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Death squad killings of Kurds in Turkey

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One of the new developments on the political scene in 1990s Turkey was the emergence of legal Kurdish parties, the HEP and, following its ban, its successors DEP and HADEP. For the first time in Turkey's history there was a group in parliament that - even if only implicitly - represented Kurdish nationalist opinion and that systematically protested against violations of the Kurds' human rights. This novel experience ended in 1994; in March 1994 the immunities of six Kurdish deputies were lifted, they were taken from parliament straight to prison and found themselves facing death charges for separatist subversion. Three months later, the DEP was also banned; a number of its remaining deputies fled to Europe, the others were also jailed. In the end, all were given long prison sentences.

Another novelty of political life in the 1990s was the sudden frequent occurrence of death squad style political assassinations. Many of these assassinations - which, because the police usually failed to find the assassins, came to be known as the 'murders by unknown actors' - targeted locally influential Kurdish political and community leaders. During the four years that the HEP and DEP existed (1990-94), no fewer than 64 of their leaders and prominent members were assassinated.¹ The police authorities never found their murderers, and in at least some cases these in fact appear to have acted with connivance or worse of the police or intelligence services.

HEP and DEP: Kurdish parties

The HEP (People's Labour Party), established in March 1990, was Turkey's first-ever legal Kurdish party. Its founders were former deputies of the Social Democrat Populist Party (SHP) from Kurdish provinces, who had been expelled from SHP after they had attended a conference on the Kurds in Paris in October 1989. Almost all parties that were represented in Turkey's parliament had some Kurdish deputies, but these usually refrained from expressing themselves as Kurds; at best they attempted to dispense patronage to their local constituencies. The HEP was to show itself to be a radically different party; even though for legal reasons it could not openly call itself a Kurdish party or be very outspoken on the Kurdish question, its implicit platform was based on Kurdish nationalism.

¹ A list of their names is published in A. Osman Ölmez, *Türkiye siyasetinde DEP depremi* ('An earthquake in Turkey's politics: DEP', Ankara: Doruk, 1995), pp. 465-6. This book gives an excellent account of the events surrounding the first two legal Kurdish parties, up to the ban of DEP in June 1994.

These professional politicians were joined by prominent Kurdish lawyers and human rights activists, many of whom enjoyed great respect and popularity in the Kurdish towns because of their courageous work. That their foray into politics was not without risk was shown by the case of Vedat Aydın, a lawyer and human rights activist in Diyarbakır who became the HEP's provincial chairman. In July 1991 he was taken from his home by men whom he believed to be police officers. He never returned. The police denied that he was arrested, and a few days later his dead body was found on a garbage heap far out of town. His funeral turned into a mass demonstration of support for the HEP - and then into a bloodbath as security forces started firing into the mass of demonstrators.

Through a temporary reunion with the SHP in the October 1991 general elections the HEP won a 16-strong representation in parliament, thus becoming a serious embarrassment for the government. Here was a group of politicians who clearly enjoyed strong popular support among those Kurds whom the government had alienated from itself, and who were at the same time willing to work within the existing legal framework. Theoretically this group could play a key role in finding a peaceful solution to the Kurdish question. The government, however, was unable or unwilling to take this road, and did all in its powers to get rid of the legal Kurdish parties, accusing them of being no more than a front for the PKK, which was waging a violent guerrilla war against the state.

The HEP in fact represented a broad political spectrum. The PKK announced its support for the HEP, but so did other Kurdish political movements. Several of the more prominent HEP leaders were known to be close to other political movements than the PKK. No doubt many members of the HEP and its successors sympathised with the PKK, and most of them refrained from criticising the PKK in public although they may have had doubts about some of its methods. Potentially, however, the HEP and DEP represented alternatives to the PKK and certainly to its violent methods. The way the authorities responded to these parties strengthened the conviction among the Kurds that there was no third alternative between either complete submission or armed struggle.

The imprisonment of the DEP deputies has been given relatively much international attention, and it led to some half-hearted (and inconsequential) posturing by the European parliament.² The unconventional methods by which dozens of other, mostly local, HEP and DEP politicians were removed from the scene received much less attention. The first in this series of assassinations by officially unknown

² The lifting of the Kurdish parliamentarians' immunities, followed by a political trial in which the prosecutor demanded the death penalty, clearly violated European norms. Members of the European parliament repeatedly demanded the release of their colleagues as a precondition for their agreeing to Turkey's joining the European customs union. Other interests prevailed, however, and in December 1995 the European parliament voted for Turkey's membership in the customs union without Turkey having made any significant political and human rights reforms.

assailants was that of Vedat Aydın, mentioned above. The most shocking, and in many respects most revealing case was the murder of the DEP deputy for Mardin province, Mehmet Sincar, who was killed in September 1993.

Sincar's murderer's bullets hit him in Batman, while he was leading a DEP fact-finding mission to investigate the wave of unsolved political killings that had until then taken the lives of 53 members and local leaders of the HEP and DEP. Police had escorted him from Diyarbakır to Batman but then for unclear reasons lifted their protection, allowing the assassin to do his work. Together with Sincar, a member of the board of the local DEP branch, Metin Özdemir, was killed and the deputy for Batman, Nizamettin Toguç, was wounded.

This was the first time that a member of Turkey's parliament was assassinated in the streets. Nevertheless there was no state burial or other official ceremony for Sincar, and no serious efforts were made to investigate the murder.³ The authorities did not even allow Sincar's political friends to organise a funeral for him in Ankara, where the police had flown his body. Contrary to custom, they refused to release the body; it was kept in a morgue in Ankara and from there taken by officials directly to Sincar's birthplace Kiziltepe, where he was buried in the presence of no more than 8 people.

Apart from the DEP deputies, only four other members of parliament, all belonging to the SHP, went to offer their condolences to Sincar's family. Leyla Zana, the DEP's sole woman parliamentarian, became the target of yet another attack when she paid a condolence visit to the Sincar family in Kiziltepe. In spite of a massive show of force by the police that day, a bomb exploded in the house where Zana stayed. (She got away unharmed herself but four other women in the house were wounded.) The lack of sympathy shown the DEP by other parliamentarians reached almost absurd levels. When the DEP asked the presidency of the National Assembly to grant Mehmet Sincar's widow a state pension, this request was turned down on the grounds that Sincar "had not been killed in the course of his normal duties as a member of parliament."

Other killings by 'unknown actors'

DEP members were only one of the categories of persons targeted by the death squads that have been active in eastern Turkey during the past few years. In 1991, a total of 31 persons were killed by

³ Mehmet Sincar's companions in fact mentioned the name of a person whom they suspected of involvement in the murder, but he was not even interrogated. DEP sources claim that no significant witnesses were even heard; the authorities state, however, that 12 persons were arrested.

'unknown actors', in 1992 not less than 360.⁴ The peak year was 1993, when according to the Human Rights Association (IHD) of Turkey, 510 persons fell victim to such assassinations. Not all of the victims were Kurds, but a considerable number were.⁵ Besides DEP members, other locally influential persons of Kurdish nationalist persuasions and human rights activists were prime targets. And so were journalists and distributors of the pro-Kurdish press. In 1992, 9 journalists and correspondents, and 4 distributors, of the pro-Kurdish press alone were assassinated;⁶ in 1993, according to IHD figures, a total of 6 journalists and 8 distributors.⁷

In the case of the assassination of Mehmet Sincar, the police have refused to act on eyewitness accounts that identified the alleged murderer; DEP sources even claim that not a single serious witness was heard by the police. In some of the other cases too, there are indications that appear to implicate the police or intelligence services in the killings. It is widely believed that many of the killings by 'unknown actors' were carried out by persons acting on instructions or in cooperation with the police or especially the intelligence service of the gendarmerie, JITEM. The latter service was only established in the late 1980s but soon became notorious for its cloak-and-dagger operations and for its involvement in the heroin trade. The first commander of JITEM, Ahmet Cem Ersever, and three of his closest associates were in 1993 themselves killed, gangland style, in what looked like an internal purge, after Ersever had become alienated from his colleagues in the service and had given interviews to the press.⁸

In Diyarbakır and Batman, numerous people were allegedly killed by members of the militant Muslim *Hizbullah* movement, a section of which became embroiled in a sort of blood feud with the PKK. The *Hizbullah* ('army of God'), most of whose members are also Kurdish, was originally firmly opposed to the existing political order, though for other reasons than the PKK. The section that came to clashes with the PKK, however, appears to have offered its cooperation to counter-insurgency operatives in the police and/or gendarmerie force. Turbaned, bearded and in baggy trousers (the conservative Muslim outfit), and armed with sticks and butcher's knives, they frequently attacked meetings of young

⁴ Figures for 1991 and 1992 compiled by the Human Rights Foundation of Turkey.

⁵ Cumulative figures on human rights violations in 1993 released by the Human Rights Association (IHD). The figures quoted here do not include victims of assaults by guerrilla units or security forces, and they also exclude disappearances, extrajudicial executions and deaths under torture.

⁶ Serdar Çelik, *Teure Wahrheit: Der Bericht von Özgür Gündem 1993*. Köln: GNN Verlag, 1994, pp. 37-9.

⁷ "Human Rights Violations in 1993", summary statistics published by IHD in January 1994; Helsinki Watch, "Turkey: censorship by assassination continues" (New York, February 1994).

⁸ Ersever had approached the press in an apparent endeavour to save his life by drawing public attention. He showed himself very critical of the way in which the struggle against the PKK was carried on and gave some information on JITEM's methods. See Soner Yalçın, *Binbaşı Ersever'in itirafları* (Istanbul: Kaynak, 1994), and interviews with İsmet İmset in *Turkish Daily News*, November 6, 10 and 18, 1993.

Kurdish nationalists and raided cafes and other gathering places. Many persons in these towns were assassinated with the butcher's knives, which were almost as a signature; nevertheless *Hizbullah* members were rarely arrested, even those whom witnesses said they had recognised in broad daylight. Public opinion became convinced that these *Hizbullah* killers acted with connivance or even on instructions from the cloak-and-dagger departments of the counter-insurgency forces, popularly known in Turkey as '*Kontragerilla*'. For this reason the pro-Kurdish and leftist press rebaptised them as '*Hizb-i Kontra*', a name that soon became popular. According to reports in the leftist press, at least some *Hizbullah* members got firearm practice at a police shooting range in Diyarbakır.⁹

Parliament investigates the killings

The assassinations became a grave national political issue because a number of prominent (non-Kurdish) secularist journalists and politicians were similarly assassinated by 'unknown actors', believed to be Muslim fundamentalists.¹⁰ In response to the assassination of well-known and respected journalist Ugur Mumcu in January 1993, parliament appointed a commission to investigate the entire phenomenon of these unsolved murders. The five major parties were represented in this commission, the DEP was not. It took the commission 20 months to complete its investigations, but its report was never officially released. Although the draft report cautiously avoids drawing controversial conclusions, the conservative members of the commission believed that it would be too damaging to the prestige of the state and therefore refused to submit the report to parliament. Much later, the commission's draft report was published by a small leftist party.¹¹ In spite of its cautious formulations, the commission obliquely accuses state organs of involvement in many of the 'unknown actor' murders.

The commission begins by observing that unresolved murders, especially those in which the accusations of police involvement are credible, have given the PKK a powerful propaganda argument, which it has cleverly used. The authorities have a public relations problem. Contrary to general belief, some of the 'actors' of these murders have in fact been found and punished, but the population is hardly aware of this. What has been especially damaging, however (the report continues), is the fact that the names of suspects of some of the murders have been published in the press and are widely known among the population without the prosecutors even having made an investigation. This confirms the

⁹ See for instance the reports in the left-wing weekly *Gerçek*, 14 May 1994, pp. 6-10, and in the Kurdish weekly *Ronahi*, 20 and 27 April 1996, both allegedly based on confessions of former *Hizbullah* members.

¹⁰ These were law professor Muammer Aksoy, feminist politician and lecturer Bahriye Üçok, and the the journalists Çetin Emeç and Ugur Mumcu.

¹¹ *T.B.B.M. faili meçhul cinayetler araştırma komisyonu raporu (taslak)* ('Draft report of the parliamentary commission to investigate the killings by unknown actors', Istanbul: Birleşik Sosyalist Parti, July 1995).

impression that the state is directly or indirectly involved in these murders.

In several cases it could be established that the 'unknown actors' of a murder were in fact village guards (*korucu*), who were confident that they could kill with impunity.¹² In one case where the village guards were apprehended after a killing, they in fact claimed to have acted on instructions from the gendarmerie. In the case of the *Hizbullah*, the commission also strongly suggested that there was at least connivance, if not more direct involvement, of police forces in their murders. "Whereas the PKK, which has established its urban committees, is not capable of carrying out any actions in the city by day, the so-called Hizbullah activists, on the other hand, freely carry out (violent) actions in broad daylight without being arrested. This causes (the local people) to suspect the state of being involved, and the PKK successfully fans these suspicions."¹³

The commission identified yet another type of assassin allegedly acting on police or gendarmerie instructions, the 'confessant' (*itirafçı*). The term 'confessant' refers to former Kurdish or leftist activists who have made a full confession and who, in exchange for a reduction of their sentence, cooperate with the police authorities. One of these 'confessants', Alaattin Kanat, who is mentioned by name in the commission's report, appears to have carried out several assassinations while he officially was in prison. The report only mentions that during the 22 months he spent in jail, this man in fact was allowed to leave it no less than eleven times, "in order to assist the police".¹⁴ The respected daily *Cumhuriyet* reported actual assassinations allegedly carried out by him during such brief 'vacations'. His death sentence was thus commuted to life imprisonment, and hence further reduced to only a few years. The commission, cautiously refraining from comments of its own, noted the widespread belief among the population of southeastern Turkey that many of the unsolved murders were committed by such 'confessants'.¹⁵

The report is critical of the security forces in southeastern Turkey in general (with the exception of MIT, the National Intelligence Service). They not only have not been able, in spite of all their assets, to

¹² The village guards are a paramilitary force recruited from among Kurdish tribesmen to 'protect' villages against the PKK. They have become a major factor in the guerrilla war, numbering around 60,000. They take part in military operations alongside army units and special forces but have been allowed to steal, kill and rape in neighbouring villages with impunity.

¹³ *T.B.M.M. faili meçhul cinayetler araştırma komisyonu raporu*, p. 79.

¹⁴ *T.B.M.M. faili meçhul cinayetler araştırma komisyonu raporu*, p. 99.

¹⁵ *T.B.M.M. faili meçhul cinayetler araştırma komisyonu raporu*, p. 98. After DEP deputy Mehmet Sincar was murdered, his companions reported that they had seen the same Alaattin Kanat in a police car that day, and that they were convinced that he was involved in the murder (Ölmez, *DEP depremi*, pp. 286-7, 292).

suppress the PKK in the early stages of the movement when it only had 200 armed men, but they may be held responsible for the growth and popularity of that movement. The commission reserves its most scathing criticism for JITEM. It notes drily that "our commission has not been able to understand what JITEM's activities in the region are," that it carries out intelligence and other operations for which it has never been authorised and about which it does not inform the proper authorities. The widespread distrust of the authorities among the population is a consequence of JITEM's operations. People are convinced that JITEM has made use of 'confessants' and been involved in various extralegal activities, including arms and drug smuggling.¹⁶

Is the death squad season over?

Since 1993, the frequency of assassinations by 'unknown actors' has gradually declined. Whereas the Human Rights Association gave a total number of 510 for 1993, the comparable figures for 1994 and 1995 were 423 and 99, respectively. This decline does not reflect, however, a general improvement in the human rights situation and in public security in southeastern Turkey. Much of it is due to a gradual relaxation of the conflict between the *Hizbullah* and PKK sympathisers. Another reason of the decline no doubt is that there are fewer candidates for assassination left. In this respect the assassinations of 1992 and 1993 have been quite successful: there are fewer oppositional politicians and human rights activists left in the region, and they operate much more cautiously now. There are practically no journalists reporting from the region -- they have been under threat from both sides in the war¹⁷ -- and the pro-Kurdish press practically has no distribution in the region anymore. Popular support for the PKK, which in 1993 was voiced very openly in towns like Diyarbakır in 1993, has become much muted now.

¹⁶ *T.B.M.M. faili meçhul cinayetler araştırma komisyonu raporu*, p. 124-5. The report in fact attributes so much of the blame to JITEM, and so little to MIT, that one wonders whether the latter service helped drafting it.

¹⁷ In October 1993 the PKK informed journalists that, because of their overall pro-state attitudes and their lack of solidarity with the much-harrassed pro-Kurdish newspaper *Özgür Gündem*, they were no longer allowed to work in the region and had to close down their newspapers' offices there. They took this warning seriously enough and left. See Yılmaz Odabasi, *Güneydogu'da gazeteci olmak* ('Being a journalist in the southeast', Istanbul: Kaynak, 1994), pp. 159-77. Odabasi, who worked in Diyarbakır for several leftist papers, also reports extensively on the pressure on journalists from the side of the authorities, the secret police and the *Hizbullah*.