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## **TURKEY: VIOLENCE AGAINST CIVILIANS INCREASING**

**Helsinki Watch is deeply troubled by the continuing cycle of violence against civilians in Turkey. In late December, Turkish security forces reportedly shot and killed ten people who were attempting to attend the funeral of three PKK (Kurdish Workers' Party) militants in Diyarbakir. The next day people reported to be PKK sympathizers or terrorists demonstrating in Istanbul to protest the killings bombed a department store, killing eleven people.**

**Helsinki Watch urges the government of Turkey to carry out an immediate and thorough investigation of these violent events in Diyarbakir and in Istanbul and to prosecute vigorously those responsible. Helsinki Watch also calls on the government of Turkey to prevent the use of lethal force against civilians in accordance with international human rights and humanitarian law agreements and standards.**

**Turkey is the third-largest recipient of American aid; the Bush administration requested over \$700 million in military and economic aid for Turkey for fiscal year 1992. Helsinki Watch calls on the United States government to use its best efforts to persuade the government of Turkey to investigate these killings and to prevent the killing of unarmed demonstrators. Helsinki Watch also calls on the administration to explain, as required by Section 502(B) of the Foreign Assistance Act, what "extraordinary circumstances" warrant continued aid to Turkey in light of its continuing pattern of gross human rights abuses.**

**Helsinki Watch also urges the PKK, a separatist group that has been waging guerrilla warfare against Turkish security forces in southeast Turkey since 1984, to end the use of lethal force against civilians in accordance with the requirements of international humanitarian law.**

### **Killings of Civilians in Southeast by Security Forces**

**According to Turkish newspapers *Cumhuriyet*, *Hurriyet* and *Yeni Ulke*, on December 24, 1991, security forces opened fire on a group of people who were trying to organize a funeral in Kulp, Diyarbakir, for three PKK militants who had been killed in a clash with security forces. Seven people, six civilians and one soldier, were killed; another fifty-four people were wounded. The names of those killed are:**

- **Nedim Altin (18 years old)**
- **Neytullah Tekin (36)**
- **Hayrettin Demirtay (31)**

- Mehmet Nasip Altun (no age given)
- Felemez Bulut (20)
- Omer Ozturk (27) and
- a soldier whose name was not released.

The press reported that the shootings occurred when Colonel Ismet Yediyildiz ordered soldiers to fire, disregarding the orders of Diyarbakir Governor Muzaffer Ecemis, who tried to prevent soldiers from interfering with the crowd. Colonel Yediyildiz reportedly told the governor "This event is neither your nor the minister's business. Only we know how to deal with the Kurds. I take orders not from you, but from my superiors."

The Turkish government, on the other hand, reported that "a group of PKK militants opened fire on security forces and killed a soldier. During the ensuing clashes between security forces and the assailants, ten people lost their lives and five were wounded."

On the same day, security forces reportedly shot and killed four people in Lice in two incidents. In the first, security forces opened fire on people who were trying to go to Kulp to take part in the funeral of the three PKK militants. Three people were killed:

- Fahri Bektas
- Veysi Aktas (13) and
- Urfi Aksakal.

Four others were seriously injured.

According to the Turkish press, Lice District Governor Beyazit Tunc reported that events had slipped out of his control when Captain Nevzak Arik ordered security forces to fire against the governor's orders.

Concerning this incident, the Turkish government reported: "On December 24, 1991, PKK militants infiltrated into the township of Lice and staged an unauthorized rally, agitating residents. Clashes which broke out between the agitators and the security forces left two dead and three injured."

In the second incident in Lice, security forces reportedly opened fire on a convoy of fifty vehicles en route to Kulp. Tefik Ekinci was killed and five others were wounded, one critically.

The first two of these incidents are particularly disturbing because the commanding officers reportedly ordered lethal fire against the orders of civilian governors.

Reports of the use of lethal force as a method of crowd control are unfortunately not new in Turkey; Helsinki Watch has received many reports of deaths allegedly caused by security forces opening fire on demonstrators. In a report issued by Helsinki Watch in July 1991 ("Turkey: Torture, Killings by Police and Political Violence Increasing"), we detailed the reported killings by security forces of ten demonstrators or bystanders, including an eight-year-old girl.

### **International Human Rights Law Standards for the Use of Deadly Force**

International human rights law forbids extrajudicial killings, even where a state of emergency has been declared, as in southeast Turkey. The Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (Article 6(1)), and the European Convention on Human Rights (Article 2) all protect the right to life. Both the ICCPR (Article 4) and the ECHR (Article 15) forbid any derogation from the right to life, even in an emergency.

**The United Nations Code of Conduct for Law Enforcement Officials states that "Law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty" (Article 3).**

**The killings by security forces described earlier in this newsletter, as well as the use of lethal force reported on in earlier Helsinki Watch newsletters, suggest that Turkey is not in compliance with international human rights laws and standards regarding the use of lethal force by security forces.**

**Helsinki Watch believes that it is incumbent on the government of Turkey to enact legislation and to issue guidelines that will strictly control the use of lethal force by security forces.**

### **Killings of Civilians in Istanbul by PKK Sympathizers**

**According to Turkish newspapers *Hurriyet* and *Milliyet*, on December 25, 1991, youths described as "PKK sympathizers" demonstrated in the Bakirkoy district of Istanbul to protest the killings by security forces in Kulp and Lice. During this demonstration, molotov cocktails were thrown at a store owned by the brother of the supergovernor of the southeast region, Necati Cetinkaya. In the ensuing fire eleven people died and nineteen were seriously injured. The names of those who died are:**

- **Hatice Celik**
- **Habibe Celik**
- **Merve Bakkal (two years old)**
- **Songul Aras**
- **Zubeyde Nadir**
- **Saziye Nadir**
- **Rezzan Seda Kizilkirmizi**
- **Suheyly Kisilkirimizi**
- **Ahmet Cetinkaya**
- **Hasan Dervisoglu and**
- **Yaver Agabeyli.**

**Police detained over one hundred persons following the attack; all except twenty-three were subsequently released.**

**The Turkish government reported that about one hundred "PKK terrorists" took part in the demonstration, and that, in addition to the eleven deaths, seventeen people had been injured, three of them critically.**

## **International Humanitarian Law Standards**

**International humanitarian law (the laws of war) prohibits murder, cruel treatment, torture, and humiliating or degrading treatment in cases of internal armed conflict (Common Article 3(1)(a)-(c) of the Geneva Conventions of 1949). Whether the internal conflict in Turkey falls under Common Article 3 is debatable; however as a leading scholar of humanitarian law has stated: "The norms stated in Article 3(1)(a)-(c) are of such an elementary ethical character, and echo so many provisions in other humanitarian and human rights treaties, that they must be regarded as embodying minimum standards of customary law."<sup>1</sup>**

**The killings of civilians attempting to take part in a funeral for three PKK militants, described earlier, suggest that these deaths were related to the internal conflict between the government of Turkey and the PKK. Reported killings of civilians by both security forces and the PKK suggest that both sides in the conflict are in violation of the basic principles of conduct that underlie international humanitarian law—the laws of war.**

**Helsinki Watch strongly condemns the use of violence against civilians by both security forces and the PKK and calls on the government of Turkey to investigate thoroughly the incidents reported in this newsletter and to prosecute those responsible. In addition, Helsinki Watch calls on both the government of Turkey and the PKK to condemn these killings and to put an end to such appalling practices.**

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*This newsletter was written by Lois Whitman.*

*News From Helsinki Watch is a publication of Helsinki Watch, an independent organization created in 1978 to monitor domestic and international compliance with the human rights provisions of the 1975 Helsinki Accords. The Chair is Robert L. Bernstein; Vice Chairs, Jonathan Fanton and Alice H. Henkin; Executive Director, Jeri Laber; Deputy Director, Lois Whitman; Washington Representative, Catherine Cosman; Staff Counsel, Holly Cartner; Research Associates, Ivana Nizich and Rachel Denber; Associates, Sarai Brachman, Pamela Cox, and Elisabeth Socolow.*

*Helsinki Watch is a division of Human Rights Watch, which includes Africa Watch, Americas Watch, Asia Watch, Middle East Watch, and the Fund for Free Expression. The Chair is Robert L. Bernstein and the Vice Chair is Adrian W. DeWind. Aryeh Neier is Executive Director; Kenneth Roth, Deputy Director; Holly J. Burkhalter, Washington Director; and Susan Osnos, Press Director.*

*Helsinki Watch is affiliated with the International Helsinki Federation for Human Rights, which is based in Vienna.*

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<sup>1</sup>Theodor Meron, *Human Rights and Humanitarian Norms as Customary Law*, Clarendon Press, Oxford, 1989, p. 34.