who was abducted during raid on his house in the Bağlar quarter of Diyarbakır on 1 September by unknown people, was found alive on 15 September. The Emergency State Region Governor Ünal Erkan stated that Abdullah Aydın had been abducted by Hezbollah followers and found waiting to be killed his hands tied behind his back, in the basement flat of a house raided by the police.

On 30 September, a man named Ahmet Özalp was killed in an armed attack in the Mehtap quarter of Batman. Ahmet Özalp was reportedly known as a "Hezbollah follower".

Two men named Siddik Etyemez and Ahmet Ceylan, who were abducted in Diyarbakır at the beginning of September by unknown people, were found dead on the road between Diyarbakır and Ergani on 30 September. It was revealed that the 2 people had been throttled to death and there were traces of blows found on their bodies. Ahmet Ceylan had stayed in prison for about 4 years between the years 1987 and 1991 on claims of "being a PKK member".

On the morning of 17 October, a man named Fikret Un (43) was shot in the head and killed in an armed attack in the Bağlar quarter of Diyarbakır. Fikret Un had reportedly gone abroad following the 12 September military coup and lived in Switzerland till August 1994. On the same day, a man named Ahmet Siyahtaş (46) lost his life in an armed attack in front of the State Hospital in Van.

On the evening of 26 October, a youth named Ismet Gün (24) was shot dead in the head by 2 unknown people in the Bağlar quarter of Diyarbakır. Ismet Gün's father, Sadık Gün stated that they had left Kulp for Diyarbakır in 1992 because of pressure by security officers, and said his son frequently had been receiving threats by unknown people on the phone.

Medet Serhat (59), a lawyer registered with the Istanbul Bar Association, was killed by unknown people who blocked his vehicle while he was going to his house in Istanbul, Erenköy at about 1.30 a.m. on 12 November. In the incident, Medet Serhat's driver Ismail Karaalioğlu died and his wife, Yurdanur Serhat, was severely wounded. Medet Serhat, who had been de-tained following the 12 September military coup because of his political activities, had also been among the defendants of the Peace Association case. The colleagues of Medet Serhat stated that there was a connection between the murder of Medet Serhat and that of Behçet Cantürk and was the attack might have been carried out by PKK repentants. They said the following: "The common point in both incidents is the crossroads where the attacks were carried out. The place where Medet Serhat was killed is the same place where Behçet Cantürk was abducted on the evening of 15 January. The reason the two attacks were realized in the same place is that the houses of Medet Serhat and Behçet Cantürk were next to each other. Behçet Cantürk had two wives and he bought two neighbouring houses for his wives. However, the house which fell vacant when one of his wives did not want to stay next to the other, was transferred to Medet Serhat. The murderers, who were aware of this, chose this point, where an automobile slows down while entering Abdülkadir Noyan Street from the crossroads, for the attack. At this crossroads where an automobile has to slow down, the murderers who previously abducted Behçet Cantürk, took advantage of the situation to shoot Medet Serhat's driver and hence stop the automobile." In a statement he made, IHD Istanbul Branch Chairperson Ercan Kanar said that the fact that Medet Serhat and his driver had been killed at a time when the police control was very strict was interesting.

On 17 November, a university student named Lokman Abık (20) was shot dead by an unknown person who opened fire on a minibus on İstasyon Street in Diyarbakır.

On 22 November, Batman Mayor Salih Gök's brother, Şerif Gök, was killed in the fire opened by unknown people in front of his house in the Aydınlikevler quarter of Batman at about 11.00 a.m.

Lawyer Faik Candan, who disappeared after he left his office in the Sıhhiye quarter of Ankara on 2 December, was found dead on the morning of 14 December. Faik Candan, whose corpse was found in an empty field in the Salih Bey region 15 kilometers far from the Bala district of Ankara, was revealed to have been shot 4 times in the head, neck and chest, on 11 or 12 December. IHD Vice Chairperson Ercan Kanar who made a statement about the incident, stated that every one who demanded a peaceful solution to the Kurdish problem, and who advocated brotherhood and an end to the bloodshed, was face to face with the risk of being killed, and added, "The state is responsible for the murder of Faik Candan. This state is a murderous and piratical state that does not obey even a bit of democratic law principles, and that may abduct the ones who defend the freedom of the people to demand their rights and annihilate them one by one." Meanwhile, in a news story by Faruk Bildirici entitled "*The Terrifying Claim*" in the 17 December 1994, dated issue of the newspaper Hürriyet, some claims related to the murder of Faik Candan, were reported. The news story is as follows:

There was a claim that lawyer Faik Candan, who was the victim of a murder by un-known assailants, had been brought to the Ankara Security Directorate following his abduction. Şerif Felekoğlu, the SHP Headquarters Law Consultant, said to Hürriyet, "I called the Ankara Security Directorate after the abduction. They said that a person fitting to the appearance of Faik Candan was at the Security Directorate." Felekoğlu who stated that it was later said that Faik Candan had not been at the Security Directorate, said that Interior Minister Na-hit Menteşe had said to SHP former Secretary General Fikri Sağlar, "A person fitting that appearance was found at the Diyarbakır Security Directorate. But he was not the same person."

Faik Candan's 10-year friend, lawyer Münevver Irem, "accused the state" of the murder and said the following: "When we investigated the incident, Murat Karayalçın's lawyer Şerif Felekoğlu, said that Faik Candan was at the Security Directorate, and there was nothing to worry about. However, when we called later, they told that there was a person that looked like him at the Security Directorate, but he was not there. When we asked the Director of the Turkish Commercial Bank Küçükkesat Branch, he said that Faik Candan had not come to the bank on Friday (2 December). However, after the corpse was found, he stated to the police that he had come at 1.45 p.m. and left the bank at 2.45 p.m.."

Lawyer Şerif Felekoğlu, whom we spoke to after Münevver Irem made her claims, stressed that he had always asked the Security Directorate about disappearance that he had been notified, "by describing the appearance of the person". He said, "When I called for the first time, I talked to unauthorized people, so they told me that there was a person fitting that appearance. However, the authorities did not confirm this information." Saying that they had been put at ease following this interview that had been made three days after the abduction, Felekoğlu said the following: "We gave up searching for him because he was in detention. But as time passed, Fikri Sağlar (He was the then SHP Secretary General.) called the Minister of Interior. The Minister said, 'We found a person fitting that appearance in Diyarbakır. Then we looked at his ID card; he was not the same person.' It would be pretentious to say that the state kills. However, some focal points within the state that do not respect state laws, keeps functioning. Is it the counter-guerrillas or the Special Warfare Department? One does the work. In order not to be blamed, the state must make a go of it". Fikri Sağlar verified what Felekoğlu said and added, "There is something strange concerning the incident. A country where murders by unknown assailants are prevalent, cannot join to the Customs Union. The Interior Minister of the country dares to say, 'There was such a person, but he was not the same person.' Unfortunately, that was the case."

A man named Abdülbaki Nayman (45), who was abducted by unknown people from his house in the Taşoluk village of the Kurtalan district of Siirt on 15 December, was found dead around the Tuzla village in the Kozluk district of Batman on 17 December. A brother of Abdülbaki Nayman and one of his sons were revealed to be PKK militants. Sources from the region claimed that Abdülbaki Nayman had been "killed by counter-guerrillas".

A tradesman named Abdülkadir Çelikbilek who was made to get in a car by unknown people in the Yenişehir quarter of Diyarbakır on 14 December, was found dead around Mar-dinkapı on 21 December. Abdülkadir Çelikbilek's mother Ayşe Çelikbilek, said that her son had been tortured to death by police officers.

On 20 December, a man named Vedat Tellan was shot to death in an armed attack in the Kuruçeşme region of Diyarbakır at about 4.30 p.m. Vedat Tellan was revealed to be a "Hez-bollah follower."

b)- Those killed in murders by unknown assailants

As a result of murders by unknown assailants, a total of **423** people (as a consequence of the murders by unknown assailants 42 people were killed from the beginning of 1989 till the end of 1991, 362 in 1992, and 467 in 1993.), most of whom were in the Emergency State Region, lost their lives during the year. Murders by unknown assailants in the Emergency State Region were mostly committed in Diyarbakır, Batman, Nusaybin, Silvan and Midyat. The murders committed in big cities in the West, intensified in Istanbul and Adana.

The list of the people murdered by unknown assailants in 1994, and information on these murders are as follows:

<u>Name & surname</u>	<u>Place</u>	<u>Date</u>	<u>Information</u>
001)- Zekeriya Aygün (25)	Midyat	02 January 1994	
002)- Abdülkerim Ergun (38)	Midyat	02 January 1994	Tradesman
003)- Sinan Karga (51)	Viranşehir-Kavurga	03 January 1994	Farmer
004)- Reşat Kılıç (58)	Batman	04 January 1994	
005)- Taha Kırmanc	Çorum	04 January 1994	Iranian refu.
006)- Hamza Duran	Diyarbakır-Çınar	05 January 1994	Worker
007)- Hişar Demir	Adana	06 January 1994	Tradesman
008)- Keko Gül (12)	Adana	06 January 1994	Student-pri.
009)- (male)	Around Muş-Hasköy	06 January 1994	
010)- Emin Kahraman	Batman	06 January 1994	Worker
011)- Haydar Ateş (48)	Adana	07 January 1994	Watchman
012)- İsmail Altunbaş	Adana	07 January 1994	
013)- Metin Demir	Batman	09 January 1994	Tradesman
014)- Ahmet İlyasoğlu	Batman	10 January 1994	Prison director
015)- İsa Özer (37)	Batman	11 January 1994	Unionist
016)- Feyruşah Saçan	Batman	11 January 1994	Peddler
017)- Fırat Çağlar (19)	Diyarbakır	11 January 1994	
018)- Cevdet Güneş (56)	Diyarbakır	11 January 1994	
019)- Abdurrahman Ata (21)	Batman	12 January 1994	Student-lycée
020)- Fırat Soyvural (19)	Batman	12 January 1994	Student-lycée
021)- Şerif Coğöz (20)	Batman	12 January 1994	Student-lycée
022)- Selahattin Biçin	Diyarbakır	12 January 1994	
023)- Ekrem	Nusaybin	12 January 1994	Worker
024)- Azad Önen (16)	Diyarbakır	13 January 1994	Student
025)- Serdar Kaya (17)	Diyarbakır	13 January 1994	Student
026)- Mahmut Aslan (19)	Diyarbakır	14 January 1994	Electrician
027)- Mehmet Metin Kaplan	Diyarbakır	15 January 1994	Tradesman
028)- Sedat Çağatay (24)	Diyarbakır	15 January 1994	Driver
029)- Ramazan Akbulut (24)	Batman	15 January 1994	
030)- Mehmet Taşan (16)	Batman	15 January 1994	
031)- Behçet Cantürk (44)	Around Sapanca	15 January 1994	Businessman
032)- Recep Kuzucu	Around Sapanca	15 January 1994	Driver
033)- Kerem Gencer (42)	Around Tatvan	17 January 1994	Imam
034)- Ahmet Anış (45)	Diyarbakır	17 January 1994	Tradesman
035)- Şemsettin Ural (30)	Nusaybin	17 January 1994	
036)- Süleyman Gün (16)	Diyarbakır	18 January 1994	Worker
037)- Gıyasettin Uğur (33)	Batman	21 January 1994	Bookstore ow.

038)- Abdlbaki Trk	Nusaybin	21 January 1994	
039)- Mehmet elenk	Diyarbakır	21 January 1994	Grocer
040)- Muzaffer Altun	Diyarbakır	23 January 1994	Student
041)- Hsn Trk	Silvan	24 January 1994	
042)- Sıtkı Fidan	Silvan	24 January 1994	
043)- Fuat Tun (20)	Nusaybin	24 January 1994	
044)- Eyp Arslan (25)	Diyarbakır	26 January 1994	
045)- Fırat Alaylı (19)	Diyarbakır	26 January 1994	
046)- Veysi Kırtay	Silvan	26 January 1994	Worker
047)- Abdlsemel Kızmaz (50)	Around ınar	26 January 1994	Imam
048)- Mahmut DoĖan	Around ınar	26 January 1994	Driver
049)- Rıdvan Yabancı (25)	Diyarbakır	27 January 1994	Grocer
050)- Arif Cıcıkız (22)	Diyarbakır	27 January 1994	
051)- Mehmet Barlin (38)	Urfa	27 January 1994	Tradesman
052)- Musa Kaya (29)	Diyarbakır	28 January 1994	Worker
053)- Hatip GndoĖan	Diyarbakır	28 January 1994	
054)- M. Hamza Yksel	Diyarbakır	28 January 1994	
055)- ReŖit Pusal (65)	Ŗırnak	28 January 1994	
056)- Mehmet AltuntaŖ (30)	Diyarbakır	30 January 1994	Engineer
057)- Ŗeyhmus Akın (28)	Diyarbakır	31 January 1994	Physician
058)- Ŗevket Demircan	Diyarbakır	31 January 1994	
059)- Halit Pınar	Diyarbakır	31 January 1994	
060)- Hakim Toprak (18)	Ŗırnak-Glkonak	31 January 1994	
061)- Aslıye Toprak (20)	Ŗırnak-Glkonak	31 January 1994	
062)- Hamit Elik (60)	Glkonak-Sevda vil.	31 January 1994	Farmer
063)- Cevdet Ceylan (23)	Gaziantep	31 January 1994	Worker
064)- Hasan Arı (51)	Diyarbakır	01 February 1994	
065)- Fesih Kaya	Diyarbakır	01 February 1994	
066)- Faik Kızılay	IĖdır-zdemir vil.	01 February 1994	HEP admis.
067)- Hseyin den	IĖdır-zdemir vil.	01 February 1994	HEP admis.
068)- Mehmet Ayan (27)	Diyarbakır	02 February 1994	
069)- mer GneŖ (28)	Diyarbakır	04 February 1994	Repairman
070)- Faruk Baran (28)	Diyarbakır	04 February 1994	Tradesman
071)- Yusuf Tm	Cizre	07 February 1994	
072)- Isa Tm	Cizre	07 February 1994	
073)- Mehmet Erek	Around MazıdaĖı	08 February 1994	
074)- Ramazan Erek	Around MazıdaĖı	08 February 1994	
075)- Ahmet Erek	Around MazıdaĖı	08 February 1994	
076)- Mehmet Ŗirin AkboĖa (31)	Diyarbakır	09 February 1994	Worker
077)- Ahmet Kahraman	Diyarbakır	10 February 1994	
078)- Davut Ufuk Demirel (23)	Diyarbakır	11 February 1994	Lawyer
079)- Ali DoĖru	Diyarbakır	11 February 1994	
080)- Cavit Bitkin	Diyarbakır	13 February 1994	Grocer
081)- Ramazan Meral	Batman	13 February 1994	Civil servant
082)- Abdullah Yılmaz	Betw. Ŗırnak-Cizre	15 February 1994	
083)- Ali Kara	Betw. Uludere-Hilal	15 February 1994	Mayor cand.
084)- mer Akpolat (42)	Suru	16 February 1994	DEP member
085)- Recep Kutlay	Diyarbakır	16 February 1994	Headman
086)- Hakan (Hakkı) Yalın	Diyarbakır	16 February 1994	Student-seco.
087)- YaŖar Akgn	Midyat	16 February 1994	
088)- Yakup Mete	Midyat	16 February 1994	Headman
089)- Nuri Ekinci	Sason	16 February 1994	HEP admis.

090)- Mehmet Yoldaş	Diyarbakır	17 February 1994	Tradesman
091)- Mehmet Ali Akyüz	Midyat	17 February 1994	
092)- Mehmet Tektaş (32)	Diyarbakır	18 February 1994	Butcher
093)- Ahmet Demir	Cizre	18 February 1994	Imam
094)- Ihsan Irgat	Cizre	21 February 1994	Driver
095)- Ramazan Olgun	Cizre	22 February 1994	Tradesman
096)- Mustafa Baz	Cizre	22 February 1994	Teacher
097)- Necir Acat	Nusaybin	22 February 1994	
098)- Celal Baldan (40)	Diyarbakır	23 February 1994	Grocer
099)- Soner Tekeş (20)	Diyarbakır	24 February 1994	DEP member
100)- Ahmet Tekeş (28)	Diyarbakır	24 February 1994	DEP member
101)- Gıyasettin Parlak (28)	Tatvan	24 February 1994	Imam
102)- Mehmet Ramazan Ana	Cizre	24 February 1994	
103)- Yusuf Ekinci (52)	Ankara-Gölbaşı	25 February 1994	Lawyer
104)- Zeki Yılmaz (32)	Yüksekova	25 February 1994	Tradesman
105)- Yakup Bıçak	Diyarbakır	25 February 1994	Butcher
106)- Hacı Hasan Gümüş (40)	Nusaybin	27 February 1994	
107)- Cengiz Baskın (23)	Diyarbakır	27 February 1994	
108)- Yakup Çakto	Batman	27 February 1994	
109)- Abidin Altun	Diyarbakır	01 March 1994	Contractor
110)- Hasan Akan	Diyarbakır	01 March 1994	Teacher
111)- Sabahattin Ar (52)	Diyarbakır	01 March 1994	Tradesman
112)- Abdülsemel Akgül (27)	Diyarbakır	01 March 1994	Physician
113)- Ahmet Elçin	Around Cizre	01 March 1994	
114)- Yusuf Uçar (Inal) (30)	Diyarbakır	02 March 1994	Tradesman
115)- Ahmet Güngen	Diyarbakır	03 March 1994	Tradesman
116)- Abdullah Özdemir	Diyarbakır	03 March 1994	Student
117)- Mehmet Salih Şen (50)	Diyarbakır	04 March 1994	Barber
118)- Kazım Kaya (43)	Diyarbakır	05 March 1994	Headman
119)- Mehmet Emin Akay	Nusaybin	05 March 1994	Worker
120)- Alaattin Kutbay (28)	Batman	05 March 1994	
121)- Mehmet Emin Birlik	Gercüş	06 March 1994	
122)- (male)	Diyarbakır	07 March 1994	
123)- Abdurrahman Kar	Diyarbakır	08 March 1994	Student
124)- Murat Yolcu	Diyarbakır	08 March 1994	Student
125)- Fevzi Barası	Bingöl	08 March 1994	Driver
126)- Halef Çiçek (25)	Nusaybin	08 March 1994	
127)- Süleyman Malgaz	Betw. Cizre-Silopi	08 March 1994	
128)- Aziz Malgaz	Betw. Cizre-Silopi	08 March 1994	
129)- Yahya Malkoç	Betw. Cizre-Silopi	08 March 1994	
130)- Ömer Candurak	Betw. Cizre-Silopi	08 March 1994	Driver
131)- Halis Kaçar (31)	Diyarbakır	11 March 1994	Driver
132)- Abdülkadir Sular (55)	Diyarbakır	11 March 1994	Headman
133)- Şeyhmuz Yavuz (41)	Diyarbakır	11 March 1994	
134)- Ercan Başer (24)	Around Ergani	12 March 1994	Engineer
135)- Guri Özer	Betw. Cizre-Silopi	14 March 1994	
136)- İbrahim Adak	Betw. Cizre-Silopi	14 March 1994	
137)- Kadri Koyuncu (33)	Diyarbakır	17 March 1994	Worker
138)- Cumali Narinoğlu	Adana	22 March 1994	Driver
139)- Orhan Hatım	Tatvan-Sallica vil.	22 March 1994	
140)- Fahrettin Nasıroğlu (18)	Batman	22 March 1994	
141)- Abdullah Küçükaskan	Batman	23 March 1994	

142)- Hamit Soner	Diyarbakır	23 March 1994	Worker
143)- İmadettin Kazak	Batman	23 March 1994	
144)- Hüseyin Mol	Urfa-Çamlıdere vil.	23 March 1994	
145)- İbrahim Mol	Urfa-Çamlıdere vil.	23 March 1994	
146)- Mehmet Halit Aslan	Batman	24 March 1994	
147)- Abdullah Aydın (28)	Diyarbakır	24 March 1994	Tradesman
148)- İsmail Esen (62)	Adana	26 March 1994	
149)- Salih Aslan (32)	Around Hendek	28 March 1994	Businessman
150)- Fevzi Aslan (32)	Around Hendek	28 March 1994	Businessman
151)- Yaşar Şaşkın (18)	Batman	29 March 1994	
152)- Nimet Toprak (28)	Diyarbakır	30 March 1994	
153)- Mehmet Şen (35)	Nizip	30 March 1994	DEP member
154)- Mehmet Temiz	Batman	30 March 1994	
155)- Muhittin Altun (18)	Batman	30 March 1994	Worker
156)- İsmail Yılmaz (16)	Batman	30 March 1994	Worker
157)- Abdülhakim Aslan (17)	Batman	01 April 1994	Student
158)- Abdullah Temiz (24)	Batman	01 April 1994	
159)- Fazıl Alay (32)	Diyarbakır	01 April 1994	Tradesman
160)- Nurullah Ensari (16)	Batman	02 April 1994	
161)- Lokman Altun (18)	Batman	02 April 1994	
162)- Ekrem Uludağ (18)	Diyarbakır	04 April 1994	Student-lycée
163)- Servet Ulutaş (25)	Batman	04 April 1994	
164)- Şerif Gezer (18)	Batman	04 April 1994	
165)- Burhanettin Araz (20)	Diyarbakır	06 April 1994	Student
166)- Kazım Ekinci	Viranşehir	07 April 1994	Lawyer
167)- Fahri İnan	Viranşehir	07 April 1994	
168)- Mehmet Ali Durak	Silvan	07 April 1994	Teacher
169)- M.Tevfik Çiftsüren (17)	Diyarbakır	08 April 1994	Student-lycée
170)- Metin Güzel (17)	Diyarbakır	08 April 1994	Student-lycée
171)- Necmettin Gürbüz	Nusaybin	09 April 1994	
172)- Hasan Gündüz (29)	Diyarbakır	10 April 1994	Tradesman
173)- Necati Aydın	Diyarbakır-Silvan	10 April 1994	Health per.
174)- Mehmet Ay	Diyarbakır-Silvan	10 April 1994	
175)- Ramazan Keskin	Diyarbakır-Silvan	10 April 1994	Student
176)- Tevfik Altuner	Batman	10 April 1994	
177)- Halife Akış (49)	Çukurca	11 April 1994	Farmer
178)- Recep Dağdelen	Diyarbakır	11 April 1994	Accountant
179)- Murat Toygun (23)	Around Tatvan	11 April 1994	
180)- Bülent İşçi	Diyarbakır	14 April 1994	Tradesman
181)- Mustafa Cengiz (16)	Kızıltepe	15 April 1994	Student-lycée
182)- Nihat Bas	Diyarbakır	15 April 1994	Worker
183)- Mehmet Zeki Aksoy	Kızıltepe	16 April 1994	
184)- Ahmet Özçelik (33)	Batman	20 April 1994	Repairman
185)- Suat Evcil (25)	Batman	20 April 1994	
186)- Selahattin Kısırk	Şırnak-Güçlükonak	21 April 1994	
187)- Hacı Derviş Akın (70)	Şırnak-Güçlükonak	22 April 1994	
188)- Reşat Başer (31)	Batman	22 April 1994	
189)- Ahmet Aydın (34)	Diyarbakır	23 April 1994	NCO
190)- Mehmet Emin Gölcü	Diyarbakır	25 April 1994	
191)- Davut Toprak	Diyarbakır	25 April 1994	Guardian
192)- Erdal Aldeniz (20)	Diyarbakır	25 April 1994	Student
193)- Bahri Tekin (22)	Diyarbakır	25 April 1994	Student

194)- Abuzer Önen	Adıyaman	26 April 1994	DEP admis.
195)- Recep Uyur (39)	Diyarbakır	29 April 1994	Teacher
196)- İlhan Böçküm (19)	Diyarbakır	30 April 1994	Butcher
197)- Nazım Baran (20)	Kozluk-Çaygeçit vil.	30 April 1994	Farmer
198)- Siddık Yaslan (32)	Manisa	01 May 1994	DEP admis.
199)- Mehmet Yücel	Batman	01 May 1994	
200)- Nezir Beyduz (37)	Batman-Demir vil.	01 May 1994	Headman
201)- (male)	Nusaybin	01 May 1994	
202)- Hüseyin Özdemir	Nusaybin	01 May 1994	
203)- İlhan Karatekin	Diyarbakır	03 May 1994	Student
204)- Nayif Yücel	Diyarbakır	03 May 1994	
205)- Cengiz Yorulmaz (30)	Betw. Batman-Beşiri	03 May 1994	DEP member
206)- Ayhan Kayrulan	Diyarbakır	04 May 1994	
207)- Servet Kaya	Diyarbakır	04 May 1994	Student
208)- Mahmut Polat	Diyarbakır	04 May 1994	Driver
209)- Ziya Uğurlu (30)	Nizan-Kapısuyu vil.	04 May 1994	
210)- İbrahim Ertaş	Kızıltepe	04 May 1994	
211)- Recep Akın (27)	Diyarbakır	05 May 1994	Repairman
212)- Aydın Akın (24)	Diyarbakır	05 May 1994	
213)- Cuma Sezgin	Betw. Urfa-Siverek	08 May 1994	Shepherd
214)- Medeni Göktepe (53)	Batman	09 May 1994	HEP admis.
215)- İbrahim Gür (32)	Batman	09 May 1994	DEP member
216)- Necmettin Kaya (27)	Diyarbakır	10 May 1994	
217)- İbrahim Ergül (40)	Betw. Batman-Kozluk	10 May 1994	Farmer
218)- Fahri Bulut	Lice-Yolçatı village	17 May 1994	Farmer
219)- Namık Erdoğan	Around Kırıkkale	11 May 1994	Bureaucrat
220)- Mustafa Ateş (50)	Suruç	13 May 1994	
221)- Mustafa Kaplan	Tatvan	13 May 1994	
222)- Naci Asutay (50)	Diyarbakır	14 May 1994	
223)- İsmail Asutay (25)	Diyarbakır	14 May 1994	
224)- Suphi Kaya (30)	Diyarbakır	14 May 1994	
225)- Mehmet Emin Alkan (23)	Diyarbakır	16 May 1994	Student
226)- Sıtkı Abidinoğlu (40)	Batman	17 May 1994	Teacher
227)- Kamil Mentеше (35)	Lice-Yolçatı village	17 May 1994	Farmer
228)- Yusuf Bozkuş (65)	Lice-Yolçatı village	17 May 1994	Farmer
229)- Kenan Akın (15)	Diyarbakır	18 May 1994	Student-lycée
230)- Ahmet Gündüz (39)	Kızıltepe	19 May 1994	Driver
231)- Hasan Bayram (30)	Lice	19 May 1994	Farmer
232)- Halil Alpsöy (45)	Around Kırıkkale	24 May 1994	
233)- (male)	Around Raman	25 May 1994	
234)- Mahmut Önen (44)	Diyarbakır	25 May 1994	Tradesman
235)- Mehmet Havas (24)	Diyarbakır	27 May 1994	
236)- Arafat Ölmez (32)	Adana	27 May 1994	
237)- Türkan Nardan (34)	Adana	27 May 1994	
238)- Hasan Kaya	Betw. Şırnak-İdil	28 May 1994	
239)- Adil Değirmenci (26)	Silvan	31 May 1994	Farmer
240)- Hüseyin Keskinılıç (25)	Silvan	31 May 1994	Farmer
241)- Emin Toktaş (20)	Silvan	31 May 1994	Farmer
242)- Nail Talan	Diyarbakır	01 June 1994	Peddler
243)- Bayram Kanat (25)	Betw Diyarbakır-Çınar	01 June 1994	
244)- Fehmi Altun	Betw Diyarbakır-Çınar	01 June 1994	
245)- Muhsin Melik	Urfa	02 June 1994	DEP admis.

246)- Mehmet Ayyıldız	Urfa	02 June 1994	Driver
247)- Kemal Göçer	Diyarbakır	03 June 1994	Teacher
248)- Mehmet Öncel	Mardin	03 June 1994	Farmer
249)- Şirin Özkul	Mardin	03 June 1994	Farmer
250)- Savaş Buldan (30)	Around Bolu-Yığılca	04 June 1994	Businessman
251)- Adnan Yıldırım (37)	Around Bolu-Yığılca	04 June 1994	Businessman
252)- Hacı Koray	Around Bolu-Yığılca	04 June 1994	Businessman
253)- Nuri Demiralp	Diyarbakır	05 June 1994	Teacher
254)- Abdülvahap	Nusaybin	11 June 1994	
255)- Mustafa Elzik (25)	Silvan	13 June 1994	
256)- Veysi Benlice	Diyarbakır	17 June 1994	
257)- Ziver Özdemir	Beşiri-Ikiköprü village	17 June 1994	Worker
258)- Şükrü Tutaş	Idil	17 June 1994	Syriac
259)- Ahmet Artık (36)	Batman	18 June 1994	
260)- Şehmuz Öncel	Diyarbakır	21 June 1994	Tradesman
261)- Şehabettin Elçioğlu	Idil-Kalaz village	20 June 1994	Headman
262)- Ali Özdemir	Nusaybin	21 June 1994	Driver
263)- İsmail Taştan (32)	Darende-Ağılbaşı vil.	25 June 1994	Headman
264)- Kamil Hulak	Around Tatvan	25 June 1994	
265)- Abdullah Sayın	Around Tatvan	25 June 1994	
266)- Mehmet Ali Kılıç (26)	Nusaybin-Doğanlı vil.	30 June 1994	Imam
267)- Hamdin Kaya (30)	Nusaybin	01 July 1994	
268)- Muzaffer Yıldırım	Nusaybin	01 July 1994	
269)- Abdülmecit Kaya (35)	Nusaybin	01 July 1994	
270)- Yusuf Yağız (55)	Nusaybin	01 July 1994	
271)- Sabri Arar (30)	Nusaybin	01 July 1994	
272)- Mehmet Yaman	Hani-Seyar village	01 July 1994	Farmer
273)- Hasan Kuvat	Hani-Seyar village	01 July 1994	Farmer
274)- Ahmet Özcan	Around Muş-Üçevler	02 July 1994	
275)- Hasan Topbik (35)	Batman	03 July 1994	
276)- İhsan Karabulut (45)	Batman-Beşiri	03 July 1994	Farmer
277)- Recep Yaşar (25)	Yüksekova	06 July 1994	Tradesman
278)- Behçet Yaşar (20)	Yüksekova	06 July 1994	Tradesman
279)- Fikret Kaya (30)	Yüksekova	06 July 1994	Tradesman
280)- Cemil Boğa	Kızıltepe	06 July 1994	
281)- İkrâm Mihyas (37)	Izmir (Bornova)	06 July 1994	Unionist
282)- Abdülkadir Yücel	Diyarbakır	08 July 1994	Tradesman
283)- Hacı Halil Basma (70)	Around Batman	09 July 1994	
284)- Mehmet Emin Algın	Nusaybin	11 July 1994	
285)- Süleyman Turgut (35)	Idil-Camili village	15 July 1994	Imam
286)- İbrahim Çekin	Nusaybin	16 July 1994	
287)- Mehmet Alabacak (70)	Doğanşehir-Elma vil.	19 July 1994	Shepherd
288)- Mehmet Yolpiri (60)	Doğanşehir-Elma vil.	19 July 1994	Shepherd
289)- Süleyman Yaman (40)	Nusaybin	22 July 1994	
290)- Fadil Toptan	Beşiri-Gediktepe vil.	22 July 1994	Farmer
291)- Abdurrahman Arıkan	Beşiri-Gediktepe vil.	22 July 1994	Farmer
292)- Muhittin Tekin	Beşiri-Gediktepe vil.	22 July 1994	Farmer
293)- Kerim Tek	Siirt-Gökçebağ	24 July 1994	DEP member
294)- Zeki Çağaç	İğdir-Yüzbaşılar	25 July 1994	Farmer
295)- (11)	Betw. Batman-Bismil	28 July 1994	
296)- Ali Vural (18)	Diyarbakır	30 July 1994	
297)- Celal Bulut (45)	Nusaybin	30 July 1994	

298)- Tahir Güvenç	Silvan	31 July 1994	
299)- Hasan Keleş	Hasankeyf-Doruk vil.	31 July 1994	Health per.
300)- Gültekin Acet (10)	Bismil	31 July 1994	
301)- Naciye Güç (25)	Batman	00 August 1994	
302)- Muhyettin Kaya	Diyarbakır	05 August 1994	
303)- Dalyan Ay (19)	Diyarbakır	06 August 1994	Worker
304)- Abdullah Kamçı (16)	Yüksekova	06 August 1994	Shepherd
305)- Ikram Sesigüzel	Diyarbakır	07 August 1994	
306)- Musa Barış (28)	Batman	08 August 1994	Jeweller
307)- Sedat Demir (19)	Batman	08 August 1994	Jeweller
308)- Abdülkadir Bilge (45)	Nusaybin	08 August 1994	
309)- Erhan Küçük (7)	Suruç	09 August 1994	
310)- Ali Sur (50)	Viranşehir-Burcu vil.	09 August 1994	
311)- Hasan Akın (52)	Batman	11 August 1994	
312)- Mehmet Başer Durgun	Batman	11 August 1994	
313)- Hasan Ertaş	Nusaybin	12 August 1994	
314)- Abdurrahman Aras (28)	Batman-Oymataş vil.	12 August 1994	Shepherd
315)- Şehmus Kızmaz	Midyat	13 August 1994	
316)- Naif Ummaz	Around Hilvan	16 August 1994	DEP member
317)- İbrahim Kızılkaya	Bismil	17 August 1994	Worker
318)- Ramazan Öznaci	Patnos-Nurettin vil.	18 August 1994	Farmer
319)- Seyithan Aktaş	Diyarbakır	21 August 1994	Tradesman
320)- Mehmet Ali Parıltı (27)	Nusaybin	22 August 1994	
321)- Hıdır Çelik (40)	Diyarbakır	23 August 1994	News. vendor
322)- Sadık Yıldırım (52)	Nusaybin	26 August 1994	Tradesman
323)- İzzettin Altan (33)	Around Kozluk	26 August 1994	Farmer
324)- Hüseyin Bayık (32)	Around Kozluk	26 August 1994	Farmer
325)- Abdülmelik Altan (39)	Around Kozluk	26 August 1994	Farmer
326)- Hamit İlhan	Around Kozluk	26 August 1994	Farmer
327)- Hacı Selim Çiftçi (70)	Batman	28 August 1994	Farmer
328)- Mehmet Emin Çelik	Batman-Kozluk	28 August 1994	Tradesman
329)- Niyazi Tekin (52)	Yüksekova	29 August 1994	Constabulary
330)- Hüseyin Güya	Dicle	29 August 1994	
331)- Fuat Akgül	Diyarbakır	01 September 1994	
332)- Nurettin Doruk (18)	Diyarbakır	01 September 1994	
333)- Metin Balaban (34)	Diyarbakır	03 September 1994	Tradesman
334)- Mehmet Ali Aslan	Diyarbakır	05 September 1994	Student
335)- Servet Aslan (23)	Diyarbakır	07 September 1994	SHP admis.
336)- Şahabettin Latifeci (21)	Diyarbakır	07 September 1994	SHP admis.
337)- Nasah Yalçın (27)	Gaziantep	07 September 1994	
338)- Abdülaziz Bilgin (66)	Diyarbakır	12 September 1994	
339)- Abdullah Çıtak (40)	Yüksekova	13 September 1994	Worker
340)- İhsan Elmas	Diyarbakır	13 September 1994	
341)- Aziz Oğuz (22)	Diyarbakır	18 September 1994	
342)- Kemal Küçük (19)	Diyarbakır	18 September 1994	Student
343)- Nuri Aktaş	Beşiri-Danah village	20 September 1994	
344)- Mehmet Emin Odabaşı	Siverek	20 September 1994	Pharmacist
345)- İhsan	Diyarbakır	20 September 1994	Student
346)- Ahmet	Diyarbakır	20 September 1994	Physician
347)- Yalçın Kılıç (20)	Adana	26 September 1994	
348)- Bahattin Erdoğan (26)	Cizre-Dirsekli village	27 September 1994	Farmer
349)- Ali Erdoğan (28)	Cizre-Dirsekli village	27 September 1994	Farmer

350)- Hürşit Altın	Cizre	27 September 1994	
351)- Seyithan Karaca (60)	Beşiri-Duracak vil.	28 September 1994	
352)- M. Salih Sabuttekın (35)	Adana	28 September 1994	HADEP admis.
353)- Tevfik	Siirt	28 September 1994	Civil servant
354)- Siddık Etyemez	Around Ergani	30 September 1994	
355)- Ahmet Ceylan	Around Ergani	30 September 1994	PKK defend.
356)- Ahmet Özalp (34)	Batman	30 September 1994	Hezbollah su.
357)- Sait Tümer	Yüksekova	01 October 1994	
358)- Sefer Cerf (40)	Adana	03 October 1994	HADEP admis.
359)- Rebih Çabuk (37)	Adana	03 October 1994	HADEP admis.
360)- Kadriye Gökmen (38)	Adana	03 October 1994	
361)- Mehmet Sağlam (54)	Batman	03 October 1994	Worker
362)- Halil Acar	Midyat-Çalpınar vil.	04 October 1994	
363)- İsmail Alkan	Midyat-Çalpınar vil.	04 October 1994	
364)- Cemalettin Akbulut (45)	Midyat	06 October 1994	
365)- Ahmet Şen	Eruh-Olmuşlar vil.	06 October 1994	Farmer
366)- Celalettin Baran (32)	Sason	07 October 1994	
367)- Mesut Yıldırım (35)	Nusaybin	13 October 1994	Worker
368)- Veysi Sızlanan (35)	Diyarbakır	14 October 1994	Cook
369)- Fikret Un (43)	Diyarbakır	17 October 1994	
370)- Ahmet Siyahtaş (46)	Van	17 October 1994	
371)- Osman Siyahkoç (30)	Dargeçit	18 October 1994	
372)- Ebubekir Aldur (70)	Midyat-Doğançay vil.	19 October 1994	Farmer
373)- Mehmet Mutlu (23)	Diyarbakır	20 October 1994	
374)- Kemal Dinç (19)	Diyarbakır	22 October 1994	
375)- Hacı Ömer Şerif (54)	Ömerli-Çatalyurt vil.	22 October 1994	Farmer
376)- Murat Taşan (22)	Batman	24 October 1994	
377)- Mehmet Binbay (32)	Urfa	24 October 1994	Tradesman
378)- İsmet Gün (24)	Diyarbakır	26 October 1994	
379)- Mahsun Kavak	Adana	26 October 1994	
380)- Cemil Yıldırım (38)	Batman	27 October 1994	Tradesman
381)- Ali Patırtı	Bismil	29 October 1994	
382)- Cemal Yıldız (28)	Viranşehir	29 October 1994	Farmer
383)- Baki Hanen (23)	Diyarbakır	31 October 1994	
384)- Abdülkerim Deniz (45)	Nusaybin	01 November 1994	Tradesman
385)- Behçet Deniz (25)	Nusaybin	01 November 1994	Tradesman
386)- Selim Oğuz (59)	Midyat	03 November 1994	Farmer
387)- Mehmet Sağlam (54)	Batman	03 November 1994	DEP member
388)- Mehmet Akın	Silvan-Umur village	03 November 1994	
389)- Bedri Kamin (21)	Diyarbakır	05 November 1994	
390)- Numan Çiçek (17)	Diyarbakır	06 November 1994	
391)- Medet Serhat (59)	İstanbul	12 November 1994	Lawyer
392)- İsmail Karalioğlu	İstanbul	12 November 1994	Driver
393)- Hacı Mustafa Suman (40)	Viranşehir	14 November 1994	
394)- İnal Özdemir (34)	Batman	14 November 1994	Drover
395)- Lokman Abık (20)	Diyarbakır	17 November 1994	Student
396)- Şerif Gök (32)	Batman	22 November 1994	
397)- İzzettin Acet	B. Diyarbakır-Silvan	24 November 1994	
398)- Emin Kaynar	B. Diyarbakır-Silvan	24 November 1994	
399)- Sait Badem (35)	Batman	27 November 1994	Drover
400)- Haşim Çelik (31)	Silvan	30 November 1994	Notary Sec.
401)- (20-25 male)	Viranşehir	02 December 1994	

402)- (35-40 male)	Viranşehir	02 December 1994	
403)- Ali Tazefidan	Siverek	03 December 1994	
404)- Namık Kaya	Diyarbakır	03 December 1994	
405)- Tefik Alma (29)	Midyat	07 December 1994	Teacher
406)- Memduh Çiçek	Diyarbakır	07 December 1994	
407)- Abdülkerim Aktı	Idil-Babekek village	07 December 1994	Farmer
408)- Ramazan Aktı	Idil-Babekek village	07 December 1994	Farmer
409)- Faik Candan	Ankara-Bala	14 December 1994	Lawyer
410)- Abdülbaki Nayman (45)	Kozluk-Tuzla village	17 December 1994	
411)- Halil Sak	Suruç	17 December 1994	Driver
412)- Edward Tanrıverdi (45)	Midyat	18 December 1994	Physician
413)- Vedat Tellan	Diyarbakır	20 December 1994	Hezbollah su.
414)- Bayram Bal (35)	Around Nusaybin	20 December 1994	Farmer
415)- Hamit Bal (45)	Around Nusaybin	20 December 1994	Farmer
416)- Abdülkadir Çelikkbilek	Diyarbakır	21 December 1994	Tradesman
417)- Aziz Ulaş (31)	Diyarbakır	22 December 1994	
418)- Faik Tunç	Diyarbakır	22 December 1994	
419)- İzzet Pala	Adana	29 December 1994	
420)- Sabri Daş	Batman	29 December 1994	
421)- Hıdır Öztürk	Kızıltepe	29 December 1994	
422)- Baki Bental (32)	Diyarbakır	29 December 1994	
423)- Orhan Tekince	Batman	30 December 1994	

EXTRA-JUDICIAL EXECUTIONS

Extra-judicial executions, which strike at the heart of the right to life, one of the fundamental human rights, and have spread since the “Law to Fight Terrorism” entered into force (on 12 April 1991), continued at an increasing pace also in 1994. Throughout the year, a total of **129** people (**32** of whom during house raids, while **97** during other incidents) lost their lives as a result of applications by security forces termed as “extra-judicial execution”, such as house and shop raids, fire opened on people disobeying stop warning or merely at random, execution of people who are captured alive, air raids by planes or helicopters. A considerable number of those killed were presented to the public as “members of illegal and separatist organizations” who clashed with the security forces or “criminals escaping from security forces”. Extra-judicial executions were mostly observed in Istanbul, Adana and in the Emergency State Region.

Extra-judicial executions never attracted the expected public attention. Statements of some eye-witnesses indicating “Security forces opened fire without any call to 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 people in higher official positions. While an extra-judicial execution in Germany led the Federal Interior Minister, proclaiming his responsibility, to resign^(*), the governmental reaction in Turkey was to the contrary, which only encouraged new extra-judicial executions. Extra-judicial executions were deemed as legal acts, applauded and defended. Security forces who were involved in extra-judicial executions were rewarded. Those who brought up extra-judicial executions were criticized, condemned and exposed to various attacks.

The below table shows the extra-judicial executions during the last several years. The table indicates that the extra-judicial executions in Turkey increased in recent years to an extent that they exceeded those during the 12 September post-coup period.

(*) Brigit Hogefeld and Wolfgang Grams, members of the outlawed Red Army Faction (RAF), were involved in a clash with GSG-97 forces in Bad-Kleinen town of Mecklenburg Vorpommern province on 27 June 1993. 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 security officer who died in the incident was accidentally killed by his colleagues. The lawyer 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 the temple, the Federal Interior Minister Rudolf Seiters resigned on 4 July 1993.

	1991	1992	1993	1994
Those killed during house and shop raids :	22	63	57	32
Those killed in gun fire opened on demonstrators (except the Newroz incidents) :	32	26	20	None
Those killed for disobeying stop warnings, in randomly opened fire, or similar events and after being apprehended alive :	44	103	109	97
TOTAL	98	192	186	129

Deaths caused by security forces, fit the definition of “extra-judicial (extra-legal) executions” stated in the documents of the United Nations (*). However, this situation has never been taken into consideration, and almost all of the extra-judicial execution incidents, despite the regulations stated in the United Nations documents, were not investigated in a sound manner. Instead of serious investigations, some practices and statements were observed which were bound to encourage the security forces. The trials which were opened were only for appearance. Defendants were generally acquitted in the trials, which continued for a long time. Sentences rarely given did not exceed one year or two years in prison. Generally, the sentences were not carried out due to suspensions or prescription.

For example; a sentence of 1 year, 1 month and 10 days in prison given to Bahar Öztürk who had shot and killed a young man named Ismail Metin fighting with his friends in the Kur-tuluş quarter of Ankara on 3 January 1992, when he had been Director of the Protection Department of Ankara Police Headquarters, was suspended by the Supreme Court at the end of 1994. Just after the incident, a trial was launched at the Ankara Heavy Penal Court No.5 against Bahar Öztürk, who was kept under arrest for 4 months. He was sentenced to 1 year 5 months and 10 days in prison on 4 May 1992 for causing the death of Ismail Metin, but the Supreme Court found the sentence too heavy and overturned it. Thereupon, Bahar Öztürk was prosecuted again and at that time was sentenced to 1 year 1 month and 10 days in prison on 8 February 1993, and the demand for suspension of the sentence was not accepted. Then, the case file was referred to the Supreme Court once more and the verdict was quashed on the demand of commuting the imprisonment into fine and repleiving. As a result of re-prosecution, the Heavy Penal Court, insisting on its previous verdict passed 1 year 1 month and 10 days in prison for Bahar Öztürk and rejected the demand for suspension. However, this verdict was not found appropriate by the Supreme Court and it was

(*) 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 murders”, “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”.

decided to suspend the sentence. The sentence given to Öztürk will be lifted, if he does not commit another crime in 5 years.

Twelve security forces, who were prosecuted in connection with the house raid carried out in the Hasanpaşa quarter of Istanbul on 19 May 1991, which resulted in the killing of Hatice Dilek Aslan and İsmail Oral, were acquitted. The names of the security forces, who were prosecuted in the trial that ended at Kadıköy Heavy Penal Court No.1 on 16 June, are as follows: “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”. Hatice Dilek Aslan’s 9-year old son Özgür Cihan Aslan, who was a witness in the hearing held on 21 October 1992, stated that he had awakened by gunshots he had heard on the night of the incident, and said: “Police officers wanted me to be dressed. After getting dressed, they brought me to the room with a television where my mother was. There, a police officer was stepping on the head of my mother. Afterwards, they forced me to get on a car and took me away. Nobody fired while I was there. My mother was alive when I left the house.”

Twelve security forces prosecuted at the Üsküdar Heavy Penal Court concerning the killing of two youths, Kayhan Tazeoğlu and Fatma Süzen in a police raid against a house in the Beylerbeyi quarter of Istanbul on 29 September 1992, were acquitted. The acquittal verdict was given on the grounds that the defendants had obeyed the orders and had had to use arms during the clash. The lawyers of Kayhan Tazeoğlu and Fatma Süzen said that the defendants, who had executed extra-judicially, had been protected at every stage of the prosecution and had been acquitted. The lawyers stated that they would forward the case to the European Human Rights Commission. The autopsy on the corpses revealed that Kayhan Tazeoğlu had been shot 25 times and Fatma Süzen 15 times. According to the autopsy report, all of the bullets were shot from very close, except 2 shots to Kayhan Tazeoğlu and one shot to Fatma Süzen, which were fired from a distance.

No conclusions were drawn during 1994 from the trial launched at the Istanbul Heavy Penal Court No.6 in connection with the simultaneous raids on three houses and a workplace in the Nişantaşı, Dikilitaş, Levent and Balmumcu quarters of Istanbul on the evening of 12 July 1991, in which 10 people, named Niyazi Aydın, İbrahim Erdoğan, Hasan Eliuygun, Cavit Öz-kaya, Zeynep Eda Berk, Nazmi Türkan, Yücel Şimşek, Ömer Coşkunırmak, İbrahim İlçi and Bilal Karakaya were killed. This case drew criticism from the lawyers (*) of the victims. The lawyers of the victims, who took the floor in the hearing on 1 June, stated that even if sentences were given to the defendants in accordance with the indictment, it would be meaningless, adding, “Delayed justice is injustice.” The lawyers pointed out that it had not been determined which police officer

(*) Lawyer Zerrin Sarı made an individual appeal to the European Human Rights Commission in 1993 on behalf of the victims, along with Sevgi Erdoğan, 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 policemen who raided the houses and the workplace. It was claimed that the garments of the 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 asked the Commission to determine the responsibility of the Turkish state in the case, and to condemn it. The Commission, taking the case into consideration, asked the Turkish Government to submit related information. In its reply, the government stated that those killed had reciprocated by opening fire on the call to “surrender” made by the security forces. The government demanded that the Commission reject the application, since there was a trial pending related to the case.

used which gun, that the clothes of the victims had lost, that no examination had been made at the scene and that the court had not taken coercive decisions, and said that all of this was worrisome from the view of the law. They claimed that the court board pro-longed the prosecution period purposely in order to let way for prescription. Various prison sentences have been sought for the security forces prosecuted on charges of killing in a manner that made impossible to identify assailants. The trial in question was opened in 1992.

Following is information about the trials and investigations launched concerning extra-judicial executions in 1994:

A trial was launched against 10 security forces in connection with the killing of Revolutionary Left militant Ibrahim Yalçın, who fled in February 1993 from Istanbul Bayrampaşa Prison where he was held under arrest, by police in front of his house in Rahmanlar, Istanbul on the night of 23 April 1993. In the trial launched by the Istanbul Public Prosecution Office, various prison sentences were demanded for the security forces on charges of "killing deliberately". Kismet Şahin (the owner of the flat that Ibrahim Yalçın rented), who was a witness in the trial which began on 25 January at the Kartal Heavy Penal Court, said: "I did not hear any warning to surrender by police during the operation. The police claimed that there were bombs and arms in the house, but we saw neither arms nor bombs." When Kismet Şahin was asked whether there had been a guns in the hand of Ibrahim Yalçın, she answered "No. There were 4-5 meters between us, but I did not see any gun in his hand." Other witnesses Emel Yılmaz and Dursun Şen, living in the same building where Ibrahim Yalçın's flat is located, said they had not heard police officers had asked him to surrender. Ibrahim Yalçın's lawyers, who took the corpse from the morgue reported that the body had 3 bullet wounds in the back and the shots had been fired at fatal points. They said: "This case shows that they opened fire from behind. This is an extra-judicial execution."

The Istanbul Public Prosecution Office opened a trial against 9 security forces who participated in the police raid against a cafeteria in the Perpa Business Center in the Okmeydanı quarter of Istanbul on 13 August 1993, which resulted in the killing of 5 people. In the trial, the security forces were accused of having killed more than one person in a manner that made impossible to identify the assailants and sentences of up to 30 years in prison were demanded for them. The names of the security forces, who were being prosecuted at the trial which started at the Istanbul Heavy Penal Court No.7 in November are as follows: "Ercüment Yılmaz (Vice Director of Istanbul Police for Political Affairs), Ali Çetkin (security chief), Hasan Erdoğan (commissioner), Hüseyin Doğrul, Ömer Kaplan, Ayhan Çarkın, Ayhan Özkan, Selim Kestik and Kadir Uçar."

The prosecution of the police officers who participated in a house raid in the Hasköy quarter of Istanbul on 26 November 1993 at about 6.00 p.m. and resulted in the killing of two youths, Selma Doğan and Erol Yalçın, started on 21 April at the Istanbul Beyoğlu Heavy Penal Court. The indictment read out in the hearing sought various prison sentences for the defendants. In addition, the court board banned the press from the hearing. Selma Doğan's mother Sabiha Doğan, who attended the hearing on behalf of the victims, was detained and beaten by police officers including those being prosecuted. Sabiha Doğan was arrested on 22 April on allegations of "aiding the Revolutionary Left organization and harbouring its members". The trial resulted in acquittal within a short time. After the raid, some people living on Büklüm Street where Selma Doğan's mother and family have lived for 10 years is located, said that they did not think the house was a safe house and they had not heard calls from police to "surrender" during the operation. However, police authorities alleged that the house had been used by Revolutionary Left militants

and police officers Abdullah Dindar and Mehmet Sezginer were wounded in fire opened from the house during the raid.

A trial was launched against 5 police officers, Yunus Yıldırğan, Mustafa Altınok, Er-can Çetinkaya, Salih Tonga and Şefik Kul in connection with the house raid which was carried out in Kartal, Istanbul on 19 November 1993 and resulted in the death of a woman, Serap Macit. In the trial, which started at the Istanbul Kartal Heavy Penal Court on 28 June 1994, various prison sentences were sought for the police officers accused of “killing deliberately”. The police officers, on the other hand, did not accept the accusation and alleged that Serap Macit had been killed during a clash. Lawyer Eren Keskin, who attended the hearing on the behalf of the victim wanted to ask the police officers; “Was not it possible to capture her alive?” but her request was refused. Police did not allow a group of 40 people, who wanted to watch the hearing, to enter the court hall. In the hearing held on 27 September, Serap Macit’s husband Ramazan Macit, who was brought to the court hall under surveillance of gendarmes since he was arrested because of another case, was allowed to attend the prosecution process on behalf of the victim. Ramazan Macit who claimed that his wife had been intentionally killed by the police officers and this was an extra-judicial execution, was not allowed to read out the petition he had prepared. When he insisted on reading the petition, he was harassed and taken out of the court hall by gendarmes.

A trial was launched against security chief Ismail Gür, in charge of the İçel Security Directorate, who shot to death Abdullah Arpacı (25) in the Oskar Hotel in Mersin on 16 August 1993. The first hearing of the trial, was held at the Izmir Heavy Penal Court No.4 for security reasons on 18 August. The indictment read out in the hearing demanded a sentence of 24 years in prison for Ismail Gür on charges of killing deliberately. Ismail Gür, who was cross-examined in the hearing said: “I drew my gun in order to frighten Abdullah Arpacı, who was talking with a woman. My friends tried to prevent me. During the quarrel, my gun went off. I did not intend to kill him.” In his first testimony after the incident, Ismail Gür had said “I was too drunk at the time. I lost control of myself.”

In 1994, numerous cases were forwarded to the European Human Rights Commission because extra-judicial executions were not seriously investigated, the lawsuits brought were not serious, and the responsible people were not punished. The Commission admitted and investigated many of those cases. After examination of certain applications forwarded in 1993, decisions were taken against Turkey.

For example, the applications of Hüseyin Güleç, the father of Ahmet Güleç who died in a shooting by security forces who opened fire on participants of demonstration in Idil on 4 March 1991, and of Sariye Uğur, the mother of night watchman Musa Uğur who was killed by soldiers and village guards raiding a coal mine in Şırnak on 24 December 1990, which were forwarded to the Commission in 1993, were deemed right in August 1994. Turkey’s statement, arguing that security forces had to prevent the incidents and maintain security in the Emergency State Region, and the fact that internal judiciary measures had not been employed, was found to be inappropriate. In the Commission’s decision, complaining families and Turkish government were invited to find a friendly solution. In the trials opened on the grounds that the right to life had been violated, there was a call for abolition of Article 4 of the Emergency State Legislation, which prevents compensation to the relatives of those killed, and prosecution of the security forces, who are assailants of murders, and of the related articles of the Law on Prosecution of Civil Servants (in force since 1913), which foresee some obstructions.

The following is information and developments concerning those killed in extra-judicial executions in 1994:

a)- Deaths in house and workshop raids

01)-

02)-

03)-

A house in the Kızıltepe district of Mardin was raided by security forces on 18 January and 3 people in the house, one of whom was a female, were killed. Security forces, on the one hand, claimed that the raided house had been used as a base by PKK militants; on the other hand, sources in the region stated that one of those killed was a PKK militant and the other people had no connection to the PKK.

04)- Abdullah Altan (24)

A house in the İlica quarter of the Narlıdere district of İzmir was raided by police on the evening of 10 February, and Abdullah Altan, who was in the house was killed. The official statement said that Abdullah Altan was a PKK militant and had committed suicide in the raid. Some people who witnessed the incident said that Abdullah Altan had been killed by the police. Tahsin Şanlı, who lived in a flat next to the raided house which was owned by Leyla Kale, said: "On the evening of the raid, there was a knock at my door. Those who knocked at the door were police officers. Our neighbour Leyla and her 5-year old son were near the police officers. They came in. They put me, my 3 guests, Leyla and her son into a room and asked us to be quiet. A police officer came after a while and took Leyla out of the room. At that time we heard Leyla said 'Please, don't do this. I am pregnant.' We were kept in the room for 2 hours. Later, police officers took me to the house of Leyla. The house was completely cluttered up. They made me sign a minutes stating that the house was intact. We learnt that a person in the house had died. However, we did not hear any gun shots. Normally, we hear even sound of leaking water. The police officers took Leyla, her husband Hıdır and two people with them." Another person, Ziya Ardiç, stated that he had watched the incident from his balcony and had not heard any gun shots. He added that he had left his house and asked a police officer "What happened?", the police officer said to him "The terrorist shot himself."

05)- Emine Bardakçı

06)-

A house in the Cumhuriyet quarter of the Viranşehir district of Urfa was raided by police on the morning of 14 February. In the raid, a woman named Emine Bardakçı and a man, whose name could not be learnt were killed. Police authorities reported that the raided house had been used by PKK militants and those killed were the assailants of some armed attacks carried out in Viranşehir. This report was confirmed by sources in the region. The corpses of those killed, were exposed to the public on the district streets following the incident.

07)- Ömer Ayna

08)- Sıddık Aba (20)

In a police raid against a house in the Seyrantepe quarter of Diyarbakır on the morning of 21 March, Ömer Ayna and Sıddık Aba were killed, and two people were apprehended wounded. Police authorities stated that the house had been used by PKK militants and those killed and wounded were assailants of certain armed attacks in Diyarbakır. Sıddık Aba's father Ali Aba said that his son had been killed although he was innocent and his house in the Bağlar quarter of Diyarbakır had also been raided by police at the same time. Witnesses said that police officers had

entered the house by breaking the door down and after several gun shots they saw 2 corpses being removed from the house.

09)- Nezir Küçük

A house in the Yenipazar quarter of Mersin was raided by police on the evening of 5 May and a youth, Nezir Küçük, was killed. The official statement put out concerning the raid, claimed that Nezir Küçük had been wounded in a clash which broke out when he had attempted to throw a hand grenade into a police vehicle, and he had died at the hospital. The owner of the house stated that Nezir Küçük was one of his relatives and was staying in the house as a guest for a some time. He said, "The police officers, who came to the house first asked if there was anyone else in the house. We said that a guest was sleeping in a room. Then, they entered the room. They woke him up and started to beat him. At that time, a police officer fired at Nezir. He was shot and fell on the ground. Then they took Nezir away."

10)- Tuncer Güler (11)

The house of Mehmet Güler in the 100. Yıl quarter of Ağrı, was raided by police on the night of 28 May. As a result of the gunfire opened by the police, Mehmet Güler's son Tuncer Güler (11) died and his 10-year old other son was wounded. Mehmet Güler reportedly reciprocated and a police officer was shot in the throat and wounded. After the incident, Mehmet Güler, his wife Naze Güler, and their daughters Filiz and Raziye were detained. Tuncer Güler was laid to rest in the Ağrı Küpkıran Cemetery by his relatives.

11)- Hanım Sincar (17)

12)- Teyyibe Sincar (23)

The Ömerli district of Mardin was attacked by PKK militants on the night of 27 June and operations were launched in the region after the attack. During the operations, a house in the Güzelağaç village was raided by special team members. Two young girls, Hanım Sincar and Teyyibe Sincar, who were sleeping on the roof of the house during the raid were killed. After the incident, the Sincar family left the village and migrated to İzmir. Türkiye Sincar (50), the mother of the killed girls, said that her official complaint had been ignored and the incident had been explained by military officials as "They died in the cross-fire during a clash." Türkiye Sincar reported that the special team members had actually wanted to kill her elder daughter Teyyibe, but when her younger daughter Hanım, had attempted to protect her, both of them were shot dead. Türkiye Sincar said that soldiers had come to the village later to bury the corpses, but she had not let them do so before the Public Prosecutor had come and examined the corpses. Türkiye Sincar stated that the prosecutor had not allowed the corpses to be autopsied despite her insistence. Türkiye Sincar added that she had found cartridges of 36 M-16 bullets on the scene.

13)- Şemsettin Kaplan

A house in the Abdülkadir Paşa quarter of the Nusaybin district of Mardin was raided by police at about 12.00 p.m. on 9 July. In the raid, Şemsettin Kaplan, who was in the house was killed. After the raid, Şemsettin Kaplan's wife was detained. Police authorities claimed that Şemsettin Kaplan was a PKK militant and had died in a clash which had arisen after he had opened fire on police officers.

14)- Hacı (Bahoz) Cin

15)- Eyüp Gökpinar

In a raid by security forces against a house in the Evrenpaşa quarter of the Viranşehir district of Urfa on the night of 15 July, 2 people, Hacı Cin and Eyüp Gökpinar were killed. In a

clash which broke out during the raid, 3 security forces were wounded. Police authorities stated that the house had been used as a base by PKK militants. The sources in the region said that the house had been raided upon a denunciation, and those killed were PKK militants who had committed suicide not to be apprehended alive.

16)- Güner Şar (21)**17)- Hüseyin Aslan (24)****18)- Özlem Kılıç (20)**

Police attempted to raid a flat on terrace of a building in the Bağcılar quarter of Istanbul at about 3.00 a.m. on 4 August. However, a clash arose when those in the flat returned fire. The clash, which lasted until 8.30 a.m. resulted in the deaths of Güner Şar, Hüseyin Aslan and Özlem Kılıç. Those killed were reportedly members of the Revolutionary Left organization and had moved to the flat 6 months before. During the raid, a woman named Havva Şahin, living in one of the surrounding houses was wounded by gun shot while 2 police officers were wounded, one poisoned by gas bombs thrown into the house and the other hit by a brick which fell on his head. IHD Istanbul Branch Chairperson Ercan Kanar made a statement concerning the raid and pointed out that the raided house had been under police surveillance for a long time. He stated that those killed might have been caught alive if the police had waited for several days. Ercan Kanar said: "The massacre is an answer to Azimet Köylüoğlu, the State Minister responsible for Human Rights, who says that there is no extra-judicial execution in Turkey."

19)- Hatip Akbaş**20)- Erol Torsun**

A house in the Yolaltı village of Diyarbakır was raided by security forces on the morning of 9 August and 2 people in the house were killed. The official statement put out concerning the raid said that those 2 people were PKK militants. The statement was confirmed by regional sources. The owner of the house, Sıtkı Bozan, was detained following the raid.

21)-**22)-**

During a police raid against a house in Kaynaratepe in the Bağlar quarter of Diyarbakır on the morning of 15 August, 2 people in the house were killed. Police authorities stated that those killed were PKK militants, preparing an attack. Sources in the region said they thought that university students were staying in the raided house.

23)- Fuat Erdoğan (32)**24)- Elmas Yalçın (34)****25)- İsmet Erdoğan (26)**

A cafeteria in the Beşiktaş quarter of Istanbul was raided by police at about 4.30 p.m. on 28 September. In the raid, Fuat Erdoğan (lawyer), Elmas Yalçın and İsmet Erdoğan, who were in the cafeteria were killed. Istanbul Security Director Necdet Menzir stated that those people were members of the Revolutionary Left organization and had been killed during a clash which had broken out when they had opened fire on the police officers. Hüsni Öndül, the Secretary General of the IHD stated the following related to the raid: "The killing of 3 people is an extra-judicial execution. This incident has showed that how easily the right to life, personal freedom and security might be abused. They acted in order to kill. The authority to use a gun was used as the authority to kill." A delegation formed of IHD-member lawyers examined the raided cafeteria on 30 September. Later, lawyer Eren Keskin made a statement concerning the raid and said: "We have examined scenes of many extra-judicial cases, and this is the first extra-judicial execution case that we did not see any bullet traces. Although police took everyone out of the cafeteria, the cafeteria owner and other people said 'A clash broke out.' to television reporters."

26)- Ibiş Demir (23)**27)- Güler Ceylan (20)**

A house on the 2133rd Street in the Gaziosmanpaşa Sultançifliği quarter of Istanbul was raided by the police on the night of 8 October, and as a result Ibiş Demir and Güler Ceylan were killed. It was reported that those killed were militants of the Revolutionary Left organization, and a Kalashnikof gun and 2 pistols had been found in the house. Journalists were allowed to enter the raided house 4 hours after the incident. It was revealed as a result of an examination that the door of the raided house was broken with a sledge hammer, there were many bullet holes on the walls and windows had been broken. The absence of bullet traces on the walls of the hall where the corpses were present, called attention.

28)- Ahmet Öztürk (26)**29)- Zeynep Gültekin (24)**

A house in the Arpaçbahşiş town of the Erdemli district of Mersin was raided by police at about 4.00 p.m. on 26 October and Ahmet Öztürk and Zeynep Gültekin were killed and a woman, Sevgi Erdoğan, was apprehended wounded. Police authorities stated that the raided house had been used as a base by militants of the Revolutionary Left organization, and a Kalashnikof rifle and a bomb had been found in the house. Hamide Öztürk, the Spokesperson of the Adana Rights and Freedoms Platform stated that Ahmet Öztürk was the Adana Representative of the journal Mücadele and said: "Two people were murdered. The incident has been passed off as a clash and thus the extra-judicial execution has been portrayed as legal."

30)-**31)-****32)-**

A house in the Seyrantepe quarter of Diyarbakır was raided by police on the night of 18 November and 3 people, including one woman, were killed. Police authorities claimed that the raided house had been used as a base by PKK militants. Those living in the Seyrantepe quarter stated that gun shots lasted for about 10 minutes and they did not have the impression that a clash had arisen within this period.

b)- Fire opened on demonstrating groups

Authorized or unauthorized demonstrations and meetings were prevented by security forces also in 1994. Demonstrators were forcibly dispersed or attempted to be dispersed, beaten and sometimes were fired upon. As a result of the fire or beating, some people were injured. However, contrary to previous years, there were no deaths.

c)- Deaths resulting from shooting in fire opened because of disobeying stop warnings, at random and during similar events, and those killed after being apprehended alive**01)- Sevin Altıntop (12)**

Security forces who raided the Angul hamlet of the Hani district of Diyarbakır on 3 January, opened fire at random. In the fire, a child named Sevin Altıntop, died and a person named Mustafa Altındağ was severely wounded.

02)- Sait Bulut**03)- Bedriye Bulut****04)- Nihat Günay**

On 4 January, security forces opened fire at a bus on its way from Diyarbakır to Lice on the claims that it had not obeyed "stop" warning, in the vicinity of the Engül Gendarmerie Station. In

the incident, Sait Bulut, Bedriye Bulut and Nihat Günay died while Teğmen Laçın and 2 people, Şeref and Mehmet, whose surnames could not be revealed were wounded.

05)- Mehmet Pelen (37)

06)- Hasan Pelen (21)

Mehmet Pelen and his son Hasan Pelen were killed when their vehicle was shot at by the soldiers controlling the road at the entrance to the İğdeli village of the Pazarcık district of Maraş on the evening of 1 February. Ibrahim Pelen, who witnessed the incident, said the following: “At the entrance to the İğdeli village, the soldiers waylaid the car we were in, and took me down. Shortly I had left the car, gunshots were heard. Hasan and Mehmet did not return home that evening. We went to the authorities on the next day. They told us they had no information. However, calling home later, they said that the corpses of Hasan and Mehmet were with them and asked us to retrieve them.”

07)- Ahmet Külte

Village guards waiting in front of the Kerem Hotel in Cizre at about 4.30 p.m. on 3 February shot and killed a passer-by named Ahmet Külte. The village guards left the scene, after killing Ahmet Külte, who was known as a PKK follower in the region. His corpse remained there for a long period.

08)- Ali Güneş (45)

Ali Güneş who was a shepherd in the Ormanardı village of the Eruh district of Siirt was taken by security forces on 7 February. Ali Güneş’s 10-year son, who was with his father was sent to his house. When the child notified his uncle Ömer Güneş about the incident, they started to look for Ali Güneş. Ömer Güneş went to the Ormanardı Gendarmerie Station in the region on 8 February and asked information about his brother. The soldiers at the station said to Ömer Güneş that they did not have any information about such a person. The relatives of Ali Güneş found his corpse in the valley between the Ormanardı and Kemerli villages. He was reportedly executed by shooting.

09)- Adnan Tayyar (31)

Police officers, conducting road check on Tüccarbaşı Street in the Erenköy quarter of Istanbul on 10 February opened fire at a car for disobeying “stop” warnings. In the incident at about 6.00 p.m., Adnan Tayyar died and Erkan Tayyar (25) was wounded. The police authorities said that the car driven by Adnan Tayyar, had been ordered to stop in a road check made concerning a robbery in the region, on the grounds that those in the car might have been involved in the robbery and that they had had to open fire since the vehicle had not stopped.

10)- Abdullah Uysal

A panzer patrolling in Cizre tumbled into the Tigris River on the evening of 13 February and 5 special team members, Mehmet Erol, Güvenlik Çelik, Fikri Şahin, Bülent Şener and Halit Gencer died in the accident. A special team member in the panzer was rescued. A security officer, who panicked because of the accident, opened fire and killed road worker Abdullah Uysal. Sources in the region stated that the panzer had tumbled down in the river while racing with another panzer.

11)- Nazlı Akın (15)

Police officers, conducting a search in the Şehitler quarter of the Salihli district of Manisa on the night of 13 February, opened fire at a car for disobeying “stop” warnings, and as a result,

Nazlı Akın who was in the car was shot in the forehead and killed. Manisa Security Director Yavuz Elbirler claimed that Nazlı Akın had been killed by her friend and stated the following about the incident: “Upon a tip that there was a suspicious vehicle around, police teams began a search. When fire was opened from the suspicious vehicle, a clash arose. Police officers reciprocated in order to protect themselves. In the autopsy, it was revealed that the gun shot was fired from a close distance. The friends of Nazlı Akın disclosed that the police officers had opened fire at them without warning. Two girls named Naciye Doruk and Hatice Dönmez, who were in the car said the following: “We went for a ride in a car driven by our friend Nazmi Eryiğit. There were 6 people in the car. We asked a night watchman on the road about an address. The watchman suspected us and informed the police station. After a while, a police jeep and 3 police vehicles, two of which were official, started to chase us. Nazmi panicked since he did not have a driver licence and attempted to escape. However, fire was opened from a police vehicle which passed us. Nazlı was shot at that time. We know the police officer who shot Nazlı. Public Prosecutor Zeki Zeylan forced us to give the statement ‘Nazmi had a gun and killed Nazlı.’ and threatened us with torture. Nazlı Akın’s mother Gülizar Akın stated that she had been taken to the police station on that night and kept in police custody for 24 hours. She added that she had not been informed about the killing of her daughter and said, “They did everything in order to cover up the incident.”

12)- İbrahim Şeflik (5)

A special team member threw a bomb at 4 children playing in the Silopi district of Şırnak on 13 February and as a result, a child named İbrahim Şeflik died and 3 children, Hanım Şeflik (4), Mehmet Şeflik (6) and Sore Şeflik (5) were wounded. The relatives of the killed and wounded children said: “There was a curfew on 13 February. We were at home, but our children were playing outside. We heard an explosion suddenly. When we went out, we saw children lying in blood on the street. İbrahim died there. We hospitalized the other children.”

13)- Şükrü Karaca (55)

15)- Hurşit Subaşı

14)- Vahdettin Karaca (48)

16)- Mekki Güngör

Security forces who raided the Incirli village of the Hizan district of Bitlis on the evening of 25 March took 3 people out of the village and executed by shooting. In the incident, Şükrü Karaca (headman) and Vahdettin Karaca died and Hikmet Karaca (50) escaped wounded. Hikmet Karaca, who was found by villagers on the morning of 26 March was first taken to the Van State Hospital and then to the İstanbul Vakıf Guraba Hospital. Treatment expenses of Hikmet Karaca were covered by the HRFT. Stating that they were forcibly taken out of the village by the security forces just after the raid, Hikmet Karaca said: “We receded 500 meters from the village. They stopped us in an empty field. They asked us to stand side by side and then started to fire. At first, I was wounded in the knee. Şükrü and Vahdettin were lying dead on the ground. When they realized that I had not died, they fired again. At that time, I was shot in the back. They thought that I was dead, and went away.” In addition, Hurşit Subaşı and Mekki Güngör, out of the villagers who were taken by security forces in the raids against other villages and hamlets in the region on the evening of 25 March, were executed by shooting. The corpses of Hurşit Subaşı and Mekki Güngör were found on 27 March. Regional sources claimed that more than 10 people had been executed by shooting during operations against the villages of Hizan between 24 and 27 March.

17)- Mehmet Tok

19)- Mustafa Tok

21)- Elif Tok

23)- İbrahim Tunç

18)- Sefer Tunç

20)- Meryem Tali

22)- Nazdar Takum

Security forces, who raided the Akduman village of the Uludere district of Şırnak at the beginning of April killed 7 people, named Mehmet Tok, Sefer Tunç, Mustafa Tok, Meryem Tali, Elif Tok, Nazdar Takum and Ibrahim Tunç. During the raid, more than 20 livestock were perished and 6 houses were burnt down. All of the people living in the Akduman village in which there were 300 houses and where there were known PKK sympathizers, migrated to Northern Iraq after the incident.

24)- Necdet Kont

Quarter headman Necdet Kont was killed by 4 people, including village guard Eyüp Iper, in the Viranşehir district of Urfa on 5 April. Village guard Eyüp Iper and the 3 people, Os-man Ilan, Adil Ilan and Osman Iper, who killed Necdet Kont were detained 15 days after the incident and then arrested. It was reported that the murder had no political motive.

25)- Raif Menteş (13)

27)- Metin Aktekin

29)- Çavuş Şanlı (90)

31)- Muhibet Salan

26)- İlhami Menteş (12)

28)- Zeki Aktekin

30)- Sıddık Şanlı

A group of village guards were attacked by PKK militants in the vicinity of the Oyuklu village of the Lice district of Diyarbakır early in the morning on 9 April. In the attack, one village guard died and 2 village guards were wounded. Upon the attack, the Kutlu village known to have PKK supporters, was raided by the village guards of the Oyuklu village in the morning. The village guards who entered the Kutlu village, 15 kilometres from the Oyuklu village, by opening fire at random, set most of the houses in the village on fire. In the incident, villagers named Raif Menteş, İlhami Menteş, Metin Aktekin, Zeki Aktekin, Çavuş Şanlı, Sıddık Şanlı and Muhibet Salan died either from gunshot wounds or suffocating from smoke, and 12 people were wounded. The names of those wounded are as follows: “Kazım Polat, Sertip Özdoğan, Celal Özdoğan, Bahri Özdoğan, Zeliha Şanlı, Ahmet Hantaş, Hasan Hantaş, Ibrahim Salan, Ahmet Salan, Halim Döndü, Baki Eryılmaz and Hacı Ali Eryılmaz”. The villagers, who died were made reported as PKK militants killed in a clash. A woman, named Zeliha Şanlı (55), who was wounded in the incident stated the following at hospital: “They raided the village early in the morning. They were entering houses and opening fire like wild animals. At that time I was shot in the neck from the right and lost my consciousness. When I came round, I was in a military vehicle.” Another wounded person, Kazım Polat (35) said: “The village guards first surrounded the village. Then they started to fire with machine guns and rocket launchers. They were firing at random. I was sitting at the bottom of a wall together with 2 villagers. When they opened fire at us, the other people died and I was shot from my right side. I played dead and saved my life. Subsequently, they set houses on fire. Screams and cries were coming from the village. I saw that they were crushing the head of a child, İlhami, with a stone. Neighbouring villagers informed the gendarmerie station. When soldiers arrived, the village was burning. The soldier took us to hospital.”

32)-

A tradesman who warned a soldier molesting young girls in the Nusaybin district of Mardin on 14 April, was shot in the chest and killed by the soldiers. Another person was wounded in the incident. The soldier was reportedly drunk in the incident. The soldier, who was arrested on 15 April, was learnt to be the guard of a major in charge in Nusaybin and too drunk at that time. The shops in the district were not opened on 15 April in order to protest the incident.

33)- Abdalcabbar Kaplan

34)- Güntekin Güzel

Security forces who raided the Anadere and Pertevkut villages of the Tatvan district of Bitlis on 20 April, shot and killed Abdulcabbar Kaplan and Güntekin Güzel. In the raid, 9 houses in the Pertevkut village and 15 houses in the Anadere village were burnt down and about 500 sheep were commandeered.

35)- Hazım Abo (21)

On 22 April, a youth named Hazım Abo, who was born in Hakkari, was shot dead at about 9.30 p.m. as a result of the fire opened by policemen patrolling on 713rd Street in the Barbaros quarter of Adana. Police authorities stated that fire had been opened at Hazım Abo since he had not obeyed stop warning and that the identity card of the person in question was false. On the other hand, eye witnesses said that Hazım Abo had been stopped, searched and laid down by plain clothes officers, and shot dead in the head.

36)- Keziban Kalkan (18)

On 27 April, a girl named Keziban Kalkan was shot dead by security forces raiding the Yazkonağı village in the Genç district of Bingöl. Keziban Kalkan was said by the Emergency State Region Governorate to be “a PKK militant killed in a clash”. Keziban Kalkan’s mother Halime Kalkan said the following: “In the morning we were taking livestock out after having our breakfast. We heard gun shots. We first thought that a clash had broken out. Later we realized that soldiers had been firing on the village. At that moment my children were out. We hid the children in the straw-rick behind the house. The gunfire got closer. We shouted at the soldiers, ‘Don’t kill us. We are villagers.’ But they continued firing. Then, we tried to run away towards the house. I was running in front. Meanwhile, I heard my daughter shouting, ‘Mam-ma, they shot me.’ When I turned back Keziban was lying covered in blood on the ground. Soldiers continued firing after my daughter was shot. In the autopsy, Keziban was revealed to have bled to death. If soldiers had not continued firing, my daughter would have survived.”

37)- (12)

In the fire opened by the village guards who laid an ambush in the vicinity of the Yanık-kaya village in the Sason district of Batman on 29 April, a 12-year old shepherd was shot dead and a 16 year old one got wounded, while grazing sheep in the region. In the official statement as to the incident, it was claimed that the shepherds had been caught in the cross-fire and shot.

38)- Volkan Günday (29)

On 30 April, Volkan Günday, who was trying to park his car on Söğütluçeşme Street in Istanbul Kadıköy, was shot dead in the heart by traffic police officer Müşerref Şen who was in charge in the region. There was reportedly a parking ban in the place where Volkan Günday was trying to park his car. A crowded group who blockaded traffic on the Söğütluçeşme Street following the incident, protested against the police for about an hour. Müşerref Şen (25), was detained and then arrested after the incident. In the first testimony he delivered, Müşerref Şen claimed that he had shot Volkan Günday accidentally. His trial started at the Kadıköy Heavy Penal Court No.1 on 27 October. Müşerref Şen, who was accused of “killing deliberately” and faced 24 years in prison, stated in his defence that he had argued with Volkan Günday since he had been trying to park his car in a place where parking was forbidden, and said, “He pulled up his car speedily on me. The car struck my leg. Then I drew my gun and fired at his shoulder. As he gained on me, I thought he was a terrorist or a wanted criminal. I fired in order to prevent his escape.” Müşerref Şen was sentenced to 17 years, 6 months in prison in the trial that ended in April 1995. Volkan Günday’s uncle Lawyer Prof. Dr. Metin Günday held the Ministry of In-terior responsible

for the incident, and launched a trial demanding TL 5 billion compensation. In his petition, Metin Günday stated that the administration was at considerable fault in the incident, and said, “A mentally ill person serves as a police officer without receiving the necessary training for using a gun, even if he was trained, the administration is responsible since it allows such a person to work as a police officer.”

39)- Erdem Kantekin (20)

On 1 May night, a youth named Erdem Kantekin was shot dead in the back by police officers patrolling in the Şakırpaşa quarter of Adana. Police authorities alleged, “Erdem Kantekin was clashing with the police and a pistol was found on him.” On the other hand, witnesses said that the incident was an extra-judicial execution and that Erdem Kantekin had been shot dead while escaping”. Erdem Kantekin was buried in the Akkapı Cemetery on 2 May.

40)- Mehmet Kural (35)

Non-commissioned officer Eren Bıyıklı who was in charge in a gendarmerie station in the Tomarza district of Kayseri, shot to death with a bullet to the heart his landlord, Mehmet Kural, who wanted him to pay the electricity bill. The incident that occurred at about 4.30 p.m. on 5 May, aroused great indignation in Tomarza. A crowded group that gathered in front of the gendarmerie station, stoned the building and tried to lynch Eren Bıyıklı. He was arrested following the incident, and a trial was launched against him on charges of “killing deliberately”.

41)- Mehmet Şerif Avşar (28)

A tradesman named Mehmet Şerif Avşar who was abducted by armed people coming to his shop in the Yenişehir quarter of Diyarbakır at noon on 22 April, was found dead around the Tepebaşı village of Silvan on the morning of 7 May. Mehmet Şerif Avşar was revealed to have been shot 2 times in the head. As a result of an investigation, village guards Yaşar Günbattı, Aziz Erbay, Ömer Güngör, Fevzi Gökçek and Nevzat (Sayel) Akçıl, and repentant Mesut Mehmetoğlu, who abducted and killed Mehmet Şerif Avşar, were apprehended. Later, a trial was launched by the Diyarbakır Public Prosecution Office against those people. In the trial, the death sentence was demanded for Ömer Güngör while the other defendants faced up to 20 years in prison. The trial (*) started at the Diyarbakır Heavy Penal Court No.3 on 5 July. Out of the defendants cross-examined in the hearing, Ömer Güngör admitted he had killed Şerif Avşar, and claimed that Şerif Avşar had provided medical aid to PKK militants, convinced some people to join the PKK, and had caused him to get injured. Ömer Güngör said the following: “One day before the event, we went to Diyarbakır together with the other village guards. After spending the night in a gendarmerie guest house, we went to the Security Directorate. Here I saw Ferit Akçay who supports the state and whom I knew before. He gave me the address of Şerif Avşar’s shop. I and the other village guards went to the shop, and tried to take Şerif Avşar with us. But he didn’t come and he asked us to call the police. Fevzi Gökçek and Aziz Erbay went and called the police. Mesut Mehmetoğlu and a person with glasses whom we didn’t know, arrived saying they were police officers. We brought Şerif Avşar to the Gendarmerie Command. Later, I and Mesut, Fevzi, Şerif Avşar, and the person

(*) Lawyer Şenal Sarıhan, who attended the hearing as an intervening lawyer in the name of Şerif Avşar’s relatives, appealed to the Ministry of Justice and demanded that the trial be held in Ankara for security reasons. Şenal Sarıhan said in her petition, “There are pressure and threats against the eye witnesses and victims of the incident, and against the defence. Some of the witnesses had to leave the city and migrate because of the duress.” The demand by Şenal Sarıhan was not accepted. Meanwhile, Şenal Sarıhan was followed by unknown people before the hearing on 21 September, and threatened by some people who got close to her and said “It would be better for you if you do not come here the next time.” after the hearing.

whom I didn't know went to a ruined building on the 19th kilometer of the Diyarbakır-Lice road. There, Mesut and the person whom we didn't know talked to Şerif Avcı for a while. Then Mesut called me and wanted me to kill Şerif Avcı. Since I was frightened, I obeyed the instruction, and shot twice in the head. On our return, policemen stopped us. An announcement made via wireless, ordered our vehicle to be kept waiting. However, they set us free when the person with glasses said that he was a policeman." Fevzi Gökçek stated that he had participated in many operations, that they had detained Şerif Avcı during one of these operations and they had the authority to detain any person at any time, and said they had informed the Hazro Gendarmerie Commander after killing Şerif Avcı. Fevzi Gökçek, who repeatedly said in the cross-examination that he had been ill used, said, "I cannot speak freely at the moment. In detention, a non-commissioned officer, whose name I don't know, wanted us to repeat our testimonies, saying what he considered appropriate. Stating that the testimonies received in the gendarmerie station and the prosecution office, were not his, Yaşar Günbattı said, "We can't speak a lot about the incident. The state has charged me with the detention of some people, but later we have been found guilty. If we did not carry out the duty, we would be fired." Aziz Erbay said the testimony he had given in the gendarmerie station was not his, and false statements had been prepared in order to save the person who was also involved in the incident and introduced himself as a "policeman".

42)- Babür Çıtak**43)- Ensar Özden****44)- Sıtkı Akar**

On 7 May, 3 people, named Babür Çıtak, Ensar Özden and Sıtkı Akar, were killed while 3 others, named Selim Akar, Şükriye Akar and Fatma Akar were wounded, by security forces in a raid on the Kazan village in the Çukurca district of Hakkari. After the raid, the village was evacuated, houses were burnt down and all the men in the village were detained. The occupants of Kazan migrated to Hakkari and were settled in the Dağgöl quarter. A clash that had arisen in the Kazandağı region around the raided village on 6 May and lasted till the morning of 7 May, and some security forces had been killed.

45)- Vahit Haran (35)

Vahit Haran living in the Arıklı village of the Genç district of Bingöl, was shot dead in the gunfire opened by security forces while working in his field on 12 May. Vahit Haran was reported to be "a PKK militant killed during a clash".

46)- Reşit Demirhan (40)**47)- Sabri Akdoğan (65)****48)- Hasan****49)- Bayram****50)- Vahap**

Reşit Demirhan and Sabri Akdoğan who were taken out of their village by the security forces carrying out a raid on the Yolçatı village of the Genç district of Bingöl on 14 May, were executed by shooting. The corpses of the 2 men were found in the mountainous region around the Cumar village on 15 May by villagers and brought to Lice. Reşit Demirhan and Sabri Akdoğan were later taken to Diyarbakır by their relatives and buried. In the same region the corpses of 3 men named Hasan, Bayram and Vahap, whose surnames could not be learned, were found on 16 May. The occupants of the region stated that those people had been killed by security forces. In a statement made by the Emergency State Region Governorate on 15 May, it was reported, "5 PKK militants were killed during a clash that arose around the Yolçatı village on 14 May." Sources in the region stated that such a statement had been made "in order to hush up the 5 murders by security forces".

51)- Maksut Polat (22)

On 17 May, a youth named Maksut Polat was shot dead by police officers waiting at the Yeşilevler cross-roads in the Şakirpaşa quarter of Adana. The policemen were reportedly waiting to catch Maksut Polat, who was killed just after getting off a minibus. During the inci-dent, a man named Hacı Demir who was near Maksut Polat was detained. Police authorities alleged that Maksut Polat was a militant of the Revolutionary Left organization, and had been killed in a clash that had arisen when he had opened fire, and that a pistol had been found on him. Some eye witnesses said that fire had been opened on Maksut Polat without any warning, and he had later been caught, laid down and shot dead with a bullet to the head.

52)- Rifat Özer**54)- Abdülmecit Kaçar****53)- Kasım Kaçar****55)- Halil**

On 17 May, 4 shepherds, Rifat Özer, Kasım Kaçar, Abdülmecit Kaçar and Halil, whose surname could not be learnt, who were grazing animals around the Gökçebağ town of Siirt were taken away by soldiers carrying out an operation in the region and executed by shooting. The shepherds whose corpses were found in the Kasaplar Deresi region on 18 May, were reported to be "PKK militants killed during a clash". The killed shepherds were buried in the Siirt Cemetery on 19 May by their relatives and friends. The relatives of the shepherds reported that all kinds of pressure had long been on them to make them leave the region, and for this reason, the 4 innocent people had been killed without pity.

56)- Ali Süme (28)

On the morning of 19 May, a fisherman named Ali Süme was shot dead by a non-commissioned officer waiting in front of a naval base where the boat of the fisherman was dragged due to a breakdown in its motor. Hüseyin Kaymaz who was in the same boat with Ali Süme, survived the incident without any wounds. Hüseyin Kaymaz, who was kept in detention for some time following the incident, said, "We were harvesting mussels. Subsequently, the motor broke down and we were dragged to the military zone. When we realized that we entered the military zone, we tried to call for help by waving a red flag. However, the soldiers who did not take the situation into consideration, fired at us." Ali Süme was revealed to have been shot three times in the left armpit.

57)- Faik Cengiz

Faik Cengiz who was shot by 4 village guards named Mehmet Seçilir, Durna Seçilir, Yunus Seçilir and Sedat Sacar in the Şehit Emin village of the Sarıkamış district of Kars on 25 May, died at hospital. Occupants of the Şehit Emin village said the following about the inci-dent: "The PKK militants who raided the Belencik village of Sarıkamış on the night of 28 Oc-tober 1993, killed 7 people, 4 of whom were village guards. The village guards named Mehmet Seçilir, Durna Seçilir, Yunus Seçilir and Sedat Sacar who are the relatives of those killed in the raid, came to the village on 25 May and tried to abduct Faik Cengiz in revenge for the raid. The village guards accused Faik Cengiz of not informing them about the raid though he had been informed about it. For a moment, Faik Cengiz managed to escape from the village guards and began to run away. Thereupon, they shot him in the back. He died from loss of blood at the Sarıkamış State Hospital. He said just before his death he had been shot by the village guards of the Belencik village, and his family identified the murderers. Thus, the village guards were arrested and sent to the Sarıkamış Prison. We learnt that the arrested village guards had said to their families 'The colonel ordered us to shoot and kill, and said that he was backing us. Accordingly, we shot. However we were imprisoned. Now, nobody protects us.' and thus they had poured out their troubles."

58)- Mehmet Emin Gorel**59)- Hacı Gorel**

60)- Mehmet Kaya (60)**62)- Abdulselam Demir (25)****64)- Mehmet Nezir Gorel**

7 people, Mehmet Emin Gorel, Hacı Gorel, Mehmet Kaya, Mehmet Özkan, Abdulse-lam Demir, Mehmet Nezir Gorel and Şerif Ekin, who were taken away by the security forces in a raid on the Ormaniçi village in the Güçlükönak district of Şırnak on 30 May, were found dead around the village on 7 June. The occupants of the Ormaniçi village said that they had sought information from authorities in Cizre and Şırnak concerning the aforesaid 7 people but their efforts had been fruitless and that military authorities had replied to them, “We delivered your relatives to village guards.” The villagers claimed that their relatives had been killed by the vil-lage guards attached to Cizre Mayor Kamil Atak and said, “We know the murderers. Although we informed the official ranks about these people, no legal procedures were taken against them. The villagers were detained in front of us. The official ranks are denying the detentions in order to hush up the massacre by the village guards.”

65)- Yusuf Elik

A shepherd named Yusuf Elik who was grazing sheep around the Kuşdalı village in the Eruh district of Siirt at about 5.00 a.m. on 7 June, was shot dead in the back by village guards. In an official statement, Yusuf Elik was reported to be “a PKK militant killed while clashing with security forces”. The bullets that killed Yusuf Elik were revealed to have been fired from the gun of village guard Halil Çiftçi, who is in charge in the Ekmekçi village of Eruh. The Kuş-dalı village had been evacuated by security forces in April.

66)- Selim Taş (50)

A shepherd named Selim Taş, who was shot on the morning of 7 June by special team members around the Turkish-Iranian border in the vicinity of the Yüksekova district of Hakkari, died while being brought to the Van State Hospital. Selim Taş’s brother said in a statement after the incident, “Upon hearing gun shots, other shepherds in the region went to the scene. My brother who was lying down wounded could barely say, ‘They asked me something in Turkish. Since I didn’t know Turkish, I answered in Kurdish. Thereupon, they fired.’ When we arrived at the place my brother had fainted. He had lost a lot of blood. If we could have brought him to the hospital on time, he might have survived. The Emergency State Region Governorate said, ‘A terrorist had been killed in the countryside of Yüksekova.’, in a statement issued following the incident.”

67)- Sabri Acar (45)

On 20 June, railway worker Sabri Acar was shot dead by enlisted man Sedat Aydın who was on duty in the Halil Çavuş Gendarmerie Station around the Uğurlu village in the Akçakale district of Urfa. In an official statement, Sabri Acar was claimed “to have been caught in cross-fire during a clash between PKK militants and security forces and died”. In the autopsy on Sabri Acar, it was revealed that a poisonous bullet had caused his death, and the ballistics examination determined the bullet had been fired from the gun of Sedat Aydın. Sedat Aydın was arrested and sent to the Gaziantep E Type Prison after the incident. Sabri Acar’s son Mus-tafa Acar said that his father had been killed openly by shooting into his tent, and that a major who had come to their village following the incident had threatened them in order to prevent them from filing a complaint and tried to hush up the event by bribery.

68)- Mehmet Güneş

On evening of 23 June, Mehmet Güneş, the owner of a restaurant serving alcoholic drinks in the Akhisar district of Manisa, died and his brother Mustafa Güneş was wounded, by police

officer Ismail Küçükbaş, who was irritated by the Kurdish folk song played in the restaurant. Ismail Küçükbaş was arrested following the incident and a trial was launched against him on the charges of “shooting with the intention of murdering”. The trial held at the Adana Heavy Penal Court No.2 due to security reasons, ended on 9 June 1995 and Ismail Küçükbaş was sentenced to 17 years 7 months in prison. In his defence, Ismail Küçükbaş said that he had been attacked by Mehmet Güneş and Mustafa Güneş during the incident and had had to fire in self-defence.”

69)- Emrullah Zeybek (14)

70)- Hikmet Argün (14)

On the evening of 25 June, a group soldiers who were conducting a field search around the Yaygın village of Bitlis, chased and fired at 2 shepherds, named Emrullah Zeybek and Hikmet Argün who disobeyed their calls to stop. The shepherds who escaped from the soldiers, hid in a partially ruined house, and waited till morning. The 2 shepherds left their hiding place by the dawn on the morning of 26 June. The soldiers who were ambushing region opened fire at the shepherds once more. As a result of the fire, Emrullah Zeybek and Hikmet Argün were shot dead. In the official statement about the incident, it was reported, “The shepherds were mistakenly shot.”

71)- Bayram Tekin (17)

On 2 July, a youth named Bayram Tekin was shot dead by village guards raiding the Aktepe hamlet of the Uçtepe village in the Derik district of Mardin. Four village guards named Halil Reşoğlu, Halit Reşoğlu, Ali Dayan and Ahmet Dayan who were detained following the incident upon a denunciation by the relatives of Bayram Tekin, were set free by the court on 4 July. The relatives of Bayram Tekin, who criticized the release of the village guards, stated that they had frequently been attacked since they had not accepted to serve as village guards and said, “Some village guards dropped their IDs while they were escaping. Thereby we filed a complaint against those village guards. However, the court set them free though it had been informed about the situation.”

72)- Hacı Sait Mete (67)

On 8 July, Hacı Sait Mete who was grazing sheep in the vicinity of the Saribudak village of the Hani district of Diyarbakır, was shot dead with a single bullet to the head by security forces raiding the village.

73)- Mehmet Emin Meşe (55)

On the morning of 12 July, a man named Mehmet Emin Meşe (55) who was living in the Bostankar village in the Eğil district of Diyarbakır, was shot dead by security forces who entered the region after a clash between PKK militants and security forces and opened fire randomly.

74)- Feysel Aslan

On 13 July, a person named Feysel Aslan was shot dead by security forces raiding the Veşkan village in the Yüksekova district of Hakkari. A man named Fevzi Tekin was severely wounded in the incident. Feysel Aslan was reported to be “a PKK militant killed in a clash”. During the raid, 2 of the houses in the village were burnt down, and 8 people were detained.

75)- Mehmet Celbek

On 22 July, Mehmet Celbek who was mentally ill, was shot and wounded by soldiers patrolling the road around the Dedebackır village in the Baykan district of Siirt. Reportedly, the soldiers shot Mehmet Celbek who was known as “Komando Mehmedo” (Commando Meh-met) in the region, because he disobeyed a stop warning. Mehmet Celbek died at the Diyarbakır State

Hospital on 25 July. His corpse was delivered to his family on 27 July and buried in the Dedebakır village on the same day.

76)- Şahin Bektaş

On 26 July, a man named Şahin Bektaş who was irrigating his field, was shot dead by security forces around Şırnak. The corpse of Şahin Bektaş was brought to Şırnak and buried on the same day. Sources in the region stated that the atmosphere in Şırnak and its surroundings had been considerably tense on the day of the incident, that frequent gun shots had been heard, and the mountains in the region had been bombed by helicopters, and reported that Şahin Bektaş had been killed by mistake in such an atmosphere as he had been deemed to be a PKK militant. No official statement was made regarding the incident.

77)- Raif Arıktekin

On the morning of 8 August, a man named Raif Arıktekin was shot dead and another named Hikmet Arıktekin was wounded in the fire opened by village guard Mahmut Yener in the Merkez village of the Genç district of Bingöl. Mahmut Yener who was also the headman of the village, was detained by gendarmes after the incident and then arrested.

78)- Şahin Kem

79)- Aydagül Şeker

Two people, Şahin Kem and Aydagül Şeker, died when special police team and village guards controlling the road around the Soğukpınar quarter in the Pertek district of Tunceli opened fire at their car at about 8.30 p.m. on 10 August. In the incident, a woman, named Nur-sel Koç who was driving the car, was shot wounded in the hand. Reportedly, the car was shot at because the driver disobeyed orders to stop. It was stated that the occupants of the car had been on their way from Mersin to Pertek to attend a funeral. The shops in Pertek remained closed on 11 August in order to protest the incident. Aydagül Şeker and Şahin Kem were buried on 12 August in the Söğütlütepe and Borutay villages of Pertek, respectively.

80)- Metin Aktaş (20)

On the night of 13 August, a youth named Metin Aktaş was shot dead in the back by police officers patrolling Obalar Street in the Dağlıoğlu quarter of Adana. In an official state-ment, it was claimed, "Metin Aktaş tried to escape while firing at police officers who came to the region upon learning that PKK militants were distributing leaflets, and was killed in the clash that arose for this reason." In the statement, it was also claimed that Metin Aktaş had been among the PKK militants who were distributing leaflets. On the other hand, Metin Aktaş's father Hacı Abdullah Aktaş stated that the incident was not a clash, but an extra-judicial execution, and said, "When my son did not come home till morning, I went to the Dağlıoğlu Police Station. The policemen there told me, 'Your son clashed with police while distributing leaflets and got wounded.' Thereupon, I went to the State Hospital and learnt that my son had died. My son went out to perform 'namaz' that night. He was shot while going to the mosque."

81)- Hüseyin Baş

A bomb which was dropped from a war plane hit a house in the Yavuztaş village of the Yayladere district of Bingöl on 26 August. In the incident, Hüseyin Baş, the owner of the house, died and his 2 children, namely Songül Baş (18) and Murat Baş (11) were wounded. Hüseyin Baş's wife Şerife Baş stated the following in her appeal to the State Ministry respon-sible for human rights: "On 26 August 1994, an operation was held with the participation of war planes, against the Çalıkağıl village of Yayladere. On their return to the base after the operation, the planes bombed

our village, too, which is far from the place of the clash. One of the bombs hit our house and my husband was killed while my 2 children were wounded. My husband had no relation with the PKK. Nevertheless he was killed. No authorities came to the scene after the incident. We were able to bring my wounded children to the district one day later. The Yayladere Gendarmerie Station Commander made me sign a statement saying ‘my husband died in a clash’ 4 days after the incident. I demand an investigation into the case, and compensation for this unfair treatment.”

82)- Mehmet Özalp (35)

On the night of 28 August, waiter Mehmet Özalp was shot dead and 2 others, Bülent Aslan and Rıza Kaya, were wounded by soldiers who laid an ambush at the entry of the Kale-dibi village in the Mazgirt district of Tunceli. Sources in the region reported that the soldiers had opened fire at the 3 passers-by without any reason or warning. The military authorities stated the three had been shot by mistake. An investigation was launched into the incident by the Public Prosecution Office. Mehmet Özalp’s relatives said the following about the incident: “Mehmet Özalp and his 2 friends are used to come on foot from Mazgirt to the Kaledibi village where their houses are located, every evening. Soldiers lay ambushes around Mazgirt every night. For this reason, they always call and inform police before leaving Mazgirt in order to avoid an accident, and the police inform the soldiers around. They called and informed the police on the night of 28 August, too. But the police did not inform the soldiers on that night. When they arrived at the village at about 9.30 p.m., they were shot.”

83)- Mehdi Bilgin (65)

On 29 August, a man named Mehdi Bilgin was shot dead by security forces around the Başpınar village in the Beşiri district of Batman on the grounds that “their orders to stop were disobeyed”. Mehdi Bilgin, who was buried by the Beşiri Municipality following the incident, was learnt to be mentally ill. Mehdi Bilgin’s son Şakir Bilgin said the following: “We settled in Batman when the Gözderesi village of Silvan, where we had lived for years, was evacuated and burned down in June. After moving to Batman, my father became restless. Though he had never gone to any place alone, he left the house for the first time, a week before the incident. He was not able to go to Beşiri alone. I don’t know how he went there. I suppose he left for his village in a semi-conscious state. I couldn’t receive satisfactory information about why and how he was killed.”

84)- Feyzi Kalmaz

85)- Şehmuz Kalmaz

On 30 August, village guards opened fire upon 3 people, named Feyzi Kalmaz, Şeh-muz Kalmaz and Sultan Kalmaz who were picking grapes in their vineyard around the Köprü-lü village in the Savur district of Mardin. Feyzi Kalmaz and Şehmuz Kalmaz were killed while Sultan Kalmaz was severely wounded. Sultan Kalmaz was treated for a long period, first at the Mardin State Hospital and then to Diyarbakır State Hospital.

86)- Ahmet Kıran (67)

87)- Ayşe Kıran (65)

Ahmet Kıran and his wife Ayşe Kıran, who were taken away by special team members raiding their house in the Silopi district of Şırnak on 11 September, were found dead on 12 September. Ahmet Kıran and Ayşe Kıran were allegedly found with their eyes cut out, the ears cut off, and scalped. A relative of the old couple, who did not want to be identified for security reasons, said, “The son of Ahmet and Ayşe Kıran joined the PKK a short while ago. For this reason, they were under continuous pressure. They killed them for revenge.”

88)- Rıfat Özgüngör (24)

On 17 September, Rıfat Özgüngör was shot dead by the gendarmes controlling the road around the Hafik district of Sivas. Rıfat Özgüngör, who was the former Representative of the periodical Mücadele in Sivas, was stated to have been killed because “he disobeyed an order to stop”. In the statement by the periodical, it was said that officials avoided giving detailed information about the murder of Rıfat Özgüngör.

89)- Ahmet Talayhan (36)

Driver Ahmet Talayhan, who was transporting passengers from the Nusaybin district of Mardin to the Kuyular village of Nusaybin, was shot dead with 2 bullets to the head by village guards after all his belongings were seized. Ahmet Talayhan’s sister Nuriye Kırgız said the following as to the incident: “The vehicle driven by my brother was waylaid by 3 armed people, 5 kilometers from the Tinati village, where village guards live. Those people said that they were from the PKK and wanted Ahmet to take them on his return. When my brother behaved in an undecided manner, they seized his identity card, driving license and passport. The occupants of the vehicle told my brother that those people were village guards, and that he should not return. But my brother returned in order to get his belongings back. Two days after this incident, we found the corpse of my brother. The corpse was delivered to us with no autopsy carried out. The soldiers who came to the village made my blind father sign a statement that Ahmet was killed by PKK militants.”

90)- Hasan Polat (27)**91)- Mustafa Yıldız (27)**

On the night of 19 October, village guards raiding on the Sekinek village in the Çemişgezek district of Tunceli, executed Hasan Polat and Mustafa Yıldız, by shooting. The incident was publicized as “an attack by PKK militants”. The Sekinek village was reportedly raided in retaliation for the killing of 2 village guards from the village by PKK militants on 15 October.

92)- Müslüm Kavut**94)- Ali Işık (27)****93)- Aslan Yıldız****95)- Hasan Çiçek (57)**

Seventeen out of the numerous people (*) detained during the operations in villages of districts of Tunceli at the end of September and at the beginning of October, disappeared. Out of those who disappeared, Ali Işık was found dead around the Gökçek village of Tunceli on 17 October, Müslüm Kavut and Aslan Yıldız were found in the Çalıkıran region between the Karaoğlan town and the Yüceldi village of Ovacık on 4 November, and Hasan Çiçek was found around the Boytaş village of Hozat on 15 November. The fates of the remaining 13 people were not revealed. Müslüm Kavut and Aslan Yıldız, out of those found dead, were buried in the Elazığ Gülmez Cemetery on 6 November. Aslan Yıldız’s wife Gazel Yıldız stated the following in her appeal to the State Ministry responsible for human rights shortly before the corpse of her husband was found: “My husband Aslan Yıldız, my son Ulaş Yıldız, Haydar Yeşil from Aktaş and Müslüm Kavut, the headman of the Bilekli village, were taken away by security forces who were in the Karaoğlan village on 13 October. Haydar Yeşil was released one day later while my son Ulaş Yıldız was released two days later. In spite of all our efforts, we could not get any information

(*) During the operations, 20 villages in the Çemişgezek, Hozat and Ovacık districts of Tunceli and some hamlets of these villages were evacuated. The houses in 15 of the evacuated villages were burnt down, some of them with their furniture. Most of the occupants of the evacuated and burnt down villages went to Ovacık while some preferred to go to Elazığ. (Detailed information is on pages 70-74)

about my husband and Müslüm Kavut.” Cemal Çiçek, the son of Hasan Çiçek who disappeared after leaving the Boytaş village on 6 October, said the following: “My father went out of the village in the evening to take his horse. My mother could not dis-suade him from going though, she told him that the soldiers were around the village. A while after he left the village, my father was detained. Shortly afterwards, gun shots were heard from the direction he was travelling. On the next morning, there was a smoke in that direction. Then the soldiers evacuated the village. I sought help from the Tunceli Governorate and the Gendarmerie Brigade Commandership to find my father. My mother informed the Public Prosecution Office. However, our efforts remained fruitless. ‘Don’t worry. We will find your father.’, replied the Tunceli Governorate to my application.”

96)- Ecevit Balcı (18)

On 4 November, police opened fire at 3 people who were trying to hang a placard reading “Marxist Leninist Communist Party (MLKP-K) Established”, on a bridge in the Gül-suyu quarter of the Maltepe district of Istanbul. A youth named Ecevit Balcı was shot dead, a young girl named Ayfer Açıl was wounded while the third person escaped. Ayfer Açıl was de-tained after the incident. Witnesses said that the policemen had opened fire at the 3 people while they had been trying to escape and those people had not fired at the policemen.

97)- Yunus Turgut (15)

Soldiers in charge at the Habur Customs Gate in the Silopi district of Şırnak opened fire at a truck entering Turkey, on claims of disobeying “stop” warnings. In the incident on 1 December, a child named Yunus Turgut who was in the truck was killed. The driver of the truck was detained following the incident. Witnesses said that the fire had been opened at the truck during a quarrel which had arisen because the bribe given to cus-toms officials was not enough. It was learnt that Yunus Turgut was a relative of Silopi former Mayor Levent Tayşun.

Those wounded

In fire opened by security forces upon demonstrators, houses or vehicles at random or during the raids, many people escaped from being killed but were wounded and sometimes disabled, in 1994. Security forces who raided the Aşağı Söylemez village of the Karayazı district of Erzurum on 1 February, wounded 2 children, 7 and 12 years old. Şakir Kabayalçın, the father of the children stated: “On the day of the incident, security forces raided my house. At that time, my children started to escape in fear. They opened fire at the escaping children. Po-lice officers came to me after the incident, and said to me that they would undertake treatment expenses if I did not file an official complaint, otherwise they would hush up the incident.”

Murat Bilgen, who was giving his testimony as a suspect in the Istanbul Üsküdar Cen-tral Police Station, on 26 February, was shot in the stomach and wounded when he attempted to escape. Officials of the police station claimed that they had opened fire since Murat Bilgen had not obeyed “stop” warnings. Officials did not indicate why he had attempted escape and how he had been shot in the stomach while escaping.

On the night of 12 March, explosives were thrown by unknown people into the election office of the SHP on 808th Street in the Dumlupınar quarter of Adana. During a counter operation after the attack, Süleyman Öndeş was shot one time in the head and wounded by police. Police officials stated that he was one of the people who had thrown the explosives into the election office and had been shot since he had not obeyed “stop” warnings. He was treated at hospi-tal for

15 days, but remained disabled. Süleyman Öndeş, who was kept under police surveillance during the period at hospital, was found innocent by the court on 28 March and released.

Soldiers opened fire at Hüseyin Şimşek and his wife Fatma while they were working in their field near the gendarmerie station in the vicinity of the Gercüş district of Batman on 19 June. In the incident, Hüseyin Şimşek was shot in the leg and wounded and one of his cows was killed. Stating that he went to the Gercüş Gendarmerie Battalion Commandership to make a complaint after the incident, Hüseyin Şimşek said that he had been turned out by a military officer who had said: "We kill 100 people in a day. You ask for money for your killed cow."

Soldiers opened fire at the vehicle of Istanbul Regional Forest Director Fethi Özbay, who was directing fire fighters to put out a fire, which started in the woodland between the Sofular and Alacalı villages of the Şile district of Istanbul on 12 August, in the late hours at night. Fethi Özbay was shot in the stomach and wounded. He stated the following at hospital: "We lost our way and entered the military zone accidentally. Soldiers reportedly warned us to stop, but we did not hear the warning. Thereupon, they opened fire at us."

d)- Deaths in the explosions of mines and unclaimed bombs

In the Emergency State Region, a total of **131** (*) people who stepped on mines planted on roads or in fields, or who tampered with unclaimed bombs or cannon shells they had found, died as a result of explosions (this number was 38 in 1992 and 123 in 1993). In addition, more than **200** people were wounded in the explosions of mines and bombs. 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. Almost all of the people who died or were wounded in the explosions of the unclaimed bombs or cannon shells found on roads, fields or in settlements were children.

Two children named Nihat Aydın (12) and Sadullah Gökyamaç (10), who were playing on an area around the Bahçeli village of Bingöl that had previously been used by soldiers, lost their lives on 20 March when a hand grenade, they were tampering with exploded.

Three children, named Selma Solhan (7), Emrullah Solhan (14) and Nurullah Solhan (16), who brought home a rocket launcher shell they found in a field in the İkikuyu village of the Kızıltepe district of Mardin, died as a result of the explosion on 8 July. Şehmuz Solhan, the father of the children, said the shell had been left there by the soldiers who had conducted firing exercise in the region. Out of the children tampering with a bomb they had found on road in the Taşlıdere village of the Kozluk district of Batman on the morning of 16 July, Kemal Dartan (12) died as a result of the explosion. Four children were wounded during the incident.

In the explosion of a mortar shell left on a field around the Çayüstü village of the Dicle district of Diyarbakır, 6 children, Savaş Ateş (11), Halit Güneş (13), Bayram Güneş (13), Vedat Balta (12), İbrahim Balta (13) and İsa Can (15) died. In the incident, which happened on the morning of 22 August, 2 children were wounded. The villagers of Çayüstü claimed that the mortar shell that caused the death of the 6 children had been left by security forces who had carried out an operation in the region in August. The villagers stated their fear that other mortar shells might have been left in the vicinity of the village.

(*) This number does not include soldiers, police officers, village guards or PKK militants who died in mine explosions.

Five children, Recep Tartar, Emrah Tartar, Kadriye Savaş, Faruk Savaş and Ibrahim Savaş, who were tampering with a hand grenade they had found on street in the Cumhuriyet quarter of the Genç district of Bingöl, died as a result of the explosion on 24 September.

Following is the list of the civilians died in the explosions of mines or unclaimed bombs:

<u>Name & surname</u>	<u>Date of event</u>	<u>Place of event</u>
001)- Kudret Akkoyun (45)	04 January 1994	Diyarbakır-Akkoyunlu village
002)- Şeref Yibur (28)	09 January 1994	Around Şırnak
003)- Suphi Eldem (30)	09 January 1994	Around Şırnak
004)- (male)	12 February 1994	Diyarbakır-Bismil-Isapınar village
005)- (male)	12 February 1994	Diyarbakır-Bismil-Isapınar village
006)- (male)	12 February 1994	Diyarbakır-Bismil-Isapınar village
007)- (male)	12 February 1994	Diyarbakır-Bismil-Isapınar village
008)- Tevfik Doğru	16 February 1994	Iğdır-Aralık-Yukarı Topraklı vil.
009)- İsa Düzen (Dal)	16 February 1994	Iğdır-Aralık-Yukarı Topraklı vil.
010)- Ersan Demir (13)	23 February 1994	Around Mardin-Nusaybin
011)- Hayran Alkan	25 February 1994	Around Siirt-Eruh-Bilginler village
012)- Ramazan Gülçer	10 March 1994	Around Diyarbakır-Çınar
013)- İbrahim Dağtekin	10 March 1994	Around Diyarbakır-Çınar
014)- Tacettin Parlak	10 March 1994	Around Diyarbakır-Çınar
015)- Emin Gülçer	10 March 1994	Around Diyarbakır-Çınar
016)- Ramazan Yeşil	10 March 1994	Around Diyarbakır-Çınar
017)- Bedir Soysal	10 March 1994	Around Diyarbakır-Çınar
018)- Halil Demir	10 March 1994	Around Diyarbakır-Çınar
019)- Kutbettin Ayhan	10 March 1994	Around Diyarbakır-Çınar
020)- Hıdır Akyol	10 March 1994	Around Diyarbakır-Çınar
021)- Halil Gülçer	10 March 1994	Around Diyarbakır-Çınar
022)- Hasan Özpınar	17 March 1994	Betw. Çınar-Dilber-Bulutçeken vil.
023)- Nihat Aydın (12)	20 March 1994	Around Bingöl-Bahçeli village
024)- Sadullah Gökyamaç (10)	20 March 1994	Around Bingöl-Bahçeli village
025)- Yusuf Kaya	27 March 1994	Diyarbakır-Çınar-Tilvar village
026)- (male)	27 March 1994	Diyarbakır-Çınar-Tilvar village
027)- (male)	27 March 1994	Diyarbakır-Çınar-Tilvar village
028)- (male)	27 March 1994	Diyarbakır-Çınar-Tilvar village
029)- ... (truck driver)	27 March 1994	Around Şırnak-İdil-Dumanlı village
030)- Mehmet Ayhan	03 April 1994	Around Diyarbakır-Çelikaltı village
031)- Selim Ağırman (14)	07 April 1994	Around Mardin-Midyat-Sivrice vil.
032)- Kenan Kartal	14 April 1994	Around Bitlis-Mutki-Selman village
033)- Cafer Meşe	14 April 1994	Around Bitlis-Mutki-Selman village
034)- Fevzi Meşe	14 April 1994	Around Bitlis-Mutki-Selman village
035)- Şerif Yeşilgül	14 April 1994	Around Bitlis-Mutki-Selman village
036)- Nihat Dağdelen	14 April 1994	Around Bitlis-Mutki-Selman village
037)- Adil Balık	14 April 1994	Around Bitlis-Mutki-Selman village
038)- Emirhan Çiftçi (13)	17 April 1994	Hakkari-Şemdinli Beyyurdu village
039)- Marif Beyhan	19 April 1994	Siirt-Pervari-Desta Buhara region
040)- Abdülkerim Adıgüzel	19 April 1994	Siirt-Pervari-Desta Buhara region
041)- Süleyman Ekin (25)	19 April 1994	Siirt-Pervari-Desta Buhara region
042)- Abdülhadi Ercü	25 April 1994	Between Şırnak-Cizre
043)- Mihail Sak	25 April 1994	Between Şırnak-Cizre

044)- Mehdi Çelik	10 May 1994	Around Hakkari-Şemdinli-Durak v.
045)- Fikri Çelik (16)	10 May 1994	Around Hakkari-Şemdinli-Durak v.
046)- Vasfi Sincar	20 May 1994	Around Mardin-Savur-Tokluca vil.
047)- Fikri Sincar	20 May 1994	Around Mardin-Savur-Tokluca vil.
048)- Sami Tekin	20 May 1994	Around Mardin-Savur-Tokluca vil.
049)- Sadun Demir	20 May 1994	Around Mardin-Savur-Tokluca vil.
050)- Siddık Yılmaz (15)	24 May 1994	Around Siirt-Eruh-Yanılmaz village
051)- Ömer Elçi (13)	24 May 1994	Around Siirt-Eruh-Yanılmaz village
052)- İsmail Yılmaz (11)	24 May 1994	Around Siirt-Eruh-Yanılmaz village
053)- Bülent Özant (11)	07 June 1994	Erciş-Altındere Agricultural Works
054)- (child)	13 June 1994	Bingöl-İlçalar town
055)- (child)	13 June 1994	Bingöl-İlçalar town
056)- (child)	13 June 1994	Bingöl-İlçalar town
057)- Hasan Gürhan	26 June 1994	Around Siirt-Eruh-Gedikyaşar vil.
058)- Mehmet Emin Ertan	26 June 1994	Around Siirt-Eruh-Gedikyaşar vil.
059)- Şükrü Ertan	26 June 1994	Around Siirt-Eruh-Gedikyaşar vil.
060)- Abdülkerim Yıldız	26 June 1994	Around Siirt-Eruh-Gedikyaşar vil.
061)- Nebahat Yıldız	26 June 1994	Around Siirt-Eruh-Gedikyaşar vil.
062)- Cabbar Deniz	26 June 1994	Around Van-Saray
063)- Gurbet Alper (8)	27 June 1994	Around Mardin-Midyat-Kayalar v.
064)- Eylem Tur (13)	28 June 1994	Mardin-Nusaybin İstasyon quarter
065)- Süleyman Erik (9)	28 June 1994	Mardin-Nusaybin İstasyon quarter
066)- Hüsnü Turan (10)	28 June 1994	Mardin-Nusaybin İstasyon quarter
067)- Hasan Urgan (22)	29 June 1994	Şırnak-Cizre-Kızılsu region
068)- Serdar Taşkın (19)	29 June 1994	Şırnak-Cizre-Kızılsu region
069)- Mehmet İşlek (15)	30 June 1994	Around Şırnak-Dağkonak village
070)- Can Şahin (8)	01 July 1994	Around Diyarbakır-Islamköy
071)- Fırat Şahin (12)	01 July 1994	Around Diyarbakır-Islamköy
072)- Selma Solhan (7)	08 July 1994	Mardin-Kızıltepe-Ikikuyu village
073)- Emrullah Solhan (14)	08 July 1994	Mardin-Kızıltepe-Ikikuyu village
074)- Nurullah Solhan (16)	08 July 1994	Mardin-Kızıltepe-Ikikuyu village
075)- Hemok Avcı	09 July 1994	Hakkari-Şemdinli-Zorgeçit region
076)- Habib Avcı	09 July 1994	Hakkari-Şemdinli-Zorgeçit region
077)- Seyfettin Yüksel	09 July 1994	Hakkari-Şemdinli-Zorgeçit region
078)- Rahmi Tuncer	12 July 1994	Around Hakkari-Çukurca
079)- Kemal Dartan (12)	16 July 1994	Batman-Kozluk-Taşlıdere village
080)- Hamit Gezer	22 July 1994	Between Hakkari-Çukurca-Üzümlü
081)- Hacı Albayrak (3)	05 August 1994	Around Elazığ-Aricak-Çayüstü vil.
082)- Hasan Demiralp (15)	05 August 1994	Around Elazığ-Aricak-Çayüstü vil.
083)- Ahmet Olgaç (60)	15 August 1994	Diyarbakır-Kulp-Kurşunlu village
084)- Mehmet Akdemir (65)	15 August 1994	Diyarbakır-Kulp-Kurşunlu village
085)- Çelebi Özgüç (15)	15 August 1994	Around Mardin-Savur-Şuro village
086)- İshak Özgüç (13)	15 August 1994	Around Mardin-Savur-Şuro village
087)- Savaş Ateş (11)	22 August 1994	Diyarbakır-Dicle-Çayüstü village
088)- Halit Güneş (13)	22 August 1994	Diyarbakır-Dicle-Çayüstü village
089)- Bayram Güneş (13)	22 August 1994	Diyarbakır-Dicle-Çayüstü village
090)- Vedat Balta (12)	22 August 1994	Diyarbakır-Dicle-Çayüstü village
091)- İbrahim Balta (12)	22 August 1994	Diyarbakır-Dicle-Çayüstü village
092)- İsa Can (15)	22 August 1994	Diyarbakır-Dicle-Çayüstü village
093)- Avni Aksoy	03 September 1994	Around Şırnak-Uludere
094)- Kadri Bedel	12 September 1994	Batman-Beşiri-Doğankavak village
095)- Abdullah Demir	14 September 1994	Between Şırnak-Uludere

096)- Cimsit Adıgüzel	17 September 1994	Betw. Eruh-Bağgöze-Direkli villages
097)- Mehmet Sevcan	17 September 1994	Betw. Eruh-Bağgöze-Direkli villages
098)- Mediye Şen	17 September 1994	Betw. Eruh-Bağgöze-Direkli villages
099)- Sedat Öner	17 September 1994	Betw. Eruh-Bağgöze-Direkli villages
100)- Mehmet DüNDAR	17 September 1994	Betw. Eruh-Bağgöze-Direkli villages
101)- Reyhan Sezgin	17 September 1994	Betw. Eruh-Bağgöze-Direkli villages
102)- Selahattin İlboy	17 September 1994	Betw. Eruh-Bağgöze-Direkli villages
103)- Cumali Şen	17 September 1994	Betw. Eruh-Bağgöze-Direkli villages
104)- (child)	17 September 1994	Betw. Eruh-Bağgöze-Direkli villages
105)- Gül Alp	18 September 1994	Hakkari-Şemdinli district center
106)- Azime Uysal	18 September 1994	Hakkari-Şemdinli district center
107)- Fatma Başpınar (40)	19 September 1994	Diyarbakır-Dicle-Tepebaşı village
108)- Recep Tartar (8)	24 September 1994	Bingöl-Genç Cumhuriyet quarter
109)- Emrah Tartar (9)	24 September 1994	Bingöl-Genç Cumhuriyet quarter
110)- Kadriye Savaş (8)	24 September 1994	Bingöl-Genç Cumhuriyet quarter
111)- Faruk Savaş (11)	24 September 1994	Bingöl-Genç Cumhuriyet quarter
112)- İbrahim Savaş (9)	24 September 1994	Bingöl-Genç Cumhuriyet quarter
113)- Ali Erbaş (Abes-24)	27 September 1994	Around Mardin-Midyat-Anıtlı vil.
114)- İlyas Yiğit (6)	04 October 1994	Erzurum-Çat-Muratbayır village
115)- Adil Boztaş (10)	04 October 1994	Kars-Kağızman-Değirmendere
116)- (child)	06 October 1994	Mardin-Midyat-Altiyol village
117)- (child)	06 October 1994	Mardin-Midyat-Altiyol village
118)- Nevruz Sevim	13 October 1994	Hakkari-Şemdinli-Ortaklar village
119)- Şerafettin Erci (31)	24 October 1994	Around Hakkari-Yüksekova
120)- (female)	24 October 1994	Around Hakkari-Yüksekova
121)- Selim Demir	05 November 1994	Around Şemdinli-Ortaklar village
122)- Ali Er	05 November 1994	Around Şemdinli-Ortaklar village
123)- Emin Er	05 November 1994	Around Şemdinli-Ortaklar village
124)- Resul Üreçil (9)	11 November 1994	Around Iğdır-Aralık-Bulakbaşı vil.
125)- Harun Şahin (10)	11 November 1994	Around Iğdır-Aralık-Bulakbaşı vil.
126)- Cüneyt Tarhan (11)	18 November 1994	Around Bitlis-Tatvan-Yelkenli vil.
127)- Resul Esendemir	19 December 1994	Around Siirt-Fındık town
128)- Şükriye Şen	19 December 1994	Around Siirt-Fındık town
129)- Mehmet Erkoç	19 December 1994	Around Siirt-Fındık town
130)- Mehmet Erkaya	19 December 1994	Around Siirt-Fındık town
131)- Heybet Ece	19 December 1994	Around Siirt-Fındık town

CAPITAL PUNISHMENT

Capital punishment was among the most important human rights issues in Turkey in 1994 and came on the agenda frequently. However, no death penalty was carried out. Thus, Turkey maintained its place in the category of countries where no death penalty has been carried out for a long period. Debates focused on “lifting the capital punishment” and “imple-mentation of the death penalties already handed out”. Sometimes, requests for immediate imp-lementation of death penalties (especially those passed in political cases) were put on the agen-da. However, these requests never turned into a wide-scale campaign like that which occurred in 1993 (*). Files related to the death penalty at the National Assembly were not acted upon.

In Turkey, where a total of 588 people have been executed over the 70-year republic period, the last time the death penalty was carried out on 25 October 1984. Protests 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 the death penalty decisions which were given or will be given for the crimes committed to date, and instead has commuted death penalties into life imprisonment. This policy provided a temporary comfort on the matter of the death penalty. However, the presence of the criminal articles of laws which foresee the death penalty was still a threat.

The number of the trials where the death penalty is demanded increased considerably and the number of the people for whom the death penalty was demanded reached 400. The trials involving the death penalty were generally launched at the Diyarbakır and Istanbul SSCs and heavy penal courts in Istanbul and Izmir. In some of the concluded trials death penalties were given. Some of the death penalty verdicts which were upheld by the Supreme Court were put on the agenda of the National Assembly.

(*) Intensifying PKK attacks, prompted for immediate implementation of death penalties in 1993. This request was firstly brought forward by certain generals in the meeting of the National Security Council in October. Then the Ankara SSC Prosecutor, Nusret Demiral, demanded that trials should be accelerated and capital punishment should be carried out. Within this framework, certain deputies of the DYP and of the ANAP made similar statements demanding immediate introduction of capital punishment. While debates on capital punishment were continuing, the Parliamentary Justice Commission decided on imple-mentation of the death penalty against Seyfettin Uzundiz (29), in a meeting held on 17 November 1993. The decision was taken with the votes of 9 deputies from the DYP, ANAP and RP. Seyfettin Uzundiz, against whom the death penalty was judged, had attempted to rob a drapery shop in Kartaltepe, Istanbul on 15 August 1991 and had killed the owners of the shop. Seyfettin Uzundiz who was apprehended by the police one day later, was tried by the Istanbul Penal Court No.1 and sentenced to death in 1992. The related file is still on the agenda of the National Assembly.

The files of Bekir Gedik and Nizamettin Özoğlu, whose death sentences were upheld were sent to the National Assembly in May. Bekir Gedik had been sentenced to death under the Military Penal Law by the Military Court of the Diyarbakır 2nd Tactic Air Forces Commandership on charges of murdering, and Nizamettin Özoğlu was sentenced to death under Article 125 of the Turkish Penal Code by the Diyarbakır SSC on charges of being a member of the PKK and having been involved in armed activities.

Among those who were prosecuted on the demand of capital punishment, were deputies and party leaders. Diyarbakır Deputies Hatip Dicle, Leyla Zana and Sedat Yurtdaş, Muş Deputy Sırrı Sakık, Mardin Deputy Ahmet Türk and Şırnak Deputies Selim Sadak, Orhan Doğan and Mahmut Alınak were prosecuted at the Ankara SSC on the demand of the death penalty. At the end of the prosecution, the deputies were sentenced to various prison terms. However, the Ankara SSC Prosecution Office insisted on the death penalty for the deputies and appealed to the Supreme Court of the decision to lessen the sentences.

Under Article 146 of the Turkish Penal Code, a trial with the demand of the death penalty was launched against Kemal Bilget, the former Deputy Chairperson of the DEP. In the trial launched by the Istanbul SSC Prosecution Office, Kemal Bilget was accused of being a high-level administrator of the Communist Labour Party of Turkey (TKEP) and Kurdistan Communist Party (KKP). The first hearing of the trial was held on 1 February at the Istanbul SSC and Kemal Bilget was released at the end of the hearing. Kemal Bilget, who went to the Ankara Security Directorate in order to receive his passport on 15 November 1993 was detained and sent to Istanbul. He was arrested on 23 November 1993, by the Istanbul SSC.

Following is information about the people who were sentenced to death, as far as the HRFT could determine, and about their prosecution process (*):

<u>Name of convict</u>	<u>Charge</u>	<u>Court</u>	<u>Stage</u>
01)- Seyfettin Uzundiz The Supreme Court upheld the verdict. Parliamentary Justice Commission ratified it. The file is on agenda of the National Assembly.	Judicial-Murder	Eyüp Heavy Penal	N. Assembly
02)- Bekir Gedik The Supreme Court upheld verdict. The file is on the agenda of the Parliamentary Justice Commission.	Military-Murder	Military Court	N. Assembly
03)- Nizamettin Özoğlu The Supreme Court upheld verdict. The file is on the agenda of the Parliamentary Justice Commission.	Political-PKK	Diyarbakır SSC	N. Assembly
04)- Yakup Karaca The Supreme Court upheld verdict. The file is on the agenda of the Parliamentary Justice Commission.	Judicial-Murder	Istanbul Heavy Penal	N. Assembly
05)- Cemalettin Cenap Arıcı	Political-PKK	Diyarbakır SSC	Supreme C.
06)- Nimet İğraç	Political-PKK	Kayseri SSC	Supreme C.
07)- Muhammed Taşdemir	Political-PKK	Kayseri SSC	Supreme C.
08)- Mehmet Sinci	Political-PKK	Kayseri SSC	Supreme C.
09)- Hüsnü Özcan	Political-PKK	Kayseri SSC	Supreme C.

(*) Temporary article 4 of the "Law to Fight Terrorism" foresees commutation of death penalties, which were given up to that time or will be given for the crimes committed up to that time, into sentences of 10 to 20 years in prison. Therefore, the death penalties within this context are not included in the list.

10)- Ahmet Gülmezoğlu	Political-PKK	Kayseri SSC	Supreme C.
11)- Abdullah Sönmez	Political-PKK	Kayseri SSC	Supreme C.
12)- Abbas Alkan	Political-PKK	Kayseri SSC	Supreme C.
13)- Erol Özpolat	Political-DS	Ankara SSC	Ankara SSC
The verdict was overturned by the Supreme Court.			
14)- Hasan Yağız	Political-PKK	Izmir SSC	Supreme C.
15)- Osman Demir	Political-PKK	Izmir SSC	Supreme C.
16)- Selahattin Mete	Political-PKK	Izmir SSC	Supreme C.
17)- Ercan Şanlı	Judicial-Murder	Izmir Heavy Penal	Supreme C.
18)- İsmail Ekinbiçer	Judicial-Murder	Izmir Heavy Penal	Supreme C.
19)- Kasım Karataş	Political-PKK	Izmir SSC	Supreme C.
20)- Coşkun Öztürk	Judicial-Murder	Bakırköy Heavy Penal	Supreme C.
21)- Yıldırım Arıcan	Political-PKK	Kayseri SSC	Supreme C.
22)- Abdurrahman Tekgöz	Judicial-Murder	Antalya Heavy Penal	Supreme C.
23)- Davut Akgül	Political-PKK	Izmir SSC	Supreme C.
24)- Yılmaz Zurnacı	Political-TIKKO	Istanbul SSC	Supreme C.
25)- İsmail Doğruer	Political-TIKKO	Istanbul SSC	Supreme C.
26)- Hasan Kadem	Judicial-Murder	Bakırköy Heavy Penal	Supreme C.
27)- Selmani Özcan	Political-DS	Ankara SSC	Supreme C.
28)- Hüseyin Kıran	Political-TDKP	Erzincan SSC	Supreme C.
29)- Metin Dere	Political-TIKKO	Istanbul SSC	Supreme C.
30)- İzzettin Ekren	Political-PKK	Izmir SSC	Supreme C.
31)- Çeknaz Ekren	Political-PKK	Izmir SSC	Supreme C.
32)- Sabri Keve	Political-PKK	Izmir SSC	Supreme C.
33)- Hasip Mehmet Atay	Judicial-Murder	Gaziantep Heavy Penal	Supreme C.
34)- Celal Atalay	Judicial-Murder	Bandırma Heavy Penal	Supreme C.
35)- Birsen Gürbüz	Judicial-Murder	Bandırma Heavy Penal	Supreme C.

PKK : Partiye Karkeran Kürdistan (Kurdistan Worker's Party)

DS : Revolutionary Left (Revolutionary People Liberation Party-Front)

TIKKO : Worker's Peasant's Liberation Army of Turkey

TDKP : Revolutionary Communist Party Of Turkey

Pursuant to the sentence execution system in Turkey, a death penalty decision ratified by the Supreme Court is sent to the National Assembly and taken up by the Parliamentary Justice Commission. If the death penalty decision is adopted by the Commission it is submitted for approval of the National Assembly in the form of a bill. If the decision is 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. Death penalties given concerning the crimes of war were carried out by shooting.

Article 12 of the Turkish Penal Code arranging implementation of the death penalty (except for war crimes) is as follows:

ARTICLE 12:

The death penalty is to put an end to the life of a person who has been given the sentence by hanging.

The death penalty is not implemented on the special days of the religion and sect to which the convict is bound. If there are several convicts, there are not hanged opposite from each others. Those who are pregnant are not hanged until they give birth and those who are judged mentally ill are not hanged if they do not recover.

The death penalty is implemented after the verdict is upheld by the Supreme Court, approved by the National Assembly, and in the presence of a person from the court board, Public Prosecutor, a physician, minutes clerk and one of the execution officers of prison, after the verdict is read out in front of the convict.

A person who is the religious official of the religion to which the convict is bound and the lawyer of the convict must be present during the implementation of the penalty.

If the person was sentenced to death for killing her/his mother or father, s/he is brought to the implementation place barefoot, bare-headed and wearing a black shirt and then executed.

The corpse of the hanged convict is handed over to her/his inheritors. If there is no one to receive the corpse, it is buried by municipality.

An account is written about the manner of the implementation of the death penalty. The account is signed by the officials who are present there.

There were some initiatives aiming at the abolition of the death penalty in 1994. For example; Amnesty International launched a campaign to secure complete removal of the death penalty from the Turkish Penal Code. While the campaign was under way, a petition entitled "Now, it is time to abolish the death penalty" was submitted to the Turkish Embassy in London on 23 October. The delegation that went to the Embassy in order to submit the petition was not allowed to enter the embassy building. Thereupon, the petition was left at the door. The petition, which was also signed by Nobel Medicine Award recipient Jacques Barrot and US' Islamic Relations National Council Secretary General Mohammed Mehdi, said: "It is the best time for Turkey to remove the death penalty from its laws and to contribute to the promotion of human rights on the world-scale." The petition pointed out that the death penalty had not been implemented in Turkey since 25 October 1984 and stated the following: "The death penalty was lifted in Europe and in many countries of the world. Many members of the of the Turkish justice system believe that the death penalty should be lifted. In his statement to the daily Cum-hurriyet dated 28 November 1993, Retired Judge Colonel Nejat Öztaşkent publicly disclosed his thoughts, saying, 'The state should not kill human beings.' International experiences reveal that the death penalty is not an effective means in the struggle against crimes and political violence. The abolition of the death penalty encourages respect for the life and dignity of every individual in the society." (Thoughts of Amnesty International about the death penalty is on pages 172-174.)

Seven students at the Faculty of Law of the Izmir Dokuz Eylül University were removed from the university for one year because of the signature campaign they staged in December 1993 demanding the abolition of the death penalty. The names of the students are "Seçil Ege, Olgun Soydan, Ramazan Akkaya, Cem Altıparmak, Alper Onursal, Sevim Çakır, Yavuz Dur-sun." The students said the following about the case: "We launched a campaign against the death penalty on 6 December 1993. The text that we prepared was signed by 400 students at first. Faculty Dean Seyfullah Edis who was informed about the campaign, came to the canteen and tried to prevent us. Since he could not succeed, he ordered the closure of the canteen. However, the canteen was not closed and students continued entering and exiting. The school administration, which could not do anything, punished us on charges of entering a building which was closed by authorities since we entered and exited the canteen." The punishment given to 3 of the students were overturned by the Izmir Regional Administrative Court.

The information compiled by the HRFT concerning the trials launched with demand of the death penalty or defendants convicted to death in 1994 is as follows:

In January, the Izmir SSC Prosecution Office launched a case against 35 people on charges of being members of the PKK and having been involved in certain armed attacks which had resulted in the killing of 5 people in Izmir. In the trial, the death penalty was sought for 7 of the defendants, and prison sentences varying from 5 months to 22 years 6 months were demanded for the remaining 28 defendants. The names of the defendants for whom the death penalty was demanded under Article 125 of the Turkish Penal Code are as follows: “Abdülka-dir Aksoy, Eren Tekin, Muhsin Kızılkın, Bayram Çayır, Akif Oruç, Sadık Şakar and Sabri Tuncer.” The trial started at the Izmir SSC in March.

Yılmaz Zurnacı and Ismail Doğruer who were prosecuted on charges of being members of the TIKKO and having been involved in certain armed activities were sentenced to death under Article 146/1 of the Turkish Penal Code. In the trial which ended at the Istanbul SSC on 20 January, Ali Rıza Dermanlı and Cemal Rakip were sentenced to 36 years in prison each, Zeynel Aslan, Elmas Değerli, Şahin Karataş, Hakan Aytan and Ahmet Özeri were sentenced to various prison sentences and 6 defendants were acquitted.

Out of the 15 people prosecuted on charges of being members of the PKK and having been involved in certain armed activities, Davut Akgül was sentenced to death under Article 125 of the Turkish Penal Code. In the trial which ended at the Izmir SSC on 21 January, Murat Ergun Güran, Ahmet Özen and Nevaf Esen were sentenced to life, Erdal Güran, Ramiye Güran, Muacir Is, Emin Karlıdağ, Ahmet Öztaş, Şakir Devrim and Netice Can were convicted to 3 years 9 months in prison, each. Four defendants were acquitted.

A case was launched against 21 people on charges of being members of the PKK and having been involved in certain armed activities in the Gölarmara district of Manisa. The indictment, prepared by the Izmir SSC Prosecution Office sought the death penalty for Abdurrahman Aksu, Nihat Tokmak, Burhan Erdem and Piro Karataş, and sentences of up to 22 years in prison for the remaining 17 defendants.

A trial with the demand of the death penalty was launched against Perizade Kaçar accused of killing her stepson Fatih Kaçar (9) since he had seen her together with her boy friend, and her friend Kadir Kolçak on charges of helping the murder. The trial which was launched under Article 450 of the Turkish Penal Code started on 25 February at the Istanbul Kartal Heavy Penal Court No.1. Perizade Kaçar who was interrogated in the hearing said that she had not been involved in the murder and she was innocent.

The Istanbul SSC Prosecution Office launched a trial in February against 88 people on charges of being members of the PKK and having been involved in certain acts in Istanbul. The indictment demanded the death penalty for 11 of the defendants and sentences of no less than 3 years in prison for 77 defendants. The names of the 11 defendants for whom the death penalty was demanded under Article 125 of the Turkish Penal Code are as follows: “Nizamettin Kaya, Aziz Yalçın, Ramazan Ebrn, Ismail Ömez, Mehmet Salih Adam, Mahmut Baran, Hüseyin Yıldırım, Abdülkadir Öztürk, Teymur Çakal, Mehmet Baki Kaplan and Tarkan Kara”.

Abdullah Kanat who had been prosecuted for 5 years while under arrest on charges of being a member of the PKK and having killed major Esat Oktay Yıldırım in October 1988, was sentenced to death under Article 450 of the Turkish Penal Code. In the trial which ended at the Istanbul SSC on 2 March, defendants Nizamettin Boztoprak and Cemal Yalvaç were sentenced to 20 years in prison each, Seyfettin Rüzgar to 15 years in prison, Hasan Uşak and Ekrem Yaşar to 4 years in prison each, and Mahsun Mermertaş and Hülya Güven Işık to 3 years in prison each. In the

trial, 4 defendants were acquitted. The death sentence given to Abdullah Kanat will be commuted to 10 years imprisonment in accordance with Temporary Article 4 of the “Law to Fight Terrorism”.

Under Article 450 of the Turkish Penal Code, a trial with the demand of the death penalty was launched against a woman, named Gül Dönmez (38) who had shot her husband, who had chased her from the house in the Şirinevler quarter of Izmir in 1993. The prosecution of Gül Dönmez started at the Izmir Heavy Penal Court No.2 on 9 April. Gül Dönmez, who was interrogated in the hearing said that she had killed her husband since he had chased her from home after beating her and that she did not regret this incident.

In April, a trial was launched against 4 people who were arrested on charges of carrying out the bombing at Istanbul Tuzla Train Station on the morning of 12 February which resulted in the killing of 5 military students. In the case which was launched by the Istanbul SSC Prosecution Office, the death penalty was demanded for Şerif Mercan, Hediye Aybek, Cumali Karsu and Enver Özer under Article 125 of the Turkish Penal Code. One of the defendants, Şerif Mercan committed suicide in the Bursa Special Type Prison where he was kept under arrest. The prosecution of Hediye Aybek, Cumali Karsu and Enver Özer started on 6 July at the Istanbul SSC.

The Diyarbakır SSC Prosecution Office launched a trial against 17 people in April on charges of being members of the PKK and carrying out acts or engaging in activities in the name of the organization. In the trial, the death penalty was sought for Kahraman Oktay, Faik Tekdemir, Cevdet Demiroğlu, Abdülvahit Doğru, İhsan Yazıcı, Mahmut Avcı and Abdülaziz Karakaş and sentences of 5 to 15 years in prison were sought for the other defendants. The trial started at the Diyarbakır SSC in June.

Hasan Kadem (21) who had abducted a child named Ismail Turunç for ransom and then killed him was sentenced to death under Article 450 of the Turkish Penal Code. In the trial which ended at the Istanbul Bakırköy Heavy Penal Court No. 2 on 16 May, Hasan Kadem’s brother Kemal Kadem was also given a sentence of 3 years in prison. Before disclosure of the verdict, Hasan Kadem said: “I needed money. Therefore, I abducted the child. Since I was afraid that he would denounce me, I killed him. I consent to my sentence.”

Selmani Özcan, who was prosecuted at the Ankara SSC on charges of being a member of the Revolutionary Left organization and having been involved in certain armed activities was sentenced to death under Article 146/1 of the Turkish Penal Code. Selmani Özcan’s lawyer Murat Demir who defended his client in the trial which ended on 28 June, said that his client had been accused of crimes he had not committed. Selmani Özcan, who protested the death penalty verdict by shouting slogans, was beaten and taken out of the court hall.

Under Article 450 of the Turkish Penal Code, the death penalty was demanded in a trial launched against Selahattin Gider (34) accused of killing his wife who had left home. His prosecution started at the Izmir Heavy Penal Court No.2 on 6 July.

The prosecution of 5 people on charges of being members of the PKK and having been involved in certain armed activities started on 27 July at the Diyarbakır SSC. The indictment read out in the hearing sought the death penalty for Mehmet Ali Yaşa and İsmet Aslan under Article 125 of the Turkish Penal Code and sentences of 5 years in prison for Hüseyin Değer, Mehmet Nadir Can and Fatma Yaşa.

The prosecution of Yüksel Kaya in connection with the killing of 4 people started at the Mersin Heavy Penal Court on 9 September. In the trial the death penalty was demanded for Yüksel Kaya under Article 450 of the Turkish Penal Code. Yüksel Kaya stated in the hearing that he had been imprisoned in his childhood (he had served in prison for 9 years concerning a murder) and therefore he had psychologically been affected, and asked for treatment. There-upon, the court board decided to find out whether the defendant was mentally balanced or not.

Hüseyin Kıran, who was prosecuted at the Erzincan SSC on charges of being a member of the TKDP and having been involved in certain armed activities was sentenced to death under Article 146/1 of the Turkish Penal Code. In the trial which ended on 21 September, Hüseyin Kıran was also given a 30-year prison sentence. Before disclosure of the verdict, Hüseyin Kıran said, "I do not want to receive a sentence for a crime that I did not commit."

In September, a trial was launched against 3 people on charges of being members of the Revolutionary Left organization, having been involved in the killing of 2 police officers in Ankara and having carried out armed activities in the name of the organization. In the trial which was launched by the Ankara SSC Prosecution Office, the death penalty was demanded for 2 defendants named Cengiz Kumanlı and Cem Göçer, under Article 146/1 of the Turkish Penal Code and a sentence of 15 years in prison for was demanded for Haydar Yıldırım. At the end of the trial, Cengiz Kumanlı and Cem Göçer were sentenced to death.

Metin Dere who was prosecuted at the Istanbul SSC on charges of being a member of the TIKKO organization and having been involved in certain armed activities was sentenced to death under Article 146/1 of the Turkish Penal Code. In the trial which ended on 30 September, one defendant, Hasan Erdem, was sentenced to 10 years in prison and the remaining 3 defendants were acquitted.

The prosecution of 6 people on charges of being members of the PKK and having been involved in certain sabotages started at the Istanbul SSC on 31 October. The indictment read out in the hearing, sought the death penalty for Namık Kemal Dinç, Tekin Beyaztaş and İlhan Çomak under Article 125 of the Turkish Penal Code, and sentences of up to 10 years in prison for Hasan Tarkın, Özcan Tandoğan and Vedat Yıldız.

The prosecution of 8 people, 7 of whom were arrested, on charges of being members of the People's Liberation Party of Turkey/People Liberation Forces organization and having carried out certain bombings in Istanbul started on 5 October at the Istanbul SSC. The indictment read out in the hearing demanded the death penalty for Hasan Demir (lawyer), Fazıl Ahmet Tamer (lawyer), Erol Kaplan, Ercan San and Rıdvan Kura under Article 146/1 of the Turkish Penal Code, and sought sentences of 15 years to 22 years 6 months in prison for Fatma Günay, Mustafa Demir and Bekir Birol Özdemir (not arrested). The defendants, who were later cross-examined said that their testimonies in police custody had been obtained under torture.

A trial was launched against Celal Atalay and Birsen Gürbüz who abducted artist Erdim Sertoğlu, one of the flutists at the Presidency Symphony Orchestra, in July 1994 for a ransom and then killed him. The prosecution of Celal Atalay and Birsen Gürbüz started on 2 December at the Balıkesir Burhaniye Heavy Penal Court. The indictment demanded the death penalty for the defendants under Article 450 of the Turkish Penal Code on the grounds that they killed deliberately. In the trial which ended on 15 June 1995, they were sentenced to death. In the trial, Mehmet Çakan who was prosecuted on grounds that he assisted Celal Atalay and Birsen Gürbüz, was sentenced to 7 years 6 months in prison.

Out of the 5 defendants prosecuted at the Izmir SSC on charges of being members of the PKK and having carried out activities in the name of the organization, Izzettin Ekren, Sabri Keve and Çeknas Ekren were sentenced to death under Article 125 of the Turkish Penal Code. In the trial which ended on 21 December, Hacı Keve was convicted to 12 years 6 months in prison and Arif Ekren to 8 years 4 months in prison.

The prosecution of 12 people on charges of being members of the PKK and preparing to engage in an activity in the name of the organization started on 22 December at the Istanbul SSC. The indictment read out in the hearing demanded the death penalty for Hamdullah Şengüner, Ayten Kaymaz, Süleyman Demir, Veysi Aktaş, Nizamettin Karabulut and Vedat Aydemir under Article 125 of the Turkish Penal Code. In their cross-examinations, Hamdullah Şengüner, Veysi Aktaş and Vedat Aydemir stated that they had been tortured in police custody and pleaded not guilty.

In the trials launched by the Diyarbakır SSC Prosecution in 1994 concerning the Hezbollah organization, the death penalty was demanded for many defendants. For example, in May a trial was launched against 35 people, 17 of whom were arrested, who were caught during the operations carried out in January against the Hezbollah organization. The indictment demanded the death penalty for 15 of the defendants under Article 125 of the Turkish Penal Code, and sentences of 5 to 15 years in prison for the remaining defendants. The names of the defendants under the death penalty are as follows: "Mehmet Yaşasın, Emin Tenşi, Gülsan Aydın, Selçuk Atasoy, Eyüp Bozkurt, Mehmet Tarduş, Abdullah Deniz, Osman Tektekin, Osman Sevim, İrfan Aydın, Muhammed Beşir Toprak, Vahdettin Edibali, Metin Eren, Nasip Hıçyılmaz and Hasan Gezer." In July, the Diyarbakır SSC Prosecution Office launched a trial against 13 people, detained on charges of being members of the İlim wing of the Hezbollah, during an operation carried out by police in Diyarbakır in June. The indictment sought the death penalty for 8 of the defendants and demanded sentences of 15 years in prison for 5 defendants.

The death penalty is a murder by state (*)

Now, it is time for abolition of the death penalty all over the world. Abolition of the death penalty has become more indispensable year by year. In many countries, the death penalty has been given to poor and to racial or ethnic minorities, and generally used as a means of political pressure. Implementation of the death penalty is arbitrary. It is an irreversible punishment which causes execution of innocent people and is a violation of fundamental human rights. Ratification of a cruel punishment such as the capital punishment, by a government, regardless of its reason, contradicts the essence of human rights concept.

Many governments have accepted the death penalty does not agree with human rights. The United Nations has disclosed that it is in favour of the abolition of this penalty. To date, 35 countries have lifted the capital punishment completely, 18 countries put an end to its implementation except in some cases such as warfare periods. In 27 countries and regions it has not been implemented. Consequently, in about 80 countries, that is to say in 40 percent of the countries in the world, the death penalty was either removed from laws or was not implemented de facto.

Since the 2nd World War, the motion for abolition of the capital punishment has intensified in parallel with the promotion of human rights movement. For the last 10 years, at least one

(*) Source: Amnesty International

country per year stopped implementation of the death penalty for judicial or all crimes. International human rights accords, impose restrictions and protective measures against the executions in the countries which have not lifted the capital punishment yet. Public opinion of the world has put pressure on governments to abolish capital punishment. Sometimes, its abolition occurs rapidly. Radical political changes have created new opportunities bringing forward human rights. In the last 10 years, capital punishment was lifted in Argentina, Brasil, Haiti, Nicaragua, Peru and Philippines. In other countries, there are some hitches in this process and therefore wide-spread discussions and a brave political leadership are required.

The criteria determining those who will be executed and those who will be acquitted is not only the elements of the crime but also the ethnic and social origin, and financial means and political ideas of defendant. The condemnation or execution risk for people who are rich and from dominating racial and religious groups and have good political relations is lower than that for poor people who support opposition and are from disfavoured racial and religious groups.

It should be taken into account that all penal prosecution systems may make discrimination and mistakes and thus may be flawed. Factors such as discrimination and public opinion influence may affect each stage of judicial process - from indictment to prosecution, from verdict to condemnation and to a possible amnesty. Consequently, mistakes not directly related to the crime in question, misunderstanding, different interpretation of laws, different approaches of prosecutors, judges or jurors may determine who will survive or die. A technical mistake by police, prosecutor or judge, the unskilfulness of a defence lawyer or an ignored witness may occasion the execution of defendant.

The possibility of a judicial mistake, whatever its reason, gains more importance in cases where the death penalty is demanded. Capital punishment is a punishment which has no return. Since it is irreversible, it has always been accepted that it is different from other sentences. This punishment is never corrected after execution. Capital punishment also conflicts with the contemporary punishment concept based on the idea that it is possible to rehabilitate a criminal to live in society.

The meaning of the irreversibility of this punishment is more prominent in countries where political dissidents are sentenced to death. In such cases, the courts which have poor judicial independence, may apply governmental policies. Under such conditions every political activity against the policy of governments is ascribed as a crime requiring the death penalty, and courts may be forced to give the death penalty for political criminals.

If the standards for a just prosecution are disregarded or ignored, the death penalty will be politically misused and the risk of execution of innocent people will increase. Although guarantee for a just prosecution in all cases has been internationally accepted, without dispute, thousands of defendants were executed as a consequence of obviously unjust trials. Those trials were stealthily held without the presence of legally appropriate defence lawyers, in some cases without any lawyers, and mostly by non-specialized and dependent judges. The prosecution process was accelerated and defendants were not given enough time for preparation of defence. Defendants' right to appeal concerning the verdict and sentence was denied.

After military coups, those who had relations with the governments before the coup were executed and after unsuccessful military coups those who were allegedly involved in the coup attempt were executed. In most cases, defendants were hastily prosecuted without any guarantee for a just prosecution and were sentenced to death by speedily made and retro-processing laws.

A study made for the United Nations in 1988 in order to show the connection between the death penalty and rate of murders, did not bring any scientific evidence which showed that the death penalty had a more dissuasive effect regarding crime than life imprisonment. It is not so possible that such an evidence will emerge in the future.

Execution prevents those executed from committing a new crime, but does never let us test whether they will commit the same crime again. Prison sentences also prevent competence of people, but the death penalty has a risk of judicial mistake which cannot be corrected.

If concepts such as “atonement” and “price of crime” are uttered in order to vindicate the death penalty, the judicial system will turn into a means of revenge. Even if we accept this means, implementation of the death penalty will not bring a just result. No judicial system has proved that it has the capability of determining consistently and appropriately who will deserve to live or to die. Experiences in the countries where the death penalty is implemented show that some people were executed while others, who had committed the same crime or a heavier one were allowed to live.

Hundreds of people who were convicted on charges of drug trafficking have been executed. It is claimed that the death sentence which are given to those who sell drug will be more dissuasive than other sentences. However, in spite of hundreds of executions, there is no absolute evidence that drug trade has receded thanks to the threat of the death penalty or executions.

Sometimes it is said that the death penalty is a useful means in the struggle against political violence and that executions may prevent political opposition based on violence. In many cases, militants who believe in the legitimacy of their struggle are ready to sacrifice themselves for the sake of their beliefs. As also indicated by officials in charge in departments for such crimes and war, executions may increase terrorist activities as well as decrease them. Contradictions which give way to political violence are not solved by executions. In addition, terror caused by crimes should not be used to justify ill-treatment and excessive sentence.

TORTURE

Torture which has been applied as a systematic interrogation method for years, continued spreading in 1994, too. The number of deaths in detention, persons who disappeared after being detained or incapacitated due to torture, and the number of the cases of torture and rape in detention increased considerably when compared to the previous years. Despite official statements and explanations, torture was not prevented, and no apparent effort was made to decrease the use of torture. Perpetrators were protected, encouraged and even rewarded. Investigations initiated in connection with torture cases did not proceed beyond being nominal. Delaying trials and trivial sentences passed on perpetrators played a significant role in the increase of torture cases.

The approach of authorities towards torture cases did not prevent torture but actually encouraged perpetrators. Torture cases and claims were mostly denied. It was alleged that members of illegal organizations or criminals put forward baseless claims on this issue in order to make security officers lose favour and to get out of sentence. However, some undeniable and evident torture cases and the high number of deaths in detention places made it harder for some circles to claim that there was no torture in Turkey. The torture cases which were made public forced these circles to accept the reality of torture cases and even that deaths had occurred due to torture. Thereupon, it was argued that torture was not a systematic method, that there were great efforts being made to prevent torture and that perpetrators were punished. However, the number of the punished perpetrators did not exceed 20-30 and most of the sentences faced prescription since trials were dragged out.

The high level of the armed attacks, acts by the PKK or other illegal organizations and political violence were among the most important justifications of the circles which try to cover up torture cases and vindicate them. For example; holding a press conference on 12 December, Security General Director Mehmet Ađar claimed that the issue of torture was put on the agenda by circles which wanted to prevent the success of police in struggle against terror. Mehmet Ađar stated that those who protected and backed human rights were police officers, and said the following: "The police do not make efforts to gain information about incidents by using force against the criminals, as alleged by certain circles. Torture cases are not widespread. There may be some personal faults. However, these faults should not be applied to the whole police organization. There are legal and administrative rules concerning the subject. What is required is carried out within the framework of the law. Would such kinds of claims be so widespread, if the police did not struggle against terror? Torture is questioned in neither judicial nor narcotics cases, but it is brought forward even in the most simple investigation related to terror cases."

Widespread torture cases drew outcry from the public. Therefore, baseless statements such as "there is no torture", "torture cases are rarely witnessed" or "perpetrators are punished" were left aside and some initiatives were taken. However, these initiatives were merely a hoodwinking

discourse aimed at placating public opinion and reducing the impact of reactions from abroad, and did not effect the perpetrators. For example; on the evening of 7 December Prime Minister Tansu Çiller and then Deputy Prime Minister Murat Karayalçın held a meet-ing with the members of Human Rights Supreme Consultancy Board, (*) headed by then State Minister Azimet Köylüoğlu. In the meeting during which human rights abuses in Turkey were on the agenda, Tansu Çiller asked the Board members to prepare a project concerning the met-hods of obtaining information without inflicting torture in police stations.

Following the meeting, the Consultancy Board prepared a report which examined torture cases in Turkey and proposed solutions on this issue. The report, entitled “Personal Se-curity, Protection Against Torture, Other Cruel, Inhuman and Degrading Treatment and Pun-ishment” was written by Lawyer Nevzat Helvacı and unanimously ratified by the Consultancy Board. It was submitted by Azimet Köylüoğlu to Tansu Çiller and Murat Karayalçın on 9 January 1995. However, the report was not publicized and was hidden from the public, that’s to say it was pigeonholed. Nevzat Helvacı resigned because the report was not made public. Following Nevzat Helvacı, Süheyl Batum and Aysel Çeliker left the Board. Azimet Köylüoğlu publicized the report on 6 May 1995 after he had left the post of Ministry of State responsible for human rights.

Prime Minister Tansu Çiller sent a secret circular to the Ministry of Interior in February 1995 and demanded a series of measures to be taken for the prevention of torture cases. The measures demanded by Tansu Çiller are briefly as follows: “All periods and precautions fore-seen by the laws will be meticulously applied during detention in police facilities. Defendants, disregarding their offences, will not be subjected to ill-treatment. Methods used in Europe and America will be employed to receive information from defendants. Defendants will have access to their lawyers in a manner foreseen by the laws. Persons detained by police will certainly be registered. Police stations will be controlled and any equipment (if there is) that could be used for ill-treatment will be seized. Cells where detainees are kept will be large enough and will fit health conditions. Legal procedures will immediately be launched against police officers or other persons who ill-treat defendants.” The circular in question was supposedly issued to prevent publication of the report prepared by the European Commission for Prevention of Torture related to Turkey in 1994.

a)- CMUK (The Code of Criminal Procedures)

Amendments to the Code of Criminal Procedures, called the CMUK, which was the subject of public debate in 1992 and 1993 was on the agenda also in 1994. The CMUK which has not prevented torture, remained only “an indicator of respect for human rights” used by authorities when they were hard pressed. Many negative examples witnessed during the year showed once more that the CMUK, which was put into force on 1 December 1992 did not prevent torture, did

(*) The following people were members of the Human Rights Supreme Consultancy Board within the Ministry of State responsible for human rights: “Toktamış Ateş, Aysel Çeliker, Korkmaz Alemdar, Ekrem Aksoy, Tekin Akıllıoğlu, Okan Hasan Aktan, Füsün Arsal, Mehmet Aydın, Aysel Aziz, Süheyl Batum, Lütfi Doğan, Hüsnü Göksel, Cahit Talas, Tahir Hatipoğlu, Nevzat Helvacı, Yakup Kepenek, Ioanna Ku-çuradi, Yaşar Nuri Öztürk, Maksut Mumcuoğlu, Rıfat Önsöy, İlhan Tekeli and Kamil Turan.” Holding a press conference on 27 September, Azimet Köylüoğlu disclosed that a Human Rights Supreme Consul-tancy Board had been established. He said: “This board will guide the government in determining and re-arranging its policies on human rights and for overcoming difficulties in this field.”

not bring any important changes to the judicial system and was an attempt to appease public opinion (especially abroad).

The CMUK, (*) consisting of 31 fundamental articles, may be considered a positive document 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 for 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 to the law do not cover the political investigations during which torture cases occur most frequently. This discrimination alone is an indicator that the law is not capable of preventing torture. Article 31 of the law says that most of these amendments will not be applied to crimes under the competence of the SSCs. Thus, an extraordinary judicial 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, as human rights violations mostly occur with defendants under the jurisdiction of the SSCs, and torture and prohibited interrogation methods are mostly practised 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 torture was brought under a legal umbrella. Article 31 of the law took much of the force out of the positive amendments. The law did not introduce an important measure 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

(*) Amendments made on the CMUK (the Law No. 3842) are briefly as follows: Detention periods will decrease to 24 hours for individual crimes, and to 4 days for collective crimes. This period may be extended for an additional 4 days by the decision of a judge for collective crimes. The detention period will be 15 days for crimes under the jurisdiction of the SSCs 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 may have access to a lawyer during interrogation. A defendant's right to have a lawyer during interrogation and to demand legal assistance from his/her lawyer can not be rejected. Testimonies of defendants below 18 will be received in the presence of a lawyer without regard to their demands. 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 SSCs. 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 offences s/he is charged with" and of "his/her rights including the right to remain silent". These will not be applied for cases under the jurisdiction of SSCs. Periods under arrest will be no more than 6 months during the preliminary interrogation stage and no more than 2 years for crimes entailing prison 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 SSCs.

Convention on Human Rights which guaran-tees that persons apprehended shall immediately be brought before a judge.

Before this law, lawyers already were able to meet defendants in the preliminary stage of an investigation in accordance with a Circular of the Prime Ministry promulgated in 1990. Crimes under the scope of the SSCs were included in this Circular. The right to access to a lawyer which had been granted by the Circular to all defendants, including those under the competence of the SSCs was withdrawn by this law, thus resulting in a step backwards. Disre-garding the universal principles of judicial procedures, the legislation has handed over deter-mining the characteristics of the crime, and responsibility and authority, to police. Handing over of this judicial function, which had previously been carried out by prosecutors and judges, to police leads to unavoidable arbitrary applications by police.

Detainees are left to the supervision of officers who have been applying torture as an interrogation method for years. "To have access to a lawyer, to secure that a lawyer is present during interrogation and to provide legal aid for defendants" 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 to a fair trial was disregarded and the principle of "equality" was ignored. However, Articles 5 and 6 of the European Convention on Human Rights give everybody a "right to defence and a fair trial". Even if only on paper, the 1982 Constitution provides the right to defence for everybody. Thus, the amendments lag behind the 1982 Constitution.

Under Article 29 of the law, the number of crimes under the scope of the SSCs was reduced. However, in this provision there is an attempt to cover up an important fact. It is misleading to think that the number of the crimes under the scope of the SSCs has actually dec-reased. In the amendments, certain cases such as smuggling and fictitious exports were ex-cluded 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 nonethe-less 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. S/he may even be arbitrarily and unnecessarily arrested and kept under arrest for years.

Incidents witnessed during 1994, illustrated weakness and failures of the CMUK. It 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. The CMUK remained ineffective not only in the prevention of torture but also in preventing deaths because of torture, and it did not bring any decrease in torture cases.

The failure of the CMUK was not limited to the political cases under the jurisdiction of the SSCs and in the Emergency State Region. The amendments to the CMUK were mostly ignored in ordinary judicial investigations. Provisions which favour defendant, particularly those enabling

lawyers to be present during interrogation, were disregarded by security officers. Lawyers registered to the Istanbul Bar Association revealed 12 torture cases in judicial investigations in August, and lodged official complaints to prosecution office. Special provisions foreseen for the investigations concerning defendants below 18 years (for example; interrogation in the presence of a lawyer, informing of families regardless their demands) were not obeyed. The lawyers who insisted on the implementation of the CMUK provisions were exposed to attacks and insults by security officers.

The Istanbul Bar Association disclosed that some lawyers in an effort to earn more money made agreements with police which provided them to be always called to police stations during interrogations and this was a misuse of the CMUK. The complaints to the Istanbul Bar Association claimed that such kinds of lawyers did not in fact go to the police stations, but merely signed statements by police in their own offices and shared the money with police officers. Indicating that a lawyer who was present during an interrogation was paid TL 245,000 (in 1994) for each case, Istanbul Bar Association Secretary General Uğur Yetimoğlu said: "We launched an investigation about 5 lawyers since they misused the law."

In spite of all its deficiencies and failure in preventing torture, the CMUK incurred the wrath of security officers and certain circles. In an effort to sway public opinion, these circles alleged that the CMUK protected criminals and thus the rate of crimes had increased. Many authorized or unauthorized people, from officers in police stations to the Ministry of Interior, were involved in this effort. For example; replying to a parliamentary question submitted by Kahramanmaraş Deputy Ahmet Dökülmez to the Chairpersonship of the National Assembly in March, Interior Minister Nahit Menteşe said: "The number of judicial crimes increased considerably after the Law No. 3842, which amended some articles of the CMUK, had been put into force. While the number of the judicial cases was 71,284 in the first 8 months of 1992, this figure rose to 112,487 in the same period of 1993. This means a 57.8 percent increase." He answered a question about the effect of the CMUK on torture cases, as follows: "In 1992, the number of alleged torture cases was 8 and the number of personnel against whom investigations were launched was 31. After the CMUK was put into force, the number of claims on torture cases decreased to 3."

Then Justice Minister Seyfi Oktay, who replied to a similar parliamentary question by Ahmet Dökülmez on the same days said that 224 trials had been launched concerning torture and ill-treatment cases in the 6-month period before 1 December 1992, when the CMUK entered into force, and 287 trials had been launched in the following 6 months.

b)- Trials and investigations

Torture cases and claims were not seriously investigated in 1994. Investigations initiated in connection with torture cases did not proceed beyond a nominal stage. 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. In the trials which were launched after great efforts, the perpetrators were either acquitted or given trivial sentences. Sentenced security officers benefited from prescription provisions and were not imprisoned since their trials lasted too long. This played a major role in the increase of torture cases and encouraged perpetrators.

The most concrete example showing how perpetrators are protected is the case of teacher Sıddık Bilgin (*) who had been killed in the Suveren village of the Genç district of Bingöl in July 1985. Authorities did not admit for a long time that Sıddık Bilgin had died from torture and they tried to cover up the incident saying, "He was shot to death while escaping." However, decisive efforts of some deputies and relatives of Sıddık Bilgin, and statements con-firming the torture given by certain security officers who were involved in the incident, gave way to a trial 20 months later. The trial, held at the Ankara Heavy Penal Court No.2 for security reasons, became the scene of interesting events. The trial was stopped in May 1991, with authorities citing the "Law to Fight Terrorism", and it was decided to send the file to the Bingöl Provincial Administrative Council in order to determine whether a new trial could be launched against the defendants. This decision was quashed upon objections raised by the lawyers inter-vening on behalf of the victim, and the prosecution of the defendants on charges of murdering intentionally continued.

The trial which lasted for 6 years, ended on 27 April 1992, and defendants Major Ali Şahin, non-commissioned officers Mehmet Acar and Ibrahim Yıldızgörü and corporal Suat Akova, accused of torturing Bilgin to death, were sentenced to one year in prison each and suspended from office for 3 months. One of the judges, Özdemir Türker objected to the verdict and demanded no less than 15 years in prison for Major Ali Şahin and acquittal for the re-maining defendants. The sentences were quashed by the Supreme Court in 1993. The Supreme Court stated that torture had been verified by eyewitnesses, but there was no evidence showing that the death was a result of torture. The Court, thus, pleaded that the defendants should be acquitted in connection with murdering intentionally, and that the trial's section concerning inflicting torture should be quashed because of prescription. The Court also agreed that Sıddık Bilgin had been killed while escaping, and such an application was a necessity of duty. The decision to overturn was unanimously taken. The defendants who were later tried again were acquitted in accordance with the decision of the Supreme Court on 21 April 1994.

Another example showing the unserious approach towards torture cases and how perpetrators are protected is the case of Baki Erdoğan, who was killed in August 1993. Baki Erdoğan who was detained by police on 11 August 1993 in the Söke district of Aydın on allegations of being a member of the Revolutionary Left organization, became ill because of torture inflicted on him at the Aydın Security Directorate where he was interrogated, and was hospi-talized on 21 August 1993. He died on the night of the same day. The death of Baki Erdoğan was revealed on the morning of 23 August 1993, thanks to the attempts by his lawyer Mehmet Yatar. The official statement about the incident claimed that Baki Erdoğan had died because of respiratory system failure which occurred due to tuberculosis. Photographs and video tapes verifying the torture traces on the corpse of Baki Erdoğan were publicized in a press meeting held in Izmir in September 1993. Baki Erdoğan's lawyer Mehmet Yatar who spoke in the meeting, said: "Those documents are evidence of the inflicted torture. My client died because of torture. There are 12 people who witnessed the event."

(*) After the death of Sıddık Bilgin from torture was transpired (in January 1986), a widespread campaign was carried out and many torture cases which had not been made public, were brought out. During this period, the practice of torture and cases of torture witnessed following the 12 September coup were begun to be written and spoken about publicly. Besides this, the issue was further brought up by confessions of perpetrator police officer Sedat Caner, who appeared on the same days.

The report which was prepared after an autopsy on Baki Erdoğan on 22 August 1993 stated that respiratory failure and subsequent circulatory failure caused the death. When lawyers of Baki Erdoğan claimed the report did not reflect the facts, the Aydın Public Prosecution Office sent some portion of the corpse and other documents to the Istanbul Forensic Medicine Institute. The report prepared by the Istanbul Forensic Medicine Institute on 1 December 1993 alleged that Baki Erdoğan had died because of lung oedema originating from inadequate nutrition. (*) Criticizing this case, Baki Erdoğan's lawyer Mehmet Yatar and Hülya Üçpınar said the following: "The report of the Forensic Medicine Institute does not reflect the facts. We have evidence which absolutely proves that he had died due to torture. However, prosecutor Hüseyin Eken, who conducts the related investigation and made the autopsy did his best in order to protect the security officers who tortured Baki Erdoğan to death. Giving mis-leading information to organizations and lawyers interested in the incident, he tried to distort the incident and by sending deficient documents he misled the Forensic Medicine Institute. The first autopsy report has no relation with the facts. Photographs, video-tapes, witnesses and minutes prove the gravity of the incident. The report of the Forensic Medicine Institute is completely based on the first autopsy report. The Forensic Medicine Institute did not see the corpse. Therefore it prepared its report faithful to the first report."

The Forensic Medicine Institute reports affected the investigation launched after the death of Baki Erdoğan to a great extent. The Aydın Public Prosecution Office justified these reports and decided not to prosecute at the end of the investigation launched on charges of torturing to death against Police Director İbrahim Türedi, Security Chief Necmettin Aydın, Commissioner Abdurrahman Çetinkaya and police officers Cahit Sandıkçı, Ayhan Erdal and Ali Kumal, working at the Aydın Political Police Center. An objection raised with the Nazilli Heavy Penal Court about the decision was rejected. However, evident and numerous traces of torture on the body of Erdoğan did not allow the incident to be totally covered up. Thus, a trial was launched against the security officers in question on charges of inflicting torture.

The prosecution of the security officers started on 3 March at the Aydın Penal Court of First Instance. The defendants did not attend the hearing. Their lawyers stated that their clients were out of the city and would attend the next hearing. The lawyers of Baki Erdoğan demanded arrest warrants be issued in absence of the defendants by taking into account that the work places of the defendants might be changed. However, this demand was rejected. The Court concluded that the case fell under the jurisdiction of heavy penal court and sent the file to the Aydın Heavy Penal Court. The prosecution of the 6 security officers started again at the Aydın Heavy Penal Court on 13 May and sentences of 5 years in prison were sought for the defendants. Baki Erdoğan's father Mahmut Erdoğan took the floor in the hearing and said that his son had died because of torture in detention. The security officers pleaded not guilty and claimed that they had not tortured anybody and Baki Erdoğan had died because he had fallen ill. Some health officers of the Aydın State

(*) 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 from electrical shocks, on his shoulders and wrists due to hanging, and on his toes due to falanga 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 lying with a serum attached to his arm. This case creates an impression that Baki Erdoğan was medically treated by persons other than medical doctors in detention, which is contrary to the laws."

Hospital who testified as witnesses said that there were scars on the body of Baki Erdoğan, whom they had treated.

Since it was decided not to prosecute on the justification that there was not any connection found between the inflicted torture and the death and the objection which was raised against the decision was rejected, the lawyers of Baki Erdoğan appealed individually to the European Human Rights Commission in October.

Another case of death under custody which is an interesting sample case on the approach towards torture, took place in Istanbul in 1993. A person named Vakkas Dost (30), who was detained for “drinking alcoholic liquor on the street” in the Kumkapı quarter of Istanbul on the evening of 28 May 1993, died in the Kumkapı Police Station where he was taken. The autopsy made on Vakkas Dost determined that he had died because of internal bleeding in his spleen due to a blow. Fevzi Yeşilay, who is an eye witness to 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 the Istanbul Public Prosecution Office after the event. In the official complaint it was stated that police officer Nurettin Öztürk had tortured Dost to death and that commissioner Ibrahim 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, who was accused of murdering Vakkas Dost by beating. The prosecution of Nurettin Öztürk which started on 20 September 1993, at the Istanbul Heavy Penal Court No.3, continued in 1994. The trial is continuing in the absence of Nurettin Öztürk, for whom a sentence of up to 24 years in prison was demanded.

Another interesting example about the approach towards torture cases was experienced in Ankara. Police attempted to detain retired lieutenant Osman Tiftikçi, who had been dismissed from the army following the 12 September coup, in a billiard hall on Esat Street of the Küçükesat quarter in Ankara on 9 April 1993. Osman Tiftikçi who objected to his detention, resisted police officers by shouting slogans. The police officers subsequently detained him forcibly and took him to the Security Directorate. Osman Tiftikçi was sent to the Forensic Medicine Institute on 12 April 1993, 3 days after his detention, where he was given a medical report showing “his inability to work for 5 days due to wounds on his body”. Osman Tiftikçi was arrested by the Ankara SSC when the detention period expired and he was sent to the Forensic Medicine Institute once more on 27 April 1993. That time, he obtained another medical report showing his inability to work for 3 days. The report issued on 27 April 1993 stated that wounds had been found on the back of his penis, on his left elbow, on his right forearm 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.

After the official complaint, an inquiry was launched by the Ankara Public Prosecution Office. As a result of the inquiry the decision not to prosecute was taken on the grounds that “Osman Tiftikçi was detained within a legal framework”. Osman Tiftikçi’s lawyer, Meryem Erdal appealed to the Kırkkale Heavy Penal Court and raised an objection to the decision of non-prosecution. The Court accepted the objection right and launched a trial against police officers Mehmet Sait Özer and Nihat Koç, demanding imprisonment from 3 months to 1 year on charges of inflicting ill-treatment. The trial, heard by the Ankara Penal Court of First Instance No.15, resulted

in acquittal of the defendants on 27 February 1995. The acquittal was given on the following justification, which is similar to the decision of non-prosecution by the prosecution office: "Since Osman Tiftikçi had been wanted for 14 years on allegations of being a member of an illegal organization, a crowded group of police officers caught him. The defendant resisted the police officers, and the wounds and scars on his body occurred at that time. The police officers behaved within the legal framework to break his resistance."

During both the inquiry and prosecution, the claims by Osman Tiftikçi concerning the 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 head toes of his feet, and which were caused apparently due to electric shocks, were not mentioned. The question of how the traces on his penis occurred while he was forced to get into the vehicle, however, remained unanswered and it exposed the lack of seriousness during judicial process.

The trial launched concerning a case of torture in the Çayıralan district of Yozgat in August 1985, demonstrated how the perpetrators convicted in connection with torture incidents could escape imprisonment. In the case in question, prison sentences which were given to police officers for inflicting torture on 5 persons were abolished because of prescription. The case is as follows:

Five persons, Şakir Keçeli (lawyer), Naci Yıldırım, Tahsin İpek, Mustafa Gök and Zafer Turgut, who were detained in August 1985 on charges of being members of an illegal organization, were subjected to heavy torture in the Çayıralan Police Station. They were made to sign baseless and false statements (*) under torture. In the meantime, the foot of Tahsin İpek which was injured during torture and gangrened later, was amputated. Şakir Keçeli, Naci Yıldırım, Tahsin İpek, Mustafa Gök and Zafer Turgut, whose innocence was revealed within a short time, filed an official complaint with the Public Prosecution Office about 5 police officers, Mazhar Bulut, Osman Harman, Mustafa Gülebenzer, Ahmet Türkyılmaz and Erdoğan Bodur. At the end of an investigation about the police officers, a trial demanding prison sentences of no less than 15 years was launched against them. The prosecution of the defendants started in December 1985 at the Yozgat Heavy Penal Court.

In consequence of the prosecution which lasted until 1990, Mazhar Bulut, Osman Harman, Mustafa Gülebenzer, Ahmet Türkyılmaz and Ertuğrul Bodur were sentenced to 6 years 8 months in prison and suspended from office for 20 months each. When lawyers of the defendants raised an objection to the verdict, the case file was sent to the Supreme Court. The Supreme Court's Penal Office No.8 overturned the verdict on the grounds of deficiency in the investigation and demanded re-prosecution of the police officers. The Yozgat Heavy Penal Court, which again prosecuted the defendants, decided to drop the case on 3 March 1993 because of prescription. Thereupon, torture victims raised an objection to the decision. The Supreme Court's Penal Office No.8 overturned the Heavy Penal Court decision on the grounds that the sentences given to the police officers should have been subject to provisions of 10-year prescription, not of 5-year. However, the Yozgat Heavy Penal Court did not obey the Supreme Court's decision and insisted on its previous verdict. Then, the case file was referred to the Penal General Board of the Supreme Court. The Board accepted the decision of the Yozgat Heavy Penal Court and gave a binding decision to drop the trial in November 1994. Thus the police officers who had ruthlessly tortured the 5 persons, made them

(*) The incident Şakir Keçeli and his friends endured, and the comicality of the statements they were made to sign, has been published by Journalist-Writer Hasan Uysal in a book under the name "How is an Illegal Organization Established?" (Boyut Publishing House, Istanbul 1987.)

sign baseless statements and caused the foot of a person to be amputated, escaped from being sentenced and imprisoned.

Other examples about torture-related investigations or trials launched or concluded in 1994 are as follows:

Groups marching after the meeting held in Ankara on the occasion of the May Day Worker's Festival on 1 May, were beaten and dispersed by police on the Sıhhiye Bridge. During the dispersion, 10 people, 3 of them police officers, were wounded and 16 people were detained. Also, Ankara Deputy Salman Kaya was beaten by police. Salman Kaya was treated at hospital for a while. The beating of Salman Kaya and the pictures taken at that time provoked outcry, after which Ankara Security Director Orhan Taşanlar was suspended from duty and an inquiry was launched into the incident. It was understood within a short time that the removal of Orhan Taşanlar was aiming calming down the protests. In consequence of the inquiry, Orhan Taşanlar was found innocent while it was decided to launch a trial against security officers Mehmet Okur (chief commissioner), Miktat Budak and Süleyman Yalman who were revealed to have beaten Salman Kaya. On the other hand, an official complaint was filed at the Ankara Public Prosecution Office about Salman Kaya on charges of attending an unauthorized meeting, insulting security officers and causing an incident. Orhan Taşanlar was reinstated on 18 May. In November, the Ankara Public Prosecution Office launched a trial against security officers Mehmet Okur, Miktat Budak and Süleyman Yalman who had beaten Salman Kaya. The prosecution of the security officers started at the Ankara Penal Court of First Instance No. 18 in December and sentences of 3 months to 3 years in prison were sought for them. They were acquitted on 23 May 1995. The acquittal verdict was given on the grounds that there was no certain and persuasive evidence showing that the defendants had committed crime. The Court did not accept the video tapes and photographs which had been taken while Salman Kaya had been beaten, as evidence.

The trial against 7 police officers accused of having tortured Nazlı Top, who was detained for looking suspicious and was kept at the Istanbul Political Police Center between 27 April and 7 May 1992, started on 29 December 1993. In the trial, sentences of up to 5 years in prison were demanded for the defendants. The names of the police officers are Mustafa Uzun, Mehmet Ali Şeker, Yahya Kemal Gezer, İsmail Türk, Ali Acar, Ömür Gel and Adnan Uzun-oğlu. The trial which was opened 20 months after the incident, resulted in the acquittal of the perpetrators within 5 months. The acquittal verdict was given on the grounds that "there was no persuasive evidence proving the defendants had committed a crime that was sufficient for their conviction". Nazlı Top's lawyer, Selim Akat, appealed to the Supreme Court and objected to the verdict.

Nazlı Top, who was 3-month pregnant when she was detained, obtained medical reports from the Forensic Medicine Institute and Haseki Hospital following her release which proved the existence of torture traces on her body, and then made an official complaint to the Public Prosecution Office. She said the following about the torture inflicted on her: "They tied my arms behind my back with a thick fabric and put me on a hanger. They gave me electric shocks, first on my fingers and then on my genitals and nipples. They particularly punched my stomach, breast and abdominal regions and sometimes beat me with a sharp wooden club. I was raped vaginally with a truncheon. They also attempted to rape me with a bottle. They touched my abdomen, asking whether I was pregnant, and then they punched".

Non-commissioned officer Ekrem Güner, accused of torturing Temel Avşar and Filiz Avşar, who were detained in the Gülyalı district of Ordu in 1989, in a gendarmerie station was

sentenced to 2 years in prison 5 years after the incident. In the trial which ended on 21 July at the Ordu Heavy Penal Court, Ekrem Güner was also suspended from duty for 5 months 15 days and fined to TL 375,000.

Lawyer Bekir Doğanay, one of the founding members of the HRFT, was slapped, insulted and forced to get into a police vehicle by police officer Ayhan Acun on 30 May 1992 on the grounds that he had disobeyed traffic rules. Subsequently, a trial was launched against Ayhan Acun when Bekir Doğanay filed an official complaint. In the trial at the Istanbul Penal Court of First Instance No.13, the police officer was sentenced to 3 months in prison and suspended from duty for 3 months on 9 November. However, the imprisonment was commuted into a fine of TL 900,000. The sentences given to Ayhan Acun was later repealed.

An investigation launched against police officers Mahir Seçer and Mehmet Güven who were accused of torturing Ender Erdem who was detained during the operation carried out in January against the radical Islamic IBDA-C organization in Istanbul resulted in a decision not to prosecute. The medical report given by the Istanbul Forensic Medicine Institute saying “There are no traces of blows.” justified the decision of non-prosecution. Ender Erdem for whom a medical report saying that he was healthy was arranged by the Istanbul Forensic Medicine Institute, before he was sent to the Istanbul SSC Prosecution Office, received another medical report verifying the torture on him from the Eyüp Forensic Medicine Institute where he was sent upon his demand. In the meantime, at the end of the investigation launched upon an official complaint by Fatih Aydın, detained in the same operation, a trial was launched against police officers Mahir Seçer, Mehmet Güven and Yüksel Türkal, working at the unit concerning pro-shariat groups, at the Istanbul Political Police Center. The prosecution of the police officers accused of torturing started on 1 December at the Istanbul Heavy Penal Court. Fatih Aydın took the floor in the hearing and accused physician Tamer Apaydın, working at the Forensic Medicine Institute, of collaborating with perpetrators.

Seven security officers accused of torturing Erdoğan Toprak who was detained on 26 January 1993 on allegations of being a member of the Revolutionary Pioneers of the People (Halkın Devrimci Öncüleri - HDÖ) and was interrogated for 15 days in the Ankara Political Police Center, were acquitted at the end of the trial on 27 December at the Ankara Heavy Penal Court No.9. The court board said they decided acquittal because, “Statements by Erdoğan Toprak and a medical report from the Forensic Medicine Institute dated 8 February 1993 show that the victim was ill-treated in police custody. However, it could not be revealed who mistreated the victim, and in accordance with the principle ‘Suspicion is interpreted in favour of defendant.’ it was decided to acquit the defendants.” The names of the defendants are Mustafa Öner, Necdet Algül, Doğan Kurtuluş, Selçuk Karluk, Mehmet İsmail Bilgen, Yaşar Çiftçi and Erdoğan Topçu.

Because of torture cases Turkey was frequently condemned in international platforms, and remained on the agenda. Reports of independent human rights organizations such as Amnesty International, Human Rights Watch/Helsinki (Helsinki Watch) and International Federation for Human Rights (*) indicated the dimension of the systematic practice of torture in Turkey. Political

(*) Torture cases in Turkey have also been examined by some organizations in accordance with international agreements, as well as by the Foundation and other human rights organizations. Within this context, the reports prepared by the European Committee for Prevention of Torture (CPT) in 1992 and 1994 and the report prepared in 1993 by the Committee founded in accordance with Article 20 of the “United Nations Convention

power denied these reports and termed human rights organizations “evil-minded”, instead of making efforts to improve the situation indicated in the reports and to prevent torture.

Turkey, which was concerned about the criticisms by international human rights organizations regarding torture, was also troubled with individual applications made to the European Human Rights Commission. Moreover, sometimes Turkey had to accept to recompense torture victims. For example; it paid one million French Francs to 4 persons who had been tortured in the Yeşilyurt village of Cizre on 14 and 15 January 1989. In the event, villagers had been tortured and forced to eat human excrement by security officers. 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 was convicted to one year in prison, but the sentence was later reprieved. Upon reprieve of the convicted sentence, out of the aggrieved villagers Abdullah Gündoğan, Bahattin Müştak, Ka-mil Müştak and Abdurrahman Müştak applied to the European Human Rights Commission. The Commission which examined the application and received an explanation from Turkey, found the application in the villagers' favour.

In addition, Turkey had to accept to pay a compensation to Nihat Sargın and Haydar Kutlu, the leaders of the United Communist Party of Turkey (TBKP), who had been detained and tortured after they had returned to Turkey in November 1987, when the application made by the leaders was deemed right by the European Human Rights Commission.

The interrogation under torture during which Ibrahim Ekinci died and many persons became crippled in February 1993 in the Ormaniçi village of the Güçlükonak district of Şırnak, was also put on the agenda of the European Human Rights Commission. The Commission accepted the application made by the lawyers of the villagers and invited Turkey to make its statement concerning the case.

In 1994, the European Human Rights Commission accepted the appeal by nurse Yüksel Yağız who was tortured in 1989 in Izmir. Yüksel Yağız demanded a compensation of \$ 100,000. The case of Yüksel Yağız is as follows: Yüksel Yağız was detained concerning abduction of a child from the Izmir Tepecik SSK Maternity Hospital on 4 December 1989 and tortured during interrogation. Yüksel Yağız who had no relation with the abduction proved the torture on her with a medical report and filed an official complaint to prosecution office. Subsequently, a trial was launched against police officers Halil Duygu, Bedir Taşdelen and Neşet Hakcıl who were involved in the torture. In the trial held at the Izmir Heavy Penal Court No.2, the police officers were acquitted on the grounds that it could not be revealed who had tortured Yüksel Yağız. The objection raised by Yüksel Yağız was refused by the Supreme Court. Subsequently, she enjoyed her right to make an individual application to the European Human Rights Commission justifying that legal ways were blocked in Turkey. The Commission found in her favour after it examined the application and asked Turkey to obey human rights conventions and protocols that it had signed.

Turkish officials were alarmed at the decisions taken one after another by the European Human Rights Commission against Turkey. For example; Kenan Doğan, the Undersecretary of

Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment”, state that torture has been systematically applied in Turkey.

the Justice Ministry, said in July that Turkey faced the liability of paying a considerable amount of compensation because of the cases filed to the European Human Rights Commission about human rights abuses and indicated that the cases harmed the prestige of the country. In the meantime Prof. Dr. Bakır Çağlar who undertook the advocacy of Turkey in the Commission resigned. Bakır Çağlar stated: "Since Turkey has not adapted its internal judicial system to European standards, its dirty linen is washed in Strasbourg. The human rights slate of Turkey is not clean in Strasbourg."

The European Committee for Prevention of Torture (CPT) made its investigation in Turkey in October 1994. The members of the Committee visited the Security Directorates, and some police and gendarmerie stations and prisons in Istanbul, Ankara, Konya, Adana and Diyarbakır during 10 days. In addition, they met with many people who were in police custody at that time and listened to torture stories of those people. During the investigation at the Ankara Security Directorate, the Committee members demanded to meet 3 youths, Ilkay Özçelik, Aylin Ürkmez and Sonay Kahraman who were in detention at that time. However, police authorities stated that the youths in question were not in detention. However, the members of the Committee followed up the case and reached the youths while they were being interrogated at the Ankara SSC Prosecution Office. The youths, who were examined by a physician in the Committee told the members torture had been inflicted on them.

Ilkay Özçelik made a statement later and said that plain clothes police officers had threatened them, saying "If you say something against the state, we will not let you live." while they had been with the prosecutor before the meeting with the members of the Committee. Ilkay Özçelik stated that traces of torture on their bodies had been proved in the medical examination during the meeting and a medical report was furnished. She added that she was continuously threatened and her life was at risk because of the meeting and related statements. Aylin Ürkmez stated that the members had asked some questions such as "Did police tell you about your rights when you were detained?" and "Were you allowed to have access to your lawyers?" She said "Before the visit of the Committee, detention places where we were kept had been washed with detergents, walls had been painted and some places had been carpeted."

Before the Committee had come to Turkey, police and gendarmerie units were warned. For example; in letters sent by the Gendarmerie General Commandership on 20 July 1994 to all gendarmerie stations, the visit by the CPT to Turkey was announced and personnel were demanded to be prepared and take necessary precautions to prevent unpleasant incidents. Letters also indicated that negative reports had previously been prepared about Turkey as a consequence of the examinations made in police and gendarmerie stations and in prisons by the CPT.

c)- Deaths in detention and prisons

In 1994, a total of **34** people died in detention places (32) or in prisons (2) from torture or under suspicious circumstances. **Twenty-seven** of the deaths were witnessed in the Emergency State Region, **3** in Istanbul and the remaining in Doğubeyazıt (Ağrı), Bünyan (Kayseri), Adana and Adapazarı. The number of people who died in detention and prisons increased in 1994 when compared to the previous years (According to HRFT's determinations, a total of 9 people died in detention or prisons in 1990, 19 people died in 1991, 17 people died in 1992 and 29 people died in 1993). According to the information compiled by the HRFT, the deaths in detention places and prisons are as follows:

01)- Zeynel Bilgen

Zeynel Bilgen, who went from the Çamyurt village of the Midyat district of Mardin to the Şenköy Gendarmerie Station together with Cebeli Demir on 24 January was found dead on 25 January. Then Zeynel Bilgen's relatives lodged an official complaint to the public prosecution office. Thereupon, testimonies of Hüsnü Akçay, the headman of the Çamyurt village, Salih Çelik and Cebeli Demir were received on 27 January. In line with the testimonies of those people, an investigation was launched against Şenköy Gendarmerie Station Commander and a specialized sergeant working in the station. Hüsnü Akçay, the village headman stated the following after giving his testimony: "In my testimony I said that I had sent Cebeli and Zeynel to the station in the car of Salih Çelik and that I had found Zeynel dead one day later. Then, officials called the commander of the gendarmerie station. The commander said 'I did not call Zeynel, I do not know anything about him.' Then 'One day before, you asked me to send Zeynel. You even raided his house. Zeynel did not go to the station alone. Cebeli Demir also witnesses the case.' I said." Cebeli Demir stated the following in his testimony: "We went to the station together with Zeynel. The commander of the station checked our IDs and released me. Later, he called a specialized sergeant and 2 enlisted men and delivered Zeynel to them. I know the specialized sergeant. I saw the enlisted men setting out by bus in order to take Zeynel to Mardin. Later, I returned home." The investigation into the death of Zeynel Bilgen was fruitless. Subsequently, Hüsnü Akçay, Mehmet Bilgen, Mehmet Elyan and Ahmet Bilgiç applied to the DEP Mardin Provincial Organization and to the IHD Diyarbakır Branch and asked them to help find those who had killed Zeynel Bilgen so that they may be punished.

02)- İbrahim Daniş (24)

İbrahim Daniş who was detained by special team members in the operation held in the Kurtuluş quarter of Cizre on 27 January died while being interrogated. His corpse was taken to the house of one his relatives, Abdullah, in the Kurtuluş quarter at noon on 30 January. The corpse was first shot and then torn to pieces by a bomb. Later, the special team members put a Kalashnikov gun on the corpse and took photographs and videoed. Subsequently, the special team members rounded up residents of the quarter to the scene and threatened them, saying "Let that be a lesson to you! We will kill all of you in this manner. There is no prosecution any more. From now on, we will kill those whom we catch." The incident was publicized as "A PKK militant, who resisted the security officers raiding a house in Cizre, was killed."

03)- Ebubekir Dayan

An imam named Ebubekir Dayan who was called to the Diyarbakır Security Directorate to testify on 24 January, was delivered dead to his relatives one week later. The corpse of Ebubekir Dayan was brought with a police panzer to his relatives in the Dağkapı quarter. The death of Ebubekir Dayan was put on the agenda of the National Assembly by Şırnak Deputy Selim Sadak who raised a parliamentary question to the National Assembly Chairpersonship with the demand of a reply by Interior Minister Nahit Menteşe and stated that there were traces of torture on the body of Ebubekir Dayan. Replying to the parliamentary question, Nahit Menteşe said that Ebubekir Dayan had died because of a heart illness in police custody, despite medical intervention.

04)- Ömer Alevcan (28)

The corpse of Ömer Alevcan who was detained in the Aydınlar town of Siirt on 9 February by police, was delivered to his family on the morning of 19 February. Ömer Alevcan, who is the son of Hüseyin Alevcan, DEP's Mayoral Candidate in Aydınlar, was detained shortly after he had interviewed Siirt Deputy Zübeyir Aydar, who had come to the town. In his statement concerning the incident, Zübeyir Aydar said, "When I learnt that Ömer Alevcan had been detained I called up

Siirt Governor Mehmet Süer. He said to me ‘Why are you worried? They will ask a few questions and then release him.’ Siirt Security Director Şükrü Önder also confirmed that Ömer was in detention.” A youth named Şefik Kayran who witnessed the detention of Ömer Alevcan, said the following: “I saw Ömer in the bazaar prior to his detention. We started talking. A car with plate number 56 AV 896 stopped nearby us while we were talking. Civilian dressed people who got out of the car put Ömer in the car saying that they were police officers.” The report prepared after the autopsy on Ömer Alevcan alleged that Ömer Alevcan had committed suicide by hanging himself using a piece of cloth he had torn away from a blanket in his cell.” However, the relatives of Ömer Alevcan who saw the corpse said that his neck had been broken, there were purple bruises and scars on his hands, and a scar which had formed a scab on his genital organ. Ömer Alevcan’s father, Hüseyin Alevcan, who demanded a new autopsy, said that prosecutor had threatened to imprison him, when he had uttered his demand.

05)- Cemile Şanık (18)

Cemile Şanık, who was detained following a raid carried out against the Vanik village of the Hizan district in Bitlis on 12 January by security officers, was found dead in the vicinity of the village on 10 February. It was learnt that there were traces of torture on the body of Cemile Şanık and she had been decapitated. Cemil Şanık, who stated that his daughter and his son Ramazan Şanık had been put on a panzer and taken away by the security officers coming to the village, said, “I went to the Tatvan Brigadier Commandership one day later. However, they said that they had no information about the incident. One day after I returned home, I found the torn clothes of my daughter in the vicinity of the village. We were unable to obtain any information about her from then on. They had raped my daughter and then cut her throat.” Cemile Şanık was laid to rest in the Vanik village on 13 February.

06)- Velathan Gülşenoğlu (19)

Velathan Gülşenoğlu, one of the people detained following an unauthorized demonstration held on Bahariye Street in the Kasımpaşa quarter of Istanbul at noon on 22 March, was killed in the Kasımpaşa Police Station where he was taken to. It was reported that Velathan Gülşenoğlu had been shot dead in the neck by a police officer in the station and had died at the hospital. Police authorities claimed that Velathan Gülşenoğlu had drawn his gun in the police station where he had been taken together with other detainees and had been shot when a police officer reciprocated. In the autopsy made by the Forensic Medicine Institute, it was revealed that the bullet had entered the side of the neck and exited from the nape. At the end of the investigation launched by the Beyoğlu Public Prosecution Office into the incident, a trial in which a maximum 30-year prison sentence was demanded on charges of murdering intentionally was launched against police officer Abdullah Bozkurt, who killed Velathan Gülşenoğlu. The prosecution of Abdullah Bozkurt started at the Beyoğlu Heavy Penal Court No.1 on 8 September. Abdullah Bozkurt, who was appointed to Van after the incident, did not attend the hearing. The victim’s lawyer, Eren Keskin, protested the appointment of the security officers who had been involved in extra-judicial cases, and said the following: “The defendant is a traffic policeman and in charge of the trucks used to remove the vehicles driven in contra-vention to traffic rules. He does not work at police stations. The trial involves a murder charge. Therefore he must be arrested.” The arrest demand by Eren Keskin was not accepted by the court. In the hearing held on 1 November, Eren Keskin stated the following: “Ilker Mazı who was detained together with Velathan was arrested later, but released within a short time. Probably, Velathan would face the same procedure. After being shot, Velathan was taken to hospital in the trunk of a car. There, he did not receive any

medical treatment.” In her statement after the hearing Eren Keskin said: “The serial number of the gun which was allegedly found on him was worn away. The police officer remove all evidence in order to disguise his crime. It is certain that there was no gun in the hands of Velathan. The gun which allegedly belonged to Velathan actually belongs to the police officer. However, since its serial number was worn away, this case cannot be revealed.” In the hearing held on 22 December, Ilker Mazı was listened as a witness. Stating that he was detained on allegations of attending an unauthorised meeting, Ilker Mazı said: “We were taken to the police station together with a person (meaning Velathan Gülşenođlu). After we entered the police station, they took me to the left side of the station and covered my head with my coat. My face was turned to the wall. They took the other person to the right side. Shortly after, I heard a gun shot. However, since my face was turned to the wall, I did not see who fired. Thereupon, they immediately brought me to the custody area.”

07)- Abdurrahman Avşar (35)

Abdurrahman Avşar, who was detained after a police raid on his house in the Cizre district of Şırnak at the end of February, died at the Şırnak Security Directorate where he was interrogated. The corpse of cattle dealer Abdurrahman Avşar was delivered to his relatives who were called to the Şırnak Security Directorate on 2 April. The applications made to officials by the relatives of Abdurrahman Avşar when he was in police custody, were met with the reply “There is nobody in his name in detention.” Abdurrahman Avşar was laid to rest in the Cizre Cemetery after a funeral attended by 500 people on 3 April.

08)- Garip Ölmez

The corpse of Garip Ölmez who was detained together with Ebubekir Coşkun, Sadullah Coşkun, Nazlı Aslan and Mirali Timur by security officers who raided the Yođurtyemez village of the Ahlat district of Bitlis on 4 April was delivered to his family on 14 April. Ebubekir Coşkun, Sadullah Coşkun, Nazlı Aslan and Mirali Timur were arrested. The relatives of Garip Ölmez said the following about the incident: “The detainees were taken to the Bitlis Gen-darmerie Regiment Commandership on 8 April. Several days after we had learnt about this case, they called us and said, ‘Come and take your corpse.’ When we went to the morgue of the Bitlis State Hospital we saw that his head and stomach had been split open. After burying him, we wanted to file an official complaint to the Ahlat Public Prosecution Office, but the prosecutor scolded us, saying ‘What do you mean? There is no torture.’ Later, he expelled us.” IHD Istanbul Branch Chairperson Ercan Kanar applied to the Parliamentary Human Rights Commission about the incident. In June, Commission Chairperson Sabri Yavuz replied to the application of Ercan Kanar and confirmed that Garip Ölmez had died at the Bitlis Gendar-merie Regiment Commandership. Sabri Yavuz stated that an investigation had been launched about the incident and an autopsy had been made on Garip Ölmez. He added that in order to reveal the exact reason of his death, some parts of the corpse had been sent to the Forensic Medicine Institute.

09)- Kamil Gündođan (28)

Kamil Gündođan, who was detained by gendarmes at the bus terminal in the Lice district of Diyarbakır on 29 April, was found dead in the Lice Cemetery. Kamil Gündođan, whose body was covered with traces of torture, was reportedly buried by municipality officers on 6 May. An autopsy report, signed by Lice Public Prosecutor Özcan Küçüköz, stated, “Kamil Gündođan was killed by unknown assailants”. Kamil Gündođan’s wife Aysel Gündođan said the following about the incident: “Kamil was detained in Lice along with 2 of his friends on 26 April and released at about 4.00 p.m. on 29 April. However, he was later detained once more by gendarmes. When he was detained once more, I went to the Lice Security Directorate. An authority I talked to said, ‘The

gendarmerie commander had been angry because of the release of Kamil and he had ordered his detention again.’ Upon this, I applied to the Diyarbakır SSC. I was told that my husband was not in detention. When I heard that 3 men had been buried in the Lice Cemetery, I applied to the Lice Public Prosecution Office. It was revealed that one of those buried was my husband. There were bruises of torture on his body. There were traces of one bullet on each of his eyes and 3 bullets on the left side of his body. There were also traces of torture on the other two corpses in the cemetery. The men, whose names were determined to be ‘Kadri Yılmaz’ and ‘Aydın Tekay’ were shot one time in the head.”

10)- Kadri Yılmaz

Kadri Yılmaz who was detained together with his father Mehmet Yılmaz (70), and brothers Hasan Yılmaz, Esat Yılmaz and Tahir Yılmaz by security officers who raided his house in the 5 Nisan quarter of Bağlar in Diyarbakır on 1 May was later found dead in the Lice Cemetery. Kadri Yılmaz, his father and brothers were taken to the police station in the 5 Nisan quarter after being detained. There, Kadri Yılmaz’s father and brothers were released while Kadri Yılmaz was handed over to political police. The relatives of Kadri Yılmaz who applied to the Diyarbakır Security Directorate, were told, “There is nobody in his name.” However, it has later been revealed that Kadri Yılmaz was brought to the Lice Cemetery and buried there.

11)- Aydın Tekay

Aydın Tekay who was detained on 1 May in Diyarbakır died later. The death of Aydın Tekay, who was buried in the Lice Cemetery was revealed upon the statement made by Aysel Gündoğan, the wife of Kamil Gündoğan who was also detained and found dead.

12)- Bedel Özkan

13)- Hasan Ateş

Village headman Bedel Özkan and Hasan Ateş who were detained by security officers raiding the Kurudere village of the Çukurca district of Hakkari on 8 May, were found dead in the vicinity of the village on the morning of 11 May. It was determined that Bedel Özkan and Hasan Ateş had been killed by torture and their eyes had been carved out. The incident was reported as “2 villagers kidnapped by PKK militants were found dead.” A group of villagers talking to Hakkari Governor Lütfullah Bilgin upon the incident, demanded that the murderers of Bedel Özkan and Hasan Ateş be found and punished. Forty-eight people serving as village guards in the Kurudere village had resigned in November. Thereupon, security officers began raiding the village frequently.

14)- Nimet Barut (57)

Nimet Barut (57), the headman of the Ağılı village of the Kulp district of Diyarbakır, was detained by security forces who raided the village and was found dead on the morning of 12 May. In the autopsy, it was determined that a crushing of the pectoral and cardiac vessels had caused the death of Nimet Barut. People living in the Ağılı village said the following: “Our village was raided on 6 May. At that time, we were preparing to perform namaz (an Islamic ritual worship). The soldiers did not allow us to perform namaz. Upon this, Nimet Barut asked the soldiers to permit the performance. The soldiers scolded Nimet Barut and then started to burn some houses. Then, Nimet Barut tried to intervene in order to prevent the burning of the houses. However, he was sworn at by the soldiers. Subsequently, the soldiers started to lay down and beat everybody in the village including women and children. Nimet Barut also reacted to the beating of women. Thereupon, the soldiers took him out of the village while dragging and beating him. We looked for Nimet Barut for

6 days but could not find him. Afterwards, people living in the nearby villages found the corpse in the mountainous area.”

15)- Ali Beki

Ali Beki who was detained following a raid carried out by security officers against the Kışlacık village of Siirt on 12 June, died. The corpse of Ali Beki who reportedly died on 15 June, was brought to the morgue of the Siirt State Hospital on 16 June by soldiers. The official statement about the incident claimed, “Ali Beki committed suicide by jumping down a precipice near the Aktaş village where he was brought on 15 June to show the PKK shelters”. The people living in the village said that they had not heard of such a suicide and that Ali Beki might have been tortured to death.

16)- Mahmut Tanlı (22)

Mahmut Tanlı was detained by police officers who raided the Örtülü village of the Doğubeyazıt district of Ağrı on 27 June and was delivered dead to his family one day later. An official statement put out about the incident alleged that Mahmut Tanlı had died because of a heart attack. Criticizing the official statement, Mahmut Tanlı’s father Mustafa Tanlı said: “There were traces of blow on the body of my son. His body was covered with bruises. There were burns on his hands and feet. It was evident that he had died due to torture. He did not suffer heart trouble. I think that they killed him by giving high-voltage electric shocks.” Upon the official complaint filed by Mustafa Tanlı an investigation was opened into the incident. In the investigation, it was decided to make a new autopsy on Mahmut Tanlı in order to reveal the exact reason of his death. In accordance with the decision, his corpse was sent to the Istanbul Forensic Medicine Institute. His corpse was taken to Doğubeyazıt again, after the second autopsy and re-buried on 3 June 1995.

17)- Osman Akın (32)

Osman Akın who was detained by gendarmes in the Şıvgın village of the Bünyan district of Kayseri on the grounds that he had insulted the state, died in the Bünyan Gendarmerie Station where he was interrogated. The authorities of the station made no explanation except reporting, “Osman Akın was found dead in the cell he was kept in on the morning of 27 July, Wednesday.” An investigation was launched by the Public Prosecution Office concerning the death of Osman Akın.

18)- Abdullah Baskın

A youth named Abdullah Baskın, who was detained by security officers who raided the Gümüşörgü village of the Kozluk district of Batman on 23 July, died in detention. Abdullah Baskın who was interrogated at the Batman Gendarmerie Commandership after being detained, fell ill on 3 August while being taken to court in Kozluk. Abdullah Baskın was not taken to hospital in spite of his illness and had to spend the night at the Kozluk Gendarmerie Battalion Commandership. He was later taken to the Batman State Hospital when his condition deteriorated. He died on the morning of 4 August. No official statement was made about his death. His corpse was delivered to his family on the evening of 4 August. Other people detained during the raid against the Gümüşörgü village stated that Abdullah Baskın had been suspended on a hanger and was given electric shocks, and that he had died from torture.

19)- Ahmet Demiray (29)

Ahmet Demiray who was detained by village guards in the Seyrantepe quarter of Diyarbakır on 22 July and taken to the Lice Gendarmerie Commandership was found dead in the vicinity of the Dibek village of Lice on 14 August. After permission from the Lice Public

Prosecution Office, Ahmet Demiray was buried in the Lice Cemetery on 15 August. Police notified Ahmet Demiray's father, Hüsnü Demiray, about the death of his son 5 days after he had been buried. Hüsnü Demiray said that he had gone to Lice after he had been notified about the death and that he had investigated the incident. Hüsnü Demiray said that his son had been taken by village guards from the Lice Gendarmerie Commandership to outside of the district and then had been killed by rocket launcher fire after he had been tied to an electricity pole, and therefore his body had been blown pieces. Indicating that the villagers who took his son and killed him were the same people, Hüsnü Demiray filed an official complaint demanding a trial be launched against the village guards in question and authorities of gendarmerie commandership on charges of murdering deliberately. Hüsnü Demiray had applied to the Diyarbakır SSC Prosecution Office while his son had been in detention and had been told, "Ahmet Demiray is under custody at the Diyarbakır Gendarmerie Commandership".

20)- Lokman Alicioğlu (19)

The corpse of Lokman Alicioğlu, whose name was at the population registry office of the Derik district of Mardin and who was living in Viranşehir, was found in the Şakırpaşa quarter of Adana at about 8.30 a.m. on 19 August. The Adana Governorate disclosed that Lokman Alicioğlu had attempted to place a bomb in a transformer in the Adana New Industrial Zone on 19 August and had died when the bomb had exploded in his hands. Lokman Alicioğlu's father Hasan Alicioğlu indicated that the right arm of his son did not function because of paralysis and he limped while walking and he said the following: "My son is not physically capable of setting a bomb. Moreover, there is no transformer in the place of the incident. The statement of the Security Directorate is paradoxical. He was in Adana for treatment for one month. When he was a lycée student in Viranşehir he had been frequently detained and threat-ened with death by a police officer, namely Tayfun, working in Viranşehir. This police officer who had later been assigned to Adana, had asked my daughter about Lokman in the Seyhan District Congress of the HADEP and threatened her with death. I think that Lokman was de-tained during the general ID check on 16 August. I believe that my son was killed under torture in detention and that the incident was tried to be covered up through such a scenario." Lokman Alicioğlu's, uncle Nuri Özkan, said that his nephew who left the house in order to go to Viranşehir on the morning of 16 August, had most probably been detained during the ID check and then killed under torture. Lokman Alicioğlu had come to Ankara in January 1994 and applied to the HRFT. In his application, he stated that he had been detained by police 7 or 8 times in 1993 and had been tortured at the Urfa and Viranşehir Security Directorates where he had been interrogated. Indicating that his health deteriorated due to the torture, he asked for treatment.

21)- Can Demirağ (24)

Can Demirağ who was detained by police on 21 August in connection with a murder in Istanbul, was found dead on the morning of 23 August in his cell at the Kadıköy Security Directorate where he was interrogated. Police authorities claimed that Can Demirağ had committed suicide by hanging himself with a sheet on the iron bars of the window in the cell. Sakine Demirağ, the mother of Can Demirağ, said that her son had died due to the torture inflicted on him. She claimed that police tried to portray his son as the assailant, although he had not been involved in the murder. Gülcan Demirağ, the younger sister of Can Demirağ pointed out that her brother had delivered himself when he had learnt that police had wanted him. She said the following: "After he delivered himself, he was taken to the Murder Desk in Gayrettepe. Sub-sequently, they detained me and my other brothers Tayfun and Demirhan. They put each of us into separate cells. At nights,

I heard screams. Hereupon, I cried ‘Do not do any thing to my elder brother, he is a heart patient’. But, they did not take my warning into consideration. I saw my elder brother’s corpse in the Forensic Medicine Institute. His armpits, groin and soles had become purple. In order to disguise that he had died because of torture, police pass off the inci-dent as suicide. The police officers who notified us about the death of my brother, warned us not to talk to journalists.” Can Demirağ’s brother, Demirhan Demirağ, disclosed that he and his other brother Tayfun had been beaten by police officers while in custody. Can Demirağ was laid to rest in the Karacaahmet Cemetery in Istanbul on 25 August after a funeral in which his relatives and friends attended. In the autopsy report it was stated that the death was a result of suicide and there were no traces of blow on his body.

22)- Cihan Akkum (21)

Cihan Akkum detained by police in the Bağlar quarter of Diyarbakır on 10 August, was delivered dead to his family on 25 August. Police authorities claimed that Cihan Akkum had committed suicide by hanging himself with a blanket in the Diyarbakır Police School where he had been interrogated. Cihan Akkum was buried in Diyarbakır on 25 August. Authorities of the Diyarbakır SSC and police had not admitted that Cihan Akkum had been detained. Cihan Akkum’s father Ahmet Akkum said the following as to the incident: “I saw my son’s corpse in the morgue. His body was full of purple bruises. There was sign of a thin cord around his neck. I do not believe that he committed suicide. Police officers killed him.”

23)- Elif Leyla Çelik

A young girl, aged about 18-19, who was detained on the night of 13 September on allegations that she had thrown a bomb into a bank branch in Adapazarı, died at the Sakarya Security Directorate where she was kept in custody. It was claimed in the official statement that the young girl had committed suicide by jumping from the 4th floor of the security directorate. An identity card issued in the name of “Nuriye Özgüroğlu” was found on the young girl. In consequence of an investigation, it was revealed that the name of the young girl was Elif Leyla Çelik.

24)- Bedri Tan (40)

Bedri Tan, the headman of the Kadi village of Diyarbakır, who was detained by the security officers who raided the village on the night of 13 September, was delivered dead to his family on 14 September. Security authorities claimed that Bedri Tan had died when he had stepped on a mine while showing a PKK shelter to security officers. However, the children of Bedri Tan said the following about the incident: “The soldiers who came to our house put our father in a room. Screams were continuously coming from the room. He was probably being tortured. They came out of the room after an hour, and they took our father away in a panzer. Our father has never been involved in political cases up to now. He had no problems with the state. One day after his detention, they called us from the Hani Gendarmerie Station and asked us to receive the corpse. When we went to the station, we found his corpse in a bag in the courtyard. The upper part of the corpse was in pieces. In the burial document given to us, it was written that our father died after stepping on a mine. A person who steps on a mine, is primarily wounded on his/her feet, but the upper part of our father’s body was torn into pieces. We believe that he was tortured to death.”

25)- Ramazan Özüak (18)

26)- Süleyman Ogun

Security officers carried out an operation in the Diyarbakır E Type Prison on 4 October against the prisoners who started a resistance movement when an arrested inmate was attempted to be taken away for interrogation on 3 October upon directives by the Public Prosecution Office.

During the operation, an arrested inmate named Ramazan Özüak died, and more than 50 prisoners were injured. Several inmates, including some wounded, were transferred to the Gaziantep E Type Prison after the incident. Süleyman Ongun, one of the wounded transferred to Gaziantep, died on 20 January 1995. Arrested and convicted inmates declared that Süleyman Ongun had not been hospitalized even after his condition deteriorated, so that his wounds had become infected and he had died due to lack of sufficient care. (Detailed information is on pages 233-234.)

27)- Aydın Kışmir (26)

A person named Aydın Kışmir, who was detained together with his 2 brothers after a police raid against his house in the Hatboyu quarter of Diyarbakır on the night of 6 October, died at the Diyarbakır Security Directorate where he was interrogated. The corpse of Aydın Kışmir was delivered to his family on 12 October. It has been reported that there were traces of blow to his chest and back, bruises on his head, and that a brain hemorrhage caused his death. Turan Kışmir who was detained together with Aydın Kışmir but was released after the death of his brother said, "They made my elder brother lay down on a cushion when he fainted at the security directorate. Police officers were saying that this was last chance and unless he spoke they would kill him. Then, my brother began to shout slogans. All police officers present there started to beat him." Aydın Kışmir was buried on 13 October in Diyarbakır. A person named Barış Kalkan, who was detained along with Aydın Kışmir and then arrested, declared in prison "They immediately began torturing Aydın. His shouting, his screams, proved the extent of the torture that was inflicted on him. They were saying, 'We killed many people up to now. We will kill you and throw aside, and tell your family that you fell down while escaping.' This situation continued for a few days. The police officers tried to make me sign a false statement in order to cover up the incident. In the statement it was written that Aydın had tried to escape while he had been captured and at that instant he had fallen down and hurt his head."

28)- Bayram Duran (26)

A person named Bayram Duran who was kept under custody in the Gazi Police Station in Gaziosmanpaşa, Istanbul died on the morning of 16 October. Police officials alleged that Bayram Duran had died from a heart attack in the station. However, this allegation was not accepted by relatives of Bayram Duran. Bayram Duran's father, Ali Duran said the following: "On 15 October I was informed that my son had been detained. Then I went to the police station in order to learn the grounds on which my son was detained. There, I was allowed to meet him. I brought him food and cigarette. He told me that he was innocent. He said, 'They confuse me with someone else.' When I saw him for the last time there was nothing wrong with him. He was quite healthy when I saw him. Mehmet Yahşi, the grocer of the quarter was also there. He said to me that my son owed him TL 25 million, and concluded 'If you give this amount to me, your son will be released, otherwise his corpse will be taken out of here.' He openly said these words to me in front of the police officers. As I learnt later on, a police commissioner whose name I do not know, was a relative of Mehmet Yahşi. My son had no debt problem with Mehmet Yahşi. As far as I know, they did not know each other." Ali Duran who stated that he had gone to the police station once more on 16 October, said, "At the police station, they said to me 'We hospitalized your son. Come on, let's drink a cup of tea.', and took me to the coffee house. We drank tea together. I believed them. However, at that time they had taken my son's corpse from the police station to the Forensic Medicine Morgue. Subsequently, they told me 'Your son is at the Cerrahpaşa Hospital'. I left the coffee house and went there. We found my son at the Forensic Medicine Morgue instead of the hospital." Bayram Duran was buried in Istanbul on 18 October. People who attended the funeral ceremony stated that Bayram Duran had been killed under torture. Bayram Duran's father Ali Duran raised an official

complaint about the police officers in charge at the Gazi Police Station. In the meantime, it was revealed that Bay-ram Duran was kept in a cell 90 cm. in width and 152 cm. in length when he was in custody.

29)- Ali Karaca (61)

A miller named Ali Karaca, who was detained by the soldiers who carried out a raid against the Kom hamlet of the Güleç village in Mazgirt, Tunceli on 10 October, on the grounds that “he gave food to militants”, died at the hospital on 13 October. As the Güleç village which is the birth place of Ali Karaca was surrounded by the soldiers, he was buried in Elazığ. The relatives of Ali Karaca said the following about the incident: “Soldiers from the Ataçınarı Gen-darmerie Station who raided the hamlet, said that Ali gave flour to guerrillas. And he, stating that the mill had not been operating for the last 3 years, rejected this accusation. Despite this, they made Ali get in a helicopter under beating, and took him away. They took him first to the Ataçınarı Gendarmerie Station and then to Tunceli by helicopter. We found him at the Tunceli State Hospital. According to the information we could obtain, he was found unconscious and naked by policemen at a road side, and taken to the hospital. As his situation was serious, we took him to the Elazığ State Hospital. He stayed 3 days in a coma, and then died. At the hospital, first they told us ‘He has traces of blows on his body and he died because of a blow to head’. However, when the soldiers intervened later on, they said that he had died because of meningitis and high blood pressure. Besides, they did not furnish his X-ray pictures taken previously.”

30)- Emin Dündar

Emin Dündar, who was detained along with persons named Abdullah Demir, Sıddık Yılmaz, Mehmet Çetin and Nezir Yılmaz by the security forces who raided the Kavakgölü village of Siirt on 5 October after a clash which broke out between PKK militants and village guards in the vicinity of the village, was delivered dead to his family on 17 October. Emin Dündar was first taken to the Siirt Gendarmerie Regiment Commandership and then to the Siirt Security Directorate. The relatives of Emin Dündar stated that the Siirt Public Prosecution Office admitted that he had died in custody. Out of 4 people detained along with him, Mehmet Çetin, Sıddık Yılmaz and Nezir Yılmaz were released while Abdullah Demir was arrested.

31)- Abdulkerim Alataş (54)

A person named Abdulkerim Alataş who was detained by the security forces who raided the Anaköy village of Gevaş, Van, on 15 October, died on 19 October. According to the information given by villagers, people named Kerem Aladağ, Abdulkerim Altıntaş, Gıyasettin Ar-vas, Abdulkerim Alataş and Cemil Akdi were detained during the raid carried out following the clash, which resulted in the killing of 4 soldiers, in the vicinity of Anaköy. Out of these people who were “reportedly tortured in custody”, Cemil Akdi and Abdulkerim Altıntaş were released on 18 October, while Abdulkerim Alataş died on 19 October due to the torture he suffered. The remaining two persons were arrested after staying in custody for a while.

32)- Bekir Önder (30)

A person named Bekir Önder who was detained by the police on 4 November in the Kızıltepe district of Mardin and then arrested after being interrogated for 16 days, died in the Mardin Closed Prison on 28 November. The corpse of Bekir Önder was buried in Kızıltepe on 30 November following the autopsy. Bekir Önder’s elder brother, Ahmet Önder, who was detained and arrested along with the former, said: “During the 16 days that we were kept at the Kızıltepe Security Directorate, they inflicted various torture methods on me and Bekir such as giving electric

shocks, suspending us on a hanger, squeezing our testicles. Because of torture, my brother was exhausted and became ill. We were brought before court on 21 November. My brother's situation was not good. Despite this, they arrested me and my brother." In the mean-time, in a statement made by the arrested prisoners in the Mardin Closed Prison, it was said that the demand of Bekir Önder, who was arrested and sent to the Kızıltepe Prison on 21 November, to be taken to a doctor was not met until 28 November. In the statement which mentioned that Bekir Önder had been transferred to Mardin when the doctor who examined him on 28 November said, "He will die if he is not taken to hospital within half an hour", it was said, "Bekir Önder received no medical intervention at the hospital and was sent back to the prison."

33)- Ferhat Demir

34)- Nefiye Çelik

Two PKK militants named Ferhat Demir and Nefiye Çelik, who were detained by the police officers who raided their house in Batman on 7 November, died in custody. Ten people who were detained along with Ferhat Demir and Nefiye Çelik and kept in custody at the Bat-man Security Directorate for one month were taken to the Batman Court House on the morning of 7 December. After the interrogation, out of the 10 people Seyran Hamarat was released while the remaining 9 persons were arrested. However, Ferhat Demir and Nefiye Çelik who were to be brought to the Court House along with the 10 people, were delivered dead by gendarmes to their families on the evening of 8 December. Ferhat Demir and Nefiye Çelik were buried in the Yolbaşı village of the Kozluk district of Batman on 9 December. Batman Governor Salih Şarman claimed that Ferhat Demir and Nefiye Çelik had died in the explosion of a bomb placed in a shelter where they had gone together with security officers. On the other hand, sources in the region stated that the PKK militants had been taken to a petroleum research field in the vicinity of the Ulaşlı village of the Kozluk district on 7 December and killed there. An official complaint about the incident was filed at the Batman Public Prosecution Office.

d)- Disappearances

Besides deaths due to torture in custody or prisons, disappearances also were not eliminated in 1994. Throughout the year, 49 people, whom eye witnesses or serious proof show had been detained or abducted by security forces, disappeared. There was a sharp increase in the number of disappearances when compared to the previous years. (In earlier reports released by the HRFT, it was stated that 10 people until the beginning of the year 1991, 3 in 1991, 8 in 1992, and 12 in 1993 had disappeared). (*)

Claims about the disappearances were neither investigated nor taken seriously. The fate of the people who disappeared could not be cleared up, as was the case in the previous years. Authorities continued to reply to any application regarding the disappearances by saying, "The aforesaid person was not detained." or "We want him/her, too." Protest demonstrations by the relatives of the disappeared people were usually forcibly banned by police. In the meantime, 2 of the people who disappeared were able to escape from those who abducted them.

A businessman named Abdullah Aydın who was abducted after a raid by unidentified persons at his house in the Bağlar quarter of Diyarbakır on 1 September, was found alive on 15 September. Emergency State Regional Governor Ünal Erkan disclosed that Abdullah Aydın had

(*) The list of the people who disappeared in the period between the 12 September 1980 military coup and the beginning of the year 1994 is on pages 206-207.

been abducted by Hezboullah militants and found at the basement of a house raided by police, his hands tied and about to be killed. Abdullah Aydın who was utterly exhausted due to hunger and torture, was hospitalized for a long period.

Ayhan Uzala (36) who was abducted by unidentified persons in front of his house in Kadıköy, Istanbul on 29 November, was released on 19 December. In a statement, Ayhan Uzala stated that he had been abducted by persons he deemed as counter-guerrilla or MIT (National Intelligence Organization) members, he had been subjected to psychological torture and threatened with death during 20 days, and said, "I was to be another victim in a recent chain of the murders by unidentified persons. I am a Dutch citizen and this was a factor in my rescue." IHD Istanbul Branch Chairperson Ercan Kanar said the following in a statement: "We know what Ayhan Uzala experienced during the 20 days. The killing of Ayhan Uzala was prevented as he is a Dutch citizen and, probably, because the incident coincided with the European Union discussions. Authorities were caught red-handed. This incident has proved that high level authorities are also informed of the disappearances."

However, HADEP Elbistan District Chairperson Hüseyin Koku (42) who disappeared in 1994, was not as lucky as Abdullah Aydın and Ayhan Uzala. Hüseyin Koku who was abducted by persons who introduced themselves as "policemen" on 20 October, was found dead on 27 April 1995. The corpse of Hüseyin Koku was found in the vicinity of the Pötürge district of Malatya, and it was disclosed that his head had been cut off and the corpse had decayed to an extent that it was not possible to recognize him. Hüseyin Koku was identified by his wife Fadi-me Koku thanks to the clothes he had been wearing and some papers in his pocket. Ali Gökot, HADEP Maraş District Chairperson, who made a statement after the abduction of Hüseyin Koku, pointed out that Hüseyin Koku had been abducted on Malatya Street which was the most crowded street of Elbistan, by people carrying wirelasses and in front of a crowd, and said, "Hüseyin Koku disclosed that houses of patriots and revolutionaries were recorded and he was abducted by the police one day after this disclosure. Immediately after the incident, Elbistan District Governor Şükrü Görücü stated that Hüseyin Koku was not under custody. Who, in the midst of Elbistan, dares to introduce themselves as police officers? The District Governor should expose the persons wandering in the midst of Elbistan with wirelasses in their hands. Otherwise, the District Governor will be responsible for the disappearance of Hüseyin Koku."

People killed in 1994 after being abducted by unidentified/identified persons, were not limited to Hüseyin Koku. Kurdish businessman Behçet Cantürk and his driver, who were found dead in the vicinity of the Sapanca district of Sakarya on 15 January; an imam named Kerem Gencer who was found dead in the vicinity of the Kırkbudak village of Tatvan on 17 January; Şeyhmuz Yavuz who was found dead on the Diyarbakır-Silvan road on the night of 11 March; Yusuf Ekinci, one of the lawyers of the Ankara Bar who was found dead around the Gölbaşı district of Ankara on the morning of 25 February; a tradesman named Mehmet Şerif Avşar, who was found dead in the vicinity of the Tepebaşı village of the Silvan district in Diyarbakır on the morning of 7 May; a Kurdish businessman named Savaş Buldan and two of his friends who were found dead in the vicinity of the Karakuş village of the Yığılca district in Bolu on 4 June; a trade unionist named İkrâm Mihyas who was found dead in the vicinity of the Yaka village of the Bornova district of İzmir on 6 July; a village headman named Naif Ummaz who was found dead in the vicinity of Hilvan on 16 August; two persons named Sıddık Etyemez and Ahmet Ceylan who were found dead on the road between Diyarbakır and Ergani on 30 September; and lawyer Faik Candan whose corpse was found in a deserted area in the Salih Bey region 15 kilometers from

the Bala district of Ankara on the morning of 14 December, are a few of the examples of people who disappeared and were killed. (Detailed information on this topic is in the section entitled “Murders by Unknown Assailants”.)

Similar incidents also continued in the year 1995. For example; a youth named Atilla Barış (20), who was abducted by unidentified persons in Muş at the beginning of March 1995, was found dead in the vicinity of Ağaçalı village of Muş on 13 April 1995; Director of the Lice Register Office, Ferhan Eşer, who was abducted by unidentified persons in the Şehitlik quarter of Diyarbakır on 13 April 1995, was found dead in the vicinity of the Piriñlik town of Diyarbakır on 27 April 1995; a farmer named Hadi Baran, who was abducted in the Kahveci village of Kozluk district in Batman on 14 May 1995 by unknown people, was found dead in the vicinity of the Kurtalan district of Siirt on 7 June.

Rıdvan Karakoç (34), who was reported to have disappeared after being detained by the police in Istanbul on 15 February 1995, and Hasan Ocak (30), who was taken away by persons who were reportedly “policemen” in the vicinity of the Buzhane village of Beykoz on 21 March 1995, were found tortured to death on 2 March 1995 and 26 March 1995, respectively. The 2 persons were kept at the Morgue of the Forensic Medicine Institution and their families were not informed of the situation. Rıdvan Karakoç was buried on 26 March 1995 and Hasan Ocak on 28 April 1995 in the Cemetery for Homeless People. The fates of Rıdvan Karakoç and Ha-san Ocak were learnt by their families and their corpses were taken by their relatives in May.

Following is the information (*) about the people who disappeared in 1994, or those whose disappearances became certain in 1994, and the fates of whom could not be revealed:

- | | |
|---------------------------------|------------------------------|
| 01)- M. Şah Atala (24) | 02)- Bahri Şimşek |
| 03)- Hasan Avar (41) | 04)- Şerif Avar (24) |
| 05)- Nusrettin Yerlikaya | 06)- Turan Demir (27) |
| 07)- Behçet Tutuş (40) | 08)- Abdi Yamuk |
| 09)- Salih Akdeniz (65) | 10)- Celil Aydoğdu |
| 11)- Ümit Taş | |

The fate of the 11 people who were taken away by the security forces who raided the Gundik hamlet of the Alaca village of the Kulp district in Diyarbakır on 9 October 1993 and about whom no information could be received since then, were not revealed in 1994, either. Relatives of the missing people applied to the Amnesty International through the IHD at the beginning of 1994. The application said, “Numerous people were detained during the raid against the village. Some of these people were released immediately and some were set free 2 days later. However, the fate of the remaining 11 people could not be revealed. This situation makes us anxious.” The relatives of the missing people who did not cease their searches, stated that their applications to the official ranks remained fruitless, and said, “Persons named Mede-ni and Ali Yerlikaya who are living in the same hamlet were also taken along with them. Both were released after 5 days. These persons said to us that the other 11 people had been together with them. However, our applications to the district governorate, security directorate, police station and the State Security Court remained

(*) This section includes the missing people about whom information has been received from numerous people stating that they had disappeared or those whose fates have been brought on the agenda frequently by their relatives. In 1994, apart from those stated in this section, most of whom were from the Emergency State Region, over 100 people were stated to have disappeared. However, as the claims in this respect were impossible to prove, or strengthen with fresh information, these people are not included in the list.

fruitless. We learnt that corpses of 15 civilian people were found in the mountainous region between Kulp and Sason. According to what we have heard, PKK militants in the region had buried them. However, nothing was said to us officially. If the state had killed them, it should have told us where the corpses are; but if it is not the case and they are still alive, why are they not released yet?" Later on, the relatives of the missing people applied to the European Human Rights Commission. Upon this, out of the relatives of the missing, Sabri Tutuş, Aydın Demir and Aziz Atala were called by the Diyarba-kır SSC and their testimonies were received. After giving his testimony, Aziz Atala, elder brother of the missing M. Şah Atala, said the following: "The villagers, who were rounded up by soldiers on the night of 9 October 1993, were taken to an operation in order to serve as guides. We were taking food to our relatives and the soldiers everyday. When we brought food on 19 October, my brother said to me, 'Do not bring food for us any more. Soldiers took our identification cards, money and personal affairs, and put them in an envelope. And they wrote our addresses on the envelope. They will take us away tomorrow.' I learnt that the soldiers had taken away 11 people, including my brother, by helicopter on 20 October." (Reliable informa-tion on this incident reached the HRFT in 1994 at long last.)

12)- Ahmet Çakıcı

A person named Ahmet Çakıcı was taken away by the village guards who raided the Çitlibağçe village of the Hazro district in Diyarbakır on 28 November 1993, and no informa-tion was received about him since then. Applications by the relatives of Ahmet Çakıcı to officials to learn his fate, remained fruitless. The relatives of Ahmet Çakıcı, who applied to the Diyarbakır Branch of the IHD on 14 June, said the following: "After Ahmet disappeared, we applied to the Diyarbakır SSC three times. We were repeatedly told that Ahmet was not in their hands. The Hazro Gendarmerie Station did not admit that Ahmet was detained, either. On the other hand, village guards say that they brought Ahmet to the Station. If Ahmet has any guilt, they should take him in front of court. They should prosecute and sentence him. If they arbitrar-ily keep him in custody or if he is killed, they should be sure that we will not stop to follow up the incident. Our demand is that Ahmet should be delivered to us dead or alive." In the mean-time, statements by a person named Mustafa Engin, who said that he had been kept in custody and was interrogated with Ahmet Çakıcı in Diyarbakır, were included in a news story pub-lished in the newspaper Özgür Gündem in January. After this news story was published, Hüsne Çakıcı, the mother of Ahmet Çakıcı, applied to the Prosecution Office of the Diyarbakır and demanded information about the fate of her son and showed the news story as evidence.

13)- Ali Efeoğlu

Ali Efeoğlu, a student at the Civil Engineering Faculty of the Istanbul Technical Uni-versity, who was reportedly detained by the police in Istanbul on 5 January, disappeared. Initia-tives to find Ali Efeoğlu, the brother of Ayhan Efeoğlu, who also disappeared in 1992, or to learn his fate, also remained fruitless. The statement made by the family and the friends of Ali Efeoğlu is as follows: "Ali was wanted by the police. Police officers were showing the photo-graphs of Ali to some detainees. After Ali disappeared, we applied to the prosecution offices in Istanbul and demanded information. However, we did not learn anything. During the meeting with the prosecutor in charge of the records of the detainees at the SSC, the prosecutor told us that he did not believe the disappearances and said Ali might have gone to stay with his brother, Ayhan Efeoğlu. When it is considered that Ayhan Efeoğlu had also disappeared, it is clear that the prosecutor implied that Ali disappeared in custody by saying that Ali might have gone to stay with his brother." In the meantime, a delegation of 5 people who visited Sabri Yavuz, the Chairperson of the Parliamentary Human Rights Commission, on 28 February, demanded help in order to find Ali

Efeoğlu. Members of the delegation, who stated that they had applied to the Interior Ministry, Istanbul and Konya Security Directorates, European Human Rights Commission and the Amnesty International for Ali, with no result, demanded more sensitivity towards the cases of Ali Efeoğlu and other missing people.

14)- Fethi Yıldırım

Fethi Yıldırım, one of the administrators of DEP's Viranşehir District Organization, disappeared on 5 January. The situation of Fethi Yıldırım about whom no information could be obtained, was brought to the agenda of the Parliament by Şırnak Deputy Selim Sadak, in February. In the parliamentary question he submitted to the Presidency of the Parliament to be answered by Interior Minister Nahit Menteşe, Selim Sadak stated that Fethi Yıldırım was detained by the police in Viranşehir along with 3 people named Ali Kuran, Lami Kapancılar and Ahmet Mutlu. Stating that Ali Kuran, Lami Kapancılar and Ahmet Mutlu were released 2 hours later, Selim Sadak said, "Fethi Yıldırım was kept under custody in Viranşehir then he was sent to the Urfa Security Directorate. Some officers, in their verbal answers to the applications made by Fethi Yıldırım's relatives and DEP administrators, claimed that Fethi Yıldırım had been sent to Ankara by JITEM. However, they avoided giving written information." However, Nahit Menteşe, in his answer to the parliamentary question, asserted that Fethi Yıldırım had not been detained, and said, "Fethi Yıldırım is wanted by the police as he attended as a representative a meeting held by the PKK in Erbil, according to statements by some apprehended PKK militants." In the meantime, a news story entitled "Police officers who detained Fethi Yıldırım have been determined" was published in the 22 July 1994 issue of the newspaper Özgür Ülke. In the news story, the following statement by a person whose name was not disclosed, was included: "I was going to the house of Fethi on 5 January to meet with him. When I came close to the house, I saw police officers. Upon this, I abandoned my attempt to go to the house. I climbed upon the roof of a house nearby, and watched the raid. I recognized three of the police officers very well. Ali Kuran, Lami Kapancılar, Ahmet Mutlu and two other persons were made get in a minibus while Fethi in a white automobile. I went abroad 5 days later. I came back a week ago. When I learnt that Fethi was not released, I decided to make a statement." After this statement, Dürre Yıldırım, the mother of Fethi Yıldırım, applied to the United Nations, OSCE and Red Cross, and demanded help.

15)- Yusuf Tunç

Yusuf Tunç who was taken away by the village guards who raided the Kengerli village of the Kızıltepe district of Mardin on 9 February, disappeared. Mehmet Tunç, elder brother of Yusuf Tunç, said the following about the incident: "Eleven people among whom were the head of the village guards Ramazan Çetin and a confessor named Süleyman Gümüş (İrfan), raided the village's guest house and abducted my brother. Later on, we learnt that my brother was kept at the Kızıltepe Gendarmerie Battalion, and we went there. We were told that Yusuf was not under custody. Then, we applied to the prosecution office. The prosecution office said that there was no information on this incident. Later on, a villager who was kept at the Derik Com-mando Battalion for a while, informed us that Yusuf was at the battalion." Lawyer Göksel Arslan who made a statement at the IHD Headquarters on 5 May, said that they applied to the Interior Ministry, the Parliamentary Human Rights Commission and the State Ministry responsible for human rights for help in finding Yusuf Tunç alive.

16)- Cüneyt Aydınlar

A university student named Cüneyt Aydınlar, who was detained by the police in Istanbul on 20 February, disappeared. Some of the defendants who took the floor during some trials at the

Istanbul SSC said that they had seen Cüneyt Aydınlar at the Political Police Center and he had been so exhausted due to torture that he had been unable to walk. Besides, some defen-dants asserted that police officers threatened them during their interrogation by saying, "If you do not give the testimony we want, we will kill you and throw you away like Cüneyt." However, police authorities did not admit that Cüneyt Aydınlar had been detained.

17)- Nazım Babaoğlu

Nazım Babaoğlu, one of the Urfa correspondents of the newspaper Özgür Gündem, disappeared on 12 March. Nazım Babaoğlu went to Siverek after a phone call from Siverek on 12 March, and no information about him has been obtained since then. Bayram Balcı, the Urfa representative of the newspaper Özgür Gündem, said that Nazım Babaoğlu had gone to Siverek after a man named Murat Yoğunlu living in Siverek had phoned and said, "I have very important information. You must definitely come." (Detailed information is on page 248.)

18)- Zeynal Kürsep

The fate of a person named Zeynal Kürsep, who disappeared after leaving his house to go to the Batman State Hospital on 23 March, had not been learned by the end of the year 1994. Zeynal Kürsep was reportedly detained by the police. The Diyarbakır Branch of the IHD applied to the Amnesty International in June, and demanded help in finding out the fate of Zeynal Kürsep. In the application, it was stated that Zeynal Kürsep had been detained by the police following a fight in front of the Batman State Hospital on 23 March, and said: "However, applications by his family to the Batman Security Directorate and the Batman Public Prosecution Office after the incident were met with response, 'There is no such person under custody'. No results were obtained from the application made by the IHD to Diyarbakır SSC Prosecution Office, too. For this reason, we are anxious about the fate of Zeynal Kürsep."

19)- Kasım Alpsoy

Kasım Alpsoy who was taken away from his house in the 19 Mayıs quarter in Adana by persons who were reportedly "policemen" on 18 May, disappeared. Erdoğan Alpsoy, the spouse of Kasım Alpsoy, applied to the Adana Public Prosecution Office, Adana Security Directorate and democratic civic organizations, and demanded help in finding out the fate of her spouse. Halil Alpsoy, a relative of Kasım Alpsoy, was also abducted by unidentified persons in Istanbul on 12 March and found dead in the vicinity of the Yahşıhan, Kırkkale on 24 May.

20)- Mustafa Bulut (25)

A person named Mustafa Bulut who was taken away by the security forces who raided the Törelı village of the Lice district in Diyarbakır on 18 May, disappeared. Latif Bulut, the father of Mustafa Bulut, said that he had repeatedly applied to numerous officials, mainly the Diyarbakır SSC, Emergency State Regional Government, Diyarbakır Gendarmerie Commandership and Diyarbakır Security Directorate, in order to learn the fate of his son, but he had not obtained any result. Latif Bulut, who stated that there were persons who witnessed his son being taken by security forces, said, "During that period, many people were detained along with my son. Some of the detainees were found dead in the rural areas. Some others disappeared. Those people detained along with my son neither raided villages nor killed people. They were not guilty. They worked in fields. I am worried that my son was killed." A person named Abdalbaki Bulut who was kept in custody for 4 days after the raid against the Törelı village, said that Mustafa Bulut had been with him while he had been kept in custody.

21)- Zeki Ercan Diril

22)- İlyas Edip Diril

Two Syriac Christians named Zeki Ercan Diril and Ilyas Edip Diril, who lived in the Kovankaya (Mehri) village of the Beytüşşebap district of Şırmak, disappeared on 19 May. It was asserted that Zeki Ercan Diril and Ilyas Edip Diril were detained by village guards in the vicinity of the Uzungeçit town and then delivered to the soldiers in Uludere. Zeki Ercan Diril and Ilyas Edip Diril left the village they had lived in as they had been forced to become village guards and had gone to Istanbul in 1993. Zeki Ercan Diril and Ilyas Edip Diril, who stayed in Istanbul for about 6 months, returned to the village when it became warm. In her letter to the Interior Minister Nahit Mentеше about the incident, Eren Keskin, Istanbul Branch Secretary of the IHD, said, “Our question to you is where Zeki Ercan Diril and Ilyas Edip Diril are.”

23)- Recai Aydın (32)

Physician Recai Aydın who was working at the health center in the Çınar district of Diyarbakır, disappeared on 2 July. The fate of Recai Aydın, who is the nephew of HEP Diyarbakır District Chairperson Vedat Aydın who was killed by unknown assailants in July 1991, was not learnt despite all initiatives. Metin Aydın, a relative of Recai Aydın, said the following about the incident: “Recai went to Çınar on 2 July. He was to come back on the same day, but he did not. On 4 July, somebody from the Diyarbakır Yenişehir Police Station phoned us, and in-formed that the car of Recai Aydın was found in the vicinity of the Bağdere Gendarmerie Station on Silvan road, its doors locked. He said that the car was believed to have been left there in the afternoon and it had been found by gendarmes at about 4.00 p.m.”

24)- Abdülğani Dağ

A youth named Abdülğani Dağ, who was detained during an operation on 23 July in the vicinity of the Akarsu village of Nusaybin, Mardin along with people named Kazım Yılboğa, Şerife Ipek and Mehdiye Önel, disappeared. Pembe Oğuz, aunt of Abdülğani Dağ, stated that she had applied to the Diyarbakır SSC Prosecution Office, Mardin Public Prosecution Office and Mardin Gendarmerie Regiment Commandership in order to learn the fate of her nephew, however could not obtain any result, and said, “My nephew and Kazım Yılboğa were seen at the Mardin Gendarmerie Regiment Commandership for one week by people who were de-tained in the same period. Kazım Yılboğa was arrested and put in the Mardin Prison. Mehdiye Önel and Şerife Ipek are in the Diyarbakır Closed Prison. However, there is no information about my nephew.” Applying to the IHD, Pembe Oğuz demanded efforts be increased in order to reveal the fate of her nephew, and that initiatives be made on the international level.

25)- Safura Yıldırım

A person named Safura Yıldırım, who lives in the Çalı village of the Nusaybin district of Mardin, disappeared on 31 August. Some Çalı villagers stated that Safura Yıldırım had been taken away by security forces and that they were worried that he might have been killed.

26)- Lütfiye Kaçar

A university student named Lütfiye Kaçar who left her friends in order to go to Gebze on 5 September, disappeared. Efforts by relatives and friends of Lütfiye Kaçar, who was re-portedly detained by the police, to learn of her fate had no results. The applications were always refused, by officials saying “such a person was not detained” or “Lütfiye Kaçar was already wanted by the police”. In the meantime, unidentified persons who frequently called the house of Lütfiye Kaçar, and introduced themselves as “policemen”, left messages such as “We killed your daughter. We will cut her into pieces and post her to you in a parcel.”

27)- Fidan Güngör

28)- Sabahattin Talayhan

Writer Fidan Güngör and his friend named Sabahattin Talayhan disappeared on 11 September. Tufan Mengi, Mazlum Der (Association of Human Rights and Solidarity with Oppressed People) Istanbul Branch Chairperson, and Ercan Kanar, IHD Istanbul Branch Chairperson, organized a press conference about the incident on 1 November. In the conference which was also attended by Fidan Güngör's wife Nazife Güngör, and their 2 children, Tufan Mengi said that after leaving the house, Fidan Güngör and Sabahattin Talayhan had been taken by persons who had introduced themselves as "policemen", however applications by the Association had been met with response, "these persons are not under custody". No information could be received about the fates of Fidan Güngör, one of the notables of the "Menzil" wing of the Hezboullah, and his friend, for a long while. However, some information about Fidan Güngör and Sabahattin Talayhan was disclosed in a statement made by the Istanbul Security Directorate on 18 April 1995. In the statement made after the detention of 8 people on the grounds that "they were members of the Ilim wing of the Hezboullah and have conducted several armed attacks", it was said Fidan Güngör and Sabahattin Talayhan had been abducted by these persons. The statement said that Fidan Güngör had been taken to Batman after being abducted by militants of the organization, while Sabahattin Talayhan had been killed and buried in the vicinity of the Bahçecik town of Kocaeli. In the statement which mentioned that the burial place of Sabahattin Talayhan was unknown, no information was given about the fate of Fidan Güngör.

29)- Kenan Bilgin

Kenan Bilgin who was reportedly detained by the police in front of the Dikmen Lyceé in the Sokullu quarter of Ankara on 12 September, disappeared. Efforts made by his lawyer, Nesrin Hatipoğlu and relatives to learn the fate of Kenan Bilgin remained fruitless. Official authorities did not acknowledge that he had been detained. Nevertheless, 10 persons named Ayşenur İkiz, Salman Mazi, Özer Akdemir, Müjdat Yılmaz, Talat Abay, Cavit Naci Tarhan, Ercan Aktaş, Bülent Kat, Emine Yılmaz and Murat Demir said in a written statement that they had seen Kenan Bilgin or heard his voice in the Ankara Political Police Center. In these statements, it was said that Kenan Bilgin had been continuously tortured and he had often shouted, "I was detained on 12 September, but it was not registered." Talat Abay, an arrested inmate who is at the Ankara Central Closed Prison, said the following about the incident: "I stayed in custody at the Ankara Political Police Center between 8 and 23 September. During this period, those who were in cells were being tortured. Perhaps on 18 or 19 September, I met Kenan Bilgin, whom I knew before, in the toilet. We could only greet each other. I did not see him again. Kenan Bilgin was staying in the cell number 8. When I came to the prison after being arrested, I read in newspapers that the police stated that such a person had not been detained. The statements by the police are definitely untrue. I saw Kenan Bilgin at the Security Directorate."

30)- Rıdvan Temiz

A PKK militant named Rıdvan Temiz who was reportedly detained in the Derik district of Mardin at the beginning of October, disappeared. The relatives of Rıdvan Temiz said the following: "We learnt that Rıdvan had been captured by soldiers in Derik and sent to Viranşehir for interrogation. However, we could not get any information from the places we applied to. If he had been arrested, he would have informed us from the prison. We are sure that he was detained. We are anxious that he might have been killed in custody."

31)- Turgut Yenisoğ

A youth named Turgut Yenisoý, who was taken away by the soldiers who raided his house in the Bismil district of Diyarbakır on 4 October, disappeared. Şermin Uzalp, sister of Turgut Yenisoý, stated that her brother had been forced to be an informer by two specialized sergeants named Recep and Ahmet working in Bismil, and said the following: “Because my brother did not accept to be an agent, he was detained, beaten and threatened with death frequently. These specialized sergeants came to the house along with other soldiers, and took Tur-gut away on 4 October. They also beat my mother (Nezrife Yenisoý) who tried to prevent them from taking Turgut away. There are persons who saw that Turgut was first taken to the Bismil Prison, then to the Bismil Gendarmerie Station, and lastly to the Gendarmerie Regiment. When we went to the Gendarmerie Regiment to learn my brother’s situation, we were chased away and told, ‘Turgut left for the mountains.’ When we went to the regiment at another time, a specialized sergeant named Ismail said that Turgut had died 28 days after his detention due to the torture inflicted on him. However, when we asked him to prove this, he demanded a bribe from us that we were unable to give.”

32)- Hıdır Işık (59)

34)- Elif Işık (22)

36)- Yeter Işık (15)

38)- Dilek Serin (3)

40)- Nazım Gülmez (61)

42)- Ahmet Akbaş

44)- İbrahim Gencer (55)

33)- Hatun Işık (25)

35)- Düzali Serin (31)

37)- Gülizar Serin (28)

39)- Adnan Şeker

41)- Mehmet Ağgün (90)

43)- Müslüm Aydın (56)

During the wide-scale military operation held in Tunceli and its districts at the end of September and beginning of October, 17 people living in the villages of Hozat and Ovacık disappeared. The names of those who disappeared are as follows: “Hıdır Işık, Hatun Işık, Elif Işık, Yeter Işık, Düzali Serin, Gülizar Serin, Dilek Serin, Nazım Gülmez, Mehmet Ağgün, Ahmet Akbaş, İbrahim Gencer, Adnan Şeker, Müslüm Aydın, Müslüm Kavut, Aslan Yıldız, Ali Işık and Hasan Çiçek.” Out of these people, Müslüm Kavut, Aslan Yıldız, Ali Işık and Hasan Çiçek were found dead later. An investigation was launched by the Hozat Public Prosecution Office after official complaints made in connection with the deaths and disappearances. However, no result was obtained from this investigation. Relatives of the disappeared, who stated that 17 people had disappeared or been killed after being taken away by soldiers, protested, saying officials had not given them satisfactory answers.

45)- Ahmet Yetişen

A worker named Ahmet Yetişen who was taken away by persons who came to his house in Batman on 14 November and introduced themselves as “policemen”, disappeared. Relatives of Ahmet Yetişen applied to the Emergency State Regional Governorate and the State Ministry responsible for human rights to learn the fate of their relative but no avail.

46)- Ali Tekdağ

A youth named Ali Tekdağ who was taken away by persons who identified themselves as “policemen” and made him get in a car in the Dağkapı district of Diyarbakır on 26 November, disappeared. The fate of Ali Tekdağ was not learnt until the end of 1994 despite numerous initiatives by his relatives. However, at the beginning of 1995, some witnesses who stated that they had seen Ali Tekdağ at the Diyarbakır Anti Riot Force Directorate appeared. A person who was detained on 11 December and interrogated at the Diyarbakır Anti Riot Force Directorate till 9 January 1995, and who did not want his name revealed, said the following to the relatives of Ali

Tekdağ: “When I was in custody, there was another person who was interrogated along with me. His situation was very bad. Due to the torture he was subjected to, he was unable to stand on his feet. This person said to me, ‘My name is Ali Tekdağ. They will kill me. Other-wise, I would have been taken to the court.’ We were together with this person till 9 January, the day I was released.” An arrested inmate named Seyfettin Demir who contacted the relatives of Ali Tekdağ, also stated that he was in detention along with Ali Tekdağ and saw that this person had been subjected to intensive torture. Upon hearing these statements, Hatice Tekdağ, the wife of Ali Tekdağ, applied to the Diyarbakır SSC Prosecution Office, and in addition spoke to Bekir Selçuk, the Chief Prosecutor of the Diyarbakır SSC. Hatice Tekdağ said the following as to her meeting with Bekir Selçuk: “I told the statements of Seyfettin Demir who saw my husband at the Diyarbakır Anti Riot Force Directorate and who is now in the Diyarbakır Prison, to Prosecutor Bekir Selçuk. Bekir Selçuk said to me, ‘Ali is not in our hands. Seyfettin Demir is lying.’ Upon this, I indicated that there were 2 other witnesses whose names we did not reveal for security reasons. However, Bekir Selçuk replied, ‘If he is under custody, I am not informed about that. According to our investigation, your husband Ali Tekdağ was the PKK chief in Di-yarbakır. Did you know that?’ Well, if my husband is not in their hands, why are they conduct-ing an investigation about him? If my husband is guilty as stated by the prosecutor, there are judicial bodies. Take him to court and prosecute. I am worried that my husband was killed.”

47)- Ismail Bahçeci

A person named Ismail Bahçeci who was wanted by the police on the grounds that he was a member of “the Revolutionary People Liberation Party-Front (DHKP-C/Revolutionary Left)” and a leader of the youth faction of the organization, disappeared in December. Initiatives by the family, lawyers and friends of Ismail Bahçeci, whose friends stated that he had disappeared after being detained in Istanbul were fruitless. Şeyhmus Bahçeci, the father of Ismail Bahçeci, said that he had learnt of the disappearance of his son upon a telephone call to his house by a person who had introduced himself as “a friend of Ismail”, and after this he had applied to several places. Şeyhmus Bahçeci stated that all of his queries had been met with response “Ismail Bahçeci was not detained.” which had not convinced him. In a statement by the Rights and Freedoms Platform, it was pointed out that Ismail Bahçeci was wanted by the police since 1993, and said, “Ismail Bahçeci who was wanted by the police, whose house was raided three times, and who was indicated as a fugitive defendant at the court minutes, was definitely detained by the police and has since disappeared.”

48)- Abdullah Efeli (50)

A person named Abdullah Efeli who was taken away by security forces in Cizre on 15 December, disappeared. No results were obtained from the applications to officials made by the family of Abdullah Efeli after his disappearance. Upon this, Halil Efeli, elder brother of Abdullah Efeli who is living in Switzerland, said he was worried that his brother had been killed after being detained, and applied to the European Human Rights Commission.

49)- Ihsan Haran (25)

A tradesman named Ihsan Haran who was taken away by armed persons who came to his work place in the Ofis quarter of Diyarbakır on 24 December and identified themselves as “policemen”, disappeared. Nesibe Haran, the wife of Ihsan Haran who made several efforts after his disappearance, could not obtain any information. Nesibe Saran who stated that there were witnesses who had seen that her husband had been kept under in at the Diyarbakır Anti Riot Force Directorate, applied to the IHD and the Amnesty International and demanded help.

Persons who disappeared in the period 1980-1993

01)- Gazal	Mardin	00 September 1980	Political
02)- Hüseyin Morsümbül	Bingöl	18 September 1980	Political
03)- Cemil Kırbayır	Kars-Göle	09 October 1980	Political
04)- Mahmut Kaya	Kars	25 December 1980	Political
05)- Gürkan Mungan	Ankara	01 December 1983	Political
06)- Nurettin Öztürk	Ankara	04 April 1984	Political
07)- Ömer Savun	Siirt	06 May 1989	Political
08)- Hüseyin Demirtaş	Siirt	26 May 1989	Political
09)- Adnan Bağca (32)	Siverek	11 June 1990	Political
10)- Abdullah Kurt	Yüksekova	00 September 1990	Political
11)- Yusuf Erişti	Istanbul	00 March 1991	Political
12)- İbrahim Gündem	Hazro-Sarıerik village	25 September 1991	Political
13)- Hüseyin Toraman (25)	Istanbul	27 October 1991	Political
14)- Mehmet Demir (32)	Siirt	10 January 1992	Political
15)- Durmuş Çaylak (27)	Muğla-Fethiye	09 February 1992	Judicial
16)- Hüseyin Yaman (22)	Istanbul	04 May 1992	Political
17)- Soner Gül (22)	Istanbul	04 May 1992	Political
18)- Hasan Gülünay (32)	Istanbul	20 July 1992	Political
19)- Mehmet Ertak	Şırnak	22 August 1992	Political
20)- Ayhan Efeoğlu (25)	Istanbul	06 October 1992	Political
21)- Namık Erkek (30)	Mersin	19 December 1992	Political
22)- Ali Kırılgaç	Istanbul	07 March 1993	Political
23)- İbrahim Akıl	Şırnak-Görümlü village	14 June 1993	Political
24)- Hikmet Şimşek	Şırnak-Görümlü village	14 June 1993	Political
25)- Salih Demirhan	Şırnak-Görümlü village	14 June 1993	Political
26)- Hamdi Şimşek	Şırnak-Görümlü village	14 June 1993	Political
27)- Halit Özdemir	Şırnak-Görümlü village	14 June 1993	Political
28)- Şemdin Culaz	Şırnak-Görümlü village	14 June 1993	Political
29)- İhsan Uygur	Istanbul	06 July 1993	....
30)- Yüksel Alptekin	Istanbul	06 July 1993	....
31)- Aysel Malkaç (22)	Istanbul	07 August 1993	Political
32)- Erdoğan Şakar (32)	Istanbul	13 August 1993	Political
33)- Abdülvahap Timurtaş	Silopi-Yeniköy	14 August 1993	Political

e)- Determined torture cases

The Human Rights Foundation of Turkey, as a result of studies it carried out and the information it compiled in 1994, determined that a total of **1128** people of whom **24** were children and **261** were females, had been tortured in detention places or prison. **476** of those people proved the torture via official medical reports. **Thirty-six** of the tortured females stated that they had been raped or sexually abused under custody. A total of **252** people who had been allegedly tortured in 1994, applied to the treatment centers of the HRFT, **93** of them in Ankara, **76** in Istanbul and **83** in Izmir. (This figure does not cover 220 people who were recently released from prisons, had complaints not directly related with torture, refugees or the people who applied to the HRFT in

1994 even though they had been tortured before.) The cases determined by the HRFT reflect only an insignificant part of the torture cases (*) in Turkey.

	<u>Torture victims</u>	<u>Medical reports</u>	<u>Females</u>	<u>Rape-Abuse</u>	<u>Children</u>
1990 :	329	213	44	8	7
1991 :	552	218	53	9	15
1992 :	594	188	93	24	11
1993 :	827	160	126	22	29
1994 :	1128	476	261	36	24
TOTAL	3430	1255	577	99	86

Before giving examples of torture cases witnessed in 1994, we should mention two torture cases (those tortured were detained for ordinary reasons) in the Karaburun district of Izmir and in Eskişehir in December. The two incidents which drew reaction when they were disclosed, revealed the level of the savagery of systematic torture in Turkey and that the CMUK remained insufficient for prevention of torture.

In a counter operation launched by gendarmes after an increase in theft cases in the Karaburun district of Izmir, 6 youths aged between 14 and 20 years, were detained on 19 December and taken to the Mordoğan Gendarmerie Station. The youths named Murat Yumakoglu, T.A. (16), Ufuk Caner, Ender Yüce, B.A. (16) and I.P. (17) were kept under custody for 6 days and were subjected to various torture methods such as prevention from eating-drinking, falanga, beating, being kept tied to an electricity pole all night, sexual abuse with truncheon, beating with hot iron sticks.

Lawyer Hülya Kocabaş who went to the gendarmerie station after being informed about the case by those who had heard the screams during torture, was not allowed to see to the youths. (According to the CMUK, the defendants younger than 18, should be allowed to meet a lawyer and be interrogated in the presence of the lawyer, even if the defendants fail to make such a demand.) While the youths were in detention, they were given a medical report by a physician named Mehmet Emin Öznur who was in charge of the Mordoğan Health Unit, saying that they had not been subjected to any ill-treatment. Upon an official complaint by Hülya Kocabaş, the incident was passed on the Karaburun Public Prosecution Office and an inquiry was initiated. Torture

(*) While preparing this section, we compiled information about the people who made public the torture inflicted on them, through courts or press organs, or who applied to the treatment centers of the HRFT. The information we thought exaggerated or suspicious, was not considered. As we have always pointed out, torture has been inflicted on every person without any discrimination of political or judicial cases, 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 cannot be revealed because, often, suspects do not insist on their rights. Most of the people who lodged official complaints concerning torture or ill-treatment and occasionally obtained medical reports are the ones charged for political reasons. In addition, when the difficulty in receiving information from the provinces except Istanbul, Ankara and Izmir, and particularly from the Emergency State Region is considered, it becomes apparent that the number of torture victims identified by the HRFT reflects only a small part of the larger total.

traces on the bodies of the 6 youths, who were sent to the Karaburun Health Unit were verified with medical reports showing their inability to work from one week to 15 days. Thereupon, an administrative investigation was launched about physician Mehmet Emin Öznur working at the Mordoğan Health Unit (*), on charges of wrongdoing. As a result of the investigation conducted by the inspectors of the Ministry of Health, Mehmet Emin Öznur was found “innocent”. The physician at the Karaburun Health Unit who determined the torture on the youths was punished with warning on the grounds that he had given information to press.

Upon disclosure of the torture case, non-commissioned officer Hacı Ahmet Aygören, the commander of the Mordoğan Gendarmerie Station, and enlisted man Fahri Çevik, who were involved in the case, were arrested on 26 December, while all personnel of the station were replaced. As a result of the investigation, a trial was launched against station commander Hacı Ahmet Aygören, enlisted men Fahri Çevik and Maksut Pesen, in charge at the station, and a tradesman namely Atilla Şahiner, who was involved in the case, on charges of keeping the youths in detention more than the period foreseen by the laws, abolishing personal freedoms and inflicting torture. In the trial launched at the Izmir Heavy Penal Court No.3, sentences of no less than 10 years in prison were demanded for the defendants. Meanwhile, Hacı Ahmet Ay-gören and Fahri Çevik were released on 4 January 1995 awaiting prosecution. After being re-leased, Hacı Ahmet Aygören was appointed to a gendarmerie station in the Menemen district. It was revealed that Hacı Ahmet Aygören had worked for a long time in the Özalp district of Van where intense clashes between PKK militants and security officers are under way and he had been appointed to Izmir at the beginning of September, 3 months before the incident.

Torture inflicted on the youths and their exhausted situation were visualized by a pri-vate television channel (Kanal D). These pictures were broadcast in a program on the night of 29 December and thus the savagery was made public. In the program, the position of one of the youths while being tied to an electricity pole and traces of torture on the bodies of the 6 youths were displayed. Besides this, interviews with the youths, their lawyers and gendarmes who were involved in the incident, were shown. The pictures taken while the youths were being examined by physician, and menacing words by the station commander before the medical examination were broadcast. The inquiry into the incident was described while pictures of the youths, who could hardly manage to stand before prosecutor were being shown.

When the incident was reflected to the public, Azimet Köylüoğlu, the Minister of State responsible for human rights, went to Izmir on 2 January 1995. Azimet Köylüoğlu met with the tortured youths and held a press conference with them at the building of the Izmir Governorate. Expressing that his office struggled against torture and would continue struggling, he said nobody should be exposed to torture whatever her/his offence was. Yeşim İşlegen, the Chair-person of the IHD Izmir Branch stated the following: “This incident once more showed that torture is a crime which threatens the whole society. The sensitivity towards the incident is nice, but torture is being portrayed as an individual case although it is a widely-used method. They try to create an impression that all torture cases are investigated.”

The other incident, which occurred in December resulted in the hospitalization of Ah-met Özçil (30), who was detained in Istanbul on allegations that he was a member of a group stealing cars. Subsequently, Ahmet Özçil was sent to Eskişehir and there he went into a coma due to torture

(*) Şerife Aygören who is the wife of Hacı Ahmet Aygören, the commander of the Mordoğan Gendarmerie Station where the youths were tortured, was working as a nurse at the Mordoğan Health Unit at that time.

on him. The incident which caused Ahmet Özçil to remain in hospital for a long time developed as follows:

Ahmet Özçil detained in Istanbul on the night of 25 December, was handed over to the Eskişehir Security Directorate's Theft Desk on 27 December with the aim of expanding the investigation. There he was interrogated under various kinds of torture methods and then went into a coma because of internal bleeding and kidney devastation due to torture. Ahmet Özçil was taken to the Emergency Service of the Osmangazi University Medical Faculty Hospital in the midnight of 31 December while under deadly peril. The police officers, who took Ahmet Özçil to the hospital stated "We found this person on street." Ahmet Özçil was treated in the Internal Diseases Service of the hospital and given a medical report showing that his life was in danger that he was suffering from internal bleeding and devastation in his kidneys due to torture. This report was not immediately sent to the prosecution office and was hidden for a while. In the meantime, it was revealed that another report alleging that Ahmet Özçil was healthy had been filed in order to cover up the torture case.

The case of torture was brought to light when Ahmet Özçil's wife, Canan Özçil filed an official complaint to the Eskişehir Public Prosecution Office by submitting a petition about the torture on her husband, and told the case to the press. In the statement, Canan Özçil said: "My husband was subjected to heavy torture for 4 days. Every kind of torture method was inflicted on him. His life is in danger." Upon the official complaint, the Public Prosecution Office initiated an investigation into the case. As a consequence of the investigation, police officers Abdullah Ateş (the Chief of the Theft Desk), Mehmet Akif Sonel, Sedat Baş, Ali Hikmet Sakarya, Hasan Aydın, Şahabettin Toğru and Ismail Hakkı Doğan were sued for severely wounding Ahmet Özçil by torturing. The indictment demanded up to 10 years in prison for the 7 police officers under Article 243 of the Turkish Penal Code. Besides this, the Turkish Medical Association initiated an inquiry against the 2 physicians, who gave medical reports alleging that Ahmet Özçil had not been tortured and against 4 physicians who tried to hide the reports verifying the torture. Prof. Dr. Esat Erenoğlu, the Dean of the Medical Faculty of the Eskişehir Osman-gazi University is among the physicians against whom an inquiry was launched. The Central Council of Turkish Medical Association sent an inspector to Eskişehir concerning the inquiry.

Following are some examples of the torture cases compiled by the Human Rights Foundation of Turkey in 1994:

A youth named Newroz Ateşoğlu, who was detained in a police operation in the provincial center of Iğdır on 27 December 1993 had his arm broken at the Iğdır Security Directorate where he was interrogated. Newroz Ateşoğlu whose broken arm was put in a plaster cast on 2 January, was taken back to the Security Directorate for interrogation. The security forces who raided the Evci village of Iğdır on 2 January 1994, beat a female named Ece Kuas (45) who was in a house they searched, and broke both of her arms. Ece Kuas said following about the incident, "Soldiers entering the house asked me about my son Cevdet who had gone to Istanbul 2 months before. When I said that I did not know where he was, they started to beat me with rifle butts. My arms were broken during these incidents."

Of the correspondents for the newspaper Özgür Gündem, Serap Aksu (Izmir) and Metin Dağ (Diyarbakır) who were detained at the beginning of January, were released on 5 January. Serap Aksu, said the following: "During the period I was held in detention, they forced me to give up my job at the newspaper and to work with them." Metin Dağ stated that he had been subjected to torture under police custody.

Six children [C.A. (12), T.G. (15), N.Y. (7), Y.K. (12), Y.Ç (12) and Z.Ç. (9)], living in the Hacıhüsrev quarter of Beyoğlu, Istanbul were detained by police on 5 January on charges of pickpocketing. Applying to the Istanbul branch of the IHD, relatives of the detained children stated that their children had been tortured, and asked for help. Nuran Yıldız, the mother of N.Y. (one of the detained children) stated the following: “The police officers who came to our house at midnight detained me and Semra Ateşgüneş, the mother of one of the children. When we went to the police station, they took our children out of cellar by dragging them from their hair and beat them with clubs in front of us. The soles of my daughter had opened wounds. Be-cause we were afraid, we did not even ask why they were tortured. Afterwards, they released me and Semra, the mother of the other girl.”

The workers of the Toros Fertilizer Plant, who were detained following a meeting held in Adana on 7 January, stated that they had been subjected to torture in detention. Out of the de-tained workers Ayhan Birgenç and Mustafa Ünalı said in a statement on 10 January: “Police detained us by force. They took us to the Political Police Center and we were tortured there. They beat and threatened to kill us. They said that they would hold us responsible for future protest action at the Toros Fertilizer Plant.”

Fahrettin Dülçek, the General Publications Director of the periodical Alternatif, and Ahmet Köksal, the chief editor, were detained following a police raid against the Istanbul office of the periodical on the evening of 12 January. Fahrettin Dülçek who was arrested on 18 January by the Istanbul SSC, stated that he had been tortured during the period he had been held under detention. Saying that he had been interrogated along with Ahmet Köksal at the Istanbul Political Police Centre, Fahrettin Dülçek said both of them had to admit the charges against them because of the torture inflicted on them.

A raid was carried out against the Fıstıklı village of the Ömerli district in Mardin on 12 January by security officers. Twelve people living in the village were detained after the raid and tortured at the gendarmerie station where they were detained. The 12 people, who were re-leased after being held in detention for some time, said the following: “Frequent raids have been carried out against our village. They asked us to serve as village guards regardless of our old ages. They tortured us because we refused to be village guards. The soldiers and village guards who came to the village shot up our houses. Consequently, they beat us with sticks and riffle butts. Therefore, we had to leave the village.”

A youth named Oğuz Aksaç, who was detained by police carrying out a raid against Ekin Art Center in Ankara on 13 January, stated that he had been tortured in police custody. Oğuz Aksaç, who was released on the evening of 14 January, later filed an official complaint to the Public Prosecution Office together with his lawyer Murat Demir. Lawyer Zeki Rüzgar, who was also detained during the raid stated that he had been tortured in detention and said: “I was detained in the Ekin Art Center. I told the police officers who entered the center by breaking its door, that I was a lawyer. A police officer who learnt my name attacked on me saying ‘He is the lawyer of the Devrimci Sol, of terrorists’. They beat me as they dragged me towards the hall. In the hall, about 3-4 people beat me. Subsequently, we were taken to the Ankara Security Directorate. There, they marshalled and blindfolded us and then took us to rooms. On the first day, I was exposed to intensive torture. On the second day, they stopped the torture, saying there were some people following my case. On 14 January, I was taken to the Forensic Medicine Institute. The physician there sent me to hospital. But, I was taken to hospital after my wounds healed. In the hospital, they exposed psychological pressure on me and the physician. In spite of the pressure, the physician

issued a medical report citing the torture. Since I was a lawyer, they might have launched an investigation against me upon a demand by the prosecution office and per-mission from the Ministry of Justice, in accordance with the laws. They disregarded this rule.”

The Ankara Office of the periodical Mcadele was raided by police on 13 January. In the raid, many publications and documents found at the office were seized and Burhan Kardaş, the Ankara Representative of the periodical was detained. Burhan Kardaş and Ihsan Cibelik, a member of the music group “Grup Ekin” were arrested by the Ankara SSC on 26 January on charges of being members of an illegal organization. Burhan Kardaş disclosed that he had been tortured and said the following: “When I asked the police officers who raided the office whether they had a search warrant, they pummeled me. After beating me for a while, they forcefully put me into a police vehicle. Later, they made me get out of the vehicle under kicks and buffets. While getting me off the vehicle, they took off my belt by force. They tried to make me sign a minutes they had prepared. Since I did not sign, they beat me again and put me into a cell.”

Ahmet Akst, one of the lawyers from the Izmir Bar Association, stated that his client named Mahmut Şahindođan had been tortured at the Izmir Political Police Center. Explaining that he had an opportunity to meet with Mahmut Şahindođan on 14 January upon permission from the Izmir SSC Prosecution Office, Ahmet Akst said that his client had been extremely tired during the meeting, and that he had said he had been tortured. Stating that his client had been hospitalized because of his health, Ahmet Akst said: “The necessary treatment was not carried out at hospital. My client told a doctor named Bilal who examined him that he had been tortured and for this reason, he had been urinating blood. However, the doctor did not make any medical analysis, and he sent my client back without even prescribing medicine.”

Ismail Errs (18), one of the distributors of the newspaper zgr Gndem, who was detained on 19 January in Van, stated that he had been tortured and raped in detention. Ismail Errs, who was released on 24 January, said the following: “After I left the Van Representative Office of the newspaper zgr Gndem which is on Cumhuriyet Street, on 19 January, I was detained by a plain clothes officer. I was insulted at the Çarşı Police Station, where I was first brought to. Then, I was brought to the Security Directorate. There, I was put in a cell. They first beat me after blindfolding me. They were saying ‘The newspaper zgr Gndem is the news-paper of the PKK. Why do you work for the Gndem? Work for us.’ They later took my clothes off and put me on a hanger. My testicles were squeezed while cold water was being poured on me. I was raped twice with a truncheon when I was on the hanger on which I was suspended for a long time. The truncheon which was used for raping, was later inserted into my mouth. I was taken off the hanger when my arm started to bleed.” After being released, Ismail Errs was kept in detention for a while again together with Adil Harmancı, one of the correspondents for the newspaper zgr Gndem, at the airport on 31 January while he was on the way to Istanbul for treatment. The Torture Watch Commission of the Istanbul Branch of the IHD lodged an official complaint about the police officers who had tortured Ismail Errs. The medical reports verifying the torture on Ismail Errs were attached to the official complaint. Ismail Errs who was treated with the aid of the Istanbul Representative Office of the HRFT, later settled in An-kara. Ismail Errs, who started to work as a photograph correspondent for the same newspaper, was detained twice in November and December.

Lamia Aygn, the mother of Ahmet Aygn, who was detained by police in Istanbul on 19 January, stated that her son had been severely tortured. Saying that her son had been brought by

police officers to the house for a search on the morning of 20 January, Lamia Aygün said: “When he was brought to the house, my son was exhausted. His arms lacked force.” Lamia Aygün said she had been barred by police from meeting with her son, although she had been given permission from the prosecutor. Subsequently, Ahmet Aygün was arrested and a trial was launched at the Istanbul SSC against him on charges of a being member of an illegal organization. In the trial which started on 11 May, Ahmet Aygün said that the unique basis of the charges against him was that he had served 11 years in prison in connection with the Kawa case. Afterwards, Aygün submitted the medical report documenting the torture to the court board. He was released at the end of the hearing held on 20 July.

Iğdır correspondent for the newspaper Özgür Gündem, Meral Tilkiz, was detained following the raid carried out by security officers against the Alicanlar village of the Karakoyunlu district in Iğdır on 21 January. Five children who were detained along with Meral Tilkiz during the raid were released after a short time. The released children said that Meral Tilkiz had been tortured at the Iğdır Gendarmerie Regiment Commandership.

A student (G.K.) detained by police in Diyarbakır on the evening of 29 December, stated that he had been tortured during the 24 days he was in police custody. Indicating that he was detained together with his 3 friends, G.K. said the following: “The police detained us on the claim that we had carried out a bombing at the university. After being detained we first went to a hospital. There, we were given medical reports stating that we were healthy. We were then brought to the Security Directorate. Nothing happened for the first 3 days. Later, torture started. Two of the people detained together with me were released 7 days later. They inserted a bottle into my anus since I did not accept the accusations against me. They put me on a Pales-tinian hanger. They soaked me with pressurized water.” After being released, G.K. applied to the Izmir Representative Office of the HRFT to be treated.

Habib Gül who was detained in Adana on 14 January, stated that he had been tortured in detention. In a statement he made in Malatya E Type Prison through his lawyer, Habib Gül said: “I was continually interrogated during the 11 days I was held in detention. I was put on a hanger many times, given electric shocks, and my testicles were squeezed during the interrogation. They blasted pressurized cold water at me when they took me off the hanger. My armpits were torn and my left arm was injured from being put on the hanger.”

Three people detained during operations carried out in the Gökçebağ village of the Kurtalan district of Siirt in January were tortured in detention. The jaw bone of Ali Sevgi, out of 3 people arrested on 1 February and sent to Siirt Prison, and the ribs of Tayyip Sevgili were broken because of the torture inflicted on them. The health of the 3rd person named Emin Evin also deteriorated because of the torture. Ali Sevgi, Tayyip Sevgili and Emin Evin, who were brought to the prison in an extremely exhausted situation, were treated at the prison infirmary.

Three-month pregnant Zeynep Bal who was detained by police in the Dağlıoğlu quarter of Adana on 1 February disclosed that she had been tortured at the Adana Security Directorate where she had been interrogated. Zeynep Bal said the following after being released: “As soon as I was taken to the Security Directorate, I was blindfolded. They continuously pulled my hair and beat me. I was kept in cold water. They continued with the torture although I said that I was pregnant. I was stripped naked and threatened with rape. Since I was obliged to lie on the concrete ground, I suffered kidney trouble. My two small children who were taken to the Security Directorate

together with me, also suffered pain for 2 days.” Zeynep Bal added that her husband, Hikmet Bal, had also been detained 12 days later and subjected to heavy torture.

Mehmet Yardımcıel, the Chairperson of the Digor District Organization of the Democracy Party who was detained by police officers who carried out a raid against his house in the Digor district of Kars on 3 February, stated that he had been tortured under police custody. Mehmet Yardımcıel, who was kept under custody for 4 hours, stated the following after being released: “Although I was not guilty, I was detained and tortured just because I am the Chair-person of the DEP District Organization. My left arm was injured due to the torture. With a medical report, I documented the torture inflicted on me.”

Lawyers Semih Mutlu and Levent Tüzel, who were detained following a funeral ceremony in Ümraniye, Istanbul on 5 February, were released within a short time. Lawyers Levent Tüzel and Semih Mutlu said the following after being released: “About 10 people were detained along with us. The detainees were tortured for 12 hours at the Ümraniye Security Directorate where we were brought to. Nevzat Yılmaz, one of the correspondents for the newspaper *Aydınlık*, Metin Göktepe, a correspondent for the periodical *Gerçek*, and youths named Güven Boğa, Neslihan Güngör and Seher Karataş were tortured and beaten.

A person named Hasan Kiraz who was detained by security forces carrying out a raid against the Narlı town of the Pazarcık district of Maraş on 1 February, was severely tortured. Stating that his son was shown to him at the interrogation center where he was kept in detention, Hasan Kiraz’s father Murtaza Kiraz said: “My son was very exhausted. Besides this, his health had deteriorated and he had been brought to the Maraş State Hospital.” Hospitalization of Hasan Kiraz was confirmed by Halil Gezzin, the head physician of the Maraş State Hospital.

Selahattin Ayna, detained by police for looking suspicious in Çorum on the night of 10 February, said that he had been tortured in police custody. Selahattin Ayna said that he had been taken to the Çorum State Hospital on 11 February and with a report showing his inability to work 10 days he had been given there he was able to prove the torture inflicted on him.

Metin Toprak, the Diyarbakır Mayoral candidate of the DEP, physician Metin Akar and teacher Nebahat Akkoç who were detained in Diyarbakır on 12 February, were released later. After being released, Metin Toprak stated that he had been tortured in detention and said: “They continuously squirted pressurized water on me and then put me in front of a fan.”

The Izmir office of newspaper the *Alnteri* was raided by police on the morning of 21 February. Police arrived at the office with Halime Özçelik, the Izmir Representative of the periodical who had been detained before, and held 5 people in detention for 2 hours. The detained people reported that Halime Özçelik, who had refused to sign the document prepared on the office search, had been beaten and that there were bruises on her face.

Worker Gürhan Tamer who was detained after being wounded following the demonstration held in the Gültepe quarter of Izmir on 19 February, reported that he had been tortured in detention. Making a statement following his release, Gürhan Tamer said the following: “I was shot and wounded when police opened fire during the demonstration. The bullet went into my hip and left from the back. When I fell on the ground, police officers started to beat me. Afterwards, I was put in a police vehicle. One of the police officers tried to break my finger and while another attempted to break my arm. Another hurt my ear. They and other police officers, beat me once more after coming to the police station. They kicked my wound.”

A worker named Ali Duran and his 2 friends named Hasan Altiyaprak and Salim Alver who were detained in Istanbul on 14 March on the grounds that “they did not yield the way for a police car”, were beaten by police officers. Ali Duran who disclosed the names of the police officers who had beaten him and his friends as Ismail Erkaya and Mahmut Aksu, said the following: “The police officers asked me ‘Why didn’t you yield at that time?’ I told them I was not able to because I was on a slope. Thereupon, the police officers threatened us to take to police station and said ‘You obstructed our duty, give some money and go.’ I objected to this. Then saying ‘We will show you the results of disobeying the police.’, they forced me and my friends get into the police car. After taking us for a ride in the car, they made us get out in a street and started to beat us. They later put us in the car again and brought to the Karaköy Police Station. There, a police officer who was reportedly a commissioner said, ‘Such kinds of cases may hap-pen at any time, these friends are new at the job.’ and offered reconciliation. When I said that I would place an official complaint, our testimonies were received. We were released the next day.” Upon the official complaint filed by Ali Duran who received a medical report showing his inability to work for 5 days, police officer Ismail Erkaya was sued. In the trial which started on 31 May at the Istanbul Beyoğlu Penal Court of First Instance No.3, a sentence of 3 months to 3 years in prison was recommended for Ismail Erkaya. However, he pleaded not guilty and said: “I did not beat anybody and ask for bribes. They slandered us. Ali Duran was too drunk and wounded since he fell on the ground. The trial was launched with the aim of humiliating the police.” The judge did not allow the journalists to take photographs during the hearing. The Court decided on 11 October to send the case file to the Istanbul Governor’s Office.

Tahir Adal (50), who was detained by police in Ankara on 17 March, stated that he had been tortured in police custody. Indicating that after he had come from Mardin to Ankara, he stayed in the house of Mardin Deputy Ahmet Türk, who was a relative, Tahir Adal said the following: “I was detained along with 4 nephews of Ahmet Türk on the day the deputies would be brought before court. They released the others afterwards. They kept me under custody for 12 days and continuously tortured me. They gave electric shocks to my genitals and poured cold water on me. They continuously asked me why I had stayed in the house of Ahmet Türk. Some press organs described me as the trigger man of the PKK.” After being released, Tahir Adal applied to the HRFT for treatment.

Trade unionist Temel Bilir who was detained by police on the way to a meeting held in the Nurtepe quarter of Istanbul on 21 March on the occasion of Newroz Feast, was reportedly tortured in police custody. In the statement made by the Sağlık Sen (Union of the Health Labourers) it was said that Temel Bilir had been detained “upon surmise”, and he had been exposed to sexual harassment, suspended, given electric shocks, subjected to pressurized water, beaten and threatened with death at the Political Police Center, where he was detained.

A 15-year old child (Z.A.) who was detained in Van on 21 March, said that he had been tortured in custody. Z.A., who made a statement after being released on 23 March, said that he had been detained since he had set a Newroz fire on Iskele Street in Van, and was suspended on a hanger twice at the Police Station where he was detained. He added that his right wrist had been broken and bruises had appeared on his body due to torture.

Cihan Kartal, the Chief Editor of the journal Sterka Rızgari who was detained by police after a raid against his house in Istanbul on the night of 27 March, stated that he had been tor-tured in police custody. Cihan Kartal said in a statement on 4 April that he had been detained together with his sisters, Songül Kartal and Özgül Kartal. He stated that they had been given electric shocks,

put on hangers and sexually abused with a truncheon during the 3 days they were held in the Kemalpaşa Yüzyıl Police Station. Saying that he refused to deliver his testimony to police while being interrogated, Cihan Kartal said, "I did not yell during torture. When they saw that they could not receive my testimony, then they tortured in order to make me yell." Cihan Kartal indicated that people named Hasan Kaplan, Saniye Güler and Suna Özcan who had come to the journal office while he had been in detention, had been detained and tortured, too.

Two people named Adnan Akgün and Çetin Yeşilyayla, who were detained on the claim that they had stolen and sold the gun of police officer Ahmet Çağan in Burdur, were reportedly tortured in detention. Adnan Akgün and Çetin Yeşilyayla, who were interrogated at the Burdur Security Directorate, applied to the Public Prosecution Office following their re-release and lodged an official complaint about security officers named Fikret Aydoğdu, Özkan Kama, Bahri Anar, Osman Kocabıyık and Nurettin Ersoy. Medical reports proving the torture inflicted on them were given to the people in question at the Burdur State Hospital.

Necibe Savaşkan and Dilaver Peker, correspondents for the periodical Emeğin Bayrağı who were detained by police in Istanbul in April, stated that they had been tortured during the period they were in detention. Expressing that they were detained from the Bostancı Cultural Center, where the General Assembly of Eğitim-Sen (Education and Science Labourers Union) had convened, the two journalists said: "We were subjected to torture such as being suspended on a hanger, being squirted with pressurized water, receiving electric shocks, torture of genitals and beating during 2 days in detention in the İçerenköy and Eminönü Police Stations. In addition we were forced to accept to become police agents."

People named Sami Gümüş, Mustafa Ceylan, Kerem Bulut, Bilge Şahin and Nazmiye Aksoy who were detained following an unauthorised meeting held in the Yamanlar quarter of Izmir on 10 April in order to protest price hikes, stated that they had been physically and psychologically tortured in police custody. The 5 people made a statement after being released, saying that they had been interrogated at the Izmir Political Police Center and frequently forced to become police agents. Nazmiye Aksoy also stated that she had been sexually abused.

Hasan Ergül, one of the defendants of a PKK trial held at the Istanbul SSC, stated in the hearing held on 13 April that his urinary bladder had been torn due to torture. Pointing out that he had previously submitted to the court board the medical report verifying the torture inflicted on him, Hasan Ergül said: "The X-ray films verify the torn which appeared on my urinary bladder due to torture."

Two students named Serkan Çıtak and Muhsin Yanak, who were detained following a demonstration held in front of the National Education Ministry building in Ankara on 14 April to protest education tuition, stated that they had been forced to serve as police agents. The students who organized a press conference in the General Center of the Contemporary Jurists Association on 21 April, said: "Security officers will be responsible for any incidents that may befall us from now on."

A female named Feriştay Gül (44) who was detained by police officers who raided her house in the Osmaniye district of Adana on the evening of 22 April, stated that she had been tortured in detention. Feriştay Gül, who held a press conference at the Adana Branch of the IHD after being released, said that her husband and children had also been detained along with her and said: "In addition to torture, I was threatened with death while I was in detention. They took me to the roof of a 4-flat building and threatened to throw me off unless I testified in the way they wanted."

I was continually beaten since I did not accept their demand. Since they could not obtain anything, they released all of us.”

Fereç Çobanoğlu, Sivas correspondent for the newspaper Özgür Gündem detained by police officers who raided his house on the morning of 23 April, stated that he had been tortured under police custody. Fereç Çobanoğlu, who gave a press conference at the IHD Istanbul Branch after being released said the following: “I was blindfolded at the Sivas Security Directorate. Later I was stripped off and subjected to pressurized water. They inserted the water hose into my anus. They gave electric shocks to my left toe and sexual organ.”

Doğan Kaplan, Süheyla Toprak, Filiz Öz and Atif Yeşiloğlu, who were detained by police in Adana on 1 May, stated that they had been tortured during the 30 hours they had been held in detention. Holding a press conference at the Adana Branch of the IHD on 3 May, the people in question said: “We were beaten and detained while preparing to celebrate May Day. We were tortured, sexually harassed and our lives were threatened in the Political Police Center where we were detained. They continuously insulted us. The traces of blows and torture on our body were not actually reflected in the reports by the Forensic Medicine officials.” In the press conference, Atif Yeşiloğlu showed the bruises of torture on his body to the journalists.

A student named Feride Yıldız (20) who was detained from the garden of Kocasinan High School in Istanbul on 15 April by police, stated that she had been tortured and raped in police custody. Feride Yıldız, in a press conference at the Istanbul Branch of the IHD on 4 May, said that she had been detained together with 5 of her friends and then brought to the Bahçeli-evler Police Station. Feride Yıldız said the following as to the incident: “As soon as I entered the station, they started to beat and insult me. Shortly afterwards, they brought me to a place I thought was a bathroom. They stripped me naked and started to blast me with pressurized water. They accused me of being an organization member. Since I said nothing, they threatened me with rape. A little later, they raped me anally with a rigid and thick object which was probably a truncheon or a hose. Meanwhile, they made 3 female friends of mine who had been detained together with me, watch the rape. Following the rape, they laid me down on the floor and applied falanga. I was released without even being brought before a prosecutor. Because they were afraid that I would be sent to the Forensic Medicine Institute and the traces of the rape would be brought to light.” Feride Yıldız added that one of her friends who was detained with her had also been tortured in the police station. The student applied to the Istanbul Representative Office of the HRFT to be treated. Feride Yıldız made another statement at the end of May saying that she had received threats via telephone since the news concerning the case had been published on the newspapers. She said: “Police officers in the station called each other ‘Bayram’. Now, almost everyday, I receive telephone threats. After saying ‘That is Bayram speaking.’ or ‘Is Bayram there?’, they curse me.”

A young girl named Fatma Akin (19) who was detained in April during security operations in Mersin was reportedly tortured and raped in detention. According to the statement by lawyer Hamza Yılmaz who went to prison upon a complaint about the case, Fatma Akin was made to sit on a chair at about 11.00 p.m. on 30 April and was stripped naked and blindfolded by 2 people. Subsequently, she was laid down and raped with a hard object like a truncheon. Fatma Akin was subjected to similar treatment at about 3.00 a.m. on 1 May. When she was brought before the court on 6 May, she told the prosecutor about the rape. However, it was revealed that her words had been recorded in the minutes as “I was beaten.” Meanwhile, an inquiry was launched by prosecution office against Cemal Karakaya, the Chairperson of the SHP Mersin Central District Organization, on the grounds that he made public in a press conference what had befallen Fatma

Akın. Cemal Kaya, who was accused of insulting police, pointed out that the incident had been verified with medical reports and statements by the oppressed and witnesses and said: "Instead of forcing security officers to avoid such applications and starting a legal procedure against them, the launching an inquiry against me since I disclosed a fact, is incomprehensible."

Nineteen people who went to Çorlu Prison on 8 May in order to visit Kemal Sahir Gürel, an arrested member of the music group "Grup Yorum", were detained. The detainees were released the same night. A youth named Ufuk Lükler who made a statement after being released, said that they had been beaten while detained, and insulted and threatened in the police station. Ufuk Lükler received a medical report proving the traces of blows to his body and showing "his inability to work for 2 days" from a hospital.

Mehmet Sönmez (45), the headman of the Dibek village of the Lice district of Diyarbakır, and Ali Yakar (80) who were detained following the raid carried out against the Dibek village on 17 May by soldiers, reported that they had been tortured in detention. Mehmet Sönmez who made a statement after being released, said that they had been taken to the Lice Gendarmerie Battalion after detention and said: "During the 8 days in detention, soldiers, police officers, village guards, whoever came, tortured me. I was kept blindfolded during this period. I was frequently threatened with death. There were about 50 people detained from different villages there. They were exposed to torture, too."

A 12-year old child who was among the people detained by security officers on 25 May during the operations carried out in the villages of the Silvan district of Diyarbakır, said that he had been tortured in detention. The child who was released on 28 May, said: "Soldiers who came to the village asked where my elder brother who had been wanted for 5 months, was. When I said that I did not know, they left the village, taking me along with them. In the Silvan Gendarmerie Station where I was taken, I was stripped and beaten. They said that they would kill me unless my brother delivered himself. Some of the military officers saved me."

Rehime Pehlivan (70), who was detained following the raid carried out by soldiers against the Dolunay village of the Lice district of Diyarbakır on 20 May, stated that she had been tortured at the Lice Gendarmerie Battalion where she had been interrogated. Rehime Pehlivan, who was kept in detention for 15 days and went to her relatives in Istanbul after being released, said that she had been stripped naked, subjected to cold water and sexually harassed during interrogation. Rehime Pehlivan said that Kıymet Kaya (30), Abdülbari Cingöz and Mehmet Balta, who had been detained along with her, had also been tortured.

Önder Kırmızıtaş, a member of the Tunceli Provincial Organization of the Worker's Party, stated that he was kidnapped by 3 people he thought to be police officers after leaving his house on the morning of 30 May and that those people had tortured him. He was given a medical report showing his inability to work for 7 days and proving the traces of torture and cigarette burns on his body, from the Ankara Forensic Medicine Institute, where he applied on 2 June.

A woman named Güllü Küncülü, detained on 6 June by police in the Şahinbey district of Gaziantep, stated that she had been tortured in detention. Stating that she was released after being kept for 48 hours in detention, Güllü Küncülü said that the medical report she had received from the Forensic Medicine Institute showing "her inability to work for 10 days" had been seized by police officers. She added that her husband Hüseyin Küncülü (one of the leaders of the Democracy Party Şahinbey District Organization), and his friend İsmet Dikici, detained along with her, had been tortured, too.

Two members of the Socialist Power Party (SIP), namely Ilker Pınar and Volkan Yalçınkoklu, who were detained while distributing leaflets in Ümraniye, Istanbul on 14 June, were reportedly tortured in detention. In a statement issued by the SIP, it was said that Ilker Pınar and Volkan Yalçınkoklu had been kept in detention for 24 and 48 hours, respectively, and that the 2 people had been stripped naked, beaten and subjected to falanga. An official complaint in the case, was placed at the Istanbul Public Prosecution Office.

Teacher Taner Yenice who was detained in Manisa on allegations of sexually abusing little children, reported that he had been tortured at the Manisa Security Directorate, where he had been interrogated. Taner Yenice made a statement in the prison he was sent to after being arrested, and said that he had been forced to sign untrue statements under torture, although he had not been involved in sexual harassment. Taner Yenice said that he had been stripped naked and beaten by about 10 policemen until he lost his consciousness after being detained. He added that a medical report he had received from the hospital where he had been brought on 21 June, had proved the torture inflicted on him.

Osman Köksen (36) who was detained in the Çay district of Afyon on 15 June accused of “stealing animals”, stated that he had been tortured at the Çay Gendarmerie Station where he had been interrogated. Saying that he was continually beaten and subjected to falanga at the gendarmerie station where he was kept until 22 June, Osman Köksen said that he had been released by the Çay Prosecution Office when he had proved that the animals belonged to him. A medical report showing his inability to work for 15 days and documenting the tear on his ear-drum and the injuries on his body due to beating, was given by the Bolvadin Forensic Medicine to Osman Köksen who placed an official complaint at the Public Prosecution Office.

Aydoğan Özcan, Yüksel Özcan, Durmaz Deli and Göksel Oğuz, detained following a police raid on their house in Kartal, Istanbul on the night of 28 June, disclosed that they had been tortured during 3 days under police custody. Aydoğan Özcan, out of the 4 people, who held a press conference after being released stated that they had been interrogated in the Gayrettepe Political Police Center and at the Kartal Security Directorate. He said: “We were continuously beaten under police custody. We were subjected to torture such as falanga and cigarette burns. Because of torture traces on our bodies, we were released without even being brought before prosecutor. We were not allowed to have access to our lawyers.” The 4 people showed journalists the traces of torture on their bodies. It was apparent that Göksel Oğuz had 3 broken teeth and there was a scar on his neck.

Abdülaziz Saltan who was detained by police in Istanbul at the end of June and then arrested, stated that he had been tortured under police custody. Abdülaziz Saltan said that he had been interrogated in the Sultanbeyli Police Station, added that he had been stripped naked, suspended on a hanger and received electric shocks during interrogation.

Ali Rıza Kartal (28), detained by police while he was hanging posters in Kadıköy, Istanbul on the night of 2 July, stated that he had been tortured at the İçerenköy Political Police Center. Holding a press conference, Ali Rıza Kartal told that he had been beaten, suspended on a hanger and subjected to cold water blasts in detention. Ali Rıza Kartal obtained a report proving traces of torture to his body and showing his inability to work for 2 days.

Lawyers Hülya Üçpınar, Mustafa Ufacık and Mustafa Alp, registered to the Izmir Bar Association, were harassed by a non-commissioned officer whose name was discerned to be “Bekir”, at the Aydın Court House at the beginning of July. After reporting the incident to the

Aydın Public Prosecutor İlhan Taşkı, the lawyers went to Aydın E Type Prison. There, they were attacked again by the same non-commissioned officer. The non-commissioned officer, who insulted the lawyers and searched their bags, slapped Hülya Üçpınar and tried to remove her from the area. Volkan Alposkay, the Chairperson of the İzmir Bar Association, stated that they had lodged an official complaint about the non-commissioned officer in question and prosecutor Cafer Karakadioğlu who had been indifferent to the incident in the justice building.

Yelda, a member of the IHD Istanbul Branch, was detained by police officers who raided her house in Istanbul on 4 July upon a baseless denunciation. Yelda disclosed that she had been tortured under police custody and filed an official complaint with the Public Prosecution Office after being released. She said that she had been insulted while being detained, and she had been stripped and continuously beaten by a chief commissioner at the Beyoğlu Security Directorate where she had been subsequently taken. Stating that she was taken back to her house by political police officers who knew her from her work at the IHD, Yelda said: “These police officers were kind to me, but they read everything in my files and computer at home.” Yelda pointed out that as a result of beating, her ear membrane had been torn and she had obtained a medical report from the Taksim First Aid Hospital showing her inability to work for 15 days. Afterwards, she made an official complaint about the chief commissioner who had beaten her and Suat Akkök, who had made the baseless denunciation.

Leyla Karalük (23) who was arrested in Urfa Closed Prison for an ordinary crime, was raped while being taken to the prison following a hearing held at the Siverek Court House. The incident, which was brought to light with a letter written by Leyla Karalük to the IHD Istanbul Branch, developed as follows: Leyla Karalük was taken to Siverek by the prison’s vehicle, called “the ring”, on 11 July for the hearing. After the hearing ended, Leyla Karalük was hand-cuffed and was made to get in the vehicle in order to be taken back. The vehicle stopped shortly after leaving Siverek. Subsequently, Adem Demirtaş, the driver of the vehicle, raped Leyla Karalük in the vehicle with the help of non-commissioned officer Ayhan Dağtaş and guardian Belkız Avcı. She was later raped by Ayhan Dağtaş, too. One day after Leyla Karalük was brought to the prison, she told prison director Musa Tırpan about the rape. Then the incident was reported to the prosecution office. In her letter to the IHD, Leyla Karalük stated that the incident had not been seriously investigated, and Ayhan Dağtaş and Adem Demirtaş were free.

Ali Aslan, an Administrative Board member of the IHD, was detained in İzmir on the night of 15 July after his house was raided by the police. He was arrested on 19 July while Naile Eroğlu and her husband, İnan Eroğlu, Administrative Board members of the IHD’s İzmir Branch, and Haydar Arslan, the Chairperson of the Pir Sultan Abdal Cultural Association İzmir Branch, who were detained at the same night after the raids on their houses, were released. Yeşim İşlegen, the Chairperson of the IHD İzmir Branch, reported that the detained 4 people had been tortured under police custody and the health of Naile Eroğlu and Ali Aslan had worsened due to the torture.

A youth named İrfan Barat Efe, who was detained by police following a quarrel that arose at an entertainment spot in Ankara on the night of 16 July, stated that he had been tortured in the Anafartalar Police Station, where he was taken. İrfan Barat Efe said that he had been stripped naked and continuously beaten in the police station, and his left wrist had been broken in the process. He showed the traces of blows on his body to journalists. After being released, İrfan Barat Efe lodged an official complaint about commissioner Mustafa Kayhan working at the Anafartalar Police station, and received a medical report showing his inability to work for 15 days from the Forensic Medicine Institute.

Five people who were detained after the meeting held in commemoration of trade unionist Kenan Budak, who had been shot dead by police in Istanbul on 25 July 1981, were reportedly tortured. Munzur Pekküleç, the Chairperson of the Trade Union of Leather Workers, held a press conference at the IHD Istanbul Branch on 26 July and stated that there were traces of torture on the faces and bodies of Emin Özdemir, Berna Bozkurt, Oya Koşar, Sibel Altınok and Bülent Çatar who were kept under custody at the Zeytinburnu Security Directorate.

Coffee house owner Fehmi Saygılı, who was detained by police in the Mutlu quarter of Adana on the evening of 25 July, stated that he had been tortured and insulted in the PTT Police Station where he was taken. Fehmi Saygılı stated after being released that he had been arbitrarily detained without any reason. Saying that he was frequently subjected to duress and detained because he was a Kurd and had attended shop closing protests, Fehmi Saygılı said: "If something befalls me, the Chief of the PTT Police Station and the police officers working at the Political Police Department will be responsible."

A youth named Muzaffer Karagöz, who was detained by police in the Ümraniye quarter of Istanbul on 22 July, stated that he had been tortured at the Ümraniye Security Directorate. Muzaffer Karagöz who organized a press conference at the IHD Istanbul Branch on 27 July, said that he had been subjected to falanga, beaten and his mouth had been spit into during the 15 hours under police custody. Muzaffer Karagöz placed an official complaint at the Üsküdar Public Prosecution Office and a report proving his inability to work for 5 days was issued by the Forensic Medicine Institute.

The prosecution of Ender Toz, Serdar Ataş, Nurettin Altın and Mehmet Şahin who were arrested in March on charges of being members of the IBDA-C organization and having been involved in certain bombings in Istanbul started on 2 August at the Istanbul SSC. Out of the defendants cross-examined in the hearing, Ender Toz and Mehmet Şahin stated that they had been tortured, and were forced to be police informers and to give bribe under police custody, and pleaded not guilty.

Ihsan Arslan, the Chairperson of the Mazlum Der (Association of Human Rights and Solidarity with the Oppressed) who held a press conference in Istanbul on 3 August, disclosed that a woman, Sevgi Engin, who had been detained by police in Izmir in June had been tortured under police custody. He stated that Sevgi Engin had been insulted, threatened with rape, given electric shocks and beaten. Saying that they had lodged an official complaint about the authorities of the Izmir Security Directorate concerning the incident, Ihsan Arslan noted a recent increase in the cases of rape and sexual harassment against detained females.

A porter named Bayram Karabulut (44), detained in the SiteLER quarter of Ankara on 6 August because of a groundless accusation, disclosed that he had been tortured in the Anafartalar Police Station where he had been kept in custody. Stating that he was blindfolded and stripped naked in the police station, Bayram Karabulut said he had been released in the evening hours after an interrogation under torture. Stressing that he was unable to bring himself to talk about what was inflicted on him, Bayram Karabulut lodged an official complaint with the Ankara Public Prosecution Office about some police officers whose descriptions he gave.

A person named Cevat Alver (41), who was detained by police on 9 August in the Mesken quarter of Samsun because of an ordinary crime, disclosed that he had been tortured in the Çiftlik Police Station. Stating that he was beaten as soon as he had entered the station, Cevat Alver said 3 of his ribs had been broken and all parts of his body had been bruised. Indicating that he was not

able to get a medical report from the Forensic Medicine Institute due to indifference of the physicians there, Cevat Alver applied to the Public Prosecution Office and filed an official complaint about the perpetrators.

Two people named Halit Deniz and Salih Kaya (50), who were detained following a raid carried out by security officers against the Cintepe village of the Eruh district of Siirt on 2 August, disclosed that they had been tortured at the Eruh Gendarmerie Battalion Command where they had been interrogated. Halit Deniz and Salih Kaya, who were released after being kept for 13 days in detention, said the following: “They asked us to show them where the shelters of PKK militants were. When we said that we did not know where the shelters were located, they started to torture us. We were subjected to every kind of torture. During the period in detention, we were always kept blindfolded. We were taken to the regions of operation from time to time and interrogated in the rural areas.”

Two young girls named Sevda Yıldırım and Hangül Özbey who were detained in the Narlıca quarter of Adana on 13 August, were reportedly tortured in the Adana Political Police Center where they were kept under custody. Güllü Yıldırım and Raife Özbey, the mothers of the young girls, stated that their demand to meet with their children had been refused by police officers and said: “On the contrary, the police officers tried to make us sign a paper saying, ‘We saw that our children were healthy and physically sound.’ Since we did not accept to sign it, we were insulted and chased. As far as we learnt, our children fell ill due to torture they were subjected to, and they were hospitalized.”

Dutch police officer Van Der Voort and his friend Cengiz Mavgi (a Dutch citizen with Turkish origin) who were kept under custody for a while at the Istanbul Beyoğlu Security Directorate disclosed that they had been beaten by police officers in custody. Stating that they were detained because they had drunk beer in a park in Taksim, Cengiz Mavgi said the following: “In the park, first, they wanted to check our ID cards and insulted us. When we said that they had no right to behave in that manner, we were taken to the police station. While taking us to the station, they started to beat me and my friend. Thus, my friend was shocked. When we arrived at the police station, they asked why I was a citizen of the Netherlands and continued to beat us. They forced me to state, ‘I will be a citizen of the Turkish Republic.’ They behaved as if we were outlawed bandits”. Indicating that they applied to the Istanbul Governorate and the Istanbul Security Directorate and complained about the police officers who had beaten them, Cengiz Mavgi added: “We did not receive any help from these offices and we think our application will be fruitless.” On the other hand, authorities of the Beyoğlu Security Directorate claimed that whatever Cengiz Mavgi had said was untrue.

Minibus driver Coşkun Kırıcı (32), who was taken to the Directorate of Anti-Riot Forces by police officers with whom he argued on 25 August in the Hal quarter of Eskişehir, stated that he had been beaten by chief commissioner Ruhi Yıldırım. As a result of the beating Coşkun Kırıcı was wounded and taken to hospital suspected of having a “brain haemorrhage”. Numerous traces of blow to his face and body were determined.

Mehmet Tunç, who was detained together with his son by police in the Bismil district of Diyarbakır at the beginning of September disclosed that he had been tortured during 3 days in police custody. After being released Mehmet Tunç made a statement and said that he had been threatened with death by police, forcing him to leave Bismil. Mehmet Tunç indicated that they moved from the Kürthacı village of Bismil to Bismil in May when the village was raided and burned down by security officers.

The prosecution of Hasan Şensoy, against whom a trial was launched on charges of being the leader of the MLSPB (Marxist Leninist Armed Propaganda Union) and having participated in certain actions, and of his friends Necefku Arpaçay and Erol Çelikten started on 8 September at the Istanbul SSC. Hasan Şensoy, who was cross examined in the hearing said that he had been tortured. He also expressed that the bombings for which he was accused, had taken place in 1990 and 1991 and in that period he had been in prison. Indicating that he proved the torture on him with a medical report showing his inability to work for 10 days, Hasan Şensoy said that he could not move his arms from his shoulders for a long time and had difficulty while using his hands due to torture. Other detainees, Necefku Arpaçay and Erol Çelikten pleaded not guilty and said that all of the claims were created by police and they had been tortured under police custody.

The police officers who raided a coffee house in the Nurtepe quarter of Istanbul on the morning of 14 September detained waiter Imam Yıldırım and two people named Cansel and Gürkan. The detainees were released two hours later. Stating that they were taken to an empty barrack after being detained and tortured there, Imam Yıldırım said the following: “They asked us about some people. When we said that we did not know the people in question, they started to beat us. They truncheoned and kicked our hands, feet and heads. Subsequently, they released us.”

Süleyman Demirci, who lives in the Bergama district of Izmir, stated that he had been beaten by police officers in the police station where he went on 20 September to learn the situation of his 16-year old son, who had been detained. Süleyman Demirci said that one of his fingers had been broken and his wrist had been injured in the beating he received from police officers. He was given a medical report, showing his inability to work for 10 days. Süleyman Demirci lodged an official complaint with the Public Prosecution Office about police officers Kenan Çelikkol, Kemal Yağız, Hakan Çilingiroğlu and Burhan Köroğlu who had beaten him.

Umut Kara (18) abducted by people who introduced themselves as police officers on the morning of 20 September in the Öveçler quarter of Ankara, stated that he had been forced to be a police informer. Stating that he was made to get into a vehicle by force and taken to the coast of Mogan Lake, Umut Kara said: “I was stripped naked there and beaten with clubs for about half an hour. I was asked some questions about various political groups and asked to gather information for the police after entering in some associations and parties.” Umut Kara stressed that he had been released after his phone book had been seized. He applied to the IHD to provide security to him. He also stated he was anxious that his friends whose names and addresses were written in his seized book might face similar treatment.

Construction worker Cafer Atmaca (33) who was detained by police in the Kurtuluş quarter of Istanbul on the night of 26 September, stated that he had been tortured in the Kurtuluş Police Station where he had been held. Cafer Atmaca who held a press conference at the IHD Istanbul Branch after being released, said that he had been detained although he was innocent, kept in detention for 3 days, and beaten with sticks within that period. Cafer Atmaca showed the bruises of torture on his body to the journalists who attended the press conference. He placed an official complaint at the Public Prosecution Office.

Lawyer Eren Keskin, former Secretary of the IHD Istanbul Branch, who was kept in detention for a while on 30 September in Istanbul by police, was beaten and insulted in detention. Eren Keskin who was taken to the Gayrettepe Political Police Center after being detained, said: “There, they turned my face to the wall. Every passer-by began to hit me. They continuously cursed me and the IHD. I once more understood how deep the hatred police officers felt for the human rights advocates was.”

Nine people detained for being members of an illegal organization during the operations carried out by police in Ankara in September said in statements or during their trials, that they had been tortured in the Ankara Political Police Center where they had been interrogated. The names of those 9 people are as follows: "Ayşenur İkiz, Salman Mazi, Özer Akdemir, Müjdat Yılmaz, Talat Abay, Cavit Naci Tarhan, Ercan Aktaş, Bülent Kat and Emine Yılmaz."

Lawyers Ahmet Düzgün Yüksel and Murat Demir detained after the police raids against their offices in Ankara on 27 September were tortured in the Ankara Political Police Center. Out of the tortured lawyers, Murat Demir was arrested while Ahmet Düzgün Yüksel was released. In the statement Murat Demir made on 13 October, after being arrested, he said that he had been exposed to every kind of torture and insulted in front of Ankara SSC Prosecutor Nuh Mete Yüksel. Ahmet Düzgün Yüksel also said that he had been tortured and witnessed torture inflicted on other detainees.

Twenty-three people, including 7 women, who were detained after the funeral held for Lawyer Fuat Erdoğan, who had been killed during a police raid on a cafeteria in the Beşiktaş quarter of Istanbul on 28 September, were released on the morning of 6 October. The 23 detainees, including the IHD Denizli Branch Chairperson Huriye Çoban stated that they had been tortured and insulted at the Denizli Security Directorate where they had been interrogated.

Ahmet Dizman detained by plain clothes police officers in Adana on 4 October stated that he had been tortured after being taken to a deserted area. Saying that the police officers beat him and hit his head with a rifle butt Ahmet Dizman added that his chin had been broken. The Forensic Medicine Institute gave Ahmet Dizman a medical report documenting his inability to work for 25 days. He applied to the HRFT for treatment.

Lawyer Rıza Dinç, the owner of the periodical Sterka Rızgari, who was detained by police in Mersin on 30 September, disclosed that he had been tortured in the Mersin Political Police Center where he had been interrogated. The health of Rıza Dinç who was arrested after a 15-day interrogation period, deteriorated.

İsmet Bakaç, one of the Mersin correspondents for the newspaper Özgür Ülke, was detained by plain clothes police officers in front of the newspaper's Mersin Office on 14 October. İsmet Bakaç was taken to the Mersin Political Police Center, and released one day later. He disclosed that under custody he had been beaten, insulted and threatened with death and forced to leave Mersin. In the meantime, Metin Dağ, Gürsel Şahin, Vehbiye Tüzün, Salih Aykaç, Ismail Hakkı Kelleci and Nevzat Aydın, staff of the newspaper Özgür Ülke, who were detained after the raids on its Diyarbakır Office on 20 September and 4 October, were released on 14 October. The released journalists stated that they had been heavily tortured in custody.

Two youths, Öner Yıldırım and Sunay Ekinci, who were detained on suspicion by police in the Gebze Train Station on 15 October, stated that they had been tortured in the İstasyon Police Station where they had been interrogated. Öner Yıldırım who made a statement after being released, stated that police officers had made baseless accusations against him and his friend, beat them and put out cigarettes on his back. They applied to the Istanbul Representative Office of the HRFT for treatment. Traces of blows to their bodies were verified with medical reports issued by the Forensic Medicine Institute.

Police officer Çiğdem Koparan against whom a trial was launched on charges of letting people escape abroad through illegal ways, disclosed that she had been tortured under police custody. Çiğdem Koparan who took the floor in the first hearing held on 24 October at the İzmir

Heavy Penal Court No.2, said: "I was hurriedly detained. In detention, I gave my testimony under pressure. They hit my head against the walls. I am refusing the accusations."

Ferman Timur living in the Gökçe village of the Beytüşşebap district of Hakkari disclosed that he had been detained in October as he had refused to become a village guard, and had been tortured in detention. Stating that he was taken to the Mezra Gendarmerie Commandership after being detained, Ferman Timur said he had been injured due to torture inflicted on him and was then left unconscious in a field. Upon this incident, Ferman Timur migrated to Adana together with this family.

Mehmet Kazık (70) detained by police officers who raided his house in the Yamaçlı quarter of Adana on the night of 1 November, disclosed that he had been tortured under police custody. Stating that he was detained together with his son Abdurrahman Kazık (35), who is deaf and dumb, Mehmet Kazık said they had been taken to the Karşıyaka Police Station. He added the following: "In the police station the police officers said 'Why did you come this province? Go back to your village.' Then they started to beat us. As a result of beating, two of my teeth were broken. They also tortured my deaf and dumb son."

Ahmet Ergen (70), living in the Özgürlük quarter of Mersin disclosed that he had been beaten by police officers who raided his house on the night of 1 November. Stating that his ribs had been broken due to beating, Ahmet Ergen said the following: "While we were sleeping, the police officers entered our house by breaking the door. They woke me up and started to beat me with rifle butts. They were continuously asking 'Where is your son who took to the mountains?' They seized all photographs and damaged the furniture in the house. They ordered us to leave Mersin within 3 days and said they would burn down our house. My son who was said to have taken to the mountains works in Istanbul."

116 relatives of the arrested or convicted prisoners were detained on 9 November in the garden of the Prime Ministry office where they went in order to talk about the problems which occasioned wide-scale hunger strikes in prisons. The relatives, who were released on the same night stated that they had been beaten and dragged on the ground while being detained. Eight of the prisoners' relatives who were beaten, applied to the HRFT for treatment. The names of the applicants to the HRFT are as follows: "Fatma Can, Kelsum Altıntaş, Müfide Özdemir, Sıdıka Avşar, Şahika Yalçın, Fatma Eksik, Fatma Doğan and Sıdıka Bulut."

Emin Özdemir, who was detained by police in Mersin on 9 November, stated that he had been tortured at the Mersin Security Directorate where he had been kept under custody. In his statement after being released, Emin Özdemir said: "At the Security Directorate, I was beaten with kicks and truncheons. Later, they threw me into something like a bath-tub, which was full of water. I was kept there for a long time. After taking me out of the water, they forced me to wash a total of 34 vehicles, 14 of which were cars, 12 minibuses and the rest buses. Subsequently, they threatened me with the aim of preventing me from going to the HADEP Offices and then released me."

Neval Çolak detained by police without any reasons in the Dumlupınar quarter of Adana on 11 November, stated that she had been subjected to torture in the Adana Political Police Center. Neval Çolak who was kept in custody for 2 days and then released, said the following in her statement: "I was detained while I was on the way from my office to home. During 2 days in detention, I was subjected to heavy torture."

Ismail Demirtaş, one of the distributors of the newspaper *Özgür Ülke* in Diyarbakır, was detained around the Pirinçlik Gendarmerie Station on 5 November while he was bringing the newspaper to Diyarbakır. Ismail Demirtaş who was released after being kept for 11 days in detention, said that he had been continuously beaten and was given electric shocks in the Pirinçlik Gendarmerie Station where he had been interrogated.

A 13-year child (A.S.) detained in November by police in Istanbul on allegations of being a thief, disclosed that he had been tortured in the Kurtuluş Police Station where he had been interrogated. The child in question, who held a press conference together with his mother at the Istanbul Branch of the IHD on 18 November, stated that he had not been involved in the theft and said the following: "I was kept under police custody for 3 days. Although I said I was not a thief, they beat me. They picked me up for several times, saying, 'We are throwing you into a well', they threw me on the ground. After blindfolding me they stepped on my hands and feet. At last, they gave electric shocks on my toe. At that time, I cried a lot. Then, they hit my head and closed my mouth in order to prevent me from crying." The torture inflicted on the child was verified with a medical report issued by the Şişli Forensic Medicine Institute. When the incident was learnt about, the perpetrators sent a mediator to Şaziye Salman, the mother of the victim, and offered her a bribe of TL 10 million with the aim of dissuading her from lodging an official complaint. Şaziye Salman rejected the offer, and stated that she would not be dissuaded from launching the trial and that it was impossible to forget the incident.

Nineteen of 42 people detained by police during a security operation carried out in Mersin in November were arrested on 18 November. The health of Şakir Güneş, Hasan Baykara and Ahmet Budak, out of the 19 people who were sent to the Mersin Prison after being arrested, deteriorated due to torture. The statement made by the IHD Mersin Branch concerning the case said: "Some of the detainees were interrogated for about one month, which is in contravention to the laws. To extend the detention period arbitrarily is savagery." It was also stated that Ahmet Budak was unable to use his arms due to suspension on a hanger, Hasan Baykara could not stand up since his testicles had been squeezed and there were burns on the fingers of Şakir Güneş from electric shocks.

Lawyer Gül Kireçkaya who went to the Izmir Security Directorate on 18 November in order to meet with her clients who were under custody, was harassed by police officers. Informing the Izmir Bar Association about the incident, Gül Kireçkaya said: "I entered the building from the door usually used by lawyers. A police officer there held my arm saying that I entered from wrong door. Then, I showed my identity card. Subsequently, the police officers took me out of the building by dragging me on the ground. The prosecutor whom I talked later said 'It was wrong to use that door' and remained indifferent to the incident."

Nine people, including one child, who were detained following a raid by security officers on the Yazpınar village of Batman on 21 November, stated that they had been tortured at the Batman Security Directorate where they had been interrogated. The names of those 9 people are "Menaf Dinler, Vahdettin Boral, Zeynep Abidin Dinler, Saim Bütünler, Nevzat Açıkan, Sabrettin Boral, Vecdin Dinler (28), Mecdettin Dinler (70) and Imadettin Dinler".

Olçay Oğuz, Şamil İğde and Baki Aytemiz detained by police in Istanbul in November on charges of being members of the radical Islamic IBDA-C organization and having been involved in certain bombings in Istanbul, stated that they had been tortured in police custody. Olçay Oğuz and Şamil İğde were given medical reports showing their inability to work for 7 days while Baki

Aytemiz received a medical report documenting his inability to work for 5 days. The 3 people filed an official complaint to the Public Prosecution Office.

A 16-year old child (F.T.) who was detained following a police raid against a house in the Şakirpaşa quarter of Adana on 29 November, said that he had been tortured during 4 days in police custody. The child said that he had been interrogated at the Adana Political Police Center by police officers who wanted to know where his elder sister was, and said that his health was terrible due to torture.

Three youths named Selahattin Baş, Ajda Adıbelli and Hülya Sarıtemur who were detained following a police raid against their houses in Ankara on 1 December, were kept in custody for a week. Hülya Sarıtemur who made a statement after being released, stated that she had been subjected to torture under police custody and said: “During the first 2 days under custody, they suspended me on a hanger and squirted me with pressurized water. They continuously tortured me in order to make me say that I made organizational propaganda.” Ajda Adıbelli stated that she and her friend Selahattin Baş who had been detained together with her, had also been tortured.

Erdoğan Zamur, the Diyarbakır correspondent for the newspaper Özgür Ülke, who was detained by police in the Seyrantepe quarter, where he went for a news story on the evening of 7 December, was released on 9 December. After being released, Erdoğan Zamur stated that he had been tortured at the Directorate of Anti-Riot Forces in Diyarbakır where he had been interrogated. Stressing that he was threatened in order to make him give up working for the newspaper, he said: “At the Directorate of Anti-Riot Forces, I was tied to a door while being handcuffed and beaten after being stripped naked. Later, they continued torturing me squeezing my testicles, stepping on me after making me lie on my back, squirting pressurized water at me.”

Türker Alp, the Public Relations Director of the newspaper Özgür Ülke, who was detained on the night of 10 December by police officers who raided a house in Gebze where he was a guest, said that he had been subjected to torture under police custody. Making a statement after being released Türker Alp said the following: “I was taken to the Kocaeli Security Directorate. During the interrogation there, I was only asked questions about the newspaper. During the interrogation, first they blindfolded me and then suspended on a hanger. While I was on the hanger they gave electric shocks to my genital organ and fingers. They were continuously insulting. Besides this, they said ‘Either take to the mountains or flee abroad, otherwise we will kill you.’ and they threatened me with death.” He added that although he had reported about the torture inflicted on him, he had not been given any medical reports from the Kocaeli Forensic Institute where he had been taken before his release.

Hakan Uraş, detained by gendarmes in Van on 14 December, disclosed that he had been tortured at the Van Gendarmerie Brigade Commandership where he had been interrogated. Pointing out that he also witnessed torture inflicted on other detainees at the Brigade Commandership, Hakan Uraş said: “During interrogation, they asked me about the address of Mustafa Buldan, who is a relative of Savaş Buldan who had been abducted and killed. When I said that I did not know where he was, they inflicted every kind of torture, including giving electric shocks.”

Lawyer Zeynep Fırat who was detained by police on 16 December together with her client named Münevver Köz while they were leaving her office in Istanbul, was arrested on 22 December and sent to prison. Besides this, Münevver Köz who was detained together with her

lawyer, was also arrested. Zeynep Fırat was reportedly tortured in detention and her right arm was injured.

The prosecution of 12 people against whom a trial was launched on charges of being members of the PKK and for preparing activities in the name of the organization, started on 21 December. Out of the defendants who were cross-examined in the hearing, Hamdullah Şengüner, Veysi Aktaş and Vedat Aydemir stated that they had been tortured under police custody. Hamdullah Şengüler who was brought to the court hall on a stretcher because of his illness, said that he had come to Istanbul with the purpose of medical treatment since his backbone had been broken, and had been detained in such a condition. Saying that his back had been crippled due to torture, Hamdullah Şengüler said that the testimonies at the police and prosecution office had been taken under torture and thus did not reflect the facts. Defendant Vedat Aydemir stated that police officers had threatened him by saying, “We will kill you like we killed Cüneyt Aydınlar unless you sign these papers.” and therefore he had had to give the testimony asked for. He added that he had developed ulcers due to torture.

Nevin Berктаş and Şükrü Balkan detained by police in Adana in December were subjected to torture during two weeks they were kept in police custody. Traces of blows and wounds on the bodies of Nevin Berктаş and Şükrü Balkan were documented with medical reports is-sued by the Adana Forensic Medicine Institute. In the meantime, 14 people, 5 of whom are wo-men, who went to the Adana Court House on 21 December in order to be informed about the situation of Nevin Berктаş, were detained by police. The 14 people who were released on 22 December stated that they had been tortured, threatened with death and insulted in detention.

Abdurrahman Yıldırım detained after a raid carried out by security officers against the Dağdöşü village of the Eruh district of Siirt at the end of November, was released by the prosecution office on 22 December. Abdurrahman Yıldırım stated that he had been held for 20 days in the Eruh Gendarmerie Station where he had been taken after being detained and subjected to torture during that period, and torture had continued in the Dikboğaz Gendarmerie Station where he had been taken later on.

Two young girls, aged 16 and 18, who were detained by police for hanging placards without permission in Izmir on 23 December, were tortured under police custody. After being released, the young girls applied to the Izmir Representative Office of the HRFT for treatment. The young girls who were reportedly kept under custody for 27 hours, held a press conference at the Izmir Branch of the IHD and told journalists about the torture inflicted on them.

The 1994 report prepared by the Torture Watch Commission of the IHD Istanbul Branch, was made public in February 1995. According to the report, a total of 145 people applied to the Istanbul Branch of the IHD during 1994, claiming that they had been tortured in detention. Seventy of the 145 people verified the torture inflicted on them with medical reports showing they were unable to work for periods ranging from 1 to 45 days, and 25 of them lodged official complaints. Eighty-five of the 145 people, 107 of whom are males, 33 females and 5 children, were reportedly detained for ordinary cases while the remaining 60 were detained for political cases. Along with the 145 people who applied to the IHD, the Torture Watch Commission received medical reports of about 500 people who were tortured in detention in 1994. Saying that torture is applied as a systematic interrogation method in Turkey, the report stated the following: “In 1993, 77 people claiming that they had been tortured applied to the IHD Istanbul Branch. This figure was 145 for 1994. Besides this, the number of the medical reports that the Commission received concerning those tortured in detention was 265 in 1993, and this number is 500 in 1994. This situation shows

that the CMUK is inefficient for prevention of torture, and that it is obvious that torture cases have increased.” Torture methods stated in the report are as follows: “Beating, hitting against a wall or cabinet, falanga, suspension (Palestinian hanger, hanging straight, upside down or from one arm), squeezing testicles, being made to stand still for long periods, handcuffing, being tied to iron fences with handcuff, truncheoning, throttling, cigarette burns, squirting pressurized water, rape, sexual abuse, electric shocks, keeping sleepless and hungry, pulling out hair, beating by forcing into a tyre, spitting phlegm into mouth, forcing to eat human excrement, insulting and swearing, death and rape threats, disappearance while in detention.”

f)- Prisons

The problems and pressure in prisons did not go away in 1994 as they did not in the previous years, but they grew. A peaceful atmosphere that fits human dignity was not maintained. The beating of prisoners one by one or collectively, inhuman treatments and bans occurred continuously in prisons. Rights obtained after hunger strikes were taken back within a short time. In addition, suicides, murders by prisoners and attacks with guns, knives or skewers in prisons increased.

Intensifying pressure and violence and taking back the obtained rights caused those convicted or arrested to go on short or long-term hunger strikes. Hunger strikes deteriorated the health of the prisoners and caused permanent illnesses. Inhuman treatment, torture and hunger strikes in prisons occasioned a series of problems for the relatives of inmates and 1994 became a scene for many protests by the relatives of those convicted or arrested.

The number of prisoners, especially of those arrested or convicted for political reasons, increased considerably when compared to the previous year. For example, the number of those arrested and convicted for political reasons which was 4,284 in 1993, increased to 6,379 by mid-1994. Of those arrested and convicted, 6,152 are left-wing people or the defendants of PKK trials, while 227 are right-wing people or members of radical Islamic organizations. The number of those arrested and convicted for political reasons exceeded 8,000 at the end of 1994 and 10,000 by mid-1995. This number was about 900 when the DYP-SHP coalition government came to the power in November 1991. The total number of those arrested and convicted was 32,088 in November 1993 and reached 40,973 in September 1994.

Following is the information compiled by the HRFT regarding certain events, hunger strikes, inhuman treatment and attacks on those arrested and convicted in prisons in 1994:

Turkey witnessed hunger strikes (*) in prisons going into 1994. The hunger strikes which were staged in December and which continued in 1994, ended in January when the demands of prisoners were accepted. About 400 arrested or convicted people most of whom were defendants in Revolutionary Left trials participated in the hunger strikes. Some of the prisons where hunger strikes were staged were as follows: “Ankara Central Prison, Çanakkale E Type Prison, Aydın E Type Prison, İzmir Buca Prison, Yozgat E Type Prison, Çankırı E Type Prison, Bayrampaşa Prison and Kayseri Closed Prison.” The strikes in prisons were supported by hunger strikes by the relatives of the prisoners who gathered in the IHD Headquarters.

(*) As of the beginning of December 1993, hunger strikes were staged in many prisons by inmates demanding improvement in living conditions, an end to pressure and annulment of the circular which was promulgated by the Ministry of Justice on 9 September 1993.

Ali Ihsan Taymaz and Mehmet Kankaya, defendants in a PKK trial who were kept under arrest in the Malatya E Type Prison, were killed. The corpses of Ali Ihsan Taymaz and Mehmet Kankaya, who were reportedly killed on the claims that they were repentants, were found in their wing on the morning of 20 January. Nasrullah Kuran and Sıtkı Bektaş, defendants in a PKK trial, claimed responsibility for the killing.

Ekrem Tamir, who was under arrest in the Izmir Buca Closed Prison, was beaten by gendarmes at the hospital where he had been taken for treatment on 2 February. Prisoners in the Buca Prison stated that Ekrem Tamir, who had been hospitalized with a broken foot, had been beaten although his foot was in a plaster cast, dragged on the floor and then handcuffed to the door of his room.

Ahmet Başboğa, who was under arrest in the Mardin Closed Prison for political reasons was taken to security directorate for interrogation again on 14 February and this caused incidents. Guardians and soldiers entered forcibly the 5th wing where the inmates protesting that Ahmet Başboğa was taken to the security directorate, were under arrest. After the incidents during which 18 prisoners were wounded, a hunger strike was staged in the prison. The names of the wounded prisoners are as follows: "İbrahim Karaaslan, Resul Altan, İsmail Gürgen, İbrahim Kaya, Mehmet Yemez, Ali Kanat, İlhan Kaya, Cemil Apaydın, Naci Seyitoğlu, Suphi Dağdan, Vahap Karaaslan, Adil Yemez, Şakir Cari, Ali Şimdi, Ekrem Kuş, Bedri Ertaş, Süleyman Karaaslan and Memduh Şimdi."

Some of those arrested in the Diyarbakır E Type Prison were beaten by guardians and gendarmes raiding their wings on the night of 22 February. The incident, in which 25 arrested got injured, arose because prisoners opposed to a search by prison administrators in the wings.

Izzettin Kaplan, defendant of a PKK trial, who was under arrest in the Diyarbakır E Type Prison, was throttled to death on 16 March in his wing. Izzettin Kaplan was reportedly killed by PKK militants on the claims of betraying the organization.

Those arrested or convicted in the Eskişehir Closed Prison for ordinary crimes revolted on the evening of 18 March to protest the pressure and inhuman practices in the prison. The revolt was suppressed when gendarmes entered the wings forcibly. During the suppression, 5 convicts were injured. An investigation was launched against 161 arrested or convicted inmates who were claimed to have been involved in the revolt.

Thirteen people who were prosecuted at the Izmir SSC on charges of being members of the PKK were given prison sentences from 3 years 9 months to 15 years on 26 April. The defendants, who started to shout slogans after the disclosure of the verdict were beaten and taken out of the court hall by gendarmes. They were also beaten by guardians in the Buca Prison where they were taken. The beating caused tension in the prison and was protested with slogans. Thereupon, those arrested for political reasons were beaten by guardians raiding the wings on 26 and 27 April. Out of the beaten prisoners, Nurettin Demirtaş, Nail Güneş, Sunay Akay and Soydan Akay were injured. During the incidents on 26 April, some relatives of the prisoners who were in the prison to visit were also harassed. In that incident, the finger of a 6-year old child was dislocated. Lawyers who met with their clients in the prison after the situation calmed down, stated that the injured prisoners had not received necessary treatment.

Those arrested or convicted for political reasons in the Elbistan Prison staged a hunger strike on 2 May because of increasing pressure. The hunger strike in the prison turned into a death fast on 25 May since the prison administration refused to pay attention to the demands of the

prisoners. The hunger strike ended on 30 May when most of the demands were accepted during the negotiations between the prison administration and representatives of the prisoners.

A roll-call prevention protest by those kept under arrest for political reasons in the Kay-seri Closed Prison on 3 May to protest price increases ended with an operation by guardians and gendarmes against the wings. In the operation, guardians and gendarmes entered the wings forcibly and beat the prisoners. Of the beaten prisoners, Hamdi Kayısı, Aziz Doğan, Hüsamettin Ciner, Benhur Duygun, Uzay Türkmen, Şifai Şahin, Halil Aksu, Ali Asker Yıldırım, Şafak Sazlı and Eşref Avcı were injured. Those injured who were hospitalized 5 hours after the incidents were given medical reports showing their inability to work for 3 to 7 days. Pressure in the prison intensified after the incidents. Thereupon, the prisoners went on a hunger strike on 20 May. They stated that they had gone on the hunger strike to demand an end to inhuman treatment while being taken to court, lifting of the restrictions on family and lawyer visits, and on relations between wings, and permission to have social and cultural activities. The relatives of the prisoners staged a hunger strike in the IHD Headquarters on 15 June in solidarity with the prisoners. The hunger strike ended on 19 June when the prisoners and the prison administration came to an agreement.

Five prisoners, Durmuş Vural (38), Şerafettin Eren (41), Hasan Türk (25), Ömer Yeşil-yurt (30) and Ertuğrul Aktaş (23) who were kept under arrest in the section of Istanbul Bay-rampaşa Prison for ordinary crime prisoners, were stabbed and throttled to death (*) on the morning of 29 May. Two convicts named İsmet Ateş and Samet Erdoğan claimed responsibility for the murders. All of those killed were reportedly arrested on charges of rape. Yusuf Kenan Doğan, the Undersecretary of the Ministry of Justice stated the following concerning the incident: "The incident is a series of deliberate murders. Those killed were talking proudly of how they had raped. İsmet Ateş and Samet Erdoğan confessed that they had committed the murders since they had been provoked." Subsequently, a trial involving the death penalty was launched against İsmet Ateş and Samet Erdoğan.

Forty-eight people arrested or convicted for political reasons in the Yozgat E Type Prison went on a hunger strike on 13 June to demand improved living conditions. Later, the number of the prisoners who participated in the hunger strike reached 107. The prisoners stated that practices of Yozgat Public Prosecutor Metin Adalıoğlu and Prison Director İsmail Keçeciler led to the problems in the prison. For a long time, no results were obtained from the negotiations between representatives of the prisoners and 2 judges appointed by the Ministry of Justice. The hunger strike, which reached a dangerous point, ended on 23 July when the negotiations held between the authorities of the Ministry of Justice and the representatives of the inmates resulted in consensus. After the hunger strike ended, 2 arrested inmates, Ali Şimdi and Aslan Kaya, were treated at hospital.

A youth named Şerif Mercan who was arrested in March in connection with the explosion at Istanbul Tuzla Train Station on 12 February which resulted in the deaths of 5 military students, was found dead in his wing in the Bursa Special Type Prison on 15 June. The official statement claimed that Şerif Mercan had committed suicide by hanging himself and left a letter of regret behind. Shortly before his death, a trial with the demand of the death penalty had been launched against Şerif Mercan.

(*) During 1994, similar murders were frequently witnessed in the Bayrampaşa Closed Prison. In addition, numerous arrested and convicted people were wounded in armed attacks or stabbings.

Political convicts in the 2nd and 3rd wings of the Aydın E Type Prison were beaten by the guardians and gendarmes who entered the wings in question on 24 June. In the incident, 14 prisoners were wounded. The convicts stated that provocation by Prison Director Cihanşah Karakoç caused the incident and added: “They entered the wings on the pretext of checking the pictures and panels that we had hung. During the attack, the wings were plundered, our private belongings and photographs having sentimental value were seized. No medical help was provided to our wounded friends. Prison director Cihanşah Karakoç, Prison Vice Directors Hüseyin Şebekoğlu and Mete Erdem and the guardians working that day are responsible for the incident.” After the incident, pressure in the prison intensified and many rights gained through hunger strikes by prisoners were taken back. Thereupon, 102 of the convicts in the prison went on a hunger strike on 1 July with the demand of improvement in living conditions and an end to the pressure. The health of Aziz Tunç, Hüseyin Cengiz, Halil Turan, Mustafa Sarıkaya, Mehmet Emin Karatay, Hüseyin Gezer and Mümin Ağcakaya deteriorated during the strike. The hunger strike ended on 30 July when negotiations held between SHP leaders and Ministry of Justice authorities, and the representatives of the prisoners resulted in consensus.

Eight women arrested in the Sivas Closed Prison because of PKK trials went on a hunger strike on 8 July to protest pressure in the prison. The strikers stated that they were beaten with truncheons and clubs by guardians who raided their wing almost every night under the supervision of the prison director and that those attacks were carried out to make them become repentants. Stating that the prisoners are given food once a day and it is not allowed to bring food to the prison, the arrested women stressed that their health had deteriorated due to the poor living conditions in the prison.

Abdullah Özmen, Hüseyin Arifoğlu, Halis Alkış, Nizamettin Canpolat and Nimetullah Erkozan, who were under arrest in the Urfa Closed Prison launched a hunger strike on 12 July demanding improved living conditions and an end to pressure. The hunger strike ended on 5 August when the prison administration accepted all demands of those arrested.

Some of the arrested and convicted inmates of the Malatya E Type Prison were beaten by gendarmes raiding the 3rd and 6th wings on 15 July. During the raid which was carried out under the supervision of prison prosecutor Şefik Gül, about 40 prisoners were wounded, 9 of whom severely. The names of the severely wounded prisoners are Nazif Çetinkaya, Sıracettin Hassas, Bilal Özen, Kazım Yakut, Mehmet Aka, Osman Balduz, Haydar Gökalp, Mehmet Al-tun and Ferhan Turan. During the incident, belongings of the prisoners were damaged.

Three defendants of PKK trials, İrfan Doğan, Ercan Yıldız and Sait Fidangil were found dead in their wing at the Erzurum E Type Prison on the morning of 23 July. It was revealed that they had been throttled to death by other defendants of PKK cases on allegations that they betrayed the organization. A trial was launched against PKK trial defendants İshak Arıcı, Kemal Yıldız and Arap Köseoğlu in connection with the murders.

On the morning of 19 August, guardians and gendarmes carried out an operation in the 5th wing where the defendants of PKK trials were kept in the Ankara Central Closed Prison. During the operation 16 prisoners were wounded and the arm of a guardian was broken. The names of the wounded prisoners are as follows: “Recep Bekik, Zafer Kırbıyık, Ali Efe, Yasin Şahiner, Hasan Koşturacak, Seyit Rıza Hürmeydan, Vezir Barış, Önder Birol, Hakan İçtenbaş, Nurettin Adamış, Nesimi Yaman, Ramazan Bulut, Eraslan Karataş, Nuri Akalın, İbrahim Bo-zay and Baki Taş.” The incident arose when 3 arrested inmates, İbrahim Ata, İsmet Ayaz and Burhan Altun, were

attempted to be transferred to the Çankırı E Type Prison in order to be put in cells. The official statement concerning the incident claimed that the incident had arisen after the prisoners attempted to revolt. IHD Secretary General Hüsni Öndül stated the following after the incident: “The attack on the prisoners is publicized as a revolt. It is obvious that people having no means to defence do not revolt.”

Ahmet Celal Özkul who was arrested and kept in the 4th wing used by Revolutionary Left trial defendants in the Ankara Central Closed Prison, was found dead on 21 August. Reportedly, Ahmet Celal Özkul was stabbed and throttled to death by the Revolutionary Left militants on the grounds that he had betrayed the organization. Two defendants of Revolutionary Left trial, Simel Aydın (26) and Hasan Hulusi Kulak (25), were found dead on 21 August in the wings where they were staying in the Istanbul Bayrampaşa Prison. Simel Aydın and Hasan Hulusi Kulak were reportedly throttled to death by their friends on the grounds that they were cooperating with the police.

In the Halfeti Closed Prison, Halil Özbay, a defendant of a PKK trial, was found dead in the toilet of his wing on the morning of 26 August. Halil Özbay who was to have been released in mid September following the completion of his term, reportedly hanged himself from the cistern of the toilet with his belt. No information was received about the reason of his suicide. Halfeti Public Prosecutor Ali Güngör said the following concerning the incident: “Halil Özbay committed suicide. His friends in prison say so. We do not know why he committed suicide.”

PKK trial defendant Selami Zor serving his term in Erzurum E Type Prison committed suicide by setting himself on fire on the morning of 31 August to protest pressure in the prison. Officials claimed that he had been killed by his friends since he had wanted to benefit from the Repentance Law. An investigation was launched against 4 prisoners in connection with the incident. Pressure in the Erzurum E Type Prison caused many complaints and protests in September and October. Relatives of a group of prisoners went on a hunger strike demanding an end to pressure in the prison. Tunceli Deputy Sinan Yerlikaya said that the prisoners in the prison were tortured and prison officers behaved arbitrarily. Sinan Yerlikaya asked Justice Minister Mehmet Moğoltay to send inspectors to the prison to investigate the complaints.

Left wing prisoners in the Sivas E Type Prison went on a hunger strike on 31 August demanding improved living conditions and an end to pressure. The striking prisoners stated that they were disturbed every night on the pretext of search, forced to be repentants and that their natural needs were not met. The prisoners held Prison Prosecutor Selahattin İlhan and Prison Vice Director Zihni Baş responsible for the situation.

PKK trial defendant Sıtkı Bozan who was arrested in the Diyarbakır E Type Prison was found dead in the 27th wing on 11 September. Sıtkı Bozan was reportedly throttled to death by other defendants of PKK trial on allegations that he was collaborating with the state. Erdoğan Dinçer, who was under arrest in the same wing with Sıtkı Bozan claimed responsibility for the murder.

In the Konya E Type Prison, female prisoners criticizing that the prison administration shortened the period spent outdoors, refused to obey the new time period and were beaten and put into the wing by guardians at about 7.30 p.m. on 3 September. Three hours after this incident, guardians and gendarmes carried out an operation in the wing where female prisoners were staying. The guardians and gendarmes entered the wing by force and beat the prisoners with

truncheon, club and hose. Four prisoners, Hicran Bilici, Zübeyde Arabacı, Nurgül Çınar and Özgül Banu Gülcan, were wounded in the beating.

Incidents arose when an arrested inmate in the Diyarbakır E Type Prison was attempted to be taken for interrogation on 3 October upon directives of the Public Prosecution Office. Protesting this attempt, other prisoners started to resist by barricading the doors of the wings. Security officers carried out an operation on 4 October against the wings where the prisoners were resisting. During the operation which continued all day, inmate Ramazan Özüak died from suffocation. About 50 prisoners, some of whom were shot, were injured and the prison building was damaged. Seventeen of the injured inmates were hospitalized. Some of the in-mates were forcibly taken to the Gaziantep E Type Prison on the morning of 5 October. Those injured were: "Ismail Dursun, Bişar Özalp, Ali Alataş, Ismail Saka, Zülfikar Bayram, Şeref Kan, Mehmet Yıldız, Abdürrezzak Söğüt, Müfîit Baran, İlyas Güneş, Çetin Kayak, Yusuf Ece-vit, İhsan Topuz, Ahmet Yıldırım, Şakir Akkurt, Hamit Alataş, Ahmet Tomrik, Hakkı Dere, Tarık Dağtaş, Hasan Orak, Mehmet Akgül, Eşref Topuz, Mehdi Yaman, Süleyman Biren, Esat Dikin, Şahabettin Fidan, Bişar Özel, Murat İpek, Ahmet Esen, Şerif Acar, Mehmet Ka-çar, Abdülrezzak Yıldız, Hanefi Haram, Feyzi Dursun, Feyzi Erzek, Şirin Bilen, Kadri Alkoç, Faysal Taş, Nihat Kaldaş, Remzi Altıntaş, Ahmet Dirbik, İhsan Palut, Şeyhmus Karagöz (gun shot wound), Mehmet Yıldız, Salih Kaya, Hasan Onur (gun shot wound), Hakan Ömür, Muh-yettin Pirinçlioğlu, Metin Akdoğan, Süleyman Ongun, Mehmet Kaya, Aydın Gezer (gun shot wound) and Ali Aktaş (gun shot wound)."

Incidents in the Diyarbakır E Type Prison provoked various criticisms. IHD Chairper-son Akın Birdal said the following about the incident: "People responsible for the attack which resulted in murder, should be found and punished. This incident is a bloody example of the state's understanding of democratization and justice." A group of IHD-member lawyers went to Diyarbakır on 6 October and met with prison inmates. Lawyer Eren Keskin who held a press conference after the meeting stated that savagery had been witnesses in the prison and said the following: "The operation had been conducted by the Diyarbakır Regiment Commander and Diyarbakır Public Prosecutor in person. During the attack sprays and tear bombs had been used. The wings where the attacks intensified, suffered great damage. The 27th wing was completely destroyed. There are many wounded prisoners. Among the prisoners transferred to the Gaziantep Prison, there were also wounded people. A hunger strike has been staged in the prison. The prison administration cut down on water in order to prevent the strike." In the meantime, Eren Keskin and Osman Ergin, out of the IHD-member lawyers who went to Diyarbakır in order to investigate the incidents in the Diyarbakır E Type Prison were attacked in the Bağlar quarter on 8 October. Gun shots were fired from a white minibus at the vehicle in which Eren Keskin and Osman Ergin were riding. The plate number of the minibus was not seen. The two lawyers escaped the attack without any wounds. A short period before this incident, lawyers Cevriye Aydın and Zeynep Sedef Özdoğan were insulted by the police officers who waylaid the lawyers in the city center.

Upon the incident in the Diyarbakır E Type Prison, about 700 arrested and convicted inmates launched an alternate hunger strike (10-day) on 6 October. The hunger strike was turned into an indefinite hunger strike undertaken by 72 arrested inmates as of 28 October because the demands of the prisoners were not taken into consideration and pressure did not cease. The hunger strike ended on 30 November when authorities of the Ministry of Justice accepted most of the demands of the prisoners in consequence of initiatives by administrators of the Contemporary Jurists Association.

An arrested inmate, Süleyman Ongun, who was wounded during the incidents in the Diyarbakır E Type Prison on 3 October 1994, died on 20 January 1995 in the Gaziantep E Type Prison where he was later transferred. Süleyman Ongun who was wounded in 20 places, had been undergoing treatment at the infirmary. The arrested and convicted inmates in the Gaziantep Special Type Prison stated after the incident that Süleyman Ongun had not been sent to hospital promptly and thus his wounds had become infected and he had died because of lack of care. IHD Gaziantep Branch Chairperson Imam Özharat who held a press conference about the incident stated that their warnings were neglected and the Ministry of Justice was responsible for the death of Süleyman Ongun. Indicating that there were more than 20 convicts who had injuries or serious illnesses (*) in the Gaziantep Prison, Imam Özharat asked for immediate measures to prevent those prisoners from dying, like Süleyman Ongun had.

Hundreds of arrested and convicted people staged hunger strikes in the first week of October demanding improved living conditions and an end to pressure. The prisons where hunger strikes were staged and the dates of the beginning of the strikes are as follows: “Diyarbakır E Type Prison (5 October), Konya E Type Prison (3 October), Gaziantep E Type Prison (7 October), Malatya E Type Prison (7 October), Mardin E Type Prison (10 October), Bursa Special Type Prison (10 October), Çanakkale E Type Prison (10 October), Urfa E Type Prison (9 October), Batman E Type Prison (9 October), Adıyaman Prison (20 September-alternate), Sivas Closed Prison (13 October), Elazığ E Type Prison (8 October), İzmir Buca Closed Prison (6 October-alternate), Ceyhan Special Type Prison (9 October), Çankırı E Type Prison (9 October), Nevşehir E Type Prison (15 October-alternate), Ankara Merkez Closed Prison (9 October-alternate), Aydın E Type Prison (11 October-alternate), Yozgat E Type Prison (10 October-alternate), Bartın E Type Prison (10 October) and Karaman Prison (11 October).”

The Gaziantep E Type Prison was the focal point of the hunger strikes because both the number of the convicts who participated was high and there were people wounded for various reasons among those convicts, and it drew attention from the public. The hunger strike which was launched on 7 October and was turned into a death fast on 15 October in the Gaziantep Prison ended on 11 November upon acceptance by prison administrators of most of the demands of arrested and convicted inmates. Upon this development, relatives of those arrested and convicted who were on hunger strike in the IHD to support the striking prisoners, ended their strike. The hunger strikes in other prison ended in succession in November.

The acts in prisons were supported with the hunger strike staged at the beginning of November by the relatives of prisoners who gathered in the Headquarters of the IHD. Along with the hunger strike, the relatives appealed to political parties, democratic civic organizations and press institutions and drew their attention to the problems in prisons. In addition, they often contacted authorities of the Ministry of Justice and administrators of the SHP and asked them to take immediate measures to end the hunger strikes.

The relatives of the prisoners wanted to meet with Prime Minister Tansu Çiller on 9 November to tell her their problems and ask her for necessary initiatives to end the hunger strikes in prisons without any deaths. The relatives who collectively went to the front of the Prime Ministry

(*) The names of some of those prisoners are as follows: “Şahabettin Fidan (his chin broken), Mehmet Yıldız (his chin broken), Nejdet Başaran (his chin broken), Ali Aktaş (shrapnel piece in his foot), Hakan Onur (bullet in his lung), Harbi Soylu (shrapnel piece in his eyelid), Faruk Karakeçi, Şirin Binel, Hacı Gültekin, Hayrettin Vural, Şirin Taşdemir (tuberculosis), Erdoğan Dinçer (spinal cord injury).”

office were not allowed to enter and meet with Tansu Çiller. Later, police tried to disperse the crowd. When the crowd did not disperse and insisted on meeting Çiller, 116 re-latives of the prisoners were detained by police using force. The relatives who were released on the night of 9 November, stated that they had been beaten and dragged on the ground including women and children, while being detained.

While the hunger strikes in prisons were underway, IHD Chairperson Akın Birdal held a press conference in Ankara on 8 November. He stated that the problems in prisons which had not been solved for 15 years, were on the agenda of Turkey again because of pressure, attacks and arbitrary practices. He said: "Rights which had been won at the cost of human life and in consequence of lengthy resistance were taken back. Attempts made for days in order to remove the problems in prisons and to end the hunger strikes remained fruitless. Resistance by those arrested or convicted, and attempts by their families and by the IHD are not considered. Mehmet Moğoltay, the Minister of Justice, says that a solution to the problem is beyond his power and that we should apply to another authority. The one who will be responsible for any negative development due to the hunger strikes will be, first, the Minister of Justice and then the Government."

Those convicted for political reasons in the Kütahya E Type Prison went on a hunger strike on 31 October, demanding improvement in living conditions and an end to pressure. The statement made on behalf of the striking prisoners was: "The prison administration always has kept the prisoners under pressure, and in particular Prison Director Ethem Çelik applies this policy. After we are tortured under surveillance of Ethem Çelik we are put into cells."

Fifty-nine people who were kept under arrest in the Elazığ E Type Prison and prosecuted on PKK trials staged a hunger strike, demanding pressure tactics be ended as well as efforts to force them to be repentants. When lawyers of the striking prisoners and the prison administration came to terms, the hunger strike ended on 21 December. The health of some of the prisoners deteriorated due to the hunger strike.

Ahmet Ateş (26) who was kept under arrest in the Istanbul Bayrampaşa Prison as a defendant of the TIKKO trial was found dead on the morning of 15 December. Ahmet Ateş was reportedly throttled to death by other members of TIKKO on allegations that he betrayed the organization.

FREEDOM OF THOUGHT, PRESS AND BELIEF

1994 was not a positive year from the point of view of freedom of press, thought and belief. Pressure, physical attacks caused by anti-democratic laws and illegal practices continued at an increasing pace compared to previous years. A number of laws, especially the “Law to Fight Terrorism”, constituted grounds for practices which eliminated the freedoms of thought and of the press. Freedom of thought and expression, and cultural life were seriously damaged. Journalists were killed or disappeared. Bombings and armed attacks were carried out against journalists and press. Attacks by unknown assailants against newspaper distributors continued. The continued one-sided publication and broadcasting approach of the popular newspapers and television channels, which only serve to distort the facts and mislead public opinion, was another negative dimension of the mass media, affecting the freedom of thought and press.

Ideological attacks were another important dimension of the attacks against the press and journalists. “Enemy” newspapers and periodicals, and “enemy” journalists were created, as in previous years. In particular, the publications adopting approaches contrary to the official ideology and discourse on the subjects considered to be taboos 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 pressure and attacks. Different approaches concerning the issues deemed as taboo were not endured. Some well-known journalists and writers, administrators of the IHD and HRFT, deputies, trade unionists, leaders of democratic civic organizations were tried, convicted and imprisoned because of their speeches or writings.

The pressure against the press was concentrated mostly on the journals and newspapers like Özgür Gündem, Özgür Ülke, Aydınlık, Mücadele, Azadi, Gerçek, Newroz, Emeğin Bay-rağı. Pressure brought heavy sanctions on some of the radical Islamic publications (such as Taraf, Tahkim), too. In 1994, the number of publications which were confiscated, closed, pre-vented from being sold and published, destroyed and of people who were prosecuted, convicted and imprisoned because of their thoughts, increased greatly.

Among the trials at the State Security Courts, those related to the freedom of thought and press occupied a prominent place. According to statistics by the Ministry of Justice in November, 25 % of the 6,091 cases which were held at the State Security Courts had been launched under Articles 6 (239 cases) and 8 (1,190 cases) of the “Law to Fight Terrorism”, which are one of the

most important obstacles to freedom of press and thought. The number of defendants prosecuted under Article 6 of the “Law to Fight Terrorism” was **388** while that of defendants prosecuted under Article 8 was **4,234** people. (According to the statistics, total number of the people tried at the SSCs is around 24,000, 7,000 of whom are under arrest.)

Most of the trials concerning freedom of press and thought were launched at the Istanbul SSC. According to figures of the Ministry of Justice, 1,162 (41 %) of the 2,862 trials at the Istanbul SSC in 1994 were press-related trials. A total of 2,098 people, 336 of whom were arrested, were prosecuted in the press trials. (This figure constitutes 50 % of the defendants tried at the Istanbul SSC.) In 1993, 46 % of the 2,351 trials (a total of 1,081) at the Istanbul SSC were press-related trials.

Legal pressure against freedom of thought, press and publication was not abolished and did not even decrease. Promises given in this respect and the promises of the DYP-SHP coalition governments stating that “a democratic press law would be prepared, and dozens 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 brings heavy sanctions on the press and is used as grounds for many prison sentences given.

The “Law to Fight Terrorism” and the cases of arrested or convicted journalists, writers, artists, democratic civic organizations’ leaders and party administrators were the focal point of the discussions about the freedom of thought in 1994. The great increase in the number of the people who were imprisoned or prosecuted and convicted because of their thoughts, articles or speeches, drew criticism on the national and international platforms. In numerous international platforms, Turkey was criticized and condemned because of its attitude disregarding freedom of expression, and disobeying international human rights documents on this issue. These condemnations brought Turkey to a point of being ejected from international organizations.

Democratic civic organizations organized campaigns, demonstrations and meetings to condemn the pressure and attacks against the freedom of press. Related campaigns, demonstrations and meetings were organized. The focus of the Human Rights Week activities organized by the HRFT and the IHD (and supported by the Progressive Journalists Association and Contemporary Jurists Association) was the freedom of thought. Representatives from international human rights organizations attended the meetings held between 10 and 17 December.

Another prominent initiative made within the framework of attempts to put freedom of thought into practice was the “Freedom to Thought” campaign organized by the Human Rights Association and Contemporary Jurists Association (ÇHD) in the midst of the year. During the campaign which continued with various activities and meetings, a text listing the aims of the

(*) Freedom of thought and press was mostly curbed by Articles 140, 141, 142 and 163 of the Turkish Penal Code before 1991. These articles were abolished when the “Law to Fight Terrorism” was put into force on 12 April 1991. However, this modification was of no use in practice, as proved after 1993. In the regulation made in 1991, Article 142/3 of the Turkish Penal Code, which was mostly applied for the publication confiscation or imprisonment decisions for “separatist propaganda”, was preserved textually as Article 8 of the “Law to Fight Terrorism”. Most of the confiscations and imprisonments were ordered in accordance with this article in 1994. 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 cited often in 1994. Besides, the freedom of press and thought was curbed using 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.).

campaign was opened for signatures. The campaign ended with the “March for Freedom of Thought” organized in September in order to carry the signed text to the Chairmanship of the Parliament. However, the march faced pressure and obstruction at each stage. Before it was staged, the march was banned by the Ministry of Interior under the Law on Assemblies and Demonstrations. This decision was conveyed to the Headquarters of the IHD and ÇHD on the morning of 28 September. Reacting against the decision, IHD Chairperson Akin Birdal said: “The decision is certainly in contravention to law. The march cannot be assessed within the framework of the limits ascribed by the laws. The march will definitely be carried out.”

In spite of the ban, the “March for Freedom of Thought” was staged in Istanbul on the morning of 29 September. About 100 people gathered in front of the IHD Istanbul Branch in Tünel in the morning hours. The march of the group to the Taksim Square was prevented by the police for a while, but, upon intervention by certain deputies, the police barricade was lifted, and the group marched silently to Taksim Square. They got in buses there and left for Ankara. The bus stopped in Izmit and then Düzce. They spent the night in Düzce and departed for Ankara on the morning of 30 September. Akin Birdal, the Chairperson of the IHD, Şenal Sarıhan, the Chairperson of the ÇHD, and various writers and artists such as Yaşar Kemal, Aziz Nesin, Zuhâl Olcay, Halil Ergün, Şanar Yurdatapan, Aslan Başer Kafaoğlu, Haluk Bilginer, Ferhat Tunç participated in the march which ended in Ankara on 30 September.

The march faced obstructions by the police in Ankara, too. The group was not permitted to enter Ankara marching. Therefore, the group held a symbolic march for about 100 meters outside the city. IHD Chairperson Akin Birdal who made a statement there, said the following: “The 152 laws, particularly the Law to Fight Terrorism, which restrict thought should be lifted. We will submit to the Parliament the signatures that we collected in order to provide lifting of these laws.” ÇHD Chairperson Şenal Sarıhan stated the following: “The work launched by the Committee for Freedom of Thought, has reached a new point today. The IHD and ÇHD were empowered by journalists, workers, intellectuals, artists, painters, to carry out this work. The same power will save us from the laws deeming thought as crime.” Subsequently, the group went to the Parliament under the surveillance of police vehicles, and met with Kamer Genç, the Deputy Chairperson of the Parliament.

Protests, campaigns and activities, in Turkey and abroad, forced the government to make some attempts (*). However, the attempts did not go beyond promises and preparing draft law or their preliminary works. “Democratization” packages were opened one by one, promises followed other promises, but these packages and promises did not bring any results.

For example, a commission was formed within the body of the Ministry of Justice in August in order to make some amendments to the “Law to Fight Terrorism”. However, the Commission was given no mission to put the freedom of thought, expression and organization into practice. It was asked to carry out a study within the framework of the opinion and approval previously received from the National Security Council. Mehmet Moğoltay, the Minister of Justice, who delivered the opening speech in the first meeting of the Commission on 3 September, summarized the expectations as follows: “In the first stage, it will be discussed whether there are

(*) In the meeting held by the National Security Council in July, the report entitled “Criminal Limit of the Freedom of Thought and Expression” and prepared by Seyfi Oktay, the then Minister of Justice, was discussed. As a result of the discussion, it was found appropriate to amend Article 8 of the “Law to Fight Terrorism” and the Ministry of Justice was entitled to make preparations for such an amendment.

any limits for the freedom of thought. If there are, the criteria of the limits should be dealt with in the same discussion. The aim is to create an area of freedoms the limits of which are defined and extended and that trusted by the people, from the point of view of Turkish positive law, by assessing the political, social and economic conditions of our country.”

The Commission was told “to draw the limits of thought” instead of “liberating thought”, and only amendments approved by the National Security Council were to be accepted. This case provoked some protests. Out of the Commission members who protested, Prof. Dr. Bülent Tanör and Prof. Dr. Çetin Özek resigned from the Commission. In their state-ments, Bülent Tanör and Çetin Özek said that the amendments on freedom of thought would be submitted for approval by the NSC and indicated that they would not take place in such a work under the control of the NSC and carried out for the purpose of limiting the thought.

The draft prepared as a result of the work of the Commission, was put on the agenda of the Council of Ministers in October. The draft was turned into a draft law foreseeing some amendments to the “Law to Fight Terrorism” after debates and negotiations in the Council of Ministers and submitted by the Council of Ministers to the Chairmanship of the Parliament on 30 October.

The Draft Law Concerning the Amendments on Certain Articles of the Law to Fight Terrorism

ARTICLE 1- *Article 1 of the Law to Fight Terrorism numbered 3713 and dated 12.04.1991 has been changed together with its title as stated below:*

“Description

Article 1- Terrorism is to apply any to one method of pressure, force or threat that may cause society or individuals to panic or be scared, with the aim of changing the characteristics of the Republic as specified in Article 2 of the Constitution; of damaging the unity of the ter-ritory and nation.”

ARTICLE 2- *Article 3 of the Law No. 3713 has been changed as stated below:*

“Article 3- Offenses mentioned in Articles 125, 131, 146, 147, 148, 149, 150, 156, 168, 169, 171 and 172 and in the paragraph 2 of Article 151 are terrorist crimes.”

ARTICLE 3- *Article 4 of the Law No. 3713 has been changed as stated below:*

“Article 4- The offenses described in Articles 145, 152 and 154 and in the paragraph 2 of Article 499 of the Turkish Penal Code, and those written in the subparagraphs (b) and (c) of Article 9 of the Law on the Foundation and Prosecution Procedure of the State Security Courts No. 2845 are considered as terrorist crimes, on the condition that they are committed for the purpose of terror.”

ARTICLE 4- *Article 5 of the Law No. 3713 has been changed as stated below:*

“Article 5- In the case that crimes stated in Articles 3 and 4 of this law, are committed by an organization or by an individual on behalf of an organization or using its name, although s/he is not a member of the organization, sentence to be passed on the assailant is increased by one third to one half.”

ARTICLE 5- *Article 6 of the Law No. 3713 has been changed together with its title as stated below:*

“Disclosing name or identity

Article 6- Those who openly name people as targets by disclosing their name or identity or in some manner reveal their identity and who publicize public officials who have duties or are involved in incidents to fight terrorism, disclosing their identity or in some manner to reveal their identity are to be punished by a heavy fine of from 100 to 200 million Turkish Lira.

The public officials who, in contravention to Article 14 of this Law, disclose or publish informants by giving their names or identities, or in a manner to cause them be identified are to be punished by a heavy fine of from 50 to 100 million Turkish Liras.”

ARTICLE 6- *Article 7 of the Law No. 3713 has been changed together with its title as stated below:*

“Terrorist organization

Article 7- Under reservation of the provisions of Articles 168 and 171 of the Turkish Penal Code, those who found organizations or lead such an organization with the aim of committing the terrorist crimes stated in Articles 3 and 4 of this Law or of realizing the aims specified in Article 1 of this law under any names, are to be punished by imprisonment from 3 to 5 years and a heavy fine from 1 to 5 billion Turkish Lira.

Those who join these organizations knowingly are to be sentenced by imprisonment from 2 to 3 years and a heavy fine from 500 million to 3 billion Turkish Lira.

Terrorist organization is formed by more than 2 people coming together for the purpose of committing terrorist crimes foreseen in this Law.

No prosecution is to be launched against those who leave the organization without having been involved in the crimes committed by the organization.”

ARTICLE 7- *Article 8 of the Law No. 3713 has been changed together with its title as stated below:*

“Provocation, encouragement, praising, aiding and propaganda

Article 8- Those who openly provoke, encourage or praise the terror ascribed in Article 1 of this Law or the crimes stated in Articles 3, 4 and 7, who organize a meeting or demonstration for the purpose of provocation and encouragement, who knowingly attend such a meeting or demonstration, who distribute leaflets or statements of the terrorist organizations for the purpose of forming partisans or supporting them or those who praise these organizations publicly are to be punished by heavy imprisonment from 2 to 5 years and a heavy fine from 500 million to 1 billion Turkish Lira.

Those who make propaganda in a manner causing an open and close danger by exceeding limits of research, discussion and criticism for the purpose of undermining the indivisible unity of the state with its territory and nation, or in order to support terrorist organizations are punished by imprisonment from 1 to 3 years.

Those who provide weapons or ammunition to terrorist organizations or their members, or those who provide aid in cash or kind to these organizations knowingly and willingly and who act as mediators on these subjects are to be punished by heavy imprisonment from 3 to 5 years and a heavy fine of from 1 to 5 billion Turkish Liras in accordance with the quality and quantity of the aids, if the act does not require a heavier punishment.

If the acts stated in the above paragraphs are committed by associations, foundations, political parties, labour or professional organizations or their sub-organizations or in their buildings, clubs, offices or affiliates or in education institutions and student dormitories or their affiliates, sentences are increased by one third.

Activities of the associations, foundations, trade unions and their sub-organizations which provide aid in the above stated manner are to be stopped, and their closure and seizure of their properties are to be decided by courts. If the acts written in paragraphs 1 and 2 of this Article are committed via film, diskette, video and sound tape or similar means, criminal responsibility belongs in addition to the main assailant, to those who print, duplicate, knowingly distribute and sell such means; if these acts are committed via radio and television, the criminal responsibility belongs to text writer or the person whose voice has been identified, and to the person who has prepared the program and is responsible for it concerning the recorded broadcasting, while for live broadcast, criminal responsibility belongs to the people who commit the act.

If the act ascribed in paragraph 1 of Article 6 of this law and paragraphs 1 and 2 of this article are committed via press, publication, radio and television or through films, diskettes, video tapes, sound tapes and similar means, sentences indicated in these paragraphs are increased by from one third to half. In order to determine the offenders, provisions of Article 16 of the Law on Press numbered 5680 and dated 15.07.1950 are implemented."

ARTICLE 8- *Article 16 of the Law No. 3713 has been changed as stated below:*

"Article 16- Sentences on those who are convicted under this Law are carried out by special execution institutions. Convicted people who serve in these institution at least one third of their sentence with good conduct may be transferred to other closed institutions. Those who are arrested because of the crimes under this Law are also kept in special prisons."

Lifted provisions

ARTICLE 9- *Articles 2 and 13 of the Law No.3713 have been lifted from practice.*

ARTICLE 10- *The following temporary Article 10 is added to the Law No.3713.*

"Temporary Article 10- Since Article 13 of the Law No. 3713 was lifted by Article 9 of this Law, those who may benefit from Articles 4 and 6 of the Law No.647 dated 13.07.1965, may ask that the sentence be reprieved or commuted into fine or one of the measures foreseen in the article, by appealing to the court which passed the verdict, within 2 months as of the pro-mulgation of this law. In this case, the file is examined and a decision is taken by the court."

This text was adopted by the Parliamentary Justice Commission, excluding several minor changes, in the sessions held on 16 and 17 November 1994 and later sent to the General Assembly of the Parliament. From that time, the draft law has caused various discussions and reactions from the public. Most of the discussions and reactions came from human rights activists, democratic civic organizations and jurists who said that the draft law had been prepared in order to hoodwink the European countries, did not add any amendments to provide freedom of thought and expression but on the contrary increased sentences. Indicating that the draft law did not provide any positive developments, IHD Secretary General Hüsnü Öndül said that the draft law did not contain any amendments to stop the continuing trials and to release the prisoners of conscience. Hüsnü Öndül stated the following in brief:

"Articles 5 and 7 of the draft law are directly concerning the freedom of expression. We think that most of the prisoners of conscience who are in prison now, could be sentenced again after the amendments. Prosecutions will continue. Criterion for an 'open and close danger' will be considered within the context of the Kurdish problem. The limits in the case will be determined in accordance with its being scientific or not. A freedom which is limited to science creates monopoly. Thoughts of certain people are free since their thoughts are scientific while those of

certain people are banned and imprisoned since their thoughts are not scientific. This case does not bear on the freedom of thought. Article 1 of the draft law which ascribes terror, refers to Article 2 of the Constitution; and the latter refers to the foreword of the Constitution. The amendment concerning Article 8 of the draft law includes the content of the foreword and Article 2 of the Constitution, in Article 8, by referring to Article 1. The case which is criticized by Islamic circles as a return of Article 163 is that and the worry on this issue is not groundless. After lifting Articles 141-142 of the Turkish Penal Code, Articles 7 and 8 of the 'Law to Fight Terrorism' which are heavier than the former had been put into practice, and we are afraid that those defending a society fitting the religious rules will face the same regulations as those in Article 163."

Another dimension of the reactions against the draft law or concerning "the freedom of thought and expression" has been voiced by those who do not want amendments or who demand the existent applications to become more rigid. Ankara SSC Prosecutor Nusret Demiral is an interesting example on this issue. Replying to questions asked by the newspaper Cumhuriyet, Nusret Demiral claimed that thought was never punished and there was not any prisoners of thought in Turkey. Expressing that thought should not be used with the aim of undermining the state and it has limits, Nusret Demiral said that he deemed needless the studies on the "Law to Fight Terrorism". The questions asked to Nusret Demiral about thought, crime of thought and terror with religious purpose, and his replies (*) are as follows:

Q: *What do you think about the amendments foreseen in the draft prepared by the "Commission of Freedom of Thought"?*

"We do not have the draft and therefore we cannot assess it. They did not invite us to the meeting. They prepared it all alone."

Q: *According to you, is there a question of thought being punished in Turkey?*

"Thought has not been punished up to now. Thought also has a limit, and this limit must be fixed."

Q: *Do you think that thought is expressed on every platform?*

"Thought has always been defended. I think that amendment is not welcome."

Q: *What is your approach to the description of terror with religious purpose?*

"When the 'Law to Fight Terrorism' was issued, Articles 14 and 24 of the Constitution were suspended. They put a description of separatism in Article 8, however this description was deficient. Now, they are trying to complete it. They are trying to place laicism in it. I do not know what will happen. Atatürk's reforms, and Articles 1, 2 and 3 of the Constitution, definitely, do not allow any interference. I think that these 3 articles should be taken up with great sensitivity while drawing up the laws."

Q: *Do you mean that you object to the new amendments concerning freedom of thought?*

"I do not consider the amendments necessary. Thought can never be involved in undermining the state."

Q: *According to you, is there no one who has been punished by the SSCs because of her/his thoughts?*

(*) This interview was published in the 3 October 1994 issue of the newspaper Cumhuriyet.

“There are not any offenders of thought. People have not been punished because of their thoughts, but their acts. They confuse it. They must not confuse thought with act.”

Those who objected to the draft law, were not limited to Nusret Demiral. Many conservative and nationalist politicians, columnists and professors reacted against the draft law saying “It encouraged separatism. We will not let the country be separated.” The reactions sometimes turned into mass protests. For example, the families of the soldiers who lost their lives during the clashes in the Emergency State Region gathered in the Izmir Konak Post Office on 29 November, and sent telegrams to Prime Minister Tansu Çiller, Chairperson of the Parliament Hüsamettin Cindoruk and to the leaders of political parties in protest of the amend-ments to be made in the “Law to Fight Terrorism”. Meanwhile, retired Colonel Lütfü Aksoy said: “If the ‘Law to Fight Terrorism’ prepared by the SHP and sent to the Parliament, is ac-cepted, the blood of martyrs will remain on the ground. We, as the relatives of martyrs, do not want the draft law to be adopted by the Parliament.”

The ANAP also reacted sharply to the amendments wanted in the “Law to Fight Terrorism”. ANAP administrators (firstly its Chairperson Mesut Yılmaz) and deputies protested the draft in each statement they made. Placards on which there is a map of Turkey and the slogan “We will not let our country be separated” were prepared by the Headquarters of the ANAP.

Other reactions against the draft came from Islamic circles. The amendment planned in Article 8 of the “Law to Fight Terrorism” drew reactions from right-wing parties, particularly from the Welfare Party, religious sects, religious publications and right-leaning press. Those circles accused the government of longing for a dictatorship and of trying to bring back Article 163 of the Turkish Penal Code which was lifted in 1991. Besides this, certain groups led by the religious publications formed a front and launched a campaign against the draft. A leaflet released on 19 November by the Independent Businessmen Association (MÜSIAD) (*), which played an active role during the campaign, said: “The draft, which will enable those who want to engage in separatism without terror, will cause the obsolete mentality of Article 163, the reason of our spiritual and material problems, to revive.”

The reactions against the draft occasioned divergence between the coalition wings, the DYP and the SHP. Besides this, about 30 DYP deputies disclosed that they opposed the draft. Because of the divergence between the SHP and DYP, criticism from the right-wing groups and pressure by the religious circles, the draft could not be discussed by the end of 1994 and the situation was the same also in 1995. Thus, the government could not accomplish even a small amendment (to hoodwink) about the freedom of thought and press.

Negative approaches

Approaches by the authorities towards the freedom of thought and press were negative and disappointing in 1994, as in previous years. For example, in a meeting held in Ankara on 21 February, President Süleyman Demirel defended the condemnation decisions concerning the press and freedom of thought and said: “It is normal to sentence those thinking in a manner that sets people at loggerheads and endangers the unity of the country.” Indicating that a coun-try has to maintain its public order and national security, Süleyman Demirel said the following: “Nobody is collared, for expressing her/his thought. However, Turkey is a state with a Consti-tution and a state of law. Turkey has to keep order. If the democratic order is rejected, then the order to be secured

(*) This organization is defined by the public as “Muslim Businessmen Association”

through fists will be sought. In the case of democratic order, rights and freedoms cannot be used to provoke those indicated in Article 30 of the human rights and free-dom. For instance, consider a provocation which causes people to fight each other and drags Turkey into a situation that will damage the territorial unity. Who will accept this? No one has an interest in such a case. If the state enacted some restrictions, these restrictions should not be considered prevention of thought.”

During the speech he delivered on 14 November in front of a group of listeners most of whom were university lecturers, Süleyman Demirel said: “If the scientists at my universities think that they are not free, we, the state, government and parliament, are ready to change this. If they are not free, they should express it openly. If there is someone intervening in the lives of those who write or draw, they should disclose it.” On the day when Süleyman Demirel delivered this speech, a total of 108 journalists, writers, deputies, politicians, artists, including university lecturers such as Haluk Gerger and Fikret Başkaya, were in prison because of their articles or speeches.

Interior Minister Nahit Menteşe, speaking in a meeting held in Istanbul on the night of 11 November, called prosecutors to duty, stressing that there were newspapers disseminating separatist news stories. Claiming that certain dark forces who realize that Turkey is moving towards becoming the Japan of the Middle East, use terrorist organizations, Nahit Menteşe said the following: “Abdullah Öcalan is a pawn of those who try to prevent the development of Turkey. About 3,000 denunciations were made concerning separatist publications. A newspaper which is released in Turkey and has 10,000 to 15,000 daily circulation, continuously uses “Kurdistan” while mentioning the Southeast. If I had the power to close it, I would not hesitate. If the separation of Turkey is in question, freedom of thought is not accepted. I want prosecutors to take action against those having such affairs. To take action is patriotism for prosecutors.”

Issuing a circular on 30 November 1994, Prime Minister Tansu Çiller asked for effective measures against opposition publication organs. The circular which was issued with a “secret” note is textually as follows: “Activities of certain publications, particularly of Özgür Ülke, which make publications in a manner to support separatist and undermining organizations, have changed into clear attacks against the permanence and spiritual values of the state. It has been thought that the boundless tolerance of Turkey, which is a democratic and secular law state, towards the independent press has been exploited to a great extent by the publications in question. Laws have been disregarded and those publications have tried to take a position as if they are legal institutions of terrorist organization. This situation has reached a dimension which has disturbed our patriotic citizens, who have common sense, and public opinion. With the aim of eliminating such an important threat against the indivisible integrity of the home-land and nation, I ask the Ministry of Justice to determine and follow the organs that have such publications; to determine why any legally effective processes were not started despite the numerous official complaints; to take necessary measures; to carry out an immediate study in order to fix methods for an effective struggle against such publications which clearly disseminate separatist propaganda to damage the permanence of the state and support terror organizations and to put the methods determined as a result of this study into force within a short period.”

The circular in question was sent to the Ministry of Justice for execution, and to the Ministry of Interior, Ministry of Foreign Affairs, General Secretariat of the National Security Council, General Directorate of Press, Publishing and Information and to the Military Consultancy Office of the Prime Ministry for giving information. Shortly after the circulation was issued, bombings were carried out against the headquarters of the newspaper Özgür Ülke in Istanbul, its office in Cağaloğlu and its Ankara Office. Afterwards, all judiciary mechanisms were put into

force and initiatives were taken to silence, the opposing publication organs, firstly the newspaper Özgür Ülke. In consequence of these initiatives, many publications were not able to be published as of the first days of 1995 because of various methods such as seizure of publications in printing houses, prevention of distribution, closures. In addition, publications of the newspapers Özgür Ülke and Denge Azadi were halted.

The circular was published with the title of “Çiller Ordered the Bombing” in the 19 December 1994 dated issue of the newspaper Özgür Ülke. In the statement made by the Prime Ministry upon the publication, it was claimed that the circular was related to the close following of certain newspapers that support separatist organization by judicial organs and said the following in brief: “Tansu Çiller has neither given an oral or written order for bombing a publication regardless of its desire and purpose on Turkey, nor thought to do so. The news published by the newspaper Özgür Ülke obviously puts forward the dangerous and worrisome dimensions of the point that we have reached in terms of exploiting the freedom of press. The publications which support attacks aiming at changing the fundamental characteristics of the Republic, separating our people who have been living together for centuries and undermining the country, back them with untrue news and evaluations and attempt to mislead public opinion at home and abroad, will certainly be followed up by independent and impartial judicial authorities, and if necessary, investigations will be launched against them and they will be sued.”

A meeting on freedom of thought was held at the Turkish Embassy in London on 25 January. Candemir Orhon, the Turkish Ambassador to the United Kingdom, Frances D’Souza and Helen Darbishire, on behalf of Article 19, Mandy Garner, on behalf of the International PEN’s Committee for Imprisoned Writers and Ursula Owen, on behalf of the Index on Censorship, participated in the meeting. The representatives of the three organizations, which follow cases of restrictions on the freedom of thought all over the world, brought up widespread abuses of freedom of thought and expression, torture cases, extra-judicial executions, imprisoned journalists in Turkey and the “Law to Fight Terrorism”. In the meeting, the representative of PEN gave Ambassador Candemir Orhon a list of 275 writers and journalists who had been killed, detained, arrested or convicted. (This list is the longest one prepared by the PEN on a country, up to now.) The criticisms made in the meeting intensified when the pressure and attacks against the newspaper Özgür Gündem were brought up.

Replying the criticisms, Ambassador Candemir Orhon stated that Turkey had come a long way in terms of democracy and expressed that the Kurdish problem was not only an internal problem but also a foreign threat directed from Iran, Iraq, Syria, Armenia and Southern Cyprus to Turkey. He claimed that torture and censor were not policies of the government, but that there were some excessive applications which could not be controlled. He asserted that the personnel of the newspaper Özgür Gündem had been involved in terrorist activities, and they had evidence that 19 journalists (he meant those who were detained after the raid against the headquarters of the newspaper Özgür Gündem in Istanbul on 10 December 1993) had been trained in the Bekaa Valley, and also that some people involved in drug smuggling were among the financial supporters of the newspaper. The case of Erhan Akyıldız and Ali Tefik Berber, who were kept arrested for a while in December 1993 in connection with a program about compulsory military service broadcast by a private television station, was also mentioned in the meeting. Candemir Orhon who had difficulty in replying to questions on this issue, said “There is a law banning criticism against the compulsory military service, but it was not prepared with the purpose of violating international acts which secure freedom of thought.” Pointing out that in spite of the existence of the law, the

journalists were released upon pressure at home and from outside the country, Candemir Orhon said: "We should discriminate those two journalists from journalists accused of terrorist crimes." He added that the participating organizations had been misinformed during their studies on Turkey.

a)- Those who were killed or disappeared

Turkey, which drew attention due to attacks against the press in 1992 and 1993 and was attributed as the country where journalists were killed at most, witnessed similar incidents in 1994, too, although the number of the killed journalists/newspaper employees decreased. In the attacks against the press, **2** newspaper employees (Erol Akgün and Ersin Yıldız) were killed. In the meantime, in attacks against civilian targets **2** journalists (Ruhican Tul and Onat Kut-lar) lost their lives. **One** journalist who had been abducted by unidentified people disappeared. The armed and bomb attacks against newspaper vendors in the Emergency State Region continued (but decreased when compared to the previous years) and as a result of those attacks, **one** newspaper vendor was killed and **2** were wounded.

The following is the information gathered in connection with the killed or missing journalists, press workers and newspaper vendors in 1994:

Ruhican Tul (29)

A bomb placed by unidentified people in a bus going from Ankara to Samsun exploded while the bus was near Kırıkkale on the night of 14 January. As a result of the explosion, Ruhican Tul, a reporter for the newspaper Turkish Daily News, and a student named Ali Ertuğrul Tokaç died. (Later, the number of deads rose to 3.) On the same night, bombs exploded in 3 other passenger buses which left from Ankara for Istanbul. The PKK claimed responsibility for the bomb attacks. Ruhican Tul was a person who showed interest in the work by the HRFT. He was laid to rest on 16 January in the Kavak district of Samsun, his birth place. (Detailed information is on page 86.)

Erol Akgün (24)

Erol Akgün, the chief editor of the periodical "Devrimci Çözüm", was knifed to death by unidentified people in front of his house in Gebze on 8 September. The armed attack on Erol Akgün was reportedly carried out as a result of interval division (*) within the "Devrimci Sol" organization. It was disclosed that Erol Akgün who supported Bedri Yağan and started to work at

(*) Bedri Yağan (Middle East Representative of the Revolutionary Left) and some of his friends raided the house of Revolutionary Left leader Dursun Karataş in Europe on the morning of 13 September 1992. Overpowering Dursun Karataş, they commandeered the organization administration, and confined him to a room in his house. The situation which remained concealed for a while, was revealed when Dursun Karataş contacted organization members in Turkey. Subsequently, the organization divided into two separate groups, supporters of "Dursun Karataş" and of "Bedri Yağan". The quarrels which started between the two groups accusing each other with harsh words, turned into clashes as of March 1993. As a result of the clashes, 9 people, 2 of whom in Europe, were killed, and more than 200 people were wounded. Houses, shops and offices of associations and journals were raided and damaged. In the mean-time, Bedri Yağan, the leader of the opposition group, was killed together with 4 of his friends as a result of a raid carried out on 5 March 1993 by the police against a house in the Esentepe quarter of Kartal, Istanbul. The clashes between the two groups also continued in 1993. The Revolutionary Left, led by Dursun Karataş, became a party in consequence of a congress held in March 1994 and was named "Devrimci Halk Kurtuluş Partisi-Cephesi (DHKP-C/Revolutionary People Liberation Party-Front)

the periodical “Devrimci Çözüm”, which showed similar support, had been killed by the supporters of Dursun Karataş. In the statement made by the “Devrimci Sol” organization, it was expressed that Erol Akgün had been killed since he was in the opposition and had undertaken the responsibility for the publication of the opposition. Erol Akgün had been arrested in June because of a trial launched in connection with certain articles in the 14th issue of the periodical “Devrimci Çözüm” and kept in prison until 3 days before his death.

Ersin Yıldız (30)

Bombings were carried out by allegedly unidentified people against the headquarters of the newspaper Özgür Ülke in Kadırga, Istanbul and its offices in Cağaloğlu and in Ankara early in the morning on 3 December. As a result of the attack in Kadırga, Ersin Yıldız, who worked at the information desk died 19 employees of the newspaper were wounded and the 3-story building became unusable. (Detailed information is on pages 257-258.)

Onat Kutlar (59)

A bomb placed by unidentified people within a coat in the cloakroom of the Opera Pastry Shop in the Istanbul Taksim Square, exploded at about 7.15 p.m. on 30 December. As a result of the explosion, a woman named Yasemin Cebenoyan (36) died and Onat Kutlar, one of the columnists for the newspaper Cumhuriyet and a well-known cinema critic, was severely wounded. Onat Kutlar, whose backbone was broken and spinal cord was injured, was treated at the American Hospital. In spite of all efforts, Onat Kutlar’s health deteriorated day by day and he lost his life on 11 January 1995 at the hospital. (Detailed information is on page 95.)

Nazım Babaoğlu

Nazım Babaoğlu, one of the Urfa reporters for the newspaper Özgür Gündem, disappeared after he had left the office to go to Siverek at noon on 12 March. No information has been received from Nazım Babaoğlu since then. In his statement Bayram Balcı, the Urfa representative of the newspaper Özgür Gündem, said: “Nazım Babaoğlu left for Siverek, after a person named Murat Yoğunlu who was living in Siverek called us on 12 March and said ‘There is an important news story. Come immediately.’ However, Murat Yoğunlu called the newspaper office again and denied having made the first phone call. After the incident, Murat Yoğunlu was kept under police custody at the Siverek Security Directorate for 4 days. I was confronted with him. During the confrontation, Murat Yoğunlu alleged that he did not know Nazım Babaoğlu and had not called the office of the Özgür Gündem.” Zübeyir Aydar, the owner of the newspaper Özgür Gündem, pointed out that Nazım Babaoğlu had been abducted as part of a conspiracy by the people who were bothered by the newspaper, and said the following about the incident: “I think that this was an act by the counter-guerrilla. We demand our reporter who worked with the aim of giving information, to be found. However, the state authorities are indifferent to the incident.”

The fate of Nazım Babaoğlu was still unknown by the end of 1994. A person who went to the Urfa Office of the newspaper Özgür Gündem on 23 March (his name was not disclosed by the newspaper for security reasons) stated that he had gone to Siverek together with Nazım Babaoğlu on 12 March and said: “We left for Siverek together with Nazım on the same mini-bus at about 12.00 a.m. We got off the minibus near the Siverek Sulu Mosque at about 1.30 p.m. Since I did not have any coins, they had paid for me. Subsequently, I had my banknote changed in the city and gave him back the money. Saying that he would go to the newspaper’s office, he left me. I saw him walking towards the municipality building. Since the newspaper was not brought to the district, I learnt too late that Nazım had been abducted.” In certain news stories published in the newspaper

Özgür Ülke it was stated that Nazım Babaoğlu had been abducted and killed with the cooperation of the village guards bound to DYP Urfa Deputy Sedat Edip Bucak and the police. Murat Yoğunlu had been used as a bait in the abduction and that the names of the village guards who had abducted Nazım Babaoğlu were “Gani Karakaya” and “Ahmet Karakaya”, according to the report.

Hıdır Çelik (40)

Newspaper vendor Hıdır Çelik was shot to death in an armed attack in the Şehitlik quarter of Diyarbakır on the morning of 23 August. Hıdır Çelik who was a newspaper vendor in the Dağkapı quarter, had frequently been the targets of death threats by unidentified people aiming to make him give up selling the newspaper Özgür Gündem. The investigation launched into the killing of Hıdır Çelik had yielded no results by the end of 1994 and the murder remained unsolved, as in the other similar cases.

In the meantime, newspaper vendors Aydın Oruç and Hasan Akan were attacked by unidentified people with a meat cleaver in the Midyat district of Mardin on 15 January, and were wounded.

Those previously killed

There were no serious efforts in 1994 to find the assailants of the 22 (*) journalists killed in the last 2 or 3 years. Efforts by officials towards those murders were always insincere. Related information obtained during interrogations of militants captured accidentally, or as a result of examining the guns seized with them, could not be evaluated properly. Although the police announced that assailants of some of the murdered journalists had been apprehended (concerning the cases of Çetin Emeç, Cengiz Altun, Namık Tarancı and Kemal Kılıç) and trials had been launched in their cases, no concrete results were obtained.

The incidents witnessed following the killing of Uğur Mumcu, are the most interesting examples of the insincere efforts in the cases of murdered journalists and other murders by unidentified assailants. Although 2 years passed since the killing of journalist-writer Uğur Mumcu on 24 January 1993, the murderers have not been apprehended yet. In addition, no advances could be achieved in the investigation. As a result of falsifications, contradictions and attempts to cover up the incident, the investigation has deadlocked. In the investigation file, there are no documents except the mutual correspondences between the Ankara SSC, Security General Directorate and Ankara Security Directorate. In addition, the team formed to investi-gate the murder was dissolved. After the killing of Uğur Mumcu, many authorities, particularly the then Prime Minister Süleyman Demirel promised that murderers would be found as soon as possible, and with

(*) Çetin Emeç (Hürriyet, İstanbul-7 March 1990), Turan Dursun (2000’e Doğru, İstanbul-4 September 1990), Halit Güngen (2000’e Doğru, Diyarbakır-18 February 1992), Cengiz Altun (Yeni Ülke, Batman-24 February 1992), İzzet Kezer (Sabah, Cizre-23 March 1992), Bülent Ülkü (Körfez’e Bakış, Bursa-1 April 1992), Mecit Akgün (Yeni Ülke, Nusaybin-2 June 1992), Hafız Akdemir (Özgür Gündem, Diyarbakır-8 June 1992), Çetin Ababay (Özgür Halk, Batman-29 July 1992), Yahya Orhan (Özgür Gündem, Gercüş-31 July 1992), Hüseyin Deniz (Özgür Gündem, Ceylanpınar-9 August 1992), Musa Anter (Özgür Gündem, Diyarbakır-20 September 1992), Kemal Aktay (Türkiye, Hani-9 November 1992), Hatip Kapçak (Gerçek, Mazıdağı-18 November 1992), Namık Tarancı (Gerçek, Diyarbakır-20 November 1992), Uğur Mumcu (Cumhuriyet, Ankara-24 January 1993), Kemal Kılıç (Özgür Gündem, Urfa-18 February 1993), İhsan Karakuş (Silvan, Silvan-13 March 1993), Ercan Gürel (Hürriyet News Agency, Bergama-20 May 1993), Rıza Güneşer (Halkın Gücü, İstanbul-14 July 1993), Ferhat Tepe (Özgür Gündem, Bitlis-28 July 1993), Muzaffer Akkuş (Milliyet, Bingöl-20 September 1993)

this aim a special investigation team was formed and a commission was established within the Parliament to inquire into the murders by unidentified people. However, the Commission to Investigate the Murders by Unidentified Assaultants did not obtain any results. The Commission Chairperson Sadık Avundukoğlu stated that they had had great difficulty in collecting information about the murder of Uğur Mumcu and faced many obstacles.

A news story written by Evren Değer and published in the 9 September 1994 issue of the newspaper Cumhuriyet, summarized contradicting aspects of the investigation into the killing of Uğur Mumcu and attempts to cover up the incident, as follows:

Did the police protect?: Authorities said that the police officers on guard in front of the Tunisian Embassy located 30 meters away from the apartment where Uğur Mumcu lived, had been charged also to protect Mumcu. However, the police officers in front of the Tunisian Embassy stated that they had not even known that Uğur Mumcu had lived on the same street. Contradicting statements by the authorities and police officers drew attention.

Falsification on minutes: Minutes concerning apprehension of militants of the “İslami Hareket Örgütü” (Islamic Movement Organization) that claimed responsibility for the attack against Uğur Mumcu were falsified. Although a witness named Ayhan Aydın(*) who claims that he saw the attack, identified the organization militants namely Ayhan Usta and Mehmet Ali Şeker, the police did not take his claim serious. It has been disclosed that Usta and Şeker were detained in Istanbul on 24 January 1993, the date when the bombing was carried out. Subsequently, it has been determined that first 26 January 1993 was recorded on the minutes as the detention date of Usta and Şeker, but later 26 January was turned to 24 January for unknown reasons. In spite of all these, the authorities were not very concerned about the incident.

Three unidentified cars: Yunus Ertekin, former Chairperson of the Ankara Provincial Organization of the DYP and a neighbour of Uğur Mumcu, said that he had seen 3 suspicious cars on the street at midnight on the night of 23 January-24 January. In his statement Yusuf Ertekin stressed that one of the cars had lightened with headlights on the left side of the road, one of them on the right side of the road and the other the entrance of the building where Uğur Mumcu had dwelled, and that the bomb might have been placed at that time. Nevertheless, no serious inquiry was conducted following this testimony.

Suspect released by the police: Şefik Polat who is one of the leaders of the Islamic Movement Organization and was wanted as a suspect of the assassination, was caught in the

(*) An article published in the newspaper Milliyet on 17 September 1993, concerned a disclosure by surprise eyewitness namely Ayhan Aydın, who surfaced one week after the assassination of Uğur Mumcu. According to the news, Ayhan Aydın went to the Yıldızevler Police Station in Çankaya, Ankara at about 6am on 31 January 1993, and stated that he had seen those who had killed Uğur Mumcu. Upon his testimony, some people detained during the operations carried out in Istanbul concerning the İslami Hareket (Islamic Movement) organization, were shown to 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 police custody in Istanbul on the day that Uğur Mumcu had been murdered. Since the information from Istanbul Police Headquarters backed up their statement, Ayhan Aydın’s statement was not taken seriously. Besides this, it was alleged that “Ayhan Aydın made false statements in order to get the cash reward which was thought to have been given to the people who could give information on the assassination of Uğur Mumcu.”

house of Necmi Aslan, the leader of the organization in Ankara, upon a denunciation 2 days after the incident in Ankara, but no action was taken against him. The most important finding related to this incident is that although detention and subsequent release of Şefik Polat were recorded in official documents (*), this situation was never mentioned in the reports of the po-lice, in other words, it was pigeonholed.

Three black women: A.K.N., whose testimony was taken concerning the killing of Uğur Mumcu, said that three black females on the street on the day of the incident had taken the first pictures following the assassination. This evoked the possibility that a foreign intel-ligence agency might have been involved in the incident. However, the police did not follow up his lead.

The futile investigation into the murder of Uğur Mumcu, provoked widespread criticism, particularly among the members of Mumcu family. All the activities organized on 24 January 1994, on the first anniversary of his death, included criticisms and protests that the incident remained unsolved and no progress had been achieved in the investigation.

Appealing to the Ministry of Justice on 23 November, Güldal Mumcu, the wife of Uğur Mumcu, stated that Ankara SSC Prosecutor Ülkü Coşkun who had conducted the investigation into the incident, had told her “The attack was carried out by the state.” Güldal Mumcu whose statement drew attention, said the following briefly: “I want to stress the words ‘The attack was carried out by the state. If the political power wants, the incident will be enlightened.’ that were uttered by former prosecutor Ülkü Coşkun while he was taking my testimony. The result to be drawn from the suspending of the investigation is that some state organizations know by whom and how the attack was carried out. It is very hard to disclose this, but also the reply by General Doğan Güreş, the former Chief of the General Staff, to the question about Uğur Mumcu asked by a journalist during an interview with him, verifies that opinion. The Esteemed General who states that he loves Uğur like a brother, responded ‘I do not want to touch on this issue.’ This answer means ‘I know something about the issue, but I do not want to disclose’.” Ülkü Coşkun who denied the claim, said: “Turkey is a state of law. The legal state never does anything which does not conform to the laws. I neither say such words nor would I think of saying them. Because they are out of mind and logic. Even to think so is trifling away one’s time.”

(*) Two days after the killing of Uğur Mumcu, the following denunciation was made to the police: “Middle flat of the building located on the corner where Ahmet Refik Paşa Street and Atış Street intersect in Aydınlikevler, has been rented by the İslami Cihad Örgütü (Islamic Holy War Organization).” Upon the denunciation the house was raided by police. However, Necmi Aslan (host) and Şefik Polat (whose name was included in the list on the names of leaders of the Islamic Movement Organization, during the operations continuing against the organization at that time in İstanbul) were not detained. In the minutes about the raid the following was recorded: “As a result of the research about the house, it has been revealed that Necmi Aslan, dwells together with his wife and 3 children at the flat in question, hosts a person named Şefik Polat, is occupied with auto trade, and he has lots of guests but it is not possible to understand who his guests are and why they come, however they do not seem suspicious.” No information or data related to the research was included in the investigation file. On the one hand, host Necmi Aslan was detained for 4 days later on charges that he was the person responsible for the Islamic Movement Organization in Ankara and a trial was launched against him at the Ankara SSC. On the other hand, Şefik Polat could not be found in spite of an all-out search. Sıddık Tan, an administrative board member of the İHD Batman Branch, had been killed in Şefik Polat’s house in Batman. After that incident, Şefik Polat had been kept under police custody for 10 days and released. Later, he had left Batman and disappeared.

The family of Uğur Mumcu asked the Ministry of Interior to pay compensation totaling 75 billion Turkish Lira for negligence in the murder case of Uğur Mumcu. 70-billion of the compensation was demanded for Uğur Mumcu's wife Güldal Mumcu and children Özge and Özgür while the remaining 5 billion for his brother and sister, Ceyhan Mumcu and Beyhan Gürson. In the request made on behalf of Güldal Mumcu, Özge Mumcu and Özgür Mumcu to the Ministry of Interior, it was pointed out that Uğur Mumcu was unable to be protected and had been murdered in a terrible manner because the state was defective. It added:

"It was obvious that Uğur Mumcu who had defended the same principles throughout his life and struggled against attempts to make those principles ineffective, and to spoil and lift them, was among the main targets of terror. Furthermore, his researches which put forward the supporters of terrorist organizations, displayed the relations between the terrorist organizations and Mafia and showed every kind of malpractice, made him a main target. These facts must have been known by the authorities of the Ministry and had been known. Uğur Mumcu became a victim of such a bloodthirsty murder since the Ministry did not take necessary precautions for his life security. In short, the Ministry failed its duty."

Another sample case about the lack of seriousness towards the cases of murdered journalists was witnessed in Urfa. Local administrators who could not protect Kemal Kılıç, the Urfa Representative of the newspaper Özgür Gündem, who had been killed in an armed attack in Urfa on 18 February 1993, and failed to find the assailants, deemed it their duty to put down publications on this subject. For example, a news story published in the newspaper Özgür Gündem on 18 February 1994, on the occasion of the first anniversary of the death of Kemal Kılıç, drew reactions from the Urfa Governorate. In a statement made by the Governorate, the news story was called organizational propaganda aiming at wearing down the security officers. However, the questions contained in the news story, such as "Why was the request by Kemal Kılıç to the Governorate to provide protection for him 2 months before his killing, rejected?" and "Why were not the promises on apprehension of assailants kept?" were not answered. The statement only said: "It has been revealed as a result of a ballistic examination that a pistol which was found among the weapons of the people caught in an operation against the Hez-bollah organization on 24 December 1993 in Diyarbakır had been used in many armed activities, including the killing of Kemal Kılıç."

Another sample of the unserious approach towards the murders came into existence following a claim concerning the murderer of newspaper distributor Adnan Işık. In a news story published in the newspaper Özgür Gündem on 19 March 1994, it was claimed that the murderer of newspaper distributor Adnan Işık who had been killed in Van on 27 November 1993, was a confessor named Murat Demir. According to the news story, Murat Demir was recognized by Adnan Işık's wife Filiz Işık, in a photograph. Filiz Işık who made a statement about the incident, recalled that her husband had been killed in front of their house and said: "When I heard sounds of gun shots, I went out. Then I saw Murat Demir escaping. The person who killed my husband was Murat Demir. When I saw the photograph I was certain." In the meantime, Murat Demir reportedly went to the Van Office of the newspaper Özgür Gündem on 14 March and threatened to kill representative Bülent Çiççi. These claims were not taken into consideration and not investigated. The armed attack which resulted in the death of Adnan Işık has remained unsolved.

Another incident in which the assailant has remained unidentified, was the killing of Ferhat Tepe, Bitlis reporter for the newspaper Özgür Gündem, who was abducted by people with wirelesses in July 1993. Those who killed Ferhat Tepe could not be found and arraigned, but the book "Bizim Ferhat-Bir Cinayetin Anatomisi" (Our Ferhat-Anatomy of a Murder) re-leased by

the Belge Publishing House on the anniversary of the death of journalist, did not escape notice. As soon as the book was published, it was confiscated by the Istanbul SSC under the "Law to Fight Terrorism". The confiscation was issued on charges of disseminating sepa-ratist propoganda and praising the PKK.

In the meantime, 2 journalists Kutlu Esendemir (one of the former administrators of the IHD Bursa Branch) and Levent Öztürk, who were preparing a program in Diyarbakır, Batman, Şırnak and the settlements bound to these provinces, for a private television channel (TGRT), were abducted by PKK militants on 26 January. Issuing a statement after the kidnapping of the two journalists, Hüsnü Öndül the Secretary General of the IHD, said: "The abduction of the journalists cannot be defended. Freedom of communication cannot be limited. Journalists cannot be barred from carrying out their duty even in warfare. We call out to the PKK autho-rities. Immediately release our colleague Kutlu Esendemir and his cameraman friend Recep Öztürk." The response by the PKK, said: "Since the journalists worked in the region without permission, they were taken as prisoners by the guerrillas blocking the road. Wide parts of fields in our country are under the control of guerrilla and authority, in every sense, there belongs to our fighting forces. Therefore, entrance by any Turkish press-publication members in these fields depends on permission from the related organizations of the PKK." The state-ment indicated that the journalists would not be released until more information was given on murders by unidentified assailants in the region. The abduction of Kutlu Esendemir and Levent Öztürk provoked indignation at home and abroad. Sending a letter to PKK leader Abdullah Öcalan, the USA-based Committee to Project Journalists (CPJ) stated that they were anxious about the lives of Kutlu Esendemir and Levent Öztürk, and demanded the immediate release of the journalists. Also, reacting to the incident, Reporters Sans Frontieres (RSF) sent a message to PKK Secretary General Abdullah Öcalan, saying: "The Reporters Sans Frontieres opposes every kind of action limiting the freedom of information. Our organization convey this attitude to Abdullah Öcalan and demands immediate release of the two journalists whose lives are in deadly peril." Kutlu Esendemir and Levent Öztürk were released on the morning of 26 April in the vicinity of the Eruh district in Siirt. The journalists were then brought to Eruh Gendarmerie Commandership and kept in detention for a while in order to be interrogated.

b)- Attacks against the press

In 1994, press institutions, press organizations, journalists and writers were frequently subjected to attacks by various circles. Most of those attacks were carried out by security or public officers. According to the figures determined by the HRFT, a total of 76 journalists were insulted or beaten with kicks and truncheons by public or security officers (*) in 34 different incidents (in 1991 a total of 52 journalists were attacked in 24 incidents, in 1992 a total of 56 journalists in 26 incidents and in 1993 52 journalists in 33 incidents). Many journalists were detained and arrested. Bombings and armed attacks were carried out against journalists and press institutions. The attacks and pressure on the press intensified against the journals or newspapers which have a non-traditional editorial policy, contrary to the official ideology and taboos, and defend radical ideas and on those working for the above mentioned publications.

Özgür Gündem-Özgür Ülke: In 1994, the attacks and pressure intensified on the newspaper Özgür Gündem, which focuses on the Kurdish problem and on the newspaper Özgür Ülke which started publication upon closure of Özgür Gündem. The newspaper Özgür Gündem,

(*) Raids by security forces on offices of newspapers and journals and the attacks against the news-paper vendors were excluded.

the first issue of which was published on 30 May 1992, ceased its publishing on 14 April (*). Throughout its publication life, it faced attacks, pressure and bans. The news-paper was closed on that date upon the ratification of the 15-day closure decision passed because of an interview with PKK leader Abdullah Öcalan published in the 2 and 3 May 1993 dated issues of the newspaper, by the Supreme Court. The aforesaid trial launched under the “Law to Fight Terrorism”, had ended at Istanbul SSC on 18 November 1993.

After the ratification and learning that other closure decisions will be put into force, the publication of the newspaper was stopped. Zübeyir Aydar, the owner of Özgür Gündem, held a press conference on 20 April and said that the decision to stop publication had been taken because of the attacks and pressure against the newspaper. Pointing out that 35 employees of the newspaper were in prison and at least 20 issues of the newspaper were confiscated each month, Zübeyir Aydar said: “The main reason for the attacks against our newspaper is that we publish correct information. It is not desired that the facts experienced in Turkey be written about. What is wanted is only the writing of official facts.” The team putting out the newspaper Özgür Gündem, started to publish a new daily with the name of “Özgür Ülke” within a short time. The first issue of the newspaper, the owner and general publication director of which was Hasan Küçükoba and Baki Karadeniz, respectively, was sold on 28 April.

Özgür Gündem was subjected to incredible pressure and attacks until its publication was stopped. Six staff members (Hafız Akdemir, Yahya Orhan, Hüseyin Deniz, Musa Anter, Kemal Kılıç and Ferhat Tepe) and 12 distributors (Halil Adanır, Kemal Ekinci, Lokman Gün-düz, Orhan Karaağar, Haşim Yaşa, Zülküf Akkaya, Yalçın Kaya, Adil Başkan, Adnan Işık, Mehmet Sencer, Zuhat Tepe and Hıdır Çelik) were killed, one worker (Burhan Karadeniz) was wounded and paralyzed, 2 workers (Aysel Malkaç and Nazım Babaoğlu) disappeared and 250 workers were detained or arrested. The employees of the newspaper were left defenceless and unprotected against the attacks, and their requests to buy a licensed gun were rejected.

Secret circulations were issued in order to bar Özgür Gündem. The newspaper was not permitted in many public institutions (canteens, ministries, military units, prisons, etc.) where newspapers were bought or sold collectively. The newspaper came to a point where it could not be distributed or sold anywhere in Turkey, especially in the Emergency State Region, because of orders, having no legal basis given by the local security authorities. Efforts aiming at pre-venting the sale of Özgür Gündem were also supported by some racist and radical Islamic groups. Those who went to great lengths 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 unidentified assailants.

About 500 out of 580 issues of the newspaper were confiscated (102 of which in 1994). Most of the confiscation decisions which were generally taken by the Istanbul SSC were issued under Articles 6 and 8 of the “Law to Fight Terrorism”. News and articles which were not regarded

(*) Özgür Gündem, ceased publication as of 15 January 1993, 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 the distribution of our newspaper in Diyarbakır, Urfa, Mardin, Elazığ and Van stopped the distribution. We tried to distribute the newspaper by our own means. Our distributors, correspondents, volunteers and patriots have all been subject to armed attacks. All this was part of the annihilation policy being implemented against us. Our daily loss is TL 30 million, because of attacks and obstructions. In this situation it is impossible to continue publishing”. Özgür Gündem was re-published from 26 April 1993.

as criminal when published in other press organs, became grounds for confiscation or trials against Özgür Gündem. In connection with the articles and news stories published in the newspaper, a total of 486 trials, 75 of which took place at the Istanbul Heavy Penal Court No.2, 29 of which took place at Istanbul Penal Court of First Instance No.2 and 382 of which took place at the Istanbul SSC, were launched. As a result of the trials, 10 (Şeyh Davut Karadağ, Gülay Çelik, Bülent Balta, Özgür Aslan, Erkan Aydın, Kemal Şahin, Ömer Özdemir, Mehmet Emin Başer, Özdemir Toprak and Emel Kapılan) of the people who undertook the chief editorial position of the newspaper were kept under arrest from 2 to 6 months.

At the end of the trials in 1993 and 1994, sentences totalling **134 years 2 months** in prison and fines totalling **TL 25,640 million** were given to the owner, chief editor, reporters, writers and caricaturists of the newspaper. In those trials, the total prison terms passed on Işık Yurtçu and Davut Karadağ, chief editors of the newspaper, were 20 and 38 years, respectively. Total fine that Yaşar Kaya, who undertook the ownership of the newspaper for a long time, was ordered to pay reached TL 12,354 million. Işık Yurtçu was imprisoned when the sentences of 14 years 10 months in prison he received became decisive while Davut Karadağ and Yaşar Kaya had to go abroad. Total period of closure ordered in those trials exceeded **25 months**.

Offices of the newspaper Özgür Gündem were frequently raided by police and damaged, and its workers and administrators were detained. The newspaper and its workers faced an intensive attack all over Turkey in December 1993. With an operation, which was carried out in Diyarbakır on 9 December 1993, all of the offices of the newspaper, including its center in Istanbul, were raided and a large number of its workers were detained and interrogated under torture. The operation against Özgür Gündem was started and carried out in accordance with the demands and orders of the National Security Council. A baseless statement by Emin Şen who had worked at the newspaper for a while, regarding the newspaper and its workers, was claimed to be grounds for the operation.

The headquarters of Özgür Gündem in Istanbul was raided by police on the night of 10 December 1993. Seizing all the materials and documents in the newspaper office, the police detained 110 people including some of the executive and editorial members of the newspaper. Ninety-two of the detainees were released one day later, while 16 people were released 11 days later. Chief Editor Gurbetelli Ersöz and Newspaper Director Ali Rıza Halis were arrested on 23 December 1993. Subsequently, a trial was launched by the Istanbul SSC against 13 workers and administrators of the newspaper. The indictment read in the first hearing held on 14 June claimed that the defendants were member of the PKK and the newspaper was its publication. The defendants who were cross-examined pleaded not guilty and said that they were journalists wishing the public to be informed on the facts. The names of the 13 journalists for whom various sentences were demanded, are as follows: "Gurbetelli Ersöz (General Publication Director), Ferda Çetin, Gülten Kışanak (director of the News Center), Ali Rıza Halis (director of the newspaper), Faysal Dağlı, Mahmut Doğan, Mehtap Gürbüz, Yurdusev Özsökmenler, Mehmet Balamir, Müslüm Yücel, Hüseyin Solgun, Yaşar Kaya (owner) and Ferhat Tuğan." At the end of the hearing, Ali Rıza Halis and Gurbetelli Ersöz were released.

The Diyarbakır office of the newspaper was raided by police on the evening of 9 December 1993. Some documents and publications in the office were seized, and 4 people, 3 of whom were correspondents for the newspaper, were detained as a result of the raid. Out of the detainees, Diyarbakır Representative Hasan Özgün was arrested on 20 December while Nec-miye Aslanoğlu, Botan Önen and Nuran Tekdağ were released. Necmiye Aslanoğlu stated that she had

been tortured under police custody. In the meantime, a trial was launched at the Diyarbakır SSC against Hasan Özgün on allegations of “being a member of an outlawed organization and disseminating separatist propaganda via publication.” The Diyarbakır Office of the newspaper was raided once more on 11 December 1993, and reporters Mehmet Şah Yıldız and Sıraç Koç were detained. The two journalists were arrested by the Diyarbakır SSC on 7 January. Mehmet Şah Yıldız and Sıraç Koç against whom a trial was launched at the Diyarbakır SSC, were acquitted at the end of the trial on 4 July and set free.

The Diyarbakır Office of the newspaper was raided by police again on 12 January. As a result of the raid, 12 people, including 5 journalists, 4 distributors and 3 guests, were detained. Three of the 12 people were released while the remaining were arrested on 1 February by the Diyarbakır SSC on charges of being members of an illegal organization. The names of those arrested are: “Salih Tekin (who became Diyarbakır Representative after Hasan Özgün), Hasan Değer (reporter), Metin Dağ (reporter), Botan Önen (reporter), Emine İğdi (reporter), Cemal Dağ (distributor), Nevin Güngörmüş (distributor), Ihsan Erdem and Sertip Güngörmüş.” Prosecution of those arrested started at the Diyarbakır SSC on 31 May. Meanwhile, the trial launched against Hasan Özgün, arrested following the raid on 9 December 1993, was added to that trial. Out of the arrested defendants, Emine İğdi, Nevin Güngörmüş and Sertip Güngörmüş were released in the first hearing, Metin Dağ was released in the hearing held on 13 July, Hasan Değer and Ihsan Erdem were released in the hearing held on 27 October and Botan Önen in the hearing on 20 December. Release demands by Hasan Özgün, Salih Tekin and Cemal Dağ were rejected by the end of 1994.

Thirty-six people, including Sezai Karakoç, İzmir representative of the newspaper Özgür Gündem, Rıza Zıngal, the news director, and staff members Namık Alkan, Serdar Kara-koç, Şenol Karaaslan, Oğuzhan Ögrük, Leyla Akgül and Emin Ünay, were detained during the raid carried out on the İzmir office on 11 December 1993. Among the detainees, Rıza Zıngal, Serdar Karakoç and Şenol Karaaslan were arrested on 14 December, while Namık Alkan, Emin Ünay and Oğuzhan Ögrük were arrested on 24 December 1993. Subsequently, a trial was launched against 8 people, including those arrested. The indictment read out in the first hearing held at the İzmir SSC on 3 March claimed that “they aided the PKK and disseminated its propaganda”. At the end of the hearing, Namık Alkan, Şenol Karaaslan, Oğuzhan Ögrük and Emin Ünay were released. In the meantime, the people who went to the SSC building in order to watch the hearing were not allowed to enter. The demonstration attempted to be held by those people to protest the case was prevented by police force. During the prevention, German journalist Sven Grienmert was beaten by police while he was trying to take photographs of the incident. In the hearing on 30 March, Sezai Karakoç and Rıza Zıngal were released. In the trial which ended on 28 December, Sezai Karakoç, Rıza Zıngal, Namık Alkan, Oğuzhan Ögrük and Sedat Alp were sentenced to 3 years 9 months in prison on charges of aiding the PKK and sheltering its members, while Şenol Karaaslan and Ahmet Kaya were acquitted. The case of Emin Ünay was unified with another trial against him.

The Adana, Mersin, Elazığ, Batman, Ağrı, Gaziantep, Mardin and Van Offices of the newspaper Özgür Gündem were raided by police on 11 December 1993. Five people 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, Mardin correspondent Rezzan Güneş was later detained by police officers raiding her house. Hacı Çetinkaya, the Adana Representative of the newspaper Özgür Gündem, and reporters Mehmet Özen, Beyhan Güneşli

and Gürsel Şahin who were detained following the raid against its Adana Office, were re-released on 17 December 1993. The journalists in question disclosed that they had been tortured during the 7 days they had been kept under police custody. The investigation launched by the Malatya SSC Prosecution Office against Hacı Çetinkaya and his 3 colleagues resulted in a decision not to prosecute.

Ahmet Çaldıran detained after the raid against the Gaziantep Office, Menaf Avcı, Cen-giz Taş and Bülent Güneş detained after the raid against the Elazığ Office and Ismail Güneş detained following the raid in Ağrı were arrested on 15, 24 and 25 December 1993, respectively. Prosecution of Ismail Güneş started on 18 March at the Erzincan SSC and that of Ahmet Çaldıran started on 22 March at the Malatya SSC. Ahmet Çaldıran, accused of humili-ating security officers and portraying them as targets was released at the end of the first hearing. A demand by Ismail Güneş to be released was rejected on the grounds that his case file had not been examined yet.

The attacks, pressure and bars continued also against the newspaper Özgür Ülke which started publishing after the closure of the newspaper Özgür Gündem. 220 out of the 247 issues of the newspaper released in 1994 were confiscated. The confiscation decisions were generally taken on charges of disseminating separatist propaganda, trying to alienate people from mili-tary service, publishing leaflets and statements of illegal organizations in the articles and news stories. With the confiscation decisions, numerous trials were launched against administrators and personnel of the newspaper. Because of the trials, 7 (Kemal Akkaya, Süha Soysal Demirci, Halil Dalkılıç, Hasan Şahin, Mehmet Evran, Yusuf Şit and Murat Saraç) of the chief editors of the newspaper were arrested.

The most serious attack against the newspaper Özgür Ülke was carried out in Decem-ber. The headquarters of the newspaper Özgür Ülke in Kadırga, İstanbul and its offices in Cağaloğlu and in Ankara were bombed (*) by allegedly unknown people early in the morning on 3 December. Nobody claimed responsibility for the attacks in which one person died and 21 people were wounded. Many officials, including President Süleyman Demirel, Interior Minis-ter Nahit Mentese, İstanbul Governor Hayri Kozakçıoğlu and İstanbul Security Director Nec-det Menzir, claimed that those responsible for the attacks would be found.

A highly-destructive bomb left in the building where the office of the newspaper Özgür Ülke is located in İstanbul Cağaloğlu, exploded at about 3.15 a.m. on 3 December. As a result of the explosion, 2 people, Faruk Deniz and Ecevit Keleş were wounded, the office was ren-dered unusable, and the building was greatly damaged. Twenty-five minutes after this inci-dent, 2 bombs placed under a car in front of the headquarters of the newspaper in Kadırga ex-ploded within short intervals. In the explosions, Ersin Yıldız (30), one of the information desk guards, died and 19 employees of the newspaper were wounded. The names of those wounded are as follows: "Okan Yüksel (sports writer), Vedat Perçin (correspondent), Hasan Özen (cor-respondent), Yıldız Gültekin, Alişan Ünlü, Kemal Kaçmaz, Halil Işık (correspondent), Ali Rıza Cihanbeyli, Selahattin Birkay, Aslan Arıç, Mahmut Evran, Mahmut Aziz Ak, Aslan Yıldız, Türker Alp (Public Relations Manager), Feridun Karakaya, Selahattin Kaya, Nafiz Kulak, Murat Saraç (Chief Editor) and Ramazan Orkun." As a result of the explosions, the 3-story building was severely damaged, a fire was started and numerous vehicles were damaged. Faruk Deniz, Okan Yüksel, Hasan Özen, Vedat

(*) It was preoccupying that the bomb attacks against the newspaper Özgür Ülke were carried out after the circular issued on 30 November 1994 by Prime Minister Tansu Çiller asking for effective measures against the opposition press. (Detailed information is on pages 245-246)

Perçin, Mahmut Evran, Aslan Arıç, Halil Işık, Aslan Yıldız, Ecevit Keleş, Murat Saraç, Ali Rıza Cihanbeyli, Türker Alp and Mahmut Aziz Ak were kept under police custody for 10 hours after they received first aid.

A highly-destructive bomb left in front of the door of the newspaper Özgür Ülke's office on the Menekşe Street in Ankara, exploded at about 3.50 a.m. on 3 December. In the explosion, nobody died or was wounded, however, the office was heavily damaged and windows of the building where the office is located and of shops and houses around were broken.

Baki Karadeniz, the General Publication Director of the newspaper Özgür Ülke, in a statement after the bombings, said the attacks had been carried out by state forces. Stressing that Interior Minister Nahit Menteşe ascribed the newspaper Özgür Ülke as a separatist publication in his recent statements and said "If I had power, I would close it", Baki Karadeniz said the following: "The newspaper Özgür Ülke was bombed because it is the voice of the Kurds, and forces generals, deputies, the police, special teams and journalists. During the meeting of the National Security Council held 4 days ago (29 November), it was decided to silence our newspaper. The agent of the attack is known. Therefore, we do not wait for the results of pseudo investigations and clues aiming at diverting the incident. We do not believe in the statements by the state authorities which consist of lies." Ercan Kanar, the Chairperson of the İHD İstanbul Branch, stated that the attack violated human rights and peace, and said: "The attack is a press massacre. It is preoccupying that the attack was carried after it was decided to continue making war during the last meeting by the National Security Council. If such organized attacks are carried out in the centers of Ankara and İstanbul at the same hours, the state is obviously responsible for them."

The bombings against the newspaper drew protests all over Turkey, and various activities were organized in order to support the newspaper. However, those activities were prevented, and some people were detained and beaten. For instance, a group of journalists and artists who tried to sell the newspaper Özgür Ülke on İstiklal Street in İstanbul on 10 December as a show of support for the paper were prevented by police officers saying "It is forbidden to sell Özgür Ülke". The police officers were protested by the journalists and artists with applause.

It was revealed that the car used in the attack against the newspaper's center in Kadırğa had been seized by 3 people who had introduced themselves as police officers, in Söğütözü Ankara on 29 November. In police statement on the issue, it was indicated that a description of the person who had left the car with plate number "06 MTF 93 in the repair shop, and of the person involved in seizure of the car had been determined. It was stated that a bomb placed in an office near the office of the newspaper caused the explosion in Cağaloğlu. It was also pointed out that the office had been rented by a person who had introduced himself as "Murat Cankara" upon payment of TL 4 million one day before the incident, and that his description had been determined and his robot picture had been drawn.

Pressure against the newspaper Özgür Ülke intensified from the beginning of 1995. Publication of the newspaper was stopped on 2 February 1995 in accordance with the decision taken by the İstanbul Penal Court of Peace No.1. The decision was taken on the grounds that Özgür Ülke was a successor of Özgür Gündem. In the decision taken in accordance with additional Article 2/2 of the Law on Press, it was asserted that addresses and telephone numbers of the headquarters and offices, writers, page layouts and publication policies of the newspaper Özgür Gündem and Özgür Ülke were the same. With the decision, Özgür Ülke was determined to be an illegal publication. Özgür Ülke had to stop its publication as of 4 February 1995.

Information about the pressure, attacks and similar applications that Özgür Gündem and Özgür Ülke and their staffs were exposed to in 1994:

In the first days of January, Serap Aksu (İzmir), Ahmet Birgül (Adana-Osmaniye), Metin Dağ (Diyarbakır) and Halil Ceviz (Batman), reporters for Özgür Gündem, and Vehbiye Tüzün, the Batman Representative of the newspaper, were detained. The detainees were re-released on 5 January. Out of those released, Serap Aksu, Metin Dağ (who were detained again on 12 January and then arrested), Vehbiye Tüzün and Halil Ceviz stated that they had been tortured in detention.

The Van Office of Özgür Gündem was raided by police on the evening of 6 January and a person named Mesut Batur who was in the office, was detained. Mesut Batur who was released on 7 January, said that he had been beaten under police custody. Nine people (workers of Atılım Distribution Company) who were distributing Özgür Gündem to houses and shops in Van on 8 January, were kept under custody for a while by police.

A child distributing Özgür Gündem to houses and shops in the Bağlar quarter of Diyarbakır on 8 January was attacked and beaten by two unknown people around the Police School. The attackers took TL 110,000 from the child and then escaped. The child said that although the police officers guarding the front of the Police School had seen the attack, they had not intervened. Besides this, about 100 copies of Özgür Gündem that 2 children were selling in Diyarbakır on 9 January, were seized by the police.

On 15 January, a mass transportation bus which Baha Karakütük, Ankara reporter for Özgür Gündem, got on, was taken to the Küçükcesat Police Station because of a pick pocketing claim. During an ID check in the police station, an identity card showing that he was a reporter for Özgür Gündem was found on Baha Karakütük and thus he was kept in the police station for 4 hours as a suspect. Baha Karakütük was also detained after he left the Russian Embassy where he had gone for an interview on 29 November. Baha Karakütük who was reportedly de-tained for looking suspicious was released on the evening of 30 November.

İsmail Erörs, who organized the distribution of Özgür Gündem in Van, was detained by police on 19 January. İsmail Erörs, who was released on 24 January stated that he had been tortured and raped with a truncheon under police custody. İsmail Erörs was kept in detention for a while again, together with Adil Harmancı, one of the correspondents for Özgür Gündem, at the airport on 31 January while he was on the way to İstanbul for treatment. (Detailed information is on page 212.) İsmail Erörs who was treated with the aid of the İstanbul Representative Office of the HRFT, later settled in Ankara. İsmail Erörs who started to work as a photographer for Özgür Ülke, was detained by police while he was watching a demonstration held in November on Sakarya Street in Ankara. İsmail Erörs who was released within a short time, was detained with his friend Burhan Toksan (newspaper distributor) again by police officers who raided his house on the night of 29 December. İsmail Erörs and Burhan Toksan were released on 2 January 1995. After being released, İsmail Erörs said the following: "During interrogation they said that the newspaper was a publication of the PKK and we should not have worked there. They accused us of being members of the PKK. When we did not admit to the accusation, we were threatened. They wanted us to give the addresses of the Ankara reporters of the newspaper. They also asked how the newspaper had been published following the bombing, where the newspaper's workers sought help in case that they were detained, and what kinds of reactions they showed in case of detention."

Meral Tilkiz, the Iğdır correspondent for Özgür Gündem, was detained after a raid carried out by security officers in the Alicanlar village in the Karakoyunlu district of Iğdır on 21 January.

Meral Tilkiz, who disclosed that she had been tortured in detention, was arrested on 2 February. She was not released by the end of 1994.

The Ankara Office of Özgür Gündem was bombed at about 10.00 p.m. on 27 January by unknown people. Nobody was killed or wounded in the explosion since there was nobody in the office. However, the office and other parts of the building in which it is located were damaged. Nobody claimed responsibility for the bombing. The newspaper's authorities stated that the bombing was a signal that the counter-guerrilla operations had started in Ankara, too. Following the explosion nobody was allowed to enter the office by the police for 2 hours. It was determined in the examination which was later carried out that certain photographs belonging to the newspaper, camera flash, 3 notebooks, one address list and a tape recorder had been lost.

Two passenger buses carrying copies of Özgür Gündem to Diyarbakır were stopped by police upon entering Diyarbakır on 31 January. The police officers, who retained the buses for 2 hours and seized the newspaper copies, threatened the drivers of the buses to make them to give up carrying the newspaper.

A distributor named Tanık Çelik who was distributing Özgür Gündem to houses and shops in Diyarbakır was detained by the police on 3 February. The police officers who detained Tanık Çelik also seized about 2,500 copies of the newspaper.

Emine Serhat, Iğdır reporter for Özgür Gündem, was detained by security officers who raided the Yukarı Alican village in Iğdır on 3 February. Emine Serhat was interrogated at the Iğdır Gendarmerie Regiment Commandership, and arrested on 11 February on charges of being a member of the PKK.

Bülent Çelik, Ankara reporter for Özgür Gündem, was detained by police, who raided his house on the night of 7 February. Bülent Çelik who was released on 21 February, stated that he had been tortured under police custody. He received a medical report from the Forensic Medicine Institute verifying the torture.

Ramazan Öcalan, Urfa reporter for Özgür Gündem, Erol Sütapak, one of the workers in the Urfa Office, and newspaper distributor Seyfettin Öztürk were detained by police on 8 February. Ramazan Öcalan was arrested on 15 February while Erol Sütapak and Seyfettin Öztürk were released. Ramazan Öcalan was released by the Diyarbakır SSC at the end of 1994.

Orhan Çabuk, Ankara reporter for Özgür Gündem, was detained in Ankara on 9 February. Orhan Çabuk who was later sent to Diyarbakır, was arrested by the Diyarbakır SSC on 24 February. He was released in the hearing held on 3 May. After being released, Orhan Çabuk stated that he had been tortured in detention and applied to the HRFT for treatment.

A barber shop in Diyarbakır was bombed on 25 February. Akif Şenyiğit, a reporter for Özgür Gündem who went to the scene after the incident was harassed by police officers saying "How did you get to the scene before us? Where did you hear about the incident? This means that you carried out the attack."

A 17-year old youth (N.A.) who was distributing Özgür Gündem in Batman was detained by police after leaving the building of the Petrol-İş Trade Union where he had been handing out the newspaper on the morning of 4 March. Following his release, N.A. said: "In the deserted area where I was taken to, they indicated that selling the newspaper Özgür Gündem was a big crime and made me lie on the ground. Subsequently, they fired two gun shots before my head. Saying 'This is a warning to you. If you continue, you will be killed.' they also threatened me."

Yılmaz Yakut, who distributed Özgür Gündem in Diyarbakır, was detained by the po-lice on the morning of 8 March. Yılmaz Yakut who was kept for 3 hours under police custody, was released after his life was threatened.

Kadriye Özcanlı, Administrative Chief of Özgür Gündem in Diyarbakır, was detained by police on 10 March while she was going from Diyarbakır to Mardin. Kadriye Özcanlı who was interrogated in the Diyarbakır Political Police Center, was released on 15 March. She stated that she had been tortured in detention.

Besim Döner, one of the former chief editors of the newspaper, was detained together with his friends Lokman Yıldırım and Şirin Yıldırım after a police raid on his house in İstan-bul on the night of 1 May. They were released later.

Emin Ünay, İzmir reporter for Özgür Ülke, was detained in İzmir on 18 May and arrested on 26 May. In the statement made by the İzmir Security Directorate, Emin Ünay was said to be a PKK militant preparing for an act. Emin Ünay had also been detained and then arrested following the raid on the İzmir Office of the newspaper on 11 December 1993. The trial launched against Emin Ünay who had been kept under arrest until the hearing held on 3 March, was combined with the trial launched after he was arrested on 26 May.

Mehmet Dönmez, one of the drivers for Özgür Ülke, was detained by plain clothes police officers on 30 May on Piyerloti Street in İstanbul because of photographs taken for the newspaper. Mehmet Dönmez was arrested by the İstanbul SSC on 31 May. After he was arrested, Türker Alp, the Administrative Director of the newspaper, was invited to the İstanbul SSC to give his testimony in connection with the same photographs. Türker Alp was arrested , too, and put in Bayrampaşa Prison. Mehmet Dönmez and Türker Alp were released at the end of the hearing held on 30 September.

Two distributors, Zafer Tüzün and Deniz Bayram (16) bringing copies of Özgür Ülke from Urfa to Diyarbakır, were detained around the Pirinçlik Gendarmerie Station at the en-trance to Diyarbakır on the evening of 8 June. Zafer Tüzün and Deniz Bayram who were inter-rogated at the Diyarbakır Gendarmerie Regiment Commandership and arrested on the evening of 7 July, were released by the Diyarbakır SSC on 26 August. Distributors Mansur Daşlık (16) and Mehmet Kurt bringing copies of Özgür Ülke from Urfa to Diyarbakır, were detained on 10 June on the same place. The detainees were released after being interrogated in the Pirinçlik Gendarmerie Station for a while.

Nalan Atıcı, Diyarbakır reporter for Özgür Ülke, was detained by police while on her way home on the evening of 19 June. She was arrested by the Diyarbakır SSC where she was brought before on 22 June. On the same day, 2 children distributing Özgür Ülke to the houses and shops in Urfa were beaten by the police.

The concert planned to be held on the evening of 3 July in İstanbul in solidarity with the music group “Grup Yorum”, was not allowed by the İstanbul Governorate. A group of people who held a demonstration in front of the concert hall to protest the ban, were dispersed under police duress. After the dispersion, 20 people, including lawyers named Metin Narin and Mustafa Çoban, and Özgür Ülke reporter Hüseyin İnan, were detained.

Necmiye Aslanoğlu, Diyarbakır reporter for Özgür Ülke, was detained under beating by police officers carrying out an ID check in the Tekkapı quarter of Diyarbakır on 16 July. She was released after being interrogated for a while.

Yüksel Diker, Özalp (Van) reporter for Özgür Ülke, who was detained by the police officers raiding his house on 17 July, was arrested on 20 July on charges of aiding and sheltering PKK militants. He was not set free by the end of 1994.

Mihriban Artıklar, one of the reporters working in the headquarters of Özgür Ülke in İstanbul, was detained on the morning of 29 July at the İstanbul Security Directorate, where she went for a passport. Mihriban Artıklar, who was brought to the Gayrettepe Political Police Center, was released on 30 July. She said that she had been beaten and insulted by police officers under police custody.

The Ağrı Office of Özgür Ülke was raided by police on 11 August. As a result of the raid, newspaper staff members Nevzat Bulut, Mustafa Aladağ, Safyettin Tepe and Berivan Kutlay were detained, and many publications and documents were seized. The detained staff members were taken to the Ağrı Political Police Center. Out of the detainees Nevzat Bulut and Mustafa Aladağ were arrested on 14 August while Safyettin Tepe (he died on 29 August 1995 at the Bitlis Security Directorate where he was interrogated) and Berivan Kutlay were released. Subsequently, the 4 people were sued at the Erzincan SSC. Nevzat Bulut and Mustafa Aladağ were released at the end of the hearing held on 7 February 1995.

Hüsniye Tekin, Emine İğdi, Hüsnü Akgül and Şükrü Kaplan working at the Mardin Office of Özgür Ülke were detained on the night of 13 August by police who raided the house they were in, and were arrested on 5 September. Hüsniye Tekin, Emine İğdi, Hüsnü Akgül and Şükrü Kaplan interrogated at the Mardin Security Directorate were exposed to torture. Hüsnü Akgül and Şükrü Kaplan were released in the hearing held at the Diyarbakır SSC on 17 November and Emine İğdi in 1995.

Hidayet Pehlivan, who was distributing Özgür Ülke in Diyarbakır, was detained by gendarmes in the Mazıdağı district of Mardin while he was bringing the newspaper on 10 August. He was arrested on 17 August.

The Diyarbakır Office of Özgür Ülke was raided and searched by police on 12 August. During the search, all of the documents, publications and papers were examined one by one. After a 3-hour search, the police officers prepared minutes saying “There are no criminal elements.” and left the office. The office was also raided by police on 6 September. In the raid, Kadriye Özcanlı, Mehmet Balamir and İbrahim Karaca, who were in the office were detained. The 3 journalists were arrested on 30 September.

Metin Dağ, Diyarbakır reporter for Özgür Ülke, was detained by police officers in the 5 Nisan quarter where he went on assignment on 3 September. Metin Dağ who was taken to the Diyarbakır Security Directorate was released after being beaten by police officers.

Özgür Ülke reporter Mustafa Kuruali who was trying to take photographs of a quarrel which arose among the members of the CHP during a meeting organized in Samsun on the night of 9 September on the occasion of the 71st foundation anniversary of the party, was beaten by party officials.

Hanifi Aydemir, Adana reporter for Özgür Ülke, was detained by police in Adana on 10 September. Hanifi Aydemir was detained after he left the newspaper’s office in order to collect more information about a news story, and was released on 12 September. Stating that he was tortured and insulted under custody, Hanifi Aydemir said: “They squirted pressurized water on me

and beat me continuously. They hit my head against walls. They threatened to rape me with a truncheon. Furthermore, they forced me to be a police informer.”

The Diyarbakır Office of Özgür Ülke was raided by police on 20 September. In the raid, reporters Gürsel Şahin, Metin Dağ and Nezahat Özen were detained. The office was raided on the morning of 4 October, too. During the raid, reporter Nevzat Aydın and teachers İsmail Hakkı Kelleci and Salih Aykaç were detained. Besides this, Vehbiye Tüzün, Urfa reporter for the newspaper, was detained on 2 October at the Diyarbakır Bus Station. Metin Dağ, Vehbiye Tüzün, Gürsel Şahin, İsmail Hakkı Kelleci, Salih Aykaç and Nevzat Aydın were released on 14 October while Nezahat Özen was arrested. Those released stated that they had been subject to torture under police custody, threatened with death to try to scare them into giving up working for the newspaper, and that therefore they said they had had to give statements against the newspaper Özgür Ülke.

Serap Aksu, Mersin reporter for Özgür Ülke, was detained in the Gündoğdu quarter of Mersin on 27 September together with newspaper distributor Tahsin Dorudemir. The detain-ees were released on 28 September. After being released, Serap Aksu said the following: “By saying ‘Either you will leave here, or we will kill all of you. You are servants of the PKK. The duty of the police is to kill terrorists, that is to say, to kill you.’, police officers threatened me.”

Şehmuz Başkan, one of the distributors of Özgür Ülke in Diyarbakır, was detained on 6 October. Şehmuz Başkan, who was released 3 hours later, said that his life had been threatened by police officers.

Serpil Korkmaz and Selda Sürmeli, correspondents for Özgür Ülke, were detained by police while watching a demonstration held in İstanbul Sirkeci on 7 October in protest to the burning down of villages in Tunceli. The two journalists detained on allegations of holding an unauthorized demonstration, were released on the evening of 8 October.

İsmet Bakaç, Mersin reporter for Özgür Ülke, was detained under harassment by plain clothes police officers in front of the newspaper’s Mersin Office on 14 October. İsmet Bakaç, taken to the Political Police Center, was released one day later. He disclosed that he had been beaten, insulted and threatened to be killed and he was forced to leave Mersin under police custody.

An 11-year old child (M.Y.), who distributed the newspaper Özgür Ülke to houses in the Bağlar quarter of Diyarbakır was beaten by police officers at noon on 4 November. The police officers released M.Y. after they threatened him in order to deter him from selling Özgür Ülke, and seized the copies of the paper.

İsmail Demirtaş, an Özgür Ülke distributor in Diyarbakır, was detained by gendarmes in the vicinity of the Pirinçlik Gendarmerie Station while he was bringing copies of the newspaper to Diyarbakır on 5 November. İsmail Demirtaş, who was released after 11 days in detention, said that he had been tortured in the Pirinçlik Gendarmerie Station where he had been interrogated and that soldiers had threatened him in order to dissuade him from distributing the newspaper Özgür Gündem. He was detained once more around the Pirinçlik Gendarmerie Station while bringing the newspaper copies to Diyarbakır on 23 November, and tortured. In addition, about 900 copies of the newspaper were seized.

The Urfa Office of Özgür Ülke was raided by police on 7 November and newspaper personnel Halil Baran and Fuat Karataş were detained. They were released on 11 November. The two journalists stated that they had been subjected to physical and psychological torture, threat-ened

with death, insulted and ordered to leave Urfa. The Urfa Office was also raided on the morning of 26 November and Hanefi Aydemir, Abdurrahman Fedai, Fuat Karataş and Turan Cihanbeyli were detained. In addition, certain documents and publications in the office were seized. The detainees were released on 28 November.

Metin Acet, Diyarbakır reporter for the newspaper Özgür Ülke, was detained by the police on 11 November without any reason given. He was released after being interrogated for 24 hours. On the same day, Lokman Batur who was distributing the newspaper to the houses and shops in Adana was detained.

Serdar Ateş and Şengül Adıbelli, Adana reporters for Özgür Ülke, were detained by the police on 27 November. Azize Türkyılmaz and Adil Denk, Diyarbakır reporters for Özgür Ülke, were kept under police custody for a while on 4 December.

Ahmet İçge, Doğubeyazıt reporter for Özgür Gündem, was detained on 1 December. Ahmet İçge, who was interrogated in the Doğubeyazıt Political Police Center, was released by the prosecution office on 17 December. He had also been detained in August 1993 and kept under arrest for a long period.

Erdoğan Zamur, Diyarbakır reporter for Özgür Ülke, was detained by the police in the Seyrantepe quarter where he went for a news story on the evening of 7 December. Erdoğan Zamur, who was released on 9 December, stated that he had been tortured at the Directorate of Anti-Riot Forces in Diyarbakır where he had been interrogated. He stressed that he had been threatened with the aim of dissuading him from working for Özgür Ülke.

Türker Alp, the Administrative Director of Özgür Ülke, was detained by police raiding the house he was staying in on the night of 10 December, on the grounds that he had no identity card. Indicating that his identity card had been lost following the bomb attack carried out against the center of the newspaper in Kadırga, İstanbul on the night of 3 December, Türker Alp said after being released that he had been tortured in police custody.

Aydınlık: The second publication subject to intense pressure and attacks, but not so much as the newspaper Özgür Gündem and Özgür Ülke, was the newspaper Aydınlık. Because of pressure and economic bottleneck, Aydınlık stopped its daily publication on 20 April, and began as a weekly journal in the beginning of May. Aydınlık and its personnel were subject to various pressure and attacks between 1 May 1993 and 20 April 1994, the period in which it was a daily. Aydınlık was not rid of the pressure and attacks as a weekly. Thirty-six issues of the newspaper were confiscated, 27 in 1993 and 9 in 1994. Many trials were opened against administrators and writers, and guilty verdicts were passed on them.

News and comments by the newspaper Aydınlık drew reactions from many circles, particularly from the General Staff Office. In connection with news stories about the army and soldiers published in the newspaper, the General Staff Office filed numerous official complaints. Reporters of the newspaper were banned from entering the premises of the General Staff Office and the Ministry of Defence. Hanging placards prepared in order to introduce serial news stories was mostly prevented. Aydınlık was not permitted in many public institutions (canteens, ministries, military units, prisons, etc.) where newspapers were bought or sold collectively. Reporters of the newspaper were not allowed to enter many official meetings and activities. The sale and distribution of the newspaper stopped totally or partially because of attacks and threats by Islamic groups in 15 provinces, many districts and in certain quarters of İstanbul. Vendors, who

insisted on selling the newspaper were attacked. Distribution of the newspaper was sometimes held up by security officers. (*)

Aydınlık reporters Doğan Duyar and Hüseyin Tuncer who were watching the funeral held on 2 January in the Ankara Karşıyaka Cemetery for Nilüfer Atav, a militant of the TİKKO organization who had been killed in a clash in Artvin, were detained by the police. The journalists were released after the film rolls in their cameras and the notes they had taken, were seized.

Lawyer Bayram Atasoy, the Antalya Representative of Aydınlık, was attacked by unidentified people with knife on the evening of 5 January. Bayram Atasoy, who received 5 knife-wounds, was taken to the Antalya State Hospital. While under treatment at the hospital, Bayram Atasoy was threatened by an unknown person who said "This was a warning". Aydınlık claimed that the attackers were police officers.

The Supreme Court ratified in January the sentence of 1 year in prison and a fine of TL 50 million for Adnan Akfırat, the News Director of the newspaper Aydınlık, in connection with a news story entitled "PKK Camps in Turkey" published on 12 May 1991 in the periodical 2000'e Doğru, chief editor of which was Adnan Akfırat. He was first prosecuted in connection with the news stories in question, on charges of praising the acts ascribed as crime by laws, under Article 311 of the Turkish Penal Code at the İstanbul Penal Court of First Instance No.2. In the trial launched in 1991, the court decided that the news story constituted a crime under the jurisdiction of the SSC, and the case file was sent to the İstanbul SSC. However, the İstanbul SSC raised objection to the decision. Thereupon, the Court of Dispute examined the case file and as a result decided the trial would be held at the İstanbul SSC. In consequence of the prosecution at the İstanbul SSC, Adnan Akfırat was sentenced.

Ramazan Pınarbaşı, Adana reporter for Aydınlık, was kept under police custody for a while following the funeral held on 2 February in Adana for TDKP (Revolutionary Communist Party of Turkey) militant Cengiz Argüç (journalist-28), who had been killed in a clash in the vicinity of the Aşağıçıtak village of the Mazgirt district of Tunceli.

(*) The newspaper Aydınlık was exposed to various attacks and pressure in 1993, too. When it began publishing some extracts from Salman Rushdie's book "Satanic Verses" as of 26 May 1993, the pressure and attacks against the newspaper increased. All issues of the newspaper in which parts from Salman Rushdie's novel "Satanic Verses" (a total of 13 issues) were presented, were confiscated. The newspaper was also subject to physical attacks on the same days. Its distribution in the Emergency State Region was barred as a result of the threats by the Islamic "Hezbollah" organization towards the newspaper distributors in the region. The most organized attack against newspaper took place in İstanbul on 28 May 1993. A crowded group of Islamic fundamentalists who came out from the Friday prayer, gathered in front of the central building of the newspaper, and started to demonstrate. The demonstrators stoned the building, and then entered in the bookstore located under the newspaper's office and damaged there. During the attack, two people working for the bookstore were beaten and injured. On the same days, the İzmir Office of the newspaper was attacked twice. Its Diyarbakır Office was burnt by pouring gasoline in front of its door. A vehicle used for the newspaper distribution in Kayseri was sabotaged. Emin Akyüz and Süleyman Yörük who were selling the newspaper Aydınlık in Niğde were wounded as a result of an attack with sticks and stones. Explosives were thrown into two news-stands in Gebze and in the Osmaniye district of Adana since they sold the newspaper Aydınlık. Building of a company distributing newspapers in Antalya and its districts was bombed since it distributed the newspaper Aydınlık.

When a story entitled “Gendarmerie Ardour at SSC” was published in *Aydınlık* on 2 February 1994, the photographs relating to the story were intended to be seized by the İstanbul SSC Prosecution Office. In the inscription sent with “very urgent” note by the SSC Prosecution Office to the Security Directorate concerning the subject, the following was written: “A publication ban was put on the photographs taken during the incidents which arose on 2 February in the hearing of Mehmet Çolak and his 29 friends, in accordance with Article 23/5 of the law no. 2845. Therefore, I request you to notify the press institutions about the court decision and send the related film and photographs to the SSC Prosecution Office in order to be put in the file at the court.” Arguing that there was no legal basis and that the SSC was not empowered to seize the photographs, *Aydınlık* rejected this request.

Aydınlık reporter Ahmet Sümbül who was detained in Diyarbakır on 2 July 1993 and then arrested, was released on 29 March after a decision by the Diyarbakır SSC. Sentence of no less than 15 years in prison is demanded for Ahmet Sümbül, who is prosecuted in connection with an interview with the PKK militants in the camps on Mount Cudi, on charges of being a member of the PKK.

A 5-day closure was decreed at the beginning of September and *Aydınlık*, which was weekly at that time, was ordered to stop its publication for 5 days. This order was not accepted by the administrators of the weekly. Then, the 3rd issue of the weekly dated 3 September 1994 was confiscated by the İstanbul Şişli Penal Court of Peace No.2, because the closure verdict was not obeyed. Protesting the incident, Ferit İlsever, the General Publication Director of the periodical *Aydınlık*, said that to apply the verdict which had been given to a daily newspaper, to a weekly periodical was a case that would make press history.

Following a demonstration held by a group of people who gathered in the bazaar in the Gülsuyu quarter of İstanbul Kartal on 23 October to protest village burnings in Tunceli, 11 people, including *Aydınlık* reporter Ali Ekber Barış, were detained. Although Ali Ekber Barış said in his statements in the police station and at court “I attended the demonstration since I am a journalist. I was there because of my duty.”, he was arrested together with 8 people who attended the march.

Azadi-Denge Azadi: Another publication which faced intense pressure was the newspaper *Azadi*. Sixty-six out of 104 issues of the newspaper released by 20 May 1994 were confiscated. More than 120 trials were launched by the İstanbul SSC and İstanbul Heavy Penal Court No.2 against the administrators and writers of the newspaper. The total of imprisonment terms and of fines given in the trials which ended in 1993 and 1994 was **17 years 6 months 10 days** and **TL 3,677 million** respectively. At the end of those trials, the newspaper was closed for **3 months**. In consequence of physical attacks and threats against vendors and distribution companies, the newspaper came to a point where it could not be distributed or sold in most parts of the Emergency State Region.

The decision for the closure of the newspaper *Azadi* for 15 days, passed because of an article in its 43rd issue dated 7 March 1992, was ratified by the Supreme Court in 1994. The closure decision was brought into force on 13 May. The trial had been launched under Article 8 of the “Law to Fight Terrorism” and ended at the İstanbul SSC in November 1993. When the closure decision became certain, a new weekly newspaper named *Denge Azadi* was started to be released instead of the newspaper *Azadi*. Behram Alabay undertook the ownership of the newspaper while Nevin İl took the general publication directorship. The first issue of *Denge Azadi* was released on 21 May. The pressure and attacks against the newspaper *Denge Azadi* were not so different from

those against Azadi. Publication of the newspaper Denge Azadi was stopped in March 1995 upon a decision taken by the İstanbul Penal Court of Peace No.1. The decision was taken on the grounds that the newspaper Denge Azadi was the successor of the newspaper Azadi. With the decision in accordance with the additional Article 2/2 of the "Press Law", the newspaper Denge Azadi was deemed as an illegal publication.

Hikmet Çetin, who held ownership of the newspaper Azadi between the 1st and 11th issues, was sentenced to a fine of TL 166 million (ratified) in two trials. A total of 49 trials were launched against İkramettin Oğuz, who held the ownership between the 12th and 86th issues of the newspaper. Sixteen of those trials ended and İkramettin Oğuz was convicted to 1 year 8 months in prison and a fine of TL 1,5 billion (sentence of 1 year 8 months in prison and fine of TL 450 million were ratified). Fifteen trials were launched against Behram Alabay who under-took the ownership between the 87th and 104th issues of the newspaper. At the end of one of the trials against Alabay, he was ordered to pay a fine of TL 100 million. In other 14 trials which are under way at the İstanbul SSC, Behram Alabay is demanded to be sentenced to a total fine of TL 1,5 billion.

A total of 37 trials were launched by the İstanbul SSC against Sedat Karataş, who was the chief editor of the newspaper Azadi between the 1st and 71st issues. Thirteen of those trial ended and Sedat Karataş was sentenced to 9 years 5 months in prison and fine of TL 1 billion. Sentences of 4 years in prison and fine of TL 550 million given to Sedat Karataş were ratified by the Supreme Court, and an arrest warrant was issued in his absence. Two of the 4 trials launched by the İstanbul SSC against Zana Sezen, the chief editor of the newspaper Azadi between the 72nd and 75th issues, concluded. At the end of the trials she was sentenced to 2 years 5 months 10 days in prison and fine of TL 293 million. The remaining 2 trials against Zana Sezen, who was kept arrested from 19 October 1993 to 28 December 1994, are still pending. Sentences of about 10 years in prison and fine of TL 1,5 billion are demanded in 13 trials against Kamuran Oto (arrested in absentia), the chief editor of Azadi between its 76th and 89th issues, and sentences of about 10 years in prison and fine of TL 1 billion are demanded in 12 trials against Cihangir Aslan, who was the chief editor of Azadi between its 90th and 103rd issues. There is one trial against Bilal Akdeniz, the chief editor of the last issue (104th) of Azadi.

The Diyarbakır Office of Azadi was raided by police on 23 January. In the raid, two people who were guests in the office were detained, were released after a while.

Beşir Günden, the Tatvan Representative of Azadi, who was detained on 2 August 1993 in Bitlis and arrested 2 days later, was released at the end of the hearing held at the Diyarbakır SSC on 5 May. Beşir Günden was arrested because of publications found in his house and documents that were sources for the stories he wrote.

Cengiz Özsoy, Diyarbakır reporter for Denge Azadi, was detained by police on the evening of 8 July. Cengiz Özsoy, who was released by the Diyarbakır SSC Prosecution Office on 25 July, stated that he had been exposed to torture such as suspension from a hanger, electric shocks, food and sleep deprivation.

The Adana Office of Denge Azadi was raided by police on 30 November. In the raid, certain newspapers, journals and books and cassettes, documents and archiving material belonging to the newspaper were seized, but no one was detained.

Emeğin Bayrağı: The journal/newspaper Emeğin Bayrağı, which started to be published as monthly in 1988, a bi-weekly in 1990 and a weekly as of July 1994, was among the

publications subject to intensive pressure. Ninety-nine out of 131 issues of the journal/newspaper were confiscated. Total imprisonment terms recommended for the administrators of the journal/newspaper exceeded 500 years, and total of imprisonment terms passed on them at the end of the trials exceeded **25 years**. Of the imprisonment terms, **8 years 9 months** in prison were ratified. About 50 administrators and personnel of the journal/newspaper were detained, tortured or arrested. In 1994 alone, Hüseyin Tekin, the General Publication Director of the periodical/newspaper, Haydar Demir and Cem Özen, the chief editors, and 4 reporters of the same were arrested and 2 of its offices were raided.

Upon ratification and implementation of closure verdicts given in the previous years, the journal/newspaper Emeğin Bayrağı had to halt publication frequently in 1994. For instance, a verdict ordering the closure of the periodical for 3 days was ratified in April and the periodical was kept closed for 3 days. Subsequently, a 15-day closure verdict, taken in connection with the 99th special issue, was put into practice on 8 July 1994. On the day when the period for closure expired, another closure verdict taken concerning articles published in the 93rd issue of the newspaper dated 25 June 1993, was put on the agenda. Because of the new sentence, the newspaper was first opened and then re-closed through minutes prepared at the same time. Sentences of closure passed on the newspaper were applied in September, too.

The newspaper Emeğin Bayrağı stopped publication at the end of September. On the same days, the journal İççinin Yolu also stopped publishing voluntarily. Those who prepared the two publications began to release a new weekly newspaper, Atılım, as of 8 October. The newspaper Atılım was subject to similar pressure by the end of the year, too. All 13 issues of the newspaper released in 1994 were confiscated. Even, the calendar prepared by the newspaper for 1995 could not avoid being confiscated (by the İstanbul SSC). The confiscation was ordered on the grounds that photographs in the calendar praised illegal organizations.

Emeğin Bayrağı reporters Mustafa Engin and Dilaver Peker were attacked by private guards while they were watching a demonstration held in front of the HBB television station in İstanbul by the workers of a factory owned by the holding which owns the television station, and who had not been paid. The reporters who were attacked while they were talking to the workers, were harassed and insulted in front of police officers.

The sentence of 2 years in prison and a fine of TL 250 million received by Bülent Genç, one of the former chief editors of the periodical Emeğin Bayrağı, because of articles in the 92nd issue of the periodical, became decisive upon ratification by the Supreme Court in April. The Supreme Court also ratified the decision to close down the periodical for 3 days. The aforesaid trial launched under Article 8 of the "Law to Fight Terrorism" ended at the İstanbul SSC on 19 November 1993.

Hüseyin Çapartaş, the Gaziantep Representative of Emeğin Bayrağı, and Servet Demirpençe, distributor of the newspaper, were detained by police during a funeral ceremony held in Gaziantep on 8 August. Hüseyin Çapartaş was arrested on 12 August and kept arrested for 2 months. Besides, the Adana Office of the newspaper Emeğin Bayrağı was raided by police on 29 August. During the raid, most of the books, newspapers, photographs and pictures found in the office were seized, but nobody was detained.

Mahmut Karadağ and İbrahim Yardımcı, Adana reporters for Atılım, were detained in the 19 Mayıs quarter of Adana where they had gone for a story on 11 October. The journalists who were taken to the Adana Political Police Center, were released on the evening of the same day. The

newspaper Atılım stated that the reporters had been tortured, insulted and threatened with their lives, and said, "The reporters were treated as they were members of an outlawed organization. This case shows the point of view of the state towards the socialist press."

Mücadele: The periodical Mücadele, published weekly as of 1992, also faced heavy pressure. 101 of 114 issues of the periodical Mücadele released by October 1994, the date it had to stop publishing because of closure orders, were confiscated and about 150 trials were launched against administrators of the periodical. At the end of the trials, periodical administrators were given various imprisonment sentences and fines, and most of those sentences and fines were ratified.

The total of fines passed on Gülten Şeşen, the owner of the periodical, and then ratified, exceeded 1 billion, while total of ratified fines passed on former chief editors Namık Kemal Cıbaroğlu and Erdoğan Yaşar Kopan exceeded TL 500 million. The total of ratified imprisonment sentences on Cafer Çakmak, the third chief editor of the periodical, reached 2 years 6 months. Hüseyin Solak and Hülya Tungan, the Representatives of the periodical in Gaziantep and Samsun, respectively, were convicted to 12 years 6 months in prison each on charges of being members of an illegal organization. Diyarbakır Representative Sakine Fidan was given 20 months in prison and ordered to pay a fine of TL 208 million since she had participated in a press statement made by a democratic civic organization in Diyarbakır in 1993.

Upon implementation of the closure verdicts against Mücadele, only 34 issues could be released in 1994. Because of the ratified closure verdicts (all of them are related to the years 1991 and 1992 during which it was released bi-weekly), the periodical was kept closed between 5 and 20 May, and 14 and 24 July. When a total of 5 months and 5 days closure orders were put into practice one after the other as of 17 October, the periodical was unable to publish at all.

Many offices of the periodical were raided (*) and damaged by police, and publications and similar documents in the offices were seized. More than 100 administrators, personnel and volunteer reporters of the periodical were detained, tortured and 24 of them were arrested. Chief Editor of the periodical, Cafer Çakmak (2 times), Diyarbakır Representative Sakine Fidan (arrested in 1993), Gaziantep Representative Hüseyin Solak (arrested in 1993), Ankara Representatives Burhan Kardaş, Serdar Gelir, Aysel Bölücek, Samsun Representative Hülya Tungan, Konya Representative Özgür Güdenoğlu, Zonguldak Representative Sadık Çelik, Bursa Representative Veysel Şahin, Antakya Representative Ali Yolcu and Mersin Representative Ahmet İbili were among those arrested.

Two youths, Birdal Tuncer and Hülya Kazancı, who were selling Mücadele in the Gökçesu town of the Mengen district of Bolu on 11 January, were detained on allegation that they looked suspicious. They were released 4 hours later. İnan Pehlivan and Özgür Özkan selling Mücadele in the Mudurnu district of Bolu on the same day, were kept in detention for 5 hours. Muhittin Erdoğan, Eskişehir reporter for Mücadele, was detained by police while watching acts by civil servants on 13 January. He was released 4 hours later.

(*) The Adana Office was raided by police on 8 February, 12 July, 29 September, 12 October and 2 December, the Antakya Office on 22 February, 2 March and 23 October, the Sivas Office on 7 and 19 February, the Elazığ Office on 28 June and 6 October, the Gaziantep Office on 28 April and 4 July, the Kocaeli Office on 6 June, the Bolu Office on 25 March, the Tunceli Office on 9 March, the Ankara office on 12 January, the Samsun Office on 23 April.

In consequence of the operations carried out by police in Malatya and in the Dumuklu village of the Akçadağ district of Malatya, 30 people, including Hanım Harman, Malatya reporter for Mücadele, were detained. Thirteen of the people, including Hanım Harman, who were interrogated at the Malatya Security Directorate, were arrested on 4 February. Hanım Harman was given a sentence of 12 years and 6 months in prison in 1995.

Fikret Eğili, Diyarbakır reporter for Mücadele, was detained by police while he was distributing the periodical to newspaper vendors on 8 February. Fikret Eğili, who was kept under police custody for 5 hours, said that he had been beaten and insulted by police officers. In addition, Bedii Yıldız and Özkan Açıktepe, other reporters for the periodical in Diyarbakır, were detained by the police officers raiding their house on the night of 29 April. They were released after being interrogated for some time.

Metin Alhas, Antakya reporter for Mücadele, was detained by the police on 22 February and tortured. He was also detained on 2 March, 7 April and 23 October. After being detained on 23 October, he was arrested together with reporter Gülcan Saroğlu, who was detained on the days of 2 March and then on 7 April.

Aysel Bölücek, the Kırşehir Representative of Mücadele, was detained by the police after she left the office on 5 April. Aysel Bölücek, who was released on 7 April, stated that she had been tortured under police custody. She was detained once more together with reporter Halim Yurtoğlu, while selling the periodical in April. Aysel Bölücek who became the Ankara Representative of the periodical later, was detained along with her brother Hasan Bölücek, by police officers raiding her house in the Tuzluçayır quarter of Ankara on the night of 10 October. Hasan Bölücek was released 2 days later while Aysel Bölücek was arrested. The situation of Aysel Bölücek, who was exposed to torture under police custody, was reported by the European Committee for Prevention of Torture (CPT) which was in Turkey at that time.

Murat Kırsoy and Bülent Ecevit Özdemir, Adana reporters for Mücadele, were detained by police on 26 April. After being released, Murat Kırsoy and Bülent Ecevit Özdemir stated that they had been tortured under police custody. Bülent Ecevit Özdemir was detained by the police again on 1 May and 2 August while Murat Kırsoy on 30 July.

Hamit Akyüz, Eskişehir reporter for Mücadele, was shot in the leg and wounded by MHP-member Yüksel Demir in the Salihli district of Manisa on the night of 28 May. In addition, Hamit Akyüz's friend Tuncer Sucu who was with him during the incident, was beaten. Yücel Demir detained after the incident, was later released to be prosecuted without arrest.

Zeynep Korkmaz, Gaziantep reporter for Mücadele, was kept under police custody for 2 days after the concert by the music group "Grup Yorum" in Gaziantep on 6 June. She was detained again on 4 July, and arrested. Zeynep Korkmaz, who was kept arrested for 3 months, was detained once more on 7 November.

Five people namely Osman Kılıç, Hıdır Gündüz, Hakan Güler, Sultan Güler and Erdal Ertaş who were selling Mücadele in the Bağlar and Fevzi Çakmak quarters of Elazığ on 26 June, were detained by police. The detainees were first taken to the Fevzi Çakmak Police Station and then to the Elazığ Security Directorate. The 5 people who were insulted and threatened with their lives at the Elazığ Security Directorate, were released 9 hours later. Dilek Pulat, Elazığ reporter for the periodical, who was taken to the Elazığ Security Directorate without any reasons on 28 June, was held in detention for 4 hours. In the second half of 1994, one of the Elazığ reporters for the

periodical, Osman Kılıç was detained 3 times, and Hıdır Gündüz and Hakan Güler 2 times. Hakan Güler was arrested on 14 December.

Kadir Dara and Recep Gedik, Mersin reporters for Mücadele, were detained by police on 10 October and 5 November, and on 29 October, respectively. Kadir Dara and Recep Gedik were arrested in November. Özlem Türk and Nilgün Teztemur, Samsun reporters for the periodical, were kept under police custody for a period of time in October.

Headquarters of the periodicals Mücadele, Halkın Gücü, İşçi Hareketi and Devrimci Gençlik in İstanbul (all of them are in the same building) were raided by police on 24 November. As a result of the raids, 33 personnel of the periodicals in question (8 of whom are from Mücadele) were detained. Ten of the detainees were released on the night of 25 November. Out of those released, Mehmet Ağız stated that he and other detainees had been subject to torture. Out of the 23 people who were brought before SSC on 6 December, Havva Suiçmez, reporter for Devrimci Gençlik, Mehmet Akdemir, the chief editor of the periodical İşçi Hareketi, and Mirali Demir, reporter for the periodical Halkın Gücü were arrested, while the 20 were re-released. Mücadele's caricaturist Tarık Tolunay and reporters Bülent Bağcı and Ufuk Dağbay, who were among those released, said that they had been tortured in detention.

Gerçek: One of the publications under pressure was the weekly journal Gerçek (which stopped its publication on 28 January 1995). Twenty-nine issues of the journal released by the end of 1994 were confiscated. Some reporters for the journal were detained, attacked or beaten. A total of 65 trials were launched at the İstanbul SSC and İstanbul Heavy Penal Court No.2 against people responsible for the journal. In the trials which concluded, lawyer Kamil Tekin Sürek, who undertook the ownership of the journal for a long period of time, was ordered to pay fine of TL 921 million, chief editors Yücel Özdemir and Pelin Şener were sentenced to 9 years 7 months in prison and fine of TL 930 million, and 3 years 5 months in prison and fine of TL 362 million, respectively, while İsmail Kayhan, the General Publication Director, was given 10 months in prison. When some of the imprisonment sentences passed on Yücel Özdemir became definite, he preferred to flee abroad rather go to in prison.

Hıdır Güyıldar, Tunceli reporter for Gerçek, was detained by police on 11 January and arrested on 20 January. Hıdır Güyıldar was released upon objections raised by his lawyers. He stated that he had been tortured under police custody. Hıdır Güyıldar, who subsequently started to work at the Ankara Office of the journal, was beaten and wounded while he was watching a demonstration held in front of the building of the Ministry of National Education in Ankara on 14 April. Hıdır Güyıldar, who applied to the Public Prosecution Office, was given a medical report showing his inability to work for 5 days.

The Diyarbakır Office of Gerçek was raided and searched by the police on 9 February, and many documents in the office were seized. The same office was raided for the second time on 15 August and reporters Hacı Denizhan and Şükran Erdem were detained after a beating. The 2 journalists, who were released 8 hours later, stressed that they had been forced to be police informers and threatened. As a result of the raid, some furniture in the office was damaged, the archive was seized and the walls of the office were harmed. İsmail Kayhan, the Publication Director of the journal, said: "Because of the blows he was exposed to, Hacı Denizhan is resting at home. Şükran Erdem, who went to the office on 16 August, was not allowed to enter and was removed from the region under threats by police officers who surrounded the building. The work of our reporters is prevented. Our reporters and their relatives are under threat."

The Adana Office of Gerçek was raided and searched by police on 11 February. As a result of the search which lasted for 5 hours, all photographs, documents and publications were seized. İsmail Kayhan, the General Publication Director of the journal, stated that the office had been arbitrarily raided and that the office had been severely damaged during the raid.

Özgür Karadeniz: The local newspaper Özgür Karadeniz, which is released monthly in Trabzon, was another publication which was exposed to pressure. All issues of the newspaper were confiscated, or trials were launched in connection with them. Bombings and armed attacks were carried out against the center of the newspaper. Workers of the newspaper were detained, at least once, and tortured. Ufuk Dağbay, one of the reporters for the newspaper Özgür Karadeniz, was detained after a beating by police while he was watching a demonstration held on 22 August 1993 by municipality workers in protest of unpaid wages. Ufuk Dağbay who was interrogated on charges of being a member of an illegal organization, was released by the court on 28 August 1993. Unknown people opened fire at the center of the newspaper located on the Uzun Street in the Çarşı quarter on the evening of 19 November 1993. In the armed at-tack nobody was killed or wounded but windows of the office were broken. The center of the newspaper was raided by the police on 19 January. As a result of the raid, Mehmet Devrim Uçar, the chief editor of the newspaper, and 2 people named Ali Şahin Kuzucu and Süleyman Celep were detained. They were released one day later. In addition, unknown people threw explosives into the office on the night of 2 October.

Kemal Evciman, the director of the newspaper, who assessed the attacks and pressure the newspaper was subject to, said that although they wanted to release the newspaper bi-weekly, they could publish it monthly because of impossibilities and the pressure. Stating that they distributed the newspaper by hand in the entire Black Sea region from Artvin to Zonguldak, Kemal Evciman added that they published 2,000 copies and sold almost all of them. Pointing out that they could not make public the pressure they were exposed to since it is a local newspaper, and mentioning the difficulties of publishing a dissident newspaper in Turkey, he said, "It is obvious that to be a journalist in a country where tens of people are killed every day is very important. To be silent does not confirm the moral of press. To be with the people and to be their eyes and ears requires a price. Even if this price sometimes is to be killed."

Other attacks

PKK militants carried out bombings and armed attacks against some buildings including a night club and the center of the local newspaper Söz in Diyarbakır on the night of 2 January. In the attacks against the center of the newspaper Söz, 4 people, 2 of whom are police officers were wounded. Two of the PKK militants who clashed with security officers were killed.

Burhan Çoroğlu, the Zonguldak Representative of the journal Devrim, was detained on 5 January in Zonguldak while Haluk Yurtsever, a writer for the journal, and Sabri İpekçi, one of the employees for it, were detained by police on 8 January in İstanbul. The detainees were released by the Ankara SSC on 17 January.

The Ankara Office of the journal Özgür Gelecek was raided by police on the evening of 12 January. During the raid, 6 people including Nebahat Polat, a reporter for the journal, were detained. On the same evening police raided the house of Badegül Atav, the Ankara Representative of the journal, and detained Badegül Atav and journal director Kamil Eser. Nebahat Polat was arrested later.

As a result of a raid carried out by police against the center of the journal Alternatif in İstanbul on the evening of 12 January, Fahrettin Dülçek, the General Publication Director of the

journal, and Ahmet Köksal, the chief editor, were detained. Fahrettin Dülçek, who was arrested on 18 January, was set free by the İstanbul SSC on 19 August.

A hand grenade was thrown at the office of the newspaper Sabah, located in İstanbul Cağaloğlu at about 11.00 a.m. on 13 January by an unknown person. Damage occurred in the environment as a consequence of the explosion of the bomb, which fell on the street after striking a window fringe in the office, but nobody died or was injured.

The demonstration which was to be held in Ankara on 13 January by civil servants complaining about the insufficient increase in their wages and demanding trade union rights including the right to strike and collective bargaining, was forcibly prevented by police. The civil servants, who gathered in the Kızılay Square at noon, were dispersed by being beaten with truncheons and kicked by police. In the meantime, Evin Güvendik, a reporter for the National Press Agency, and Güneş Gürson, a reporter for the newspaper Cumhuriyet, who were watching the demonstration, were beaten by police.

Turgay Güler, a reporter for the newspaper Beklenen Vakit, who was following a meeting of the "Atatürkçü Düşünce Derneği" (Pro-Atatürk Thinking Association) on 30 January, was harassed by the authorities of that association. The authorities, who broke the camera and tape recorder of Turgay Güler, threatened him by saying "If you come to follow our meeting again, we will kill you."

Ayşe Önal, General Publication Director of the journal Nokta, and Figen Turna, a reporter for the same journal, were assaulted with intent to kill by Uğur Çakıcı (the daughter of Dündar Kılıç and the wife of Alaattin Çakıcı, both of whom are among the famous for being in mafia) who was angry with them because of a news story in the journal dated 30 January 1994. Ayşe Önal and Figen Turna were brought off death when the first bullet by Uğur Çakıcı did not hit them and then the pistol jammed in the incident on the night of 3 February. Ayşe Önal indicated that Uğur Çakıcı had invited them in order to talk, to the hospital in which she was under treatment, and said that they had faced a planned trap there.

Nevzat Yılmaz, a reporter for the newspaper Aydınlık, and Metin Göktepe and Seher Karataş, reporters for the journal Gerçek, were detained under beating by police while they were watching a funeral ceremony in İstanbul Ümraniye on 5 February. The cameras of the journalists were broken and the film rolls in the cameras were seized. The journalists, who were kept under police custody for 12 hours, were beaten for a long period at the Ümraniye Security Directorate. Bruises due to blows were determined on many parts of the body, especially on the eyes and face, of Nevzat Yılmaz, who was examined by a doctor after being released.

The office of Ramazan İmrak, a reporter for the newspaper Sabah in Cizre, was raided by police on 6 February. Stressing that police raided his office arbitrarily, Ramazan İmrak said the following: "In consequence of the search, they found only a Kurdish cassette freely sold in the market. Subsequently, they took me to the Title-deed and Cadastre Directorate located behind my office, and beat me there. They replied 'You are not allowed to ask anything. We alone do the asking.', when I asked why they behaved so."

Eylem Sürer Kaya, a reporter for the newspaper Aydınlık in İzmir, and Deniz Sütçü, a reporter for the newspaper Yeni Asır, who were watching the demonstration "No to Education With Payment" held by high school students in İzmir on 28 February, were detained by police. They were released on 1 March.

Hıncal Uluç, one of the columnists of the newspaper Sabah, was shot and wounded as a result of the fire opened by an armed person at a petrol station in the Levent quarter of İstanbul on the morning of 4 March. Hıncal Uluç, who was struck by 2 bullets in his right leg, was treated at hospital for a long period. Hıncal Uluç was reportedly shot by the men of Alaattin Çakıcı, famous for being in the mafia, because of an article he had written. Two men named İbrahim Türk and Barbaros Günalan, who were detained in connection with the incident, were arrested on 7 March, and an arrest warrant was issued against Alaattin Çakıcı in his absence.

Journalists who were following election trips by Prime Minister Tansu Çiller were beaten by police on 16 March at the Antalya Airport. Some of the journalists, who were beaten by police officers who intervened in a discussion which broke out because the number of heli-copters allocated to journalists was insufficient, were slightly injured. The names of the beaten journalists are as follows: "Tacetin Vural (Flash TV), Özbey Özay (Flash TV), Serdar Cebe (Kanal D), Hasan Polat (Günaydın), Ertuğrul Onursal (Türkiye), Turgut Yılmaz Güven (Press Consultant of the DYP)." The journalists were reportedly beaten upon directives by Antalya Security Director Mete Altan.

Three journalists named Michegel Enger, Hans Peter Wermer and Corina Guttsaadt who came from Germany to Turkey from the German TV Spiegel in order to watch the incidents that may occur during the Newroz Feast were beaten by plain clothes police officers in Tatvan on 19 March.

Cameraman of the German TV ARD Gabriele Ohl, journalists Ali Berber and Mehmet Alan who watched the demonstration staged without permission in the Şakirpaşa quarter of Adana on the morning of 21 March on the occasion of the Newroz Feast, were detained by police. The journalists were kept for 2 hours in detention.

The Hürriyet newspaper's office in İstanbul Cağaloğlu was shot on the morning of 22 March by a man named Nurullah Koç. In the attack nobody was killed or wounded, but the windows of the office were broken. It has been reported that a news story which concerned the killing of lawyer Nilüfer Şatana and was published in the newspaper Hürriyet on 20 March 1994 caused the attack having no political aspect.

A bomb was thrown into the club of the Progressive Journalists Association's Southern Marmara Branch located in Bursa Kültürpark, on the night of 25 March. As a result of the attack nobody was killed or wounded, but the local was damaged. The radical Islamic İBDA-C organization claimed responsibility for the attack. The militant, Cem Eker, who threw the bomb was reportedly wounded when another bomb he was carrying exploded short after the incident and he was then apprehended by police. Cem Eker was prosecuted at the İstanbul SSC and was sentenced to 18 years in prison in 1995. The club in question had also been bombed on 22 August 1993 and a person named Tamer Yüksel had been wounded in the incident. In consequence of the investigation into the incident, it was revealed that the club had been bombed by militants of the İBDA-C organization since alcoholic drinks had been drunk there.

Ali Kehribar, a reporter for the newspaper Cumhuriyet who was watching the ceremony held after Süleyman Can had been elected Mayor of Kütahya, was assaulted by a primary school director named Halit Balta. Halit Balta, against whom an investigation was launched following the incident, was dismissed from duty. Halit Balta, who was prosecuted at the Kütahya Penal Court of Peace No.2, was ordered to pay a fine of TL 1 million. Ali Kehribar was attacked by Halit Balta also on 14 December. Ali Kehribar, who was slightly wounded in the attack received a medical

report showing his inability to work for 1 day and then he filed an official complaint to public prosecution office.

The march made by the students of the Çorum Vocational High School on 5 April to demand personal security was prevented by police officers using force, and the students were dispersed after a beating. During the dispersion, cameraman of local "Hitit TV" broadcasting in Çorum, and Rıza Özdemir, a reporter for the newspaper Cumhuriyet were harassed by the police officers. The film shot by the cameraman and notes taken by Rıza Özdemir were seized.

Fakir Yılmaz, the owner of the local newspaper Yeni Doğu Anadolu which is released in Ardahan was detained by the police on 8 April because of his article entitled "Human Beings and a Lonely Pine Tree" published in the newspaper. He was released 3 hours later.

University students who gathered in front of the building of the Ministry of National Education in Ankara on 14 April to hold a demonstration, were dispersed under the beating by police. Out of the journalists watching the incidents. Metin Uca, a reporter for Kanal D Television, was knocked down and kicked. Aydınlık reporter Sinan Onuş who attempted to rescue Metin Uca, was also beaten by the police. In addition, cameraman Ferhat Yalçiner, who was shooting the incident, and journalists Kenan Tümer, Hıdır Güyıldar and Galip Rıdvanoglu were harassed. The newspaper Cumhuriyet reporters Ahmet Şık and Hatice Tuncer who were watching the dispersion of the students demonstrating in front of the National Education Directorate in İstanbul on 14 April, were attacked by police officers. The 2 journalists, wounded by police officers, who beat them with truncheons, were hospitalized. While Hatice Tuncer, who was slightly injured, was discharged following the first aid, Ahmet Şık, who faced with the risk of a cerebral haemorrhage, was treated at the hospital for some time.

Aydın Baylan, a reporter for the Flash TV, and Musa Hayal, a reporter for the newspaper Türkiye, who wanted to watch the hearing of a trial launched against Kemal Uzan, the owner of the İnterstar television channel, at the İstanbul Court of First Instance No.5 on 25 April were harassed by the private guards and lawyer of Kemal Uzan. Aydın Baylan and Musa Hayal stated the following after the incident: "When we tried to enter the court hall, we were prevented by lawyer Zülfü Soytürk and the guards waiting in front of the door. We told the guards that we were journalists and the hearing was open. However, we were harassed. Then we tried to convey the case to judge Mehmet Şen. Nevertheless, the judge snubbed us and ordered us to be taken out of the court hall."

The journalists who were watching the incidents which took place after May Day demonstrations in İstanbul and Ankara were either obstructed or beaten by police. During the incidents in Ankara, Banu Mertürek, a cameraman for a private television channel (Flash TV), was beaten by a plain clothes police officer. Video cassettes of a cameraman named Salih Peker, who was harassed, were seized. Besides this, another cameraman namely Şahin Balkız was bitten by a police dog which was made attack on him. During the incidents in İstanbul, Ergün Erdil, Alptekin Aydoğan and Bengi Morgül, a television team, were kept under police custody for some time. The detainees were released after the video cassettes on which the incidents were recorded, were seized.

The Adana Offices of the journals Medya Güneşi, Barikat and of the newspaper Alın-teri were raided and searched by police on 9 May. During the raids, many publications and some documents found in the offices were seized. Nobody was detained during the raids, however certain photographs and pictures hanged on the wall of the office of the journal Medya Güneşi

were damaged. Ramazan Çetin, the Adana Representative of Medya Güneşi, pointed out that the police had stayed in the office for 4 hours, seized the archive of the journal and damaged the office. Ramazan Çetin: "We condemn this illegitimate behaviour."

Turgay İkinci, the owner of the local newspaper Yeni Şalpa-zarı published in the Şalpa-zarı town of Trabzon, was attacked by Kamil Cengiz, the son of former mayor Hasan Cengiz on 8 June because of a news story published in the newspaper. Turgay İkinci who was harassed, was also threatened.

Hüsnü Ulu (31), a writer for the local newspaper İlk Haber published in the Bandırma district of Balıkesir, was shot in both of his legs and wounded by Mehmet Pravadalı on the evening of 3 July. Mehmet Pravadalı escaped after shooting Hüsnü Ulu.

A time-bomb was left in the office of the radical Islamic newspaper Beklenen Vakit on Küçük Langa Street of the Aksaray quarter of İstanbul on the morning of 6 July. The bomb was noticed and defused by police. No information could be obtained about why and by whom the bomb was placed.

Journalists who were watching the trip by ANAP Chairperson Mesut Yılmaz to Beykoz İstanbul on 11 July, were attacked by a group of party members. In the attack, the head of Ke-mal Batu, a cameraman for a private television channel (ATV) was split and some of the jour-nalists were harassed.

A television team of 6 people who came from Switzerland to Turkey in order to prepare a program about the Kurds who had emigrated from the Emergency State Region to the West, was detained by police on the morning of 17 July in Antalya. The 6 people who were detained after they had interviewed with the residents of the Teomanpaşa quarter of Antalya were released on the same day. The video tapes of the interviews were seized. Werner van Gent, the responsible official for the TV team, stated after being released that they had been detained since they had filmed without permission of the Ministry of Interior. In the meantime, an ope-ration was carried out on 20 July in the regions where the team had shooting, and 37 people were detained. Thirty-six of the detainees were released while Ali Bayrak was arrested. Ali Bayrak stated that he had been insulted and tortured because of the interview with the TV team.

Osman Okkan and Yüksel Uğurlu, Turkish Service personnel of the German WDR Television, who came to Turkey to prepare a program about the incidents in the Emergency State Region, were detained by gendarmes on 1 August. Osman Okkan and Yüksel Uğurlu, who were groundlessly detained were released after being held at the Diyarbakır Gendarmerie Regi-ment Commandership for 20 hours. The 2 journalists stated after their release that although they had received the necessary permission to conduct studies in the region from the Emer-gency State Region Governor Ünal Erkan they had been detained by the gendarmes who had not cared about the permission. The journalists added that they had not faced with ill-treatment or torture in detention.

Ufuk Kaptan, Ebru Küçükaydın and Necdet Doğruyol, reporters for the newspapers Milliyet and Hürriyet and for the Anatolian News Agency, respectively, were detained by gen-darmes when they attempted to take photographs of Prime Minister Tansu Çiller's son Mert Çiller during his participation in the army for the compulsory military service on 11 August in the Karamürsel district of İzmit. The journalists were released after the film rolls in their cameras had been seized.

The printing office of the newspaper *Hürriyet* in İstanbul Halkalı was bombed by unknown people on the night of 12 August. The attack, in which nobody was killed or wounded, caused damage. A person who called newspapers after the attack stated that the attack had been carried out by PKK militants.

Ersen Korkmaz, the owner of the local newspaper *Demokrat* published in the İskende-run district of Hatay, was knifed by an unknown person on 13 August. Ersen Korkmaz, who was severely wounded in the attack was treated at hospital for a some time. He was supposedly attacked because of news stories published in the newspaper about certain irregularities.

The building of the *Orduevi* (Military Guesthouse) in Adana was bombed by unknown people on 23 August. Journalists attempting to take photographs of the building following the explosion were attacked by a non-commissioned officer whose name could not be discovered.

The İstanbul Office of the journal *Devrim* was raided and searched by police on 25 August. During the search, furniture, publications and documents in the office were damaged. After the raid, 9 people, including Özgür Ülke writer Haluk Yurtsever, were kept in police custody for 7 hours.

A group of municipality workers who gathered in front of the central office of the Aras Cargo company in Ankara on 29 August in order to visit about 50 workers who had occupied the office in protest at dismissals, were dispersed after a beating by gendarmes. Cameraman Zihni Oğuzakın and reporter Selim Şahin, both of whom work for a private TV channel, Kanal 6, were also beaten by the gendarmes while they were following the dispersion.

Prof. Dr. Toktamış Ateş, one of the writers for the newspaper *Cumhuriyet*, was attempted to be killed in a bomb attack during a book signing held on 6 September in a bookstore in Beşiktaş, İstanbul. The bomb, left near the desk where Toktamış Ateş was signing his books, did not go off because of a disconnection between the timer and its detonator. The bomb was found by staff of the bookstore an hour after the writer had stopped signing his books. The radical Islamic İBDA-C organization took responsibility for the plot.

The Diyarbakır Office of the newspaper *Newroz* was raided by police on the evening of 31 October. In the raid, furniture in the office was damaged and numerous documents were seized. At the same hours, the house of Sait Alpaslan, Diyarbakır reporter for the newspaper, was raided, too. In the raid, Sait Alpaslan, his wife Dilek Alpaslan and Evrim Alataş, one of the workers for the newspaper, were detained. Together with the detainees, 2-year old Zilan, the daughter of the couple, was also taken to the Security Directorate. Zilan Alpaslan was handed over to her relatives on 1 November. While Dilek Alpaslan and Evrim Alataş were released on 2 November, Sait Alpaslan was arrested for possessing illegal publications.

The center of the local newspaper *Milli İrade* released in Eskişehir, was raided by a group of 10 people at about 7.00 p.m. on 12 November. Yılmaz Karaca, the General Publication Director of the newspaper and the Chairperson of the Eskişehir Journalists Society, who was beaten during the raid and then hurt while trying to escape by jumping out of window, was kept under treatment at hospital for some time. News stories published in the newspaper which demanded the prohibition of sale of poor quality coal which caused air pollution, reportedly caused the attack. Five of 8 people detained following the attack were arrested.

Hasan Hüseyin Inan and Mehmet Bars, photo reporters for the newspaper Özgür Ülke and weekly *Nokta*, respectively, were detained while watching a demonstration held by civil servants

in front of the Istanbul Metropolitan Municipality building on 16 November. The journalists who were detained since they took photographs of plain clothes police officers, were released after the film rolls in their cameras were seized.

In consequence of the operations carried out by police in Malatya at the end of November, 10 people including the newspaper Newroz workers Sevim Lekesiz, Mehmet Lekesiz and Teoman Gül were detained. Of the detainees, Teoman Gül was arrested on 1 December while Sevim Lekesiz and Mehmet Lekesiz were released. Sevim and Mehmet Lekesiz said that they had been tortured in police custody.

Fügen Ünal Şen and Engin Aytaş, reporter and photo reporter, respectively, for the newspaper Sabah, were detained in Istanbul at noon on 30 November. The journalists, who were detained since they took photographs of the house of Istanbul Governor Hayri Kozakçı-oğlu, were released after being kept for 4 hours under custody in the Teşvikiye Police Station.

Three unknown people opened fire at the Doğan Medya Center which is in the Bağcılar quarter of Istanbul and in which centers of the newspapers Milliyet and Meydan and of TV channel Kanal D are located, on 28 December. Nine bullets hit the building of the Doğan Medya Center as a result of the gun shots fired by armed people who came in a stolen car. The Communist Labour Party of Turkey-Leninist organization claimed the responsibility for the attack.

c)- Prisoners of thought

The number of people who were imprisoned for expressing their thoughts or for their political activities increased to a great extent in 1994 when compared to the previous years. The number of people who were imprisoned because of the books or articles they had written, the speeches they had made or because of their political activities remained over 100 during the year. According to HRFT determinations, the number of people who were imprisoned as arrested or convicted because of their thoughts reached **172** (*). The breakdown of those who were imprisoned because of their thoughts are as follows:

Those imprisoned after their sentences were ratified	45
Arrested journalists, writers or publishers	102
Arrested deputies	8
Arrested party administrators	17
(Detailed information is in the section "Pressure on Political Parties.")	
TOTAL	172

While the incidents during the year showed that the political power did not intend to lift the concept of "crime of thought", the pressure, attacks and threats that prisoners of conscience were sometimes subject to caused new additional problems. For example; journalists and writers Ahmet Zeki Okçuoğlu, Ömer Yağan, Hikmet Çetin and Selim Okçuoğlu, prisoners of thought in the Gemlik Closed Prison disclosed in August that they were in danger. Sending a letter to the IHD Istanbul Branch, the 4 people accused of thought crimes stated that the prison administration was preparing for a provocation and incited the inmates arrested for criminal rather than political reasons against them. They said the following: "Lastly, a Kurd arrested for an ordinary crime was

(*) 97 out of 172 offenders of thought (32 of whom are convicted, 55 are arrested, 6 are deputies and 4 are party leaders) were in prison as of 1 January 1995.

beaten and in this way they attempted to intimidate us. Subsequently, the inmates arrested for ordinary crimes started to insult us for various pretexts and when the incident became serious the prosecutor who came to the prison decided to put us into a cell. However, this decision was reversed after a short period. There are two reasons the prison administration is bothered by us. The first is our being Kurdish and the second is our attempt to make public the drug trade carried out with the knowledge of the prison administration.”

In the Ankara Central Closed Prison, guardians and gendarmes carried out a raid on 19 August in the wing where also Ismail Beşikçi was staying. In the raid, 16 arrested inmates were injured. Ismail Beşikçi escaped without any injuries thanks to other prisoners who protected him. Ayşe Nur Zarakolu who served in prison 3 months 22 days in 1994 because of a book she had published, was kept together with prisoners of ordinary crimes for a long period of time. After long-time efforts she was sent to the wing where political prisoners are kept.

Convicts

The number of criminals of thought who were imprisoned in 1994 when prison sentences or fines passed on them in connection with their articles or speeches, became decisive was **29**. (This figure was 3 in 1992, and 18 in 1993). When we add this number to the **16** convicted people who were imprisoned in 1993 and served in prison throughout 1994 or some portion of it, the number of the prisoners of thought reached **45**, most of whom are journalists and writers.

The information about the people convicted because of their thoughts and imprisoned since the sentences (*) passed on them were ratified is as follows:

01)- Edip Polat (1993)

A sentence of 2 years in prison and a fine of TL 50 million given to writer Edip Polat because of his book “Newrozladık Şafakları” was ratified by the Supreme Court on 10 June 1993. Because of the book in question, Edip Polat had been prosecuted at the Ankara SSC in 1992 and convicted on charges of disseminating separatist propaganda. Edip Polat who was apprehended and detained at the Ankara Esenboğa Airport while he was attempting to escape abroad on 16 July 1993, was later arrested. He was first sent to the Ankara Central Prison and then to the Bursa E Type Prison. Edip Polat served in prison 18 months and was set free on 20 January 1995. Another trial launched against him regarding his attempt to escape is still continuing, and a sentence of 10 months in prison passed on him concerning his article in a news-paper is on the agenda of the Supreme Court. Hikmet Koçak, the owner of the Başak Publishing House, prosecuted in connection with the book “Newrozladık Şafakları”, was sentenced to 6 months in prison and fine of TL 100 million. He had been prosecuted two times before because of the book. In the first trial, he had been sentenced to a fine of TL 1,728 million. However, the sentence had been found too

(*) The prisoners of conscience who were convicted under the “Law to Fight Terrorism” serve in prison longer than other convicts. According to the system implemented in Turkey, three fourths of the prison terms given under the “Law to Fight Terrorism” are served in prison, on the other hand, two fifths of the prison terms given under the Turkish Penal Code, etc., (excluding the “Law to Fight Terrorism”) are served in prison. For example, a person who is sentenced to 20 months in prison because of ordinary crimes is released after 8 months in prison, while a person who is sentenced to 20 months in prison under the “Law to Fight Terrorism” because of a book s/he wrote, has to serve in prison for 15 months. In addition, fines given under the “Law to Fight Terrorism” are much heavier than other fines passed under other laws. Thus, fines passed on the journalists and writers are an additional burden and usually cannot be paid. In case that fines are not paid, the prison terms are increased. (Unpaid fines are commuted into up to 3 years’ imprisonment)

much and overturned. In the second trial he had been acquitted. (The acquittal had also been overturned by the Supreme Court.)

02)- Hacay Yılmaz (1993)

The sentence of 20 months in prison and a fine of TL 42 million passed on journalist-writer Hacay Yılmaz because of a speech he made at a meeting organized by "Halkevi" in the Söke district of Aydın on 19 February 1992, were ratified by the Supreme Court in July 1993. The verdict was given by the Izmir SSC under Article 8 of the "Law to Fight Terrorism". Hacay Yılmaz who was arrested on 18 August 1993 was sent to the Urla (Izmir) Closed Prison. After serving 15 months in prison, he was set free on 14 October.

03)- Remzi Küçükertan (1993)

Remzi Küçükertan who was sentenced to a total of 17 years in prison (on charges of insulting the administrators of the 12 September period, particularly Kenan Evren, and of certain state institutions) regarding his statements during his prosecution in connection with the TIKB (Revolutionists Communists Union of Turkey) after the 12 September Coup, was arrested in August 1993. Remzi Küçükertan, who is still in the Haymana Closed Prison will serve in prison for about 3 years in accordance with the conditional release system since he was convicted under Articles 158 and 159 of the Turkish Penal Code. After the 12 September Coup he had served 11 years in prison.

04)- Naile Tuncer (1993)

A total of 11 months in prison and fine of TL 92 million given to Naile Tuncer, the chief editor of the periodical Devrimci Proleterya, at the end of the trials launched in connection with certain articles in the 1st and 2nd issues of the periodical released in 1991, became decisive in 1993. Naile Tuncer convicted by the Istanbul SSC under the "Law to Fight Terrorism", was arrested in 1993 when the sentences were ratified and sent to the Çanakkale E Type Prison. Besides this, two sentences, 10 months in prison and 2 years in prison, given to Naile Tuncer by the Istanbul SSC were ratified while she was in prison. Thus, the total of the ratified prison sentences reached 3 years 9 months. Naile Tuncer will serve in prison 2 years 9 months 21 days of the ratified sentences. In another press trial which ended on 5 April at the Ankara SSC, Naile Tuncer was also sentenced to 12 months in prison and a fine of TL 250 million because of the photograph on the cover of the book "Madencinin Haykırın Soluğu-Boğaziçi İşgali". In addition, a sentence of 3 years in prison and a fine of TL 500 million given to her in connection with the articles in the 2nd issue of the periodical Devrimci Proleter Gençlik released in March 1993, are on the agenda of the Supreme Court.

05)- Tuncay Atmaca (1993)

The Supreme Court upheld sentence of 30 months in prison and a fine of TL 83 million passed by the Istanbul SSC in February 1993 on Tuncay Atmaca, the chief editor of the periodical Emek. When the sentence became decisive, Tuncay Atmaca was arrested in Izmir in August 1993 and sent to the Buca Prison. In another press trial which ended at the Istanbul SSC on 30 September 1993, Tuncay Atmaca was convicted to 6 months in prison and a fine of TL 50 million, and the verdict was ratified by the Supreme Court on 14 April and became decisive. He will serve in prison for 2 years 3 months of the 3-year imprisonment term. He is still in the Urla (Izmir) Closed Prison.

06)- Günnur İlhan (1993)

A sentence of 6 months in prison and a fine of TL 50 million passed on Günnur İlhan, chief editor of the newspaper İşçilerin Sesi, in connection with an article entitled "Ölüm Man-gaları

Şehire İndi” (Death Squads Came to the City) published in the newspaper in 1991 was ratified by the Supreme Court in 1993. She had been prosecuted by the Istanbul SSC and con-victed under Article 8 of “Law to Fight Terrorism”. When her sentence became decisive, she was arrested in October 1993 and sent to the Çanakkale Prison. After serving 4 months 15 days in prison, she was set free in February. In the meantime, a sentence of 20 months in prison and a fine of TL 41 million given to her under Article 8 of the “Law to Fight Terrorism” because of an article entitled “Kırlı Savaş Devletin Politikası Haline Geldi” (Dirty War Became a Policy of the State) in the 11th issue of the newspaper dated 18 July 1991, were quashed by the Supreme Court. At the end of the second prosecution at the Istanbul SSC, Günnur İlhan was fined.

07)- Mustafa Kaplan (1993)

A one-year imprisonment passed on Mustafa Kaplan, one of the writers of the newspapers Yeni Asya and Beklenen Vakit, because of a speech he had made during a meeting organized in Uşak in 1989, was ratified by the Supreme Court in 1993. In the trial which had ended at the Uşak Penal Court of First Instance in 1992, Mustafa Kaplan had been sentenced to one year in prison on the grounds that he had insulted Atatürk, the founder of the Turkish Republic. Two other prison sentences passed on him because of his various articles in 1992 were ratified in 1993. Thus, the total prison sentences given to him and then ratified reached 4 years. Mustafa Kaplan was detained at his house in Güngören Istanbul on 24 September 1993. He was arrested on 27 September and later sent to the Bayrampaşa Prison. He was transferred to the Gölcük Prison after serving for a period in the former. He served about 16 months in prison and was set free on 2 February 1995.

08)- Günay Aslan (1993)

The Supreme Court ratified a 20 months’ prison sentence and a fine of TL 42 million given to journalist-writer Günay Aslan because of his book “33 Kurşun” (33 Gunshots), in September 1993. Günay Aslan was detained on 6 October while he was attempting to flee from Bodrum to Greece together with his wife. He was arrested and sent to the Muğla Prison. The first trial against Günay Aslan in connection with the aforesaid book had been launched in 1990 under Article 142/3 of the Turkish Penal Code, but it had been dismissed upon the removal of the article in question. Then, the book was re-published. Nevertheless, it was confiscated under Article 8 of the “Law to Fight Terrorism” and another trial had been launched at the Istanbul SSC against him. Günay Aslan who was sent to the Dalaman Prison in 1994, was set free at the beginning of 1995 after serving 15 months in prison. Later, he left Turkey.

09)- Zana Sezen (1993)

The Istanbul SSC issued an arrest warrant on 18 October 1993 against Zana Sezen, one of the chief editors of the newspaper “Azadi”, in his absentia in connection with certain articles published in the newspaper. Zana Sezen who went voluntarily to the Istanbul SSC on the morning of 19 October 1993 upon the issuing of an arrest warrant, was arrested and imprisoned. Subsequently, trials were launched against him under the “Law to Fight Terrorism”. His demands for release were not accepted for a long period. When Zana Sezen was in prison, a sentence of 6 months in prison and a fine of TL 50 million given to him in connection with an article in the 72nd issue of “Azadi”, were ratified by the Supreme Court on 21 August. He was released on 28 December, having completed the period he had to serve in prison under the sentence that was ruled decisive.

10)- İsmail Beşikçi (1993)

A one-year prison sentence given to writer Ismail Beşikçi on 23 December 1991 because of his article entitled “Kürt Kadınının Gerillaya Katılması” (Participation of Kurdish Women in Guerrilla Forces), published in the 1st issue of the newspaper Yeni Ülke in 1990, was ratified by the Supreme Court. Ismail Beşikçi had been tried by Istanbul Penal Court of First Instance No.2 in connection with the article, and sentenced under Article 312 of the Turkish Penal Code. Ismail Beşikçi was detained in the Iskilip district of Çorum on 12 November 1993 after the ratification of the sentence. He was arrested on 13 November and sent to the Iskilip Closed Prison. Later he was transferred to the Ankara Central Closed Prison in consideration of the trials against him.

Sentences of 20 months in prison and a fine of TL 42 million passed on Ismail Beşikçi because of his book “PKK Üzerine Düşünceler” (Thoughts on the PKK), 20 months in prison and a fine of TL 42 million because of his book entitled “Cumhuriyet Halk Fırkası 1931 - Kürt Sorunu” (Republican People Party Program 1931 - the Kurdish Problem), and 2 years in prison and a fine of TL 100 million because of his article on “State Security Courts” were ratified in October 1993, on 10 November 1993 and in December 1993, respectively. The Supreme Court continued ratifying the sentences and fines passed on Ismail Beşikçi, in 1994. A sentence of 2 years in prison and a fine of TL 50 million for his article published in the 1 March 1992 dated issue of the periodical Devrimci Yurtsever Gençlik were ratified on 4 January, total sentence of 4 years in prison and fines of TL 350 million passed on him in connection with his article entitled “Anayasa Mahkemesi Başkanı’na Açık Mektup” (Open Letter to the Constitutional Court President) published in the newspaper Yeni Ülke on 2 August 1992, and his book, “Bilincin Yükselişi” (Rise of Consciousness), were ratified at the beginning of July, a sentence of 2 years in prison and a fine of TL 250 million passed because of his book “Kendini Keşfeden Ulus, Kürt-ler” (Kurds, the Nation That Discovers Itself) were ratified in the midst of July and sentence of 2 years in prison and a fine of TL 250 million passed because of his article entitled “Uğur Mumcu’ya Açık Mektup” (Open Letter to Uğur Mumcu) were ratified by the Supreme Court at the beginning of November.

The total of the imprisonment sentences and fines passed on Ismail Beşikçi against whom many trials were launched because of his books, articles and speeches reached, 69 years 11 months (55 years 7 months of sentences were given to him in 1994) and TL 5,341 million (TL 4,807-million of which was passed in 1994), respectively as of 1 January 1995. Prison term of 16 years 4 months and fine of TL 1,082 million passed on Ismail Beşikçi who is still in the Ankara Closed Prison, became decisive. The total of prison sentences and fines which were given to Ismail Beşikçi and then ratified exceeded 30 years and 2 billion, respectively, in the midst of 1995. Meanwhile, Ismail Beşikçi who is generally convicted in trials against him, was acquitted on 15 November at end of the trial launched at the Ankara SSC in connection with the preface he had written for the book “Bilim Dilinde Kürtler ve Kürdistan” (Kurds and Kurdistan in the Language of Science). Another trial launched against him at the Istanbul SSC in connection with his article published in the periodical Toplumsal Kurtuluş was dismissed on 30 December due to prescription. More than 50 trials launched against Ismail Beşikçi are under way at the Istanbul SSC and Ankara SSC.

Ismail Beşikçi who has to serve in prison for years, disclosed that he would not pay the fines passed on him. In the 16 June 1994 dated letter he sent to the IHD, Ismail Beşikçi stated the grounds for his decision as follows:

There is a big difference between the state’s attitude towards those writing books and articles on certain issues and towards those committing ignominious crimes, for example towards those swindling the state. The subject should be discussed from the view of concepts such as

“justice”, “manifestation of justice”, “handing out justice”. The attitude of the judiciary towards Yahya Demirel who received a credit of \$ 20 million 50 thousand from Şekerbank in 1988 but did not pay back the credit, should be discussed in detail. The state cannot get its money back which amounts to TL 700 billion, at current exchange rates. As a result of a prosecution which lasted for 6 years, he was convicted to 15 months 16 days in prison. If he can be caught, he will serve in prison for 198 days. The state cannot get its money back from those swindling and making irregular actions, but convicts people to heavy fines along with heavy imprisonment for writing a book or an article. The starting base for fines was TL 50 million in the previous years. Starting from the end of 1993, that base has been TL 250 million. There is no legal basis for such a punishment. It has been put into practice with the aim of intimidating free thought.

Any of the writers cannot afford a heavy fine of TL 250 million. Above all, it is impossible to pay two such fines one after another. The crime of thought is not a crime which makes a person to reach her/his aim after committing it once. The person may write several more books or articles in order to clarify her/his thoughts better and to make it more perfect. A person who commits a crime such as stealing, receiving bribes, swindling, misuse of funds etc. may reach her/his aim at once, but it is obvious that it is not the case for the crime of thought. Thought is a dynamic process. According to new phenomena and new conditions there may be a need for a new analysis. Even if the books are sold for the prices printed on them, this will not be sufficient for payment of such a fine. Furthermore, this punishment has no legal basis. An attempt to pay a heavy fine may force the person to censor her/himself. The person who does not want to face such a fine again may censor her/himself. If it is the case of auto-censor, it may be said that heavy prison sentence may create such an affect, too. This is obviously true. In spite of that, the results of paying heavy fines are negative. In this case, it may be said “let us not serve in prison.” A writer has no choice when s/he faces a prison term. The writer has no weapon except his pen. A person whose thoughts, books and articles confronts sanctions by the state, has to pay the price. This is not an individual problem, but a social problem.

11)- Hıdır Ateş (1993)

A sentence of 6 months in prison and a fine of TL 100 million passed on Hıdır Ateş, one of the chief editors of the periodical Odak, in connection with the 4th special issue of the periodical released in 1992, were ratified by the Supreme Court in November 1993. Hıdır Ateş, sentenced by the Istanbul SSC under Article 8 of the “Law to Fight Terrorism”, was detained on the evening of 23 November 1993 and arrested 2 days later. Another prison term of 6 months passed on Hıdır Ateş who was sent to the Bayrampaşa Prison, was ratified while he was in prison. Although he completed the 9 months prison term that he had to serve, he was not set free since he did not pay the fine. Upon payment of the fine, he was released at the beginning of November 1994. There are about 10 more trials launched against him for articles and news stories published in the periodical Odak. Some of those trials are on the agenda of the Supreme Court and some of them are continuing at the Istanbul SSC.

12)- Mehmet Zeynettin Ünay (1993)

13)- Abdülaziz Aktaş (1993)

14)- Mehmet Tekin (1993)

Mehmet Zeynettin Ünay, Abdülaziz Aktaş and Mehmet Tekin, administrators of the HEP Izmir 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 since it was banned. The sentences passed on them were approved by the Supreme Court in 1993. The HEP leaders had

been prosecuted on the grounds that they had insulted security forces and incited people to crime through the leaflet they had prepared in 1992 about the ruining of squatters' houses. Following the ratification, they were arrested on 21 December 1993 and sent to the Ivrindi (Balıkesir) Prison. After serving 2 months 23 days in prison Mehmet Zeynettin Ünay, Abdülaziz Aktaş and Mehmet Tekin were set free on 13 March.

15)- Ömer Ağın (1993)

16)- Ahmet Zeki Okçuoğlu

Sentences of 20 months in prison and fine of TL 42 million passed on writer Ömer Ağın and lawyer Ahmet Zeki Okçuoğlu in connection with the interview in the 12th issue of the periodical Demokrat (stopped its publication voluntarily) released in May 1991, were ratified in 1993 by the Supreme Court. The Supreme Court also approved the sentence of 5 months in prison and a fine of TL 42 million given to chief editor Engin Günay and a fine of TL 83 million on Hikmet Koçak, the owner of the periodical. The trial launched against the defendants at the Istanbul SSC under Article 8 of the "Law to Fight Terrorism" ended on 12 March 1993. Ömer Ağın and Ahmet Zeki Okçuoğlu were arrested and sent to the Bayrampaşa Prison in December 1993 and on 13 January, respectively. Ömer Ağın and Ahmet Zeki Okçuoğlu who were kept in the Bayrampaşa Prison for a while were later transferred to the Gemlik Prison. Ahmet Zeki Okçuoğlu was released on 21 February 1995 after serving for 13 months 10 days in prison and Ömer Ağın was released in March 1995 after serving for 15 months in prison.

17)- Hikmet Çetin (1993)

A sentence of 20 months in prison and a fine of TL 42 million given to Hikmet Çetin, the owner of the newspaper Azadi and journal Deng because of his speech in a meeting held in Izmir on 10 January 1992, were ratified by the Supreme Court in 1993. Hikmet Çetin was prosecuted by the Izmir SSC under Article 8 of the "Law to Fight Terrorism" and convicted in December 1992. After the sentence became decisive, he was arrested in Istanbul on 30 December 1993 and first sent to the Bayrampaşa Prison and then to the Gemlik Closed Prison. He served for 15 months in prison. Hikmet Çetin was also ordered to pay a fine of TL 83 million because of an article in the periodical Deng and total fine of TL 166 million at the end of 2 trials concerning the newspaper Azadi. The Supreme Court ratified the fines.

18)- Hayrettin Soykan

A sentence of 20 months in prison and a fine of TL 42 million given to Hayrettin Soykan, one of the chief editors of the periodical Ak-Zuhur concerning an article entitled, "İç Savaşın Eşiğinde Ne Yapmalı" (What Is to Be Done on the Threshold of Civil War?) published in the periodical, became decisive in 1993. Hayrettin Soykan convicted by the Istanbul SSC on charges of disseminating separatist propaganda, was arrested and imprisoned on 13 January. While he was in prison, another fine of TL 50 million given to him because of an article published in the periodical on 1 October 1992, was ratified. He had been convicted by the Istanbul SSC under Article 6 of the "Law to Fight Terrorism" in 1993. After being kept in the Istanbul Metris Prison, he was transferred to the Gemlik Closed Prison. He served 15 months in prison and was released on 10 April 1995.

19)- Kemal Sahir Gürel

The trial launched at the Izmir SSC against Kemal Sahir Gürel and Elif Sumru Gürel, members of the music group "Grup Yorum" because of their concert on 15 March 1992 in Denizli, ended on 14 May 1993. In the trial launched under Article 8 of the "Law to Fight Terrorism", 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. Ke-mal Sahir Gürel was arrested on 14 January and sent to the Çorlu Closed Prison. After serving 15 months in prison, Kemal Sahir Gürel was set free on 12 April 1995.

20)- Cemile Yürümez

The Supreme Court ratified in 1994, the sentence of 20 months in prison and a fine of TL 208 million passed on Cemile Yürümez, the chief editor of the “Emekçi Kadınlar Bülteni” (Labourer Women Bulletin), in 1993 on the grounds that she made separatist propaganda in one of her articles. Cemile Yürümez was detained by police on 24 February and arrested on 2 March. She served 15 months in prison.

21)- Fikret Başkaya

22)- Selim Okçuoğlu

A sentence of 20 months in prison and a fine of TL 41 million passed on Ass. Prof. Fikret Başkaya in connection with his book entitled “Paradigmanın İflası-Resmi İdeolojinin Eleştirisine Giriş” (Bankruptcy of the Paradigm-Introduction to the Criticism of the Official Ideology), and a sentence of 5 months in prison and a fine of TL 41 million passed on Selim Okçuoğlu, the owner of Doz Publishing House that published the book, were ratified by the Supreme Court on 16 December 1993. The verdicts had been passed by the Istanbul SSC under Article 8 of the “Law to Fight Terrorism” on 15 August 1993. Previously, Fikret Başkaya and Selim Okçuoğlu had been sued for accusations but had been acquitted. However, the acquittal had been overturned by the Supreme Court upon the application by the Istanbul SSC Prosecution Office and the defendants had been prosecuted once more. Fikret Başkaya was detained by police officers at his house at about 2.00 a.m. on 18 March and arrested on the same day. Fikret Başkaya who was sent to the Ankara Central Closed Prison, and transferred to the Haymana Prison within a short time, served 15 months in prison and was set free on 14 June 1995. The appeal made to the President by Mustafa Altıntaş, the Chairperson of the Lecturers’ Association, with the aim of obtaining a pardon for Fikret Başkaya, was rejected. Lawyer Selim Okçuoğlu was imprisoned on 10 June. Upon his demand, he was sent to the Gemlik Closed Prison where his elder brother Ahmet Zeki Okçuoğlu was a prisoner. Selim Okçuoğlu was released on 5 October after serving 3 months 22 days in prison.

23)- Songül Aytemur

A sentence of 5 months in prison given to Songül Aytemur, the Chairperson of Sağlık-Sen, in connection with the placards displayed at a meeting held in February 1992, was ratified by the Supreme Court at the beginning of 1994. She was arrested on 6 May and sent to the Istanbul Bayrampaşa Prison. She was released in July.

24)- Ayşe Nur Zarakolu

A sentence of 5 months in prison and a fine of TL 41 million given to Ayşe Nur Zarakolu who is responsible for the Belge Publishing House which had published the book “Cumhuriyet Halk Partisi Programı-1931, Kürt Sorunu” (Republican People Party Program-1931, the Kurdish Problem), were ratified by the Supreme Court in 1993. Ayşe Nur Zarakolu had been prosecuted at the Istanbul SSC under Article 8 of the “Law to Fight Terrorism” and convicted on 1 July 1993. In the trial İsmail Beşikçi, the writer of the book, had been sentenced to 20 months in prison and a fine of TL 83 million. When the prison sentence was ratified, Ayşe Nur Zarakolu was imprisoned on 4 May. After serving in prison for 3 months and 22 days, she was released on 25 August. She was kept together with prisoners of ordinary crimes for a long period. After much effort, she was sent to the wing where political prisoners are kept.

25)- Mehdi Zana

Diyarbakır Former Mayor Mehdi Zana was sentenced to 4 years in prison and a fine of TL 200 million in a trial launched at the Ankara SSC in connection with the press conference he had held in the European Parliament on 28 October 1992 and the speech he had delivered there on 3 December 1992. With the disclosure of the verdict on 12 May, an arrest warrant was issued against him in absentia. He was detained by police at noon on 13 May after leaving his house in the MPs lodgings. Mehdi Zana, who was arrested on the same day by the Ankara SSC, was sent to the Ankara Central Closed Prison. The Supreme Court ratified on 21 September the sentence passed against him. Mehdi Zana will serve 36 months in prison, but if he does not pay the fine of TL 200 million, it will be converted to 3 years imprisonment. Mehdi Zana was also sentenced to 2 years in prison and ordered to pay a fine of TL 100 million in connection with a speech he delivered in a meeting held by the defunct HEP in Bursa on 28 June 1992. Mehdi Zana served more than 11 years in prison following the 12 September coup.

26)- Sırrı Öztürk**27)- İlyas Burak**

Sentences of 5 months in prison and fine of TL 41 million given to Sırrı Öztürk and İlyas Burak, the owners of the Sorun and Melsa Publishing Houses, respectively, which had published the book “1989-1990 Cezaevi Şiir Antolojisi” (1989-1990 Prison Poems Anthology) were ratified by the Supreme Court. Sırrı Öztürk and İlyas Burak prosecuted in 1992 because of the book in question, had been first acquitted, but the acquittal verdict had been overturned by the Supreme Court. In the second prosecution, they were convicted under Article 8 of the “Law to Fight Terrorism”. In the book, there were about 100 poems all in prison by 40 poets. Upon the ratification, Sırrı Öztürk was imprisoned on 25 May. Sırrı Öztürk, who was sent to the Babaeski Prison was set free on 14 September after serving 3 months 22 days of the sentence. Sırrı Öztürk, who suffered heart trouble on 15 July while in prison, was first taken to the Baba-eski Hospital and then to the Edirne State Hospital. Sırrı Öztürk stayed in hospital for 2 days and returned to prison. İlyas Burak was arrested in Hakkari in July and sent to the Hakkari Pri-son. Since İlyas Burak could not pay the fine, he was not set free for some time although he terminated his sentence.

28)- Münir Ceylan

A sentence of 20 months in prison given to Münir Ceylan, the Chairperson of Petrol İş (Trade Union of Petroleum, Petrochemical and Rubber Industry Workers), in connection with his article entitled “Yarın Çok Geç Olacaktır” (Tomorrow Will Be Too Late) published in the newspaper Yeni Ülke dated 21 July 1991, was ratified by the Supreme Court in December 1993. Münir Ceylan accused of inciting people to crime, had criticized the “Law to Fight Ter-rorism” in his article, which led him sentenced under Article 312 of the Turkish Penal Code. Münir Ceylan’s objection to the decision of the Supreme Court was not accepted. Subsequ-ently, he enjoyed his right of individual appeal to the European Human Rights Commission. Because of the prison sentence, his right to be trade union chairperson was taken away. In the notification sent by the Istanbul Governorate to the trade union in February, it was stated that since Münir Ceylan was sentenced, he could not act as the Chairperson of Petrol İş in accor-dance with the Law on Trade Unions. The Administrative Board of Petrol İş which convened upon the notification, relieved Münir Ceylan of his duties. Münir Ceylan was arrested on 1 June and sent to the Saray (Tekirdağ) Closed Prison. After serving 8 months in prison he was set free on 30 January 1995.

29)- Haluk Gerger

A sentence of 20 months in prison and a fine of TL 208 million given to journalist-writer Haluk Gerger for a message he had sent to a meeting held in Ankara on 22 May 1993, was ratified by the Supreme Court on 27 April. Haluk Gerger had been tried and convicted at the Ankara SSC under Article 8 of the "Law to Fight Terrorism". Haluk Gerger who surrendered to the Ankara Public Prosecution Office on 27 June, was first sent to the Ankara Central Closed Prison and then to the Haymana Prison. Haluk Gerger will serve in prison 15 months of his sentence. Haluk Gerger who made a statement on 13 November, disclosed that he would not give anymore statements to the press. Indicating that the press censors his thoughts completely, sometimes distorts them and sometimes appropriates his words or attitude, Haluk Gerger said that his name was often used, his image was on the screen and in print, but his thoughts were never reflected. He said: "Ban put by the media on making my thoughts public goes neck and neck with the ban by the state. Besides this, the press' interest in us has become a means to veil the existence of political verdicts and the concept of political crime. All of them bother and enrage me much more than being sentenced because of my thoughts. Therefore, I disclose that I will not receive the journalists who call on me and will not meet with my visitors in front of the press."

30)- Recep Maraşlı

A sentence of 2 years in prison passed by the Istanbul SSC on publisher-writer Recep Maraşlı for his book "Diyarbakir Rızgari Davasında Savunma" (Defence in the Diyarbakir Rızgari Trial), became decisive at the beginning of 1994. Recep Maraşlı, wanted by police, was detained after a police raid on his house in the Şirinevler quarter of Istanbul on the night of 9 July. Recep Maraşlı, detained on charges of being the leader of the PRK (Freedom Party of Kurdistan) organization, was interrogated for 15 days and arrested on 21 July. Subsequently, Recep Maraşlı, who disclosed that he had been tortured under police custody, was charged with the demand of no less than 15 years in prison. In addition, a sentence of 2 years in prison given to him because of his speech during a meeting organized by the IHD Istanbul Branch in December 1992, became decisive in December. Recep Maraşlı will serve in prison 3 years of the sentence he received.

31)- Ahmet Zengin

Ahmet Zengin, who undertook the ownership of the journal Toplumsal Kurtuluş, was arrested at the end of June since he could not pay the fine of TL 83 million he received because of the writings in the journal in September 1991. When TL 83 million, which was collected through the efforts of his friends and some publishing houses, was paid, Ahmet Zengin was set free on the evening of 1 September. Unless the fine had been paid, he would have had to serve 3 years in prison. In the meantime, an arrest warrant was issued against him in absentia on 30 December in a trial of press against him.

32)- Medeni Ayhan

Medeni Ayhan, one of the chief editors of the periodical Özgür Bilim was sentenced to 4 years in prison and a fine of TL 500 million in connection with speeches he delivered in two meetings organized in Ankara on 29 April and 1 May 1993. In the trial which ended on 29 July, an arrest warrant was also issued (without waiting for an examination by the Supreme Court) against him. Thereupon, Medeni Ayhan was taken from the court hall to the Ankara Central Closed Prison.

33)- Kemal Okutan

Kemal Okutan, one of the administrators of the People's Labour Party and the Democracy Party, which had been closed by the Constitutional Court, was detained by police officers at his

house in the Esenyurt district of Istanbul on the night of 8 September, when prison sentences given to him for his speeches were ratified. Kemal Okutan was arrested by the Istanbul SSC, where he was brought before on 14 September and sent to the Bayrampaşa Prison. In addition to the total sentence of 8 years in prison and a fine of TL 350 million for his speeches, there was also a sentence of 6 months in prison and a fine of TL 50 million given to him because of a press bulletin released by the HEP.

34)- Numan Baktaş

A sentence of 20 months in prison and a fine of TL 208 million given to writer Numan Baktaş because of the play “Direnme ve Yenilenme Kanunu” (The Law of Resistance and Renovation) he had written, became decisive on 27 April. Numan Baktaş who was prosecuted at the Ankara SSC because of the play which had not been performed but published in book form, was convicted under Article 8 of the “Law to Fight Terrorism”. In the work in question, Numan Baktaş told about the incidents which had occurred in the Diyarbakır Military Prison in 1982. Numan Baktaş was detained by police officers at his office on 4 October because of the ratified sentence. Numan Baktaş who was arrested on 5 October, was first taken to the Ankara Central Prison and then transferred to the Haymana Prison. He will serve in prison for 15 months. In addition, Burhan Günel, the responsible official for the Kamçı Publishing House, which had published the book, was sentenced to 6 months in prison and a fine of TL 50 million.

35)- Mahmut Akkurt

A one year prison term and a fine of TL 100,000 given to lawyer Mahmut Akkurt, the former Chairperson of the IHD Balıkesir Branch, because of his speech in a meeting held by a trade union in Balıkesir on 18 October 1992, were ratified by the Supreme Court. Subsequently, Mahmut Akkurt was arrested on 31 October and put in the Kepsut Prison. Mahmut Akkurt had been convicted on 13 February by the Istanbul SSC under Article 312/2 of the Turkish Penal Code on allegations of inciting people to crime. He served 4 months and 15 days of his sentence. He became the first IHD leader put in prison after a prison sentence received for expression of thought was ratified.

36)- Imam Canpolat

Imam Canpolat, the HADEP Ankara Provincial Organization Chairperson, was convicted to 4 years in prison and ordered to pay a fine of TL 500 million because of his speech in a meeting during the Newroz festival organized in Ankara on 21 March. The trial ended on 3 November at the Ankara SSC. He was arrested and sent to prison (without waiting for examination by the Supreme Court), after the disclosure of the verdict. The trial against Imam Canpolat who is still in the Ankara Central Closed Prison, was launched under Article 8 of the “Law to Fight Terrorism”.

37)- Mahmut Kaçar

During the official ceremony held in the “Anıt Kabir” (Mausoleum) on 10 November on the occasion of the 56th anniversary of the death of Mustafa Kemal Atatürk, the founder of the Turkish Republic, a radical Islamic person named Mahmut Kaçar made a demonstration. Waving a Koran, Mahmut Kaçar approached President Süleyman Demirel at a distance of 3 meters during the moment of silence at about 9.05 a.m., the hour when Atatürk died, and shouted: “What you are doing is worshipping idols. Do not prostrate yourself to stones and bones. The stones do not save you. I invite you to the Koran.” He was detained by the police. The prosecution of Mahmut Kaçar who was arrested by the Ankara SSC on 22 November, started on 21 December at the Ankara Penal Court of First Instance No.19. He was convicted to 4 years 6 months in prison under the

“Law to Protect Atatürk No.5186” on 14 February 1995. The sentence was later upheld by the Supreme Court.

38)- Ünsal Öztürk

A sentence of 2 years in prison and fine of TL 100 million given to Ünsal Öztürk-the responsible official for the Yurt Publishing House-in connection with the book “12 Eylül Faşiz-mi ve PKK Direnişi” (12 September Fascism and the PKK Resistance) written by Abdullah Öcalan and published by the Yurt Publishing House, were ratified by the Supreme Court in November. The decision was immediately put into practice and Ünsal Öztürk was detained by police officers at his office on the evening of 22 November. He was arrested on the morning of 23 November and sent to the Ankara Central Closed Prison. Ünsal Öztürk had been prosecuted at the Ankara SSC and convicted under Article 8 of the “Law to Fight Terrorism” on 24 June 1994. Sentence of 6 months in prison and fine of TL 50 million he received for the book “Ken-dini Keşfeden Ulus: Kürtler” (Kurds: The Nation That Discovers Itself) by Ismail Beşikçi that was ratified, was also put into practice on 24 December. Ünsal Öztürk will serve in prison for 22 months and 15 days for those sentences. If he does not or cannot pay the fines, he will have to serve for 3 more years. The total prison sentences and fines as of 1 January 1995 received by Ünsal Öztürk against whom many trials were launched in connection with the books he pub-lished, reached 11 years 4 months and TL 1,317 million, respectively.

39)- Sedat Aslantaş

Lawyer Sedat Aslantaş, former Vice Chairperson of IHD was sentenced to 3 years in prison and a fine of TL 150 million in connection with his speech during the congress held by the association on 24 October 1992. In the trial which ended at the Ankara SSC on 1 Decem-ber, an arrest warrant in absentia was issued against Sedat Aslantaş (without waiting for an examination by the Supreme Court). The trial in question was launched under Article 8 of the “Law to Fight Terrorism”. Sedat Aslantaş who went to the Ankara Court House for another af-fair on 5 December was detained by the police in accordance with the arrest warrant and he was arrested and sent to the Ankara Central Closed Prison. The sentence to Sedat Aslantaş was up-held by the Supreme Court.

40)- Yılmaz Odabaşı

A sentence of 10 months in prison passed on journalist-writer Yılmaz Odabaşı by the Istanbul SSC on 14 August 1992 in connection with his poetry book “Şeyh Said İsyanı” (Sheikh Said Rebellion) published in 1991, was ratified by the Supreme Court. Upon the rati-fication of the sentence, passed under Article 312 of the Turkish Penal Code, Yılmaz Odabaşı was detained by police officers at his house on the night of 8 December and he was arrested on 9 December. He was first sent to the Ankara Central Closed Prison and then transferred to the Haymana Closed Prison. He was set free on 7 April 1995 after serving 4 months in prison.

41)- Erdal Şahin

Erdal Şahin, the chief editor of the periodical Görüş which stopped publishing in 1991, was imprisoned on 13 December when the Supreme Court ratified sentence of 1 years 4 months in prison given to him because of an article “Cehenneme Kadar Yolun Var” (You Can Go to Hell for All I Care) published in the periodical in 1989. Erdal Şahin was tried on allega-tions that he had insulted then President Kenan Evren, and convicted under Article 158 of the Turkish Penal Code. Benefiting from the conditional release policy, Erdal Şahin served for 3 months 6 days in prison.

42)- Işık Yurtçu

Işık Yurtçu, the first chief editor of the newspaper Özgür Gündem, was detained by police officers at his house in Ortaköy Istanbul on 28 December, when some of the sentences he received were ratified. Işık Yurtçu who was kept under police custody for 2 days, was arrested on 30 December and sent to the Bayrampaşa Prison. About 100 trials were launched against Işık Yurtçu under Articles 6, 7 and 8 of the “Law to Fight Terrorism” and under Article 312 of the Turkish Penal Code for being chief editor. Total of his prison terms and fines which were upheld is 14 years 10 months and TL 1,509 million, respectively. Işık Yurtçu who spent his professional life working for various left and socialist trend publications, is still in the Sakarya Closed Prison. Because of his upheld prison sentences, Işık Yurtçu will have to serve 10 years 5 months 3 days in prison. Even if Article 8 of the “Law to Fight Terrorism” is amended or lifted, Işık Yurtçu will serve in prison for a long period. Işık Yurtçu was fined to TL 750 million under Article 6 of the “Law to Fight Terrorism, sentenced to 3 years 10 months in prison and fine of TL 384 million under Article 7 of the same, to 9 years in prison and TL 375 million under Article 8 of the same while he was sentenced to 2 years in prison under Article 312.

43)- Güven Özata

Güven Özata, the Chairperson of the Antalya Provincial Organization of the HEP which had been closed by the Constitutional Court, was imprisoned when the Supreme Court ratified the sentence passed on him under Article 8 of the “Law to Fight Terrorism”.

44)- Özkan Kılıç

Özkan Kılıç, one of the chief editors of the weekly newspaper Yeni Ülke, which stopped publishing voluntarily at the beginning of 1993, was imprisoned when the sentences passed on him under Article 8 of the “Law to Fight Terrorism” in connection with certain news stories in the newspaper in 1991, were ratified.

45)- Suna Tan

Suna Tan, one of the chief editors of the periodical Alternatif, was imprisoned on 7 October, when the Supreme Court ratified the sentence passed on her under Article 8 of the “Law to Fight Terrorism”.

Those who went abroad

Some journalists and writers preferred to go abroad instead of serving in prison because of trials against them, or prison sentences or fines given to them. Remzi Kartal, Nizamettin Toğuş, Ali Yiğit, Zübeyir Aydar, Naif Güneş and Mahmut Kılınc who lost their parliamentary status upon the closure of the DEP by the Constitutional Court, left Turkey. (Detailed information on the issue is in the section entitled “Pressure on Political Parties”.) Most of those who went abroad asked for political refugee status. The names of the journalists and writers who went abroad in 1993 and 1994 are as follows:

- **Levent Yanlık** (chief editor of the periodical Devrimci Gençlik)
There are more than 20 press related trials against him.
- **Yücel Özdemir** (chief editor of the periodical Gerçek)
Sentence of 7 years 9 months he received, was ratified.
- **Sedat Karataş** (chief editor of the newspaper Azadi)
Sentence of 4 years in prison he received, was ratified.
- **Selami Ince** (reporter for the journal Demokrat and newspaper Özgür Gündem)
Sentence of 20 months in prison he received, was ratified.

- **Engin Günay** (chief editor of the periodical Demokrat)
Sentence of 5 months in prison he received, was ratified.
- **Deniz Özbaş** (reporter for the journal Gerçek and newspaper Özgür Gündem)
There are 7 press related trials against her.
- **Yaşar Kaya** (owner of the newspaper Özgür Gündem)
Total of his prison sentences exceeded 6 years.
- **Mehmet Bayrak** (writer)
A sentence of 2 years 6 months in prison he received, was ratified.
- **Ümit Oğuztan** (writer)
Fine of TL 3,800 million he received, was ratified.
- **Gurbetelli Ersöz** (publication director of the newspaper Özgür Gündem)
A sentence of no less than 15 years in prison is demanded for her.
- **Yalçın Küçük** (writer)
Total of prison sentences given to him is more than 6 years.
- **Şeyh Davut Karadağ** (chief editor of the newspaper Özgür Gündem)
Total of prison sentences given to him is more than 37 years.
- **Yusuf Cacım** (chief editor of the newspaper Yeni Ülke)
Total of prison sentences given to him is more than 5 years.

Those whose sentences were ratified

Fines received by Alev Er, the chief editor of the periodical Aktüel and Ercan Arıklı, the owner of the periodical, in connection with a news story entitled “Birleşik Kürdistan Cephesi Kuruldu” (United Kurdistan Front Established) published in the 27 August 1993 issue of the periodical were ratified by the Supreme Court in October. Alev Er and Ercan Arıklı who were prosecuted under Article 6 of the “Law to Fight Terrorism”, were ordered to pay a fine of TL 211 million and TL 421 million, respectively.

A sentence of 2 years in prison and a fine of TL 200,000 for Mustafa Aşık, one of the chief editors of the periodical Ak-Zuhur, in connection with an article in the 1 October 1992 issue of the periodical, were ratified by the Supreme Court in October. Mustafa Aşık was prosecuted at the Istanbul SSC in 1993 and convicted under Article 312 of the Turkish Penal Code.

A sentence of 24 months in prison and a fine of TL 50 million given to writer Mehmet Bayrak because of his book “Kürt Halk Türküleri” (Kurdish Folk Songs) were ratified by the Supreme Court on 4 November. Mehmet Bayrak was tried at the Ankara SSC under Article 8 of the “Law to Fight Terrorism” and convicted on 8 March. There was another sentence of 6 months in prison passed on him and ratified in connection with his book “Çağdaş Kürt Destan-ları” (Contemporary Kurdish Legends) which had been published by the Öz-Ge Publishing House. Mehmet Bayrak who is still in Germany, will serve in prison 22 months 15 days, if he returns to Turkey.

In November, the Supreme Court ratified the sentence of 4 years in prison and a fine of TL 550 million given to Nedime Tunç, the chief editor of the periodical Newroz Ateşi, because of articles in the 11th issue of the periodical. Nedime Tunç was prosecuted at the Istanbul SSC and convicted under Article 8 of the “Law to Fight Terrorism” on 29 June.

A sentence of 12 months in prison and a fine of TL 150 million given to Seher Karataş, the chief editor of the journal Gençliğin Sesi, under the “Law to Fight Terrorism”, were ratified by the

Supreme Court in December. Total sentences of 2 years 2 months in prison and total fines of TL 500 million for Seher Karataş are on the agenda of the Supreme Court.

The General Penal Board of the Supreme Court decided to increase the sentence of 2 years in prison given to Worker's Party Chairperson Doğu Perinçek on charges of disseminating separatist propaganda. Doğu Perinçek was prosecuted at the Ankara SSC because of his speech during a panel discussion on television before the 20 October 1991 elections (while he was the Chairperson of the Socialist Party which was closed by the Constitutional Court) and convicted to 2 years in prison and a fine of 50 million on 15 January 1993. The Supreme Court quashed the verdict on 1 July 1993 on the justification that the sentence was not heavy enough and demanded re-prosecution. However, the Ankara SSC did not regard the decision of the Supreme Court and insisted on its first verdict. Then the case file was referred to the General Penal Board of the Supreme Court. In its decision disclosed on 3 October, the General Penal Board stated that the sentence passed on Doğu Perinçek must be increased in accordance with Article 80 of the Turkish Penal Code. According to the judicial system in Turkey, the courts are obliged to apply decisions taken by the General Penal Board of the Supreme Court. Criticizing the decision, Doğu Perinçek said the following: "Chairperson of a party was sentenced for suggesting solutions to the Kurdish problem. The decision is on the contrary to the main principles of law. The sentence is separatist and strikes a blow to Turk-Kurd brotherhood. I will transmit the issue to the European Human Rights Commission." Doğu Perinçek who was re-tried at the Ankara SSC, was sentenced to 2 years 4 months in prison and a fine of TL 58 million in accordance with the decision of the Supreme Court, on 7 June 1995.

Those arrested

Along with those who were imprisoned when the sentences given to them were ratified, arrest warrants were issued against **102** journalists, writers, and publishers (7 of them were arrested in 1993, but were not set free by the end of 1994). The arrest warrants were mostly issued against chief editors and reporters of newspapers and periodicals. The journalists working at the newspapers Özgür Gündem and Özgür Ülke ranked first (a total of 44) among those arrested. Information about the journalists, writers and publishers who were arrested and 55 of whom entered 1995 under arrest, is as follows:

001)- Kemal Şahin

Kemal Şahin, one of the chief editors of the newspaper Özgür Gündem, was arrested on 12 January because of articles published in the newspaper between 28 December 1993 and 1 January 1994. Kemal Şahin was charged at the Istanbul SSC under the "Law to Fight Terrorism". He was released in the hearing held on 1 August.

002)- Hıdır Güyıldar

Hıdır Güyıldar, Tunceli correspondent for the periodical Gerçek, was detained by police on 11 January in Tunceli and arrested on 20 January. Hıdır Güyıldar who was sent to the Erzurum Prison after being detained, was released on 9 February upon the objections raised by his lawyers. Saying that he was tortured in detention, Hıdır Güyıldar, said the following: "I was detained by the Tunceli Prosecution Office where I went to together with my lawyer. I was tortured during the 9 days that I was kept at the Tunceli Security Directorate. They stripped me naked and squirted pressurized cold water at me. They gave electric shocks and put me on a hanger. By making me sign various statements, they tried to secure my conviction and at least hold me in prison for a long period."

003)- Burhan Kardaş

The Ankara Office of the periodical Mücadele was raided by police on 13 January. During the raid, many documents and publications found in the office were seized, and Ankara Representative of the periodical, Burhan Kardaş, was detained. He was arrested on 26 January together with Ihsan Cibelik, a member of the Grup Ekin, by the Ankara SSC on charges of being members of an illegal organization. After being arrested, Burhan Kardaş stated in prison that he had been tortured under police custody. He was released in the hearing held on 18 October at the Ankara SSC. He was arrested again in 1995.

004)- Ömer Özdemir

Ömer Özdemir, one of the chief editors of the newspaper Özgür Gündem, was arrested by the Istanbul SSC on 28 January because of certain articles and news stories in the 28 January 1994 issue of the newspaper. Two trials were launched against him under the “Law to Fight Terrorism”. He was released after 4 months under arrest.

005)- Cafer Çakmak (2 times)

Cafer Çakmak, one of the chief editors of the periodical Mücadele, was arrested by the Istanbul SSC on 1 February in connection with 4 articles in the 80th issue of the periodical. A trial was launched against him at the Istanbul SSC on charges of disseminating separatist pro-paganda and praising illegal organizations, under the “Law to Fight Terrorism”. Cafer Çakmak who was released after a period under arrest, was arrested again on 20 September because of investigations into news stories in the 107th, 109th and 110th issues of the periodical. He was released by the Istanbul SSC on 29 November. Cafer Çakmak, against whom numerous trials were launched under the “Law to Fight Terrorism”, was sentenced to a total of 10 years 6 months in prison in the trials which ended in 1994. Two years 6 months portion of his prison sentence was upheld.

006)- Mehmet Emin Başer

Mehmet Emin Başer, one of the chief editors of the newspaper Özgür Gündem, was arrested on 18 February because of 4 investigations launched in connection with news stories published in the newspaper. Trials were launched against him under the “Law to Fight Terrorism”. He was released by the Istanbul SSC on 29 July.

007)- Müslüm Yılmaz

Müslüm Yılmaz, the first chief editor of the newspaper Newroz, was arrested on 1 March by the Istanbul SSC because of 15 articles and news stories in the first issue of the periodical dated 19 February 1994. A trial was launched against him under the “Law to Fight Terrorism”. Prosecution of Müslüm Yılmaz started on 9 May at the Istanbul SSC and he was not released in the first hearing. He was released in the hearing held on 20 June.

008)- Özdemir Toprak

Özdemir Toprak, one of the chief editors of the newspaper Özgür Gündem, was arrested on 11 March because of an investigation launched into articles and news stories published in the newspaper at the beginning of March. Under the “Law to Fight Terrorism”, 6 trials were launched against Özdemir Toprak. He was released 5 months later.

009)- Hüseyin Tekin

Hüseyin Tekin, general publication director of the periodical Emegün Bayrağı, was arrested on 7 April because of some of his articles published in the newspaper Özgür Gündem in December 1993. A trial was launched against him at the Istanbul SSC on charges of disseminating

separatist propaganda via publication and insulting security officers. He was released in the hearing held on 1 September at the Istanbul SSC.

010)- Selman Çıman (2 times)

Selman Çıman, the owner and chief editor of the periodical Serketin which stopped publishing in 1994, was arrested on 6 April by the Istanbul SSC because of an investigation into the articles published in the periodical. He was released later. After being released, he undertook the chief editorial of the newspaper Jiyana Nû, the first issue of which was released on 2 October 1994. He was arrested again on 8 October by the Istanbul SSC in connection with certain articles in the first issue of the newspaper. Selman Çıman against whom a trial was launched under the “Law to Fight Terrorism”, was released on 18 October upon an objection by his lawyer.

011)- Emel Kapılan

Emel Kapılan, one of the chief editors of the newspaper Özgür Gündem, was arrested on 15 April because of an investigation launched about certain articles and news stories in the newspaper in April. Three arrest warrants were issued against her. Emel Kapılan against whom a trial was launched under the “Law to Fight Terrorism” was released by the Istanbul SSC on 12 July.

012)- Hakan Saraylıođlu

Hakan Saraylıođlu, one of the administrators of the local television station Klas broadcasting in the Manavgat district of Antalya, was kept under arrest for a short time in April. The case developed as follows: Police officers who were patrolling on the Manavgat Imamhatip Junction at about 5.30 a.m. on 27 April, stopped two youths, Mustafa Öztürk and Mustafa Gülen, upon criminal suspicion. The youths who told the police officers that they were working for the Klas TV and they were there to shoot footage, were scolded by the police officers. The incident was transmitted to Hakan Saraylıođlu by the reporters through phone. Then, Hakan Saraylıođlu went to the scene and started to argue with the police officers. Hakan Saraylıođlu who shouted out, “We are journalists. We may shoot wherever we want. Do not prevent us.”, at the police officers, was detained and taken to police station. Hakan Saraylıođlu, whose testimony was taken in the police station, was brought before the court and arrested on allegations of opposing the police officers.

013)- Haydar Demir

Haydar Demir, one of the chief editors of the newspaper Emegın Bayrađı, was arrested by the Istanbul SSC on 2 May because of articles in the 111th issue of the newspaper dated 17 April 1994. Subsequently, a trial was launched against Haydar Demir under Articles 6 and 8 of the “Law to Fight Terrorism”. He was released by the Istanbul SSC on 8 November.

014)- Kemal Akkaya

Kemal Akkaya, the first chief editor of the newspaper Özgür Ülke, was arrested by the Istanbul SSC on 11 May, in connection with some of the articles published in the 28 and 29 April 1994 and 3, 4 and 5 May 1994 issues of the newspaper. Then, 5 trials were launched against Kemal Akkaya under Articles 6 and 8 of the “Law to Fight Terrorism”. He was released by the Istanbul SSC on 26 July.

015)- Mustafa Demirdađ

Mustafa Demirdađ, one of the chief editors of the periodical Özgür Gelecek, was arrested on 25 May because of certain articles in the 27th issue of the periodical dated 16 May 1994. Mustafa Demirdađ, against whom a trial was launched under Article 312 of the Turkish Penal Code, was released by the Istanbul SSC in November.

016)- Süha Soysal Demirci

Süha Soysal Demirci, one of the chief editors of the newspaper Özgür Ülke, was arrested by the Istanbul SSC on 5 June because of the articles and news stories in the 12th issue of the newspaper released in May. Subsequently, trials were launched against Süha Soysal Demirci under Articles 6 and 8 of the “Law to Fight Terrorism”. He was released by the Istanbul SSC on 22 August.

017)- Murat Yeşilirmak

Murat Yeşilirmak, one of the chief editors of the periodical Medya Güneşi, was arrested on 6 June in connection with an investigation launched by the Istanbul SSC Prosecution Office into certain articles in the 16 May 1994 dated issue of the periodical. Under Article 8 of the “Law to Fight Terrorism”, a trial was begun against Murat Yeşilirmak accused of disseminating separatist propaganda, at the Istanbul SSC.

018)- Ibrahim Gürbüz

Ibrahim Gürbüz, the Chairperson of the Mesopotamian Cultural Center, was arrested by the Istanbul SSC on 15 June, because of his article entitled “Beyaz Adamın Psikolojisi” (Psychology of White Man) published in the 26 May 1994 issue of the newspaper Özgür Ülke. Ibrahim Gürbüz against whom a trial was launched under Article 8 of the “Law to Fight Terrorism”, was released in the hearing held at the Istanbul SSC on 16 August. In the trial that ended on 30 December, Ibrahim Gürbüz was sentenced to 2 years in prison and a fine of TL 250 million. Besides this, Ibrahim Gürbüz received a sentence of 2 years 3 months in prison and a fine of TL 112 million for a speech.

019)- Yemliha Kaya

Yemliha Kaya, one of the chief editors of the newspaper Halkın Gücü, was arrested by the Istanbul SSC where he went in order to testify on 15 June. Then, a trial was launched against him. He was released by the Istanbul SSC 2 months later.

020)- Mehmet Keşli

Mehmet Keşli, one of the chief editors of the newspaper Newroz, was arrested by the Istanbul SSC on 15 June in connection with some articles and news stories published in the newspaper on 12 June 1994. He was sued under the “Law to Fight Terrorism”. In the hearing held on 20 September at the Istanbul SSC, he was released.

021)- Erol Akgün

Erol Akgün, one of the chief editors of the periodical Devrimci Çözüm, was arrested by the Istanbul SSC on 25 June because of an investigation launched about the 14th issue of the periodical. Erol Akgün who was sent to the Bayrampaşa Prison, was released in September. A short period after his release, he was knifed to death in front of his house in Gebze on 8 September (Detailed information is on page 247.)

022)- Vedat Aydın

Vedat Aydın, one of the chief editors of the periodical Medya Güneşi, was arrested on 20 July because of an investigation launched in connection with some articles and news stories in the 1 July 1994 dated issue of the periodical. Then, a trial was launched against Vedat Aydın at the Istanbul SSC under Article 8 of the “Law to Fight Terrorism”.

023)- Cem Özen

Cem Özen, one of the chief editors of the newspaper Emeğin Bayrağı, was arrested by the Istanbul SSC on 20 July in connection with certain articles and news stories in the 2, 9 and 16 July

1994 issues of the newspaper. Subsequently, a trial was launched against Cem Özen under Article 8. When the trial resulted in acquittal, he was released on 18 October.

024)- Halil Dalkılıç

Halil Dalkılıç, one of the chief editors of the newspaper Özgür Ülke, was arrested on 22 July because of the investigation launched by the Istanbul SSC Prosecution Office into the articles and news stories published in the newspaper in July. Six arrest warrants were issued against him. Halil Dalkılıç was released on 15 December.

025)- Bülent Çiftçi

Bülent Çiftçi, Van Representative of the newspaper Özgür Ülke was detained at the entrance of the Tatvan district of Bitlis by police, who took him off the bus he had boarded for Istanbul on the morning of 1 August. Bülent Çiftçi who was sent to Hakkari for interrogation, was taken to Van on 3 August and arrested on 26 August on charges of being a member of the PKK. When he was detained, he had been carrying a circular which had been sent by the Interior Ministry to all authorities in the Emergency State Region in 1992, to Istanbul. The circular which was later published in the newspaper, demanded prevention of the functioning of the new party (meaning the DEP) which had begun organizing, disguising of the number of killed soldiers or showing it lower than it was, and prevention of works of the newspaper Özgür Gün-dem. Baki Karadeniz, one of the administrators of the newspaper, asked the Van Governorate about the reason for the detention of Bülent Çiftçi. In the inscription dated 5 August 1994 sent by the Van Governorate to the newspaper and signed by Van Deputy Governor Mehmet Çetin, it was confirmed that Bülent Çiftçi had been detained because of the circular. He was set free by the Diyarbakır SSC on 18 April 1995.

026)- Hasan Şahin

Hasan Şahin, one of the chief editors of the newspaper Özgür Ülke, was arrested on 17 August because of investigations launched into the articles, news stories and announcements published in certain issues of the newspaper in August. Trials were launched against him at the Istanbul SSC under the "Law to Fight Terrorism".

027)- Abdullah Kiracı

Abdullah Kiracı, one of the chief editors of the periodical Taraf, was arrested by the Istanbul SSC on 2 September because of investigations launched into the articles in the 5th, 6th and 12th issues of the periodical. Abdullah Kiracı about whom 3 files of investigation were prepared, was sent to the Metris Prison after being arrested. He was kept under arrest for 3 months and released at the end of November.

028)- Mehmet Evran

Mehmet Evran, one of the chief editors of the newspaper Özgür Ülke, was arrested by the Istanbul SSC on 13 September because of 27 investigations launched about the articles and news stories published in certain issues of the newspaper in August and September. Subsequently, trials were launched against him under the "Law to Fight Terrorism".

029)- Asiye Zeybek

Asiye Zeybek, the chief editor of the periodical İçinin Yolu, which voluntarily stopped publication, was arrested on 4 October because of an investigation launched in connection with the articles in the 12th special issue of the periodical. Asiye Zeybek, against whom a trial was launched under the "Law to Fight Terrorism", was released in the hearing held on 6 December.

030)- Yusuf Şit

Yusuf Şit, one of the chief editors of the newspaper Özgür Ülke, was arrested on 11 October, because of investigations launched about the articles and news stories in 27 issues of the newspaper released between 14 September and 10 October 1994. Later, trials were launched against Yusuf Şit, for whom 6 arrest warrants were issued.

031)- Serpil Köksal

Serpil Köksal, the owner of the Kaldıraç Publishing House, was arrested on 24 November because of an investigation launched by the Ankara SSC Prosecution Office about two articles published in the 4th issue of the periodical Kaldıraç. A trial was launched against Serpil Köksal on charges of disseminating separatist propaganda, praising illegal organizations and inciting people against each other. She was released in the hearing held at the Ankara SSC on 29 December. She was arrested in January 1995.

032)- Murat Saraç

Murat Saraç, one of the chief editors of the newspaper Özgür Ülke, was arrested by the Istanbul SSC on the evening of 15 December because of 15 investigations about the articles and news stories in 34 issues of the newspaper released in November and December. Murat Saraç against whom 4 arrest warrants were issued, was sent to the Sağmalcılar Prison. Subsequently, trials were started to be launched against him under the “Law to Fight Terrorism”.

033)- Ismail Akkın

Ismail Akkın, one of the chief editors of the newspaper Atılım, was arrested by the Istanbul SSC on 29 December because of an investigation launched into the 12th issue of the periodical dated 25 December 1994 and the annex of the issue, which was about the Maraş incidents. He was sent to the Bayrampaşa Prison and a trial was launched against him in 1995 under the “Law to Fight Terrorism”.

Name & surname (*)	Publication	Place	Date of arrest
034)- Sabri Bölek (C)	Özgür Gündem	Iğdır	04 January 1994
035)- Gülperi Türüz (C) Released by the Konya SSC.	Alınteri	Antakya	04 January 1994
036)- Mehmet Şah Yıldız (C) Acquitted by the Diyarbakır SSC on 4 July and released.	Özgür Gündem	Diyarbakır	07 January 1994
037)- Sıraç Koç (C) Acquitted by the Diyarbakır SSC on 4 July and released.	Özgür Gündem	Diyarbakır	07 January 1994
038)- Veysel Şahin (R)	Mücadele	Bursa	13 January 1994
039)- Fahrettin Dülçek (PUB) Released by the Istanbul SSC on 19 August.	Alternatif	Istanbul	18 January 1994
040)- Ahmet Köksal (EIC) Released by the Istanbul SSC on 19 August.	Alternatif	Istanbul	18 January 1994
041)- Salih Tekin (R)	Özgür Gündem	Diyarbakır	01 February 1994
042)- Hasan Değer (C) Released by the Diyarbakır SSC on 27 October.	Özgür Gündem	Diyarbakır	01 February 1994
043)- Metin Dağ (C)	Özgür Gündem	Diyarbakır	01 February 1994

(*) EIC : Editor-in-Chief
W : Writer
R : Representative

C : Correspondent
TV : Television programmer
AO : Administrative officer

PUB : Publisher
O : Owner

	Released by the Diyarbakır SSC on 13 July.			
044)-	Botan Önen (C)	Özgür Gündem	Diyarbakır	01 February 1994
	Released by the Diyarbakır SSC on 20 December.			
045)-	Emine İğdi (C)	Özgür Gündem	Diyarbakır	01 February 1994
	Released by the Diyarbakır SSC on 31 May.			
	Emine İğdi (C)	Özgür Ülke	Mardin	05 September 1994
046)-	Cemal Dağ (AO)	Özgür Gündem	Diyarbakır	01 February 1994
047)-	Nevin Güngörmüş (AO)	Özgür Gündem	Diyarbakır	01 February 1994
	Released by the Diyarbakır SSC on 31 May.			
048)-	Meral Tilkiz (C)	Özgür Gündem	İğdır	02 February 1994
049)-	Aytek Özel	HBB Television	Ankara	07 February 1994
	Released by the Military Court of the General Staff Office on 21 April.			
050)-	Emine Serhat (C)	Özgür Gündem	İğdır	11 February 1994
051)-	Ramazan Öcalan (C)	Özgür Gündem	Urfa	15 February 1994
	Released by the Diyarbakır SSC at the end of 1994.			
052)-	Orhan Çabuk (C)	Özgür Gündem	Ankara	20 February 1994
	Released by the Diyarbakır SSC on 3 May.			
053)-	F. Hülya Tungan (R)	Mücadele	Samsun	21 February 1994
054)-	Sadık Çelik (R)	Mücadele	Zonguldak	16 March 1994
	Released by the Ankara SSC on 18 July.			
055)-	Tuna Koçak (EIC)	Barikat	Istanbul	23 March 1994
	When it was revealed that he had been accidentally arrested, he was released 3 days later.			
056)-	Serdar Gelir (R)	Mücadele	Ankara	26 April 1994
057)-	Sabahat Varol (EIC)	Devrimci Gençlik	Istanbul	09 May 1994
058)-	Özgür Güdenoğlu (R)	Mücadele	Konya	20 May 1994
059)-	Mehmet Emin Ünay (C)	Özgür Ülke	Izmir	26 May 1994
060)-	Mehmet Dönmez (AO)	Özgür Ülke	Istanbul	31 May 1994
	Released by the Istanbul SSC on 30 September.			
061)-	Türker Alp (AO)	Özgür Ülke	Istanbul	01 June 1994
	Released by the Istanbul SSC on 30 September.			
062)-	Nalan Atıcı (C)	Özgür Ülke	Diyarbakır	22 June 1994
063)-	Zeynep Korkmaz (C)	Mücadele	Gaziantep	04 July 1994
	Released by the Malatya SSC on 13 September.			
064)-	Hikmet İyidoğan	Statement	Ankara	12 July 1994
	Released by the Military Court of General Staff Office.			
065)-	Yüksel Diker (C)	Özgür Ülke	Özalp (Van)	20 July 1994
066)-	Emine Buyrukcan (EIC)	Özgür Halk	Istanbul	29 July 1994
067)-	Hüseyin Çapartas (R)	Emeğin Bayrağı	Gaziantep	12 August 1994
068)-	Kenan Taşkın (R)	Partizan	Gaziantep	12 August 1994
	Released by the Malatya SSC 2 months later.			
069)-	Nevzat Bulut (C)	Özgür Ülke	Ağrı	14 August 1994
070)-	Mustafa Aladağ (C)	Özgür Ülke	Ağrı	14 August 1994
071)-	Hüsniye Tekin (C)	Özgür Ülke	Mardin	05 September 1994
072)-	Hüsnü Akgül (C)	Özgür Ülke	Mardin	05 September 1994
	Released by the Diyarbakır SSC on 17 November.			
073)-	Şükrü Kaplan (C)	Özgür Ülke	Mardin	05 September 1994
	Released by the Diyarbakır SSC on 17 November.			
074)-	Kahraman Yiğit (EIC)	Devrimci Çözüm	Istanbul	28 September 1994
075)-	Kadriye Özcanlı (C)	Özgür Ülke	Diyarbakır	30 September 1994
076)-	Mehmet Balamir (C)	Özgür Ülke	Diyarbakır	30 September 1994
077)-	Ibrahim Karaca (C)	Özgür Ülke	Diyarbakır	30 September 1994
078)-	Nezahat Özen (C)	Özgür Ülke	Diyarbakır	07 October 1994

079)- Rıza Dinç (O)	Sterka Rızgari	Mersin	15 October 1994
080)- Aysel Bölücek (R)	Mücadele	Ankara	17 October 1994
081)- Ali Ekber Barış (C) Released.	Aydınlık	İstanbul	23 October 1994
082)- Ahmet İbili (R)	Mücadele	Mersin	30 October 1994
083)- Sait Alpaslan (C)	Newroz	Diyarbakır	02 November 1994
084)- Teoman Gül (C)	Newroz	Malatya	01 December 1994
085)- Havva Suiçmez (C)	Devrimci Gençlik	İstanbul	06 December 1994
086)- Mehmet Akdemir (EIC)	İşçi Hareketi	İstanbul	06 December 1994
087)- Mirali Demir (C)	Halkın Gücü	İstanbul	06 December 1994
088)- Ali Yolcu (R)	Mücadele	Antakya	12 December 1994
089)- Hakan Güler (C)	Mücadele	Elazığ	14 December 1994
090)- Mahmut Şakar (IHD)	Book	Diyarbakır	17 December 1994
091)- Abdullah Çağır (IHD)	Book	Diyarbakır	17 December 1994
092)- Nimetullah Gündüz (IHD)	Book	Diyarbakır	17 December 1994
093)- Abdullah Saydın	Statement	İzmir	27 December 1994
094)- Melike Alp (IHD)	Book	Diyarbakır	29 December 1994
095)- Alişan Güncü (EIC)	Devrimci Yaşam	İstanbul	29 December 1994

Those who were arrested in 1993, but not released in 1994

096)- Kenan Kalyon	Toplum Dayanışma	İstanbul	20 April 1993
097)- Sakine Fidan (R)	Mücadele	Diyarbakır	20 July 1993
098)- Fethiye Pekşen (O)	Devrimci Çözüm	İstanbul	01 September 1993
099)- Hüseyin Solak (R)	Mücadele	Gaziantep	01 September 1993
100)- Ercan Alan (C)	Özgür Gündem	Adıyaman	04 October 1993
101)- Hasan Özgün (R)	Özgür Gündem	Diyarbakır	20 December 1993
102)- İsmail Güneş (C)	Özgür Gündem	Ağrı	24 December 1993

Meanwhile, out of the journalists who were arrested in 1993 (*), chief editors of the newspaper Özgür Gündem, Özgür Aslan (23 December 1993), Bülent Balta (1 November 1993) and Erkan Aydın (24 November 1993) were released on 10 February, 23 February and 1 March, respectively, by the İstanbul SSC. Out of the other journalists who were arrested in 1993, Gülay Güler, the chief editor of the periodical Alternatif (9 December 1993) was released on 15 February by the İstanbul SSC; Namık Alkan, Şenol Karaaslan, Oğuzhan Öğrük and Emin Ünay, İzmir reporters for the newspaper Özgür Gündem (14 December 1993) were released on 3 March by the İzmir SSC; Ahmet İçge, Doğubeyazıt correspondent for the news-paper Özgür Gündem (18 August 1993) was released on 3 March by the Erzincan SSC; Ahmet Çaldıran, the Gaziantep Representative of the Özgür Gündem (15 December 1993) was released on 22 March by the Malatya SSC; Ahmet Sümbül, Diyarbakır correspondent for the newspaper Aydınlık (6 July 1993) was released on 29 March by the Diyarbakır SSC; Serdar Karakoç and Rıza Zıngal, İzmir Representative and İzmir News Director of the newspaper Özgür Gündem, respectively (14 December 1993) were released on 30 March by the İzmir SSC; Ahmet Özmen, Bismil reporter for the newspaper Özgür Gündem was released on 1 April by the Diyarbakır SSC; Beşir Gündem, the Tatvan Representative of the newspaper Azadi (4 August 1993) was released on 5 May by the Diyarbakır SSC; Gurbetelli Ersöz and Ali Rıza Halis, administrators of the newspaper Özgür Gündem (23 December 1993) were released on 14 June by the İstanbul SSC; Nabi Barut, responsible person for the Zagros Publishing House (30 December 1993) was released on 5 July by the İstanbul SSC; and Cemil Aydoğan, the chief editor of the local newspaper Mezopotamya

(*) Dates of arrest are shown in paranthesis.

published in the Kızıltepe district of Mardin (9 November 1993) was released on 15 December by the Diyarbakır SSC.

d)- Sentences given, and those prosecuted

A part of more than 2,000 press related trials launched particularly at the Istanbul SSC within last 2-3 years, resulted in various prison sentences and fines against journalists, writers, publication directors, leaders of democratic mass organizations and politicians in 1994, as in 1992 and 1993. Total of imprisonment passed on journalists and writers reached **448 years 6 months 25 days**, while total of fines reached **TL 71,614,935,000** (approx. \$ 2,400,000; 1 US \$ is considered as 30,000 TL in 1994.). The number of the trials which resulted in condemnation exceeded that of trials which resulted in acquittal. Total of imprisonment terms and fines passed at the end of the press trials were 25 years 11 months 15 days, and TL 5,976 million and 165 years 3 months 10 days and TL 38.267 million, respectively, in 1992 and in 1993.

Following is the breakdown prepared by the HRFT about the journalists, writers, publishers, leaders of democratic civic organizations and party leaders who were sentenced to various imprisonment terms and fines in 1994:

<u>Name & surname (*)</u>	<u>Publication</u>	<u>Imprisonment</u>	<u>Fine (TL)</u>
001)- Yaşar Kaya (O) (75 trials)	Özgür Gündem	---	10,419,000,000 TL
Yaşar Kaya	Speech	24 months	250,000,000 TL
Sentence given because of his speech to Kanal 6 television.			
Yaşar Kaya	Speech	48 months	500,000,000 TL
His speeches during the KDP's congress and in a meeting in Germany.			
002)- Davut Karadağ (EIC) (41 trials)	Özgür Gündem	437 months	5,890,000,000 TL
003)- Işık Yurtçu (EIC) (10 trials)	Özgür Gündem	54 months	629,000,000 TL
004)- İsmail Beşikçi (W) (10 trials)	Özgür Gündem	204 months	1,940,000,000 TL
İsmail Beşikçi (W)	Yeni Ülke	48 months	150,000,000 TL
İsmail Beşikçi (W)	Yeni İnsan	24 months	250,000,000 TL
İsmail Beşikçi (W)	Human Rights B.	48 months	250,000,000 TL
İsmail Beşikçi (W)	Book	171 months	1,500,000,000 TL
Sentences and fines given in 8 trials launched in connection with his 7 books.			
İsmail Beşikçi (W)	Book	124 months	417,000,000 TL
Sentence and fine given in the trial at the Ankara SSC in connection with his 15 books.			
İsmail Beşikçi	Speech (Ankara)	24 months	100,000,000 TL
İsmail Beşikçi	Speech (Istanbul)	24 months	200,000,000 TL
005)- Gülay Çelik (EIC)	Özgür Gündem	10 months	---
006)- Doğan Güzel (K) (4 trials)	Özgür Gündem	50 months	3,000,000 TL
007)- Mehmet Can Yüce (W) (2 trials)	Özgür Gündem	34 months	400,000,000 TL

(*) EIC : Editor-in-Chief
W : Writer
R : Representative

GPD : General Publishing Director
TV : Television programmer
C : Correspondent

O : Owner
K : Caricaturist
PUB : Publisher

008)- Halil Incesu (K) (2 trials)	Özgür Gündem	20 months	---
009)- Erkan Aydın (W) (3 trials)	Özgür Gündem	30 months	264,000,000 TL
010)- Satı Kaya (EIC)	Özgür Gündem	10 months	---
011)- Murat Zeren (EIC)	Özgür Gündem	10 months	---
012)- Besim Döner (EIC) (8 trials)	Özgür Gündem	58 months	541,000,000 TL
013)- Özdemir Toprak (EIC) (6 trials)	Özgür Gündem	30 months	455,000,000 TL
014)- Ragıp Zarakolu (W)	Özgür Gündem	10 months	---
015)- Kamil Çelikten (EIC) (8 trials)	Özgür Gündem	22 months	276,000,000 TL
016)- Şamil Batmaz (EIC)	Özgür Gündem	10 months	---
017)- Bülent Balta (EIC) (2 trials)	Özgür Gündem	6 months	129,000,000 TL
018)- Fatih Yeşilbağ (EIC) (4 trials)	Özgür Gündem	40 months	9,000,000 TL
019)- Kemal Şahin (EIC) (2 trials)	Özgür Gündem	---	52,000,000 TL
020)- Mehmet Özdemir (EIC)	Özgür Gündem	24 months	250,000,000 TL
021)- Ercan Kanar (W)	Özgür Gündem	10 months	---
022)- Cenk Salmaner (EIC) (2 trials)	Özgür Gündem	---	25,000,000 TL
023)- Emel Kapılan (EIC) (2 trials)	Özgür Gündem	10 months	67,000,000 TL
024)- Mehmet Emin Başer (EIC) (5 trials)	Özgür Gündem	---	145,000,000 TL
025)- Özgür Aslan (EIC)	Özgür Gündem	24 months	50,000,000 TL
026)- Ömer Özdemir (EIC)	Özgür Gündem	30 months	500,000,000 TL
027)- Şükrü Çalı Former Mayor of Hakkari (because of a statement he made)	Özgür Gündem	20 months	208,000,000 TL
028)- Nazmi Balkaş Former Mayor of Lice (because of a statement he made)	Özgür Gündem	20 months	208,000,000 TL
029)- Abdullah Kaya Former Mayor of Kozluk (because of a statement he made)	Özgür Gündem	20 months	208,000,000 TL
030)- Eren Keskin (W)	Özgür Gündem	24 months	250,000,000 TL
Eren Keskin (PUB) "Uluslararası Kürt Konferansı" (Doz Publishing House)	Book	6 months	50,000,000 TL
031)- Sezai Karakoç (R)	Özgür Gündem	45 months	---
032)- Rıza Zıngal (C)	Özgür Gündem	45 months	---
033)- Namık Alkan (C)	Özgür Gündem	45 months	---
034)- Sedat Alp (C)	Özgür Gündem	45 months	---
035)- Oğuzhan Öğrük (C)	Özgür Gündem	45 months	---
036)- İbrahim Gürbüz (W)	Özgür Ülke	24 months	250,000,000 TL
İbrahim Gürbüz Because of his speech during a meeting organized by the HADEP.	Speech	27 months	112,000,000 TL
037)- Süha Soysal Demirci (EIC) (2 trials)	Özgür Ülke	6 months	75,000,000 TL
038)- Hasan Küçükoba (O) (2 trials)	Özgür Ülke	---	125,000,000 TL
039)- Özkan Kılıç (EIC)	Yeni Ülke	18 months	200,000,000 TL

040)- Serhat Bucak (O)	Yeni Ülke	---	200,000,000 TL
041)- Züleyha Şahinkaya (EIC)	Yeni Dünya İçin	12 months	500,000,000 TL
042)- Nazım Düzenli (O)	Yeni Dünya İçin	---	1,000,000,000 TL
043)- Eşe Yılmaz (EIC) (3 trials)	Top. Dayanışma	36 months	260,000,000 TL
044)- Ünsal Öztürk (PUB)	Book	57 months	350,000,000 TL
Sentences given in the 7 trials in connection with 6 books by Ismail Beşikçi.			
Ünsal Öztürk (PUB)	Book	31 months	517,000,000 TL
Sentence given in the trials in connection with 15 books by Ismail Beşikçi.			
Ünsal Öztürk (PUB)	Book	24 months	100,000,000 TL
"12 Eylül Faşizmi ve PKK Direnişi" (Yurt Publishing House)			
Ünsal Öztürk (PUB)	Book	12 months	250,000,000 TL
"Madencinin Haykıran Sözü-Boğaziçi İşgali" (Yurt Publishing House)			
045)- Naile Tuncer (W)	Book	12 months	250,000,000 TL
"Madencinin Haykıran Sözü-Boğaziçi İşgali" (Yurt Publishing House)			
Naile Tuncer (EIC)	D. Proleter Genç.	36 months	500,000,000 TL
046)- Ferit İlsever (GPD) (2 trials)	Aydınlık	20 months	---
047)- Hale Soysü (EIC) (4 trials)	Aydınlık	36 months	41,000,000 TL
048)- Mehmet Sabuncu (O)	Aydınlık	---	73,000,000 TL
049)- Fikret Öntaş (PUB)	Book	---	42,000,000 TL
"Dünyada ve Ülkemizdeki Gelişmeler" (Dönüşüm Publishing House)			
050)- Sırrı Öztürk (PUB)	Book	5 months	42,000,000 TL
"1989-1990 Cezaevi Şiir Antolojisi" (Sorun Publishing House)			
051)- İlyas Burak (PUB)	Book	5 months	42,000,000 TL
"1989-1990 Cezaevi Şiir Antolojisi" (MELSA Publishing House)			
İlyas Burak (PUB)	Book	6 months	50,000,000 TL
"Sosyalizm ve Devrim Sorunları" (MELSA Publishing House)			
052)- Aşlı Yalçınoğlu (EIC)	Berhem	20 months	208,000,000 TL
053)- Erhan Akyıldız (TV)	HBB	2 months	160,000 TL
Acquitted when the Supreme Court quashed the sentence.			
054)- Ali Tevfik Berber (TV)	HBB	2 months	160,000 TL
Acquitted when the Supreme Court quashed the sentence.			
055)- Mahmut Akkurt (IHD)	Speech	12 months	100,000 TL
The Chairperson of the IHD Balıkesir Branch. His speech during a meeting of a trade union.			
056)- Sedat Karataş (EIC) (11 trials)	Azadi	77 months	630,000,000 TL
057)- İkramettin Oğuz (O) (15 trials)	Azadi	20 months	1,250,000,000 TL
058)- Salih Özçelik (W)	Azadi	24 months	250,000,000 TL
059)- Behram Alabay (O)	Azadi	---	100,000,000 TL
060)- Zana Sezen (EIC) (2 trials)	Azadi	29 months 10 days	293,000,000 TL
061)- İbrahim Aksoy (W)	Azadi	24 months	250,000,000 TL
İbrahim Aksoy	Speech	20 months	41,000,000 TL
His speech during the congress held by the HEP on 21 May 1991 in Konya.			
062)- Mehmet Bayrak (W)	Book	72 months	700,000,000 TL
Because of the books "Kürt Halk Türküleri", "Kürtler ve Ulusal Demokratik Mücadele-leri" and "Kürdoloji Belgeleri" (Özge Publishing House)			
Mehmet Bayrak (PUB)	Book	6 months	100,000,000 TL
"Çağdaş Kürt Destanları-Cemşit Nar" (Özge Publishing House)			

063)- Osman Aytar	Speech	24 months	100,000,000 TL
His speech during a meeting organized by the IHD Istanbul Branch			
064)- Recep Maraşlı	Speech	24 months	100,000,000 TL
His speech during a meeting organized by the IHD Istanbul Branch			
065)- Garip Töre (EIC)	Emek	24 months	250,000,000 TL
066)- Ali Demir (O)	Emek	---	100,000,000 TL
067)- Nazım Taban (EIC)	Emeğin Bayrağı	24 months	50,000,000 TL
068)- Mustafa Yıldız (EIC)	Kurtuluş	36 months	300,000,000 TL
069)- Erdal Çınar (O)	Kurtuluş	---	250,000,000 TL
070)- Şahin Gül (EIC)	Serketin	5 months	43,000,000 TL
071)- Zeynel Aydın (O)	Serketin	---	83,000,000 TL
072)- Aytek Özel (TV)	HBB	12 months 15days	210,000 TL
Because of his war opposing thoughts broadcast on a private television channel.			
Aytek Özel (W)	Bakaya	2 months	160,000 TL
073)- Nevzat Teker	Speech	20 months	208,000,000 TL
Because of his speech during the congress held by the DEP in Manisa.			
074)- Can Ali Türkmen	Speech	24 months	100,000,000 TL
His speech during the meeting organized by the HEP on 28 Haziran 1992 in Bursa.			
075)- Ercan Arıklı (O)	Aktüel	---	421,000,000 TL
076)- Alev Er (EIC)	Aktüel	---	211,000,000 TL
077)- Kurthan Fişek (W)	Hürriyet	9 months	---
078)- Hüsnü Öndül (EIC)	Human Rights B.	6 months	54,000,000 TL
079)- Hikmet Koçak (PUB)	Book	6 months	100,000,000 TL
"Newrozladık Şafakları" (Başak Publishing House)			
Hikmet Koçak (PUB)	Book	6 months	50,000,000 TL
"Kürt Bahçesinde Sözleşti" (Başak Publishing House)			
080)- Cezmi Özdemir (EIC)	Yurtsever Emekçi	6 months	50,000,000 TL
081)- Selim Okçuoğlu (PUB)	Book	---	50,000,000 TL
"Kürdistan'da Türk Endüstrisi" (Doz Publishing House)			
082)- Kadir Mısıroğlu (W)	Meeting	---	500,000 TL
083)- Sungur Savran (W)	Çağrı	24 months	100,000,000 TL
084)- Ali Rıza Tura (W)	Çağrı	24 months	100,000,000 TL
085)- M. Şadi Ozansu (W)	Çağrı	24 months	100,000,000 TL
086)- M. Yalçın Kaya (W)	Çağrı	24 months	100,000,000 TL
087)- Hasan San (W)	Çağrı	24 months	100,000,000 TL
088)- Levent Aslan (EIC)	Yeni İnsan	6 months	50,000,000 TL
089)- Mazhar Günbat (EIC)	Welat	24 months	320,000 TL
090)- Halil Ürün	Speech	---	2,000,000 TL
Konya Metropolitan Mayor			
091)- Emine Buyrukcan (EIC)	Özgür Halk	6 months	50,000,000 TL
092)- Haydar Demir (O)	Özgür Halk	---	100,000,000 TL
093)- Teslim Töre (W)	Toplum Dayanışma	20 months	333,000,000 TL
094)- Burhan Günel (PUB)	Pir Sultan Journal	6 months	5,000,000,000 TL
Burhan Günel (PUB)	Book	6 months	50,000,000 TL
"Direnme ve Yenilenme Kanunu" (Kamçı Publishing House)			
095)- I. Halit Elçi (W)	Pir Sultan Journal	24 months	250,000,000 TL
096)- Kemal Altıntaş (W)	Pir Sultan Journal	24 months	250,000,000 TL
097)- Metin Kuzugüden (EIC)	Pir Sultan Journal	6 months	2,000,000,000 TL
098)- Murtaza Demir (O)	Pir Sultan Journal	---	2,000,000,000 TL
099)- Mustafa Pala (W)	Book	24 months	250,000,000 TL
"Yanıtlarıyla Söyleşiler" (Yaba Publishing House)			
100)- Aydın Doğan (PUB)	Book	6 months	100,000,000 TL

“Yanıtlarıyla Söyleşiler” (Yaba Publishing House)			
101)-	Atılay Ayçin	Speech	20 months 41,000,000 TL
	Chairperson of the Hava İş Trade Union. His speech during a meeting organized by the IHD.		
102)-	Eşber Yağmurdereli	Speech	20 months 41,000,000 TL
	Lawyer. His speech during a meeting organized by the IHD.		
103)-	Kemal Okutan	Speech	72 months 250,000,000 TL
	Because of his speeches during the HEP congresses.		
	Kemal Okutan	Speech	24 months 100,000,000 TL
	His speech during the meeting organized by the HEP on 28 Haziran 1992 in Bursa.		
104)-	Abdülcabbar Gezici	Speech	48 months 100,000,000 TL
	Because of his speeches in the HEP congresses.		
105)-	Feridun Yazar	Speech	24 months 100,000,000 TL
	Because of his speech during the Great Congress of the HEP.		
106)-	Hüseyin Turhallı	Speech	24 months 100,000,000 TL
	Because of his speech during the Great Congress of the HEP.		
107)-	Salih Şahin	Speech	24 months 100,000,000 TL
	Because of his speech during the Great Congress of the HEP.		
108)-	Harun Çakmak	Speech	24 months 100,000,000 TL
	Because of his speech during the Great Congress of the HEP.		
109)-	Felemez Başboğa	Speech	24 months 100,000,000 TL
	Because of his speech during the Great Congress of the HEP.		
110)-	Mustafa Kemal Öztürk	Speech	24 months 100,000,000 TL
	Because of his speech during the Great Congress of the HEP.		
111)-	Güven Özata	Speech	24 months 100,000,000 TL
	Because of his speech during the Great Congress of the HEP.		
112)-	Mehmet Gemsiz	Speech	24 months 100,000,000 TL
	Because of his speech during the Great Congress of the HEP.		
113)-	Ahmet Sağın	Speech	20 months 208,000,000 TL
	Because of his speech during the congress held by the DEP in Manisa.		
114)-	Naci Aslan	Speech	20 months 208,000,000 TL
	Because of his speech during the congress held by the DEP in Manisa.		
	Naci Aslan	Speech	10 months ---
	Because of his speech during the congress held by the DEP in Saruhanlı.		
115)-	Hamdi Samancılar	Leaflet	20 months 333,000,000 TL
116)-	Hayrettin Akbaş	Leaflet	20 months 333,000,000 TL
117)-	Faik Biçer	Leaflet	20 months 333,000,000 TL
118)-	Recai Gün	Leaflet	20 months 333,000,000 TL
119)-	Semanur Özel	Leaflet	20 months 333,000,000 TL
120)-	Servet Engin (EIC)	Zaman	7 months 4,000,000 TL
	(2 trials)		
121)-	M. Güner Yazgan (W)	Zaman	3 months 15 days 2,000,000 TL
122)-	Varol Bektaş (W)	Zaman	3 months 15 days 2,000,000 TL
123)-	Nedime Tunç (EIC)	Newroz Ateşi	48 months 550,000,000 TL
124)-	Ali Rıza Gezici (W)	Newroz Ateşi	24 months 250,000,000 TL
125)-	Seydi Bayram (W)	İlk Haber	20 months 208,000,000 TL
	Former Chairperson of the IHD Kütahya Branch.		
126)-	Aslan Arıç (EIC)	İlk Haber	5 months 41,000,000 TL
127)-	Emin Yükselener (O)	İlk Haber	--- 83,000,000 TL
128)-	Medeni Ayhan (EIC)	Özgür Bilim	24 months 250,000,000 TL
	Medeni Ayhan	Speech	48 months 500,000,000 TL
129)-	Rıza Doğan (W)	Özgür Bilim	24 months 250,000,000 TL
130)-	Abdürrahim Koçbin (W)	Özgür Bilim	24 months 250,000,000 TL

131)- Haydar Karayel (W)	Özgür Bilim	24 months	250,000,000 TL
132)- Cengiz Yaşar (W)	Özgür Bilim	24 months	250,000,000 TL
133)- Mehmet Tanrıku (W)	Özgür Bilim	24 months	250,000,000 TL
134)- Nurettin Yüksekaya (EIC) (2 trials)	Medya Güneşi	44 months	458,000,000 TL
135)- Ayşe Eğilmez (EIC)	Alnteri	6 months	50,000,000 TL
136)- Yalçın Küçük (W)	Book	24 months	250,000,000 TL
"Kürt Bahçesinde Sözleşti" (Başak Publishing House)			
137)- Emel Atıcı (O) (2 trials)	Hedef	---	100,000,000 TL
138)- Aşlı Güneş (EIC) (2 trials)	Hedef	6 months	100,000,000 TL
139)- Nabi Barut (PUB)	Book	12 months	250,000,000 TL
"Tasfiyeciliğin Tasfiyesi-Abdullah Öcalan" (Zagros Publishing House)			
Nabi Barut (PUB)	Book	12 months	50,000,000 TL
"Dirilişin Öyküsü" (Zagros Publishing House)			
140)- Mehmet Antmen	Survey text	20 months	400,000,000 TL
Because of a survey made in Adana in the name of Tüm Sağlık Sen.			
141)- Vedia Gülüm	Survey text	20 months	400,000,000 TL
Because of a survey made in Adana in the name of Tüm Sağlık Sen.			
142)- Berin Nadi (O)	Cumhuriyet	---	297,000,000 TL
143)- Aydın Engin (EIC)	Cumhuriyet	---	148,000,000 TL
144)- A. Hikmet İyidoğan (EIC)	Zafere Doğru	24 months	250,000,000 TL
145)- Oral Çalışlar (W)	Book	24 months	250,000,000 TL
"Öcalan ve Burkay'la Kürt Sorunu" (Yar Publishing House)			
146)- Muzaffer Erdoğan (PUB)	Book	6 months	50,000,000 TL
"Öcalan ve Burkay'la Kürt Sorunu" (Yar Publishing House)			
147)- Mustafa Aşık (EIC)	Ak-Zuhur	24 months	200,000 TL
148)- Hayrettin Soykan (O)	Ak-Zuhur	---	50,000,000 TL
149)- Hatice Onaran (EIC)	Devrimci Çözüm	18 months	325,000,000 TL
150)- Fethiye Pekşen (O)	Devrimci Çözüm	---	250,000,000 TL
151)- Fevzi Gerçek (W)	Direnış	24 months	---
Chairperson of the Tüm Sağlık Sen.			
152)- Zeki Tombak (W)	Fabrika	24 months	400,000,000 TL
153)- Ertan Kaplan (EIC)	Fabrika	6 months	50,000,000 TL
154)- Mehmet Ali Birand (TV)	32. Gün	5 months	---
155)- Deniz Arman (TV)	32. Gün	5 months	---
156)- Halim Abanoz (TV)	32. Gün	5 months	---
157)- Erhan Bay (enlisted man)	32. Gün	5 months	---
158)- İsmet Kantar (enlisted man)	32. Gün	5 months	---
159)- Songül Özkan (PUB)	Book	6 months	50,000,000 TL
"Emperyalizm, Milliyetçilik ve Kürt Sorunu" (Evrensel Publishing House)			
160)- Sedat Aslantaş	Speech	36 months	150,000,000 TL
Because of his speech during the İHD's congress in 1992.			
161)- Kanal 6 Televizyonu	Movie	---	48,000,000 TL
Because of the film "Düş Gezginleri".			
162)- Pelin Şener (EIC) (4 trials)	Gerçek	41 months	362,000,000 TL
163)- Kamil Tekin Sürek (O) (7 trials)	Gerçek	---	455,000,000 TL
164)- Yücel Özdemir (EIC)	Gerçek	20 months	125,000,000 TL
165)- İsmail Kayhan (GPD)	Gerçek	10 months	---

166)- N. Kemal Cıbaroğlu (EIC) (2 trials)	Mücadele	12 months	100,000,000 TL
167)- Gülten Şeşen (O) (5 trials)	Mücadele	---	850,000,000 TL
168)- Cafer Çakmak (EIC) (All trials)	Mücadele	125 months	500,000,000 TL
169)- Selahattin Aydar Bingöl Mayor	Speech	12 months	---
170)- Bedri Baran Chairperson of the Diyarbakır National Youth Foundation.	Speech	12 months	---
171)- Abdullah Çevik (W)	Alperen	18 months	---
172)- Refik Şahinli (EIC)	Alperen	21 months	2,000,000 TL
173)- Mehdi Zana Because of a press meeting he held in the European Parliament.	Press meeting	48 months	200,000,000 TL
Mehdi Zana His speech during the meeting organized by the HEP on 28 Haziran 1992 in Bursa.	Speech	24 months	100,000,000 TL
174)- Imam Canpolat Chairperson of the HADEP's Ankara Provincial Organization.	Speech	48 months	500,000,000 TL
175)- Seher Karataş (EIC) (5 trials)	Gençliğin Sesi	38 months	650,000,000 TL
176)- Cem Uzan (TV)	Interstar	---	175,000,000 TL
177)- Özcan Ertuna (TV) (2 trials)	Interstar	---	425,000,000 TL
178)- Serpil Akıllıoğlu (TV)	Interstar	---	175,000,000 TL
179)- Ardan Zentürk (TV)	Interstar	---	175,000,000 TL
180)- Özden Akbal (TV)	Interstar	---	425,000,000 TL
181)- Duran Dünderoğlu (TV) (2 trials)	Interstar	---	175,000,000 TL
182)- Jülide Ateş (TV)	Interstar	---	250,000,000 TL
183)- Engin Ardiç (TV)	Interstar	---	250,000,000 TL
184)- Kazım Albayrak (EIC)	Taraf	14 months	4,000,000 TL
185)- Yüksel Yılmaz (O)	Publication	---	135,000,000 TL
186)- Okan Alkan Sarıkaya (EIC)	Publication	---	68,000,000 TL
187)- Ayla Tunçdemir (EIC)	Direnış	24 months	250,000,000 TL
188)- 208)- 21 people Diyarbakır Democracy Platform. (Because of a press statement, sentences of 20 months in prison and fines of TL 208 million were given to 21 people.)	Press statement	420 months	4,368,000,000 TL
209)- Aysun Kıvanç Because of representation during a meeting of the DEP in Ankara in 1993.	Meeting	24 months	250,000,000 TL
210)- Aliye Pekediz Because of her speech during a meeting of the DEP in Ankara in 1993.	Meeting	24 months	250,000,000 TL
211)- Mehmet Özdemir The Chairperson of the Bandırma (Balıkesir) Halkevi.	Press statement	20 months	208,000,000 TL
212)- Hacı Güzel Bostan Hacı Güzel Bostan	Press statement	15 months	125,000 TL
	Speech	20 months	208,000,000 TL
213)- Abdüllatif Epözdemir Because of his speech during the Manisa Provincial Congress of the DEP.	Speech	20 months	208,000,000 TL

Trials and investigations

There was a considerable increase in the number of investigations and trials launched against journalists and writers in 1994. In these trials, nearly **6,000** individuals appeared before the

courts. The total sum of prison terms and fines to be passed on the defendants in these trials reached record levels. The trials relating to the freedoms of thought and press occupied an important part (25 % of all trials) within the trials launched at the SSCs. A significant number of these trials were launched by the SSC prosecutors in Istanbul. According to the statistics of the Ministry of Justice, 1,162 of 2,862 trials handled by the Istanbul SSC (41 %) related to the freedom of press. The number of defendants in these trials was 2,098 (50 % of all the defendants in the SSC trials), and 336 of them were under arrest during the trials. In 1993, 46 % of all the trials handled by the Istanbul SSC were press trials (1,081 trials out of 2,351).

The Ankara SSC Prosecution Office launched an investigation against the German author Gunter Walraff, who visited Turkey for observing the developments regarding the Sivas massacre of 2 July 1993, which had resulted in the killing of 37 people. The investigation was launched under the Article 159 of the Turkish Penal Code, with the allegation that he, in a press conference in Ankara, insulted the court handling the trial of Sivas incidents.

The Ankara SSC Prosecution Office launched a trial against the Yurt Publishing House for publishing a book entitled “Koca Çınar-Kürt Bilgesi Musa Anter” (A Huge Plane-Tree - Kurdish Sage Musa Anter) for the commemoration of author Musa Anter, who was murdered by unknown assailants in 1992. The indictment heard during the first hearing held at the Ankara SSC on 10 February, demanded Yaşar Kaya, the owner of the Özgür Gündem and the editor of the book, and Ünsal Öztürk, the editor of the Yurt Publishing House to be sentenced from 2 to 5 years in prison under Article 8 of the “Law to Fight Terrorism”. Ünsal Öztürk who was cross-examined during the hearing, noted that Musa Anter was a beloved Kurdish author and the book that was the subject of the trial had been prepared through the compilation of the messages sent after his killing, and said, “Thousands of messages were received by the newspapers and the journals in which Musa Anter had placed his writings following his killing. Launching a trial in relation with the messages sent upon his killing is something sorrowful.”

A trial was launched against Berin Nadi, the owner of the Cumhuriyet, and Aydın Engin, the former chief editor of the newspaper, under Article 6 of the “Law to Fight Terrorism” for publishing a news report on Nusret Demiral, the Chief Public Prosecutor of the Ankara SSC, in the 30 September 1993 dated issue of the newspaper. In the trial which was launched at the Istanbul SSC, fines were demanded against Berin Nadi and Aydın Engin who were prosecuted on the grounds that they indicated as targets the persons undertaking duties in fight against terrorism. Lawyer Fikret İlkiz who took the floor in the hearing on 10 March, stated that everything written in the news report relied on documents, and the information was completely true. In the same hearing, Aydın Engin said, “By being put under trial in this court on the accusation of indicating Nusret Demiral as a target, I am being made into a target to those who think like Nusret Demiral.”

A trial was launched by the Istanbul SSC Prosecution Office against Berin Nadi and Aydın Engin, owner of the newspaper Cumhuriyet and its former chief editor respectively, in connection with a news story on the PKK published in the 27 October 1993 dated issue of the newspaper. The first hearing of the trial launched under the “Law to Fight Terrorism” was held at the Istanbul SSC on 8 March. The indictment heard in the hearing demanded that Berin Nadi and Aydın Engin be sentenced to a fine of no less than TL 50 million, for publishing the announcements of illegal organizations. Fikret İlkiz, the lawyer of the defendants, stated in the hearing on 6 October that the news report was published to inform the public opinion, not for disseminating propaganda, and demanded a decision of acquittal. Berin Nadi and Aydın Engin were acquitted later.

Mehmet Ali Barış Beşli, the Chief Editor of the culture and art review named “Ogni” published by the Lazes living in Turkey, was tried at the Istanbul SSC for the articles in the first issue of the review, and acquitted. The trial that ended at Istanbul SSC on 7 April had been launched under Article 8 of the “Law to Fight Terrorism” on the claim that separatist propa-ganda was spread through the writings titled “Çıkarken” (While setting out), “Kendinde ken-din olma bilinci üzerine düşünceler” (Ideas on self-consciousness within the Self) and “Dil, kültür, kimlik sorununa kısa bir giriş” (A brief introduction to the problem of language, culture and identity). Along with the acquittal decision, the confiscation of the review ordered in November 1993 was also lifted.

The trial which was launched against businessman Besim Tibuk under Article 8 of the “Law to Fight Terrorism” for saying that “a Kurdish State might be established in the South-eastern Anatolia Region” in a statement published in the newspaper Milliyet, started at the Istanbul SSC on 20 April. In the trial, Besim Tibuk who was accused of making separatist propaganda, faced a sentence of 2 years in prison and a fine of TL 100 million. Rejecting the accusation, Besim Tibuk said, “I pointed out that the separatists might establish a Kurdish state in the South East, but that the separatists themselves were bound to be harmed by this.” Eren Güvener, the Chief Editor of Milliyet, was the other defendant in the trial. Besim Tibuk and Eren Güvener were acquitted in the first hearing. Another trial against Besim Tibuk for a simi-lar statement published in the weekly Aktüel also resulted with acquittal on 10 May.

A book which was edited by the journalists Hıdır Gökteş and Metin Gülbay and entitled “Yeni Dünya Düzeni ve Türkiye” (New World Order and Turkey), was confiscated by the Istanbul SSC in May under the “Law to Fight Terrorism”. The confiscation was ordered in connection with an interview with Hatip Dicle on the ground that separatist propaganda was disseminated in the interview. The book as a whole consisted of interviews with politicians like Fikri Sağlar, the then Minister of Culture, Mesut Yılmaz, the General Chairman of the Motherland Party (ANAP), and Muhsin Yazıcıoğlu, the General Chairman of the Great Unity Party (BBP), as well as scientists and artists, on recent changes in the world. Following the confiscation order, a trial was launched against Hıdır Gökteş and Metin Gülbay as well as Hasan Basri Çıplak, the publisher of the book, under Article 8 of the “Law to Fight Terrorism”. In the trial which ended on 17 May 1995, Hıdır Gökteş and Metin Gülbay were each sentenced to 20 months in prison and a fine of TL 333 million while Hasan Basri Çıplak to 5 months in prison and a fine of TL 42 million.

A trial was launched against Author Aziz Nesin for saying “all the governments of the Republic during its 70 years have been liars” in his speech in a meeting held in Izmir in Decem-ber 1993. Aziz Nesin, alleged to insult the Turkish Republic and the governments, faced a sen-tence of from 1 year to 6 years in prison under Article 159/1 of the Turkish Penal Code in the trial launched by the Izmir Public Prosecution Office. The first hearing was held at the Izmir Heavy Penal Court on 24 June. Aziz Nesin was acquitted on 18 November.

A trial was launched against Ismet Aslan, the editor of the Berfin Publishing House, for publishing a book entitled “Yasak Tümceler” (Forbidden Sentences). In the trial which started at the Istanbul Penal Court of First Instance No.2 on 16 September, Ismet Aslan who was accused of insulting Islamic religion and sacred values, faced a sentence of up to 2 years 6 months in prison under Article 125 of the Turkish Penal Code. In connection with the trial, an arrest warrant in absentia was issued for the author Abdullah Rıza Ergüven, who lives abroad.

A trial was launched against author Edip Polat, who was in the Bursa Prison in 1994 serving a prison sentence of 2 years passed on him in connection with his book “Newrozladık Şafakları”, for the manuscript of a new book that he wrote in prison. In the trial which was launched under Article 8 of the “Law to Fight Terrorism”, prosecutors sought a sentence of from 2 to 5 years in prison for Edip Polat. Edip Polat, who testified in Bursa on 25 October in connection with the trial held at the Istanbul SSC, said that the Prison Directorate had confiscated his new book “Bilim mi, Resmi İdeoloji mi?” (Science or Official Ideology?) while he was sending it to the publisher and had issued an official complaint at the prosecution office.

e)- Confiscated and closed publications

Despite the fact that authorities have often proclaimed that “the practice of banning publications is no longer carried out”, the practice of confiscating books, magazines and the like continued throughout 1994. Confiscation decisions were ordered for **961** issues of various newspapers and journals, and for **37** books in 1994. (The figures were 121 newspapers and journals, and 29 books in 1991; 189 newspapers and journals, and 20 books in 1992; and 425 newspapers and journals, and 29 books in 1993.) A large number of these decisions were given under Articles 6 and 8 of the “Law to Fight Terrorism”. Articles 155 and 312 of the Turkish Penal Code constituted other important grounds for these decisions.

The confiscation orders were particularly used against the publications opposing the official ideology. Nearly all issues of such publications were confiscated. (*) Some confiscations were sometimes ordered on very interesting and funny grounds. For example; the 11 September 1994 dated issue of the newspaper Cumhuriyet was confiscated by the Istanbul SSC under the “Law to Fight Terrorism” on the grounds of spreading propaganda of illegal organizations. The confiscation was ordered in connection with publication of an interview with the leaders of the radical Islamic IBDA-C organization who claimed the responsibility of the assassination attempt against Toktamış Ateş, a writer for the newspaper Cumhuriyet. The confiscation order was lifted 2 days later after an objection raised by Lawyer Fikret İlkiz. However, a trial was launched against Berin Nadi, the owner of the newspaper, and İbrahim Yıldız, the chief editor, under Article 6 of the “Law to Fight Terrorism”.

In March, the Diyarbakır SSC issued confiscation orders for three books published by the Dilan Publishing House: “Çağdaş Kürdistan Tarihi” (History of Modern Kurdistan) by Lucien Rambout, “Kürdistan’da Eğitim Süreçleri” (Educational Process in Kurdistan) by Rohat, and “Sorgu, Zindan, Direniş ve Yaşam” (Interrogation, Jail, Resistance and the Life) by Mehmet Ali Ural. It was reported that the books were published in 1992, and had not been subject to prosecution until March 1994. The Publishing House pointed out that the confiscations were ordered in contravention to the relevant law.

Closure orders

Closure orders, which increased after a forgotten stipulation of law was put into force in the press trials handled by the Istanbul SSC in the last three months of 1993, were issued throughout 1994, too. As a result, many publications faced closure orders from 3 days to one month.

(*) In 1994, 102 out of 104 issues of Özgür Gündem, 220 out of 247 issues of Özgür Ülke, 36 out of 36 issues of the journal Mücadele, 19 out of 20 issues of the newspaper Emegin Bayrağı when it was weekly, 16 out of 16 issues of Taraf when it was published weekly, 19 out of 21 issues of Devrimci Çözüm, 8 out of 8 issues of Kızıl Bayrak, 7 out of 8 issues of Serketin, 13 out of 13 issues of Atılım were confiscated.

According to the determinations of the HRFT, closure orders of **62 months 2 days** in sum were issued against **24** publications in 91 press trials that resulted in convictions during the year. (The sum total of closure sentences for 13 newspapers in 21 trials was 15 months and 6 days in 1993). The closure sentences given in this year can be listed as follows (a closure sentence is executed when it is upheld by the Court of Appeals):

<u>Publication</u>	<u>No of Trials</u>	<u>Duration of Closure</u>
01)- Newroz	1 trial	1 month
02)- Özgür Gelecek	2 trials	2 months
03)- Fabrika	1 trial	1 month
04)- Mücadele	8 trials	5 months 5 days
05)- Özgür Gündem	44 trials	25 months 10 days
06)- Emeğin Bayrağı (biweekly)	6 trials	4 months 15 days
07)- İşçinin Yolu	1 trial	15 days
08)- Medya Güneşi	1 trial	15 days
09)- Kurtuluş	1 trial	15 days
10)- Azadi	4 trials	2 months 17 days
11)- Taraf (monthly)	2 trials	2 months
12)- Özgür Halk	3 trials	2 months 15 days
13)- Devrimci Emek	2 trials	2 months
14)- Emek	1 trial	1 month
15)- Yeni Dünya İçin	2 trials	1 month
16)- Gençliğin Sesi	2 trials	1 month 10 days
17)- Welat	1 trial	1 month
18)- Alinteri	1 trial	1 month
19)- Aydınlık (daily)	1 trial	5 days
20)- Yeni Ülke	1 trial	1 month
21)- Gerçek	3 trials	3 months
22)- Newroz Ateşi	1 trial	1 month
23)- Devrimci Gençlik	1 trial	1 month
24)- Devrimci Proleterya	1 trial	1 month

Some closure orders that were issued by the courts in 1993 and 1994 were upheld by the Court of Appeals in 1994, and executed immediately afterwards. Therefore, many newspapers and journals had to cease publication for long periods, or stop entirely. For instance, the journals İşçinin Yolu and Özgür Gelecek were closed for 15 days while Taraf (monthly), Partizan, Gençliğin Sesi and Devrimci Proleterya were closed for one month. The newspapers Özgür Gündem and Azadi, on the other hand, had to stop their publication entirely in May, when subsequent closure orders were upheld and executed successively.

The journal/newspaper Emeğin Bayrağı, had to cease publication frequently in 1994 when the closure orders issued in the previous years were upheld and executed successively. A 3-day closure order that was issued previously was upheld in April and the journal was closed for 3 days. On 8 July, another closure order of 15 days was upheld and put into force. When this period ended, another 15-day closure order came to the agenda. In this way, the newspaper was first opened, but immediately closed again. The execution of closure orders issued against the newspaper also continued in September. In the same way, the journal Devrimci Emek was pre-vented from being published between April and November due to successive closure orders that were executed.

The journal *Mücadele* only published 36 issues in 1994 because of the execution of the closure orders. The journal was kept closed between 5 to 20 May and 14 to 24 July due to the ratified closure orders (in connection with its issues published in 1991 and 1992 when it was biweekly). The journal's publication was practically ceased when 7 closure orders totaling 5 months 5 days were put into force successively.

Radios and televisions

The bill aiming at regulating the works of the private radio and television establishments was enacted with the votes of the deputies from SHP, DYP, ANAP, and CHP in the General Session of the Turkish Grand National Assembly on 13 April. The deputies of the RP voted against the law. The law was signed by President Süleyman Demirel, and entered into force on 20 April. According to the law, parties, associations, foundations, municipalities, financial institutes, banks, cooperatives, marketing companies, professional establishments, cannot set up any radio and television establishments. The Radio Television Supreme Board, which was established by the law, is authorized to control radio and television establishments, licensing and stopping broadcasts. This Board, which is composed of 9 people elected by the Assembly, is authorized to shut down radio and television establishments for determined or indefinite periods of time. Additionally, the Prime Minister or a minister charged by the Prime Minister has the authority to stop broadcasts. The new law regulating the activities of private broadcasting agencies caused various protests. The Vice Chairperson of the IHD Ercan Kanar, in criticising the act, said, "Our rulers aim at transforming the society into amorphous masses speaking with a single voice and committed to listen to a single voice. This law, which is the product of a totalitarian perspective, is the latest example of this."

The Supreme Board for the Elections shut down a private TV channel named "Inter-star" for 5 days on 6 January. The decision was taken on the allegation that the aforesaid channel was broadcasting in contravention to the Law on Elections. The decision was protested by press and broadcasting agencies and opposing political parties. The Vice Chairperson of the IHD Ercan Kanar demanded the ending of the practice of closure of press and broadcasting agencies, and stated that the closure of the channel was a violation of the freedom of press.

The Istanbul Public Prosecution Office launched a trial in February against journalist Mehmet Ali Birand under Article 159 of the Turkish Penal Code on the grounds that he insulted the armed forces and security forces in a TV programme broadcast on 16 November 1992. In the trial, which was launched upon an official complaint by the Bureau of the Chief of Staff, a 6-year prison sentence was sought for Mehmet Ali Birand. The news programme in question had showed that the PKK militants were not surrendering and leaving arms, contrary to official statements to this effect, and was protested by the then Chief of Staff General Doğan Güreş and other authorities. Mehmet Ali Birand who was sued at the Istanbul Heavy Penal Court No.5, was acquitted on 22 September.

Two separate trials launched against the administrators and some personnel of a private television establishment named "Interstar", on the grounds that they broadcast in contravention to the Law on Elections, ended on 18 April. In one of the trials that ended at Küçükçek-mece Penal Court of Peace, Cem Uzan, Özcan Ertuna, Serpil Akilloğlu, Özden Akbal, Ardan Zentürk and Duran Dünderoğlu, executives of the television establishment, were fined a total of TL 1 billion. In the second trial that ended at the same court, Özcan Ertuna and Özden Akbal, executives of the

Interstar, and TV speaker Jülide Ateş and commentator Engin Ardiç were each sentenced to a fine of TL 250 million.

The Istanbul Public Prosecution Office sentenced a private television channel named Kanal 6 to a fine of 48 million TL for broadcasting a film titled “Düş Gezginleri” (Travellers of Dreams). The fine was ordered on the grounds that some parts of the film showing lesbian sexual intercourse were contrary to morality. The investigation in connection with the film starring Meral Oğuz and Lale Mansur was launched due to the official complaint raised by the Welfare Party.

The local radio station Gençliğin Sesi in Konya, was closed on 17 August by the Konya Governorate on allegations of inciting people. The closure was ordered after a small child (M.A.) said on the radio that he had been tortured in day nursery provoked protests. Along with the closure decision, Naci Dağlıoğlu, the owner of the radio station and Ahmet Inci, an an-nouncer working for the radio, were kept in detention for a period of time. Upon the statement by the child, a crowd of people gathered in front of the day nursery where the incident had occurred, and held demonstrations against the managers of the nursery.

The police raided the premises of the SRT TV, a private channel broadcasting in Sam-sun, during a live debate programme on “Human Rights and Freedom of Thought in Turkey” on the evening of 8 October. The raid was reportedly carried out upon a denouncement made to the Security Directorate. The channel was raided while some clippings from the newspaper Öz-gür Ülke, entitled “Secret Documents”, “A Village Burns”, “Demonstration for the Freedom of Expression”, were being pictured.

Yaşar Kaya, one of the former chairpersons of the DEP, closed by the Constitutional Court, was sentenced to 2 years in prison and a fine of TL 250 million in the trial brought against him in connection with his speech during a program broadcast on 17 January 1993 on a private television channel (Kanal 6). Ahmet Altan and Neşe Düzel, who presented the prog-ram, were acquitted. The trial, which ended at the Istanbul SSC on 28 October, had been launched under Article 8 of the “Law to Fight Terrorism”.

In December, the Governorate of Erzurum banned the tape recordings “Şarkım Dağ-lara” (Song for Mountains) by Ahmet Kaya, “Özlemim Dağ Rüzgarı” (My Longing is the Mountain Wind) by Ferhat Tunç, and “Yağmur Türküleri” (Songs of Rain) by Ahmet Kaya, Ferhat Tunç and Emre Saltık. According to decision, these tapes could not be sold or played within the provincial borders. The local radio agencies were also forbidden to play these tapes in their programmes. In the meantime, the Governorate of Mardin also banned the selling or duplicating of “Şarkım Dağlara” by Ahmet Kaya, and forbid local radios to play the song “Cinayet Saati” (The Time of the Murder) that was included in the tape.

f)- Compulsory military service

Another issue that arose in 1994 was the practices against conscientious objectors and those who objected or criticised the compulsory military service. As the fighting in the State of Emergency Region became more violent and frequent, and as the number of those attempting to avoid or delay their military service increased immensely, the pressure on conscientious objectors and individuals, groups or organizations objecting compulsory military service also increased by the end of 1993. This pressure intensified after the decision of the government to delay the next periodical discharge of the recruits serving in the military, and to prolong the period of compulsory

military service.^(*) Numerous trials were launched against individuals forwarding criticism in military issues. In contravention to certain laws and related international conventions, military prosecutors and courts were authorized to handle trials relating to civilians in such cases. In this way, civilians came under the jurisdiction of military courts in periods other than the martial law and for cases other than military espionage.

The information that the HRFT compiled on the pressure on conscientious objectors, and on individuals and organizations who object to or criticize the compulsory military service is as follows:

The General Staff Military Court issued an arrest warrant in absentia against the journalists Erhan Akyıldız, who produce TV programmes for a private TV channel (HBB), and Ali Tevfik Berber, his assistant, on 14 December 1993. The warrant was issued on the accusation that statements that would incite people to perceive the military service in an apathetic manner were made in a program broadcast through the TV channel HBB on 8 December evening. Erhan Akyıldız and Ali Tevfik Berber were detained in Istanbul, and taken to Ankara on 14 December. They were arrested and delivered to the Mamak Military Prison House on 15 December. The objection that the two journalists filed against the warrant of arrest was not accepted. The penal trial against the two journalists that was filed in the General Staff Military Court later became the first of its kind in the last 30-40 years except for the periods of martial law, and Erhan Akyıldız and Ali Tevfik Berber became the first two journalists being judged for their work in a military court within this period. The Court also issued warrants of arrest in absentia against Menderes Meletli and Aytek Özel, members of the Izmir War Resisters' Association, who made statements in the programme.

The trial against Erhan Akyıldız and Ali Tevfik Berber started in the General Staff Military Court on 21 December 1993. The indictment read in the first hearing demanded prison terms for the journalists from 2 months to 2 years under the Article 155 of the Turkish Penal Code. Erhan Akyıldız, in his defence in the hearing, stated that, "The journalists cannot concern themselves with whether the Chief of General Staff or the Prime Minister would like that or not, while fulfilling their task of reporting. The news that we made was not to the liking of the Chief of General Staff General Doğan Güreş. And, as a result of his objection, we were arrested immediately, and put into the Mamak Military Prison House. That we were arrested and imprisoned on the orders of a military court under a law which is from 1940s, and that we are being judged in a military court, is not our shame; it is the shame of those besmirching the name of Turkish democracy in this way." The Court decided to release Erhan Akyıldız and Ali Tevfik Berber. The two journalists were each sentenced to 2 months in prison, and fined to TL 160 thousand in the trial that ended at the General Staff Military Court on 11 February. This verdict was overturned by the Military Court of Appeals on the grounds that it was not appropriate to sentence the two journalists. The two journalists who were re-tried by the General Staff Military Court upon the verdict of the higher court, were acquitted on 6 December.

(*) The Council of Ministers delayed the next discharge of recruits by a decree on 6 January. According to the decree, second lieutenants were discharged 5 months later than schedules, soldiers and non-commissioned officers were discharged 4 months later, and short term recruits 2 months later. The Council of Ministers issued similar decrees in July and October. This situation became permanent on 26 December, and the period of recruitment was prolonged from 15 to 18 months for soldiers, from 12 to 16 months for second lieutenants, and from 6 to 8 months for short term recruits. (Detailed information is on page 52.)

On the other hand, Aytek Özel, against whom an arrest warrant in absentia was issued, was arrested on 7 February. Aytek Özel was beaten up and his hair was forcibly cut in the Mamak Military Prison where he had been taken. Human rights defenders from Izmir who reacted to the incident demanded that Aytek Özel, who had been arrested in an illegitimate way, be tried at a civilian court, and be released as soon as possible. A trial was launched under the Article 155 of the Turkish Penal Code against Aytek Özel with the accusation that he intended to incite people to perceive the military service in an apathetic manner. In the trial, which ended at the General Staff Military Court on 21 April, Aytek Özel was sentenced to 1 year 15 days in prison and a fine of TL 210,000. (*) With the disclosure of the verdict, Aytek Özel was released.

In the meantime, Aytek Özel was also sentenced by the General Staff Military Court to 2 months in prison and a fine of TL 160,000 because of his article titled “Zorunlu Askerliğe Hayır” (No to Compulsory Military Service) published in the journal “Bakaya” (Absentee Conscript). The Military Court of Appeals upheld this sentence on 26 May. His sentence of 1 year and 15 days in prison was also upheld by the Military Court of Appeals in September. Having a ratified sentence of 1 year 2 months 15 days in sum, Aytek Özel will remain in the prison for 3 months 15 days since he has already served 2 months 15 days in prison while he was being prosecuted.

After preparatory activities during 1993, the Izmir War Resisters’ Association officially began activities after the opening ceremony in 26 February. In his speech in the ceremony which was held with the participation of the members of some peace organizations from the Netherlands and Germany, lawyer Ahmet Nazım, a founding member of the association, said “The War Resisters’ Association, which we founded with seven members, was dissolved by the authorities due to incomplete procedure. Thus, we found the Izmir War Resisters’ Association upon the initiative of 22 founding members. Recent developments at home and abroad have made it evident once more that we need to organize in the War Resisters’ Association.”

An investigation was launched against journalists Mehmet Ali Birand, Deniz Arman and the cameraman Halim Abanoz who prepared a news report for the news program “32. Gün” (Show TV) related to the prolongation of the compulsory military service period by the Council of Ministers, as well as against two recruits speaking to the journalists on the issue. As a result of the investigation which was held by the Ankara 4th Corps Command Prosecution Office, a trial was launched against the journalists Mehmet Ali Birand, Deniz Arman, the cameraman Halim Abanoz, and the two recruits, Erhan Bay and Ismet Kantar, under the Article 155 of the Turkish Penal Code. The trial at the Military Court of the Ankara 4th Corps Command started on 9

(*) Two trials and one investigation that were launched under Article 155 of the Turkish Penal Code in the previous years resulted with acquittal and a decision not to prosecute, respectively. The Istanbul SSC Prosecution Office launched a trial in 1989 against the editors of the weekly Sokak, Tuğrul Eryılmaz and Vedat Zincir, with the accusation of “making publications that would incite the people to perceive the military service in an apathetic manner”. The trial resulted in acquittal on 19 August 1990 on the grounds that “objection to compulsory military service cannot be deemed as a crime.” A second trial that was launched against Tayfun Gönül and Ahmet Zeki Okçuoğlu in connection with another news story published in Sokak also resulted with acquittal on 10 April 1991. The acquittal decisions were upheld by the Supreme Court. The investigation launched against Menderes Meletli (one of the individuals whose statement led to the trial of Erhan Akyıldız and Ali Tevfik Berberoğlu) for his statement published in the newspaper Cumhuriyet on 18 January 1993 resulted with a decision not to prosecute. Despite the fact that there were decisions of acquittal and not to prosecute issued previously in similar case files, the trials that were filed against individuals on similar grounds and prosecution of the defendants at the military courts demonstrated the arbitrary nature of the practice.

September. In his cross-examination during the hearing, Deniz Arman said that they prepared their report after the decree of the Council of Ministers and they did not intend to incite the people to negatively perceive the military service. In the trial that ended on 23 November, Mehmet Ali Birand, Deniz Arman, Halim Abanoz, Erhan Bay and Ismet Kan-tar were each sentenced to 5 months in prison.

The Istanbul War Resisters' Association (SKD) was raided by the police on the evening of 17 May. In the raid, 10 people, including 3 German citizens named Walker Thomas, Chris-ton Arnich and Gerhart Lennert, were detained. The names of the other detainees are as follows: "Arif Hikmet Iyidoğan (the Chairman of the SKD), Fatma Güresin, Osman Murat Ülke, Kemal Duman, Hayriye Aktaş, Gökhan Demirkıran and Mehmet Sefa Fersal." Out of the detainees, Arif Hikmet Iyidoğan, Osman Murat Ülke and Sefa Fersal were arrested while the others were released. Furthermore, the Istanbul Governorate ordered the closure of the association. The trial against Arif Hikmet Iyidoğan, Osman Murat Ülke and Sefa Fersal started at the Istanbul Court of First Instance No.7 on 6 June. The indictment heard in the hearing demanded sentences from 1 year to 3 years for the defendants on the grounds that 3 war opponents had organized a meeting without permission. During the hearing, Arif Hikmet Iyidoğan, Osman Murat Ülke and Sefa Fersal were released to be tried without arrest.

The trial which was launched against the War Resisters' Association members Arif Hikmet Iyidoğan, Gökhan Demirkıran, Osman Murat Ülke and Sefa Fersal in connection with press statements they made started at the General Staff Military Court on 12 July. Of the defendants, Arif Hikmet Iyidoğan was arrested during the first hearing, and sent to the Mamak Military Prison. Arif Hikmet Iyidoğan said in the hearing on 9 August that he was forced to wear a uniform for military prisoners, and undressed at the court. Stating that he was beaten up in the prison and his life was threatened, he said that he would be put into a cell for undressing at the court. Arif Hikmet Iyidoğan, who pointed out that forcing him to wear a military prisoner uniform was in contravention of the law and regulations, was forced out of the court for disrupting the court. Arif Hikmet Iyidoğan was released at the hearing on 27 September.

In the trial which ended on 29 August 1995, Arif Hikmet Iyidoğan was sentenced to 6 months in prison and a fine of TL 780,000, Gökhan Demirkıran to 4 months in prison and a fine of TL 520,000, and Sefa Fersal to 2 months in prison and a fine of TL 260,000, while Osman Murat Ülke was acquitted. (*) Furthermore, the court decided the recruitment of Sefa Fersal and Osman Murat Ülke immediately. An arrest warrant in absentia was issued for Sefa Fersal who attended the hearing but ran away during the break. Osman Murat Ülke, who stayed in the hall was delivered to the Recruitment Office. He was later released for two days upon the initiatives by his lawyers. Sefa Fersal who was detained in Eskişehir on the evening of 29 August, was arrested and delivered to the Mamak Military Prison on 31 August.

A trial was launched against Doğan Yıldırım, the Chairperson of the Bilkent University Student Council, and Ibrahim Sirkeci, a member of the "Fikir Klubü" (Club of Ideas), in connection with the press statement they made in December 1993 criticizing the practice of compulsory military service. In the trial which started at the General Staff Military Court on 20 June,

(*) Arif Hikmet Iyidoğan was also sentenced to 2 years in prison and fined TL 250 million in connection with some articles published in the journal Zafere Doğru (Towards the Victory) of which he was the chief editor. The trial which ended at the Istanbul SSC on 12 October, had been launched under Article 8 of the "Law to Fight Terrorism."

Doğan Yıldırım and İbrahim Sirkeci faced a minimum of 2 months in prison under Article 155 of the Turkish Penal Code, on the accusation of inciting the people to perceive military service in an apathetic way. On the other hand, the Rectorate of the Bilkent University initiated a disciplinary inquiry against İbrahim Sirkeci for making the aforesaid press statement, and decided to suspend him from school for one month.

The İstanbul Governorate did not allow the War Resisters' Association, the founders of which had applied officially to the İstanbul Beyoğlu District Governorate on 1 September in order to get an founding permission, to start its activities. With this decision relying on the order of the Ministry of Interior Affairs, the documents of the founding members were given back to them, and the Governorate informed them that "no association aiming at pursuing this objective (anti-militarism) will be allowed to function". The declaration prepared while founding the association, read, "We, those who want peace right now, have debated for a long while, came together, and we are here now. We aim at contributing to the development of a public sensitivity, to the unity of those who want peace and the building of their solidarity, and to the development of a culture of peace instead of a militarist one".

Artist Bilgesu Erenus, who had been put into trial at the İstanbul SSC with the accusation of making statements that would incite the people to perceiving the military service in an apathetic manner in a speech in Lüleburgaz on 26 January 1993, was sentenced to 2 months in prison. The trial had been launched for her words, "Mothers, I implore you, I beg you. Do not send your children to fulfill military service!" In her statement on the case, Bilgesu Erenus pointed out that she was a mother herself, with a son at the age of recruitment, and said: "Mine was just an expression of what I think. I want the good and the beautiful, not only for my son, but for all the youth. The powerful somehow never send their children to the Southeast. The women were in majority in the meeting. I wanted to share our common problem with the other women who were mostly mothers. I did not try to incite anyone to perceive the military service in an apathetic manner." The Court of Appeals overturned the sentence later, on the grounds that the trial should be held at the military courts, not at the SSC.

A trial was filed at the Military Court of the General Staff against Neşet Koçkar, a member of the War Resisters' Association, who was detained in Balıkesir on 7 February while hanging posters reading "No to Military Service". The trial against Neşet Koçkar who faced from 2 months to 2 years in prison, started on 22 November. Neşe Koçkar who was accused of making propaganda that would incite the people to perceive the military service in an apathetic manner, pointed out that the trial of a civilian in a military court was unlawful, and said, "Even the soldiers should not be judged by military courts. I'm against war and the compulsory military service. We experience warfare in Anatolia, people are being killed everyday, and we are told lies. I believe now that everyone objecting the war should state this in some way."

g)- Kurdish language

Despite the fact that there was no legal sanction, those speaking Kurdish or publishing, as well as writing and singing in Kurdish continued to face various pressure throughout 1994 as in the previous years. Furthermore, the wedding and circumcision ceremonies organized in accordance with Kurdish traditions were not tolerated either. Security forces interrupted such ceremonies. Some people were detained, sometimes arrested and prosecuted for singing in Kurdish. Tape recordings of Kurdish songs became subject to unlawful practices. Some governorates gave orders of confiscation of or prohibition to sell or play such tapes. For instance,

the Governorate of Tunceli prohibited the trading of 38 Kurdish tapes within the pro-vincial boundaries in April. Upon the order, the policemen patrolling the shops confiscated all copies of banned tapes. Among the banned tapes are some works of music bands like Koma Berxwedan, Cıwan Haco and Koma Çiya, as well as all works by the Mesopotamian Cultural Center. Such practices were also witnessed in Siirt and Diyarbakır.

However, prohibitions and similar practices against the use of Kurdish language had been softened by the end of 1991 as a result of a few steps made by the DYP-SHP coalitionary government. In this way, prohibitions against Kurdish publications were withdrawn, and an opportunity to produce and release tape records of Kurdish music groups was created. Tape recordings, books and dictionaries in Kurdish were sold easily, and periodicals containing Kurdish articles appeared. Furthermore, a journal named “Welat”, which was entirely in Kurdish, started its publication in this period. Welat was forced to stop publication in 1994. Trials and investigations, some of which resulted in conviction, were launched in connection with articles in Welat.

Mazhar Günbat, the chief editor of the journal Welat, was sentenced to 2 years in prison and a fine of TL 320,000 in connection with an article published in the 11 July 1993 issue of the periodical. The trial which ended on 13 June at Istanbul SSC had been launched under Article 312 of the Turkish Penal Code and on charges of inciting hatred along racial lines. In the trial, the court board decided to close the journal Welat for one month. Meanwhile, Mazhar Günbat, who wanted to make his defence in Kurdish, was not permitted by the court board to do so. This case was recorded in the minutes as follows: “The defendant is speaking in a language which cannot be understood”. Mazhar Günbat was also put in trial under Article 312 of the Turkish Penal Code due to articles in the 91st issue of the journal dated 14 November 1993. In the hearing held at the Istanbul SSC on 11 October, Mazhar Günbat who wanted to defend himself in Kurdish, was not permitted to do so on the grounds that he knew Turkish.

Protests against displaying the colours red-yellow-green together, which are perceived as symbolizing the Kurdish flag, continued in 1994. Many dresses, accessories attached to vehicles and shop sign-painters were confiscated and destroyed on the grounds that they made references to the PKK. This reaction to the appearance of these colours, red-yellow-green, led to funny incidents occasionally. (*) For example; Mehmet Seven, ANAP MP for Bilecik, gave a parliamentary question to the Ministry of Interior Affairs, stating that all the flowers in Altınpark in Ankara were in red, yellow and green. He asked whether this situation posed an intended threat to the unity and integrity of the country. Upon the appeal by Mehmet Seven, the inspectors of the Ministry of Interior Affairs investigated the case, and decided that the flowers did not pose a threat to the national integrity. Minister of Interior Affairs Nahit Mentеше said in his written answer to the parliamentary question by Mehmet Seven, that “It has been learnt that there are a lot of flowers in Altınpark in purple, blue, and different tones of these colours, as well as those in red, yellow and green. Therefore, it has been decided that there is no intention behind the fact that certain flowers in Altınpark are in this and that color.”

(*) As will be remembered, the authorities replaced the green signals with blue ones in traffic lights in down town Batman in June 1992. Upon protests, traffic lights in red, yellow and blue which were used for three days, were changed to red, yellow and green again, upon the orders by Zeki Şanal, the Governor of Batman. When the case was made known to the general public, Zeki Şanal alleged that the former change of color stemmed from a mistake by the company renewing the traffic lights, not from a malintention.

h)- Freedom of religion and religious pressure

Human rights problems involving the right to the freedom of religion and conscience often were the subject of debates, criticism and reaction throughout 1994. One main focus of the debate and criticism was again the question of headscarves. The problems that some women students wearing headscarves hitherto faced were not entirely eliminated in 1994. Such students were able to enter into the classes in most of the institutions of higher education, while they faced various difficulties in a few universities and other academic institutions. The women with headscarves faced disciplinary penalties. Among those academic institutions where such students faced difficulties, schools and faculties in Ankara, Istanbul and Izmir educating future physicians, nurses, obstetricians and other health specialists occupied the first rank.

The Faculty of Dentistry, Hacettepe University, Ankara was one of the strictest universities in implementing the prohibition of wearing headscarves. Two students of this faculty who had persisted in wearing their headscarves faced a disciplinary penalty of suspension from classes for one week each, while another student was suspended for one year. The students at the High School for Nurses of the same university were not allowed to enter the classes with headscarves either. Fifty-five students wearing headscarves were not allowed to take the applied classes at the Department of Obstetrics, Medical High School, Istanbul University Cer-rahaşa Medical Faculty. When the students insisted on wearing their headscarves protested the practice and demonstrated, the education was suspended for one week as from 26 October. In December, Ayşe Nur Seçal, a student at the Faculty of Education, Ankara University, was not allowed to enter classes at Cebeci İltekin Primary School where she went for her practice.

The situation of officers who were prosecuted and/or laid off after the allegations of carrying out religious activities within the armed forces, frequently came to light during 1994. Seven of the 16 officers and non-commissioned officers against whom an investigation was launched with the accusation of disseminating anti-secular religious propaganda at the military units they serve, were laid off. The decision in question was issued at a session of the High Military Convention in Ankara in November. One of these laid-off officers was reportedly a major, while another was a captain. No action was taken against the remaining nine officers and non-commissioned officers as investigations launched against them were underway.

A radical Islamic named Mahmut Kaçar made a demonstration during the official commemoration ceremony held in the Anıt Kabir (Mausoleum) on the morning of 10 November, the 56th anniversary of the day when Mustafa Kemal Atatürk, the founder of the Turkish Republic, died. Waving the Koran (the Holy Koran), Mahmut Kaçar came within 3 meters of President Süleyman Demirel at the moment of respect at 9.05 a.m., when Atatürk died, and shouted: "You are worshipping idols. Do not prostrate yourself to stones and bones. The stones do not save you. I invite you to the Koran." Subsequently, Mahmut Kaçar, who works as a civil servant at the Van Post Office, was detained by the police. Mahmut Kaçar who was deemed as a "terror criminal" and taken to the Political Police Center, was kept in detention and inter-rogated for a long period on the instruction of the Ankara SSC Prosecution Office.

As his action was regarded "as a crime falling in the jurisdiction of the SSC", Mahmut Kaçar could not benefit the terms of the CMUK (proposed for a normal judicial system) which are meant to protect the defendant. As the Ankara SSC Prosecution Office issued a decision of non-jurisdiction over Mahmut Kaçar, who was arrested by the Ankara SSC on 22 November, the interrogation was transferred to the Ankara Public Prosecution Office. The prosecution of

Mahmut Kaçar, who faced a sentence of up to 5 years in prison in the trial launched against him under the Law to Protect Atatürk, was begun at the Ankara Penal Court of First Instance No.17 on 21 December. In his defence in the first hearing, Abdullah Çiftçi, the lawyer of Mah-mut Kaçar, pointed out that his client had been interrogated at the security directorate for 12 days and then arrested by the SSC although he was supposed to have been taken in front of a judge within 24 hours following his detention, and said that this situation was unjust and was against the Constitution and the laws. Abdullah Çiftçi who stated that his client had been pro-secuted for disclosing the thoughts he believed, said "My client's act does not fall in the context of the Law to Protect Atatürk. If there is a crime, this crime can only be within the context of the Article 526 of the Turkish Penal Code, which concerns the acts of disobeying security meas-ures." In the trial which ended on 14 February 1995, Mahmut Kaçar was sentenced to 4 years 6 months in prison, the heaviest sentence which can be passed on under the Law to Protect Ata-türk. This sentence was upheld by the Court of Appeals later.

Another situation threatening freedom of religion and conscience in 1994, was the intensified attacks against the non-Muslim minorities (Armenians-Greeks-Syriacs). Particularly in Istanbul, various attacks were carried out by unknown persons against Greek and Armenian cemeteries, churches and schools (Some of these attacks were carried out by the members of the radical Islamic IBDA-C organization). Threats and insults against the Greek and Armenian societies or prominent people in these societies, intensified. Syriacs living in the Emergency State Region were also subjected to various pressure and attacks.

Unknown persons opened fire at an Armenian church located in the Narlıkapı quarter of Istanbul, on the night of 2 January. The same church was also bombed by unknown persons on the night of 3 January. Armed attacks and bombings damaged the church. The authorities of the church stated that there had been 10 attacks against the church, and none of the assailants had been caught. Upon the attacks, Turkish Armenian Patriarch Karekin told to Istanbul Gov-ernor Hayri Kozakçıoğlu that the Armenian society was very restless because of the attacks. Patriarch Karekin demanded effective protection for the Armenian churches on the days of 5 and 6 January, the Christmas days for the Eastern Orthodox Churches.

Unknown persons who stopped a minibus going to the Haberli village from the Idil district of Şırnak on 9 January, kidnapped a priest named Melki Tok (60) who is in charge of the Syriac churches in the Haberli and Öğündük villages. No information was obtained con-cerning the kidnappers and on which grounds Melki Tok, a prominent person in the Syriac society, was abducted. Melki Tok was released on the morning of 13 January.

Fire was opened by unknown persons at a minibus, carrying a Syriac named Yakup Mete who was the headman of the Akçakaya village of Midyat district of Mardin and who was the wholesale distributor of soft drinks in Midyat, on 17 February. In the incident, Yaşar Ak-gün, the driver of the minibus, and Yakup Mete lost their lives. Relatives of Yakup Mete said, "Someone wants the Kurds and the Syriacs in Mardin to be enemies. Yakup Mete was an adored person. He had no conflicts with nobody. He had no trouble with the PKK, either. The counter-guerilla killed him."

Some of the graves in a Jewish Cemetery in the Ulus quarter of Istanbul were destroyed by unknown persons on the night of 5 April. Silvyo Ovedya, the graveyard officer who made the incident public, stated that about 75 graves were destroyed as a result of the attack, and said, "We still can not comprehend why such an assault has been carried out." The security officers, who

stated that an investigation had been launched relating to the incident, said that the assault might have been carried out by the drunks. In addition, some graves in the Christian Cemeteries in Balçova, Buca and Soğukkuyu quarters of Izmir were destroyed by unknown persons on the nights of 10 and 11 April. Suat Çetin, the Deputy Director of Izmir Cemeteries who made a statement related to the incident, said, “101 graves in Buca Christian Cemetery, 20 in Balçova, and 20 in Soğukkuyu, have been destroyed. Graves had been destroyed previously, too. But, this time, attacks on 3 graveyards over the same period are worth thinking over.”

Explosives were thrown by unknown persons at the Mother Mary Church in Elazığ on 11 April. The attack, in which no one was wounded, caused damage on the Church. An anonymous caller who telephoned the newspapers after the incident, said that the attack had been carried out by the IBDA-C militants in order to protest the Serbian cruelties in Bosnia.

Unknown persons threw a Molotov cocktail at the Fener Greek Lyceé which is in Fener, Istanbul, on the night of 14 April. A fire which started after the explosion of the Molotov cocktail was put out in a short time. The attack was reportedly carried out by the IBDA-C militants.

“Santa Maria” and “Saint Antuan” churches located on the Istiklal Street of Beyoğlu quarter in Istanbul, were bombed at noon on 19 May. The churches were damaged in the explosion but nobody was wounded. An anonymous caller who telephoned the newspapers after the incident announced that the churches had been bombed by the IBDA-C militants.

A time-bomb placed on the roof of the Fener Greek Patriarchate in Istanbul by unknown persons was found and destroyed by the police shortly before its explosion on 29 May. The bomb was reportedly set to explode during a wedding ceremony at the patriarchate.

Şükrü Tutaş, who had been the mayor of the Idil district of Şırmak between the years 1970 and 1977, was shot dead on the evening of 17 June by unknown persons while getting in his car to go home. Şükrü Tutaş, who was a prominent member in the Syriac society living in the region, had been an independent mayoral candidate for Idil in the 27 March elections.

Minister of Interior Affairs Nahit Menteşe gave an instruction to the Istanbul Governorate in December for an investigation to be launched against Fener Greek Patriarch Bartelemeos. Patriarch Bartelemeos was accused of acting against Turkey abroad and cooperating with Russia and Greece in order to become the spiritual leader of the Orthodoxy.

FREEDOM OF ORGANIZATION

1994 was not so different from previous years as far as freedom to organize, speaking out for rights, holding meetings or demonstrations, and union rights are concerned. Democratic civic organizations and certain political parties continued to face persecution and attacks. Anti-democratic stipulations of the Constitution, the Law on Associations, Law on Political Parties, Law on Meetings and Demonstrations, Law on the Police Duties and Authorities, all of which are products of the 12 September regime's disregard of the rule of law, remained in force. The National Security Council expressed its frustrations of the activities of certain political parties and democratic civic organizations in some of its meetings, and adopted certain decisions in this framework. These meetings and decisions were followed by an intensification of persecution of concerned parties or organizations. Stipulations of the "Law to Fight Terrorism" were often applied to legally founded organizations, their leaders and members.

Pressure, restrictions and attacks against political parties, trade unions of workers and civil servants, democratic civic organizations continued throughout the year. Some lawfully founded and functioning organizations and parties were dissolved, their leaders and even some deputies were arrested, prosecuted and convicted to various imprisonment terms and fines. Fire was opened on demonstrating people, and demonstrators were dispersed forcibly. Armed attacks and bombings against the buildings of democratic civic organizations and political parties, and killings of the leaders of political parties and civic organizations by "unknown assailants" continued in the same period.

a)- Pressure on the IHD

The IHD, its members and other human rights advocates frequently faced pressure and attacks in 1994, too. (*) Muhsin Melik (HADEP Party Assembly Member), founder of the IHD

(*) The names of the IHD administrators and the founders who have been killed, are as follows: Didar Şensoy (IHD Founding Member), Vedat Aydın (IHD Diyarbakır Branch Founding Member), Sıddık Tan (IHD Batman Branch Executive Board Member), İdris Özçelik (IHD Urfa Branch Executive Board Member), Kemal Kılıç (IHD Urfa Branch Executive Board Member), Orhan Karaağar (IHD Branch Founding Member), Cemal Akar (IHD Erzincan Branch Founding Member), Şevket Epözdemir (IHD Tatvan Representative), Metin Can (IHD Elazığ Branch Chairperson), Hasan Kaya (IHD Elazığ Branch Member).

Urfa Branch and former Secretary of the Branch, lost his life in an armed attack outside his house in Yenişehir quarter of Urfa on the morning of 2 June. (Detailed information is on page 346.) Leaders and members of the IHD were detained, arrested, tortured, insulted. **Seven** branches of the IHD [Izmir (3 days), Mersin, Iskenderun (1 month), Çorum, Adana (Twice), Konya (1 month) and Diyarbakır (1 month)] were closed upon orders by local authorities. Many branches of the IHD, particularly those in the Emergency State Region, had to stop functioning due to persecution and attacks. Numerous activities of the IHD were not permitted, and some activities were banned. Trials were launched against many IHD leaders and members, particularly against IHD Chairperson Akin Birdal, vice chairpersons Ercan Kanar and Sedat Aslantaş and Secretary General Hüsnü Öndül. Various prison terms and fines were handed down in these trials, and some of the sentences were upheld.

IHD Vice Chairperson Sedat Aslantaş was detained along with his brother Vedat in Ankara on 12 May. Vedat Aslantaş was released later on. An arrest warrant in absentia had been issued against Sedat Aslantaş because of the press release made by the Diyarbakır Democracy Platform on 27 May 1993. Sedat Aslantaş who was arrested by the Ankara SSC on 13 May and then sent to Ankara Central Prison, was released by the Diyarbakır SSC on 8 June. Sedat Aslantaş was sentenced to 3 years in prison and a fine of TL 150 million in another trial he was sued in connection with the speech he made at the IHD congress on 24 October 1992. Sedat Aslantaş was arrested on 5 December upon a warrant of arrest in absentia issued in the trial that ended at the Ankara SSC on 1 December. (Detailed information is on page 289.)

Hüsnü Öndül, Secretary General of the IHD was sentenced to 6 months in prison and a fine of TL 53 million 850 thousand in the trial brought in connection with an article by Ismail Beşikçi that was published in "İnsan Hakları Bülteni" (Human Rights Bulletin), the publication of the Association, in August 1993. Ismail Beşikçi was also sentenced to 3 years in prison and a fine of TL 250 million in the trial that ended at Ankara SSC on 5 May. Hüsnü Öndül and Ismail Beşikçi, prosecuted on the accusations of disseminating separatist propaganda and inciting people to commit crimes, were convicted under Article 8 of the "Law to Fight Terrorism" and Articles 312/2-3 of the Turkish Penal Code. The Supreme Court overturned the verdict on 28 December. The case was re-tried by the Ankara SSC on 30 March 1995, and the Court sentenced Hüsnü Öndül to 6 months in prison and a fine of TL 50 million, while Ismail Beşikçi was sentenced to 2 years in prison and a fine of TL 250 million under Article 8 of the "Law to Fight Terrorism".

Seydi Bayram, Chairperson of the IHD Kütahya Branch, was sentenced to 20 months in prison and a fine of TL 208 million in the trial brought against him in connection with a press statement he made in 1993. The trial which ended at the Konya SSC on 6 July, had been launched under Article 8 of the "Law to Fight Terrorism" for uttering the terms "Kurdistan", and "Turkish and Kurdish peoples" in his statement published in the newspaper İlk Haber. In the trial, Aslan Ariç, the chief editor of the newspaper, was sentenced to 5 months in prison and a fine of 41 million, while Emin Yükselener, owner of the newspaper, to a fine of 83 million. Ruşen Aydın, one of the IHD leaders, was acquitted in the same trial.

The IHD Istanbul Branch Secretary Eren Keskin was sentenced to 6 months imprisonment and a fine of TL 50 million in connection with the book "Uluslararası Kürt Konferansı" (International Kurdish Conference), published by the Doz Publishing House for which she undertook the responsibility. The trial, which ended at the Istanbul SSC on 9 September, had been launched under Article 8 of the "Law to Fight Terrorism". Eren Keskin had previously been prosecuted in connection with the same book, and acquitted. However, the acquittal had been

overturned upon an objection raised by the SSC Prosecution Office. In the trial that ended on 16 September, the Istanbul SSC also sentenced Eren Keskin to 2 years in prison and a fine of TL 250 million for her article entitled “Dünyanın Kürt Halkına Borcu Var” (The World Is in Debt to the Kurdish People) which was published in the 14 June, 1993, issue of the newspaper Özgür Gündem. The sentence of 2 years 6 months in prison passed on Eren Keskin was upheld by the Supreme Court in 1995, and she was arrested and imprisoned on 2 June 1995.

Lawyer Mahmut Akkurt, the former Chairperson of the IHD Balıkesir Branch, was sentenced to 1 year in prison and a fine of TL 100,000 for his speech in a meeting held by a trade union in Balıkesir on 18 October 1992. The sentence was upheld by the Supreme Court, and Mahmut Akkurt was arrested and imprisoned on 31 October. He served 4 months and 15 days of the prison term passed on him. (Detailed information is on page 288.)

The acquittal decision in the case of the leaders of the IHD Istanbul Branch, who were tried for the articles they published in the 5th issue of the IHD Bulletin was overturned by the Supreme Court in September 1993. Consequently, Ercan Kanar, the Vice Secretary General of the IHD and the Chairperson of the Istanbul Branch, and İzzet Eray, chief editor of the Bulletin, were re-tried by the Istanbul SSC. In the trial, which ended on 20 June 1995, İzzet Eray was sentenced to 5 months in prison and a fine of TL 42 million, Ercan Kanar was given a fine of TL 83 million, and closure of the bulletin for one month was ordered. Ercan Kanar was also sentenced in December to 10 months in prison because of his another article.

Physical and ideological assaults on human rights activists, which were initiated by the political authority in mid-1992 and carried out during 1993, intensified in 1994. In this context, a number of secret internal circulars aiming at hindering the work of the IHD were issued, and numerous statements accusing the organization were made. This campaign, which was supported by numerous members of the mass media and some influential journalists, so far as to label the IHD as a “terrorist organization”, and the human rights activists as “terrorists”. Many members of the mass media did not disseminate news about the activities and statements of the IHD, but continued to make allegations against the organization. Responses to the allegations by the human rights activists were neglected and not published.

The chief contributor to this campaign of accusing, assaulting and attacking the IHD and human rights activists was Emin Çölaşan, whose articles are published a daily basis on the 5th page in the newspaper Hürriyet. (*) Emin Çölaşan started his attacks against the IHD in 1993, and neglected the responses to his allegations.

Following are some examples of the articles by Emin Çölaşan which were published in the newspaper Hürriyet in 1994 and targeted the IHD and human rights activists:

Freedom of Thought (3 September 1994)

(...) Now I would ask: Is this what is called freedom of thought?... Which country in the world would allow such publications, and accept such kind of “freedom”? Could you call for an assassination in the United States or England? Or cry for war? Could you give orders via the press to burn the forests down? Could you talk about your state’s army as the “enemy’s”? Could you write about the number of dead soldiers or policemen with great pleasure?

(*) Other prominent journalists campaigning against the IHD and human rights activists were Engin Ardıç, presenting a news-show on TV; Fatih Altaylı, presenting debate programs on radio and TV, as well as the newspapers Akşam, Türkiye and Zaman.

Which country on the earth would allow those who yell, “We are going to divide this country”?

This situation is unique for Turkey... The scenario is ready. External and internal enemies are cooperating, and telling all sorts of lies. The propaganda mechanism totally based on lies is operating smoothly, especially in Europe.

The supporting organizations are also ready. For example the Human Rights Association has been established. It has been working almost like a branch of the PKK. Imagine; a high level administrator in this organization is writing articles for the PKK’s newspaper.

A Bomb for Toktamış Hoca (9 September 1994)

(...) The only aim is to crush the secular Turkish Republic, to divide and tear down the motherland. And in order to realize this aim, unbelievable plays are being staged, and coalitions created, even to the extent that holy concepts like “human rights” are being abused for this game. Let me give an example.

There is a Human Rights Association that works as a branch of the PKK. I have a publication of this organization: “Human Rights Bulletin, 65-66, July-August 1994”. There is an article on the 47th page signed Yelda. Let’s all read what she writes exactly in her bad Turkish:

“I am against any sort of violence and I defend everyone’s right to freedom of organization. Therefore, I find it appropriate that we let the relatives of the IBDA-C prisoners to make a press statement in our organization (the Human Rights Association). It is sad to see that being a democrat is left to Islamists recently, in the context of secularism discussions especially on TV.

These people who kill whomever do not fast, or attack those who dress “openly” and do all sorts of cheating, deceit and tricks, still act more democratically and take their positions within the civil society when compared to the Kemalists”...

This citizen named Yelda, whoever she is, means that “These terrorists for Sharia are giving a good struggle against the Kemalists and I support them”.

What kind of a Human Rights Association is this? Whose, what kind of people’s human rights is it defending? What kind of a Human Rights Association is this that it openly supports the PKK and takes sides with the armed enemies of the Kemalists and patriotic groups?

Murdered Teachers (13 September 1994)

(...) Yesterday, there was another disaster in the Mazgirt district of Tunceli. The terrorist organization PKK executed 6 teachers, who were unarmed and not at fault, by shooting. A shameful, dishonorable incident.

I sometimes write about an organization named the “Human Rights Association”, and stress that these men work as the PKK’s branch. These men who hide behind a holy concept like “human rights”, shamelessly face the public praising the PKK and play up to the Kurdish supporters.

With such attitude they are trying to fool the public. Don’t be fooled.

Now I am asking... What does this Human Rights Association think about the execution of the teachers who were innocent, unarmed and whose sole aim was to teach something to the children of the region? What does the person named Akin Birdal, who is heading them, say?...

Is there a more cowardly, more vulgar, more disgraced violation of human rights?... There had been no reaction from him nor from his organization till last evening. Not a protest statement nor anything else... Because, there is no "human rights" when this PKK kills civil-ians, innocent people... Because this association is almost like a branch of the PKK... What kind of a "human rights" association is this?

I am waiting for their reply on this subject -if they have any.

Emin Çölaşan's allegations, accusations and insults against the IHD and human rights activists were not left without response. The IHD Chairperson Akin Birdal sent a letter which falsified the groundless accusations and gave information on the activities of the IHD, to Emin Çölaşan. The letter sent to Emin Çölaşan by Akin Birdal on 13 September 1994, is as follows:

Dear Mr. Emin Çölaşan,

You periodically write on our Association in your editorial corner. Previously, we had talked with you about your articles, and then sent a letter to be published in your corner, but you did not publish it. Nevertheless, you continue to view our Association's understanding of human rights concept and its activities in line with its raison d'être in a one sided way and continue to make propaganda in that respect.

Our Association is a non-governmental civil society organization which defends human rights for everyone without exceptions. Our Association has been well-known and respected domestically and internationally for its activities during the past 9 years. The activities of our Association on behalf of the defense of oppressed individuals, classes and peoples, which have priority, have been decided by our General Council.

We want people to have their rights and freedoms which are primarily based on being a human, and based on international documents and agreements. For this reason, we want everyone to live equally and freely without any discrimination of language, religion, sex, race, political belief, ethnic origin or any other discrimination of status. We believe that this desire and our efforts will also pave the way for democracy and peace which are needed in Turkey. To cite the applications made to our Association yesterday and our efforts upon these applications would hopefully give satisfactory information about our Association's human rights understanding and struggle;

- *Human Rights Report for August and the balance sheet for 8 months was publicized through a press conference.*
- *Applications from the families on the problems of their relatives in Kahramanmaraş, Erzurum and Malatya prisons were evaluated and a solution was demanded from Minister of Justice Mehmet Moğultay through telephone, stating that our Association could be a mediator if necessary.*
- *Fax messages about the case of Artist-Architect Babür Pınar were sent to the Minister of Interior, Minister of State responsible for the human rights and the Chairperson of Turkish Grand National Assembly Human Rights Commission after Halis Pınar, Babür Pınar's father, applied to our association. Artist-Architect Babür Pınar, his wife, and his sister-in-law and her husband were put under detention on Friday, and Halis Pınar, retired primary education inspector, was forced to stay in his house for seven hours the same day.*
- *The Association made an appeal for the release of soldiers, officers, non-commissioned officers, engineers, teachers and workers who had been previously abducted by*

guerrillas. We were informed later that some of them were released. Veli Avcı, among those families who applied to our Association on this matters, visited the IHD, and urged us to continue our work in this field.

- *Lokman and Elder Ibrahimoglu from Azerbaijan, who applied for refugee status in Turkey and staged a hunger strike at the Union of Writers upon the rejection of their application, requested help from the Association. We visited them in the Union of Writers, and later applied to the Ministry of Foreign Affairs, the United Nations High Commissioner of Refugees, the Amnesty International and the Helsinki Watch.*
- *The Union of the Chambers of Architects and Engineers of Turkey made an application to the IHD, informing us that guerrillas abducted Yaşar Kalaycı, engineer of geology, Ahmet Karagüzel, civil engineer, and four other people working in the Van Directory of Highways, and demanded initiatives by our Association, which began working on the matter.*

These efforts are only the activities of a single day of those volunteers who gathered to bring human rights, democracy and peace to Turkey. We are ready to discuss with you in any conference, via the press or TV. With your biased manner, you would be responsible from an attack against our association or our executives.

Akın Birdal

PRESS RELEASE - 13 September 1994 (*)

Our Association wants (all parties to the conflict in Turkey) to obey Article 3 of the Geneva Conventions of 12 August 1949, to which Turkey is one of the signatories.

The article in concern regulates the necessary rules to be obeyed during armed conflicts in any country. According to it, all those people who are not parties to the armed conflict should be treated humanely.

The IHD has continuously been decrying the dimensions of the war.

It has been insistenty calling to an end to the blood-shed of Turks-Kurds, soldiers-guerrillas. It has been condemning those who develop policies on top of the bloods of 20,000 people, those who are noisy advertisers of the war, and those who shed alligator tears. Yet, we publicized the human right abuses in August and in the last 8 months, through a press statement we released yesterday (12 September). Nevertheless, we saw with sorrow that it was not published in most of the newspapers.

It must be known how those two million citizens from 1,254 villages and hamlets live after their villages and hamlets being destroyed, burnt down or evacuated.

It must be questioned why 212 citizens were killed under torture and in "extra-judicial executions" during the last 8 months. It must be made clear who burnt down 21 forests in August, and why, and then falsely talk about environmental rights.

It must be known who raided 118 unions and associations during the last 8 months.

It must be known by whom the freedom of 100 journalists, writers, publishers, scientists and deputies, who are currently in prison because of their thoughts, was restricted.

Six teachers were killed in Tunceli on 12 September 1994.

(*) Sent also to Emin Çölaşan as an annex of the letter dated 13 September 1994.

Such incidents, in whom the assailants are not clear, frequently take place in the region. However, what kind of reaction to give is clear for the IHD. In every condition and for everyone (State forces or non-governmental political organizations which continue armed struggles) the IHD is calling for the application of laws of humanity. The IHD protests and stands against any activity which is not in accordance with the common Article 3 of the Geneva Conventions.

Akın Birdal/IHD Chairperson

Emin Çölaşan, as in previous instances, did not publish the letter. On the contrary, the annex of the letter became the target of a new article. (*) The article which was composed of groundless accusations and assaults, and published in Hürriyet on 14 September is as follows:

Here is Freedom of Press! (14 September 1994)

(...) It was not clear!

I had posed a question here yesterday for the executives of the "Human Rights Association" which works as the PKK's branch. I was wondering what this association thought about the malicious murder of 6 teachers by the PKK in Tunceli?

They replied. They made a statement condemning this incident. However, they claim that the assailants were not clear. That's what they say. Probably these teachers were not killed by the PKK but by the soldiers, police or the counter-guerrilla!

Imagine such a human rights association that the head of its Istanbul branch, a mean man named Ercan Kanar, writes articles in the above mentioned publication of the PKK!

Think about such a human rights association which presented the "1994 human rights award" to a newspaper which was closed down by judicial decision couple of months ago, to the Özgür Gündem newspaper which is a publication of the PKK and the leading enemy of Turkey! Some of the people in the editorial board of their bulletin, like Ragıp Zarakolu, also write for the PKK's newspaper.

Can you see the concrete relationship between the terrorist organization PKK and the "Human Rights Association"?

I have the last publication of this association. The same shameless lies with those in the PKK's publication!... The security forces in Southeast are raping the women and plundering!... And see how the murders by the PKK are reflected in their journal:

"The guerrillas who raided the Nurettin village of the Malazgirt district killed this and that on grounds that they were 'agents'..."

Look at this sneaky game!... Whenever the PKK kills, our human rights defenders find a reason... "On grounds that they were agents"..."

Human rights is a sacred concept. However, if some people try to use this concept for mischievous aims, they can't fool the others for long. You establish a "Human Rights Association" and advocate a terrorist organization which had violated human rights a thousand times, become its branch.

(*) Attacks and insults of Emin Çölaşan against the IHD and human rights activists also continued later on. The IHD filed a case against Emin Çölaşan who intensified his attacks in 1995.

No way, no one would swallow this.

If defending human rights is left to you in this country, that is too bad for those human rights!

Following are some of the other sample cases on pressure, attacks, bans, restrictions and trials against the IHD and its members:

IHD Chairperson Akın Birdal, IHD Izmir Branch former Chairperson Alpaslan Berktaş, Istanbul former Deputy Hüsni Okçuoğlu, Lawyer Ali Yıldırım and Journalist-Writer Yalçın Küçük were prosecuted for the speeches they delivered in the meetings held during the “Human Rights Week”, which was organized by the IHD in December 1992. The indictment heard in the trial that started at the Ankara SSC on 13 January demanded that defendants be sentenced from 2 to 5 years in prison under Article 8 of the “Law to Fight Terrorism”. The Chairperson of the IHD Akın Birdal, whose testimony was received during the hearing, stated that his speech was not as described in the indictment, and said, “Our duty is to be aware of the human rights abuses wherever they take place and bring them to light, and to publicize them in the most effective way. Our speeches during the meeting were within this framework. However, the speeches we made have been twisted through gathering some sentences.”

The trial continued throughout 1994. The SSC Prosecutor who disclosed his opinion on the accusation in the hearing held on 13 December at the Ankara SSC, claimed that IHD Chairperson Akın Birdal had tried to provoke hatred through promoting racist discrimination and that Hüsni Okçuoğlu, former deputy for Istanbul, and Lawyer Ali Yıldırım had made separatist propaganda. Thus, the SSC Prosecutor demanded sentences from 1 year to 3 years in prison for Akın Birdal and from 2 to 5 years for Hüsni Okçuoğlu and Ali Yıldırım. The prosecution demanded acquittal for Alpaslan Berktaş, the IHD Izmir Branch former Chairperson, and the separation of the section concerning Yalçın Küçük who was abroad. In the trial that ended on 11 April 1995, Akın Birdal, Hüsni Okçuoğlu, Ali Yıldırım and Alpaslan Berktaş were acquitted. The acquittal verdicts for Hüsni Okçuoğlu, Ali Yıldırım and Alpaslan Berktaş were taken unanimously, while that for Akın Birdal by majority of votes. The case against Yalçın Küçük was separated.

Yavuz Binbay, the IHD former Vice Chairperson, was detained by plain clothes policemen coming to his office in Van at noon on 13 January. The Chairperson of the IHD, Akın Birdal, who called the Van Security Directorate asking about the whereabouts of Yavuz Binbay, was not informed by the policemen there. Yavuz Binbay was released by Van Public Prosecutor on 14 January. In a statement, Yavuz Binbay said that he had been detained in connection with testimony related to him, that he had not been tortured nor confronted with ill-treatment in detention, but that his health situation had deteriorated because he had caught a cold.

Hacı Oğuz, the IHD Siirt Branch Chairperson, was detained by police on 17 January. His wife Hediye Oğuz, his daughter Sevim Oğuz, and his sister Sinem Oğuz were also detained along with him. The detainees were arrested on 21 January. Hacı Oğuz had previously been detained on 25 February, 1993, and remained under arrest approximately for two months.

A trial was opened in January against the IHD Bursa Branch Executive Board members in connection with a press release they made on 10 December 1993. The Bursa Public Prosecution Office requested no less than 3 months imprisonment for the branch executives on grounds that “they acted in contravention to the Law on Associations”. Following are the names of the IHD Bursa Branch leaders against whom a trial was launched: “Muhammed Aydın (Branch Chairperson), Aykan Diken, Yüksel Küçük, Ramazan Güneş, Davut Köse, Kudret Gül and Orhan

Şahin.” The trial against defendants started at the Bursa Penal Court of First Instance No.5 on 17 February.

The Izmir Branch of the IHD was raided and searched by police on 28 January, and archives of the branch and legal documents found in the building were seized. Yeşim İşlegen, the IHD Izmir Branch Chairperson, said “This is the dimension of the pressure against all other democratic organizations.”

IHD Van Branch Chairperson Nazmi Gür and Branch Secretary Necati Bayram who went to the Van Airport to meet a foreign delegation coming to Van from Germany in order to report the possible incidents during Newroz Feast, were detained by police on 19 March. Nazmi Gür and Necati Bayram, who were released on 20 March, said that they had been beaten up and insulted by policemen who had accused the IHD of being an affiliate of the PKK.

Mehmet Gökalp, the IHD Derik Representative and the DEP District Chairperson, and his friends named Mirhan Mercan and Mahmut Aktaş who were detained and then arrested in November 1993, were released by the Diyarbakır SSC on 28 February. Mehmet Gökalp’s shop in Derik was mortared by unidentified people when he was in prison.

The trial launched against the IHD Mersin Branch, which had been closed after a hunger strike staged at the Branch in June 1993, on the grounds that the Branch “carried out activities not relevant to its objectives and banned publications were found in its premises”, resulted with a decision in favour of the Branch. In the trial which ended at the İçel Penal Court of First Instance on 13 April, the closure decision was found inappropriate as “the grounds that the Governorate alleged for closing the association and its evidence were inadequate.” The Branch resumed activities after a ceremony on 22 April. However, the branch was closed the same day by police on the grounds that “requirements for starting activities were not fulfilled”. The police also detained 6 people in the premises. The Mersin Branch resumed its activities soon after fulfilling legal requirements.

The Samsun Branch of the IHD was raided by police on 14 April. Certain publications and documents found in the building of the Association were seized, and IHD members named Ali Haydar Imre, Nuray Ögütçü, Özkan Yeral and Murat Çepni were detained during the raid. In addition, a closure trial was launched against the IHD Samsun Branch in May, on grounds that “the branch acted in contravention to its founding aim, and separatist publications and documents were found at the branch”.

The Iskenderun Branch of the IHD was raided and searched by police on the evening of 1 May, and Branch Chairperson Sadullah Çağlar was detained. Sadullah Çağlar was released on the morning of 2 May. Shortly after this incident, the Iskenderun Branch of the IHD was closed for one month by the Iskenderun District Governorate on 4 May. The Iskenderun Branch of the IHD was re-opened on 3 June.

The Public Prosecution Office did not permit the Izmir IHD Branch to distribute its pamphlet prepared to call attention to racist attitudes in society, on the grounds that the pamphlet disseminated separatist propaganda. In the pamphlet it was written, “Every person with whom we share the same world equally and freely is a friend of ours irrespective of her or his ethnic origins, whether a Greek, an Armenian, a Kurd, a Laz, or a Jew. We cannot exist without recognizing our friend’s right to exist with her or his identity. How happy a society in which everyone can express her or his identity freely!”

Derviş Altun and Naile Erođluer, Izmir Branch leaders of the IHD, and IHD members Haluk Dirik, Kemal Bilgiç and Ismail Hakkı Türkaslan, who were tried because of the demonstration held in Izmir on 22 September 1992 in order to protest the inhuman implementations in the Buca Prison, were each sentenced to 18 months in prison and a fine of TL 150 thousand. In the trial that ended at the Izmir Court of First Instance No.5 on 27 May, 29 relatives of the prisoners were each sentenced to 18 months in prison, too. However, these sentences were reprieved later on. Out of the defendants, Derviş Altun, Naile Erođluer, Ismail Hakkı Türkaslan and Haluk Dirik had been kept under arrest for 22 days in connection with this trial in 1992.

Atilay Ayçin, the Chairperson of the Hava İş Trade Union (the trade union of the employees working in the air transportation sector and in the airports), and Lawyer Eşber Yağmurdereli, who both were tried because of the speeches they delivered in a meeting organized by the IHD in Istanbul on 8 September 1991, were each sentenced to 20 months in prison and a fine of TL 41 million. The trial which ended at the Istanbul SSC on 23 June, had been launched under Article 8 of the “Law to Fight Terrorism”. Journalist Ragıp Duran, who was sued in the same trial, was acquitted. The sentences passed were upheld by the Supreme Court in 1995. Thus, Atilay Ayçin was arrested on 16 May 1995 and sent to the prison.

Naile Erođluer, an Administrative Board member of the IHD Izmir Branch, was de-tained along with her husband Inan Erođluer by policemen who raided their house in the Karşı-yaka quarter of Izmir on the night of 15 July. During the raids that were carried out on the same night, Ali Aslan, a member of the General Administrative Board of the IHD, Haydar Arslan, the Chairperson of the Pir Sultan Abdal Cultural Association Izmir Branch, Ahmet Alagöz, Mithat Uyanık, Mahmut Akkartal and Yaşar Kasap were detained. Out of the detainees, Ali Aslan was arrested on 19 July while the remaining ones were released. Yeşim İşlegen, the Chairperson of the IHD Izmir Branch, reported that the detainees had been tortured, causing the health of Naile Erođluer and Ali Aslan to deteriorate.

Sevtap Veznedarođlu, wife of the Diyarbakır IHD Branch former Chairperson Fevzi Veznedarođlu, was detained by police in Diyarbakır on 4 July. Sevtap Veznedarođlu who is an assistant at the Faculty of Law at the Diyarbakır Dicle University, was released on 15 July.

The IHD Istanbul Branch Secretary Eren Keskin (lawyer), Administrative Board member Hürriyet Şener and IHD members Semih Mutlu (lawyer), Mercan Güçlü (lawyer), Ali Kıran and Berivan Okçuođlu were detained by police while they were distributing leaflets prepared by the IHD on the occasion of World Peace Day on Istiklal Street in Istanbul. The 6 detainees, who were taken to the Gayrettepe Political Police Center, were released on the night of 1 September.

The meetings planned for the first week of September by the IHD Izmir Branch and Izmir War Resisters’ Association to coincide with the 1 September World’s Peace Day, were not allowed by the Izmir Governorate on grounds that the traffic might be jammed, security measures could not be taken and application documents were incomplete.

The posters prepared to announce a congress by the IHD Ankara Branch on 11 September were banned by the Ankara Governorate. On the banned posters was some statistical information on human rights abuses in Turkey under the heading “Human is human only with his/her rights.” The panel on “Education and Human Rights”, planned by the IHD Ankara Branch on 19 November, was not allowed by the Ankara Governorate on the grounds that it was in contravention to the “Law on Assemblies and Demonstrations.”

The IHD Izmir Branch was closed by the Izmir Governorate for 3 days on 16 September. The closure was ordered on the grounds that 2 copies of confiscated journals had been found during police raid against the branch on 2 August 1994. The IHD authorities who protested the closure order, stated that the closure had been ordered on the Friday evening on purpose to prevent them from launching a trial at the Regional Court of Administration.

The IHD Adana Branch was closed indefinitely by the Adana Governorate. Police teams which went to the branch after the decision on the afternoon of 21 September checked IDs of the persons in the office and sealed the office. IHD Adana Branch leaders launched a trial at the Regional Court of Administration seeking the lifting of the closure decision. In the meantime, a trial was launched against the leaders of the Branch after an official complaint by the Adana Governorate on grounds that they acted in contravention to the Law on Associations, kept illegal publications, organized an aid campaign and made press statements without getting permission. In the trial, which started at the Adana Penal Court of First Instance No.2 on 26 December, the leaders of the Branch faced sentences of from 6 months to 2 years in prison. Names of the IHD leaders against whom a trial was launched are as follows: "Öcal Ata (the IHD Adana Branch Chairperson), Mehmet Dağdoğan, Ayfer Güneşer, Badegül Sevgili, Metin Çelik, Faruk Ulaş (lawyer) and Nurgül Şahin." As the trial ended with acquittal, the IHD Adana Branch was re-opened in February 1995. The IHD Adana Branch was kept closed by police for 15 days in May 1994, too. In addition, the Adana Branch was raided and searched by police on 30 August.

The IHD Tunceli Branch Chairperson Ali Ekber Kaya was detained by police in Tunceli on 22 September. The IHD Secretary General Hüsni Öndül, in a statement about the incident, said, "The detention is another example of the intensified pressure on the IHD. The pressure will not prevent the IHD from defending universal human rights values." Ali Ekber Kaya who was interrogated at the Tunceli Security Directorate, was released one week later. After being released, Ali Ekber Kaya disclosed that he had been tortured in detention.

Lawyer Eren Keskin, the IHD Istanbul Branch Secretary, who was kept in detention for a period of time on 30 September in Istanbul by police, stated that she had been beaten and insulted in detention. Eren Keskin stated that she had been taken to the Gayrettepe Political Police Center after being detained, and said "There, they turned my face to the wall. Every passer-by began to hit me. They continuously insulted me and the IHD. I once more understood how deep was the hatred police officers felt for the human rights advocates."

Twenty-three of the people who attended the funeral ceremony held for lawyer Fuat Erdoğan who was killed during a police raid against a cafeteria in the Beşiktaş quarter of Istanbul on 28 September, were detained by police in Denizli. The IHD Denizli Branch Chairperson Huriye Çoban was among the detainees. The 23 people who, were released on the morning of 6 October, stated that they had been tortured and insulted at the Denizli Security Directorate where they had been interrogated.

The IHD Istanbul Branch was raided and searched by police at about 2.00 p.m. on 3 October. During the search, which lasted for 3 hours, no one was allowed to enter or exit the building where the IHD Istanbul Branch is located. The raid was reportedly carried out in accordance with "inspection instructions" issued against all associations by the Istanbul Governorate in January 1994. As a result of the raid, 7 of the people in the Branch office were detained. Protesting the incident, the IHD Istanbul Branch Chairperson Ercan Kanar said, "This practice has no legitimate and sound justification. What has been done is to ban entrance to and exit from the building, to apply brutal methods - a raid by the guilty and the unjust. The state bears enmity against

human rights, and in order to hide their crimes from the public, they are afraid of our association that closely follows abuses of fundamental rights and freedoms against anyone. None of these brutal applications will prevent the IHD from following its path.”

Abdülkerim Demirer, the IHD Hakkari Branch Chairperson, was detained by police while going to Diyarbakır to meet John Shattuck, the US Assistant Secretary of State, on 22 October. After being released on 25 October, he was detained again at the Van Airport where he went to meet John Shattuck. He was released soon after intervention by John Shattuck. Abdülkerim Demirer stated after being released that “The police confiscated some documents that I had with me, including an article that I have written for Özgür Gündem, some notes on incidents in the region, reports on human rights abuses in the region, and a list of destroyed and evacuated villages. I was released by the public prosecutor. The policemen in the Hakkari Security Department treated me very well. I was surprised, to tell the truth. I went to the Van Airport to meet Mr. Shattuck after being released. I was detained again as soon as I arrived there. The policemen took me to the Van Security Department. I was taken into custody for 2 hours. I was beaten up during this time. The policemen alleged that I had some documents with me. However, these documents were confiscated by the Hakkari police. John Shattuck reportedly intervened when he had heard that I was under custody. Then I was quickly sent to a doctor who checked my health, and I was released without a decision by the public prosecutor. I met John Shattuck afterwards.”

A group of the IHD Istanbul Branch members who wanted to make a press statement in front of the Istanbul Bayrampaşa Prison to protest that prisoners with health problems were not treated, were prevented by police on 29 November. The police teams who dispersed the group by harassing them, detained 4 people including IHD members Ayşegül Şentürk and Kerime Gökturma.

Sadullah Çağlar, the IHD Iskenderun Branch Chairperson, and Ismail Cömertoğlu, the Eğitim Sen (Education, Science, Culture Labourers Trade Union) Iskenderun Branch Chairperson, were detained in Iskenderun on 7 December. Sadullah Çağlar and Ismail Cömertoğlu who were released on 9 December, said, “We were watching a demonstration held by a group of high school students. But, we were accused of organizing those students, and detained.”

The book “Olağanüstü Hal Bölge Raporu 1992” (Emergency State Region Report 1992), published by the IHD Diyarbakır Branch, was confiscated in the beginning of December by the Diyarbakır SSC on the grounds that separatist propaganda was disseminated in the book. Police officers raiding the Branch confiscated 400 copies of the book. As a result of the investigation which was launched after the confiscation of the book, a trial was launched and arrest warrant was ordered against the Executive Board members of the IHD Diyarbakır Branch Halit Temli (Vice Chairperson of the IHD and the IHD Diyarbakır Branch Chairperson), Mahmut Şakar (Lawyer-Secretary of the Diyarbakır Branch), Nimetullah Gündüz (Lawyer), Abdullah Çağır (Lawyer), Melike Alp, Hayri Veznedaroğlu and Hüseyin Yıldız. Upon the warrant, Mahmut Şakar, Nimetullah Gündüz and Abdullah Çağır were detained and arrested by police who raided their houses on 17 December, and Melike Alp on 30 December. The search for three other IHD leaders continued. In the meantime, the Branch was closed on 28 December for one month on the grounds that banned publications were kept on premises, meaning the book. The trial against the 7 IHD leaders started at the Diyarbakır SSC on 13 February 1995. The indictment heard in the hearing sought no less than 10 years in prison for the 7 IHD leaders on the grounds that they were members of the PKK and made propaganda against Turkey in the name of the PKK, and demanded closure of the IHD’s Diyarbakır Branch. By using the statements made by the Emergency State Region

Governorate, the indictment also tried to refute the human rights abuses reported by the IHD Diyarbakır Branch. Arrested defendants Mahmut Şakar, Nimetullah Gündüz, Abdullah Çağır and Melike Alp were released in the hearing held on 17 April 1995, but the arrest warrants in absentia against other defendants Halit Temli, Hüseyin Yıldız and Hayri Veznedaroğlu were not withdrawn.

Derviş Altun, the Secretary of the IHD İzmir Branch, was attacked by followers of the MHP coming to his office on 23 December. The statement made by the IHD İzmir Branch concerning the incident, said, “Derviş Altun was attacked since he did not buy the tickets sold by the ‘Ülkü Ocakları’ (An association of the MHP follower youths). The identity of one of the attackers is known. We call public attention to the fascist attacks and condemn these attacks.”

A bomb was thrown by unknown persons at about 8.00 a.m. on 25 December at the entrance of building in Aksaray, Istanbul, where the office of Ercan Kanar, the Vice Chairperson of the IHD and the IHD Istanbul Branch Chairperson, and Osman Ergin, one of the lawyers of the newspaper Özgür Gündem, was located. The building was damaged in the explosion. Zeynep Baran, one of the leaders of the IHD Istanbul Branch, stated that police who had initiated an investigation in the building after the explosion had tried to represent the incident as explosion of a gas tube, although it was a bomb explosion.

The 5th Ordinary Congress of the Human Rights Association was held in Ankara on 29 October. During the congress, activities by the IHD during the last 2 years were assessed, programs concerning the forthcoming working period were debated, and new executives of the association (Central Executive Board and General Administrative Board) were elected. In the congress, a proposal prepared by a group of delegates demanding that the Yokohama Declaration, which foresees condemnation of human rights abuses by non-governmental opposition groups, be removed from the agenda of the IHD, was rejected with 178 votes against 156 opposition, after long debates. Following the Congress, Akın Birdal was appointed Chair-person of the IHD, Hüsni Öndül as the IHD’s General Secretary, Ercan Kanar and Halit Temli as Vice Chairperson and Hediye Felekoğlu as General Accountant.

b)- Prosecution of the leaders of the IHD and HRFT

Two trials launched against some of the administrators and leaders of the HRFT and the IHD in connection with two books published by these organizations occupied an important place among practices against the human rights advocates in 1994. The trials, which were launched by the Ankara SSC and held and decided upon on the same days, attracted the attention of the public opinion at home and especially abroad, and gave rise to reactions. In the first one of these trials, IHD Chairperson Akın Birdal, IHD Secretary General Hüsni Öndül and IHD Vice Chairperson Sedat Aslantaş and Erol Anar, who is responsible for IHD publications, were sued in connection with the book entitled “Yakılan Köylerden Bir Kesit-1993 Bölge Raporu” (A Cross-Section from the Burnt Down Villages-1993 Regional Report) which had been released by the Headquarters of the IHD and in the second one, HRFT President Yavuz Önen and Fevzi Argun, a member of the Administrative Board, were sued in connection with the book “Işkence Dosyası 1980-1994” (File of Torture/1980-1994).

The book entitled “A Cross-Section from the Burnt Down Villages-1993 Regional Report” prepared by the IHD, was confiscated at the beginning of May by Ankara SSC under Article

8 of the “Law to Fight Terrorism”. (*) The confiscation was ordered on the grounds that the book disseminated separatist propaganda. Upon this order, police officers came to the premises of the IHD Headquarters in the morning of 5 May, and seized 714 copies of the book which had just arrived from the printing house. Concurrent with the confiscation decision, an investigation was launched by the Ankara SSC Prosecution Office against some IHD leaders in connection with the introduction written by IHD Vice Chairperson Sedat Aslantaş.

The trial launched in connection with the book started at the Ankara SSC on 17 October. The indictment read out in the first hearing sought 2 years imprisonment under Article 8 of the “Law to Fight Terrorism” for IHD Chairperson Akın Birdal, IHD Secretary General Hüsnü Öndül and IHD Vice Chairperson Sedat Aslantaş and for Erol Anar, who is responsible for IHD publications. The 4-page indictment prepared by the SSC Prosecutor Ali Rıza Ko-nuralp said, “When the allegations stated in the book are evaluated as a whole, it has been discerned that, by mentioning people living in the Southeast region of the Turkish State who are Turkish citizens as an ethnic group, and by stating that that these people had been murdered, persecuted, and exiled by the security forces of the state, a propaganda was made against the indivisible unity of the Turkish Republic with its nation and territory.”

Akın Birdal, who was cross-examined in the first hearing, said, “Those who burnt down books and human beings yesterday burn down villages with their residents today. They commit crime against all human beings. Instead of those who write about the burnt down vil-lages, those who burn the villages down should be punished.” In his cross-examination, Hüsnü Öndül said that the prosecuted book described the human rights situation in Turkey, and there were no criminal elements in its content. In the hearing held on 14 November, Sedat Aslantaş and Erol Anar who did not participate in the previous hearing, were cross-examined. In his tes-timony, Erol Anar said: “Our book is a document left to the judgement of history. You cannot prosecute those who burnt down villages, so instead, prosecute us. However, history will prose-cute those who burnt down the villages. If to say, ‘Villages should not be burned down. People should not be killed. Gun shots should be stopped.’ means separatism, yes, we are separatist.” In the hearing held on 7 December, the IHD General Administrative Board decision given for the publication of the book which caused to the prosecution, was examined.

In the hearing held at the Ankara SSC on 19 December, the last remark of the SSC prosecutor was disclosed. In the last remark, which claimed that separatist propaganda was disseminated in the book in question, sentence of 2 to 5 years in prison was sought under Article 8/1 of the “Law to Fight Terrorism” for Sedat Aslantaş who prepared the book, sentences of 6 months to 2 years in prison were sought under Article 8/2 of the “Law to Fight Terrorism” for Akın Birdal and Hüsnü Öndül, who secured publication of the book, while acquittal was de-manded for Erol Anar.

The Ankara SSC Prosecution Office launched an investigation in October in connec-tion with the book “File of Torture/1980-1994” published by the HRFT and publicized on 12 September. In the investigation launched under Article 8/1 of the “Law to Fight Terrorism”, confiscation of the book was ordered. Because of the investigation, HRFT President Yavuz Önen

(*) In the book which was subjected to prosecution, incidents and human rights abuses in the State of Emergency Region are reported. The book also contains detailed information and lists on the burning down and evacuation of the villages in the State of Emergency Region and its vicinity, which have inten-sified after 1990. It reports that 923 villages or hamlets were evacuated or burnt down from the beginning of 1990 until the end of 1993.

went to the Ankara SSC Prosecution Office on 1 November, and Fevzi Argun, a member of the Administrative Board, on 3 November, and gave a deposition to Lieutenant-Colonel Nuh Çetinkaya, one of the SSC prosecutors. Later on, the Ankara SSC Prosecution Office launched a trial (*) against Yavuz Önen and Fevzi Argun. In the trial, which was launched under Article 8/1 of the “Law to Fight Terrorism”, Yavuz Önen and Fevzi Argun were demanded to be sentenced from 2 to 5 years in prison and a fine up to TL 100 million, each. According to the pre-prepared indictment, Yavuz Önen was charged because of certain sections of his article entitled “12 September 1980-A Step Towards Darkness” while Fevzi Argun was charged in connection with a paragraph about the Kurdish problem on the 10th page of the book in question.

The prosecution of Yavuz Önen and Fevzi Argun, who were accused of making propaganda aiming at damaging the indivisible unity of the Turkish Republic with its nation and territory, via publication, started on 19 December. In the first hearing of the trial which was held at the Ankara SSC, Yavuz Önen was cross-examined after the indictment was read out. Yavuz Önen stated that they published a book on the 14th anniversary of the 12 September Coup in order to tell about the torture cases and deaths in detention or prisons during the 14 years, and said the following:

We deemed it as our duty as a civil society organization. While writing my article, I acted with the same responsibility and consciousness. I touched the economic, political and cultural situation since 1980. In my article, I touched on general developments and applications and on the Kurdish reality and problem. In order to approach this fact, to contribute to finding a solution to this problem and to let Turkey have a really democratic administration, I mentioned the increasing danger of the nationalist and religious movements. I think that to close political parties is an antidemocratic application. I believe that if the deputies elected by votes of people continued their duties under the roof of the National Assembly, this would contribute to solve the problems. I say that democratic life should develop without any restraints. When I mention the political and democratic rights of Kurdish people, this should be evaluated within the framework of a democratic Turkey for which I have been putting efforts to transform it to a state of law which is respectful to the human rights. It is impossible to accuse me of “making separatist propaganda with the aim of undermining the indivisible integrity of the Turkish Republic with its territory and nation” because of my words, criticisms and thoughts in my article. When the book is wholly assessed, it is obvious that the accusation is a forced thing. The book covers undeniable, objective and real information. This information is important data which will lead to solution of numerous problems, especially torture.

During his cross-examination, Fevzi Argun stressed that the book which caused the trial was a product of a meticulous study, and prepared as a result of a research carried out via a journalistic point of view and with the aim of giving information, not making propaganda, and said the following:

(*) The book which was subjected to prosecution deals with the torture cases and deaths in detention places or prisons, another dimension of human rights abuses observed between the 12 September 1980 coup and 12 September 1994. The book states that a total of 420 persons died during the last 14 years since the 12 September coup. 390 of those persons died in detention places while being interrogated or in prisons, 13 of them during hunger strikes staged in prisons on demand of improvement in inhuman living conditions, and 17 of them because of illnesses due to torture in detention places or prisons, or because they could not receive necessary medical treatment.

Concepts like “Kurdish question”, “Kurdish people” and “guerrilla movement” were not used in the book with the aim of spreading separatist propaganda as the prosecution alleges. These concepts are widespread in public use. If uttering these terms is considered a crime, Turkey will become a world of criminals. The issues that were discussed in this chapter and throughout the book have often been mentioned by the authorities, and even in election campaigns and government programmes. These terms have even been mentioned in speeches by prime ministers. We well remember that the present government of the DYP-SHP coalition came to power with a promise of solving the problems related in this book. In addition, some high authorities including Doğan Güreş and Yıldıırım Akbulut uttered terms like “guerrilla”, “guerrilla warfare” and “guerrilla movement”. I also want to remind you that the first important statement (in December 1991) of Süleyman Demirel, the 9th President of Turkey at pre-sent, as the Prime Minister was that he “recognize(d) the Kurdish reality.” The book was prepared in order to draw attention to torture cases which have been a prominent problem of Turkey for years. While preparing the report, the aim was not disseminating separatist propaganda neither in the whole book nor in only one sentence. However, the publication was evaluated in a different manner. Instead of initiating an inquiry based on the cases in the book as an official complaint and of applying our information as witness in this inquiry, they preferred to put us on trial as defendants.

In the second hearing held at the Ankara SSC on 29 December, SSC Prosecutor Nuh Çetinkaya disclosed his opinion on the accusation. Nuh Çetinkaya who demanded sentences from 2 to 5 years in prison and a fine up to TL 100 million for Yavuz Önen and Fevzi Argun under Article 8 of the “Law to Fight Terrorism”, said the following: “It has been determined that in his article which is the subject of the offense, Yavuz Önen tried to stress that Kurdish people had been exploited and their existence had been denied by describing the nationalism of Atatürk, which is stated in the Constitution of the Turkish Republic and has been implemented in Turkey, as repudiative, imperialistic and primitive. He also mentioned the Kurdish political and democratic movement, disregarding that the political and democratic movement in Turkey has been a Turkish political and democratic movement, and thus he made propaganda aiming at damaging the indivisible unity of the Turkish Republic with its nation and territory; that Fevzi Argun disseminated propaganda, especially in the section of the book written in the indictment, aiming at the indivisible unity of the Turkish Republic with its territory and nation, by mentioning Kurdish people apart from Turkish people in Turkey although everyone who is a citizen of Turkey is a Turk and all of those citizens have formed the Turkish people, by talking about a Kurdish problem and expressing that the government has pretended not to hear the democratic demands by the Kurdish people for a solution to the problem. Therefore, it has been remarked that the defendants Yavuz Önen and Fevzi Argun should be sentenced under Article 8/1 of the ‘Law to Fight Terrorism’ and seizure of the book should be decided.”

Verdicts against the leaders of the IHD and the HRFT were disclosed in the hearings held at the Ankara SSC on 11 January 1995. In the first of the hearings, which were observed by a crowded group of spectators, Yavuz Önen and Fevzi Argun, and their lawyers presented their defences. The Court Board which disclosed the verdict after the reading out of the statements was completed, decided unanimously on acquittal for Yavuz Önen and Fevzi Argun on the grounds that in the book there was no legal element of separatist propaganda as ascribed in Article 8 of the “Law to Fight Terrorism”. Following this trial, the last hearing of the trial against the leaders of the IHD started. Sedat Aslantaş who was kept under arrest in prison for 40 days in connection with the speech he delivered during the congress of the IHD in 1992, also attended the hearing. In the hearing, Akın Birdal, Hüsnü Öndül, Sedat Aslantaş and Erol Anar presented their final defences.

The Court Board which subsequently disclosed the verdict decided on acquittal for Akın Birdal, Hüsnü Öndül, Sedat Aslantaş and Erol Anar. The acquittal decision was taken by the majority of votes with the opposition by one of the judges, namely Abdulkadir Davarcioğlu. Nevertheless, an official complaint was filed with the Public Prosecution Office about the defendants under Article 159 of the Turkish Penal Code on allegations that security officers were insulted in certain sections of the book in question. If the official complaint is considered, a trial may be launched at the Heavy Penal Court against Akın Birdal, Hüsnü Öndül, Sedat Aslantaş and Erol Anar.

The hearings of the case against the IHD and HRFT were observed by Ali Yurttagül on behalf of European Parliament Greens Group, German Greens Party Deputy Amke Dieter Schener, Douglas Johnson, Mark Williams, and Michael Cline of the Center for Victims of Torture, Vice-representative of the Commission of the European Communities in Turkey Jörg Ketelsen, as well as the representatives of Amnesty International, International Human Rights Federation, and Centre for the Independence of Judges and Lawyers. Some diplomats, deputies, executives of political parties and democratic civic organizations, as well as the members and officers of the IHD and HRFT, also observed the hearings. The last hearing was observed by the diplomatic missions of all European Union member countries in accordance with a common decision, and of the USA and Russia as well.

The Ankara SSC Prosecution Office raised objections to the acquittal decisions made for the leaders of the IHD and HRFT. In the objection, it was stated that the defendants should be retried and sentenced under the “Law to Fight Terrorism”. The objection was rejected by the Supreme Court Penal Chamber No.9, and the acquittal decisions were upheld in May 1995.

c)- Closed associations, prevented activities

In 1994, numerous civic organizations faced attacks and pressure similar to those faced by the IHD. Planned activities were banned or prevented by security officers through coercion. Fire was opened on demonstrators, wounding people. Leaders and members of the democratic civic organizations were attacked, detained and arrested. Trials demanding fines and imprisonment sentences were launched against these people, and sentences were passed on them. As the imprisonment sentences passed on them became decisive, some leaders of the democratic civic organizations were put in prison. During the year, a total of **25** democratic civic organizations (**7** of them IHD branches mentioned in the previous section) were closed upon the orders by local administrators. The closed associations (except the IHD branches) are as follows:

- Keçiören Halkevi (a kind of culture house-Ankara)
- Pir Sultan Abdal Association Ümraniye Branch (Istanbul)
- Of Halkevi (Trabzon-3 months)
- Ege Özgür-Der (Association of Rights and Freedoms-Izmir)
- Besni Halkevi (Adıyaman)
- Meram Özgür-Der (Konya)
- Ankara Özgür-Der
- Ereğli Özgür-Der (Konya)
- Yıldırım Halkevi (Bursa)
- Osmangazi Halkevi (Bursa)
- Association of Alibeyköy High School Graduates (ALYED-Istanbul)
- Adana Özgür-Der
- Istanbul War Resisters Association (SKD)
- Bandırma Halkevi (Balıkesir)

- **Progressive Journalists Association Southern Marmara Branch Hall (3 days)**
- **Pir Sultan Abdal Association Adana Branch**
- **Association for Solidarity with Families of Prisoners and for Human Rights-TIYAD**
- **Akdeniz Özgür-Der (Adana)**

Following are some sample cases out of the hundreds of implementations and acts violating the freedom of association, witnessed in 1994:

The Istanbul Bağcılar Branch of the Pir Sultan Abdal Association was raided and searched by police on the evening of 11 January. Following the raid, Yücel Özen, the Chair-person of the Branch, and 2 of the association's members, namely Muharrem Özel and Şevket Uçan, were detained. Authorities from the Pir Sultan Abdal Association said that the 3 people were detained without just grounds.

On 19 February, police opened fire on a group demonstrating at a bazaar in the Gültepe quarter of Izmir to protest price increases. As a result, 2 persons named Gürhan Tamer and Volkan Yerlikaya were shot and wounded. Following the prevention of the demonstration, Gürhan Tamer, who was wounded during the incident, and Enver Cacım, Ali Asker Bal, Hali-me Özçelik (Izmir Representative of the journal *Alnteri*), Kerim Karatay and Mustafa Kerim Okatan were detained by police. Gürhan Tamer, in a statement he made after being released, said, "I was shot and wounded when police opened fire during the demonstration. The bullet went into my waist and left from the back. When I fell down, policemen began to beat me. Afterwards, I was put in a police car. One of the policemen was trying to break my finger while another was trying to break my arm. Another was forcing down my ear. They, together with other policemen, beat me once more after coming to the police station. They were kicking the injured part of my body."

The Antalya Hacı Bektaş Veli Cultural Association was burnt down after gasoline was poured on its door on the night of 23 February. The executives of the association said, "We strongly condemn these persons, who are far away from modern thought and love of human-kind, and who cannot catch-up with the age, as well as the institutions behind this incident."

The trial, which was launched against the executives of the Mersin Branch of the Li-man İş (the trade union of port workers) in connection with a meeting they organized on 1 May 1990, resulted in acquittal. The trial, which ended at the İçel Heavy Penal Court No.4 on 25 February, had been launched on the grounds that the meeting was in contravention to the Law on Meetings and Demonstrations. The names of those acquitted in the trial, which lasted nearly 4 years, are as follows: Hasan Biber (Chairperson of the Liman İş), Mustafa Demir, Muammer Türkmen, Recep Özbey, Abdülkerim Necefoğlu, Erhan Palabıyık (former Chairperson of the IHD Mersin Branch), Remzi Erkut, Ali Gülüçubuk, İrfan Tepeaşan, Fahri Gül, İsmail Uluç, and Cafer Daracı.

Students who tried to stage a demonstration in front of the National Education Directorate in the Cağaloğlu quarter of Istanbul to protest "paid education" were dispersed by police, who beat them, on 14 April. The policemen's beating of the students and efforts to detain them, drew protests from the tradesmen in the vicinity. Some students were released upon the intervention of the tradesmen while 33 of them were detained. The detainees, Gürsel Berk, Suat Suna, Erdal Açıkalın and Süleyman Demircan were arrested while 29 others were released. The same day, about 400 students who tried to stage a demonstration in Ankara Kızılay in order to protest paid education, were dispersed by police, who beat them. About 20 students, were wounded, and over 50 students were detained. Four of the wounded applied to the HRFT for treatment. Some journalists were also beaten up and insulted during the incident.

An investigation was launched against the leaders of the Central Council of TTB because of the demonstration they staged in front of the Prime Ministry on 7 January in order to state the problems that have befallen the personnel of the health sector. Selim Ölçer, the Chair-person of the Central Council of the TTB, testified on 15 April in connection with the investigation launched by Ankara Public Prosecution Office. In the investigation launched due to a denouncement by the Ankara Governorate, the TTB leaders and other doctors were accused of acting in contravention to the Law on Meetings and Demonstrations.

Around 40 coffee houses in Şakirpaşa, Denizli and Anadolu quarters of Adana were closed for periods ranging from 20 to 25 days since they had closed for the 21 March Newroz Festival. The closure decision was taken by the Adana Governorate. Burhan Göktaş, the Chair-person of Adana Coffee House Owners Chamber, said that the closure decisions taken were illegitimate.

The May Day Worker's Holiday was celebrated in permitted meetings and gatherings organized in many settlements, especially in Istanbul, Ankara and Izmir, on 1 May. A clash with stones and clubs arose on Sıhhiye Bridge as the police tried to disperse a group marching after the meeting in Ankara. Ten people, 3 of whom were policemen, were injured, and 16 people were detained during the clash. A man named Ahmet Öğretim, who fell off the bridge, and a policeman whose leg was broken were hospitalized. Meanwhile, Ankara Deputy Salman Kaya was also beaten heavily by the police. Salman Kaya was treated at hospital for some time. (Detailed information is on page 184.) The groups marching after the 1 May meeting in Istanbul were also dispersed under police beating. Three people named Idris Erdinç, Murat Salmaner and Tunç Tatoğlu were injured and some were detained during the dispersion of the groups. Journalist and television groups watching the incidents that arose following the 1 May demonstrations in Ankara and Istanbul were either beaten or barred by the policemen. Meetings and gatherings held in Izmir, Bursa, Samsun, Silifke, Kayseri, Gebze, Kocaeli, Çorum, and the Divriği district of Sivas, ended without any incidents. On the other hand, the 1 May demonstration planned in Adana was postponed for one month by the Adana Governorate. The meeting in Lüleburgaz was postponed for 15 days by the District Governorate.

About 500 tobacco producers who gathered on Eski Samsat Street of Adıyaman on the morning of 3 May and launched a march to protest the reduction in the tobacco cultivation areas, were forcefully banned by the police. A clash with stones and sticks arose between the demonstrators and the police as the crowd tried to continue the march. During the clash that lasted for about 15 minutes, 9 people, including Adıyaman Anti-Riot Forces Director Erdal Ayan, were wounded and 15 people were detained. The windows of the Adıyaman Provincial Organization buildings of the DYP and the SHP were broken by demonstrators throwing stones. The incidents ended by the dispersion of the demonstrators under beating.

Over 50 people were detained for shouting slogans during the concert given by "Grup Yorum" on 6 June in Gaziantep. A group of people protesting the detention of the concert participants were dispersed by police shooting into the air. The detainees were released 2 days later.

The march of about one thousand workers working in the mines in Divriği on 16 June was forcefully barred by security officers. About 50 people were detained by the security officers who dispersed the workers by beating them with rifles and truncheons. Among the detainees were Murtaza Yıldırım, Dursun Yıldırım, Süleyman Erdoğan and Mahmut Döne, the leaders of the trade union of the workers. The detainees were released on 17 June.

Bandırma (Balıkesir) Halkevi Chairperson Mehmet Özdemir was sentenced to 20 months in prison and a fine of TL 208 million in a trial launched because of his statement published in the newspaper Özgür Gündem in June 1993. The trial, which ended at the Istanbul SSC in June 1994, had been launched under Article 8 of the “Law to Fight Terrorism”. The sentence passed on Mehmet Özdemir was upheld by the Supreme Court. Mehmet Özdemir was arrested in May 1995 and sent to Bandırma Prison.

The concert planned on the evening of 6 June in Istanbul with the aim of showing solidarity with the musical group “Grup Yorum”, was not allowed by the Istanbul Governorate. This decision caused those who wanted to watch the concert to protest. A group of people who held a demonstration in front of the concert hall to protest the ban, were dispersed by police, who beat them. After the dispersion, 12 people, including lawyers Metin Narin and Mustafa Çoban, and Özgür Ülke correspondent Hüseyin Inan, were detained. The detainees were re-leased on 4 July. Concerts by the Grup Yorum have not been allowed in Istanbul since 1989.

A meeting was held in Istanbul on 3 July for the first anniversary of the Sivas incidents, which had resulted in the killing of 37 people on 2 July 1993. Before the meeting, in which many people participated, a group of people, who protested the police control, were dispersed under beating. Six people named Esengül Teke (pregnant), Hüsnüye Kılıç, Mensure Yüksel, Veysel Yılmaz, Ali Kılıç and Mehmet Demir, were beaten up during the police dispersion. The meeting planned in Izmir was not allowed by the Izmir Governorate on the grounds that the tourism season had started.

Various demonstrations were held in the Dağlıoğlu, Gülbahçesi, Anadolu and Denizli quarters of Adana on the morning of 14 August because of the 10th anniversary of the start of the armed attacks by the PKK. The demonstrations were prevented by force by the police waiting in the quarters. In addition, about 100 people, 10 of whom from the Dağlıoğlu quarter and 35 of whom from the Denizli quarter, were detained.

The meeting to be held in the Ankara Ahmet Arif Park on the occasion of 1 September World Peace Day was not permitted by the Ankara Governorate. The Governorate alleged that the meeting was banned on the grounds that security measures could not be taken and public order would be disturbed. In addition, hanging and distribution of placards and leaflets prepared by the committee which organized the meeting were also banned. The meeting planned by the HADEP on the occasion of the Peace Day in Antalya was not allowed.

Twenty-four of the people who participated in the meeting organized on 4 September on the occasion of World Peace Week on the Istanbul Beşiktaş Wharf, were detained. The 24 people, who were detained because of the placards on which it was written “Peace, Just Now” in 5 different languages, including Kurdish, were released 5 hours later. The names of the detainees, most of whom are members of the IHD, are as follows: Şanar Yurdatapan (composer), Atıf Yılmaz (film director), Müjdat Gezen (actor), Lale Mansur (actress), Orhan Alkaya (actor), Sunay Akın (poet), Aysel Sağır, Can Sarvan, Serdar Bingöl, Yelda, Suna Aras, Nihal Boz-tekin, Jülide Kural (actress), Hürriyet Şener (IHD Istanbul Branch Executive Board Member), Ali Rıza Dizdar (lawyer), Eylem Kaftan, Uğur Doğan, Rıza Şahin, İter Sayın, Ferizat Sultan, Filiz Karakuş, Tülin Özden, İlkay Demir and Nilgün Sipahi.

Prime Minister Tansu Çiller who attended the ceremony held on the occasion of the opening of the Izmir Fair on 9 September, was protested by a crowded group of workers. After the protest demonstration, 7 trade union leaders accused of organizing the demonstration were

detained by the police officers who came to their houses on the night of 9 September. The names of the detained trade union leaders are as follows: Mustafa Öztaşkın, Şükrü Günsili, Coşkun Yılmaz, Ahmet Yıldırım, Yakup Doğan, Cuma Şahin and Faruk Turan. The 7 trade unionists reportedly detained upon directives by Minister of Interior Affairs Nahit Menteşe, were released on 10 September evening on condition of being tried without arrest.

The Headquarters of the Mesopotamian Cultural Center (MKM) in Istanbul was raided by police at about 4.30 p.m. on 10 September. After the raid, many people who were at the Center, including HADEP Istanbul Provincial Chairperson Kemal Parlak, were detained. Kemal Parlak was released after six hours, while the other detainees were released on 11 September. During the raid, some goods, clothes, documents, and publications in the office were seized. The Izmir Branch of the Center was raided by police on 1 December. As a result of the raid, 7 people in the building were detained, the furniture was destroyed, some posters, books and publications, and some documents in the archives were seized.

Metin Canpolat and Fehmi Kaya, who were tried on the claim that they demonstrated and burnt a police bus in order to protest the death of Murtaza Kaya, a student killed by police on 11 June 1991 in Kanarya, Istanbul, were each sentenced to 11 years 8 months in prison in the trial which ended on 28 September. In the trial, Şahin Gencay, Özgür Hakan Polat, Ihsan Zer, Ayhan Özdemir, Yasemin Başaran, Ahmet Engin, Aziz Öztürk, Metin Göktepe, Gülsüm Karataş, Ersan Şahin and Gülsen Berk were each sentenced to 5 years in prison, while Ümit Yaşar was sentenced to 3 years.

The meeting held in front of the National Education Directorate, in Cağaloğlu, Istanbul, by high school students in order to protest the fee taken under the pretext of “contribution to education”, was prevented by police. Out of students who participated in the protest which was held at noon on 21 October, 15 were detained. Besides this, after the meeting held to protest “contribution to education” on 22 October, in Beşiktaş, Istanbul, students named Ömer Elmas, Hüseyin Koç, Rıza Dalkılıç, Ferit Gültekin, Abbas Yılmaz, Cengiz Aşkıncı and Onur Şeker were detained by police.

The trial which was launched against 5 people because of the speeches they delivered in a meeting on the “Kurdish Problem” organized by the “İnsan Hakları ve Mazlumlarla Dayanışma Derneği (Mazlum Der)” (Association for Human Rights and Solidarity with the Oppressed People) in Ankara, started at the Ankara SSC on 24 October. In the trial, Ihsan Arslan, the Chairperson of the Mazlum Der, and Mehmet Pamak, Mustafa İslamoğlu, Haşim Haşimi and Abdullah Ünal each faced a sentence of 2 years in prison under Article 8 of the “Law to Fight Terrorism.” Ihsan Arslan, who was cross-examined during the first hearing, said: “Separatist propaganda was not made at the meeting. The aim of the meeting was to discuss a long-lasting problem of the country scientifically and to propose a solution.”

An investigation was brought against TTB Secretary General Ata Soyer in connection with his statement criticizing the temporary appointment of the physicians to some locations in the Emergency State Region. Ata Soyer said, “It is an interesting fact that an investigation was brought by the SSC Prosecution Office against our press declaration indicating that the temporary appointment of physicians was only an election investment. This much broadened effect of the SSC is quite disappointing for the democratization period.”

Approximately 150 students who held a meeting on 8 November in the cafeteria of the Sivas Cumhuriyet University, Medical Faculty, were forcibly obstructed by police when they

attempted to march. The students responded by throwing stones to the police who tried to disperse them by using truncheons. During the incident, 20 students and 3 police officers were injured and 18 students were detained.

Thirty-three members of the Greenpeace, an international environmental organization, held a demonstration on 11 November in front of the General Directorate building of the Turk-ish Electricity Institution in order to protest the nuclear power plant planned to be constructed in Sinop Akkuyu. The Greenpeace members who went to general directorate building early in the morning hang a placard on which it was written "There is no need for other Chernobyls!", and prevented persons from entering to or exiting from the building by lying on the ground or chaining themselves to the door. The 33 demonstrators, 28 of whom are foreigners and the remaining 5 are Turkish, were detained by being dragged on the ground by police. Mario Damato, the Mediterranean Coordinator of the Greenpeace, was among the detainees. The detainees were released 5 hours later upon intervention by Minister of Environment Rıza Akçalı and Ankara Governor Erdoğan Şahinoğlu. Because of the demonstration, a trial was launched against the 35 people, including the Green Peace members and Turkish environ-mentalists, 9 of them being foreigners, on the accusations of acting in contravention to the Law on Meetings and Demonstrations. The trial held at the Ankara Penal Court of First Instance No.6 ended up with acquittal on 24 April 1995.

d)- Pressure on political parties

1994 was not a positive year from the view of political parties and political activities. The pressure on opposing political parties and groups continued as it was in the previous years. From the viewpoint of the political activities, the most important events of 1994 (chronologi-cally) are as follows: The parliamentary immunities of 8 deputies were lifted, some of the deputies were detained under harassment, 6 deputies were arrested, the DEP was closed by the Constitutional Court (*) and the parliamentary memberships of 13 deputies were forfeited, and 8 deputies were sentenced to various prison terms and fines. Pressure and attacks against the political parties were not limited with the closure of the DEP and the implementations against the deputies. The Worker's Party (IP), the Green Party (YP), the Socialist Union Party/United Socialist Party (SBP/BSP) and the Socialist Power Party (SIP), and leaders and members of these parties faced various pressure and attacks. Occasionally, the mayors and mayoral candi-dates were also exposed to pressure and attacks.

The Constitutional Court decided the closure of the Green Party and transfer of its properties to the Treasury on 10 February in accordance with the demand by the Chief Public Prosecution Office of the Supreme Court. In the trial which was launched by the Chief Public Prosecution Office of the Supreme Court in January 1993, the closure of the party was requ-ested in connection with formal defects such as "the Green Party did not give its financial accounts for the year 1988 to the Constitutional Court despite all warnings." (In accordance with the Law on

(*) When the closure of the DEP by the Constitutional Court became definite, another party called "Peo-ples' Democracy Party (HADEP)" was founded. Murat Bozlak, the former General Secretary of the DEP, became the Chairperson of the HADEP founded on 11 May. Murat Bozlak stated in his declaration: "The only party which was a promising one to solve the problems of Turkey was the DEP. It is being closed. I hope Turkey will act as a state of law and will not close the HADEP. If the HADEP is closed, there will be a gap in the political life." The first congress of the HADEP was held on 26 June in Ankara. In the con-gress, Murat Bozlak was elected Chairperson with 344 votes in favor out of 346.

Political Parties, financial accounts of the political parties are controlled by the Constitutional Court.)

The Chief Public Prosecution Office of the Supreme Court launched a trial on 29 December 1993 demanding the closure of the Socialist Union Party (SBP). In the indictment prepared, it was alleged that separatist propaganda was made in the party program and congress' decisions and through the statements made by the party chairperson and some of the party officials. The closure trial continued throughout 1994. The SBP was dissolved by the Constitutional Court on 19 July 1995 on the grounds that the status and program of the SBP were in contravention to the Constitution and the Law on Political Parties, and separatism was spread in those documents.

In 1994, bombings and armed attacks against the political party buildings, meetings and activities, leaders, members and candidates of the political parties, increased immensely. The attacks mostly targeted at the HEP, DEP and HADEP leaders and members. All of the assailants of attacks against these 3 political parties, and some assailants of the other attacks re-mained unknown. In the meantime, the PKK militants also attacked leaders, members, build-ings and meetings of certain political parties. Besides, due to some political disagreements, and some discussions and disagreements during the elections, there were some attacks/tension. (These kinds of events will be discussed in detail in the section entitled "Local Elections".) The breakdown^(*) of the political party leaders, candidates and officials who were killed in the attacks or in the clashes due to political disagreements, (26 people in total), is as follows:

<u>Name & Surname</u>	<u>Duty/Status</u>	<u>Date</u>	<u>Place</u>	
01)- Faik Kızılay	HEP Iğdır POA	01 February	Iğdır-Özdemir	UA
02)- Hüseyin Özden	HEP Iğdır POA	01 February	Iğdır-Özdemir	UA
03)- Ali Kara	DEP Şırnak-Hilal MC	15 February	Uludere-Hilal	UA
04)- Nuri Ekinci	HEP Sason DOA	16 February	Batman-Sason	UA
05)- Muhyettin Ayata	CHP Kayapınar MC	16 February	Diyarbakır	PKK
06)- Ekrem Akçakaya	DEP Headquarters	18 February	Ankara	UA
07)- Sadık Boyanbaş	RP Bingöl PGA	22 March	Bingöl-Arıcılar	PKK
08)- Hikmet Lale	RP Siirt-Atabağ Mayor	27 March	Atabağ	CL
09)- Mehmet Şen	DEP Urfa-Ayran MC	30 March	Gaziantep	UA
10)- Vahap Akar	RP Iğdır PC	11 April	Karakoyunlu	PKK
11)- Abuzer Önen	DEP Adıyaman Cent. DC	26 April	Adıyaman	UA
12)- Sıddık Yaslan	DEP Manisa Cent. DC	01 May	Manisa	UA
13)- Medeni Göktepe	HEP Batman POA	09 May	Batman	UA
14)- Muhsin Melik	HADEP PA Member	02 June	Urfa	UA
15)- Şükrü Tutaş	Şırnak-Idil former Mayor	17 June	Idil	UA
16)- Kerim Tek	DEP Siirt POA	24 July	Siirt-Gökçeabağ	UA
17)- Sinan Gürer	SHP Erzincan POA	30 August	Erzincan	CL
18)- Servet Aslan	SHP Diyarbakır POA	07 September	Diyarbakır	UA
19)- Şehabettin Latifeci	SHP Diyarbakır POA	07 September	Diyarbakır	UA

(*) POA : Provincial Organization Administrator
 DOA: District Organization Administrator
 PC : Provincial Chairperson
 PA : Party Assembly
 DS : Revolutionary Left (Devrimci Sol)

MC : Mayoral Candidate
 PGA : Provincial General Assembly
 DC : District Chairperson
 UA : Unidentified assailants
 CL : Political conflict/clash

20)- M.Salih Sabuttekin	HADEP Yüreğir DOA	28 September	Adana	UA
21)- Mehmet Topaç	Former deputy/minister	29 September	Ankara	DS
22)- Rebih Çabuk	HADEP Yüreğir DC	03 October	Adana	UA
23)- Sefer Cerf	HADEP Yüreğir DOA	03 October	Adana	UA
24)- Ekrem Canpolat	DYP Siirt-Atabağ MC	09 November	Around Baykan	CL
25)- Sıddık Çetinkaya	DYP Siirt-Yücebağ Mayor	11 December	Sason-Yücebağ	CL
26)- Faik Candan	HEP Ankara PC	14 December	Ankara-Bala	UA

Negative incidents witnessed in connection with the political activities, were not re-stricted with the bombings and armed attacks. Numerous political party leaders and members, and some mayors were detained, tortured, arrested and sentenced to various prison terms. The names of the some of the arrested political party leaders are as follows: “Kemal Bilget (DEP Deputy Chairperson), Nevzat Teker (DEP Party Assembly Member), Mehmet Gökalp (DEP Derik District Chairperson), Ramazan Bulut (DEP Ankara Provincial Chairperson-twice), Hamdi Samancılar (Socialist Power Party-SIP Izmir Konak District Administrator), Hayrettin Akbaş (SIP Konak District Administrator), Recai Gün (SIP Konak District Administrator), Sema Nur Özer (SIP Konak District Administrator), Sıddık Yaslan (*) (DEP Manisa Central District Administrator), Ali Karşılıyan (Worker’s Party Izmir Provincial Chairperson), Kemal Altıok (DEP Aydın Provincial Chairperson), Mehmet Bingün (Güroymak Mayor), Hamit Acar (HADEP Van Provincial Chairperson), Cabbar Gezici (DEP Central Executive Board Member), Şahabettin Yılmaz (HADEP Payas District Chairperson), Tevfik Kaya (HADEP Al-tındağ District Administrator) and Abdullah Saydın (HADEP Central Administrative Board).” Out of the 17 political party leaders, 13 were released in 1994. Four of them (Cabbar Gezici, Şahabettin Yılmaz, Tevfik Kaya and Abdullah Saydın) were under arrest until the end of 1994.

Attacks against the DEP

Pressure and attacks against the political parties were intensified on the DEP and HADEP, the successor of the DEP. Buildings, leaders, members and candidates of these two parties were exposed to numerous armed attacks and bombings. The attacks were carried out fearlessly to an extent that they even targeted at the Headquarters of the DEP in Ankara. Some leaders of the HEP, closed by the Constitutional Court in 1993, were also attacked. Some exam-ples of the bombings and armed attacks against the leaders, members, and buildings of the HEP, DEP and HADEP, and the pressure and restrictions are as follows:

A bomb was left at the DEP Ankara Yenimahalle District Center by unknown people on the night of 20 January. Fahrettin Aydoğan (24), who was working in the building as a tea server, was injured in the explosion and the building and its surroundings were damaged. The Ankara Mamak District Center of the DEP was bombed on the night of 29 January. In the explosion, which caused damage to the value of TL 200 million, no one was injured or killed. The DEP Ankara Provincial Center was bombed by unknown assailants on the night of 14 Feb-ruary. After the explosion at the provincial center on the Mithatpaşa Street, the building was highly damaged and 3 people working at a construction company in the building were slightly injured. No one claimed responsibility for the bombings. Meanwhile, security forces opened a running fire at the DEP Lice District Center on the night of 10 January.

(*) Sıddık Yaslan (32), released in March, was found shot to death in the head on the Manisa Birlik Co-operative Area outside the city on 3 Mayıs.

Murat Bozlak, the DEP Secretary General (Chairperson of the HADEP), was wounded as a result of the fire opened by 2 unknown persons coming to his house in the Keçiören quarter of Ankara on the night of 5 February. Following the attack, Murat Bozlak was hospitalized. Murat Bozlak, who had 4 bullet wounds in his chest and arm, said, "This attack is not directed at me, but directed at the DEP, at the struggling people. The bullets targeted at me are the bullets targeting at the brotherhood and peace in Turkey. These attacks aim at all patriots, revolutionists and democrats who struggle against the pressure and fight against the antidemocratic implementations, and speak of the truths being aware of the wrongs and paradoxes in Turkey. They demand a society that does not fight for its rights but is content with what it gets. In order to provide this, they attack every resisting person. We face attacks which aim at murdering us or sending us to prison." Stating that the dark agents known as counter-guerilla had wanted to kill Murat Bozlak, DEP's Chairperson Hatip Dicle said, "We have no hope that the assailants will be apprehended. Because the murderers have been sheltered by the state. As they shoot by utilizing privileges of the state, they are protected by the privileges of the state as well."

A highly destructive bomb left at a building on the Ankara Necatibey Street where the DEP Headquarters was located, exploded at about 6.00 p.m. on 18 February. Because of the explosion, a person named Ekrem Akçakaya (30) died and 16 people were wounded, 2 being severely. The explosion which caused profound damage in the surroundings, occurred on the 5th floor of the building, 6th floor of which belongs to the DEP, in the elevator cavity. The DEP Deputy Chairpersons Kemal Bilget and Osman Özçelik, and Batman Deputy Nizamettin Toğuş, who were in the building during the explosion, were not wounded. In a statement he made after the incident, DEP Chairperson Hatip Dicle said, "We have been asking for security guards for the Headquarters from the relevant authorities for 1.5 months. They sent a guard 10 days ago. This guard was withdrawn, after staying for 5 days, following the bombing of the Ankara Provincial Organization. The withdrawal of the guard was a sign of the attack. The attack was definitely carried out by the counter-guerilla." The statement made by the IHD Central Executive Board indicated that the attack was directly against the democracy, and continued as follows: "The fact that a bomb, with the capability of obliterating life and property nearby, was placed at the headquarters of a political party, has raised the question of the safety of the democracy. The enemies of democracy are encouraged by the indifference of the democratic forces and especially the mass media to the pressure and violence exposed on the DEP and its members. Democratic forces should raise their voices and should struggle for protection of rights and freedoms, beyond condemnations and being sorry."

Mehmet Şen (35), a DEP member who was abducted on 25 March by unknown persons coming to his coffee house in the Nizip district of Gaziantep, was found dead around the Karpuzkaya village of the Şehitkamil district in Gaziantep on the morning of 30 March. Nuray Şen, the wife of Mehmet Şen, said that her husband had been abducted by some people who had introduced themselves as "policemen". If the DEP had participated in the elections, Mehmet Şen would have been a mayoral candidate for the Ayran town in the Birecik district of Urfa.

Abuzer Önen, the DEP Adıyaman District Chairperson, confronted an armed attack by unknown persons in Adıyaman on 11 April. He was severely wounded and died on 26 April in Adana at the hospital where he was under treatment. Sıddık Yaslan, one of the leaders of the DEP Manisa Central District Organization, was found dead on 3 May on the Manisa Birlik Cooperative Area, outside the city. Medeni Göktepe (a DEP member and a leader of the HEP) and İbrahim Gür died in an armed attack in the Beşevler district of Batman at noon on 9 May.

Muhsin Melik, a HADEP Party Assembly Member and the former Chairperson of the DEP Urfa Provincial Organization, confronted an armed attack by 4 unknown people while he was leaving his house in the Yenişehir quarter of Urfa on the morning of 2 June. Muhsin Me-lik, who was severely wounded in the event, died at the hospital he was taken to. Muhsin Melik, who reciprocated the assailants by his registered gun, said to his relatives who visited him in the hospital: "I know these assailants well. They are police officers. They were always following me." His driver Mehmet Ayyıldız was also shot dead in the attack. Muhsin Melik and Mehmet Ayyıldız were buried in the Urfa Harrankapı Cemetery on the afternoon of 2 June. Muhsin Me-lik was among the founders of the IHD Urfa Branch and was the branch secretary between 1988-1990. Meanwhile, one week after the attack, the Supreme Court ratified the sentence of 2 years in prison and the fine of TL 50 million passed on him because of his speech in the HEP Congress in Ankara on 9 June 1992.

Kerim Tek, a DEP member who was abducted by unknown persons in Siirt on 22 July, was found dead near the Gökçebağ village on 24 July. It was found out that Kerim Tek, who worked as a member of the Siirt Provincial General Assembly from March 1989 until March 1994, had been tortured and then killed by three bullets shot in the head. Kerim Tek had been detained several times on the claims of "aiding the PKK and harbouring its members".

Mehmet Salih Sabuttekin, one of the leaders of the HADEP Adana Yüreğil District Organization, was killed in the fire by 2 unknown persons on the morning of 28 September in the 19 Mayıs Settlement of Adana. Mehmet Salih Sabuttekin was buried in the Adana Akkapı Cemetery on 28 September. Rebih Çabuk, the HADEP Yüreğil District Chairperson, and Şeref Cerf, one of the District Organization leaders, were killed in the Mutlu quarter of Adana by unknown persons on the morning of 3 October. In the attack, Salih Satan, a member of the HADEP, was shot in the leg and wounded. Murat Bozrak, the HADEP Chairperson, stated that the assailants were encouraged by the speeches of Minister of Interior Affairs Nahit Menteşe.

Lawyer Faik Candan, the HEP Ankara Provincial Chairperson, who disappeared after leaving his office in the Sıhhiye quarter of Ankara on 2 December, was found dead on the morning of 14 December in the Salih Bey region near the Bala district of Ankara. (Detailed information is on the pages 128-129.)

The arrest of the deputies

The Parliamentary Justice and Constitution Joint Commission, decided in February that the parliamentary immunities (*) of Şırnak deputies Orhan Doğan, Mahmut Alınak and Selim Sadak, Muş Deputy Sırrı Sakık, Diyarbakır deputies Hatip Dicle (the DEP Chairperson) and Leyla

(*) During the 70-year Republican period, 12 deputies were stripped of their immunities for political reasons. The names of these deputies are as follows: Reşat Aydın (30 November 1949-on the claim of attempting to an assassination against the President), Sadık Aldoğan (24 March 1950-on the claim of insulting the President and the National Assembly), Hüseyin Cahit Yalçın (18 April 1952-on the claim of insulting the Government), Kamil Us (2 July 1956-on the claim of insulting the Government), Kamil Kırkoğlu (2 July 1956-on the claim of insulting the Government), Sırrı Atalay (2 July 1956-on the claim of insulting the Government), Osman Alişiroğlu (2 July 1956-on the claim of insulting the Government), Osman Bölükbaşı (24 June 1957-on the claim of insulting the Government), Nuri Beşer (1962-on the claim of insulting the Army), Celal Sungur (1968-on the claim of carrying out the preliminary works for a coup), Çetin Altan (1969-on the claim of insulting the Government and spreading communist propa-ganda), Ali Karahan (on the claim of spreading separatist propaganda).

Zana, and Mardin Deputy Ahmet Türk should be lifted. The decisions of the commission were reached by the votes of the DYP and ANAP deputies. It was also decided that the parliamentary immunity of Hasan Mezarıcı from the RP, should be lifted on the claim that he had insulted Atatürk (Hasan Mezarıcı resigned from the RP, afterwards). The parliamentary immunities of Hatip Dicle, Sırrı Sakık, Ahmet Türk, Leyla Zana, Mahmut Alınak, Orhan Doğan and Selim Sadak were lifted in the parliamentary meetings on 2 and 3 March. These decisions were reached by the votes of DYP, ANAP, RP, MHP and BBP deputies. Hasan Mezarıcı was the eighth deputy whose parliamentary immunity was lifted.

Hatip Dicle and Orhan Doğan were detained by police while leaving the Parliament on the evening of 2 March. Detention was carried out upon a written instruction by the Ankara SSC Prosecutor Nusret Demiral. The instruction document, which was dated 2 March 1994, numbered 1994/274 and sent by Nusret Demiral to the Ankara Security Directorate, reads as follows: "It has been learnt that the necessary procedures have been transacted by the National Assembly in connection with the summaries prepared both by our Prosecution Chief Office and by the other SSC Prosecution Chief Offices, and that there will be a meeting of the National Assembly on 02.03.1994 to hold a vote for lifting the immunities of the deputies because of the crimes they had committed. In case that the immunities of the aforesaid deputies are lifted; as it will be appropriate to take them under supervision in order to interrogate them in connection with the investigations and to obtain other evidence, if there are any; it is requested that the aforesaid people should be detained, and that a detention period should be demanded from our Chief Prosecution Office in order to facilitate the completion of the investigation."

After being detained, Hatip Dicle and Orhan Doğan were taken to the Ankara Security Directorate. Orhan Doğan was exposed to harassment while being detained. Their detention caused some protests in the Parliament, as they had been detained before the decision was promulgated in the Official Gazette. Hatip Dicle and Orhan Doğan could meet their lawyers on 3 March. Hatip Dicle and Orhan Doğan reportedly told their lawyers that they had not been exposed to torture or ill-treatment at the Security Directorate. Meanwhile, it was stated that Hatip Dicle had told his lawyers that he had been exposed to humiliation and likewise treatments while being detained. In the meantime, Leyla Zana, Ahmet Türk, Selim Sadak, Sırrı Sakık and Mahmut Alınak, whose parliamentary immunities were lifted, spent the night of 2 March in the Parliament in order not to be detained. The Parliamentary building was surrounded by numerous plain clothes and official policemen waiting to detain the deputies.

Hasan Mezarıcı, whose parliamentary immunity was lifted on 3 March, was detained by policemen coming to his house on the night of 2 March. Hasan Mezarıcı, who was about to be taken to the Istanbul Security Directorate by a minibus, was released when it was found out that his parliamentary immunity had not been lifted yet. Osman Ülker, the Istanbul Seventh Region Security Director, who had instructed the detention of Hasan Mezarıcı before his parliamentary immunity was lifted, was suspended from duty by the Ministry of Interior Affairs. After his parliamentary immunity was lifted, Hasan Mezarıcı was taken to the Ankara Security Directorate, and was detained on the night of 3 March. On the morning of 4 March, he was sent to the Bandırma district of Balıkesir due to an investigation about a speech he had made in 1992.

Hasan Mezarıcı, who testified at the Bandırma Public Prosecution Office, was immediately sent to court on the demand of arrest. However, the court did not find the demand for arrest appropriate, and released him. A trial was brought against Hasan Mezarıcı on the claim that he insulted Mustafa Kemal Atatürk, the founder of the Turkish Republic, in a speech he delivered in a

meeting held by the Bandırma Municipality on 4 June 1992. In the trial that was brought by the Bandırma Public Prosecution Office under the Law to Protect Atatürk num-bered 5816, Hasan Mezarıcı faced a sentence from 1 year to 4 years 6 months in prison. The pro-secution of Hasan Mezarıcı started at the Bandırma Penal Court of First Instance on 15 April. While defending himself, Hasan Mezarıcı stated that his speech had been diverted by the press, he had not insulted Atatürk, and Turkey experienced a kind of secular terror. Hasan Mezarıcı was acquitted in this trial, but the Supreme Court overturned the verdict and decided that Ha-san Mezarıcı should be put on re-trial.

Sırrı Sakık, Leyla Zana, Selim Sadak, Ahmet Türk and Mahmut Alınak, whose parli-amentary immunities were lifted, delivered themselves to security officers of the Parliament on the morning of 4 March. These 5 deputies were taken to the Ankara SSC Prosecution Office by vehicles owned by the Parliament. Sırrı Sakık, Leyla Zana, Ahmet Türk and Mahmut Alınak were sent to the Ankara Political Police Center for interrogation. Selim Sadak was sent to Ko-caeli because of the investigation about a speech he had delivered in 1992. Selim Sadak, after testifying at the Kocaeli Public Prosecution Office, was released on the condition that he would be tried without arrest.

An application was made to the Constitutional Court for abolition of the Parliamentary decision of lifting the immunities of Hatip Dicle, Leyla Zana, Sırrı Sakık, Ahmet Türk, Mah-mut Alınak, Orhan Doğan and Selim Sadak. In the application made by the lawyers of the deputies on 7 March, it was indicated that the decision was against the Constitution and the Parliamentary Interior Regulations. The Constitutional Court abolished the decision of lifting the parliamentary immunity of Şırnak Deputy Selim Sadak. In accordance with verdict dis-closed on 21 March, the investigation launched by the Kocaeli Public Prosecution Office was ceased. However, the Court rejected the objections about Hatip Dicle, Leyla Zana, Sırrı Sakık, Ahmet Türk, Mahmut Alınak, Orhan Doğan. After that, there were no more barriers to prose-cute the 6 deputies on the demand of capital punishment, and they were arrested on 17 March and sent to Ankara Central Prison. Hatip Dicle, who didn't testify while he was under deten-tion, acted in a similar manner at the court on 17 March.

Meanwhile, Hatip Dicle, Leyla Zana, Sırrı Sakık, Ahmet Türk, Mahmut Alınak and Orhan Doğan applied to the European Human Rights Commission, on the demand that Turkey should be tried since their detention periods were long, and they should be paid compensation. Lawyer Hasip Kaplan, who applied to the European Human Rights Commission on behalf of the deputies, indicated that petitions to secure the deputies to be brought before court had been sent to the Prosecution Office but that demand had not been put into practice, and said that in-ternational conventions had determined the length of a reasonable detention period to be 4 days and the Turkish laws were against the conventions.

The closure of the DEP

The Constitutional Court decided the closure of the DEP and the transfer of its proper-ties to the Treasury on the grounds that it disseminated separatist propa-ganda and carried out activities against the Constitution and laws. Upon this decision, the parliamentary member-ships of the 13 deputies from the DEP were lifted. The decision of the Constitutional Court disclosed on 16 June evening, was reached by the majority vote. Yılmaz Aliefendioğlu, a mem-ber of the court, opposed to the closure of the DEP, and Yılmaz Aliefendioğlu and Mustafa Gö-nül opposed to the decision regarding the 13 deputies. The names of the DEP members whose parliamentary memberships were lifted are as follows: "Hatip Dicle (Diyarbakır), Leyla Zana (Diyarbakır), Sedat Yurtdaş

(Diyarbakır), Ahmet Türk (Mardin), Remzi Kartal (Van), Ali Yiğit (Mardin), Naif Güneş (Siirt), Zübeyir Aydar (Siirt), Selim Sadak (Şırnak), Orhan Doğan (Şırnak), Sırrı Sakık (Muş), Mahmut Kılınc (Adıyaman), and Nizamettin Toğuç (Batman).”

Remzi Kartal, Ali Yiğit, Zübeyir Aydar, Mahmut Kılınc, Nizamettin Toğuç and Naif Güneş, out of the 13 deputies whose parliamentary memberships were lifted by the Constitutional Court, left Turkey while Sedat Yurtdaş and Selim Sadak remained in Turkey. Remzi Kartal, Mahmut Kılınc, Zübeyir Aydar, Nizamettin Toğuç and Ali Yiğit, holding a press meeting on 17 June in Brussels, declared that they would pursue their struggle in foreign countries for some time.

The decision by the Constitutional Court on the closure of the DEP was put into force after it was promulgated in the special issue of the Official Gazette released on the evening of 30 June. Upon the promulgation of the detailed verdict, the decision to lift the parliamentary memberships of the 13 deputies was also put into force. Thereupon, there were no obstacles left before the detention of the DEP deputies Selim Sadak and Sedat Yurtdaş who did not leave Turkey. Sedat Yurtdaş and Selim Sadak who delivered themselves to the Ankara SSC Prosecution Office on 1 July and who were immediately taken to the Ankara Security Directorate and detained, were arrested on 12 July.

DEP legal counsellors Hasip Kaplan and Feridun Yazar applied to the European Human Rights Commission because of the closure of the DEP. In the application, it was indicated that the closure of the party had been based on the speeches of former chairperson Yaşar Kaya and the closure was against the international conventions. In the application which was filed by the Commission, it was stated, “The expression of thoughts cannot be considered as a crime. Such a consideration is against the European Human Rights Convention, under which Turkey is a signatory. A political party cannot be closed because of the expression of thoughts. If it is closed, then how can political parties communicate with the masses? The closure of the DEP is totally political, unjust and against the law. The expression of the Kurdish identity cannot be considered as a reason for the closure. The speeches made at democratic and legal platforms cannot be perceived as a crime. This is so important for the democratization of Turkey. Many politicians including Turgut Özal and Süleyman Demirel have mentioned the Kurdish reality. Then, these people should also be prosecuted.”

A trial was launched against the arrested deputies Hatip Dicle, Leyla Zana, Orhan Doğan, Ahmet Türk, Mahmut Alınak and Sırrı Sakık, in June by the Ankara SSC Prosecution Office. The 452-page indictment demanded the defendants to be death sentenced under Article 125 of the Turkish Penal Code. In the indictment, it was pointed out, “The deputies betrayed their country, tried to separate Turkey and had relations with the PKK.”

The prosecution of the 6 deputies started at the Ankara SSC on 3 August. In the first hearing no one was allowed to enter the court hall except lawyers, journalists, some foreign observers and a few relatives of the defendants. In the hearing, which started early in the morning, firstly the identification of the deputies was completed. Then lawyer Feridun Yazar, who took the floor, pointed out that the indictment was in contravention to the Constitution and demanded the trial to be dismissed. This demand was rejected by the Court Board and then the indictment was started to be heard. The Ankara Court House, where the hearing was held, had been taken under police control beginning from 2 August evening. A group of about 600 people, who wanted to watch the hearing, was obstructed by police on their way to the Court House. Approximately 20 buses, carrying people to watch the hearing, were not allowed to enter Ankara. Besides, Siggie Martsch (a Green Party Deputy), who harshly criticized Turkey because of the trial, was not

permitted to enter the court hall. The indictment was continued to be heard in the afternoon session of the hearing. Ahmet Türk, who took the floor while the indictment was being heard, pointed out that in the indictment there were speeches that had no relation with him and said, "The prosecutor is trying to divert the public." Mahmut Alınak also stated that, in the indictment, there were some unreal parts about himself.

The indictment was continued to be heard in the hearing held on the morning of 4 August. In the meantime, the Court Board, upon the demand by the lawyers, decided that every-one could watch the trial. However, this decision could not be realized due to the order of the Ankara SSC Prosecution Office that a limited number of people could be let into the court hall. The reading of the indictment was completed on the afternoon of 4 August. Mahmut Alınak who took the floor subsequently, indicated that, in the indictment even his phone talks with his son studying in Moscow had been recorded as phone talks to the PKK, and added that the indictment had been prepared using scenarios and fake evidence. He also pointed out that some publication organs broadcast or newscast in a manner to have an impact on the trial, and added, "This is a historical trial. This trial has a historical mission in order to realize democracy and solve the Kurdish problem without bloodshed." Sırrı Sakık criticized that the money he had drawn 2 days before his parliamentary immunity had been lifted, was interpreted as "the PKK's money" and added, "This is a plot. The money was in my account since the day I had been elected deputy."

Ahmet Türk, who was cross-examined in the hearing on 5 August, indicated that the trial was a political one, and said, "The ones in the Parliament who could not sentence us by their contrasting ideas, want to sentence us by this trial. This trial is an effort to bill their political failures to someone. The Prime Minister acted as a judge and sentenced us to get 3-5 votes more." Leyla Zana pointed out during her cross-examination that the trial was not judicial, and said, "Me and my friends were brought before this court on the demand of death sentence, because of the ideas we defend. This is a historical trial. Such a trial is unique under the civilian governments. The DEP was closed so that the Kurdish people cannot bring their struggle for freedom to political arena. The ones who closed the DEP did not win but lost." Orhan Doğan, pointing out that Kurds in Turkey were treated like blacks, said that the Kurdish problem could not be solved by bloodshed. Orhan Doğan also stated that TL 400 trillion was spent to fight with the PKK and added, "During the War of Independence, 8,256 people died whereas 12,420 people lost their lives in the struggle with the PKK. There is something wrong with this. The Kurdish problem is not being solved, as there are benefits."

In the hearing on 8 August, Sırrı Sakık, Hatip Dicle and Mahmut Alınak were cross-examined. The criticism against the SSC prosecutors by Mahmut Alınak caused some discussions. Mahmut Alınak, indicating that Prime Minister Tansu Çiller put pressure on justice and there were some programs on some TV channels directing unjust accusations towards them, stated, "Esteemed prosecutors should initiate investigations and launch trials also against them. However, their power is not enough to do so, because they are civil servants." Upon this, Prosecutor Tefvik Hancılar rushing out exclaimed: "There is a tease. The prosecutors do have power. You cannot reach anywhere by this manner." The attitude of the prosecutor provoked reactions of the defending lawyers. Tefvik Hancılar quarrelled for a while with the lawyers and Mahmut Alınak. When it was said, "Are we supposed to thank you for the 452-page indictment?", Tefvik Hancılar continued to shout saying "You have so many crimes that they add up to 452 pages." The lawyers who stood up collectively at the same time, protested Tefvik Hancılar, and

demanded that his words should be minuted and that his intervention in the cross-examination should be prevented.

Sırrı Sakık, who was later cross-examined, stated that the indictment was a political document full of lies, and said: “We were called as murderers. To whom did we shoot, in which act did we participate?” He added, “We were aware that we were walking to a mine field. Our struggle to end up the bloodshed caused us to be put on trial on the demand of death penalty. If the Kurdish problem can be solved by a sentence on me, I must say that I am ready for this. Today, we are tried as we have expressed our ideas. Democracy is not a monophonic regime. I don’t have to think as others do. The ones who brought the PKK to its present situation by calling it ‘3-5 plunderers’ should be tried here, not me.” Hatip Dicle, while being cross-examined, described the lifting of their immunities as “the suicide of the Parliament” and con- tinued, “The state wanted us to be silent and support the violence policies. However we decided to choose this way at all costs. The instruction to put us on trial came from the National Security Council. Tansu Çiller implemented it.” Hatip Dicle also reminded Tansu Çiller’s statement “I’ve told the judicial officials to speed up this trial”, and added, “The shadow of the Prime Minister is hanging over the justice.” Hearing this, presiding judge Muammer Ünlüsoy got angry and said, “If you can prove that the Prime Minister had talked to even one judge, then I will take my cloak off and leave.”

In the trial held on 7 September, the written documents, testimonies and records in- scribed in the case file were started to be examined. The deputies and their lawyers raised ob- jection to the inspection of those documents that were deemed as evidence. The defendants and their lawyers said that most of those documents were fake and unreal, obtained by illegal and immoral methods. Meanwhile, when spectators applauded Orhan Doğan following his speech during the last session of the hearing, the court hall was emptied. Hasip Kaplan, who objected the decision, was punished not to participate in the following hearing.

A trial was launched against Selim Sadak and Sedat Yurtdaş, who were arrested after their parliamentary memberships had been lifted, by the Ankara SSC Prosecution Office in September. The trial in which Sedat Yurtdaş and Selim Sadak were demanded to be death sen- tenced under Article 125 of the Turkish Penal Code, started on October 26 at the Ankara SSC. Sedat Yurtdaş, cross-examined in the hearing, rejected the accusations and said that while pre- paring the indictment the prosecutors had acted with the logic of the Independence Courts. Selim Sadak pointed out that all of the accusations in the indictment were unreal and that he had no relations with the PKK, and added, “It is very natural for us to express our thoughts about a modern and democratic Turkey. I have never considered myself as guilty and neither will I in the future.” In the hearing held on 9 November, it was decided to unify the trials of Sedat Yurtdaş and Selim Sadak with the trial of the other 6 deputies.

In the hearing held on 10 November at the Ankara SSC, some written documents, tes- timonies and records in the case file were examined. Hatip Dicle, pointing out that there was no democracy in Turkey, said: “I don’t believe that the verdict of this court will be just. We are being prosecuted here since we have not associated with lies, plunder and blood.” In the hear- ing held on 24 November, demands by the defendants’ lawyers for the expansion of the investi- gation and listening to certain witnesses were rejected. Out of the lawyers reacting against this decision of the court, Hasip Kaplan shouted “We once more see that there will not be fair trial here.”, while Feridun Yazar said “The decision on the trial have already been issued in other places.” Subsequently, the lawyers left the court hall. Then the SSC Prosecutor disclosed his final remarks on the case file and stated that Hatip Dicle, Leyla Zana, Ahmet Türk, Sırrı Sakık, Sedat Yurtdaş,

Orhan Doğan, Selim Sadak and Mahmut Alınak should be death sentenced under Article 125 of the Turkish Penal Code. The deputies who listened to the charges and death penalty demands against them silently, stated they would not defend themselves as the prosecution was not fair.

At the end of the trial, the 8 deputies were convicted to various prison terms and fines. According to the verdict disclosed on 8 December, Hatip Dicle, Orhan Doğan, Ahmet Türk, Leyla Zana and Selim Sadak were each sentenced to 15 years in prison under Article 168/2 of the Turkish Penal Code. In the trial, Sedat Yurtdaş was sentenced to 7 years 6 months under Article 169 of the Turkish Penal Code, and Sırrı Sakık and Mahmut Alınak were each sentenced to 3 years 6 months in prison and a fine of TL 60 million under Article 8 of the “Law to Fight Terrorism”. Subsequently, Sırrı Sakık and Mahmut Alınak were decided to be released. The verdict was reached by the majority vote. Çetin Güvener, one of the members of the Court Board, opposed to the verdict by saying, “The defendants should be exposed to more severe punishments in accordance with Article 168/1 of the Turkish Penal Code.” The lawyers of the defendants did not participate in the hearing during which the verdict was disclosed. Sırrı Sakık and Mahmut Alınak were released at 4.00 p.m. on the same day. The conviction of the 8 deputies incited various protests.

The verdict was also found inappropriate by the Ankara SSC Prosecutor Nusret Demiral. Nusret Demiral, who found the punishments insufficient, declared that he would bring the case to the Supreme Court on the demand that the deputies would be death sentenced, and said: “I demanded them be death sentenced under Article 125. I won’t give up following this case. I am the Public Chief Prosecutor. In my title the word Public exists. We will defend the state that was entrusted to the public prosecutors by Atatürk, till the end. We have the right to appeal, of course we will appeal. I will demand that they should be re-tried under Article 125. They were accused of high treason. We are saying this: In a terrorist organization, the political wing is the same as the military wing. Using its military force one brings the terror organization to the public by murdering, while the other brings it to public by making political propaganda. These two fit for each other. This is also valid for them. We will disclose our grounds and evidences.”

The Istanbul SSC Prosecution Office brought a trial against Hakkari Mayor Şükrü Çalı, Lice Mayor Nazmi Balkaş and Kozluk Mayor Abdullah Kaya in connection with their statements published in the 18 September 1993 issue of the newspaper Özgür Gündem. In the trial which was launched on the accusations of making a separatist propaganda, the mayors faced sentences of 2 to 5 years in prison under Article 8 of the “Law to Fight Terrorism”. Out of the defendants, Abdullah Kaya and Nazmi Balkaş were removed from their offices by the Ministry of Interior Affairs. On the same days, Kurtalan Mayor Cemil Akgün was also decided to be removed from his office. In the trial that started on 3 February and ended on 13 September at the Istanbul SSC, Şükrü Çalı, Nazmi Balkaş and Abdullah Kaya were each sentenced to 20 months in prison and a fine of TL 208 million.

Metin Toprak, the DEP Mayoral Candidate for the Diyarbakır Metropolitan Municipality, and Musa Özsat and Nebahat Akkoç, district mayoral candidates from the same party, were detained without any grounds by police who raided their houses on the night of 12 February. DEP Chairperson Hatip Dicle indicated that upon the detention of the mayoral candidates in Diyarbakır, the deliberate intimidation campaign against the DEP had reached a peak, and added, “The policy of the state for inactivating the DEP in elections has been realized step by step.” The detainees were released on 22 February. Metin Toprak, in his statement after he was released, indicated that he had

been exposed to torture in detention, and said, “They continuously squirted me with pressurized water and then kept me in front of a ventilator.”

Melik Aygöl, Ahmet Karataş and Ahmet Civan, members of the DEP Party Assembly, were detained in Ankara on 8 March by police. Melik Aygöl, one of the 3 DEP members detained just after leaving the Worker’s Party Headquarters, was released on the morning of 10 March. Meanwhile, Ahmet Karataş was publicized as a person who aided the PKK and harboured its members. In a statement he made at the Ankara Security Directorate, Ahmet Karataş said that the accusations had no relation with him. Ahmet Karataş and Ahmet Civan were re-leased on 16 March. Ahmet Karataş had a heart attack during detention and was hospitalized. After being released, he was taken to the hospital again. He stated that he had been detained due to a plot by police and publicized, and that the torture and intensive psychological pressure had caused his illness. Ahmet Karataş, after he had been discharged from the Ankara Yüksek İhtisas Hospital on 24 March, was detained groundlessly by plain clothes police officers who came to his house on 25 March.

Ibrahim Aksoy, the former Secretary General of the DEP (the Chairperson of Democracy and Transformation Party founded in 1995), was sentenced to 20 months in prison and a fine of TL 41 million in the trial launched because of his speech in Konya on 21 May 1991. The trial that ended at the Konya SSC on 10 March had been launched under Article 8 of the Law To Fight Terrorism.

Nevzat Teker, one of the founders of the DEP, was sentenced to 20 months in prison and a fine of TL 208 million in the trial launched because of his speech on 24 October 1993 in the DEP Manisa Provincial Congress. The trial that ended at the Izmir SSC on 19 April had been launched under Article 8 of the “Law to Fight Terrorism”. Nevzat Teker, who had been arrested on 4 November 1993 in connection with the trial in question, was released afterwards.

Hazro former Mayor Resul Dolan was detained in Hazro on 11 June by police. Then he was taken to Diyarbakır and interrogated at the Security Directorate. Nasri Uzunca, Celal Uzunca and Refik Uzunca were also detained along with Resul Dolan and taken to Diyarbakır. Yücel Dolan, the son of Resul Dolan, was detained in 1993 and died during interrogation.

Out of the 15 HEP administrators, who were tried due to their speeches in the congresses of the HEP which was closed by the Constitutional Court, 10 were convicted to various prison terms and fines. In the trial that ended at the Ankara SSC on 23 June, Kemal Okutan was sentenced to 6 years in prison and to a fine of TL 250 million, Abdulcabbar Gezici to 4 years in prison and a fine of TL 100 million, and Feridun Yazar (the former chairperson of the HEP) to 2 years in prison and a fine of TL 100 million. Hüseyin Turhallı, Salih Şahin, Harun Çakmak, Felemez Başboğa, Mustafa Kemal Öztürk, Güven Özata and Mehmet Gemsiz were each sentenced to 2 years in prison and a fine of TL 50 million. In the trial, Mehmet Şakir Alay, Hamit Geylani, Sultan Güneş Ünsal, Şahabettin Özarslan and Mustafa Demir were acquitted.

Ahmet Sağın, the former Chairperson of the DEP Manisa Provincial Organization, and Naci Aslan, a member of the HADEP Party Assembly, were each sentenced to 20 months in prison and a fine of TL 208 million, in connection with their speeches made in the DEP Manisa Central District Congress in 1993. The trial, which ended at the Izmir SSC in June, had been launched under Article 8 of the “Law to Fight Terrorism”. Ahmet Sağın was also sentenced to 20 months in prison and a fine of TL 208 million in the trial that had been launched due to another speech he made on 8 June 1993. In the trial that ended on 12 November at the Izmir SSC, Abdullatif

Epözdemir, one of the founders of the DEP, was sentenced to 20 months in prison and a fine of TL 208 million, too.

Yaşar Kaya, the former Chairperson of the DEP, was sentenced to 4 years in prison and a fine of TL 500 million in the trial he was prosecuted because of the speeches he had made during the congress of the Kurdistan Democratic Party that had convened in Erbil and in a meeting held in Germany in 1993. The trial that ended at the Ankara SSC on 28 June had been launched under Article 8 of the “Law to Fight Terrorism” following an article by the journalist Emin Çölaşan. Yaşar Kaya had been kept under arrest for 3 months because of the aforesaid trial. Yaşar Kaya was also sentenced to 2 years in prison and a fine of TL 250 million in the trial he was prosecuted because of a speech he delivered in a program broadcast at a privately owned TV channel (Kanal 6) on 17 January 1993.

Ronay Zana (19), the son of Diyarbakır Deputy Leyla Zana, was detained by police at the Ankara Esenboğa Airport where he had gone on September 28 in order to leave for France. A student in France, Ronay Zana was reportedly detained in connection with a detention war-rant issued by the Diyarbakır Security Directorate on 10 January 1994. He was released on 29 September, but restricted from leaving the country for a while.

Imam Canpolat, the HADEP Ankara Provincial Chairperson, was sentenced to 4 years in prison and a fine of TL 500 million in the trial he was prosecuted because of a speech he delivered. In the trial that ended at the Ankara SSC on 3 October, Imam Canpolat was arrested after the disclosure of the verdict. (Detailed information is on page 288.) Besides, Tefik Kaya, a leader of the HADEP Ankara Altındağ District Organization, was arrested by the Ankara SSC on 20 December because of the speech he delivered at the party congress on 13 October. Subsequently, a trial was launched against him under Article 8 of the “Law to Fight Terrorism”.

Abdullah Saydın, a member of the HADEP Central Executive Board, who was detained by police raiding his house in Karşıyaka on 26 December, because of an arrest warrant by the Ankara SSC, was arrested on 27 December. Abdullah Saydın was reportedly arrested in connection with his article published in a journal.

Other parties

Out of the leaders of the Socialist Power Party Konak District Organization, Ahmet Hamdi Samancılar, Hayrettin Akbaş, Recai Gün, Faik Biçer and Semanur Özel were sentenced to 20 months in prison in the trial they were prosecuted in connection with a declaration they had prepared. The trial, which ended at the İzmir SSC on 24 June, had been launched under Article 8 of the “Law to Fight Terrorism”. In connection with the trial, Ahmet Hamdi Samancılar, Hayrettin Akbaş, Recai Gün and Semanur Özel were kept under arrest between 13 January and 25 February.

Ali Karşılayan, the Worker’s Party İzmir Provincial Chairperson, was arrested on 25 January by the Menemen Court of First Instance on the grounds of acting in contravention to the electoral restrictions. Adil Arslan, a leader of the Worker’s Party, stated that Ali Karşılayan had been detained while hanging the election posters of the Worker’s Party in the Menemen district of İzmir and immediately arrested. He also defended that hanging posters of a political party could not be regarded as a crime, and the judge who had ordered the arrest had committed a crime. Ali Karşılayan was released on January 26 upon the objection raised by his lawyer.

The SHP election bureau in the Suriçi district of Diyarbakır was bombed by the PKK militants on the night of 18 March. In the attack, 2 being severely, 17 people were wounded.

Mehmet Aslan (26), who was severely wounded in the bombing, died on 22 March in hospital where he was treated.

Sadık Boyanbaş, the RP Bingöl Provincial Assembly Candidate who was abducted by the PKK militants raiding the Arıcilar village of Bingöl on the night of 21 March, was found dead in the vicinity of the village on the morning of 22 March.

Vahap Akar, the RP Iğdır Provincial Chairperson, who was abducted by PKK militants on 6 April, was found dead in the vicinity of the Karakoyunlu district of Bingöl on 22 March. Three village headmen, who were abducted along with Vahap Akar, were released.

Halil Ürün, the Konya Mayor, was sentenced to 1 year in prison in the trial he was prosecuted on the accusations of insulting Atatürk. In the trial which ended at the Konya Penal Court of First Instance No.1 on 15 June, the sentence passed on Halil Ürün was commuted to a fine of TL 1,825,000. Halil Ürün had been prosecuted because of the speech he made in a meet-ing organized by the RP in Selçuklu district of Konya in 1992.

The Erzurum Security Directorate issued an abroad ban for Erzurum Deputy Abdul-melik Fırat. He said the following as to the implementation: "I went to airport to in order to go to Berlin on 8 July. The Erzurum Security Directorate had ordered an abroad ban for me. They did not let me board the plane. I applied to Airport Security Director. After waiting for half an hour, I was permitted to go abroad. When I came back from Germany, I noticed that the same restriction was still on the computer. The officers said, 'How did you go abroad? You cannot, as there is a restriction in the records.' As my parliamentary immunity is not lifted, I am curious about the grounds of such an application." Abdulmelik Fırat applied to the Presidency of the Parliament, and recounted the incident. Upon this, Hüsamettin Cindoruk, the President of the Parliament, sent a letter to the Ministry of Interior Affairs, and said, "It is frightening to see that both the authorities prohibiting a deputy from going abroad, and those implementing this are unaware of the Parliament, Constitution and democracy in the country." A single gun shot was fired at Abdulmelik Fırat's house in the Parliamentary Compound on 10 December. Ab-dulmelik Fırat, who was not in the house during the attack, defended that the incident was a plot of the state.

Servet Aslan (23), the SHP Diyarbakır Youth Commission Chairperson, and Şahabet-tin Latifeci (21), one of the leaders of the Commission, were found dead near the Dicle river on 7 September. It was determined that Servet Aslan and Şahabettin Latifeci were abducted by unknown persons, tortured and throttled to death.

The General Penal Board of the Supreme Court decided to increase the sentence of 2 years in prison given to Worker's Party Chairperson Doğu Perinçek on the charges of disseminating separatist propaganda. Criticizing the decision, Doğu Perinçek said, "The decision is in contradiction to the main principles of law. The sentence is separatist and strikes a blow to Turk-Kurd brotherhood. I will take the issue to the European Human Rights Commission." (Detailed information on page 292.) The Istanbul Public Prosecution Office launched a trial in December against Doğu Perinçek because of a speech. In the trial, Doğu Perinçek, who was accused of insulting the army, faced a prison sentence of up to 6 years in prison under Article 159 of the Turkish Penal Code. In his speech in question, Doğu Perinçek had claimed that there was a pro-USA junta in the army and asked for retirement of certain generals.

e)- Labour issues and trade unions

In 1994, expectations about labour life were frustrated and promises in this issue were not kept. Amendments to the legal framework, which had been put into force by the 12 September regime and which restricts the workers' rights and abolishes syndical freedoms, were not made in 1994, either. The amendments, which were among the most important promises of the coalition government, were postponed. On the contrary, a row of negative developments were witnessed in the daily life. Workers, working generally under unhealthy conditions without security of work, frequently faced with industrial accidents. Because of this, numerous workers died or were disabled. Ignorance of the terms of collective bargaining agreements and unpaid wages caused workers to resist. Resisting workers were prevented by security forces. Workers were harassed, beaten, detained, arrested and prosecuted. To reach agreements in the collective bargaining negotiations usually took a long period of time. Prolonged negotiations caused protests of workers, and some actions were held by the trade unions. For example, ten thousands of workers working in factories, establishments and enterprises owned by the state, frequently protested the deadlocks in the collective bargaining negotiations.

Dismissals increased on a great scale when compared to the previous years, and the number of the workers dismissed from their jobs exceeded 650,000. The textile and metal sectors came first for the dismissals. Protests by the dismissed workers were forcibly prevented by police. For example; a group of workers occupied the central office of Aras Cargo in Ankara on 28 August to protest dismissals. The occupying workers were taken out of the building by force by security officers who raided the building on the morning of 1 September, and detained. Some of the beaten workers were injured. Out of the injured workers who were hospitalized, Cemal Akyürek received a medical report showing his inability to work for 15 days while Osman Zingildak and Cemal Baybaşı received reports for 10 days. Out of the detained 47 workers, 35 were released by prosecution office while 12 of them were released by court decision on 5 September. A trial was launched against the released workers under Article 201 of the Turkish Penal Code on the charges of disturbing the freedom of work and labour.

Following the local elections, numerous municipalities dismissed workers and civil servants. Nearly 10 thousand workers and 1,300 civil servants were dismissed from their jobs at the municipalities in the 3-month period following the 27 March elections. In the dismissals, the municipalities from the RP, which dismissed 1,284 civil servants and 3,489 workers, took the first standing. Then came the ANAP municipalities which dismissed 3,439 workers, the MHP municipalities with 1,544 dismissals and the DYP municipalities with 946 dismissals. Widespread dismissals of workers in municipalities frequently caused resistance, occupation and demonstrations. For example; hundreds of workers started resisting after 733 people, 80 of whom are civil servants, were dismissed by RP member mayor of the Gebze Municipality. During the resistance, which began on 11 June and ended with a court decision on 9 July, various incidents took place. A group of women who staged a demonstration on 20 June in order to support their resisting spouses, were dispersed under police beating. The women who were mounting guard in front of the Gebze Municipality Garage, were beaten by police and unknown persons, when they tried to stop a group trying to enter the garage under police protection. Nine buses in the Municipality Bus Station, occupied by the resisting workers, were taken out of the station by police force on 5 July. The workers who tried to prevent the police from taking the buses out were dispersed under beating. In the incident, one arm of a woman was broken and 10 workers were injured. Incidents also took place on 8 July when the police took the buses out of the bus station. A

clash broke out between the police and workers when the police attempted to disperse the workers who tried to prevent them from taking buses out the bus station and threw stones at the buses. During the incidents many workers were beaten and about 100 people, including 14 police officers, were injured. Thirty-three of the injured people were hospitalized. After the incidents, 20 workers were detained. Seven of the detainees were arrested.

In 1994, two important developments with respect to labour life were the privatization and the economic austerity package introduced on 5 April. The austerity measures (Detailed information is on page 111.) were put into force with a press conference held by Prime Minister Tansu Çiller and Murat Karayalçın, the then Deputy Prime Minister, on 5 April. Under the measures, called “5 April package” by the public, the prices of goods and services produced and rendered by state enterprises were increased from 50 to 120 %. Closure of some plants and establishments owned by the state and the privatization (The first Privatization Law of the Turkish Republic was passed in the Parliamentary General Assembly on 23 November) of some others were decided. Agricultural subventions were almost lifted. The salaries of civil servants and workers at state enterprises were increased at low rates until the end of the year. The austerity measures had a negative effect on the daily life of large part of society, especially that of workers and civil servants, and the cost of living, unemployment and social restlessness increased. The inflation rate exceeded 150 %. At first instance, the measures invoked protests of workers, civil servants and trade unions. Having hold an extraordinary meeting on 6 April, the Türk İş leaders decided to hold a countrywide action. Turkey began to witness actions by workers and civil servants as of 6 April.

The measures were protested in Istanbul, Karabük, Yarımcı, Kırşehir and Gölcük with demonstrations on April 6. These demonstrations ended without incidents as police or gendar-me did not intervene. Five thousand people consisting of the workers of Kırşehir Petlas Rubber Plant and their families, started to march to Ankara on the morning of 7 April upon the closure decision for the plant. Having overcome two police barriers after leaving Kırşehir, the group walked for 2 hours, and then boarded trucks and buses rented previously, to go to Ankara. The trucks and buses carrying the workers were stopped by police in the vicinity of Kırkkale, 70 kilometers away from Ankara. Thereupon, a clash broke out between the workers who got down and began to walk towards Ankara, and police. During the clash, 5 people, 2 being police officers, were wounded. The Petlas workers returned to Kırşehir on April 8.

The measures and the attempt to close some state owned plants were protested through demonstrations held in Istanbul, Izmit and Aliğa district of Izmir on 8 April. Ten thousands of people attended the meeting held in Zonguldak on 9 April to protest the economic measures. Besides, a demonstration was held on the Sakarya Street in Ankara on 13 April with the attendance of 5 thousand civil servants. On the same day, another demonstration was held in the Siteleler quarter of Ankara with the attendance of about 2 thousands tradesmen and workers. The attempt of the demonstrators, who shouted slogans protesting the government, to block the Ankara-Samsun Highway was barred by police. A group of 400 people demonstrating in the Eminönü quarter of Istanbul on 13 April in order to protest the price hikes, was forcibly barred by police and about 25 persons participating in the demonstration were detained.

Upon the call of their unions, hundred thousands of workers and civil servants staged a one-day warning act in overall Turkey on 20 July in order to protest the government. They either did not go to work or did not work at their work places for periods ranging from one hour to 8 hours. The influence of the warning act was mostly felt in Istanbul and the daily life in the city was highly

affected, there were serious hitches in the transportation due to marches and because mass transportation means like busses and ships did not work. While most of the people working in state owned plants, establishments and institutes attended the warning act, attendance in private work places was quite poor. Some of the workers and civil servants attending the warning act gathered in the Aksaray and Kartal squares in Istanbul and on the Sakarya Street in Ankara, and staged demonstrations, which ended without any incidents as police did not intervene. However, a group of 500 people marching in the Gülsuyu quarter of Istanbul were dispersed by police under beating. In the incident during which the demonstrators stood against police by throwing stones, some people were wounded. Meanwhile, the dispute that arose when the route of the workers marching in front of the tobacco plant in Kartal Cevizli to attend the demonstration in the Kartal square was tried to be shifted by police, turned into a clash short afterwards. A trade union leader named Ercan Atmaca was slightly injured on his head while the policemen were trying to disperse the crowd by using their truncheons. The incident ended without getting widespread since the police chiefs intervened in and stopped the police. The workers then went to the Kartal Square using the route they preferred. On the other hand a group of thousand workers marching in Bakırköy, was dispersed forcibly by police.

In order to protest the demand for closure of the Karabük Iron Steel Works, a wide-scale act, which continued for 4 hours, was held in Karabük. During the act, students did not go to schools, workers and civil servants did go to their work places, shops were not opened, vehicles were not driven and traffic stopped. In addition, a rally was held in the city center. The act ended without any incidents. In the meantime, upon the official complaint filed by the District Governor, an investigation was launched against the leaders of civic organizations organized the act. Besides, a similar act, which lasted for 4 hours with large attendance, was carried out in Zonguldak on 23 November in order to protest the attempts to close coal mines.

Over 50 thousand workers and civil servants held a demonstration on 26 November in order to protest certain economic measures planned to be taken by the government in 1995. The workers, civil servants and members of some civic organizations who gathered in the Tan-doğan Square at morning hours, first went to the Anıt Kabir at noon, and then shouting slogans protesting at the Government and calling Prime Minister Tansu Çiller to resign, they started to march towards the National Assembly building. This march by the crowd under heavy snow, was prevented by police who barricaded the road around the Assembly building. Subsequently, the crowd entered the Necatibey Street and continued to march there. The demonstration by the workers and civil servants on the Necatibey Street and its surrounding continued till the evening. While the demonstration on the Necatibey Street was continuing, some groups of workers attempted to broke the police barricade and go to the National Assembly. Nevertheless, the workers who broke the barricade were stopped by being truncheoned by police.

Civil servants' trade unions

1994 did not secure long-awaited union rights for the civil servants working for the state, despite that the promise stating "the civil servants would be awarded union rights" had took an important part of government program. However, no further development could be observed in 1994 as in 1992 and 1993. Civil servants' trade unions, which could not have a legal status, faced various kinds of administrative pressure and restrictions, or they were prevented from activating. 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. Despite all the pressure, members of the civil servants' trade unions were continuously in action in

order to acquire their rights. Thousands of civil servants organized rallies, marches and meetings in numerous settlement centers, particularly in Ankara, and sometimes they did not start working. In most cases, police intervened those acts, and those participating in the acts organized by the trade unions were beaten by police and detained.

For example; a considerable part of civil servants did not start working on 13 January in order to protest the insufficient increases in their wages and lack of trade union rights. Services could not be rendered in many municipalities, ministries, court houses, tax offices, hospitals and general directorates since the civil servants did not start working. Ten thousands of civil servants, who did not start working, organized demonstrations in many provinces and districts, especially in Ankara, Istanbul, Izmir, Adana, Eskişehir, Bursa and Malatya. The demonstrations ended without any incident in all the settlements as police did not intervene, except those in Ankara, Malatya and Bursa. The demonstrating civil servants in Malatya and Bursa were dispersed by police under truncheoning. During the incidents, 33 people were detained in Malatya and one person in Bursa. The demonstrations in Ankara were forcefully barred by police. Thousands of civil servants who did not begin working upon the call of the civil servants' trade unions, started to gather in Kızılay at noon. Civil servants, the number of whom exceeded 5 thousand short afterwards, were confronted with the barriers formed by police. Then, the civil servants were dispersed by truncheoning and kicking. While trying to bar the demonstrations, the police ruthlessly beat the civil servants. Meanwhile, Ankara Security Director Orhan Taşanlar punched some civil servants. About 30 officers were injured and 67 officers were detained during the incidents. The attacks of the policemen on the officers were reflected to the public opinion through the private television channels. These scenes incited protests. As to the incidents, the Contemporary Jurists Association filed an official complaint against Ankara Security Director Orhan Taşanlar. Besides, an investigation was launched by the Ministry of Interior Affairs against Orhan Taşanlar. However, the administrative and judicial investigations launched upon the official complaints yielded no results.

The chairpersons of 24 trade unions established by civil servants staged a hunger strike in Ankara on the morning of 25 May in order to protest the lack of trade union rights for civil servants and the latest price hikes. For some time, police did not intervene in any way the chairpersons who came to Güvenpark together with a crowded group of civil servants at morning hours. However, the park where the hunger strike was continuing, was surrounded at mid-night by police, and 22 chairpersons and 54 members of the trade unions were detained. The detainees were released on the night of 27 May. Meanwhile, over 20 thousands civil servants coming from all over Turkey to Ankara, staged a march to the Prime Ministry.

Ten thousands of civil servants who demanded trade union rights including rights of collective bargaining and strike, and complained about their low wages, gave up working for one day all over Turkey on 20 December. Because of the act, services in many state institutions halted, no educational activities were carried out in schools. The civil servants who did not start working, held protest demonstrations in many settlement centers particularly in Ankara, Istanbul, Izmir and Adana. The demonstrations, during which the government was condemned and insufficient wages were protested, ended without any incidents in general. In Adana, the civil servants who attempted to march were dispersed by police under truncheoning. In connection with the demonstrations, 15 people were detained in Istanbul, 17 in Adana and 30 in Mersin. Because of the act, investigations were initiated against numerous civil servants, and various penalties such as assigning elsewhere, changing work places, wage deductions were issued against them.

SIVAS INCIDENTS

The trial, which was launched after the Sivas massacre of 2 July 1993, which resulted in the killing of 37 people, and ended on 26 December, frequently came up to the public agenda and provoked protests. On the second day of the Pir Sultan Abdal Cultural Festival which began on 1 July 1993 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 crowd of people which gathered following the Friday prayer on 2 July and the number of which exceeded 5 thousand shortly afterwards, besieged the Hotel Madımak, where Aziz Nesin and other participants of the Festival were staying, at about 2.00 p.m. as there were no serious intervention. The group had the hotel under siege until late hours, and set the building on fire by pouring petrol around 7.00 p.m., benefiting from the indulgence of security forces. In the incidents 37 people died, of whom 2 were shot and 35 burnt or suffocated. The center of the attack, Madımak Hotel, became a wreck, engraving the massacre to memories. Sivas massacre invoked anger in all Turkey, and demonstrations were organized. Some of the demonstrations were restrained by police. In the clashes because of these interventions, many people were wounded and detained. After the investigation conducted by the Ministry of Interior Affairs on the Sivas incidents, Governor Ahmet Karabilgin, Security Director Doğukan Öner and Mayor Temel Karamol-laoğlu were suspended from their offices, because of negligence of duty. Temel Karamolloğlu returned to duty in a short time, as his objection to the decision was accepted by the court.

In the operations after the Sivas incidents, more than 150 people, mostly members of radical Islamic groups and sects, were taken under detention. Out of the detainees, 111 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 RP (he attempted to kill Aziz Nesin while he was being rescued) was among the people against whom arrest warrant in absentia were issued. Cafer Erçakmak, who was one of the most important provocateurs of the incidents, was never caught. Because of the incidents, three trials were launched by the Kayseri SSC, the Sivas Heavy Penal Court and the Sivas Penal Court of First Instance. The trials in connection with the Sivas incidents were later unified under one trial with 124 defendants. The trial was transferred to the Ankara SSC for security reasons. The prosecution of 124 people, 111 of whom were arrested, started on 21 October 1993 at the Ankara SSC. The indictment heard in this hearing stated that the defendants were members of an illegal Islamic organization. The defendants interrogated in the first hearing, pleaded innocent, and stated that their testimonies were taken under torture at the security directorate.

Thirty-two of 111 people who had been arrested in connection with the Sivas incidents were released in the hearing held on 28 October 1993. With the release decision, the number of the defendants tried under arrest declined to 79. Release of the defendants tried under arrest continued also in 1994. As a result of the release decisions, the number of the arrested defendants declined to 33. Among the released defendants were those who were identified by witnesses or proved to have involved in the incidents by video tapes or witnesses. For example; out of the 26 defendants released in the hearing held on 26 March, Ahmet Hakan Aslan, Yalçın Kepenek, Tufan Caymaz, Süleyman Kurşun, Metin Ceylan, Eren Ceylan, Bülent Karayığit, Bülent Düvenci, Gazi Tufan, Muammer Özdemir, Yusuf Ziya Eliş and Tekin Arıt, had been identified "to have participated in the incidents" by the eye-witnesses. In the same way, Yusuf Şimşek, out of the 13 defendants released in hearing held on 1 June, had been seen, in the video shootings made during the events, while walking around with gasoline drum in his hands in front of Hotel Madımak.

The hearings of the Sivas incidents trial became a scene to various tense events. Hard disputes arose between the intervening lawyers and the lawyers of the defendants during which sometimes the lawyers pummelled each other. Tense events took place between security forces and spectators. The intervening lawyers and relatives frequently protested the biased attitude of the court board. In the trial, after the cross-examinations of the defendants were concluded in the beginning of January, first those who suffered from the incidents and those who lost their relatives during the incidents, and then the security officers were heard as witnesses. This lasted 3 months. Later, the examination of the documents in the case file were concluded.

In the hearing which was held on 25 March, the trial was closed to the public, and press ban was proclaimed for prosecution. These decisions provoked protests of the intervening lawyers. Criticizing the decision, Şenal Sarihan (the Chairperson of the Contemporary Jurists Association), one of the intervening lawyers, stated that the press ban on the trial would cast a shadow over the trial, and said, "Closing the trial to the public means to make the public forget this incident. Besides, exclusion of the public opinion will arise suspicions about the justness of the judicature, will definitely cast a shadow over the trial." In the hearing held on 25 April, the intervening lawyers demanded the press ban proclaimed for the trial to be lifted. The lawyers who stated that open trial was one of the most fundamental aspects of judicature security, said, "We believe that the decision on secrecy will beget serious drawbacks. Insistence on the secrecy decision in such a trial of historical importance that draws close attention of the society and deeply influences the public will, casts a shadow over the reliability of the judicature in the public opinion". The Court Board did not accept the demand by the intervening lawyers. There-upon, the intervening lawyers decided not to participate in the following hearings, and did not attend the hearings until the end of the trial.

The trial launched because of the incidents resulted in condemnations less than expected. In the trial, which ended at the Ankara SSC on 26 December, 26 of the defendants were first death sentenced. However, on the justification that the crime had been committed under heavy provocation, sentences of 22 defendants were reduced to 15 years, those of 3 defendants to 10 years and sentence of one defendant to 5 years. Fifty-four of the defendants accused of acting in contravention to the Law on Meetings and Demonstrations, were each sentenced to 3 years in prison while 6 of them to 2 years. Thirty-seven defendants were acquitted, case file against one defendant was separated since he could not be apprehended up to date, and 12 of the 33 arrested defendants were released. Besides, the Court Board decided to file an official complaint about writer Aziz Nesin on allegations that he had provoked the incidents in Sivas, to the Public Prosecution Office under Articles 159 and 175 of the Turkish Penal Code. According to the verdict, the Sivas incidents, in which 37 people were killed, were regarded not as a political crime but an ordinary one. Thus, the defendants were excluded from the jurisdiction of the "Law to Fight Terrorism". After the verdict was disclosed, the defendants attacked with coins, lighters and sticks against the journalists and the Court Board. As a result of the attack, 2 journalists named Abdurrahman Antakyalı (Anatolian News Agency) and Volkan Yıldırım (Günaydın) were injured. Following are the names of the convicted defendants:

Those sentenced from 5 to 15 years in prison: "Cafer Tayyar Soykök, Muhsin Erbaş, Harun Gülbaş, Bekir Çınar, Murat Karataş, Erol Sarıkaya, Eren Ceylan, Mevlüt Atalay, Bülent Düvenci, Ahmet Turan Kılıç, Temel Toy, Kenan Kale, Harun Yıldız, Zafer Yelok, Faruk Ceylan, Ali Teke, Durmuş Tufan, Yunus Karataş, Halil İbrahim Düzbiçer, Ömer Faruk Gez, Ali Kurt, Ahmet Oflaz, Ekrem Kurt, Erkan Çetintaş, Yusuf Şimşek and Faruk Sarıkaya."

Those sentenced from 2 to 5 years in prison: “Nevzat Aydın, Latif Karaca, Çetin Asamaka, Adem Kozun, Mustafa Dürer, Yalçın Kepenek, Hayrettin Yeğin, Ahmet Onar, Haydar Şahinoğlu, Sedat Yıldırım, Orhan Demir, Kerim Küçükköse, İlhami Çalışkan, Süleyman Toksun, Mehmet Yılmaz, Vahit Kaynar, Halil Kütükte, Mehmet Demir, Murat Çanaklıtaş, Sadettin Yüksel, Mustafa Uğur Yaraş, Abdülkadir Arıdıcı, Özer Çanaklıtaş, Yusuf Ziya Eriş, Hayrettin Gül, Alim Özhan, Faruk Belkavli, Harun Kavak, Serhan Özgentürk, Osman Çı-bıkcı, Metin Ceylan, Ethem Ceylan, Murat Songur, İsmet Onar, Fatih Erdem, İbrahim Duran, Ramazan Önder, Ömer Demir, Gazi Tufan, Tekin Arız, Turan Kaya, Muammer Özdemir, Öz-kan Doğan, Yılmaz Ceylan, Hasan Basri Koç, Metin Yokuş, Ahmet Başkaya, Emin Bozkurt, Kemal Onar, Ali Yılmaz, Engin Durna, Adem Ağbektaş, Ergün Kılıç, Yıldırım Yüksel, Halit Karakaya, Bünyamin Eriş, Muhammed Nuh Kılıç, Bülent Güldü, Vedat Yıldırım and Mus-tafa Saydam.”

The sentences, which were reached at the end of the trial on the Sivas incidents and less than expected, provoked outrage among the relatives of the people who had died during the incidents. After the trial ended, a group of 800 people marched from the SSC building to Kızı-lay to protest the verdict. Reacting against the verdict, Hüsnü Öndül, the Secretary General of the IHD, said, “It is not possible to expect a prosecution, which suits the universal principles of law, by special and emergency case courts. The trial was not fair from its beginning to end for neither the intervening parties nor the defendants.”

Önder Sav, the Chairperson of the Union of Bar Associations of Turkey and an intervening lawyer, stated that the verdict was inconsistent with law, and said, “The Sivas massacre cannot be regarded simply as the burning of a hotel and killing of people by an unconscious crowd that gathered accidentally. The incident was a reactionary rebellion which was planned, organized, and pre-decided. During the prosecution, the incident was not discussed at all as an organized act; this was neglected. If the logic of the verdict becomes valid, it will be possible from now on to find extenuating justifications and excuses for all similar incidents like the Si-vas incidents. According to this, defendants of the fundamentalist acts will always be excused.”

In the meantime, 8 of the 28 people against whom a trial was launched in connection with the demonstration which was made on 25 December 1991 in Bakırköy, İstanbul and re-sulted in the killing of 12 persons by burning down a shopping center (Çetinkaya Shopping Center belonging to the brother of Necati Çetinkaya, former Governor of the Emergency State Region), were life sentenced. The names of the people life sentenced in the trial which ended at the İstanbul SSC on 18 October, are as follows: “Çetin Arkaş, Nuran Ekingen, Soner Önder, Ziya Büyüksık, Cemal Tekin, Lütfü Yavuz, Hüseyin Bilge and Nevzat Güngör.” In the trial, Ahmet Yurttaş was sentenced to 3 years 9 months in prison and Kadir Ergün to 1 year 8 months in prison while 18 people were acquitted.

Difference between the verdicts issued for two incidents, which showed some simi-larities with respect to the way they happened and the authorized courts for prosecution, and both of which were political events, was striking. Those 8 people who were found guilty for burning down the Çetinkaya Shopping Center were life sentenced whereas the sentences passed on those who were convicted for participating in the burning down of the Sivas Madı-mak Hotel did not exceed 15 years in prison. The defendants of the Çetinkaya Shopping Center incident could not be able to benefit from numerous rights as they were prosecuted under the “Law to Fight Terrorism”, the defendants of the Sivas incidents did not face such a situation as they were regarded as ordinary criminals.

BALANCE SHEET OF 1994

DEATHS

Deaths in custody or in prison	34
Deaths during Newroz incidents	None
Deaths during attacks on settlements	51
Those killed during house raids	32
Those killed as a result of fire on demonstrators	None
Those killed for disobeying stop warnings, etc.	97
Deaths as a result of mine explosions	131
Killings by unknown assailants	423
Killings by attacks on civilians	192
Those killed in armed attacks and assassinations	218
Security officers killed in clashes	1077
Militants killed in clashes	1737
Those killed in clashes broke out between village guards	24
Deaths in local elections	15
Deaths in political clashes and incidents	10
Total number of people killed	4041

TORTURE

Deaths in detention or in prison	34
Disappearances after detention	49
The number of tortured individuals (*) (known to the HRFT)	1128

(*) 476 people, including 24 children and 261 women, verified the torture with medical reports they had received from official institutions. 36 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/press workers	2
Killed newspaper vendors	1
Press workers who disappeared	1
Journalists attacked by public officers	76
Confiscated newspapers and journals	961
Confiscated books	37
Closed newspapers and journals	24
Total period of closures	62 months 2 days
Convicted journalists, writers and etc.	213
Total of prison sentences given	448 years 6 months 25 days
Total of fines given	71,614,935,000 TL (*)
Journalists imprisoned after their sentences became decisive	45
Arrested journalists and writers	102
Arrested deputies	8
Arrested political party administrators	17
Prisoners of conscience as of 1 January 1995	97

FREEDOM OF ORGANIZATION

Killed IHD leaders	1
Closed down IHD branches	7
Closed down democratic civic organizations	25
Killed political party leaders/candidates	26
Killed teachers	33
Killed health personnel	7
Closed political parties	2
Political parties demanded to be closed	1

(*) Approximately US Dollar 2,4000,000.

To the *Aydınlık* Newspaper; (*)

I am sending you this letter because of your article entitled “*USA Senate’s decision to ‘aid’ the HRFT!*”, which targeted at the HRFT and published in the 8 April 1995 issue of the *Aydınlık* Newspaper.

The gist of your article is the judgement defending, “*It is not new that the West wishes ‘civic organizations’ to become their ideological and cultural hegemony apparatus. However their roles are larger in the ‘New World Order’. Defending ‘human rights’ in a western line, makes these organizations tools of America’s ‘human rights’ stick.*” As an evidence to your judgement, you have quoted Ahmet Taner Kışlalı’s words, “*Americans are trying to ‘buy’ some civic organizations to ‘invade the impregnable fortresses from the inside’.*” In addition, you have tried to enrich your article and to stress on the “gravity” of the situation by quoting the words of Colonel Preston Hughes, an American working as the NATO Liaison Officer at the General Staff Chief Office who delivered a speech at the “Atatürkism Doctrine Symposium”, as “*Atatürkism must be taken out of the books on the history of revolution.*”, and of the new Ambassador Marc Grossman, in a reception given in last September at the Turkish Embassy in Washington DC to his honour after it became definite that he would be assigned to Turkey, as “*Let’s improve relations between non-governmental organizations.*”

In the last part of the set-up of your article, you have placed the claims by an administrator of an important democratic civic organization in Turkey, who stated that a subsidy which had been allocated by the US Senate had been paid to the Foundation through a treatment center in Minnesota, under the subtitle “*The money was given to the HRFT*”. Although I informed Hikmet Çiçek on the phone that such a claim was fictitious, you deemed the statements of someone hiding in shadow more correct and reliable than the statements by an administrator of an organization whose name and status are known and whom you had spoken on the phone. I challenge him to prove his claim “*The money was given to HRFT through a center in Minnesota.*” If he has dignity, he will come

(*) A news story, entitled “US Senate’s aid to the HRFT”, was published in the 8 April 1995 issue of the newspaper *Aydınlık*. In the news story was a quoted part “The money was given to the HRFT”, based on a statement made by an anonymous person at an unspecified time and for unknown reasons. Upon this news story, HRFT President Yavuz Önen sent a letter to the newspaper *Aydınlık*. The letter was not published, except for its last paragraph (and that paragraph was published in a sarcastic manner under the sub-title “The taste of using a former leftist”). The newspaper’s publications against the human rights defenders through the HRFT and the IHD never ceased. The international relations of the HRFT and the IHD became subjects of accusations based on mostly fictitious, partly mystified data. These publications went to an extent of accusing the human rights defenders with “spying” and “making propaganda of the imperialist states”. These publications helped some newspapers and writers, and some political party directors to launch accusation campaigns against the human rights defenders.

to the light and prove it. However, we have heard many times and know the claims of this “administrator of a democratic civic organization”, in your terms, stating that the HRFT was “*transforming into a technical center, getting distant from the people, by maintaining contacts with the West.*”

Upon your efforts to support these claims, claims about the position of the HRFT, through the words of Fuat Pasha, the famous pasha of the “Tanzimat”, saying “*Do prompt us, but leave the stage and roles to us*”, I deemed it necessary to give information on the HRFT to you and the readers.

The HRFT was established in 1989 by the Human Rights Association. The Association is one of the 33 founders. These were also the founders of the Association in 1986. For this reason, circumstances under which the Foundation was established, should be stated in brief. Upon a widespread and extensive social pressure, it was decided that the struggle against the human rights abuses created by the 1980 military coup, should be channelled in an organized way. This decision was reached by the founding council, made up of 96 people including representatives of arrested and convicted people’s families, journalists, writers, scientists, artists, instructors, teachers and other professionals. All of these representatives, by their own will, organized the human rights struggle and acted in line with the demands and desires of a large part of our society who were suppressed, despised and persecuted.

This was a struggle against death sentences given after 1980, poor prison conditions, pressure on and ill-treatment of the arrested and convicted inmates, prejudiced and illegal prosecutions, torture, deaths under torture, extra-judicial executions, arbitrary and long-term arrests, pressure and violence exposed on people. The HRFT is an organization which was born and established within this struggle. Both the IHD and the HRFT were established and started functioning totally depending on their own power.

All of the documentation of our Foundation, opinions and information that took place in its publications released in the five years, are on the democracy and human rights abuses which were experienced by thousands of individuals and then the whole society in the social, cultural and political spheres. To summarize, they are reflections of the lives of people who are under pressure. These efforts are not the evidences of getting far from the people, as the highly esteemed director of “*an important democratic civic organization*” says, but are the evidences of our integration with the society.

The HRFT has begun treating torture survivors, not in order to become an ideological and cultural hegemony apparatus of the West, but to give a hand to over 650 thousand people tortured after 1980, to provide them with psychological and physical assistance, and it is still continuing this effort. The Foundation’s efforts of rehabilitating torture survivors, are efforts against the most degrading kind of violence exposed on the people. In the five years’ time, over 1,600 torture victims were provided with assistance, as much possible. While rendering this service, relations with the families and with more

than 250 volunteer physicians have been maintained. These treatment activities are the evidences of integration with the people.

Torture rehabilitation is partly a technical work, undertaken by physicians, psychologists, psychiatrists, sociologists and social workers. However, torture rehabilitation, along with documentation of the systematic and widespread torture and informing the public on this subject, is essentially a dissuasive effort to stop torture. In this sense, our treatment activities have, in essence, some political impacts in the political arena. Torture rehabilitation is a politicized technical service. Policies against torture are not distinct from the people, but they are policies developing within the people.

The HRFT has been maintaining international relationships not to “*defend human rights in a western line in the New World Order and to become a tool of America’s ‘human rights’ stick*”, but to create a common struggle with organizations similar to us, exposing human rights abuses in their own countries, struggling against them and which do not represent official ideology and are not extensions of state. These relations have been maintained with people and organizations, both at home and abroad, defending human rights. Our relations have a social solidarity basis, both on national and global scales.

I would like to acknowledge that the relations of the HRFT and its working principles have been maintained and carried out within the framework of its status, and every action and initiative by the Foundation depends on the decisions of the Executive Board. If our Executive Board had decided to get the American money that was allegedly allocated by the US Senate, and if that amount had been given to the Foundation either directly or indirectly, the Executive Board would have publicized this as well.

Before finishing, let me pose a question to you. Is Turkey a fortress that the Americans could not be able to conquer? Has America chosen the HRFT in order to conquer from the inside the fortress that it was unable (!) to conquer from the outside since 1950?

Please review the list of the founders of the HRFT. All of them are people who have torn external political prescriptions to pieces and thrown them into waste basket, both in the past and now. Those are the people who are working for a more dignified human life in Turkey, opposing every kind of human rights abuses, struggling for a genuinely democratic state, and spending all these efforts for their own people and country.

I give you my respects, requesting the publication of my letter.

12 April 1995 / Ankara

Yavuz Önen
President of the HRFT