



## RESPONSES TO INFORMATION REQUESTS (RIRs)

[New Search](#) | [About RIRs](#) | [Help](#)

The Board		25 August 2004
About the Board	<b>TUR42658.E</b>	
Biographies		
Organization Chart	Turkey: The situation of Kurds, particularly the extent to which legislative reform packages have been implemented (May 2003 - August 2004)	
Employment	Research Directorate, Immigration and Refugee Board, Ottawa	
Legal and Policy		
References	Several sources reported that those aspects of the legislative reform packages which aim to improve the rights and treatment of minorities, including Kurds, have either not been implemented or have been implemented partially (MRG 11 Aug. 2004; <i>ibid.</i> 15 Mar. 2004; HRW 3 June 2004; <i>Country Reports 2003</i> 25 Feb. 2004).	
Publications	In a December 2003 report about his visit to Turkey in June 2003, Alvaro Gil-Robles, the Commissioner for Human Rights of the Council of Europe, stated that "I was...told that the spirit of these reforms seemed to have started to spread and that there were many signs of an easing of attitudes towards the Kurdish community" (19 Dec. 2003, 44).	
Tribunal		
Refugee Protection Division		
Immigration Division		
Immigration Appeal Division		
Decisions	<b>Kurdish Names</b>	
Forms		
Statistics	In September 2003, the Turkish government lifted the ban on the use of Kurdish and other non-Turkish names, so long as the names used letters of the Turkish alphabet, and "d[id] not offend public opinion or undermine public morals" (AFP 23 Sept. 2003). Therefore, Kurdish names containing the letters x, w and q, could not be used because although these letters are part of the Kurdish alphabet, they are not part of the Turkish alphabet ( <i>Middle East Times</i> 19 Dec. 2003; <i>Milliyet</i> 25 Nov. 2003, AFP 27 Oct. 2003; MRG 15 Mar. 2004; <i>ibid.</i> 11 Aug. 2004; <i>ibid.</i> July 2004, 24; HRFT Jan. 2004). Minority Rights Group International (MRG) reported in July 2004 that this restriction has only been applied to the use of Kurdish names (24). MRG also pointed out that	
	[i]t has been possible to register foreign names including the 'forbidden' letters, and other minority groups have not reported problems registering their names. The ban has also been applied inconsistently, some previously registered names have included these letters, and a Kurdish name including 'w' was registered recently... (July 2004, 24).	
Research		
Research Program		
National Documentation Packages		
Issue Papers and Country Fact Sheets		
Responses to Information Requests		
Recent Research		
Media Centre		
News		
Information Sheets		
Media Relations		
	In October 2003, various Kurdish activists filed applications with the judiciary in Istanbul and Adana to overturn the policy on names containing these letters since they were already being widely used in the names of companies, trademarks and television and radio channels ( <i>ibid.</i> ; <i>Milliyet</i> 25 Nov. 2003). Such applications continued to be made and were rejected by the courts throughout the period of November 2003 through April 2004 ( <i>ibid.</i> ; HRFT Nov. 2003; <i>ibid.</i> Jan. 2004; <i>ibid.</i> Feb. 2004; <i>ibid.</i> Mar. 2004; <i>ibid.</i> Apr. 2004; <i>Middle East Times</i> 19 Dec. 2003).	
Proactive Disclosure		

More recent information on the status of the use of Kurdish names that contain the banned letters could not be found among the sources consulted by the Research Directorate.

### **Kurdish-Language Education**

In 2002, the Turkish government lifted the ban on Kurdish-language education, but as at December 2003, "entrepreneurs hoping to launch language courses [were] still trying to climb a mountain of red tape" (BBC 19 Dec. 2003). Aydin Unesi, an entrepreneur who had filed for a permit in April 2003 to open a school to teach Kurdish, had allegedly faced various bureaucratic obstacles and delays before being granted a permit in December 2003 (*ibid.*; *Hurriyet* 19 Mar. 2004). By March 2004, 150 individuals had submitted applications for enrolment in Kurdish courses (*ibid.*).

The first legal Kurdish-language course began in April 2004 in three schools in south-eastern Turkey (*Miami Herald* 3 Apr. 2004). According to Abdurrahman Ozer, a Kurdish-language teacher, the reforms in Kurdish language education are "inefficient, because they allow only private, after-hours schools to teach the Kurdish language - not public schools" (*ibid.*).

Kurdish language courses have been allowed in Adan, Batman, Sanliurfa and Van (MRG July 2004, 10; see also HRFT Mar. 2004), but

...at least four other applications (Circassian and Kurdish) have not been finalised for more than a year due to bureaucratic delays and the strict requirements [for] establishing the courses. ...

Further, the use of minority languages in schools, or even requesting their use, continues to lead to punishment. For example, Oktay Eriman, a teacher, was transferred from Batman city center to another school in Gercu, for asking students to memorize a poem in Kurdish about peace (MRG July 2004, 10-11).

The MRG report noted that there are no Kurdish-language or literature departments at any Turkish university (*ibid.*, 10).

Additional information on the status of Kurdish-language education could not be found among the sources consulted by the Research Directorate.

### **Kurdish-Language Broadcasting**

In June 2003, the Turkish government passed the sixth legislative reform package, which enabled Kurdish-language television and radio programs to be aired on private and state-owned television and radio channels (*Los Angeles Times* 20 June 2003; *Sabah* 23 Feb. 2004). The Regulation on Broadcasting in Traditionally Used Languages and Dialects on Radio and TV Stations provides that radio and televisions broadcasts in traditionally used languages are allowed provided that they are approved by the Radio and Television High Council (RTUK), and that radio broadcasts do not extend 60 minutes per day for a total of five hours a week and television broadcasts do not extend 45 minutes each day for a total of four hours per week (HRFT Jan. 2004; MRG July 2004, 19). According to Article 11 of the regulation, "only the state channel and the national private channels can broadcast in these languages" until such a time when "a survey about traditionally used languages is complete" (*ibid.*). MRG stated that the last time such a survey was conducted in Turkey was in 1965, and that

[t]he new surveys will not be available until the next population census is done in some years' time.... Despite the regulation it appears to be possible for one-off programmes to be broadcast regionally in minority languages. For example the local TV station based in Diyarbakyr, Gun TV, broadcast a documentary in Kurdish with Turkish sub-titles. However regular broadcasting in minority languages is

forbidden without the 'survey' (ibid.).

MRG also reported that over the period July 2003 to July 2004, punishments bearing jail terms were meted out only to local broadcasters (ibid., 21). Moreover,

ART TV (Diyarbakir), Gune TV (Malatya), Can TV (Diyarbakir), Anadolunun Sesi Radyo (Istanbul), Ozgur Radio (Ankara), Hakkari Fm were asked to give defence; Ozgur Radyo (Ankara), Anadolunun Sesi Radyo and Bari Radyo (Istanbul) were warned; Serhat TV (Kars) and Ozgur Radio (Istanbul), Gune TV (Malatya) and Diyarbakir ART TV were suspended for 30 days for broadcasting in violation of these provisions; TV 21 (Diyarbakir) and Gun TV (Diyarbakir) were asked to give defence for violating the principles of the Republic, national security and general morals; TV 21, Gun Fm (Diyarbakir) and Gol Radyo (Bingol) were instructed to suspend programmes for broadcasting in languages other than Turkish (in Kurdish) (ibid., 21-22).

In February 2004, RTUK issued a warning to the television channel ATV for broadcasting images of Mardin Omer Ipek, a Kurdish singer, and of Kurdish cassettes and their subtitles, as an introduction to an evening news bulletin (*Sabah* 23 Feb. 2004). Information about any other punishment meted out to the television channel could not be found among the sources consulted by the Research Directorate.

A Kurdish-language television program was broadcasted for the first time in Turkey on TRT, Turkish Radio and Television Administration, the Turkish state network, on 9 June 2004 (BBC 9 June 2004b; see also HRW 15 June 2004). The program, entitled "Our Cultural Riches," lasted a half-hour and included news, Kurdish music and documentaries on various topics (BBC 9 June 2004b).

In mid-August 2004, RTUK granted permission to three private radio stations to broadcast in the Kurmanji dialect of the Kurdish language (*Sabah* 18 Aug. 2004). Information as to whether those or any other radio stations have begun broadcasting radio programs in Kurdish could not be found among the sources consulted by the Research Directorate.

### **Other Developments**

In July 2003, the *Washington Report on Middle East Affairs* reported that "many films [were] being shown in Kurdish and publications [were being] tolerated, if not actively promoted" (1 July 2003). However, in April 2004, the Human Rights Foundation of Turkey (HRFT) reported that Ilhan Bakir, the director of the Kurdish Film entitled *Body Prayers*, was kidnapped in Izmir, threatened and physically assaulted following the premier of his film. Corroborating information in this regard could not be found among the sources consulted by the Research Directorate.

After attending a festival in Germany that was organized by the Kurdish community residing there, Tuncer Bakirhan, the chairman of DEHAP, and Ahmet Turan Demir, leader of the Kurdish Free Society Party, were detained by Turkish authorities in September 2003 for questioning, while fifteen others were under investigation for their attendance at the festival (BBC 22 Sept. 2003). Bakirham and Demir were released the following day after a Turkish court issued an order for their release (ibid. 23 Sept. 2003).

In November 2003, a week-long literary conference was held in the Kurdish language in Diyarbakir (ibid. 5 Nov. 2003). It was the first time "in years" that the Turkish government permitted such a conference (ibid.).

In December 2003, the Supreme Court of Appeals revoked a lower court decision, which declared that the confiscation of billboards and posters that contained the phrase "'peace will win'" in Kurdish was lawful (Anatolia 22 Dec. 2003). The billboards and posters were prepared by the Diyarbakir Human Rights

Association (ibid.). The Supreme Court declared that "the phrases written on the posters and billboards, which were confiscated according to Additional Article 1 of Law 5680, remained outside the scope of the provisions that pertain to confiscation" (ibid.).

On 9 February 2004, three Kurds were detained for singing a Kurdish song during a wedding, but the local court ordered their release on the following day (HRFT Feb. 2004).

In June 2004, the State Security Court of Istanbul ordered the anti-terrorist police to search the offices of the pro-Kurdish press agency named Dicle (Reporters Without Borders 15 June 2004). The police carried out the order on 8 June 2004, and arrested 16 journalists for suspected links with the Kurdistan Workers' Party (PKK), now known as Kongra-Gel (ibid.). Thereafter, the police also searched the offices of a pro-Kurdish monthly publication, and arrested another six staff members (ibid.). Reporters Without Borders indicated that most of those arrested, were released within days of their arrests (ibid.).

Also in June 2004, a Turkish court ordered the release of four Kurdish former members of parliament (Leyla Zana, Orhan Dogan, Hatip Dicle and Selim Sadak) after they had spent ten years in jail (BBC 9 June 2004a; *Middle East Times* 11 June 2004; HRW 15 June 2004; MRG July 2004, 14). The four were imprisoned for their alleged ties with the PKK (BBC 9 July 2004; *Middle East Times* 11 June 2004). At the time of their release, an appeal against the initial conviction was pending (BBC 9 July 2004). After hearing the appeal, a Turkish court ordered a retrial of the four former members of parliament (ibid. 14 July 2004). In July 2004, Turkish authorities hoped to initiate new charges against Zana and her counterparts for "making separatist speeches at rallies in south-eastern Turkey" in June 2004, following their release (ibid. 9 July 2004; see also MRG July 2004, 14). BBC reported that while "[m]ost restrictions on the use of the Kurdish language in Turkey have been lifted in recent years, ...speeches in Kurdish are still forbidden under Turkish laws governing elections and political parties" (ibid.; see also MRG July 2004, 13). MRG has reported that this restriction has "led to the harassment of politicians" (July 2004, 14). Specifically, it referred to a case where an investigation was brought against 13 executive members of the pro-Kurdish Rights and Freedom Party (HAK-PAR) "for speaking in Kurdish during their party congress, using posters written in Kurdish and sending invitations in Kurdish to the President of Turkey" (MRG July 2004, 14). In May 2004, an investigation was launched against the President of DEHAP for saying "'goodbye'" in Kurdish while attending an election meeting (ibid.).

On 17 July 2004, the decision of a lower court to sentence a medical doctor for inciting "hatred on the grounds of ethnic difference" in accordance with Article 312 of the Turkish Penal Code, was upheld by the Court of Appeal (MRG July 2004, 40). The doctor was charged after uttering the words

..."you filthy Kurds, you all deserve to be killed..." when dead bodies were taken to a health center following a clash between the PKK and Turkish army. For the first time, Article 312 of the Penal Code [was] used as a way of protecting an ethnic group (ibid.).

For additional information on the situation of Kurds in Turkey, including the extent to which legislative reform packages have been implemented, please refer to *Country Reports on Human Rights Practices for 2003* by the United States' Department of State and to chapters entitled "Kurdish Question" of the monthly periodic reports of the Human Rights Foundation of Turkey.

### **Human Rights Violations in South-Eastern Turkey**

The HRFT reported that various human rights violations, including incidents of physical abuse and illegal detention (Apr. 2004; Jan. 2004), kidnapping (Apr.

2004), destruction of land (Mar. 2004; Feb. 2004) and execution of civilians by security forces (Feb. 2004) was taking place in the south-eastern provinces of Turkey which previously had a state of emergency imposed upon them.

In June 2004, *Middle East Times* also reported that the PKK had ended a five-year unilateral ceasefire and had "recently scaled up its activities" in south-eastern Turkey, which had "enjoyed relative calm since 1999" (11 June 2004). Additional information on the treatment of Kurds in south-eastern Turkey could not be found among the sources consulted by the Research Directorate.

Regarding the treatment of Kurds in western Turkey, MRG reported that "[d]iscriminatory treatment of Kurdish Peoples in western cities continues" (July 2004, 39). Additional information on the situation of Kurds in western Turkey could not be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

#### References

Agence France Presse (AFP). 27 October 2003. "Kurdish Activists Apply to Court to Change Names." (Dialog)

\_\_\_\_\_. 23 September 2003. "Turkey Orders Lifting of 'Ethnic' Name Restrictions." (Dialog)

Anatolia [Ankara, in Turkish]. 22 December 2003. "Turkey: Supreme Court of Appeals Revokes Decision to Ban Kurdish Posters." (FBIS-WEU-2003-1222 24 Dec. 2003/WNC)

BBC. 14 July 2004. "Freed Kurd Ex-MPs to Get Retrial." <<http://news.bbc.co.uk/2/hi/europe/3892473.stm>> [Accessed 20 Aug. 2004]

\_\_\_\_\_. 9 July 2004. "Freed Kurd Ex-MPs Face New Threat." <<http://news.bbc.co.uk/2/hi/europe/3880257.stm>> [Accessed 20 Aug. 2004]

\_\_\_\_\_. 9 June 2004a. "Kurd Activists Leave Turkish Jail." <<http://news.bbc.co.uk/2/hi/europe/3790997.stm>> [Accessed 20 Aug. 2004]

\_\_\_\_\_. 9 June 2004b. "Turkish TV Allows Kurds Airtime." <<http://news.bbc.co.uk/2/hi/europe/3789913.stm>> [Accessed 20 Aug. 2004]

\_\_\_\_\_. 19 December 2003. Ebru Dogan. "Kurds Wait for Turkish Sea Change." <<http://news.bbc.co.uk/2/hi/europe/3328875.stm>> [Accessed 20 Aug. 2004]

\_\_\_\_\_. 5 November 2003. Pan O'Toole. "Turkey Allows Kurdish Conference." <<http://news.bbc.co.uk/2/hi/europe/3242825.stm>> [Accessed 18 May 2004]

\_\_\_\_\_. 23 September 2003. "Turkey Frees Kurd Leaders." <<http://news.bbc.co.uk/2/hi/europe/3133384.stm>> [Accessed 18 May 2004]

\_\_\_\_\_. 22 September 2003. "Turkey Detains Kurd Leaders." <<http://news.bbc.co.uk/2/hi/europe/3128960.stm>> [Accessed 18 May 2004]

Council of Europe. 19 December 2003. Office of the Commissioner for Human Rights. "Report by Mr. Alvaro Gil-Robles, Commissioner for Human Rights, On His Visit to Turkey: 11-12 June 2003." <<http://www.coe.int>> [Accessed 18 May 2004]

*Country Reports on Human Rights Practices for 2003*. 25 February 2004. United States Department of State. Washington, D.C.

<<http://www.state.gov/g/drl/rls/hrrpt/2003/27869.htm>> [Accessed 18 May 2004]

Human Rights Foundation of Turkey (HRFT). April 2004. "Kurdish Question."

<[http://www.tihv.org/tr/report/2004\\_04/aprkurd.html](http://www.tihv.org/tr/report/2004_04/aprkurd.html)> [Accessed 20 Aug. 2004]

\_\_\_\_\_. March 2004. "Kurdish Question."

<[http://www.tihv.org/tr/report/2004\\_03/markurd.html](http://www.tihv.org/tr/report/2004_03/markurd.html)> [Accessed 20 Aug. 2004]

\_\_\_\_\_. February 2004. "Kurdish Question."

<[http://www.tihv.org/tr/report/2004\\_02/febkurd.html](http://www.tihv.org/tr/report/2004_02/febkurd.html)> [Accessed 20 Aug. 2004]

\_\_\_\_\_. January 2004. "Kurdish Question."

<[http://www.tihv.org/tr/report/2004\\_01/jankurd.html](http://www.tihv.org/tr/report/2004_01/jankurd.html)> [Accessed 20 Aug. 2004]

\_\_\_\_\_. November 2003. "Kurdish Question."

<[http://www.tihv.org/tr/report/2003\\_11/novkurd.html](http://www.tihv.org/tr/report/2003_11/novkurd.html)> [Accessed 20 Aug. 2004]

Human Rights Watch (HRW). 15 June 2004. "Turkey: EU Bid Hinges on Further Rights Reforms." <<http://www.hrw.org/english/docs/2004/06/15/turkey8816.htm>> [Accessed 17 June 2004]

\_\_\_\_\_. 3 June 2004. Correspondence from a Researcher on Turkey.

*Hurriyet* [Istanbul, in Turkish]. 19 March 2004. Yalcin Dogan. "Turkey: School Offering Kurdish Language Courses." (GMP20040321000031 22 Mar. 2004/WNC)

*Los Angeles Times*. 20 June 2003. Amberin Zaman. "The World; Turkey Passes More Reforms in Quest for EU Membership; Package Grants New Freedoms to Minority Kurds, 'Goes Beyond' European Demands." (NEXIS)

*Miami Herald*. 3 April 2004. James C. Helicke. "Kurds Get to Study Once-Illegal Tongue." (Dialog)

*Middle East Times*. 11 June 2004. "Hope for Reform in Turkey as Kurdish Dissidents Released." <[http://metimes.com/2K4/issue2004-24/reg/hope\\_for\\_reform.htm](http://metimes.com/2K4/issue2004-24/reg/hope_for_reform.htm)> [Accessed 18 Aug. 2004]

\_\_\_\_\_. 19 December 2003. "Turkey Rejects Kurdish Names."

<[http://metimes.com/2K3/issue2003-51/reg/turkey\\_rejects\\_kurdish.htm](http://metimes.com/2K3/issue2003-51/reg/turkey_rejects_kurdish.htm)> [Accessed 20 Aug. 2004]

*Milliyet* [Istanbul, in Turkish]. 25 November 2003. Gokcer Tahincioglu. "Turkey: DEHAP in Kurdish Name Appeal After Court Says Letters Not in Alphabet." (FBIS-WEU-2003-1126 1 Dec. 2003/WNC)

Minority Rights Group International (MRG). 11 August 2004. "Turkey Must Improve Minority Rights Reforms or Face EU Exclusion." <<http://www.minorityrights.org>> [Accessed 19 Aug. 2004]

\_\_\_\_\_. July 2004. *Minorities in Turkey*. Submission to the European Union and the Government of Turkey. <<http://www.minorityrights.org/admin/download/pdf/MRG-TurkeySub.pdf>> [Accessed 19 Aug. 2004]

\_\_\_\_\_. 15 March 2004. "Turkey's EU Ambitions Are Failing to Produce Rights Reforms for Minorities." <<http://www.minorityrights.org>> [Accessed 19 Aug. 2004]

Reporters Without Borders. 15 June 2004. "Pro-Kurd Journalists Arrested Ahead of NATO Summit Released; Two Charged."

<[http://www.rsf.org/article.php3/id\\_article=10568](http://www.rsf.org/article.php3/id_article=10568)> [Accessed 20 Aug. 2004]

*Sabah* [Istanbul, in Turkish]. 18 August 2004. Okan Muderrisoglu. "Turkey: Three Southeastern Radios Cleared for Kurdish Broadcasts." (FBIS-WEU-2004-0818 19 Aug. 2004/WNC)

\_\_\_\_\_. 23 February 2004. "Turkey: RTUK Seen to Warn TV Channel for Broadcasting News on Kurdish Songs." (FBIS-WEU-2004-0223 25 Feb. 2004/WNC)

*Washington Report on Middle East Affairs*. 1 July 2003. Jon Gorvett. "As EU Membership Beckons, Turkey's Military Faces Difficult Choice." (Dialog)

#### Additional Sources Consulted

The Center for the Research of Societal Problems (TOSAM), in Ankara, did not respond to a letter requesting information.

The Human Rights Foundation of Turkey, in Kizilay, did not respond to a letter requesting information.

**Internet sites, including:** Al Bawaba, Amnesty International (AI), Centre for Strategic and International Studies (Washington), European Country of Origin Information Network (ECOI), *Freedom in the World 2003*, Human Rights Association of Turkey, Integrated Regional Information Networks (IRIN), International Helsinki Federation for Human Rights, *Kurdistan Observer*, Office of the United Nations High Commissioner for Human Rights (OUNHCHR), Office of the United Nations High Commissioner for Refugee (OUNHCR), Organization of Human Rights and Solidarity for Oppressed People (MAZLUMDER), Radio Free Europe/Radio Liberty (RFE/RL), *Turkish Daily News*.

---

[Top of Page](#)

[Important Notices](#)

**The attached reproduction is a copy of an official work that is published by the Government of Canada. The reproduction has not been produced in affiliation with, or with the endorsement of the Government of Canada.**