

# AMNESTY INTERNATIONAL

## Public Statement

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### Bombing in Semdinli: How high up does it go?

On 9 November 2005 at 12.15 pm in the town of Semdinli, in Hakkari province, southeast Turkey, a bookshop (Umut Kitabevi) was bombed, killing one man and injuring others. The owner of the bookshop and others managed to apprehend the suspected bomber and two other men after the former had got into a car nearby where the two other men were allegedly waiting for him. In the car were discovered weapons, lists of names of political oppositionists, information about individuals in Semdinli, maps and other documents. The bookshop owner's name allegedly appeared in one list and a plan of his home and workplace were found among other such plans. After the apprehension of the three by the crowd, it was revealed that two men were members of the security services, with identity cards indicating that they were plainclothed gendarmerie intelligence officers (JIT). The alleged bomber was subsequently revealed in the press to be a PKK informant (there has been no official denial of this). The three men were escorted away from the scene by police and the alleged bomber detained in relation to the bombing and murder.

Subsequently, as the prosecutor carried out a scene-of-crime investigation, the assembled crowd was fired upon from a car, resulting in the death of one civilian and injury of others. The prosecutor's crime-scene investigation was postponed. A gendarmerie special sergeant has been detained on charges of disproportionate use of force resulting in death.

The Turkish Prime Minister, Justice Minister and Interior Minister have expressed strong determination to uncover all dimensions of this incident and to expend every effort in bringing the perpetrators to justice, with Justice Minister Cicek characterizing the current period in Turkey as being "a period in which incidents do not remain in the dark".

Given the serious allegations of direct official involvement in the events of 9 November in Semdinli and the questions raised thereof, Amnesty International calls upon the government of Turkey to establish an independent commission of inquiry. The inquiry should be conducted in accordance with the **UN Principles on the Effective Investigation of Extra-Legal, Arbitrary and Summary Executions**, and particular attention is drawn to Articles 9, 10 and 11:

9. There shall be thorough, prompt and impartial investigation of all suspected cases of extra-legal, arbitrary and summary executions, including cases where complaints by relatives or other reliable reports suggest unnatural death in the above circumstances. Governments shall maintain investigative offices and procedures to undertake such inquiries. The purpose of the investigation shall be to determine the cause, manner and time of death, the person responsible, and any pattern or practice which may have brought about that death. It shall include an adequate autopsy, collection and analysis of all physical and documentary evidence and statements from witnesses. The investigation shall distinguish between natural death, accidental death, suicide and homicide.

10. The investigative authority shall have the power to obtain all the information necessary to the inquiry. Those persons conducting the investigation shall have at their disposal all the necessary budgetary and technical resources for effective investigation. They shall also have the authority to oblige officials allegedly involved in any such executions to appear and testify. The same shall apply to any witness. To this end, they shall be entitled to issue summonses to witnesses, including the officials allegedly involved and to demand the production of evidence.

11. In cases in which the established investigative procedures are inadequate because of lack of expertise or impartiality, because of the importance of the matter or because of the apparent existence of a pattern of abuse, and in cases where there are complaints from the family of the victim about these inadequacies or other substantial reasons, Governments shall pursue investigations through an independent commission of inquiry or similar procedure. Members of such a commission shall be chosen for their recognized impartiality, competence and independence as individuals. In particular, they shall be independent of any institution, agency or person that may be the subject of the inquiry. The commission shall have the authority to obtain all information necessary to the inquiry and shall conduct the inquiry as provided for under these Principles.

The remit of the independent commission of inquiry on the 9 November Semdinli incidents should include, investigation of:

The motivation for an incident which bears the marks of an assassination and which was allegedly perpetrated by a PKK informant and two members of the gendarmerie intelligence services, all three of whom have been publicly identified;

The killing of a civilian bystander (and injury of others) allegedly perpetrated by a gendarmie special sergeant;

Whether, on the basis of forensic evidence (lists of named individuals, maps, weapons) found in the car allegedly used by the three implicated in the bombing of the bookshop, the incident constituted part of a broader policy on the part of the state security services aimed at targetting political oppositionists in the region;

The questions raised in the report of a preliminary investigative mission into the 9 November incidents undertaken by eight non-governmental organizations (including Human Rights Association, Mazlum Der, trade union branches, local professional chambers and others), including the suggestion that forensic evidence may indicate a link with the earlier bombing in Semdinli on 1 November 2005 which resulted in multiple injuries of civilians and damage to property;

The precise chain of command and level of involvement in the 9 November incidents in Semdinli of gendarmerie and military personnel at senior levels, and the possibility that the incidents of 9 November were part of a wider conspiracy or policy;

Grave concerns over the fatal shooting of demonstrators by police during demonstrations in protest at the incidents in Semdinli in other towns in the region (Yuksekoa, Hakkari) and alleged excessive use of force resulting in multiple injuries to demonstrators.