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Turkey

For years the Turkish governments have been constantly announcing that they wanted to solve the Kurdish conflict peacefully and that the Kurds and other minorities should be granted rights of language and culture. Even if above all since July 2009 there has been talk of a “Kurdish” or “democratic opening”, in reality not much has happened. The Turkish promises are aimed at dividing and beating down the Kurdish opposition. The pressure of the EU in the process of the negotiations on Turkey’s entry to the EU may be playing a role in a certain loosening towards the Kurds and Christians. The rage of the Kurdish people at the Kurdish policies of the Turkish government under Recep Tayyip Erdogan produced mass protests of a riotous nature in Kurdish towns. Many Kurds are no longer prepared to be fobbed off by the government with vague promises about democratic reforms, while military operations and the arrests of Kurdish politicians and left-wing dissidents continue. These facts are laid out here with a chronicle of the violations of human rights against Kurds and Christians in the period January to October 2009.

Kurds

The attempts of officialdom to solve the Kurdish question conflict with the actions of the Turkish army, which alone between January and October 2009 shot more than ten Kurds in areas inhabited primarily by Kurds. This took place not out of any considerations of defence which had become necessary, but it shows that the Turkish state prefers violent action against the Kurdish opposition to any dialogue.

The violence is aimed against Kurds who speak out for a peaceful solution of the Kurdish question. In July two members of the pro-Kurdish party *DTP* were tortured and shot in the district of Sirnak. Shootings of this kind by unknown assailants have for decades been the practice of the Turkish state and often no witnesses can be found among the intimidated populace. Kurdish civilians are also being shot. In the district of Sakarya in western Turkey a Kurdish agricultural worker was killed and two others severely injured. The aim is to drive Kurdish workers out of the district through increased violence.

When witnesses of official executions can be found, their statements are contradicted by those made by the authorities. In the case of the shooting of a member of the *DTP* who was travelling by car in Igdir with two other party members, the official version was that it was a matter of returning the fire. Witnesses speak of a careful execution with a shot in the neck. The two others were arrested. In the province of Van persons in custody, allegedly terrorists, have been shot.

Wave of arrests of *DTP* members

The pro-Kurdish *DTP* party (Party for a Democratic Society, Demokratik Toplum Partisi) is recognized in Turkey as a political organisation, but it is persecuted by the state without any legal basis. In 2009 alone many members and office-bearers of the party were taken into custody. In April more than 20 members of the *DTP* youth organisation were arrested in Batman and Istanbul. The *DTP* Chair criticizes the actions of the government with the words: “The operation clearly shows that the government cannot cope with the results of the election.”

According to the *DIHA* more than 430 people in recent months have been taken into custody and more than 250 arrested in a wave of repression which still has not come to an end.

In a second wave of repression 17 office-bearers of *DTP* city councils were arrested at the end of April. The *DTP* Chairman, Ahmet Türk, called on the government to act responsibly in order not to hamper the solution of the Kurdish question on a normal level.

Torture and mishandling – Situation of the prisoners

Information received by the Turkish human rights foundation *TIHV (Türkiye İnsan Hakları Vakfı)* states that prisoners in Turkey are still tortured and mishandled. The conditions of hygiene and medical care within the prisons are often inadequate. The situation in the year 2009 will now be shown in articles in the press.

The human rights organisation *IHD (Human Rights Association in Turkey)* has on many occasions in recent years drawn attention to the deficits in the medical care of political prisoners in Turkey. There has been no reaction from the government to a list of very sick prisoners who are near death. As a result of this inactivity three prisoners died in the first two months of 2009 in Turkish prisons. However, these cases were never investigated.

But it is not only in the sphere of medical care that there are considerable deficits. At a police station in Beyoğlu officers used beating and cold water from pressure hoses against prisoners. Mehmet B., Hasan D. and Mahfuz A., who were in prison because of their membership in the *PKK*, were beaten by soldiers when they spoke together in Kurdish.

It is not only in prisons and in the army that mishandling takes place. An activist in the Kurdish Women's Movement was sexually mishandled and threatened with rape in Amed/Diyarbakir.

Incarceration of Minors

The manner in which suspected minors are treated conflicts in two regards with international law. Firstly, children are being sentenced to long terms of imprisonment on the basis of laws which infringe human rights, and secondly, the children are being tortured by officials. The long prison sentences are imposed in all cases on the basis of supposed membership of a terrorist organisation and often also on the basis of supposed propaganda for it. This is also made possible through the anti-terror law passed in 2006, which contradicts the UNO Children's Rights Convention.

A teenager charged in Diyarbakir challenged the unreasonableness of the penalty imposed on minors for minor offences. The absurdity by comparison with hardened adult criminals is particularly striking. The possession of a catapult and nine marbles sufficed to sentence 13 teenagers to 112 years in prison. At the beginning of May 2009 the number of children sentenced in Turkey against the Children's Rights Convention was 177 aged between twelve and eighteen years, bearing in mind that this figure relates only to the period from 2006.

The second major point of criticism against the handling of the Turkish system with minors is that those in custody are mishandled and tortured. Violence is also exercised against minors at public meetings and demonstrations, as in the case of the twelve-year old Cüneyt Ertus, whose arm was broken - before the camera - by the police at the Kurdish Newroz celebrations in Hakkari. The 13 year-old M.B. was physically tortured and sexually mishandled in the prison of Van and he was also threatened with rape. Under this enormous pressure he even accused his friends of having committed crimes.

Bombing by artillery and from the air

Another illegal method of suppressing and intimidating the Kurdish inhabitants of the country is by carefully planned military operations against the Kurdish population.

The Kurdish village of Derke for example was shelled by military helicopters, where no consideration was shown for the people living there. The Cudi Mountains were bombed by F-16 fighters, damaging the forest areas on the mountains and causing extensive forest fires. In the course of operations against PKK rebels complete stretches of land have been bombed in northern Iraq.

Turkish citizens are also being selectively shot. Three Turks were for example on returning to the country from Iran fired on by artillery, as a result of which one lost his life. In the district of Van artillery fire killed one person and injured 35, and there were cries of "Erdogan is a murderer!"

"The AKP government talks on the one hand at every opportunity of an opening process in the Kurdish question, but on the other it burns us." This statement of two Kurds is proved by the fact that the Turkish government is concerned to extinguish forest fires in the west of the country, but allows the fires caused by the military in the Kurdish area to continue burning.

Persecution of the Kurdish language

The Kurds are also discriminated by the Turkish government on the level of language. The Kurdish language is in both its dialects – Kurmanci and Zaza – forbidden in Turkish schools since it is seen as a danger for the territorial unity of the country. In the media too various regulations make it almost impossible to use the Kurdish language. The biggest limitation on the Kurds lies however in the fact that Kurdish is forbidden in public and speaking it is counted as an offence. These discriminations are covered up by the encouragement by the AKP government of the Kurdish-language station TRT 6.

Individual examples show up clearly the persecution of Kurdish. A court case was opened in March 2009 against the city council of Diyarbakir / Kayapinar for using in a New Year greeting the Kurdish letter W, which is forbidden in Turkey. The letters W, Q and X were forbidden in Turkey in 1928. As the German newspaper *Tagesspiegel* reported on 14.10.2009, it is only a matter for prosecution when they are used by Kurds. A further consequence is that Kurdish children named with one of these letters are not recognized as Turkish citizens and they are then stateless. Two cases for prosecution have been instigated by the public prosecutor of Diyarbakir against the Mayor of Diyarbakir, Osman Baydemir, since he held two speeches at the communal election on 29th March in Kurdish. Baydemir wishes for a domestic dialogue between Turks and Kurds and uses Kurdish for this purpose.

No real freedom of religion for Christians

In spite of many appeals from the EU the situation of the Christian minority in Turkey has not noticeably changed. This is confirmed by representatives of the Christian churches in Turkey. The German Protestant minister of religion, Holger Nollmann, whose task it is to look after the German Protestants abroad and who lives in Istanbul, said on 14th October 2009 that churches in Turkey are still not legal persons. This brings very great difficulties for example in the training of ministers, in the acquisition and management of properties and buildings and in the refurbishment of churches.

The new law dealing with foundations in Turkey, which has the purpose of enlarging the property rights of religious communities, has provided no great break-through. Various promises given by the Turkish Prime Minister, Recep Tayyip Erdogan, and other politicians have also in fact provided very little help.

The situation of persons converting to Christianity is however dramatic indeed. There is a considerable distrust of them, which is historically founded. These Christians are seen in public as "traitors" to Islam and Turkey. There is an equally large mistrust of all Kurdish attempts at autonomy or independence. The

combination of “Christian mission” and “Kurds” produces in the Turkish view a doubly dangerous complex: religious infiltration and the danger for the unity of the Turkish state. The murder of a Catholic priest in Trabzon in the year 2006, the attacks on two other Catholic clerics in Samsun and Izmir in December 2007, and the murder of three members of the staff of a Christian publishing house in Malatya in April 2007 could be explained in this context.

The Turkish constitution should provide a guarantee of freedom of worship, but the fact is that the collective rights of non-Sunni Moslems and members of other religions (particularly the Christians: Armenians, Greek Orthodox, Assyrians, Chaldeans, Catholics and Protestants) are severely limited. The two main problems affecting the 120,000 Christians remaining in Turkey are their unclear legal status and the prohibition of training of their clergy. Since the churches are not recognized as organisations they can have no bank accounts and own no property. For this reason Christian communities establish themselves as foundations which can officially only pursue temporal aims. The other possibility, whereby private persons act as official owners of the buildings and land of the community, produces the problem that on the death of such persons these then become the property of the state.

The fact that in Turkish personal documents the religious denomination is included also aggravates the situation of the Christians since there is mistrust and discrimination against people with other religions and a fear of proselytising (which is not prohibited by law). The prohibition on training provides a very considerable limitation on the activities of the Christian communities. There is no possibility of training new people and clerics who do not have Turkish nationality are refused residence permits.

Violence against Christian institutions and general harassment have been in evidence throughout the country in recent years. Churches have been set on fire (Izmir). Instead of straightforwardly clearing up the murders in Malatya and punishing the criminals the time of the court is being taken up with investigating whether or not there has been any proselytising by the victims and whether or not they have had links with the Kurdish PKK.

Particularly affected are the members of the Aramaic-speaking Syrian Orthodox Christians in South-east Turkey. Here pressure is being placed on Christians by the authorities and also by members of the paramilitary “village protection units”, which serve the Turkish state and are used against the Kurdish PKK rebels. An example of this is provided by the threats against the monastery of Mor Gabriel. Turkish courts on the spot redrew the boundary between the monastery property and three neighbouring villages to the detriment of the monastery. The monastery is not prepared to allow its ownership, which is hundreds of years old, to be taken away.