

Hold Still - Dargeçit Documentary:

**Seeking Justice  
for the Disappeared**

---

*Noémi Lévy-Aksu*



Hold Still - Dargeçit Documentary:

# Seeking Justice for the Disappeared

---

**TRUTH JUSTICE MEMORY CENTER**

Ömer Avni Mahallesi İnönü Caddesi Akar Palas No: 14 Kat: 1

Beyoğlu 34427 İstanbul / Türkiye

0212 243 32 27

info@hafiza-merkezi.org

www.hakikatadaletthafiza.org

**AUTHOR**

Noémi Lévy-Aksu

**FOREWORD**

Özgür Sevgi Göral

**PROOFREADING**

Murat Çelikkan

**CONTRIBUTIONS**

Berke Baş

Emel Ataktürk Sevimli

Enis Köstepen

Kerem Çiftçioglu

Merve Bakdur

Olcay Özer

**INFOGRAPHIC**

Emrah Kavlak

**DESIGN**

Meriç Funda



# FOREWORD

## *Traversing “The Distance That Divides Us”: The Roads, People, and Radiance of Kerboran*

- Özgür Sevgi Göral

For a while now, I have been dwelling on images, using images to visualize the world and the things I try to write about. This interest may have started when I read, many years ago, in Orhan Pamuk’s *Other Colors*, the passage where he explains that writing is actually about visualizing specific scenes, landscapes in our minds. There is a very strong, deep-rooted bond between writing and image, or, to put it in other words, between what we try to express in writing and the images that appear in our minds. That’s why, for a while now, I have been trying to look at images more, and to reflect on the topics I work on through these images. Thinking about what I will write through visuals, landscapes, images that appear in my mind, creates a sense of renewal for me.

Pieter Bruegel is one of the painters who inspires me the most. *Big Fish Eat Little Fish*, *Hunters in the Snow*, *The Tower of Babel*, *Landscape with the Fall of Icarus*, but most of all *The Triumph of Death*. It won’t come as a surprise that someone who works on political death dwells so much on *The Triumph of Death*. This painting offers a lot to reflect upon, but what interests me most is the army of skeletons. At first, you



Pieter Bruegel, *The Triumph of Death*

could think this an army of people, but if you look closely, you realize this army is entirely made of skeletons. They are in huge numbers, they have drawn their swords, and at first you think they are like an army at war, killing the living. Then you notice the diversity among the skeleton army. “Some are bored, others are disguised, stealing gold coins or playing music. They present different stages of decomposition, blurring the division between the living and the dead. Such a painting eliminates ‘hell’s distance, hell’s otherworldliness.’”<sup>[1]</sup>

The idea that hell is not distant, that it does not exist in the afterlife, and the blurring of boundaries between the living and the dead—these are thoughts I have dwelled on for years while working on political death and enforced disappearances. What does it mean to be in this world, now, today? How can I explain this immense violence, brutality, shame—but at the same time, resistance, determination, and wonder? How can I describe in writing, in words, this immense violence, this brutality, this shame, but also the resilience, the resistance and the brilliance as well as the choices made even in the worst of circumstances, that the disappeared were not only victims, but also those who changed this world in so many different ways?

Still, I remember very clearly how hesitant - even reluctant- I was when we first considered making a documentary about the disappeared and their families. Even though the suggestion came from the families themselves, I was deeply afraid that the documentary wouldn't be able to convey the complexity of this story, the multiple dimensions it involves, and the nuances I am particularly sensitive to. I never believed that doing something on the subject was better than doing nothing. When it comes to enforced disappearance, it is better to do nothing than to approach the topic without doing it justice, to dilute the story or to weaken its weight. Yet, every time I watch *Hold Still*, I see how Berke and Enis have carried this weight with great care and effort. *Hold Still* is, above all, a film that rejects the idea of hell being far away or otherworldly. For Abdülaziz Altınkaynak, who looks at the only photo of his son Davut Altınkaynak—detained at 13, tortured in front of his mother—and says, “this is proof that he once existed,” how far can this world be from hell?

Let's return to Bruegel. Many people who have deeply engaged with death and life, fascism and resilience, have also been drawn to Bruegel. For instance, François Marie Claessens, a Belgian communist arrested in Antwerp in August 1941. He was deported to Neuengamme and then Dachau with other Belgian comrades. He survived inhumane living conditions and brutal interrogations, and, in the midst of all this horror, he gave lectures to other prisoners on art history, Marx's dialectics, and Aquinas's theology. One of his favorite stories to tell was about the death of Pieter Bruegel, who, according to a Flemish legend, died after suffering a stroke while observing an upside-down landscape.<sup>[2]</sup> Looking upside down to see the world better. Brecht also thought and wrote a lot about Bruegel, and his writings were published posthumously in 1956 under the title *The Alienation Effect in Old Bruegel*. For Brecht, the unique effects created by Bruegel's compositions created a sense of alienation by offering contradictory impressions and oppositions. According



to Brecht, Bruegel's works invite us to look at the world upside down and think critically about it. They do not call for contempt of people or surrender to the status quo. Instead, they offer an aesthetic built on the social contradictions that shape our world. Perhaps Bruegel wanted to make these contradictions visible—not to reflect the world, but to show those who want to change it where to look.<sup>[3]</sup>

Looking at this world upside down, instead of simply reflecting it. Making contradictions visible instead of seeking identification. Insisting on perceiving the social contradictions that shape our world, and recognizing the weight of being in this world, here and now. The aesthetic of *Hold Still*, as it calmly follows the families and lawyers pursuing the Dargeçit case, tries to do exactly this. Without exaggerating any element, avoiding over emphases on some aspects like the children among the disappeared or the discovery of remains, it focuses on the long wait for trials, the rubbing of hands in waiting rooms, glances into rearview mirrors, lit cigarettes, short conversations, occasional small jokes, chats, repetition—and the unbearable dullness of repetition carried patiently, without complaint, with faith: To follow the story as if it were being told by the hands of the characters, filmed in rare moments of close-up as opposed to Baş's usually distanced camera. For example, the hands of Davut's father carefully placing his photo with a couple of documents into a file pouch during one of the countless moments waiting for a hearing.<sup>[4]</sup> Telling the story quietly, without embellishment, without forcing tears, with dignity—about people who go to courtrooms not expecting much, rather than glorified victories or defeats. Isn't this also a way of looking at this world upside down? I think it is.

We say Dargeçit, but the Kurdish name of the place is Kerboran. I remember very well the first day we went to Kerboran to interview the families as part of our oral history project about the forcibly disappeared. People told their stories with great openness, attentiveness to detail, and without hesitation, they shared everything, including the smallest details. It was impossible not to feel that we were talking to people who had gone through and carried on their backs a great catastrophe, a crisis. Above all, there was an incredibly strong political consciousness. These were people who, alongside all their family ties, redefined their kinship through this political awareness—a father seeking justice for his child, a brother demanding accountability for his sibling, but all within a broader political framework, like Hazni Doğan, whom we see in the film both following the trials of his brother Seyhan's perpetrators and himself on trial as a political detainee in the KCK case\*. These people always connect the past with the present while telling their stories,



they think the disappearances and their aftermath. They speak about the multiple layers of violence subsumed under the “Kurdish issue”, about resistance, loyalty and perseverance. They also tell us about the solidarity, belonging and love, which give them the strength of continuing their legal struggle despite all the challenges. The dignified people of Kerboran, who refuse to give up on their disappeared loved ones, also shoulder the film *Hold Still* with great resolve.

I have argued before that those who seek the traces of their disappeared loved ones and call perpetrators to account by knocking on the doors of a justice system they never believed in, do so despite knowing well the concrete relations of violence they are up against; that they view this as a political act, a duty born of loyalty, an ethical responsibility; and that their struggle, rooted in the insistence on holding perpetrators accountable, constitutes a call to the state to do what is necessary.<sup>[5]</sup> *Hold Still* is also a film where the other bearers of this call—lawyers—take the stage. The story of Erdal Kuzu is not merely a personal one; nor is that of Veysel Vesek. They are representatives of a legal tradition that, especially in cases involving enforced disappearances and other state crimes, struggles with legal apathy, delay, and deliberate obstruction designed to leave cases unresolved. The lawyers we see in the film give concrete, visible form to words like “the struggle against impunity,” which are, in my opinion, often too vague and inadequate to convey the weight of such a prolonged process. When I watched the film, I could not help remembering one of the most precious representatives of that tradition—Tahir Elçi\*\*—taken

---

\* The KCK (Koma Civakên Kurdistan – Kurdistan Communities Union) case is a large-scale trial that began in 2009, in which many Kurdish politicians, journalists, and civil society actors were prosecuted for alleged “membership in a terrorist organization.”

\*\* Tahir Elçi was the president of the Diyarbakır Bar Association and a prominent human rights lawyer. He was killed in 2015 after making a press statement near the Four-Legged Minaret during a period of intense conflict. Prior to his death, he had been targeted by the mainstream media for his statements on the Kurdish conflict. The legal case concerning his murder continues without a result.



from us through assassination: his killing has followed patterns similar to those he spent his life challenging.

Let's return to Bruegel one last time. According to Brecht, Bruegel's works invite us to look at the world upside down, to evaluate it critically. Looking critically at a world that changes rapidly yet remains the same. Looking at it in a way that sees its social contradictions, recognizing that hell is not in the afterlife, and that the boundaries between the living and the dead are blurred. *Hold Still*, much like Bruegel's paintings, underlines the blurriness of boundaries. I see the choice to tell this story of blurred boundaries—especially one like enforced disappearance, which is marked as “extraordinary” or “exceptional”—reflected in the film's modest framing, its calm and distanced style. It invites viewers to bid farewell to a certain naivety, to take on a discomfort, and to grasp a major political narrative—yet it does so without ever losing its sense of distance. Curiously, after the verdict was announced, one of the relatives of the disappeared, as if comforting Erdal Kuzu, said: “We saw the distance that separates us from them.” The distance between the panel of judges delivering the verdict and the relatives of the disappeared following the case alongside their lawyers. The distance between the viewer and Kerboran. The distance between myself and the people I interviewed. The distance that separates us. A distance that must first be understood, acknowledged, and traversed in order to be possibly reduced. I believe this careful portrayal of all these different distances is the most significant achievement of the *Hold Still* documentary. So please allow me to, for once, set aside this distance and offer my heartfelt thanks to the entire film crew, and to say how truly honored I am to be a part of this film, in every sense of the word.

In his book *Delightful Murder*, Ernest Mandel analyzes detective novels and noir fiction as one of the outcomes of crisis and states of emergency.<sup>[6]</sup> In the brilliant foreword he wrote for the French translation of the book, Jean-François Vilar emphasizes the connection between noir fiction and states of emergency, then adds that these novels also speak about being in the here and now. And this world—the one we're living in today—also changes rapidly. “We're worn out, so what. [...] It's the Asphalt Jungle, where, at every moment, new paths must be invented, and danger lurks as well as wonder, where the worst mistake is necessarily naivety.”<sup>[7]</sup> With all its modesty, *Hold Still* calls its audience toward something similar: to abandon naivety. At the same time, it reminds us that danger, violence, and catastrophe coexist with wonder. Throughout my years of research into enforced disappearances, this is the most important thing that I have learned, been told, and

been reminded of by the relatives of the disappeared: alongside danger, torture and death, belief, resilience, solidarity, loyalty, love, and wonder never cease. This is what *Hold Still* visualizes so wonderfully. I can't help it—I once again bow with respect and gratitude to the relatives of the disappeared who, despite everything, carry on with their belief and political fidelity through all this darkness, danger, apathy, and grief. From my heart come these words: there is no way we can repay what you have taught and given us. If *Hold Still* can be seen as a tribute to that unpayable debt, then we will be grateful.

- Özgür Sevgi Göral

[1] Daniel Zamora, "World Upside Down", *New Left Review*, 17 Ocak 2025.

[2] Zamora, *ibid.*

[3] Zamora, *ibid.*

[4] Ayça Çiftçi, "Çok Katmanlı Portreleriyle Dargeçit", *Altıyazı*, 19 December 2024

[5] Özgür Sevgi Göral, "Waiting for the disappeared: waiting as a form of resilience and the limits of legal space in Turkey", *Social Anthropology*, September 2021, p. 812, <https://doi.org/10.1111/1469-8676.13096>

[6] Ernest Mandel, *Delightful Murder: A Social History of the Crime Story*, University of Minnesota Press, 1985.

[7] Jean-François Vilar, "Préface", in Ernest Mandel, *Meurtre exquis: Une histoire sociale du roman policier*, La Brèche, 2000.



## INTRODUCTION

---

**H***old Still* tells a decades-long struggle for justice, highlighting both state violence in the Kurdish districts of Turkey in the 1990s and the systemic impunity that continues to present days. The documentary film follows the legal struggle of a lawyer, Erdal Kuzu, and the relatives of seven people, including three children, who disappeared in custody in the Mardin Dargeçit district, in 1995, at the height of the conflict between the Turkish Armed Forces and the PKK

After years of demands for truth and justice, the Dargeçit trial finally began in 2015. Throughout the film two timelines are intertwined. The first is in the present: the documentary follows the hearings of the case from 2018 until 2022, when the verdict is announced. The second timeline refers to the past: archival documents and witnesses shed light on the period from 29 October 1995, when the detention process began, to 2012, 2013, 2014 and 2016, when bodies were found in different wells in the region. The documentary, which focuses on the families and their lawyers' struggle for justice, is also an important example of the role that art can play in keeping the memory of the forcibly disappeared alive.

The idea for the *Hold Still* documentary emerged from a suggestion made by relatives of the disappeared at a meeting held in Istanbul in 2017, as part of the case monitoring project conducted by *Hafıza Merkezi*. This meeting had brought together the families of the victims, lawyers, journalists and rights defenders who followed the court cases of the disappeared. While discussing which creative forms of expression could be used to increase public awareness about these cases, the relatives of the disappeared suggested the production of a documentary film.

This film is a continuation of the many materials and reports on enforced disappearances produced by *Hafıza Merkezi* since its establishment in 2011. Different stakeholders were consulted during its making. The film team watched the rough cut of the documentary together with relatives of the disappeared, rights defenders, lawyers, academics and artists active in this field, to discuss their impressions of the film and how it resonated with their perception of justice. In 2024, after the director made final adjustments in the light of the feedback received, the film started to be screened in many cities on different occasions, such as the Istanbul Film Festival, the Week of the Disappeared and the 1000th week of the Saturday Mothers/People sits-in.

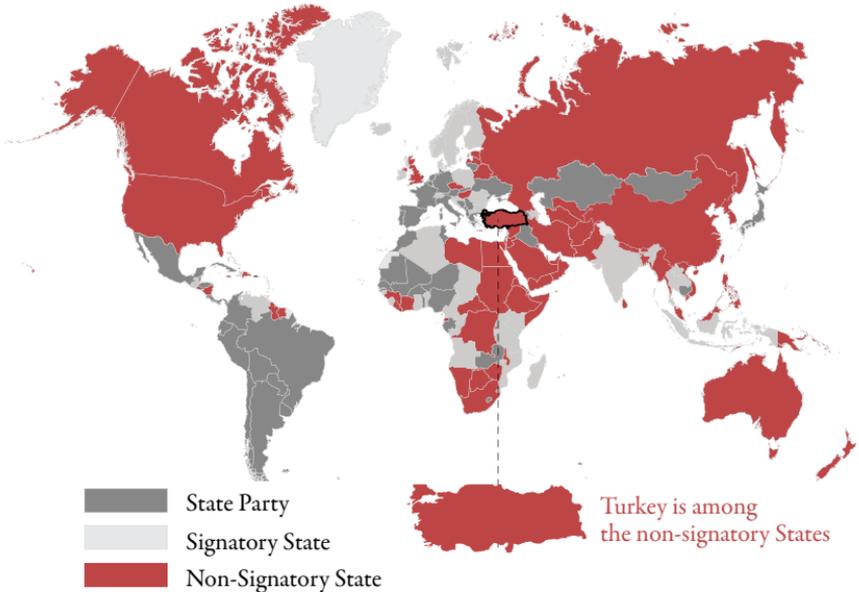
The comments and reactions expressed during the first screenings showed that the documentary aroused many different questions and emotions, across generations and regions. Kurdish audiences in Kurdish provinces and elsewhere felt that they were watching their own story, and discussed the decades-long regime of repression as well as the multiple obstacles to the struggle for justice. In the Western provinces, on the other hand, spectators -particularly the younger generation- expressed the embarrassment and shame of being for the first time directly confronted to the nature of enforced disappearances, as well as the difficulties in sharing these memories. Shaped by these different questions and reactions, this booklet has two main aims: 1) to remind basic information about enforced disappearances, the 1990s and the Dargeçit case, which form the context of the film; 2) to open up some of the questions raised by the *Hold Still* documentary on justice and memory. We hope that the film will continue to reach different audiences in Turkey and contribute to the discussion on enforced disappearances, colonial practices of the state and the search for justice.



# ENFORCED DISAPPEARANCE AS A CRIME AGAINST HUMANITY

Although *Hold Still* focuses on a specific case of enforced disappearance that took place in Turkey in 1995, it invites us to reflect on the crime of enforced disappearance and its effects beyond this context.<sup>[1]</sup> The practice of enforced disappearance is better known as a method used by Southern Cone military dictatorships such as Argentina, Uruguay and Chile in the 1970s to eliminate political opponents. On the other hand, in the context of conflicts or authoritarian regimes in the 20th and 21st centuries, enforced disappearance practices took place in many geographies from Algeria to the Balkans, from Mexico to Sri Lanka, with different patterns.<sup>[2]</sup> In the first months of 2025, the tens of thousands of disappearances brought to the forefront by the overthrow of the Assad regime in Syria and the persistent efforts of the families to trace the disappeared showed that this practice continues to be of burning relevance.

*International Convention for the Protection of all Persons from Enforced Disappearance*



According to the United Nations, enforced disappearance “(...) is considered to be the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law”.<sup>[3]</sup> The crime of enforced disappearance is defined as a crime against humanity in both international human rights law and international criminal law conventions, thus constituting an internationally recognised crime.<sup>[4]</sup>

The jurisprudence of the Inter-American Court of Human Rights and the European Court of Human Rights on enforced disappearances has played an important role in acknowledging the specific nature, scope and effects of this crime. The right to truth, the non-application of the statute of limitations and the recognition of relatives who are unable to learn the fate of their loved ones as victims are among the achievements that long social and legal struggles have brought to international law. Nevertheless, in many countries, including Turkey, perpetrators of enforced disappearances are still protected with impunity. With amnesty laws, unopened or ineffective investigations and prosecutions, as well as threats and punishment mechanisms against families, the lack of accountability for the crime of enforced disappearance continues.

In many countries, the public exposure of the crime of enforced disappearance has been the result of the struggles of families, especially women. Following the disappearance, the actions of mothers and spouses inquiring about the fate of their relatives, joining forces with other rights defenders, mostly women from rights organisations, have created a new repertoire of resistance for truth and justice. The mothers of Plaza de Mayo in Argentina, the Saturday Mothers/People in Turkey and many other women’s initiatives inspired by them have played a major role in the recognition of the crime of enforced disappearance in their own countries and in the international arena, even though they have often failed to achieve concrete results. The fact that most of the disappeared are men, as in the Dargeçit case, leads to multi-layered harm for women, which is often overlooked. It is extremely important to evaluate enforced disappearances from a gender perspective, taking into account the devastation suffered by these women, their efforts to survive and the struggles they have organised, both to understand the multifaceted dimensions of this crime and to consider how its consequences can be remedied.<sup>[5]</sup> In this respect, while watching the film *Hold Still*, which predominantly focuses on male lawyers and relatives of the disappeared, it should not be forgotten that women’s specific experiences, emotions and forms of struggle, less visible in the film, constitute an important dimension of the story.



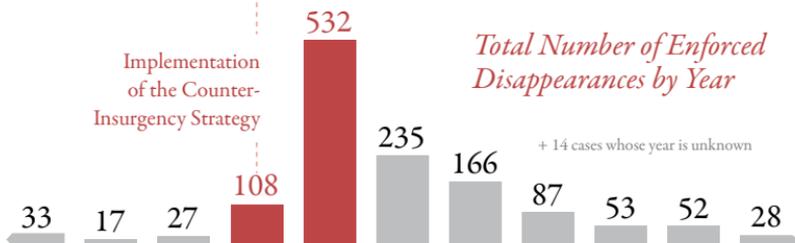
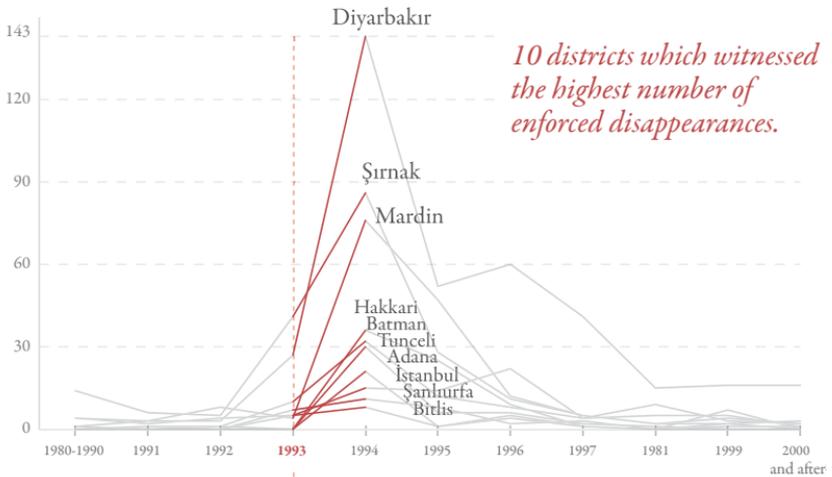
# Enforced disappearances and impunity in Turkey

---

**H**old *Still* is an important work for thinking about the continuity and transformation of violence and impunity in Kurdish provinces since the 1990s. The Dargeçit enforced disappearances of October 1995, which are at the core of the film, shed light on the systematic practice of enforced disappearances as an essential dimension of the conflict between the state and the Kurdish political movement.

Kurdish politics and military struggle, which had been on the rise since 1980, gained a different momentum in the 1990s. As the People's Labour Party, which was founded in 1990, was communicating its demands for education in Kurdish and democratisation, the mass support of the Kurdish movement increased and the armed conflict intensified.<sup>[6]</sup> On the other hand, the state's instruments of repression also transformed. The State of Emergency in the region, which began in 1984, was gradually expanded and the State of Emergency Regional Governorship, established in 1987, included 13 Kurdish districts. The broad powers of the Governorship included measures such as evacuating settlements, suspending education, and restricting access to and from the region. In addition, adopting a low intensity warfare approach, the state increased the number of village guards and expanded their areas of duty. During this period of the conflict, a special security strategy was pursued with the aim of establishing territorial dominance and expelling the PKK from the region. Systematic human rights violations were committed against civilians, such as the forced evacuation of settlements, illegal and arbitrary executions known as 'murders by unknown perpetrators' and enforced disappearances. Different actors were also used against the alleged internal enemy, such as the secret gendarmerie organisation JITEM (Gendarmerie Intelligence and Counter-terrorism Unit), village guards and Hezbollah.

The systematic use of enforced disappearances was one of the consequences of the reconfiguration of the low intensity war strategy. According to a database based on data collected by *Hafıza Merkezi*, between 1991 and 1999, 1283 people were disappeared, mostly in the Kurdish provinces. [7] The enforced disappearances intensified especially between 1993 and 1996, with the highest numbers occurring in the provinces of Diyarbakır, Şırnak and Mardin. As mentioned earlier, the Saturday Mothers/People of Saturday protests, which started in Istanbul's Galatasaray Square in 1995, played a crucial role in publicizing enforced disappearances among the Turkish public. In their weekly press statements, relatives of the disappeared and rights defenders demanded that the truth about the disappeared be revealed and the perpetrators be punished. Despite all the pressures, they have continued to hold up the photographs of their loved ones and to demand truth and justice since the 1990s.

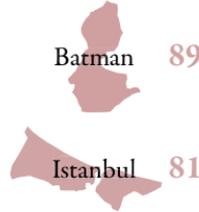




## Distribution of Enforced Disappearances by District



Center	144
Lice	69
Kulp	52
Silvan	38
Bismil	23
Other	54



Center	66
Other	23



Unknown	52
Other	29



Cizre	72
Silopi	67
Güçlükonak	24
Center	18
İdil	14
Other	8



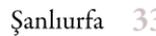
Yüksekova	28
Şemdinli	23
Other	28



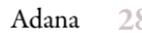
Midyat	32
Nusaybin	32
Kızıltepe	31
Derik	21
Dargeçit	19
Ömerli	18
Other	17



Center	15
Hozat	13
Other	23



Other	33
-------	----



Unknown	28
---------	----



Other	22
-------	----

The first trial on the illegal and arbitrary executions perpetrated by security forces, which became an essential component of the state policy of counter-insurgency, started after the Susurluk Accident in 1996, but ended inconclusively. Similarly, after the bombing of the Umut bookstore in Şemdinli in 2006 by JİTEM elements, the case ended without holding the perpetrators accountable. In 2008, the Ergenekon and Balyoz cases uncovered new evidence of gross human rights violations committed in the 1990s. Following these trials, new criminal cases were opened on enforced disappearances perpetrated in the 1990s, but they did not result in ending the impunity of state actors.<sup>[8]</sup> While there is no legal data on all of the disappeared, data on enforced disappearance cases tracked by *Hafıza Merkezi* on the Faili Belli website shows that only two of the 15 criminal cases have resulted in convictions. While most cases have resulted in acquittals, others have either been barred by the 30-year statute of limitations or risk to be barred in the near future. For example, in February 2024, the Court of Cassation dismissed the Kulp case of 11 forcibly disappeared persons due to the statute of limitations. In January 2025, in the case of Ayten Öztürk, which was merged with the Musa Anter and JİTEM main case, the first instance court dismissed the case on the grounds of the statute of limitations. On the other hand, in the cases brought before the European Court of Human Rights, Turkey's responsibility was found in 114 of 129 enforced disappearances and 61 of 72 applications. *Hold Still* sheds light on the systemic mechanisms of impunity and the human cost behind these figures.

### **Abdullah Canan Case**

**Number of Disappeared Persons:** 1  
**Current Status of the Case:** Ended in acquittal. Court of Cassation upheld the acquittal.

### **Ankara Jitem Case**

**Number of Disappeared Persons:** 11  
**Current Status of the Case:** Ended in acquittal. Pending at Court of Cassation.  
**Statute of Limitations:** In retrial, charges for Abdülmecit Baskın and Behçet Cantürk time-barred by statute of limitations.

### **Dargeçit Jitem Case**

**Number of Disappeared Persons:** 9  
**Current Status of the Case:** Ended in acquittal. Regional court upheld the acquittal.  
**Statute of Limitations:** Statute of limitations will expire in 2025.

### **Kızıltepe Jitem Case**

**Number of Disappeared Persons:** 12  
**Current Status of the Case:** Ended in acquittal. Pending before Court of Cassation.  
**Statute of Limitations:** For 8 victims, statute of limitations will expire in 2025.



### **Mehmet Şerif Aşar Case**

Number of Disappeared Persons: 1  
Current Status of the Case: Ended with conviction. Court of Cassation upheld the conviction.

### **Mete Sayar Case(Görümlü, Silopi)**

Number of Disappeared Persons: 6  
Current Status of the Case: Ended in acquittal. Court of Cassation upheld the acquittal.

### **Musa Anter & Jitem Case**

Number of Disappeared Persons: 4  
Current Status of the Case: Dismissed due to statute of limitations on January 27, 2025.  
Statute of Limitations: Statute of limitations has expired.

### **Musa Çitil Case (Derik)**

Number of Disappeared Persons: 6  
Current Status of the Case: Ended in acquittal. Court of Cassation upheld the acquittal.

### **Naim Kurt Case(Kızılağaç)**

Number of Disappeared Persons: 4  
Current Status of the Case: Ended in acquittal. Court of Cassation upheld the acquittal.

### **Nezir Tekçi Case**

Number of Disappeared Persons: 1  
Current Status of the Case: Ended in acquittal on 17 January 2025.

### **Şeyhmus Yavuz Case**

Number of Disappeared Persons: 1  
Current Status of the Case: Ended with conviction. Court of Cassation upheld the conviction.

### **Temizöz & others Case(Cizre)**

Number of Disappeared Persons: 14  
Current Status of the Case: Ended in acquittal. Court of Cassation upheld the acquittal.

### **Yavuz Ertürk Case (Kulp)**

Number of Disappeared Persons: 11  
Current Status of the Case: Dismissed by Court of Cassation due to statute of limitations.  
Statute of Limitations: Statute of limitations has expired for all victims.

### **Major Mehmet Emin**

#### **Yurdakul**

Number of Disappeared Persons: 3  
Current Status of the Case: Ended in acquittal. Court of Cassation upheld the acquittal.

### **Ayten Öztürk**

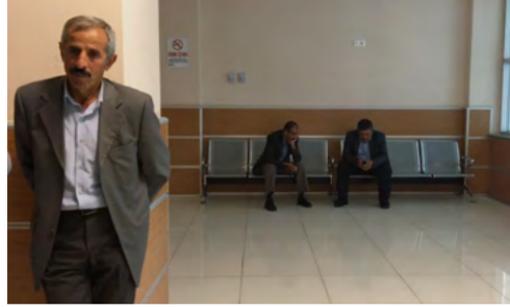
Number of Disappeared Persons: 1  
Current Status of the Case: Dismissed due to statute of limitations on January 27, 2025.  
Statute of Limitations: Statute of limitations has expired.

## The Dargeçit case before the Court: **“The door to justice is closed”**

**H**old Still follows the legal struggle of the relatives of seven people, including three children, who disappeared in custody on 29 October 1995 and in the following days. On 28-29 October 1995, two teachers and a contractor from a village guard family were abducted and killed by the PKK and their bodies were found the next morning. The Doğan family’s house was raided and 14-year-old Seyhan Doğan was detained. Within a few days Abdurrahman Olcay (20), Mehmet Emin Aslan (19), Abdurrahman Coşkun (21), Süleyman Seyhan (57), Nedim Akyön (16) and Davut Altıncaynak (13) were also detained and were never heard from again. On March 6, 1996, after a tip-off to his family, Süleyman Seyhan was found in a well. On March 8, 1996, Sergeant Major Bilal Batırır, who was thought to have given information to the Seyhan family, was also disappeared and was never heard from again. Despite all the complaints filed by relatives of the disappeared to the Dargeçit, Mardin and Diyarbakır Prosecutor’s Offices following the enforced disappearances, no investigation was opened until 2009. As a result of the investigations launched by the Dargeçit Chief Public Prosecutor’s Office into the disappearances of civilians since 2009, a summary of proceedings was announced on November 17, 2011. It included the allegation that the suspects, including Mehmet Tire (1995-1996 Dargeçit District Gendarmerie Commander) and Hurşit İmren (1995-1996 Dargeçit Battalion Commander), were responsible for a crime perpetrated “by an armed criminal organization”. The file was sent to the Diyarbakır Chief Public Prosecutor’s Office with a decision of lack of subject-matter jurisdiction. Following excavations in different locations in 2013, 2014 and 2016, bones belonging to Mehmet Emin Aslan, Seyhan Doğan, Abdurrahman Coşkun, Abdurrahman Olcay, Nedim Akyön and Davut Altıncaynak were discovered. After the Midyat Heavy Penal Court, which partially accepted the indictment, requested that the court case be transferred to another province on security grounds, the Dargeçit case started to be heard at Adıyaman Heavy Penal Court in October 2015 and continued until 2022. <sup>[9]</sup> The film *Hold Still* followed the hearings between 2018 and 2022, from the 10th hearing onwards.



Most of the documentary takes place in the corridors of the Adiyaman court. The camera remains at the door of the courtroom, documenting the waiting, hope, despair and anger of the families and lawyers. Centered around the lawyer Erdal Kuzu, the film documents the legal and political obstacles faced in the pursuit of justice, with references to the Saturday Mothers, the Human Rights Association, Tahir Elçi and other lawyers. Throughout the film, we witness strategies commonly used in other cases of enforced disappearances and unidentified perpetrators in order to prolong the case and reduce its social impact, such as the transfer to another



province; frequent changes in the judicial panel; non-appearance of defendants and key witnesses; and the tendency to let the statute of limitations expire. At the same time, the documentary also witnesses the decline of the collective mobilization and solidarity shown in the trials in the early 2010s, due to the end of the peace process after 2016, the state of emergency and the pandemic. As a matter of fact, although the Dargeçit case was followed by the Human Rights Association in the early years, it later turned into a process in which lawyer Erdal Kuzu accompanied the

families almost alone. This loneliness is a powerful symbol of a persistent but tired struggle for justice, at a time when hopes for peace were shattered, the wounds of urban warfare were still open and the independence of the legal system was undermined.



As audio/video recording is prohibited in Turkey's courtrooms, the camera focuses on the bodies and words of the relatives of the disappeared to show

how they are marginalized by the judicial system. Expressing themselves in Kurdish and Turkish, the victims' relatives give many clues about their struggle for justice of more than two decades and the condescending attitudes of the panel of judges, who do not allow them to use their mother tongue and discard their testimonies. Hazni Doğan, who was detained and tortured with his brother Seyhan in Dargeçit,

is a striking example of a legal system that has no consideration for victims and ignores their rights: we see him testifying in a hearing as a hunger-striking political prisoner through the SEGBIS sound and image information system, digging his brother's bones out of a well, and attending the trial where the verdict of acquittal is delivered. Despite the severity of the traumas he has experienced, his persistence in demanding justice from a state that subjected him to violence and injustice since his childhood, invites us to question the meaning of this legal struggle.

At the beginning of the documentary, lawyers and families express hope that the perpetrators in this case will be punished, but they frequently and openly state that they do not trust the justice system. When the case ended in acquittal in 2022, despite the intense efforts of lawyers and victims to gather evidence, find witnesses and attend hearings, their concerns proved to be true and they expressed their deep anger. Yet, even then, the victims' relatives emphasized the importance of having waged this legal struggle. On the one hand, after starting in 2014 with the discovery of parts of the bodies and bones of some of the disappeared, the case made it possible for families to access other bodies of the disappeared. As such, it is an important example of how the judicial process can contribute to the search for truth. Since the absence of a funeral and mourning is the biggest obstacle to healing, at least in this respect, the case represents a partial closure for the relatives of Dargeçit. On the other hand, as the defendants did not show up nor were compelled to attend the hearings, the victims' relatives did not have the opportunity to confront the perpetrators, as they deeply wished. The absence of even the defendant's lawyers and the constant change of the court panel means that the victims' relatives were left without an interlocutor, including the judicial apparatus. In short, the state did not only leave the perpetrators unpunished, but also suppressed the space to confront the truth.

*“The law died before our eyes, but where else can we go?”*

*- Mehmet Coşkun*

What is the point of such an unequal struggle where there is no chance of winning? The relatives of the disappeared personally experienced the decades-long colonial practices and oppression targeting the Kurdish districts and they repeatedly brought their demands for truth and justice to the authorities. Therefore, the court's decision came as no surprise to them. Hazni Doğan's words summarizing the acquittal best



express the horizon of expectation caused by these shared experiences: “Now, when we go home, everyone will say ‘We knew this would happen’”. The legal struggle of the families and lawyers, who do not give up seeking justice in the courts, is a struggle that will be continued under all circumstances, a struggle that retains its meaning on behalf of the disappeared in the Kurdish districts and for the sake of future generations. When he reacted to the acquittal of the perpetrators, Abdülaziz Altınkaynak’s words were without ambiguity: “We put up a fight for 26 years, we are ready to fight for another 26”. This stance clearly shows that this persistent wait for justice is not a passive position. As in the Temizöz case analyzed by Özgür Sevgi Göral, it reminds us that the relatives of the disappeared have turned the justice system into a field of struggle:

*“Relatives were well aware of the limitations of the legal space, yet they still followed the hearings. To be present in the court was an ethical and political duty for them. [...] being in the courtroom meant showing loyalty to the memory of the disappeared and opening up a space to rehumanise them. Not solely in the legal terms of ‘the victims’ or ‘the plaintiffs’ but as political stakeholders who are loyal to their claims and demands.”<sup>[10]</sup>*

## The political context of Dargeçit: **“At the root of this is the Kurdish issue”**

What makes *Hold Still* different from a court film is the window it opens on this political and moral struggle. The archival footage and the words of the lawyers and victims’ relatives shed light on the cycle of repression and violence, inviting us to understand the Dargeçit case as part of the Kurdish freedom struggle. Erdal Kuzu and the relatives of the disappeared frequently refer to the indelible traces that the war of the 1990s left on Kurdish memories: torture, unsolved murders, mass funerals, village evacuations, and the state’s multi-layered responsibility for what happened. On the other hand, the editing of the film sheds light on the continuity between the state policy that encouraged the perpetrators in the 1990s and the state policy that has ensured their impunity until today.

Throughout the film, different characters use similar phrases to describe the state policy in the Kurdish districts: “Everybody knew, from Dargeçit to the parliament in Ankara” (Mehmet Çoşkun), ‘everyone in this region experienced pretty much the same things’ (lawyer Erdal Kuzu), extrajudicial executions which “everybody knows” since “these murders, which are dismissed as “unknown” today, were all committed quite openly” (lawyer Nuray Özdoğan). *Hold Still* does not offer a description or analysis of this state policy, but the film exposes some of the many human rights violations, victimizations and inequalities that resulted from these practices. While archival footage sheds light on important cases and struggles, the film prefers to emphasize the narratives and emotions of the subjects. The camera focuses on faces and bodies, inviting the audience to empathize with the inhuman violence depicted. Interviews with women, who hold relatively little space in the film, constitute striking testimonies in this respect. While Davut’s mother recounts with difficulty the last time she saw her son, Seyhan’s sister recalls the moments when her siblings were taken into custody, and despite the passage of twenty-five years, they make us feel the pain and responsibility of being both victims and witnesses of the events. Davut’s father Abdülaziz Altınkaynak, one of the main characters of the documentary, alternately expresses feelings of hope, sadness, anger and stubbornness as he gasps for breath, reminding us of the physical and psychological cost of the struggle for justice.



These personal and emotional dimensions emphasized by the film should not be interpreted as an attempt to minimize the political nature of the issue. On the contrary, the families of the victims and their lawyer Erdal Kuzu define their legal and political struggle as a debt and responsibility towards the disappeared and all the suffering they have endured. In the film, Davut's mother's submission of a "Extra-Judicial Killings and Enforced Disappearances Form", Seyhan's mother's call for her son who disappeared in 1995, and all of them raising photographs at the Saturday Mothers' sessions to demand truth and justice embody a social and political struggle in which their individual and family stories are deeply embedded. The fact that families dig wells with their own hands to find the bodies of their disappeared relatives reminds us how unequal this struggle is, but also shows the power of resistance to access the truth.

Despite all these references, shaping the film's narrative around the trials and the lawyer carried the risk of reducing the search for justice to a legal process, while the political struggle would remain in the background. In this respect, it is very valuable that Erdal Kuzu defines himself the scope and boundaries of his legal struggle. The lawyer clearly states that this problem cannot be solved through the courts, invites us to interpret the Dargeçit case as a modest contribution to Kurdish demands for rights and identity, and points to other demands such as confronting the past and public apologies. Although these different dimensions are mentioned very briefly, the documentary shows the inadequacy of the judicial system and opens up a space to look at the struggle for justice from a more inclusive and transformative perspective.

*"It won't end... At the heart of these extrajudicial executions is the Kurdish Question about the Kurdish people's demand for their identity. These trials are just a small part of the issue. Until this state reckons with this truth and accepts its crime and until it apologizes to its own citizens, we will be stuck fighting in this small corner."*

As shown by the positive response to the first screenings, the documentary's avoidance of politically overloaded discourse and concepts allows it to reach an audience of different generations and views, both in Turkey's Western provinces and in the Kurdish geography. At the same time, *Hold Still* is a powerful denunciation of the denial and silencing of the crimes and massacres that are evident in Turkey, and it helps us understand the concept of "aphasia" that Özgür Sevgi Göral applies to Turkey.<sup>[11]</sup> The film shows the difficulty of speaking and naming this past (and present), although, as mentioned above, everyone is aware of it to some extent. By

hearing the Kurdish voices ignored by the court and supporting the victims' relatives struggle, the film creates a narrative against this aphasia. Undoubtedly, this narrative could have expanded on the historical and political context, articulated the Kurdish struggle for freedom more clearly and directly questioned the colonial nature of these practices. In this respect, the addition of panel discussions and question-and-answer sessions to the film screenings, as well as the ownership of these screenings by different rights organizations, local initiatives and universities, are important steps to create a collective and critical discussion space.



## The Power of Art: “This photo is proof that he existed”

**H**old Still opens with a scene in the attic of the Depo art center in Istanbul, where artist Anil Olcan prints pictures of the disappeared on small marble cubes. Olcan, who has collected more than six hundred pictures from the archives of human rights associations, picks up the photo negative of 13-year-old Davut Altınkaynak, who was forcibly disappeared in 1995, and explains that he started this project with the aim of ‘making small monuments to call the disappeared back to the world’. Later in the film, we also witness the preparations for the exhibition *Aşikâr Sır* (Obvious Secret), organized by *Hafıza Merkezi* at İstanbul Karşı Sanat gallery in May 2019.<sup>[12]</sup> Anil Olcan’s work aims to contribute to the struggle for truth and justice from the field of art by carrying the photo frames that we usually see on the laps, hands and chests of Saturday Mothers onto marble stones. While headshots, an ordinary form of representation in our daily lives, remind us of the humanity of the disappeared people, marble makes us feel the full weight of the crime of enforced disappearance. As Yıldırım Türker puts it in the exhibition catalogue:

*“These are the stones that resist forgetfulness. Stones that say we remember, we know, we will hold them to account.”<sup>[13]</sup>*

The making of Anil Olcan’s work, which is presented between the hearings, invites us to question the role of art and the possibility or impossibility of creating monuments. Can art play a role in the struggle for justice? Does it have a restorative and transformative power? Although the artist stated that he was “sceptical” about the idea of a monument, as the struggle for justice was ongoing, the marble cubes with photographs can be described as counter-monuments or “minor monuments” as the artist calls them, revealing the unspoken truth. Many elements converge to create a counter-monument, which unlike official memorials, may continue to evolve in the future: the participatory process of creation, the focus on the victims of state violence, the installation of the stones first in the city and then in an alternative art space, and the use of empty marble cubes to represent the disappeared without photographs. Perhaps the biggest impact of this effort, which aims to raise public awareness, is its contribution to the struggle for memory of the relatives of the

disappeared. As Abdülaziz Altınkaynak mentions in the film, the fact that Davut's only remaining picture is engraved on the marble is highly significant, even if it falls short of repairing his pain:

*“This photo is proof that he existed”*  
- Abdülaziz Altınkaynak





The *Hold Still* documentary provides other elements to reflect on the unique contribution that art can bring to memorialization. At night after a hearing, Erdal Kuzu and the trainee lawyer accompanying him listen to the song *Good morning, Officer*, written by Onur Özdemir and performed by Sezen Aksu, about Seyhan Doğan, 13, one of the disappeared children in the Dargeçit case. The lyrics *The world is in these plastic bags...* point to the searing reality of enforced disappearances: ignoring human rights and respect for the dead, the bones of those disappeared, executed and thrown into wells are delivered to their families years later in plastic bags. The fact that one of Turkey's most popular singers sang a song on behalf of the disappeared brings us back to the aforementioned "obvious secret". Like the song *My mother is Saturday*, which was performed by Bandista in 2009 and by Teoman in 2024 on the occasion of the 1000th week of the Saturday Mothers' sit-ins, it invites us to think about the responsibility that artists can assume to give voice to unspoken truths. In the middle of the documentary, which avoids the use of music, the song *Good morning, Officer* comes as a surprise, and many spectators realize for the first time what the song means exactly.

Finally, *Hold Still* is also a valuable work to reflect on the relationship between memory and art. From the collective production process to the first screenings with the participation of families, it offers important clues on how the documentary genre can contribute to the struggle for truth and justice, with the documentation and narrative possibilities it offers. The archival power of documentary filmmaking and its role in the pursuit of truth are also highlighted by including excerpts from Veysi Altay's film *Well*, a compelling documentary on the search for the disappeared bodies in Dargeçit. The work of Berke Baş, whose films *Hush!* and *Bağlar* focused on the silenced and marginalized faces of Turkey, can be read as an attempt to construct a new human-centered narrative about the past and present of the country, based on individual experiences and memories. Based on a meticulous archival and case-tracking work, *Hold Still* also has a narrative similar to literature, creating tension and evoking empathy towards its subjects. Despite censorship, oppression and financial difficulties, a number of documentary films made in Turkey since the 2000s, including Nezahat Gündoğan's *Two Locks of Hair: The Lost Girls of Dersim* and Çayan Demirel's *Diyarbakır No 5 Prison*, have added new audio and visual testimonies on many issues where archives and documentation are still fragmented and incomplete. Beyond the specific period, geography and issue that each film focuses on, this increasingly rich source can be read as fragments of a counter-memory field

that strives to create an alternative narrative to the dominant ideology. Bridging these fragments and thinking about the meaning and transformative potential of “connective memories”<sup>[14]</sup> is an essential task, not only to confront the past, but also to imagine different futures.

[1] The open-access reports published by Hafıza Merkezi, referenced in the following footnotes, provide detailed information about the political and legal contexts discussed here. Each report includes a rich bibliography of relevant academic studies and reports published by other rights organizations.

[2] Özgür Sevgi Göral, *Any Hopes for Truth? A Comparative Analysis of Enforced Disappearances and the Missing in the Middle East, North Africa and the Caucasus*, Hafıza Merkezi, 2019.

[3] United Nations (UN), International Convention for the Protection of All Persons from Enforced Disappearance, 23 December 2010.

[4] Öznur Sevdiren, *Türkiye'nin Cezasızlık Mevduatı*, Hafıza Merkezi 2019.

[5] Özlem Kaya, Hatice Bozkurt, *Holding Up the Photograph”: Experiences of the women whose husbands were forcibly disappeared*, Hafıza Merkezi, 2014.

[6] Özgür Sevgi Göral, Ayhan Işık, Özlem Kaya, *The Unspoken Truth: Enforced Disappearances*, Hafıza Merkezi, 2013.

[7] Hafıza Merkezi’s database of enforced disappearances is currently off-line for revision and updating but it is expected to be accessible again in a near future.

[8] Gülşah Kurt, *Executive Summary: The Impunity Problem: Investigation Process*, Hafıza Merkezi, 2014; Emel Ataktürk Sevimli, Esra Kılıç, Gülistan Zeren, Melis Gebeş, Özlem Zingil, *1990’lı Yıllardaki Ağır İnsan Hakları İhlallerinde Cezasızlık Sorunu: Kovuşturma Süreci*, Hafıza Merkezi, 2021.

[9] The Dargeçit trial is one of the cases monitored by Hafıza Merkezi. The website [Faili Belli](#) includes a summary of the trial, notes of the hearing and relevant archival documents.

[10] Özgür Sevgi Göral, “Waiting for the disappeared: waiting as a form of resilience and the limits of legal space in Turkey”, *Social Anthropology*, September 2021, p. 812, <https://doi.org/10.1111/1469-8676.13096>

[11] Özgür Sevgi Göral, *Yaramız Derindir- Hafıza Sabası ve Sömürgeci Afazi*, istos, 2023.

[12] In 2017, Hafıza Merkezi brought together people from the artistic and cultural sphere in a hackathon workshop. The aim was to develop more innovative forms of expression to disseminate the data and findings on enforced disappearances. One of the ideas proposed in the hackathon was Anıl Olcan’s memorialization project.

[13] *Aşıkâr Sır*, Exhibition Catalogue, Hafıza Merkezi, 2019.

[14] Hirsch, M. (2019). “Connective Arts of Postmemory”. *Analecta Polittica*, 9(16), 171-176: “The connective art of postmemory can become a practice of repair and transformation. It reminds of multiple pasts while facing potential futures.”

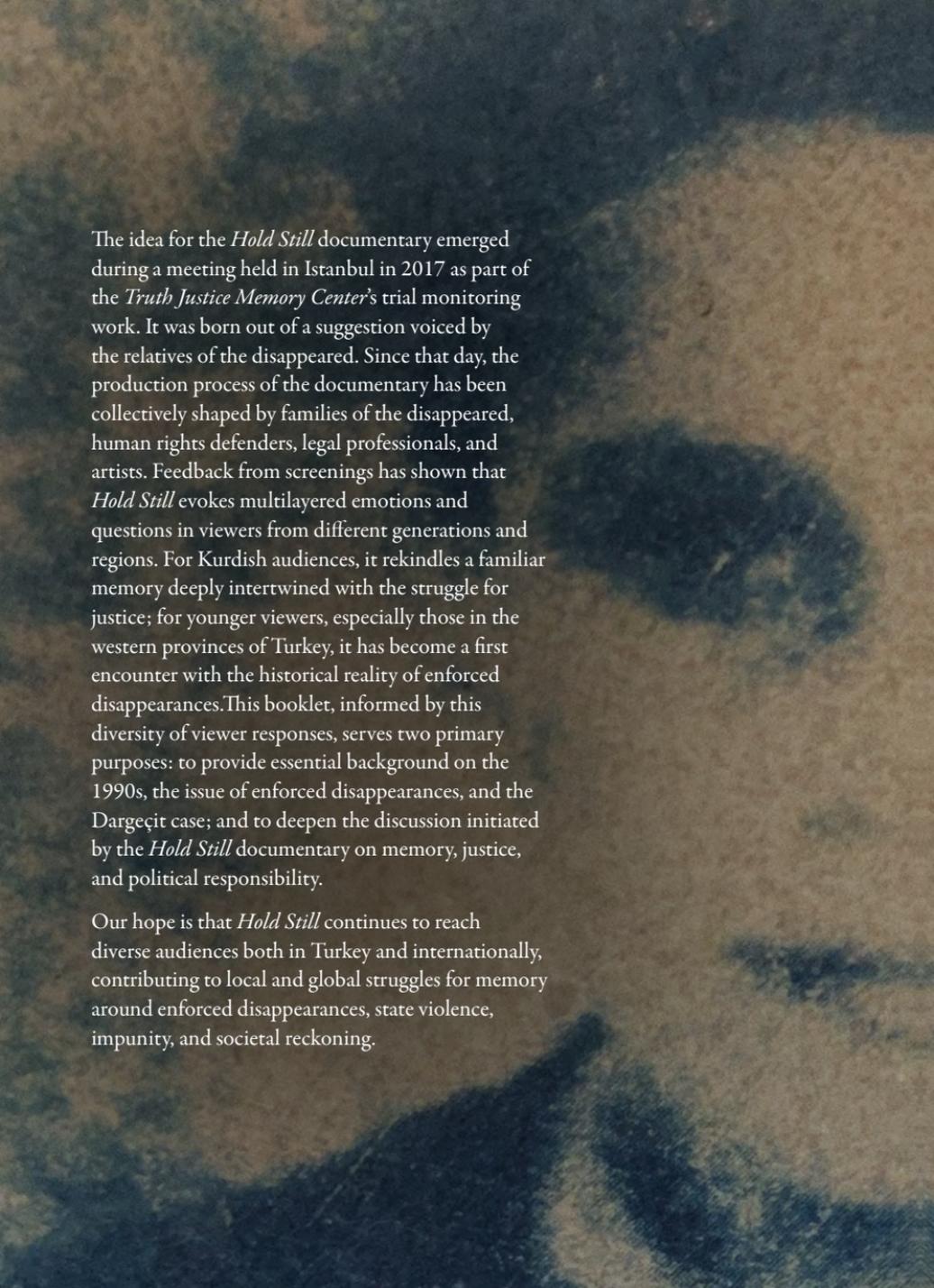




This booklet has been produced with the support of the European Union.  
The contents of this booklet are the sole responsibility of Hafıza Merkezi  
and do not necessarily reflect the views of the European Union.



This booklet was printed with the valuable support of the Friedrich-Ebert-Stiftung Turkey Office.  
Hafıza Merkezi is solely responsible for the content and the views expressed do not reflect  
the official position of the Friedrich-Ebert-Stiftung Turkey

The background of the page is an aerial photograph of a coastline. The top half shows a dark blue sea meeting a sandy, brownish shore. The bottom half shows a more rugged coastline with dark, rocky areas and some greenery. The overall color palette is muted, consisting of various shades of blue, brown, and tan.

The idea for the *Hold Still* documentary emerged during a meeting held in Istanbul in 2017 as part of the *Truth Justice Memory Center's* trial monitoring work. It was born out of a suggestion voiced by the relatives of the disappeared. Since that day, the production process of the documentary has been collectively shaped by families of the disappeared, human rights defenders, legal professionals, and artists. Feedback from screenings has shown that *Hold Still* evokes multilayered emotions and questions in viewers from different generations and regions. For Kurdish audiences, it rekindles a familiar memory deeply intertwined with the struggle for justice; for younger viewers, especially those in the western provinces of Turkey, it has become a first encounter with the historical reality of enforced disappearances. This booklet, informed by this diversity of viewer responses, serves two primary purposes: to provide essential background on the 1990s, the issue of enforced disappearances, and the Dargeçit case; and to deepen the discussion initiated by the *Hold Still* documentary on memory, justice, and political responsibility.

Our hope is that *Hold Still* continues to reach diverse audiences both in Turkey and internationally, contributing to local and global struggles for memory around enforced disappearances, state violence, impunity, and societal reckoning.