



# **“NO PEACE WITHOUT JUSTICE”**

***VIOLATIONS OF THE  
RIGHT TO LIFE OF  
CHILDREN AND YOUTH  
IN THE KURDISH REGION  
OF TURKEY  
(2000-2015)***

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adalet iyileştirir

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## INTRODUCTION

This report is the result of a three-year research project titled *Justice Heals*, which involved extensive fieldwork and desk-based research. Adopting an interdisciplinary approach, the study examines violations of the right to life of children and youth in the Kurdish region between 2000 and 2015. The analysis explores how these violations occurred within a broader context shaped by the securitization policies of the period, as well as developments in the political and legal spheres. The “*No Peace Without Justice*” report focuses on the experiences of those directly affected by the violations of the right to life and the narratives of their relatives, from sociological and anthropological perspectives. The other output of this research, the report titled *Law in the Shadow of Security*, examines patterns in the use of lethal force by security forces and the judiciary’s response to these violations from a legal perspective.

This research is a continuation of Hafıza Merkezi’s work on the 1990s. We discussed in the methodology sections of both reports why we chose to limit the chronological scope of this research to the period between 2000 and 2015. One of the most significant reasons for this choice is the absence of suitable conditions and a conducive political environment for conducting fieldwork on the 2015 and post-2015 period, marked by the wave of violence following the collapse of the peace process and the escalation of urban clashes. In addition, we consider it important to examine how right to life violations and impunity persisted and evolved in the Kurdish region during 2000–2015, a period characterized by an agenda of democracy and human rights, as well as various civil initiatives and the peace process, as a contribution to our understanding of the forms of violence and inequality that shaped both earlier and later periods.

Another aim of this study is to foster discussion on different definitions of justice and the various dimensions of seeking justice. This report seeks to explore how retributive justice and restorative justice could be articulated together to advance justice for individuals as well as society as a whole, while inviting us to question the widely assumed dichotomy between the two. Conducted at a time when the horizon of transitional justice remained absent or blurred, this research underscores the importance of sustaining a multifaceted struggle for justice that takes into account structural inequalities and the forms of violence shaping both the present and the future, while situating the topic within broader discussions on justice and peace in Turkey. Thus, at a time when renewed dialogue between the Republic of Turkey and the Kurdish movement has rekindled a fragile hope for peace, we maintain that seeking justice and confronting the past are not obstacles to peace, but essential to its realization.



*"As young people who had only just emerged from childhood, we, too, could have been shot dead; war remnants we mistook for toys could have exploded in our hands; we could have been targeted by bombs dropped from warplanes, struck by an armored vehicle while asleep, or hit by tank shells while sitting in our homes. We could have been attacked by dogs set upon us by law enforcement, exposed to tear gas canisters, shot during dawn raids with large weapons dropped next to our bodies [to incriminate us], or even burned alive in basements. Yet we are alive today only by coincidence, and we call for accountability for all our friends who were killed."*

**Yasemin Soydan, Medzan Nakçi, and Xemgîn Yusuf Görücü**

*Öldürölmeselerdi Arkadaşlarımız Olacaklardı*

*[Hadn't they Been Killed, They Would Have Been Our Friends] (2023)*

**2000 - 2015:**  
**“NEITHER WAR**  
**NOR PEACE” IN**  
**THE SHADOW OF**  
**VIOLENCE**

This research primarily focuses on the narratives of children and youth whose right to life was violated through acts of violence perpetrated by state law enforcement between 2000 and 2015. The loss of these lives, whether through direct targeting or through the militarization of areas treated as war zones, and the subsequent pursuit of by their relatives unfolded during a political period in Turkey that can be described as one of “neither war nor peace.” The expression “neither war nor peace” (*ni guerre, ni paix*) (Linhardt & Moreau, 2013; Gayer 2014), frequently used in the social sciences, refers to a situation in which an armed conflict no longer continues in a direct or intense manner, yet is not resolved through a permanent settlement, and therefore persists in an unclear and transitional phase. In this context, even when open conflict appears to have ceased or continues at a lower intensity, peace remains unattainable because the structural dynamics and root causes sustaining the conflict have not been eliminated; consequently, many life-threatening conditions persist.

This in-between condition—in which neither war prevails, nor peace is established—constitutes a key reference point for understanding the period between 2000 and 2015, which forms the temporal framework of the *Justice Heals* project. This fifteen-year period represents a conjuncture in which the heavy political and social legacy of the 1990s continued to shape Turkey, while simultaneously new political subjectivities, collective demands for rights, and peace-oriented social imaginaries emerged. It can be understood as a transitional phase during which the status quo began to erode without giving way to structural transformation, resulting in the coexistence of contradictory dynamics.

Many scholars have noted that the state of emergency in the Kurdish region has never been an *exception* but rather a *rule* since the establishment of the Republic of Turkey (Has 2023: 435–444). In fact, until the lifting of the state of emergency in 2002, most of the Republican period was shaped by exceptional governance mechanisms such as martial law, the General Inspectorates, and State-of-Emergency (SoE) regimes. In this sense, the period examined in this research constitutes a historical exception. The years between 2002, when the SoE was lifted, and 2015 mark an exceptional period during which the practice of state of emergency was temporarily suspended. A comparable exception can be observed only between the early 1950s and 1978; however, this earlier period also witnessed a return to partial martial law following two military coups. Overall, this period of “neither war nor peace” signifies a relative departure from the long-standing state of emergency regimes that have characterized the experience of the Kurdish region.

Accordingly, we take the early 2000s as the start of the historical scope of this research and conclude it in mid-2015, when the peace process came to an end. This timeframe can also be understood as a period of relative calm situated between the low-intensity war

of the 1990s under the state of emergency and the authoritarian consolidation and re-securitization of the Kurdish issue after 2015–2016. Although continuities such as state violence, rights violations, and structural racism clearly persisted throughout this period, it was nonetheless marked by a notable expansion of public space in favor of *subaltern counterpublics*<sup>1</sup> (Fraser, 1990) in comparison to both the 1990s and the last decade. As a period in which history gained momentum while incorporating different temporalities and mnemonic layers, it also marked a moment when the horizons of expectation for oppressed groups in Turkey broadened, enabling them to bring their voices into the dominant public sphere or assert their own publics within it.

This timeframe (2000–2015) also marks a critical period where foundational transformations and ruptures occurred with regard to the Kurdish issue. In particular, the phase beginning with the capture of Abdullah Öcalan, the leader of the Kurdistan Workers' Party (PKK), in 1999 and continuing until 2004, witnessed a series of significant developments, including debates on the death penalty; Öcalan's call for withdrawal and a ceasefire among PKK members; internal disputes and divisions within the PKK; a unilateral ceasefire by the PKK; the establishment of the Freedom and Democracy Congress of Kurdistan (KADEK) and subsequently the Kurdistan People's Congress (KONGRA-GEL); and the articulation of a new paradigm by Öcalan concerning the democratic resolution of the Kurdish issue. This phase came to an end in June 2004 with the PKK's decision to resume armed struggle. Overall, this period marks a phase of profound transformation not only at the organizational level but also in the ways the Kurdish issue was approached. While substantial shifts were observed in the discourse and strategies of both Kurdish actors and the Turkish state, it also became evident that regional and global dynamics with transnational dimensions began to exert an increasingly visible influence on the trajectory of the process.

With the exception of the brief unilateral ceasefires of the mid-1990s, the years from 1999 to 2015 stand out as the period in which non-conflict phases and negotiation efforts were most prominent in Turkey. First, following Öcalan's capture, the PKK unilaterally declared a ceasefire and withdrew beyond Turkey's borders between 1999 and 2004. During this phase, the Turkish state did not take steps toward a peace process. Second, the Oslo talks (2007–2011) marked the first comprehensive negotiation initiative between Turkey and the PKK. Third, the peace process carried out between 2013 and 2015, further consolidated by the Dolmabahçe Declaration of February 28, 2015, involved stronger commitments by both sides. Nevertheless, within this sixteen-year span, the periods of 2005–2007 and 2011–

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<sup>1</sup> We draw on this concept from Nancy Fraser. According to Fraser, *subaltern counterpublics* are "parallel discursive arenas where members of subordinated social groups invent and circulate counterdiscourses, which in turn permit them to formulate oppositional interpretations of their identities, interests, and needs." (Fraser, 1990: 67).

2013 were marked by an increased armed actions by the PKK, though not at the intensity witnessed during the 1990s.

Before turning to broader background arguments, it is necessary to briefly outline a few key points that should be taken into account regarding the Kurdish issue, which are relevant to the content and temporal scope of this research project.

Firstly, as demonstrated by the legal, demographic, geographic, and sociological data compiled from multiple sources by the legal team and the field team who conducted this research, violations of the right to life of children and youth are largely a direct legacy of the “low-intensity war” of the 1990s. Beyond deaths resulting from explosive ordnance, military ammunition or other explosive, and security operations in rural areas, cases involving individuals being struck by armored vehicles in urban settings and being targeted during protests also emerge as enduring consequences of this earlier period of conflict. Landmines laid and munitions left behind—particularly in rural areas—are directly linked to the intensive militarization of these regions in the 1990s and their designation as extensive restricted zones. Similarly, the widespread deployment of armored vehicles in urban centers and the systematic, violent suppression of protests and public protests are closely connected to the mass displacement of civilian populations who were forcibly displaced and pushed into urban areas during the same period. In this context, violations of the right to life should be understood not as isolated incidents, but as extensions of the conflict dynamics that took shape in the 1990s and have carried onto the present.

Secondly, these violations of the right to life should not be regarded merely as individual, isolated, or random incidents; rather, they must be understood as the outcome of broader structural and historical processes regarding the Kurdish issue. On the one hand, the origins of these violations lie in the systematic depopulation and militarization of the region carried out within the framework of the counter-guerrilla warfare strategy developed by the state in the 1990s—and extending even earlier, as exemplified by mine explosions in the border regions. In this context, practices such as the construction of military posts, continuous patrols by mobile units, the laying of mines, and the abandonment of military ammunition were systematically employed as instruments to render rural areas uninhabitable for civilian populations. Besides, strategies devised to suppress urban-centered demonstrations and protests -which became increasingly widespread particularly during the 2000s- further intensified the militarization of urban spaces. The siege of cities through the use of armored vehicles, together with the adoption of military logic and force as the primary means of repressing demonstrations, emerged as one of the principal causes of violations of the right to life across different times and locations between 2000 and 2015. Consequently, these violations should be understood

not only as manifestations of a long-term state strategy shaped by spatial policies at both rural and urban levels, but also as the direct outcomes of security-oriented approaches employed to suppress social opposition and political demands.

Finally, the research period, which we characterized as a period of “neither war nor peace,” represents an exceptionally dynamic phase in which social opposition was reorganized and alternative political and social demands emerged, not only in the Kurdish region but across Turkey, in contrast to the two decades of intense and destructive conflict that preceded and followed it. In this context, it is essential to examine the socio-political conditions under which violations of the right to life of children and youth occurred. As will be elaborated in the subsequent sections of this report, the extensive memory work undertaken in relation to these children and youth who lost their lives is directly linked to the specific character of this period. This production of memory reflects not only testimonies of past events but also the distinctive political dynamics of the period that shaped social memory.

Numerous events that occurred during the period under study, leaving a significant imprint both on legal proceedings and on collective memory, took place within the context described above. Among these, as will be discussed in detail in the following sections of this report, there are dozens of incidents in which multiple people lost their lives (such as the demonstrations that took place in Diyarbakır in 2006, known as the March 28 Events, or the Roboskî massacre that took place on December 28, 2011), as well as hundreds of incidents involving individual victims (e.g., Uğur Kaymaz, Ceylan Önkol, Aydın Erdem, etc.).

Regional and global dynamics, alongside local and national contexts, played a decisive role in this period. In this regard, the impact of the September 11, 2001 attacks on the Twin Towers in the United States (US) and the subsequent global implementation of the US-led “war on terror” doctrine are of critical significance. Developments such as the US invasion of Iraq, the restructuring of “terrorist organization” lists, and Turkey’s efforts to legitimize its approach to the Kurdish issue through undemocratic means under the rhetoric of the “war on terror” in the international arena are particularly noteworthy. In addition, Turkey’s European Union (EU) accession process, the increasingly pronounced expansionist and neo-Ottomanist foreign policy pursued under Erdoğan’s leadership, and the country’s rapid integration into the global neoliberal market emerged as decisive factors shaping both domestic politics and regional power relations.

Finally, following the arrest of PKK leader Abdullah Öcalan in 1999, his subsequent reorientation and the efforts from the early 2000s onward to reconstruct the Kurdish

movement's political perspective on the basis of radical democracy brought to the fore a vision of a different Turkey – one that envisaged a “democratic republic” in which the country's diverse identities could coexist on equal terms. This vision became a defining element of the memory landscape shaped through repertoires of commemoration and remembrance.

To better understand the background of the period spanning from the capture of Abdullah Öcalan in 1999 to the collapse of the peace process in mid-2015, the following aspects are particularly important.

### **The Expansion and Diversification of the Public Sphere in Turkey**

In the early 2000s, building on the experience of social struggles that had entailed heavy costs in the 1980s and 1990s, the dominant public sphere—long constrained by the red lines of official Turkish state ideology—expanded and diversified, creating space for new political alternatives. This new context, where the Turkish-Sunni supremacist official national narrative began to be questioned and gradually eroded, emerged at the intersection of national, regional, and global dynamics. The PKK's suspension of armed struggle, the lifting of the state of emergency after a prolonged period, the acceleration of EU accession negotiations, the stance of the newly elected Justice and Development Party (AKP) government in favor of limited status quo change, and optimistic expectations surrounding recovery from the 2001 economic crisis generated a dynamic public debate that challenged the status quo in the public sphere in Turkey. This debate, which increasingly questioned the prevailing order, contributed to the expansion of civil society, enhanced opportunities for knowledge production and learning in opposition to the dominant Turkish-Sunni nation-state narrative, the expansion of social media and digital access to information, the rise of new social movements (including the Kurdish, Islamist, feminist, and environmental movements), and, ultimately, the emergence of *subaltern counterpublics*.

From the early 2000s until 2015, *subaltern counterpublics* played a decisive and transformative role in public sphere debates in Turkey, introducing new concepts, demands, and visions into the repertoire of political struggle. The nationalist, monolithic Turkish-Sunni narrative continued to occupy a central place in the social imagination. Yet, alternative discourses that framed difference and diversity not as threats but as sources of richness became increasingly visible within these counterpublics and began to be articulated as concrete political demands. The Kurdish movement, the feminist movement—and, to a lesser extent in the early 2000s, Islamist movements—were particularly influential in this transformation. Beyond these social movements, channels

such as publishing houses, journals, and alternative media outlets also played a significant role in producing and disseminating critical knowledge, thereby contributing to the questioning of the hegemonic narrative.

## **The Rise of Human Rights Based Political Demands and the Memory Turn**

With the end of the Cold War, the rise of liberal democracies proclaiming the “end of history,” and the emergence of memory work focusing on diverse experiences of violence—most notably the Holocaust, dictatorships in South America, and the wars in the Balkans—a new discourse on justice and democracy, grounded in human rights, emerged as a dominant global frame of reference. The momentum gained by human rights-based political discourse since the 1990s, together with legal frameworks such as “crimes against humanity” employed in processes of dealing with the past, contributed to growing attention to individual testimonies and to the emergence of the witness as a public figure within this new paradigm of remembrance. In this context, victims began to speak as witnesses, and memory came to be valued as an “arsenal of testimony.”

Alongside global dynamics such as the “memory turn” (Sezer & Çelik, 2021)—a process that began with the Holocaust and became especially prominent in Eastern Europe after the Cold War and in Latin America following periods of military dictatorship—a rights-based civil society sphere emerged in Turkey. Developed in parallel with EU accession-driven legal and democratic reforms and the EU’s multicultural policies, this sphere enabled oppressed social groups in Turkey, most notably Kurds, to articulate more openly the political discourses and demands they had developed within their own subaltern *counterpublics*. Thus, in Turkey, where the pursuit of human rights and democracy in the civil sphere has unfolded against this backdrop; the discourse on human rights, initial signs of which had appeared in the mid-1990s, emerged as a mainstream frame of reference from the early 2000s onward; and the *memory work*<sup>2</sup> likewise began to take root and develop within this context. During this period, counter-memories produced by various oppressed social groups within their own *subaltern counterpublics* gained increased visibility in the broader public sphere through “the insurrection of subjugated knowledge” (Foucault, 1997).

This human rights-based discourse and memory turn created an exceptionally dynamic field of subjectivity in Turkey, encompassing numerous efforts aimed at dealing with the past and confrontation including seeking justice. Expanding through commemorative

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<sup>2</sup> We use the concept of memory work to refer to a constellation of material, symbolic and moral undertakings that aim to come to terms with the historical injustices of a past whose effects continue to haunt the present. (Çelik, 2020).



ceremonies, oral history and testimony projects, exhibitions, books, films, panels, and conferences, this field functioned as a mirror through which Turkey's history of violence was illuminated from multiple perspectives, contributing to the formation of a robust social memory within *subaltern counterpublics* (Sezer & Çelik, 2021).

### **The Paradigmatic Shift of the Kurdish Movement at the Turn of the 2000s**

One of the most significant turning points of the 2000s was the profound crisis experienced by the Kurdish movement between 1999—following the arrest of Abdullah Öcalan—and 2004, and its subsequent rapid recovery through a paradigm shift developed largely on the basis of Öcalan's theoretical framework. Reorganized around this paradigm, which Öcalan articulated under the concept of “democratic confederalism,” the Kurdish movement abandoned its objective of establishing an independent Kurdish state and instead turned toward the idea of a democratic republic in Turkey, where Kurds, Turks, and other ethnic and religious communities could coexist on the basis of equal citizenship.

This approach, on the one hand, advanced a critical perspective on the unitary and homogenizing practices of the nation-state; on the other hand, it promoted a pluralistic conception of a “democratic nation,” recognizing difference as a source of richness and organized on democratic principles. In the short and medium terms, this paradigm articulated a political imagination centered on coexistence within the borders of the existing nation-states in which Kurds live, while also envisaging the attainment of a form of democratic autonomy for Kurds within these states. In the longer term, it embraced the idea of a confederal structure aimed at enhancing interaction among the four parts of the Kurdish people. Reshaped around this new paradigm, the Kurdish movement significantly strengthened its presence and influence in the legal political sphere from 2004 onward.

During this period, the Kurdish political movement strengthened its presence not only in Turkey but also in Iraq, Iran, and Syria. In Turkey, it rapidly consolidated a broad social base within the legal political sphere, particularly through local administrations, civil society organizations, and street-based mobilizations. Alongside political parties acting from a “democratic republic” perspective, the Democratic Society Congress (DTK) was established in 2007 and the Peoples' Democratic Congress (HDK) in 2011 as mechanisms for giving a social basis to this new paradigm. Women's, youth, and ecology movements were also reorganized around this framework and entered a phase of strong institutionalization. At the same time, developments in the fields of culture, art, literature, and language gave rise to what may be described as a cultural renaissance.

The politicization of a second generation growing up in urban centers with high Kurdish populations—and in western metropolitan cities such as Mersin, Adana, Antalya, İzmir, and Istanbul, to which large numbers of Kurds had migrated—as a consequence of the forced displacements of the 1990s, paved the way for the emergence of a movement that included urban youth—and even children—in Kurdish region in the early 2000s. Labeled “*stone-throwing children*” in the Turkish national public sphere, this movement constitutes a critical phenomenon for understanding both the socio-demographic dynamics of the 2000s and the violations of the right to life affecting children and youth, which are the focus of this study (Toplum ve Kuram, 2009). This children-youth movement, which became visible in western cities such as Mersin and Adana prior to 2010, assumed a more organized and radical character across many Kurdish cities by 2015 (Darıcı & Hakyemez, 2019).

### **The Crisis of Power and Hegemony Within the State**

The 2000s were shaped not only by the political and social struggles of subaltern groups, but also by the power struggle among competing actors acting within the framework of the “Turkishness Contract” (Ünlü, 2018), as well as by the hegemonic crisis that emerged from this competition. Drawing on the opportunities provided by the Turkish–Islamic synthesis ideology institutionalized after the September 12, 1980 military coup, political Islam, which had been gaining strength in the political arena since the mid-1990s, reached a critical turning point with the rise to power of the Justice and Development Party (AKP) following the 2002 elections. After establishing a single-party government, the AKP’s alliance with the Gülen Movement—particularly well organized in sectors such as education and the military—enabled the pursuit of a revanchist strategy aimed at purging and simultaneously taking over the Kemalist-nationalist power bloc.

During this period, ongoing conflict among the military, the so-called “deep state,” mafia networks, and segments of the ruling classes generated a profound crisis filled with competition and clashes. On one side stood the secular, nationalist Kemalist bloc representing the “old Turkey”; on the other, a nationalist, conservative, neoliberal, and Islamist alliance seeking to construct a “new Turkey.” Confronted with these two hegemonic blocs, a third political line that was shaped by the Kurdish movement and diverse democratic opposition forces emerged and was articulated around the imagination of “another Turkey” (Tekdemir, 2016).

This crisis of power and hegemony within the state was not confined to discursive struggles in the public sphere or participation in electoral processes; it also paved the way for economic, political, and ideological ruptures that fundamentally transformed

the nature of the regime. These fractures materialized through the privatization of public assets, policies rooted in ecological destruction, and neoliberal practices that sharply intensified income inequality. At the same time, constitutional amendments adopted in 2010 reshaped the system of government, conservative–Islamist governance practices aimed at regulating everyday life, and security-oriented policies, reinforcing an authoritarian trajectory. This process became even more pronounced with the criminalization of freedom of expression and protest, particularly in the aftermath of the Gezi Resistance in 2013 and the Kobane protests in 2014.

By the end of the 2000s, as the Justice and Development Party (AKP) consolidated its power through electoral victories, secured social consent for constitutional changes via referendums, and increasingly evolved from a governing party into a state-building project with the support of the Gülen Movement, reactions and anxieties within nationalist–Kemalist circles became even more visible. The Republic Rallies that emerged during this period—when both explicit and implicit warnings from the military proved insufficient to halt these developments—constituted the first mass mobilizations expressing such concern. At the same time, approaches to the Kurdish issue, including violent economic and political strategies aimed at suppressing it, alongside efforts to manufacture social consent around these strategies, became central mechanisms through which the crisis within the state unfolded.

In conclusion, although relatively little time has passed, the fifteen-year period between 2000 and 2015 should be considered a distinct historical turning point in the history of the Republic of Turkey. This moment of “neither war nor peace” moment—when the old order was dissolving while the new had not yet fully emerged, as described by Gramsci—opened up a field of possibilities through which oppressed social groups in Turkey became politically mobilized, most notably around the democratic resolution of the Kurdish issue, and where diverse subjectivities and alternative political imaginaries took shape. However, this temporary political openness ultimately became the target of a renewed hegemonic Turkish–Sunni authoritarianism, grounded in the Turkishness Contract, and faced a major wave of political repression starting in 2015.

Nevertheless, despite the relatively apparent retreat of the “neither war nor peace” period after 2015, this phase revealed fundamental continuities in the history of the Republic of Turkey. The Republic’s treatment of communities outside the “Turkishness Contract” has been shaped by four structural and recurring elements: *deliberate ethnic violence* enacted at varying scales and in diverse forms—from massacres to policies of punishment and extermination, pogroms and genocide; everyday and structural *racism*, sometimes grounded in Turkishness and at other times in an Islamist conception of national identity;

legalized *impunity* protecting individuals and organizations responsible for crimes and violence committed in the name of national survival; and, finally, the persistent *denial* of this violence (Çelik, 2025).

Despite these four structural practices that sustain the continuity of state violence, the period between 2000 and 2015—when it was possible, albeit briefly, to imagine a Turkey where the state of emergency was the *exception* rather than the *rule*—shows that certain ruptures occurred, and some continuities were partially eroded, even as violence persisted. State violence thus perpetuates itself not only through the deaths of children and youth, but also through everyday life, the application of law, and the many domains that regulate social relations.

**RESEARCH**

**FOCUS**

**AND**

**METHODOLOGY**

This report relies on the field study of the research project titled *Justice Heals: A Holistic Approach to the Right to Life of Children and Youth*, which was initiated in 2023 and carried out over a three-year period.

Within the scope of the project, two complementary strands of research were conducted. The *Memory and Peace Studies* team focused on the social and personal dimensions of violations of children's and youth's right to life in the Kurdish region of Turkey between 2000 and 2015 and the ensuing efforts to seek justice. The *Legal Studies* team, in turn, analyzed the judicial processes and the practice of impunity surrounding these violations. While this report is based primarily the fieldwork, a companion publication produced in parallel presents the findings of the legal team.

The main objectives of the research are to show how these violations of the right to life are experienced as part of an ongoing cycle of violence and impunity; to make visible and give voice to the narratives of those who lost their lives and the seeking-justice efforts of survivors; and, to open a discussion on the possibilities of addressing the deep wounds caused by violence and loss in society by examining both the potential and limitations of a restorative justice perspective.

In that regard, we pursued the following questions: How did human rights violations during this period—which is often described as a period of relative calm compared to the 1990s—unfold within the political, social, and legal environment of the first fifteen years of the 2000s? What traces did these violations leave in individual and collective memory, and what forms of disappointment did they generate? What kinds of processes did families undergo on the day they lost their children and in the period that followed? What did they experience, and how did they navigate the difficulties of living with loss? How did the legal process function? What material and emotional hardships did families encounter? Ultimately, how did families articulate their understanding of justice and their aspirations for justice in the future? Who were the children and youth who were killed, how were they living, what brought them joy, and what characterized their daily lives, interests, relationships with their families and communities, and what were the qualities that best defined them?

In light of these questions, we examined the process that began in the early 2000s and continued until February 28, 2015, when the Dolmabahçe negotiations came to an end (Çiçek & Coşkun, 2016). This period that was marked by numerous legal arrangements adopted in connection with Turkey's EU accession process, by the discussions surrounding the "Kurdish opening," and by a relative halt in armed conflict, constitutes the temporal scope of our study. As *Hafıza Merkezi*, we selected the period between 2000 and 2015—

which followed the heavy state violence of the 1990s and saw some reforms and peace rhetoric—to show how violations of right to life took new forms, how impunity persisted through various mechanisms, and why expectations for social healing ultimately failed to materialize.

Establishing the number of people who lost their lives due to the involvement of security forces is a complex task. This study drew on reports, data analyses and media reviews produced by the Human Rights Association (İHD) and the Human Rights Foundation of Türkiye (TİHV), organizations, both of which have long been active in this field. Using these sources, we compiled a comprehensive database on right-to-life violations against children and youth resulting from the use of lethal force by security forces in Turkey's eastern and southeastern regions between 2000 and 2015. We further expanded this dataset with information gathered through our fieldwork using the snowball sampling technique, to include cases not included in these organizations' lists.

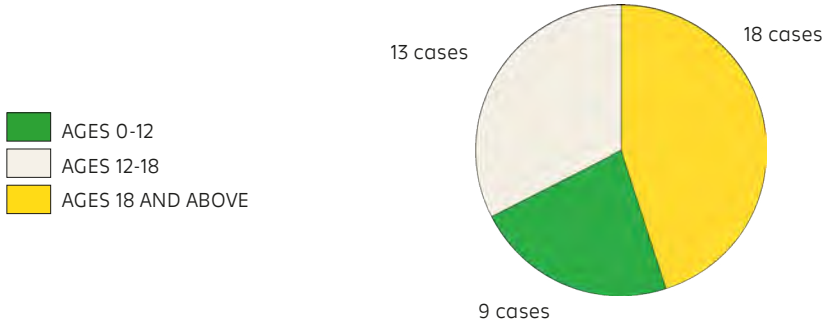
This database served as a foundation for the two parallel studies carried out within the scope of the *Justice Heals* project. The legal team analyzed selected cases files, conducted interviews with lawyers and produced a separate report based on legal documentation. The field team, in turn, identified the cases analyzed in this report, conducted in-depth interviews with relatives of the children and youth who were killed, and examined the societal, emotional and memory-related dimensions of these violations.

In this publication, we focused on 40 cases from the database involving individuals aged 0 to 30. Of these, 15 occurred in Diyarbakır, 11 in Şırnak, 5 in Hakkari, 4 each in Van and Mardin, and 1 in Batman. 22 involved children (0-18 years), and 18 involved youth (19-30 years). Among those who lost their lives, 18 were young men, 18 were boys, and 4 were girls. As observed in our previous fieldwork on enforced disappearances (Kaya & Bozkurt, 2014), men constitute the majority of victims in right to life violations in Turkey. The fact that the victims in this study were children and youth does not alter this pattern. Notably, all four of the girls included in the study were under the age of 18.<sup>3</sup>

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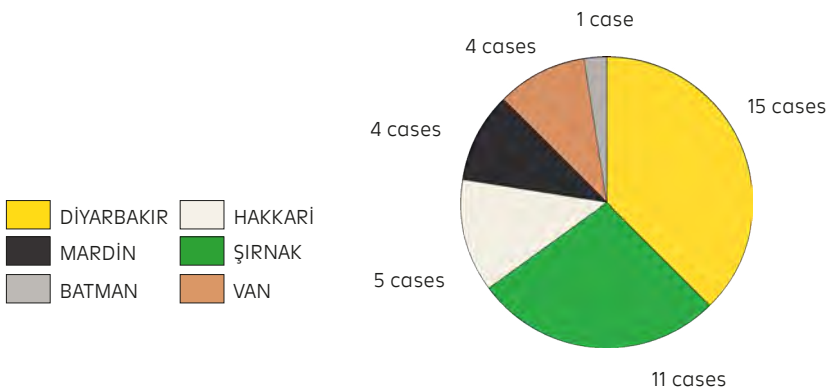
<sup>3</sup> Since only four girls were included among the cases we examined, and in order to underscore both their status as minors under the age of 18 and the specific rights associated with that status throughout the report, we opted to use the terms “girl” and “boy” when referring to these individuals.

### Number of Cases Examined by Age Group



During the fieldwork conducted between May 2023 and May 2025, 55 interviews were carried out in relation to the 40 cases mentioned above. A total of 137 individuals participated in these interviews. Of these, 78 were first-degree relatives, 6 were second-degree relatives, and 53 were individuals from their social circles. 45 of the interviews were conducted using the in-depth interview method, 5 were held as focus group interviews, and 2 were organized as closed forums with families. All interviews were conducted face-to-face. On average, the duration of the interviews ranged from 40 minutes and 3.5 hours. 41 interviews were conducted in the Kurmanji dialect of Kurdish, 2 in the Zazaki dialect of Kurdish, 10 in Turkish, and 4 in a mix of Kurdish and Turkish. As the field team was fluent in both dialects of Kurdish, the interviews were completed without the use of interpreters. Prior to each interview, participants were given detailed information about the process, and written and verbal consent was obtained.

### Number of Cases Examined by Province





The focus of this research is the region of Turkey composed of districts predominantly inhabited by Kurdish populations. The cases shaped the trajectory of our work as we considered the distribution of the killing methods, and we aimed to reach the widest possible range of experiences through focusing on diverse districts. Thus, we conducted fieldwork in the urban centers and villages of Batman, Diyarbakır, Hakkâri, Mardin, Şırnak, and Van. Although we approached the Kurdish geography as a whole, our research took into account the differing dynamics of each city. Even though their modalities changed violations of the right to life continued throughout the period under study, which led us to question the ongoing patterns of violence shared across the collective memory of an entire geography. To this end, we used qualitative research and thematic analysis methods to understand both individual experiences and this collective memory.

Within this scope, we conducted six field visits to Diyarbakır, four to Şırnak, three to Mardin, and one each to Batman, Van, and Hakkâri. In addition, we went once to Mersin to meet with a family who had relocated there following a killing that occurred in Diyarbakır. Our visits included the district centers and villages of Lice, Silvan, Çermik, Ergani, Dicle, Bismil, and Kulp, along with the central districts of Diyarbakır. We held interviews in the districts of Kızıltepe and Dargeçit in Mardin, in the center of Batman, in the center of Van and the district of Çaldıran and its villages, and in the district center of Yüksekova in Hakkâri and its surrounding villages. We carried out all these interviews thanks to local connections and civil society organizations. In particular, the Diyarbakır, Batman, and Yüksekova branches of the Human Rights Association (İHD), as well as the Association for Cooperation and Solidarity with Families Who Lost Their Loved Ones in the Cradle of Civilizations (MEBYA-DER) in Mardin, played a central role in facilitating contact with families. Along with these organizations, human rights defenders, lawyers working in this field, and journalists in Diyarbakır, Şırnak, and Van made significant efforts to support our access to the families.

The main data for this research were obtained through in-depth interviews. Interviews conducted with families who lost their children, spouses, or other relatives generated narratives centered on grief, memory, and the pursuit of justice. With an emphasis on participant diversity, one-on-one in-depth interviews were conducted with first-degree relatives—mothers, fathers, siblings, and spouses—across different generations. These personal accounts provided a crucial basis for understanding the intergenerational impacts of state violence. Within family interviews, separate and more detailed interviews were conducted with women, particularly widows, which included more specific questions.

In the second circle of interviews, we conducted interviews with relatives, neighbors, teachers, and school friends who had an indirect relationship to the losses. These interviews enabled us to understand how grief and practices of remembrance are shaped and circulated at the community level. Similarly, to further examine the social impacts of these losses, we conducted focus group interviews with civilian actors.

In the third circle, we organized focus group sessions to examine the broader social impacts of the losses. These sessions brought together actors of the period around specific themes. We conducted interviews with journalists who were actively working in the field during social events; teachers who worked in the schools attended by the children; artists producing works on violations of the right to life; and long-term female prisoners who constitute important witnesses to this history of violence. This approach enabled us to move beyond individual experiences and to analyze the multi-layered traces that violence has left in social memory. These focus groups also provided an important platform for understanding different perspectives on justice and related demands.

## FIELD VISITS | INTERVIEWS | MEETINGS | FORUMS

	FIELD VISIT	1	Şırnak   Cizre May 1-2, 2023
FIELD VISIT		2	
Diyarbakır   Center, Lice, Silvan, Çermik December 1-6, 2023		3	
	FIELD VISIT	4	Diyarbakır February 19, 2024
Diyarbakır   Center, Lice, Ergani, Dicle Batman   Center, Mardin   Kızıltepe, Dargeçit May, 11-29 2024		5	
	FIELD VISIT	6	Diyarbakır June 13, 2024
Diyarbakır   Center, Lice, Bismil June 22-26, 2024		7	
	FAMILY FORUM	8	Diyarbakır August 4, 2024
Children and Trauma in the Context of Restorative Justice Workshop		9	Mardin   Kızıltepe October 4, 2024
Mardin October 5, 2024		10	International Symposium: "Restorative Justice Approaches to Conflicts and Human Rights Violations: Opportunities and Limits"
		11	Istanbul November 15-16, 2024
FIELD VISIT		12	
Şırnak   Uludere, Roboskî, Mersin   Center December 19-22, 2024		13	
	FOCUS GROUP   Artists	14	Şırnak   Roboskî December 22, 2024
Diyarbakır January 10, 2025		15	
	FOCUS GROUP   Youth	16	Şırnak   Cizre, Uludere February 13-15, 2025
Şırnak   Cizre February 14, 2025		17	
	FIELD VISIT	18	Diyarbakır February 21, 2025
Van   Center, Çaldıran, Hakkari   Yüksekova April 23-30, 2025		19	
	FAMILY FORUM		Diyarbakır November 22, 2025

In addition to interviews, the research incorporated court records, human rights reports, press reviews, and field observations. Memory-oriented art works were also examined to understand how the social impacts of these events are reflected in collective memory. Memorialization efforts for the children who were killed constituted a significant component of the study. Monuments, artistic productions, and books commemorating these children were analyzed, and these materials were used as prompts for discussion and recollection during interviews with families. This approach sought to make more visible the relationship between individual narratives and social memory.

All interviews were transcribed manually by professionals. Interviews conducted in Kurdish (Kurmançî and Zazakî) were translated into Turkish, after which the data were coded using thematic analysis methods. Main themes and sub-themes were identified, and a comprehensive comparative assessment was carried out. The cross-city comparative approach made visible both the distinctive experiences of each region and the shared practices of seeking justice. In this way, the research examined not only individual cases but also the broader social dynamics.

After 2015, the shrinking democratic space and the intensifying climate of criminalization in Turkey reinforced families' instinct to protect themselves and their surviving children. As a result, interviews could often be arranged only through strong and trustworthy references, and some appointments were canceled at the last minute or could not be carried out due to participants' reservations. This situation clearly revealed how the broader climate of distrust in the country was reflected on the field.

Throughout the research process, the safety and privacy of participants were rigorously protected. All interviews were conducted on a voluntary basis, and names and personal information were anonymized. The relationship of trust established between the researchers and the participants constituted one of the most essential foundations of the process; moreover, given that narratives of violence and loss could be re-traumatizing, the interviews were carried out with particular care and sensitivity. Every effort was made to carefully address families' concerns and sensitivities regarding safety and to represent their experiences as faithfully as possible. The authors of the report bear full responsibility for the analysis.

As much as the methodology and fieldwork of this research, the conception of justice that guided it was also one of the fundamental components of the study. The narratives we encountered during the fieldwork reflected not only the violations experienced but also varying conceptions of what justice entails and how it can be achieved. Accordingly, before turning to the field analysis, it is important to outline the holistic approach to justice that constitutes the study's conceptual framework and the debates on which this approach is based.

**SEEKING**  
**JUSTICE:**  
**TOWARD**  
**A HOLISTIC**  
**APPROACH**

In Turkey as in other countries affected by conflicts and systemic gross human rights violations, the struggle against impunity has been at the core of the struggle for justice led by activists, lawyers, survivors and victims' relatives, who have relentlessly denounced the lack of accountability of perpetrators. In most cases, this legal struggle did not result in the conviction of the perpetrators, and in many situations the victims or their relatives were further harmed, or even criminalized. However, the significance of these efforts cannot be reduced to their legal results, as they constitute essential elements of the political search for truth and justice of the victims and the broader Kurdish society.

*"What does justice mean for you? In which conditions would you consider that justice has been served?"* Most victims' relatives to whom we asked these questions in the framework of *Justice Heals* research, provided a clear answer: the punishment of the perpetrators. Yet, many of them also clarified that this punishment did not amount to revenge: it rather stood as a condition for the non-repetition of these violations, and the right to live in peace and security for themselves and the future generations. These observations invite us to question the relevance of the widely accepted dichotomy between retributive justice on the one hand, and restorative justice (or transformative justice) on the other in the context under study. Rather than opposing one approach to the other, this report thus seeks to explore how they could be articulated together to advance justice for the individuals and the whole society.

In this regard, better understanding the needs and aspirations for justice of victims' relatives was at the core of the *Justice Heals* project. In the context of systemic impunity, what was the meaning of their legal struggle? Could different approaches to justice heal the harm done, or transform the unfair system that produced these violations and protected the perpetrators? We framed this research as an opportunity to discuss restorative justice principles and practices, and to reflect on their relevance and limits in the context of Turkey, with a particular focus on gross human rights violations and the Kurdish question. This chapter aims to introduce different concepts and perspectives that have shaped our approach, and to contextualize the findings of this report in the broader discussions on justice and peace in Turkey.

## **Significance and Limitations of Law in the Struggle Against Human Rights Violations**

Retributive justice, which focuses on the punishment of the wrongdoer, is often described as the oldest form of justice, with references to the *lex talionis* and other ancient sources. It also tends to be naturalized, with reference to a human impulse to seek punishment when harm is done (Zehr, 2002). The development of penal systems codifying crimes and their matching penalties has been consubstantial with the construction of the modern

states and central to the attempts of controlling and disciplining citizens. In parallel, theoretical and political debates on the aims and modalities of punishment in different contexts have kept questioning the utility and ethics of retributive justice. Ongoing discussions on death penalty, penal abolitionism or juvenile justice are part of a long tradition of criticisms of the criminal systems developed by modern states.

In the context of human rights violations, the question of retribution has been in many contexts subsumed under the struggle against impunity. In situations of dictatorship and/or conflict, lawyers, victims' relatives and activists have joined forces to develop both legal and extra-legal strategies to hold the perpetrators accountable. Since the aftermath of the Second World War, the development of international criminal law and human rights law has offered new categories, such as "crime against humanity" and "genocide," and has led to the establishment internationalized mechanisms for the protection of human rights at local, regional and international levels. Despite persistent obstacles, the struggle of lawyers, activists, survivors and victims' relatives has brought concrete results: legal provisions and jurisprudence have progressively defined and expanded the scope of accountability for gross human rights violations; international courts, truth commissions and, more rarely, domestic courts have acknowledged the right to truth of the victims and their relatives; and legal proceedings have contributed to uncovering the fate of the victims while opening a space in which perpetrators can be confronted.

However, legal struggles in the context of human rights violations have been obstructed at different levels. Many state authorities have used ambiguous legal provisions, amnesty laws and the statute of limitations to evade accountability. The intimidation or criminalization of victims, activists and lawyers, along with the lack of independence of the judiciary and pressure on prosecutors and judges have further contributed to preserving the shield of impunity that protects perpetrators. Judgments of international courts, such as the European Court of Human Rights, nonetheless play an essential role in acknowledging human rights violations perpetrated or tolerated by the state parties. Yet beyond the payment of reparations, many states remain reluctant to hold perpetrators accountable and to implement significant reforms to guarantee the non-repetition of such violations.

In the case of human rights violations in Turkey, the legal struggle of victims and their relatives face multiple obstacles, including the lack of effective investigations, difficulties in bringing cases before the courts, pressure exerted on both the judiciary and victims, prolonged trial processes, and the use of time limitations to shelve cases (Kurt, 2014; Ataktürk Sevimli et al., 2021). In relation to enforced disappearances, the *Hold Still-Dargeçit* documentary directed by Berke Baş and co-produced by *Hafıza Merkezi*, provides a striking illustration of the synchronous or successive deployment of these

tactics to avoid holding clearly identified perpetrators accountable (Lévy-Aksu, 2025). With regard to the violations of the right to life of children and youth examined in this report, similar mechanisms are described by the victims' relatives and their lawyers, though the changing economic and political contexts, as well as local dynamics, also play a role in shaping whether access to legal avenues is opened or foreclosed. Overall, despite the sustained efforts of lawyers, rights defenders and local communities, gross human rights violations perpetrated in the Kurdish region since the 1980s remain unpunished, constituting one of the most contentious obstacles to the establishment of a fair and durable peace.

### **Why Retributive Justice (Still) Matters: Contextualizing the Debate**

Besides the multiple obstacles to hold perpetrators accountable, in the last decades retributive justice and the struggle against impunity have been increasingly criticized by scholars, practitioners and activists in different geographies, from an abolitionist or reformist perspective. While these critical approaches have so far had little echo in the context of Turkey, they have deeply influenced the research questions at the core of the *Justice Heals* research: On the one hand, we tried to understand the theoretical and political grounds of the criticisms addressed to retributive justice; on the other hand, we questioned the relevance of this critique in the context of Turkey, where the struggle against impunity remains a clear priority for the human rights movement and the victims.

One of the most serious objections addressed to retributive justice is that, by singling out individual perpetrators, the legal struggle most often fails to identify the structural dimensions of human rights violations and the different layers of responsibility, both within the state apparatus and the broader society (Clamp, 2016). In this respect, the closure often advocated as the outcome of successful litigation is largely fictitious, as the political and social dynamics underpinning violence remain unaddressed by legal processes. While access to truth is often invoked as a main motivation and outcome of the legal struggle—particularly in cases of violations such as enforced disappearances and arbitrary killings—prosecution and trials only give access to a judicial truth, which obliterates the facts and processes that lie beyond the scope of the litigation.

Another contentious aspect of the legal struggle concerns the question of the victims' interests. As discussed in this report, prosecution and the punishment of perpetrators come first among the demands of the relatives of Kurdish children and youth who lost their lives in the 2000s. This centrality attributed retributive justice is not specific to Turkey. Since the 1970s, lawyers and human rights organizations worldwide have foregrounded victims' rights and demands within struggles against impunity, emphasizing legal accountability as a moral imperative and as a debt to the victims. Critical approaches to



the anti-impunity movement have however questioned the assumption that such efforts necessarily serve victims' interests (Engle, 2016). First, these critiques underscore that legal processes are rarely conceived and designed with victims' needs at their core. As a result, trials may trigger additional harm among the victims and their relatives, by minimizing or denying their suffering, preventing them from expressing their experiences and feelings, and protecting or acquitting the perpetrators. Moreover, even when perpetrators are punished, victims and their relatives need much more to heal: for instance, psychological support, economic compensation or guarantees of non-repetition. Finally, scholars have questioned the idea that victims naturally equate justice with the punishment of the perpetrators, drawing attention to the importance of alternative approaches to justice in many local communities, as well as to the responsibility of the anti-impunity struggle which has dominated the human rights movement since the wake of the Second World War. While many aspects of these critical approaches are non-consensual and would deserve more thorough discussion, they underscore the importance of historicizing and contextualizing the struggle against impunity, and remind us of the need for critical and self-reflexive approaches within the human rights movement.

How, then, can these critical approaches engage with the clear demands for retributive justice expressed by the victims' families in the context of the Kurdish conflict? And what is at stake in the legal struggle relentlessly waged by victims, their families, lawyers and activists in Turkey? It is important to understand that most critiques towards retributive justice are articulated with a horizon of reconciliation and transformation that is expected to benefit not only the victims, but society as a whole, including perpetrators. The crimes and rights violations are seen as a rupture of just relations, and the achievement of justice is then defined as a process towards a more just, equal and peaceful society—an understanding which contrasts with the individual scope of legal proceedings (Llewellyn and Philpott, 2014). Interestingly, however, most of the victims' relatives interviewed during this research explicitly refer to this horizon of transformation as a central motivation for pursuing their legal struggle. In their accounts, there is no tension or contradiction between seeking justice in the name of the victims as a moral responsibility and expecting from prosecution to generate broader societal changes, in terms of accountability, equal rights and security.

The fact that the legal arena remains the preferred space for seeking justice, despite systemic impunity and the limited consideration afforded to victims' rights deserves to be understood in the broader context of political oppression and resistance in Turkey (Uçarlar, 2015). Unlike a lot of transitional or post-transitional contexts discussed in the restorative justice literature, in the case of Turkey the Kurdish conflict has been continuing—at varying levels of intensity—for more than four decades and has roots

extending back to the late Ottoman period. In addition, the political system still suffers from many flaws in terms of political representations, freedoms and rights. Following the relative liberalization of the 2000s, the autocratic turn of the regime since 2016 has led to a further narrowing of civic space and opportunities for resistance. The legal arena has not been immune to these developments, as evidenced by systematic attacks against the independence of the judiciary and the persistence of the impunity shield observed in the previous decades. Yet, courts remain among the few fora where the victims' relatives can articulate their demands for truth and accountability. In cases of enforced disappearances, even when such confrontation remains unachieved and does not result in sanctions, the significance of trials held in the 2010s has clearly been highlighted by the victims' relatives in the Dargeçit and the Gendarmerie Intelligence and Counter-Terrorism Organization (JITEM) trials (Göral, 2021).

In the present report, this political significance of trials appears primarily in negative terms: in most cases, investigations do not even lead to a trial and the legal arena thus becomes the symbol of the impossible access to justice and missed confrontation with the state authorities; conversely, when investigations do result in trials, the limited legal and political mobilization around these cases question the very relevance of this arena. As for the ECtHR, it remains the ultimate hope for a legal struggle with no outcome at the domestic level, widely known among the Kurdish people for its landmark judgments concerning violations perpetrated in the 1990s. Yet, this report also shows the disillusionment of the victims' relatives confronted with the years-long delays and repeated rejections of the ECtHR over the past decade. As a whole, these dynamics suggest that horizon of the legal struggle has become more obstructed than ever, even for families who have endured multiple layers of state violence and impunity across generations.

Despite this grim picture, the findings of the present report confirm the political and moral significance of the legal arena in the eyes of the relatives and the victims. In a social context where "justice" is most often understood in terms of "retributive justice" or "legal struggle," questioning the legitimacy of this perspective was neither methodologically nor ethically relevant to this research. At the same time though, the clear continuum between individual legal cases and the broader political struggle that has prevailed in the Kurdish region in the last decades points to a horizon of justice that cannot not be reduced to the legal arena. The analysis therefore draws on theories and practices of restorative justice to question whether—and how—justice might contribute to healing and transformation at both individual and societal levels.

## Healing and Transforming: Imagining Justice and Peace

While restorative justice is still better known as a critical approach to the existing criminal justice system, the concept has been used for several decades by scholars and practitioners in the context of human rights violations and conflicts, to refer to a set of principles and practices that seek to repair the harm done at individual and collective levels, while questioning its underlying political and social dynamics.

Because of its emphasis on mending the social fabric and of its transformative horizon, restorative justice has been particularly associated with transitional justice contexts since the establishment of the South African Truth and Reconciliation Commission in 1997 (Clamp, 2014). In the last decades, restorative justice mechanisms were integrated in numerous transitional justice processes. The community-based Gacaca Courts active between 2002 and 2012 to hold accountable the perpetrators the genocide of Tutsis in Rwanda is one of the restorative emblematic institutions, which built on a traditional method of conflict-resolution to encourage truth-telling, social participation and the reintegration of the perpetrators who acknowledged their responsibility, with debated results (Clark, 2014). More recently, in September 2025, the Special Tribunal for Peace (JEP) in Colombia delivered its first restorative sentences against former soldiers involved in extra-judicial killings of civilians: the officers who accepted their guilt and cooperated with the JEP were sentenced to five to eight years of reparations and community work in the communities they harmed, instead of jail (Umana, 2025). Restorative justice has also been increasingly discussed as a set of principles and mechanisms to achieve truth telling, reparation and reconciliation in societies witnessing conflicts and gross human rights violations, in the absence of a close transitional horizon (Gready & Robins, 2019). Yet, in all these cases, significant divergences persist regarding the appropriateness of applying restorative justice approaches to human rights violations and their actual contribution to peace and reconciliation.

In the context of Turkey, the concept of restorative justice remains relatively little known and rarely debated in relation to the multiple forms of human rights violations, massacres and injustices experienced in the country for more than a century. As noted above, the struggle against impunity has long been central to the demands for justice articulated by activists, lawyers, survivors and victims' relatives, who have persistently denounced the lack of accountability of the perpetrators shielded by state institutions and political interests. At the same time, while the paradigm of transitional justice raised much interest among scholars and activists in the 2000s and during the 2013-2015 peace process between the Turkish government and the Kurdish movement (Alici, 2025), it became much less prominent after the collapse of the peace process, the renewed escalation of violence in the Kurdish region and the crackdown on rights across the country (Alici,

2024). Interviews and meetings held with various stakeholders between 2022 and 2024 for the present research reflect this absence of transitional justice horizon—that is, low expectations regarding political change and the prospect of a resolution to the Kurdish conflict. However, the end of the fieldwork in Spring 2025 coincided with the early months of a new round of negotiations between the state and the Kurdish movement. While the opacity of the process and the absence of concrete openings on the part of the state generated widespread distrust, references to a possible peace resurfaced in interviews conducted with victims' relatives in those months, pointing to a fragile yet renewed hope for change.

What, then, can be learnt from restorative justice approaches when the horizon of transitional justice horizon is absent or blurred? First, restorative justice scholarship emphasizes the need to articulate multiple temporalities in order to explore the roots of conflict and inequality and to build more just relations and durable peace (Clamp, 2017). From this perspective, a transitional period—if and when it occurs—should be understood as neither the starting point nor the endpoint of efforts towards justice. In contexts of open or latent conflicts, efforts to advance justice may have little impact on macro political developments, yet they constitute essential aspects of civil resistance and resilience, in many different ways such as documentation of human rights violations, support to victims, dialogue or memory initiatives. These efforts also generate evidence and experiences that may later contribute to truth-seeking and reconciliation during transitional processes. At the same time, viewed through a restorative justice lens, transitional justice processes are inherently insufficient to question the structural dimensions of inequality and injustice, as well as the patterns of violence and exclusion that often precede undemocratic regimes and conflicts, and outlast their end. Addressing the past from a restorative justice perspective thus requires articulating different temporalities and questioning the continuities and changes between periods and issues that are often treated separately. In the case of Turkey, exploring the connections between violence and discrimination targeting different groups from the late Ottoman times to our day, such as the Armenian genocide and the Kurdish conflict (Çelik & Dinç, 2018), and analyzing the underlying role played by nationalism, racism and social inequality are central to a comprehensive approach that would be difficult to fit within the well-defined boundaries of a transitional justice process and its mechanisms. Moreover, sustained efforts in areas such as social rights, anti-discrimination or education remain necessary well beyond any formal transition. In this sense, a restorative justice perspective draws a horizon of justice that links past, present, and future, and encompasses a wide range of practices and initiatives that contribute to question or transform the existing order.

Second, a restorative justice perspective offers a comprehensive framework to discuss the needs and demands of individuals and communities affected by conflict and rights violations. By acknowledging the multiple layers of suffering and harm caused by rights violations and violence, this approach underscores the central importance of psycho-social support and reparative measures for victims and their communities. It also highlights the need to enable victims and survivors to voice their experiences and demands, to document violations and to memorialize these experiences as integral components of justice efforts—both as means of individual and social healing and as conditions for social transformation and guarantee of non-repetition. This holistic perspective is particularly relevant in the context of colonial practices and protracted conflict characterizing the Kurdish region, where several generations have been shaped by accumulated memories and experiences of violence, and have often been denied even the possibility of expressing their sufferings or mourning their losses (Biner & Biner, 2021). A source of inspiration for the present research, the stories presented in the booklet *Öldürülmeselerdi Arkadaşlarımız Olacaklardı* (“Hadn’t They Been Killed, They Would Have Been Our Friends”) give an insight into these different layers, interweaving the memories of Kurdish children killed in the 2000s, the feelings of their parents and the perspective of the young authors, who grew up in the Kurdish region in the 2000s (Soydan, Nakçi, Görücü, 2023). Within this broader approach to justice, and alongside lawyers and rights defenders, social workers, therapists, educators, researchers and artists emerge as key actors whose roles in understanding, making visible, and transforming the experiences of violence and injustice must be acknowledged and supported. In the framework of the present research, discussions and collaborations with therapists, school teachers and artists, as well as support to micro-initiatives aimed at children and youth, were crucial for grasping how these different dimensions can be articulated together, and for identifying the multiple challenges they faced.<sup>4</sup>

While this holistic approach opens up multiple avenues for supporting victims and communities affected by injustice—including in the absence of a transitional horizon—it also encompasses highly contentious elements. Central to the restorative justice paradigm is the idea of repairing broken social relations, which implies processes that seek to involve all parties, including the wrong-doers or perpetrators of rights violations

<sup>4</sup> Alongside the fieldwork conducted with the relatives of the victims, several additional encounters played a significant role in shaping our understanding of justice within the scope of this research. These included focus groups with lawyers, teachers, and artists; the workshop titled “Children and Trauma from a Restorative Justice Perspective,” organized in collaboration with the Psychology Kurdi initiative in Mardin (September 2024); and the International Restorative Justice Symposium organized by *Hafıza Merkezi* (November 2024). In addition, we also gained valuable insights from the small-scale restorative justice projects supported as part of this project, including workshops with children affected by the conflict in Mardin, storytelling activities with children in Diyarbakır, and the production of an animated film addressing the conflict.

(Llewellyn, 2018). In transitional contexts, this reintegration has often taken the shape of partial or full amnesty provisions, shielding parties involved in conflict or rights violations from accountability, in the name of reconciliation (McEvoy and Mallinder, 2012). While amnesty laws have been heavily criticized by rights defenders and victims' collectives, as mechanisms of impunity and affronts to victims' sufferings, their individual, political and social effects must nonetheless be assessed within their specific contexts. Alternative approaches to reintegration and reconciliation can be found in restorative measures imposed on perpetrators who acknowledge their responsibility and contribute to truth-seeking, as illustrated in the above-mentioned case of the JEP in Colombia. Yet, prioritizing community service and reparations over punishment also raises strong objections on the part of the victims, and it remains too early to assess whether such measures effectively contribute to the construction of a more just and peaceful society.

In the present research, interviews, meetings and informal discussions with victims' relatives, lawyers and rights defenders showed an almost unanimous opposition to the idea of an amnesty for the perpetrators of gross human rights violations. The impossibility of forgiving and the irrelevance of reparations were also often clearly expressed by the victims' relatives, although there were dissenting opinions on both issues, as discussed in the last chapter of this report. This standpoint resulted in strong objections to the very concept of "restorative justice" frequently reduced to an approach that prevents perpetrators from being held accountable. While these reactions reflect certain misunderstandings of the theories and practices of restorative justice, they also point to the deeply political nature of the human rights violations under discussion. As noted before, gross human rights violations represent only one aspect of a multi-layered structure of governance and domination, and struggles for justice must therefore be situated in the broader Kurdish political struggle for rights and freedoms. The pre-condition to repair broken social relations is thus to dismantle or transform the political configuration that enabled repeated rights violations over decades and denied Kurdish citizens access to fundamental political and cultural rights. In the absence of acknowledgment of the harm inflicted and of concrete steps to advance rights and democracy, the question of reintegrating the perpetrators appeared ethically and politically irrelevant to most of the interviewees in this research.

The terminology of "restorative justice", and its implicit fiction of restoring an ideal order and fair social relations that had never existed, was also criticized by some interviewees: they highlighted the risk of depoliticizing the question of justice and of avoiding a debate on nationalism, colonial governance and patterns of violence underlying the so-called Kurdish conflict. By contrast, the concept of "transformative justice", preferred by some scholars and practitioners to refer to similar principles and practices with a greater

emphasis on social and structural transformation (Nocella, 2011), was considered more appropriate by many interviewees, as it more closely resonated with their expectations of political and social change. Overall, however, the relational aspect central to restorative and transformative approaches to justice remained largely abstract in a context where the state and its agents continued to avoid accountability and confrontation, and where sustained pressures on civic space undermined the very possibility of dialogue and reconciliation.

Will the negotiation process that has unfolded between the Turkish state and the Kurdish movement initiated since the end of 2024 create a new transitional horizon and make more relevant the relational approach at the core of restorative justice? While the process has brought back hopes for peace in the Kurdish region, the top-down approach that has prevailed to these days is remote from restorative principles and practices. Neither the anti-terror rhetoric adopted by state authorities, nor the hierarchic format and narrow scope of the National Solidarity, Brotherhood and Democracy Parliamentary Commission launched in August 2025 contribute to create a conducive environment where the issues of dealing with the past, accountability and structural inequalities could be raised, and demands of the victims be heard. Yet, despite strong uncertainties regarding the meaning and outcome of the process, the possible resolution of a decade-long conflict raises questions that are central to the restorative justice perspective exposed in this chapter: Will political prisoners benefit from an amnesty law? How to reintegrate the guerilla members in case of demobilization? And what reforms shall be achieved to enable the Kurdish people to access political and cultural rights that were denied to them for such a long time?

While not addressing the most recent political developments, the findings of this report underscore that expectations for peace among communities directly affected by the conflict are inseparable from strong demands for justice. How, then, should the multiple layers of human rights violations perpetrated over the past century against Kurdish people and other groups and individuals be addressed, and how can these violations be adequately documented and remembered? How shall the responsibility of the state and its agents be acknowledged, and in which conditions would amnesty, public apology or reparations be relevant and acceptable to victims and to society at large? Finally—and perhaps most fundamentally—how can a transformative horizon be envisioned that meaningfully articulates justice, peace and democracy, and contributes to a more equal and just society? This research was not meant to provide answers to these open-ended questions. Nonetheless, in many respects, these questions are fully relevant to the experiences and demands for justice expressed by relatives and communities of young victims, which lie at the core of this report. No meaningful horizon for peace and justice can be imagined without their voices being heard.

# **FIELD**

# **STUDY**



*This section analyzes the field findings of the research, which is grounded in the qualitative data, through three main axes. The first examines the social, spatial, and political context shaping the living conditions of children and youth, with the aim of understanding the historical and structural conditions under which violence persists. The second focuses on the various forms, sites, and patterns of death within this structural context, elucidating how violence manifests in everyday life. The third explores practices of seeking justice and the efforts to preserve memory in the aftermath of these violations at both the individual and collective levels, highlighting how such practices have evolved into a domain of resistance.*

## **SECTION 1**

### **Growing up in the Kurdish Region: Experiences of Childhood and Youth**

This first section of the qualitative analysis focuses on the life experiences of children and youth in the Kurdish region during the relatively less intense phases of the conflict in the 2000s. While the primary focus of the study is the violations of the right to life affecting children and youth, one of its aims is to foreground the lives of those who died without reducing them to mere cases or statistics. For this reason, particular attention is devoted to understanding the political and social environment in which they grew up, as well as discussing their childhood experiences with their relatives. Through this approach, we observed how spatial and socio-economic conditions produced markedly different experiences among children. The youth at the center of this study grew up in urban or rural settings; some attended school while others started to work at an early age; some became politically engaged early on, while others remained distant from politics. Despite these individual differences, however, two fundamental shared conditions emerge as shaping their experiences:

1. The enduring impact of the multi-layered legacies of conflict and violence of the 1990s, which continue to affect both personal lives and broader social dynamics.
2. The continued subjection of the Kurdish region to specific security policies and patterns of rights violations, distinct from those applied in other regions in Turkey, despite the formal lifting of the state of emergency in the 2000s.

In that regard, by shedding light on different places and experiences, this section is crucial for understanding the broader context that made the violations of the right to life examined in the upcoming sections possible.

Each of the locations in which the right to life of children and youth was violated is marked by specific historical and political characteristics. Nevertheless, it is possible to group them into two main categories: first, city and district centers that experienced significant demographic growth due to the arrival of populations forcibly displaced in the 1990s; and second, rural settlements that are strategic in terms of security policies, including areas located along national borders. These two spatial configurations also constitute the primary framework within which violations of the right to life have occurred.

## **1) Urban Experiences: Social Mobilization and Securitization Policies**

The neighborhoods established by people forcibly displaced from their villages in the 1990s and those who resettled in urban areas are spaces carrying past losses and suppressed grief (Dinç, 1997; Çağlayan et al., 2011). In these urban settings, the violations of the right to life largely aim to disperse political mobilization and suppress social energy. The social events of the period also reveal how the state's security-oriented perspective permeated urban life (Kılıç, 2023). Even during what was referred to as non-conflict period, all forms of political expression in public spaces were coded as a "threat," and the line between ensuring security and suppressing dissent became increasingly blurred. Thus, the 2000s illustrate how the forms of violence shifted from direct armed conflict toward the regulation of public space and the criminalization of social mobilization in the streets.

### **A) Social Mobilization and Violence in Diyarbakır during the 2000s**

Diyarbakır constitutes one of the cities in which the transformation of violence can be observed most distinctly. During the 2000s, violence in Diyarbakır was not expressed through direct armed conflict, but rather through the regulation of daily life and the restriction of public space. In comparison with other cities in the Kurdish region, the security forces' modes of intervention and the mechanisms through which violence was legitimized were more contained in form, yet equally systematic. While the city's visibility in the international arena and the prominence associated with its metropolitan character altered the tone of violence, the community was encompassed within a security regime sustained under what was framed as the "normal order." Unlike other cities and rural areas in the Kurdish region, Diyarbakır offered the youth distinct opportunities for education, socialization, employment, and cultural participation, as well as interaction spaces that facilitated social and political mobilization. As illustrated in the examples below, the increasing accessibility of mobile phones and the internet in the 2000s meant that social movements were no longer confined to a single neighborhood or city but reverberated across multiple locations. Consequently, despite various fractions, it is possible to identify interconnected spaces of resistance and repression.

### ***Construction of the Kurdish Public Sphere Center of Turkey***

Diyarbakır became the center of a political identity shaped initially by resistance to systematic violence and torture in Diyarbakır Prison No. 5—where Kurdish militants from various political factions were detained following the 1980 military coup—and further consolidated through the resistance of the 1990s. The city underwent significant political, social, and cultural transformations in the 2000s. The rapid demographic growth triggered by the village evacuations and forced migration of the 1990s produced a swift and unplanned urbanization process, particularly in the districts of Kayapınar, Bağlar, and Yenışehir. During this period, when armed conflict had diminished but poverty and unemployment remained high, the construction and service sectors in Diyarbakır continued to attract migrants from rural areas. The population of the province, which stood at 1.3 million in 2000, rose to 1.6 million in the early 2010s (Turkish Statistical Institute [TÜİK], 2000; 2010). Throughout the 2000s, Diyarbakır was among the provinces with the youngest population in Turkey, with approximately 60% of its residents under the age of 25 (TÜİK, 2000). The expansion of Dicle University during the same period further enhanced the city's appeal for young people across the region. This youth population—predominantly of rural origin, living under difficult economic circumstances yet possessing a high degree of political awareness—played a central role in the social mobilization of the 2000s.

The fact that the Diyarbakır Metropolitan Municipality and the district municipalities have been governed by Kurdish political parties since 1999 has further reinforced the city's central role within the Kurdish region. The municipality, which pioneered a range of innovative practices—including multilingual municipal administration, participatory governance, and the representation of youth and women—played a significant role in transforming the public sphere (Gambetti, 2005). The annual arts and culture festivals and literature days organized by the Diyarbakır Metropolitan Municipality since 2001 became emblematic of the period, bringing together diverse ethnic and cultural groups and emphasizing cultural dialogue and diversity. In this context, Diyarbakır emerged as the principal center for initiatives of dealing with the past, restoration, and rehabilitation in the Kurdish region. Especially following the Kurdish political movement's victory in the municipal elections in 1999, the city turned into a political workshop for the construction of public memory for both the Kurdish movement and various civil society actors. Renamed as Amed by the Kurdish movement, through its network of civil organizations, initiatives, institution, and most notably the municipalities, the city underwent a cultural, symbolic, and spatial reconstruction from 1999 until 2016, when municipalities were taken over by the government-appointed trustees (Çelik, 2021). Thus, up until 2015, Diyarbakır can be regarded as a setting in which municipalities undertook significant steps toward

developing new policies of commemoration and memorialization, as well as toward decolonizing public space and social life through their support for various social and cultural initiatives (Gambetti, 2010).

Civil initiatives and social movements in various fields also played an important role in the transformation of the public sphere (Çiçek, 2012). During this period, which saw a rise in women's movements, youth movements, and cultural and artistic initiatives, numerous new civil society and cultural organizations emerged, making their demands increasingly visible in the public sphere. With its Kurdish-language media outlets and initiatives in Kurdish theater, literature, and music, Diyarbakır became the focal point of cultural production in the region. In these same years, the Kurdish schools that were opened sought to develop an alternative educational model for children and youth. Conservatories providing music, cinema, and drama education in Kurdish language created an important space of cultural production for young people—particularly those from Bağlar, known both as a *gecekondu* district and as a settlement area for those who migrated to Diyarbakır from villages in the 1990s due to forced displacement, and who were often unable to continue formal education (Andiç & Pasta, 2025).

In the early 2000s, work with children began to gain momentum in both within civil society initiatives and on local government agendas. Starting in 2001, the Children's Festival (Development of Social and Cultural Life Association, 2003), organized by the Diyarbakır Sur Municipality with the support of various civil society organizations, stood out as one of the earliest examples in this field in Turkey. Work with children, still a relatively new field in Turkey, was approached in Diyarbakır from an innovative and restorative perspective, addressing the context of conflict. These initiatives, directed particularly toward children from families subjected to forced migration due to the village evacuations of the 1990s, addressed a significant gap in psychosocial support, education, and art. Although the organizations do not define their activities explicitly in these terms, it is evident that the work they carried out offered psychosocial support through art. Among the most effective and enduring examples in the field of work with children during this period are the Children Under Same Roof Association (*Çocuklar Aynı Çatının Altında Derneği - ÇaÇa*), founded in 2003, which developed rights-based child policies and implemented improvement projects for disadvantaged children (Karatay et al., 2009); the Migration and Humanitarian Aid Foundation (GIYAV), established in the early 2000s, which carries out work in the fields of ecology, women, and children; and the *Umut Işığı* (Light of Hope) Cooperative, which carried out educational and cultural work with children in Sur in 2004 and has continued its activities as the *Rengarenk Umutlar* (Colorful Hopes) Association since 2015. These organizations have provided distinctive

and transformative expertise to the still-developing field of work with children in Turkey, particularly in relation to children's rights and post-conflict social rehabilitation.

Another prominent symbol of the social mobilization of the 2000s was the Newroz celebrations. Newroz celebrations, which had been banned during the 1990s, began to be celebrated on a mass scale in Diyarbakır from 2000 onward, with official permissions. During these years, the celebrations—attended by hundreds of thousands of people—highlighted the social strength of the Kurdish struggle for identity and rights, despite state efforts to “Turkify” the holiday. Celebrated at the *Fuar Alanı* until 2006 and at Newroz Park in the following years, Newroz functioned as a site of resistance where, in some years, messages from PKK leader Abdullah Öcalan were read and demands for freedom and peace were voiced. At the same time, political funeral ceremonies, shutter closures, school boycotts, and marches held throughout the year demonstrated the city's intense political dynamism. Closely monitored by the state, these social movements were also events that revealed the evolving forms of ongoing repression and violence, as illustrated by the events of March 28, 2006.

### ***The Events of March 28, 2006: Changing Forms of Violence***

The events that started in Diyarbakır on March 28, 2006 constitute one of the most striking examples of these local and regional dynamics (Human Rights Association, 2006). They may also be regarded as a rupture that crystallized the presence of security policies in the public space and the state's approach to social reactions (Günay, 2009). At the same time, the social mobilization that emerged in Diyarbakır on March 28, 2006 illustrates both the ways in which state violence was resisted and how a social response could escalate into a chain of events.

The incident that sparked the protests was the burial of 14 PKK members, who were killed during an operation, on March 28, 2006. During the funeral ceremony, as numerous F-16 aircrafts were flying over the cemetery, the police intervened against the crowd attending the ceremony, when they were leaving the funeral. The protests that followed first began in Diyarbakır and then spread to Mardin, Batman, and Siirt. Shopkeepers closed their shutters, and students boycotted schools. In Diyarbakır, 10 people, including 5 children, lost their lives due to gunshot wounds or gas canister injuries; 563 individuals, among them 200 children, were detained; and 382 people, including 91 children, were arrested. In Mardin, Batman, and Siirt, 3 people lost their lives (Epli & Yaşar, 2024: 172–173).

Those days are recounted in precise details in the interviews conducted with the relatives of children and youth who lost their lives during the events that escalated due to the security forces' uncontrolled and disproportionate use of force. Many interviewees

interpret the then–Prime Minister Recep Tayyip Erdoğan's statement, *"Even if they are children, even if they are women, if they have become a tool of terrorism, we will take the necessary measures"* ("Çocuk da olsa", 2006), as a declaration that enabled or legitimized the disproportionate use of force by security forces during the March 28 Events. They also view this moment as the beginning of a period in which, as they put it, *"children were now being killed in front of the world's eyes, and the orders for this were effectively given by officials,"*<sup>5</sup> emphasizing that Kurds entered a markedly different era following this statement. This incident thus signaled a major rupture in public expectations regarding the AKP's approach to the Kurdish issue after coming to power in 2002. Erdoğan's words were widely perceived as the first substantive indication that a security-driven approach to the Kurdish issue would persist in continuity with earlier periods.

As the protests rapidly spread, civic actors in the urban centers also became involved, calling for the withdrawal of security forces in order to bring the incidents to an end and advocating a path toward conciliation. Journalists, teachers, unions, civil society organizations, and local administrations made sustained efforts to ensure that the deceased could be returned to their families, buried, and mourned in peace. Yet these efforts proved unsuccessful, and tensions continued to escalate day by day. This mobilization of civil society aimed at halting the violence, as well as the unsuccessful negotiations that unions and initiatives undertook—or attempted to undertake—with central authorities, has remained a heavy burden on the actors involved, even many years later.

*"At the time of the March 28 Events (...) when everyone was trying to act, an appointment would be requested from the governor, but the governor would not grant one. Yet, whenever [the security forces] felt cornered [by the masses], (...) they would use us as a shield, ordering us to intervene, even though the governor would never officially address us. Our colleagues in those areas [where the clashes were most intense] would come to the union whenever they could (...) [asking,] 'What can we do? What more should we be doing?' And indeed, this inability to do anything created a heavy burden, stemming from not being able to prevent these massacres. At this point, we also carry the responsibility of not having been able to do anything. (...) Not being able to prevent..."*<sup>6</sup>

During the events, everyday life in every affected city came to a standstill, and schools were unable to continue instruction. In the interviews we conducted with teachers working in the schools located at the center of the events, they described the relationships they had formed with their students and the roles they assumed during this period as follows: "As

<sup>5</sup> Interview: Diyarbakır, Center - Focus Group with Teachers - 13.06.2024

<sup>6</sup> Interview: Diyarbakır, Center - Focus Group with Teachers - 13.06.2024

we tried to ensure the students' safety, we found ourselves drawn into efforts to bring the urban clashes to an end."<sup>7</sup> This position at times required them to act as mediators, at times to serve as a shield, and at times to attend the funerals of their students.

*"We learned of the death of one of our students only on the fourth day, because during that period it was impossible to know who was where or what had happened to whom. (...) We went to the school building; our colleagues were anxious, and the students were not even there. We heard that someone had been injured, and it turned out to be one of my own students. (...) A student who had been injured when a gas canister struck them in the face. (...) [The 2006 events] had a particularly profound impact on education. Students were targeted, even teachers were targeted, and so were the schools. (...) As an educator, one suddenly had to take all of this into account. So setting aside what would happen to education itself, you began worrying instead about your own right to life, your children's right to life, your students' right to life. One of my students was injured, and we visited them at home. (...) On the third day, this time it was Abdullah Duran, from the classroom next to ours (...) the news of his death. In that chaotic environment, visiting the family, attending the funeral..."<sup>8</sup>*

Ahmet Araç (26 years old), Emrah Fidan (17 years old), and İlyas Aktaş (24 years old), whose relatives we interviewed for this study, were among those who lost their lives during the March 28, 2006 events. The interviews held with the relatives of the children and youth who were killed, as well as with teachers, journalists and artists, show that March 28, 2006, continues to hold a central place in collective memory, as a moment when state violence converged with widespread social unrest. This indicates that the events of that day remain a formative element in the production of spatial and political memory, even decades later. Interviewees also emphasized that the failure of an ambulance to arrive for Enes Ata and the obstruction of medical intervention were part of a patterned and systematic practice.

*"The ambulance never arrived. Journalists took him to the hospital; everything unfolded before their eyes."<sup>9</sup>*

## **B) Childhood Experiences in the Shadow of Violence in Cizre**

Cizre proved to be the most challenging of all the research sites in terms of eliciting interviewees' recollections of memorable events from the 2000s. This difficulty is

<sup>7</sup> Interview: Diyarbakır, Center - Focus Group with Teachers - 13.06.2024

<sup>8</sup> Interview: Diyarbakır, Center - Focus Group with Teachers - 13.06.2024

<sup>9</sup> Interview: Diyarbakır, Center - Focus Group with Journalists - 19.02.2024



primarily attributable to the trauma generated by the urban armed clashes of 2015, which constituted a deep rupture that unsettled the city's social and spatial continuity (Turkish Human Rights Foundation, 2019). The scale and intensity of the violence during that period reshaped the urban environment and durably transformed the relationship between space, everyday life, and social memory (Darıcı & Hakyemez, 2019). Nearly a decade later, collective memory in Cizre continues to be structured around the destruction of 2015. Remembrance practices tied to the period preceding 2015 have largely receded, and leaving the city's memory anchored in this moment of rupture.

For these reasons, asking about the 2000s in Cizre and soliciting accounts of that period often proved unproductive. The relative calm experienced in the Kurdish region from the early 2000s onward, along with the atmosphere of hope generated by the "peace process" initiated in 2012, was interrupted in Cizre by the urban clashes of 2015-16. These events became engraved in the memory as the moment when all expectations of social peace collapsed. In the interviews, this condition of forgetting appeared not as a deliberate choice but as a consequence of the weight of trauma. Memories remained fixed on 2015, and interviewees were largely unwilling—or unable—to speak about the relatively less conflictual years of the 2000s, finding it difficult to recall that period. In interviewees' narratives, events that had taken place on the streets of Cizre in the 1990s merged with the "Cizre basements"<sup>10</sup> (Altay, 2016), transforming into expressions of grievance and, at times, demands for accountability that were directed even at the research team. Interviewees articulated questions addressed to the state and its institutions, political actors, civil society, and the international community: "Where were you then? What did you do? Why did you not intervene?"

While the adults who had experienced the 1990s remained mostly silent, interviews with youth revealed anger produced by intergenerationally transmitted memory, expressed through words and practices. A young participant from Cizre, whose recollection of the 1990s is limited to the image of the "*beyaz Toros*"<sup>11</sup> describes the 2000s as such:

*"It may be that the 1990s were harsher. I don't know. But in the context of the 2000s, the 2000s were harsher. I mean, I do not think that the state eased this harshness in*

<sup>10</sup> **Translator's note:** The phrase "Cizre basements" refers to a series of incidents that occurred in the district of Cizre during the operations in 2015–2016, in which groups of civilians were trapped in the basements of residential buildings and killed during prolonged curfews and armed clashes. The term has since become a widely used shorthand in Turkey, particularly in human rights and civil society discourse, to refer to the extreme violence of these events.

<sup>11</sup> **Translator's note:** The term *beyaz Toros* ("white Toros") refers to white Renault 12 Toros model cars that became widely recognized in Turkey during the 1990s. In the eastern and southeastern provinces, these vehicles came to be closely associated in public memory with enforced disappearances and unsolved killings, as they were frequently seen in the context of operations by JİTEM. The expression is now used as a symbolic reference to the climate of fear and violence of that period.



*any way. (...) For me, even a minor intervention constitutes harshness. (...) Take Yahya Menekşe, for example. A friend I had seen the day before was killed under a panzer the next day.”<sup>12</sup>*

This points to a markedly different outcome of intergenerational memory transmission in Cizre: the transformation of children born in the 1990s into a generation later referred to as the “Stone-Throwing Children” in the 2000s. Although they did not directly experience the 1990s, this generation grew up hearing about that period from their families and close circles and translated this transmitted memory into their own forms of struggle. As such, this memory became one of the defining and powerful dynamics of the 2000s. A young person we interviewed in Cizre described how this intergenerational transmission took shape in their own life as follows:

*“They miss the point that these children carry traumas shaped by the traumas of the 1990s, which were transformed into action. We grew up in Nur neighborhood, Cudi neighborhood<sup>13</sup> of Cizre. There used to be constant action around here. Although those born in the 1990s did not directly experience the atrocities of the 1990s first-hand, we grew up with the legacy of its trauma. We grew up in that atmosphere, feeling everything that happened in our bones. Thus, when I reevaluate that period, when I look back to when I was sixteen; I see that what drove us into the streets and led us to throw those stones was this memory transmitted from the 1990s, that trauma.”<sup>14</sup>*

As years, periods, and actors changed, practices on both sides also changed. In each period, its own modes and its own memory became decisive. The state and its institutions began to confront the children of the 1990s through different apparatuses. Another young person from Cizre described the relationship the state established with Cizre by stating, *“Nothing is coincidental here.”<sup>15</sup>*

### **Yahya Menekşe and the Stone-Throwing Children**

Throughout this research, every conversation we held in Cizre—which we visited on four separate occasions—ultimately led to Yahya Menekşe, the 16-year-old boy who was killed after being struck by an armored vehicle. This incident turned into a moment of rupture for a generation in Cizre, becoming a memory that left a lasting mark on the city, as hundreds of

<sup>12</sup> Interview: Şırnak, Cizre - Yahya Menekşe Case - 15.02.2025

<sup>13</sup> The neighborhood where the 2015 urban clashes took place.

<sup>14</sup> Interview: Şırnak, Cizre - Focus Group with Youth - 14.02.2025

<sup>15</sup> Interview: Şırnak, Cizre - Focus Group with Youth - 14.02.2025

people, both those who knew Yahya and those who did not, took to the streets in protest. One of the young people who participated in these protests described his motivation as follows:

*"I didn't know Yahya. I have no recollections with him. I've never met him. Yet, when a young person is run over by an armored vehicle in a city, whether intentionally or unintentionally, it generates a profound sense of anger."<sup>16</sup>*

Some of the children who took to the streets in this "anger" were Yahya's neighborhood friends, some were his schoolmates, and others were individuals who had not known him at all. Some were not even eighteen years old yet. Following this incident, Cizre suddenly descended into chaos; all the shopkeepers closed their shutters and gathered for the funeral. A young interviewee, who had been Yahya's elementary school friend, described that day and his motivation for picking up stones from the ground and throwing them as follows:

*"Yahya and I had been friends from elementary and secondary school. We grew up in the same neighborhood. He was our neighbor. Back then, I was sixteen. It was February 15, 2008. I was a high school student. I learned about his death on my way home from school. I was in shock. I went straight to the place where the incident had occurred. His blood was still on the ground. I could not see him. But his blood was there. I felt enraged the moment I heard what had happened. You suddenly feel that your present is being attacked by the memory of the 1990s. In that moment, I lost my temper. You reach a point where you are no longer able to think. For instance, the reason I picked up that stone and threw it was that, for the first time, I felt the attack directed at myself. It was the first time that a friend of mine, someone my own age, had been brutally killed. I was sixteen. At that age, I wasn't in a position to evaluate it or to act with common sense. I was solely reacting to the evil that did this to me/us."<sup>17</sup>*

According to the interviewees, nearly 700 people were taken into custody during the funeral of Yahya Menekşe and the events that followed, and close to 300 individuals—most of them children—were sent to prison. These children, whose images were widely circulated in the press and other media outlets, came to be labeled as "stone-throwing children." The 2006 amendment to the Anti-Terrorism Law (ATL) disregarded the principles of the UN Convention on the Rights of the Child, enabling the prosecution and detention of hundreds of children on charges of "membership in an organization" and "propaganda" (Epli & Yaşar, 2024: 179–180). In 2010, the legislative regulation known as the "Stone-Throwing Children Act" formally required that children be tried before juvenile

<sup>16</sup> Interview: Şırnak, Cizre - Focus Group with Youth - 14.02.2025

<sup>17</sup> Interview: Şırnak, Cizre - Focus Group with Youth - 14.02.2025

courts and sent to juvenile detention centers (Turgut, 2024). One interviewee, who was incarcerated as a child and was subjected to violence by guards, stated that it was there that he “first came to recognize the power of the state,” adding:

*“The violence inflicted by the guards was a clear demonstration of the power the state would exercise over you for the rest of your life. It was extremely difficult. They were constantly exercising violence. Either physical or psychological... When you get out, you become even more resentful. In juvenile detention centers, you actually start to organize your anger. Anger was being organized inside.”<sup>18</sup>*

This anger organized inside is also expressed in the courtrooms, and the meaning of that stone picked up from the ground and thrown is presented to the court as a defense:

*“I said [to the judge], anyone would react to such a killing, anyone would. I said that if my friend were killed again today, I would still throw stones.”<sup>19</sup>*

The “Stone-Throwing Children,” who came to public attention in the aftermath of the Yahya Menekşe incident that triggered a major upheaval in Cizre, were shaped not only by the security policies of the period but also by the anger and seeking of justice transmitted through intergenerational memory. Arrests, punitive practices, and harsh detention conditions intensified this anger rather than containing it. Growing up in Cizre, these young people rendered visible not only the conditions of their own time but also the memories of the past and the ruptures of the present.

## **2) Lives at the Border: Everyday Life in the Shadow of Militarization**

In this study, which shows how security policies shape everyday life in urban centers, border regions emerge as another defining spatial category. A number of violations of the right to life occurring in rural settings were the result of the militarization practices justified by “border security.” Surrounded by military vehicles, watchtowers, and border posts, these areas were transformed into sites of resettlement in the 2000s, while simultaneously being redefined for security purposes as spaces of threat production. Nonetheless, the war debris from periods of active conflict remained uncleared.<sup>20</sup> As a result, the spaces in which these incidents occurred emerged as highly visible sites of

<sup>18</sup> Interview: Şırnak, Cizre - Focus Group with Youth - 14.02.2025

<sup>19</sup> Interview: Şırnak, Cizre - Focus Group with Youth - 14.02.2025

<sup>20</sup> The danger posed by landmines, which were laid along Turkey’s borders in the context of conflict and were only partially cleared despite the state’s commitments, persisted throughout the 2000s. The Monitor reports of the Mine-Free Turkey initiative, published annually from 2001 to 2010, then in 2014, and again on an annual basis from 2017 to 2020, provide quantitative data on landmines deployed in border regions (Mine-Free Turkey, 2001 onwards).

tension between state security policies and the everyday living spaces of local communities. The three examples discussed below illustrate the severe economic and political conditions of life in border regions, focusing on the distinctive patterns of violence in these areas.

### **A) Transforming Spiral of Violence in Yüksekova**

*"I was certain [that they would be killed]. I begged them... Go to Iraq if you will, but do not go to Yüksekova. Yüksekova is like Ergenekon [by 'Ergenekon', the interviewee means the deep state, JİTEM], you would be killed. They would be killed."*<sup>21</sup>

These words, voiced by one interviewee, recurred across our interviews with relatives of children and youth killed in Yüksekova, as well as with representatives of civil society organizations and various other actors. This repetition points to the pervasive climate of violence experienced in Yüksekova throughout the 2000s. For this reason, rather than focusing on a single incident, in this section we decided to examine the ruptures produced by these events and their effects. Indeed, although the events and causes in Yüksekova resembled those observed in other districts, violence exercised there was markedly more systematic and continuous. While interviewees in other locations emphasized that the lifting of the state of emergency in the 2000s led to changes in both the intensity and modalities of violence, accounts from Yüksekova suggest that the 2000s remained almost as harsh as the 1990s there.

A striking illustration of these harsh conditions is the case of Newroz celebrations. During the period of relative calm in the 2000s, one of the developments highlighted by the state was that Newroz could now be legally celebrated (albeit under the name "Nevruz."<sup>22</sup>). As in the case of Diyarbakır, the growing visibility of Newroz in the public sphere was framed as a cultural indicator of the peace process. At the same time, efforts were made to reshape its symbolic meaning: Newroz was promoted not only as a Kurdish holiday but as a "common holiday of the entire nation," redefined as a form of "shared cultural heritage" and publicly celebrated by governors and district administrations.

However, this rhetoric found no resonance in Yüksekova. There, Newroz continued to be remembered, as it had been in the 1990s, through deaths, torture, and arrests. A relative of İkbâl Yaşar, who was killed during the Newroz celebrations, stated that it was the ban itself that triggered the incident and addressed the district governor of Yüksekova at the time as follows:

<sup>21</sup> Interview: Hakkari, Yüksekova, Adaklı Village - Bêmal Tokçu Case - 28.04.2025

<sup>22</sup> **Translator's note:** Newroz is the Kurdish name of the spring festival celebrated on 21 March and holds significant cultural and political meaning for Kurds in Turkey and the wider region. The form "Nevruz" is the Turkish-language variant used in official state discourse, where the celebration has often been framed as a generic or Turkic cultural tradition. The distinction between Newroz and Nevruz therefore reflects differing narratives of cultural identity and recognition, rather than a simple difference in spelling.

*"If [Newroz] had not been banned, this wouldn't have happened. We are Kurdish; we have our Newroz, we have always had it, since we were kids. It exists. It is our right as Kurds. Everyone knows that Newroz belongs to the Kurds. Why was it banned?"<sup>23</sup>*

The intergenerational transmission of spatial and temporal memory also took a distinct form in Yüsekova. Here, youth encountered the violence of the 1990s not only through narratives but also through direct experience. A 23-year-old recounts their experience of Newroz in the 2000s as follows:

*"Personally, I was arrested; our house was raided at dawn. Because of the Newroz events—simply for dancing the halay and chanting slogans on Newroz—we were taken from our homes at five in the morning. Solely because we had danced the halay during Newroz, they were raiding our houses at dawn."<sup>24</sup>*

An interviewee from Yüsekova, who was still a child in the early 2000s, reflects on the house raids, the torture they witnessed, and the ensuing sense of helplessness in an attempt to make sense of these experiences:

*"We were just kids (...) We were subjected to torture at the age of ten or twelve. I kept thinking what we could possibly have done at that age."<sup>25</sup>*

## **B) "Going for fuel" in Van**

The geographical and economic characteristics of border regions played a decisive role in shaping family livelihoods. As areas designated by the state as priority security zones, these borders were affected in distinct ways by the conflict of the 1990s. In villages along Van's border with Iran, where targeted shootings, "stop" warning incidents, and landmine explosions occurred frequently, deep poverty, restrictions on animal husbandry, and the transfer of pasturelands to the treasury largely destroyed local means of subsistence. Under these conditions, cross-border trade—commonly referred to as "going for fuel"—emerged as an economic necessity. This practice became so common that, beyond its economic benefits, some young people engaged in it simply as a way to maintain social ties with friends.

Fifteen-year-old Mehmet Nuri Tançoban was also among those who "went for fuel" across the border with his friends to spend time with them upon returning to his village for the holidays. According to the friends who were with him, while they were returning to

<sup>23</sup> Interview: Hakkari, Yüsekova - İkbâl Yaşar Case - 28.04.2025

<sup>24</sup> Interview: Hakkari, Yüsekova - Rojhat Özdel Case - 29.04.2025

<sup>25</sup> Interview: Hakkari, Yüsekova - Rojhat Özdel Case - 29.04.2025

the village and were approximately three kilometers away, soldiers opened fire without issuing any warning to stop. In the darkness, a bullet fired from a distance of about 50 meters struck him in the heart. Families interpret such border incidents, in which life and death are constantly at stake, as the outcome of security policies and poverty. They explain their inability to sustain livestock production in the village as follows:

*“Livestock farming is essentially non-existent; our pastures were prohibited a few years ago. Now our border is off-limits too! So, our land—where our animals used to graze right up to the border—is now off-limits too. (...) They transferred most of our village’s pastureland to the Treasury. They declared it state property and have now built a watchtower there. We are no longer allowed to go to the mountains.”<sup>26</sup>*

This deprivation and poverty leave people with only two options: migration or engagement in smuggling activities (“going for fuel”). In this context, poverty and smuggling force villagers to make the lesser of two evils.

*“Would anyone abandon their own land for someone else’s if they were living in comfort? Who does not value their own life? Yes, out of necessity. If the pastures had been opened... For example, they dug holes in our lands [i.e. they laid mines] and they forbid us from going there to raise livestock. They build guard posts and prevent us from grazing our goats. You are not allowed to raise small livestock, only large animals. But if you cannot graze goats, how are you supposed to make a living, how will you manage? They force people into this situation. Some end up migrating on their own. People are being killed. (...)”<sup>27</sup>*

Another issue repeatedly emphasized in Van concerned acts of violence committed by specific members of the security forces who were well known to local residents. This reinforced the perception that certain individuals were deliberately deployed to these areas and that the violence they carried out was both targeted and systematic (Bozçalı, 2024). As in the case of Ercan Uca, the perpetrator’s sustained violence against villagers, animals, and all forms of life in the village assumed the character of symbolic punishment. A relative of Ercan described this situation as follows:

*“They shot the horse a woman was holding, right in front of us. They were firing at horses, entering the village, insulting people, beating them, and killing animals...”<sup>28</sup>*

<sup>26</sup> Interview: Van, Çaldıran, Hangediği Village - Mehmet Nuri Tançoban Case - 24.04.2025

<sup>27</sup> Interview: Van, Çaldıran, Hangediği Village - Mehmet Nuri Tançoban Case - 24.04.2025

<sup>28</sup> Interview: Van, Çaldıran - Ercan Uca Case - 24.04.2025

Another relative of Ercan described the scope of the violence as follows: *"If he couldn't find a person to kill; he would shoot animals, he would shoot trees."*<sup>29</sup> This incident stands out as a stark illustration of the trajectory that authorized violence can assume. Van in the 2000s constituted precisely such a setting.

### **C) Roboskî: A Massacre at a Border**

The massacre that took place on the night of December 28, 2011, in Roboskî, a village of the Uludere district in Şırnak, constitutes one of the gravest incidents in Turkey's recent history. Aircrafts of the Turkish Armed Forces bombed 34 civilians, the majority of whom were children and youth, who were engaged in "border trade" (Human Rights Association, 2012). All those killed were civilians, from the same village and the same family. The Roboskî massacre entered Turkey's public agenda at a time when prospects for peace were being discussed, starkly revealing precarity of civilian life in border regions.

From the outset, Roboskî's geographical location has been the most decisive factor shaping the livelihoods of its residents. Situated along the Iraqi border, the village is encircled by mountains, with only limited areas suitable for agriculture and animal husbandry. These constraints are compounded by heavy snowfall, harsh winters, and persistent difficulties in road access and transportation. More decisively, however, security policies implemented since the 1990s have prevented farming and livestock breeding even on the land that would otherwise be cultivable. Taken together, these conditions have rendered the village almost entirely economically isolated. The most visible consequence of this isolation has been the emergence of border trade as the primary means of subsistence.

The practice commonly labeled as "smuggling," in media representations after the massacre, was not understood in these terms by the residents of Roboskî. For them, it constituted both a means of sustaining their families and a way to maintain cross-border family connections that had persisted for generations. Many families living along the border had relatives who had been forced to relocate to the Iraqi side in the 1990s after refusing to become village guards. Therefore, the border was more than a mere geographical line; it was a lifeline between families residing in the village on one side of the border, and in neighboring settlements on the other (Yıldırım, 2013). This trade also represented a challenge to the nation-state borders that had artificially severed a historically continuous social and economic space (Çelik, 2019).

Underlying the massacre was this practice of cross-border trade, which constituted the village's main source of income. The exchange of tea, sugar, and fuel with relatives on

<sup>29</sup> Interview: Van, Çaldıran - Ercan Uca Case - 24.04.2025

the Iraqi side had been conducted for years. The state was aware of this activity, which was regulated through “unwritten agreements” with the soldiers. The account of one interviewee illustrates the nature of this arrangement:

*“At the time, there was actually an unwritten agreement between us and the soldiers. Sometimes they would contact the mayor and instruct the smugglers not to go on certain days. They would say that if they went during the day, they shouldn’t approach the Turkish border in the evening. So, we went back and forth according to their directions. (...) So, what we were doing wasn’t a secret. (...) This had been going on for thirty years, and both the government and the military were aware of it.”<sup>30</sup>*

This routine followed a schedule familiar to every household in Roboskî. The “convoys” would depart in the afternoon and return by evening. Children also participated: some carried loads, some tended to the animals, and others simply accompanied the groups. Economic hardship, particularly for young people, compelled them to engage in this trade. The words of Serhat Encü, who lost his life in the massacre, to his mother keenly sum up this necessity:

*“He used to say, ‘What else can I do, Mom? I have to... Are we supposed to eat dirt up here in the mountains? What else can I do? I have to take care of my two siblings. What else are we going to eat?’”<sup>31</sup>*

Despite being accustomed to state oppression, the families of Roboskî could never have imagined that “smuggling,” a routine part of their lives, could result in such a deadly attack:

*“They were in good spirits, they rode off on their animals. By seven o’clock, Serhat hadn’t called. I wondered what had happened. (...) It turned seven o’clock and there was no call. At 7:30, my younger son Amed called [from Istanbul] (...) He said, ‘They say the government attacked the convoys. They blocked their route.’ What could be in the convoys? Is there heroin? Weapons? Nothing at all. Maybe two cans of fuel, but I thought they would just pour it out, take their statements, fine them, and let them go. We could never have imagined they would attack with planes. (...) Servet, who survived, called and said, ‘They didn’t leave a single one of us alive.’ A scream erupted through the village, from top to bottom [from the houses at the top of the village downwards]; everyone was screaming.”<sup>32</sup>*

<sup>30</sup> Interview: Şırnak, Roboskî - Family Forum - 22.12.2024

<sup>31</sup> Interview: Şırnak, Roboskî - Family Forum - 22.12.2024

<sup>32</sup> Interview: Şırnak, Roboskî - Family Forum - 22.12.2024



The state's initial reaction was marked by near silent. While the General Staff of the time expressed "regret" for the incident, it refused to take responsibility. The government defined the incident as an "intelligence failure." For the families of Roboskî, however, *"the timing of this massacre was significant because it occurred just as steps were being taken towards a peace process."*<sup>33</sup> This timing must have been very important for the state as well, as it prompted a series of unprecedented gestures. Then-Prime Minister Recep Tayyip Erdoğan met with the families and declared, *"We will not allow this case to fall through the cracks in Ankara."*<sup>34</sup> Erdoğan's wife and daughter visited the village to meet the mothers of Roboskî. This case also became a symbol of the peace process of the 2010s. Nevertheless, the investigation dragged on for years, without resulting in the prosecution of a single military official. National and international appeals produced no results.

Roboskî remains as one of the most vivid cases in collective memory, illustrating the systematic nature of right to life violations, particularly in border regions during the 2000s:

*"...Night, darkness, cold, snow... I was with his father. Someone came and said, 'I went up to Serhat. He was alive, but missing one leg. He was saying, 'Save me!' He said 'Serhat seemed alive. He was saying, 'Take me to the doctor, save me.'" My nephew carried him on his back to Kehniya Xiyalan. He held my hand and squeezed it.' Then he left Serhat by a rock. Abdullah went over and saw that Serhat had died too. Oh God... I screamed and then lost consciousness. Hesoyê Feqe came to the fire we had lit and said that no one from Yusuf's family had survived. [...] Some were buried with half their bodies, some without hands or legs. I swear, three days later, a leg and an arm were found. It was on this side of the border [...] They filled countless sacks with their remains. We washed eighteen of them, but I couldn't tell which were human and which were animal. May God not let this cruelty go unpunished."*<sup>35</sup>

<sup>33</sup> Interview: Şırnak, Roboskî - Family Forum - 22.12.2024

<sup>34</sup> Turkish Grand National Assembly Minutes Journal, December 10, 2013, <https://www5.tbmm.gov.tr/tutanaklar/TUTANAK/TBMM/d24/c064/tbmm24064027.pdf>

<sup>35</sup> Interview: Şırnak, Roboskî - Family Forum - 22.12.2024

## SECTION 2

# Lives Cut Short: Deaths of Children and Youth in the Kurdish Region

This chapter brings together cases involving violations of the right to life of children and youth in the Kurdish region of Turkey between 2000 and 2015. Whereas the previous section focused on the social, spatial, and historical conditions that made such violations possible, this section turns to the operation of violence within that context, the forms it assumed, and the ways in which it became embedded in the ordinary flow of everyday life.

Our aim is not to recount individual incidents, but to demonstrate how the forms of power employed by the state in different periods have coalesced into a shared pattern, constituting a systematic, continuous regime of violence.

From this perspective, the cases examined here can be classified under two categories, taking into account both the perpetrators' intent and the state's obligations. The first category, "deaths resulting from the use of lethal force," refers to cases involving the direct use of force with the intent to kill. This includes shootings at meetings and demonstrations, shootings justified by alleged failure to comply with "stop" warnings, and deaths occurring during operations. The second category encompasses deaths resulting from "the state's failure to fulfill its duty to protect," namely those caused by "negligence or omission." This category includes deaths caused by mines or unexploded ordnance, as well as from incidents involving armored vehicles. Both categories particularly affect children and youth and this analysis highlights how security policies intersect with everyday life.<sup>36</sup>

Although these two categories have different legal implications, their effects are deeply intertwined in the ordinary flow of life in this region. Being targeted during a protest, losing one's life in the random explosion of a mine or a remnant of war, being shot for allegedly failing to comply with a "stop" warning at the border, being crushed by an armored vehicle, or being killed during an operation—while differing in form—are all products of the same political mindset and security-oriented paradigm.

Therefore, this section aims to show that violence has become so pervasive and internalized that it cannot be confined within legal categories; and to illustrate how the

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<sup>36</sup> For a comprehensive legal analysis of violations of the right to life falling within these two categories during the period examined in this study, see Hafiza Merkezi's Law in the Shadow of Security report (Zingil et al., 2026).

deaths of children and youth are produced as an “ordinary” outcome of the state’s security policies.

## **1) Patterns of Killing and Dying**

Violations of the right to life of children and youth occur under different circumstances and take different forms. Although each case has its own dynamics, within the scope of this research it has been possible to group them into three main categories. Some children and young people lost their lives in mine or ammunition explosions, some in armored vehicle collisions, and some during protests. In addressing these cases, we chose to focus on the experiences of the subjects without engaging with the legal and technical details of the violations.

### **A) Mine and Ammunition Explosions**

Anti-personnel mines (“mines”) and unexploded ordnance (“ammunitions”) constitute a persistent cause of children fatalities (Öztürk, 2019). During the period of relative calm that began in the 2000s, not only the necessary mine clearance was not carried out, but the warnings and recommendations of civil society organizations working in this field—such as Mine-Free Turkey and the Human Rights Association (İHD)—were also ignored. The Diyarbakır Bar Association’s 2018 report stated that “children attending schools in rural areas, particularly those located in or near mined areas, should be educated on how to protect themselves from the risks posed by mines and ammunitions” (Diyarbakır Bar Association, 2018). However, this statement remained at the level of a recommendation, and even the activities of civil society organizations working in this field were obstructed.

Özlem Öztürk, chair of the board of directors of Association for Social Awareness, which has been conducting awareness campaigns on landmines and conflict debris in the Kurdish region since 2008, emphasizes that the issue of landmines and ammunition in Turkey should be understood not as a security problem, but as a human rights issue. As she states, “no justification, no war can legitimize people dying from landmines and conflict debris.” Öztürk explains the particular risks faced by children and the authorities’ indifference to this issue with the following example:

*“We requested a meeting with an official in Cizre regarding the work we wanted to carry out. We explained that we wanted to educate children on how to protect themselves from landmines and conflict debris and applied for permission to work in schools. The district governor said that what we were doing was not a pedagogical project and that landmines were not a significant problem for the children of Cizre. (...)”*

*The district governor had forgotten one thing: for a pedagogical project to be possible, children first had to survive. We were only at the first stage. We had to learn how not to die and not to become disabled.” (Heinrich Böll Stiftung, 2013)*

### **Andaç Village Explosion (2003)**

On November 2, 2003, in the village of Andaç in the Uludere district of Şırnak, four children lost their lives when an 81-millimeter mortar shell they encountered on the ground while walking to school exploded (Human Rights Association, 2003). Thirteen children, all elementary school students, were present at the scene. Only one escaped unharmed. Eight children were injured to varying degrees; some lost limbs, while others were confined to bed for the rest of their lives. One child died after many years of medical treatment.

The explosion in Andaç village was not an isolated incident in the Kurdish region. Security policies implemented under the pretexts of “border security” and “counterterrorism” have resulted in the frequent presence of mines and ammunition in civilian spaces. Children are the most vulnerable to this threat. A relative of the children who lost their lives or were injured in the Andaç explosion described that day as follows:

*“That incident that befell us (...) It was an explosive, an 81-millimeter mortar shell. Those little ones were coming out of school, a group of them. They reached this plain, where there is a stream down in the valley. That’s where they saw the explosive. (...) The girls see the explosive. They come and say, ‘We saw something strange. It’s on our way.’ They tell Zahir. Zahir was a little older. (...) He tells his friends. (...) He gathers them and they go to look. They say, ‘This is an explosive. It could kill anyone who touches it.’ So he says, ‘I should at least get rid of it. It’s dangerous, it could kill someone.’ (...) At that moment, he tells his friends, ‘It’s boiling.’ He means it was very hot. One of his friends tells him to throw it away. I mean, by the time he tells that, it explodes in his hands.”<sup>37</sup>*

Children who mistook landmines for toys or handled them out of curiosity either lost their lives or were left with physical injuries that they carried for the rest of their lives:

*“After [the explosion], people were injured. Some became disabled, some fell ill, and none of them live in this village anymore. I took my sister and brother to Van as well. The others were only seven years old at the time; they were children. They are now around thirty years old—most of them, the injured ones, that is. My brother no longer has a leg, and he has lost all spirit; his leg was amputated from the hip down. My sister was also injured. My other brother passed away. I have a neighbor here whose two*

<sup>37</sup> Interview: Şırnak, Uludere, Andaç Village Case - 14.02.2025

*children were injured, and one daughter also passed away. One of my uncle's sons also lost his child. We have a relative here: their daughter was injured, and another daughter passed away. And there is my uncle's daughter—their house is over there. Thirteen people in total... All were children.*"<sup>38</sup>

Landmines and unexploded ordnance threaten not only the lives of children but also those of adults. Indeed, almost all of the people interviewed for this study emphasized that encountering someone who has lost a limb while walking through the village is commonplace. A relative of one of those killed in the Andaç explosion described how landmines and explosives pose an indiscriminate threat to the lives of villagers as follows:

*"In this region—on these roads, in these mountains—perhaps twenty people have lost their legs. They went to graze their goats without knowing [there was a mine there]; they went on a picnic without knowing; they went to a tree without knowing; they went to work or to farm without knowing. The mine exploded right under their feet. Even now, if you walk among the people here, wherever you look you will see twenty or thirty people who have lost their legs. And there are still many mines in our region today—mines that are marked."*<sup>39</sup>

These statements show how the state's failure to fulfill its obligation to clear mines and protect civilians has transformed villagers' daily lives into a lethal risk zone. Those living in these villages express this sense of grievance by asking, *"So why aren't the soldiers clearing those ammunitions?"*<sup>40</sup>

## **B) Children Killed by Gunfire and Gas Canisters**

*"At the age of twelve, they fired thirteen bullets at him. Not one, not two, not three..."*<sup>41</sup>

Uğur's mother begins her narrative with these words. On the morning of November 21, 2004, Uğur's father, Ahmet Kaymaz, a truck driver, was preparing to leave for a long-distance trip, while Uğur was getting ready to go to school. The father went outside the house to load supplies onto the truck, and Uğur wanted to help him. A few minutes later, both were shot dead in front of their home when security forces opened fire. Immediately after the incident, the Mardin Governor's Office stated that 12-year-old Uğur Kaymaz was

<sup>38</sup> Interview: Şırnak, Uludere, Andaç Village Case - 14.02.2025

<sup>39</sup> Interview: Şırnak, Uludere, Andaç Village Case - 14.02.2025

<sup>40</sup> Interview: Şırnak, Uludere, Andaç Village Case - 14.02.2025

<sup>41</sup> Interview: Mardin, Kızıltepe - Uğur Kaymaz, Ahmet Kaymaz Case - 25.05.2024

“one of two PKK members killed in a clash with security forces” (Human Rights Watch, 2007: 18). This statement sought to obscure the fact that Uğur was a child who lost his life while helping his father in front of their home. A relative of Uğur recounts what happened that day as follows:

*“Uğur was about to go to school, and Ahmet was setting out on a trip. They had just stepped onto the street to put their things in the car when the explosion happened. (...) As soon as Ahmet and Uğur stepped outside, they were shot. (...) They claimed, ‘Ahmet and Uğur had Kalashnikovs and opened fire on us.’ (...) They took us to the police station here. When I asked where Ahmet and Uğur were, they said they were in Mardin; we did not know they had been killed. We stayed at the police station until evening. (...) Then we returned home. I knew something had happened, but they weren’t telling us. At dawn prayer time, they brought their bodies side by side to the mosque. I swear, Uğur was almost as tall as Ahmet, and his eyes were wide open. My mother-in-law closed his eyelids with her hands. I fainted right there. May God spare anyone from this. (...) They said Ahmet and Uğur had attacked, but for God’s sake, how could a 12-year-old child get hold of a gun? They shot a 12-year-old child 13 times, calling him a terrorist. (...) They were killed for no reason. (...) They said he was a terrorist, that he was older. They pointed to his height and said he was older. They said, ‘Look, his armpit hair has grown, so he must be older,’ and claimed he was not a child. They placed a Kalashnikov next to each of them and said, ‘They had attacked us.’”<sup>42</sup>*

The death of 12-year-old Uğur Kaymaz has remained in memory as one of the most striking examples of how easily Kurdish children can be criminalized in the public sphere. In the aftermath of the incident, claims portraying Uğur as a “terrorist” circulated widely; this rhetoric showed that how even in death a child’s identity could be subjected to stigmatization and delegitimization. His relatives reported that Uğur’s grave was vandalized on multiple occasions. The statue erected in Kızıltepe in Uğur Kaymaz’s name, symbolizing children who lost their lives in clashes, was removed in 2017 by the government-appointed trustee. Meanwhile, the name of one of the police officers involved in Uğur’s killing was given to an overpass in Kocaeli.<sup>43</sup>

Violations of the right to life of Kurdish children are not isolated incidents. After Uğur Kaymaz, 12-year-old Ceylan Önkol was killed in 2009 by a military explosive while grazing animals, and in 2015, 12-year-old Nihat Kazanhan was killed when a gas canister fired by

<sup>42</sup> Interview: Mardin, Kızıltepe - Uğur Kaymaz, Ahmet Kaymaz Case - 25.05.2024

<sup>43</sup> Dicle News Agency. (2016) “Uğur Kaymaz’ı öldüren polisin adı üstgeçide verildi. (The overpass is renamed after the police officer who killed Uğur Kaymaz.)” October 22. <http://diclehaber.net/news/content/view/541261?page=33&from=3305028514>

security forces struck his head while he was playing in front of his house. Beyond the violations of children's right to life, these cases also point to structural discrimination based on identity. Whereas senior state officials issue statements of responsibility and condolence for children who lose their lives in other parts of Turkey, the deaths of Kurdish children are often met with silence or with accusatory and criminalizing rhetoric. Interviewees frequently emphasized this double standard:

*"Because our child is Kurdish, it's as if there is a different point of view. I mean, they look at us differently because we are Kurdish. But he, too, was a human being—a child—who died innocently, for no reason."*<sup>44</sup>

*"Because the child who died there is Kurdish. He is [a child] of Kurdish descent. If they were not Kurdish, a team of three would have come to clear [the area of the conflict debris and mines]. But why [don't they]? Because the children who go there are of Kurdish origin."*<sup>45</sup>

Interviewees who attempt to make sense of these violations as a whole express that what is happening is not coincidental, but rather part of the policies implemented in the Kurdish region. However, the demand for justice becomes even more urgent, particularly in cases involving the deaths of children:

*"A 12-year-old child. Okay, people in our area have been suffering for years, but this is a child who was hit. An innocent person has died."*<sup>46</sup>

*"Are not the police supposed to protect us? Are they supposed to kill our children?"*<sup>47</sup>

Mehmet Uytun, a 1.5-year-old boy, was killed by a gas canister that struck his head while he was in his mother's arms on the balcony of their home. His mother described her deceased son simply as a child in need of care: *"My son was still breastfeeding."*<sup>48</sup>

The violation of a 1.5-year-old child's right to life neither activated the justice system nor prompted a genuine reckoning in the public sphere. Mehmet's relatives, however, sought to make sense of the shock they had experienced:

<sup>44</sup> Interview: Şırnak, Cizre - Nihat Kazanhan Case - May 2023

<sup>45</sup> Interview: Diyarbakır, Çermik - Umut Petekkaya Case - 04.12.2023

<sup>46</sup> Interview: Diyarbakır, Lice, Yayla Village - Ceylan Önkol Case - 03.12.2023

<sup>47</sup> Interview: Şırnak, Cizre - Nihat Kazanhan Case - May 2023

<sup>48</sup> Interview: Şırnak, Cizre - Mehmet Uytun Case - May 2023

*“Someone coming and unjustly killing a child in their own home... He killed him in his mother’s arms. He stood across from our balcony and shot our son dead with a bullet, aiming directly at him.”<sup>49</sup>*

As a signatory to the United Nations Convention on the Rights of the Child, Turkey is obligated to guarantee the right to life of all children within its territory. However, these cases demonstrate a clear violation of this obligation. The children who were killed have become the most fundamental symbols of the ongoing injustice, discrimination, and unhealed wounds in the memory in the Kurdish region.

These children are not mere statistics; they are lives left incomplete, childhoods cut short, and youth that was never lived. The book *Hadn’t They Been Killed, They Would Have Been Our Friends*, written in 2023 by their peers who survived, underscores this human dimension:

*“One cannot help but wonder: if Nihat were alive today, he would be eighteen years old. How much would the qualities that defined him and made him who he was have changed? Of course, there is no answer to this, because only Nihat could have answered it by living his life. But Nihat remained a child! [...] Being a child in the Kurdish region means a significant reduction in one’s chances of surviving compared to children living in other cities. And it also means remaining a child forever in the face of everything, time passing and others growing older.” (Soydan et al., 2023: 36 ve 10)*

### **C) Social Dynamics of Individual Deaths: Funerals Leading to More Funerals**

The protests of March 28, 2006, discussed above, offer important insights into the social dimension of child and youth deaths during that period. Eight-year-old Enes Ata, who was killed during the March 28 Events, constitutes a significant link in this chain of grief. Although we were unable to interview Enes Ata’s family, the repeated invocation of this incident during fieldwork—not only in Diyarbakır but also in other cities and across different cases—allowed us to observe its broader social impact. Indeed, one of the most striking findings of this research was the pattern whereby one death precipitated others, resulting in days of “funerals leading to more funerals.”

In this section, we examine what can may be described as “chain reaction deaths” and the narratives that emerged around them, drawing on examples of suppressed grief, silenced funerals, and the killing of those who attended funerals.

<sup>49</sup> Interview: Şırnak, Cizre - Mehmet Uytun Case - May 2023



The death of Enes Ata, who was struck by a gas canister during the events of March 28, marked a moment of rupture where funerals became the starting point of renewed conflict rather than a solely spaces of mourning. While taking to the streets has historically constituted a form of mourning, in this context such acts of mourning quickly gave rise to further deaths. The moment when Enes was shot and prevented from being taken to the hospital generated profound shock across many Kurdish localities, particularly in Diyarbakır. The Kurdish region thus became caught in a chain reaction in which “one death led to another.” A relative of 24-year-old İlyas Aktaş, who was shot in the head and killed on March 30, 2006, explains the reasons for taking to the streets and joining the protests as follows:

*“The reason he went to the protests (...) [was that] he was extremely sensitive about children. For example, his leaving the house after Enes Ata... (...) [He said,] ‘Children are being killed right before our eyes. Whether you open this door for me or not, I am going!’ [The brother-in-law was trying to stop him.] My brother-in-law was standing at the door; the incident was happening right there in Bağlar... ‘İlyas, don’t go!’ As he was standing by the door, he said ‘İlyas, don’t go!’ İlyas replied, ‘Today, here in Diyarbakır, children are being killed right before our eyes. If I don’t go, I would be dishonorable. (...) You have to let me go, because I have nothing else. Because children are being killed.’”<sup>50</sup>*

İlyas then left home and was shot in the head. His family, believing that he was not receiving adequate treatment in Diyarbakır—where access to hospitals and emergency medical care was limited—took him to Ankara. On one of the rare days when he was well enough to speak with his mother in the hospital, his final words to her provide an important insight into how young people understood their participation in the protests:

*“The first thing he said to me when he opened his eyes was: ‘Mom, I will say just one thing. I know I am lying in this bed today, and I know how sad you are. But you must never lower your head—always hold it high. I did nothing wrong. I did not steal, I did nothing dishonorable. I followed the right path. I followed the right path; I did what I had to do. I did what I had to do.’”<sup>51</sup>*

While İlyas was fighting for his life in the hospital, the following day, on April 1, 2006, 26-year-old Ahmet Araç was having breakfast in Kızıltepe, a district of Mardin, when he saw the news on Enes Ata’s death on television. A relative of Ahmet Araç recounts what happened next as follows:

<sup>50</sup> Interview: Diyarbakır, Dicle, Kırkpınar Village - İlyas Aktaş Case - 26.05.2024

<sup>51</sup> Interview: Diyarbakır, Dicle, Kırkpınar Village - İlyas Aktaş Case - 26.05.2024

*"...I was having breakfast when he came in. I stood up, and he sat down. A child was killed in Amed. (...) He saw the news [on TV] and it affected him deeply. (...) He left immediately. At the corner, they pursued him with an armored vehicle. He had nothing in his hands. Someone emerged from behind the armored vehicle and shot him. (...) Like many other Kurds, he reacted and he was killed."*<sup>52</sup>

In those days, mourning turned into protest, and protest folded back into mourning. Ahmet's funeral led to yet another death. On April 2, 2006, following Ahmet's burial, his friend Mehmet Siddik Öner was also shot and killed. A relative of Ahmet described that day as follows:

*"We took our dead, brought him, and buried him. Then [the protests] continued exactly as before. In the morning, they killed Sıdıq. Right in the middle of the bazaar. It was for Ahmet's sake [that he was killed], poor boy... He had nothing on him. He had just left here after the condolences. They made him a martyr too."*<sup>53</sup>

As breaking this chain of violence became increasingly difficult, families at times took the initiative to prevent further deaths. Abdulkirim Seyhan was a 26-year-old young man who, according to his mother, was "not a political young man." On September 10, 2014, he joined a large crowd attending the funeral of two young men who had been killed in the Dargeçit district of Mardin. According to his mother, it was at this moment that the incident occurred: soldiers disembarking from a helicopter opened fire on the crowd, and Abdulkirim was shot. As in many other cases, he lost his life due to delayed medical intervention. At Abdulkirim's funeral, residents of Dargeçit wanted to organize a mass march. His mother refused to allow it, explaining that by insisting on a peaceful funeral, she sought to prevent new funerals from taking place:

*"Whatever they said or did, I did not allow it. I said no. (...) I swear, if they had brought the body that night and carried it past the police station, if they had taken any action, they [the military] would have taken action as well. But I said, 'Do you want others to be killed too?' (...) I said no—we will go our own way. (...) I held the funeral quietly so that no one else would die!"*<sup>54</sup>

<sup>52</sup> Interview: Mardin, Kızıltepe - Ahmet Araç Case - 19.05.2024

<sup>53</sup> Interview: Mardin, Kızıltepe - Ahmet Araç Case - 19.05.2024

<sup>54</sup> Interview: Mardin, Dargeçit - Abdulkirim Seyhan Case - 25.05.2024

## 2) After the Deceased: Funeral, Burial, Condolences and Mourning

The process that follows each death is often as exhausting as the death itself. From the moment of death to transport to the hospital, waiting for hours outside the morgue, and from the autopsy to the delivery of the body, each stage becomes a separate ordeal for the family. Refusals to release bodies, secret burials, obstructions during funerals, pressure on condolence houses, and the criminalization of mourning prevent the deceased and their loved ones from finding peace even after death. Interviews conducted for this research show that the “funeral–burial–condolence–mourning” cycle ceased to be a natural process to become another cycle of violence, in which the state’s mechanisms of control and oppression reasserted themselves.

### A) From Death to Autopsy

Before addressing the difficulties experienced during death, it is necessary to clarify an important point emphasized by the interviewees. Many families believe that deaths were hastened due to delayed intervention. Several interviewees stated that ongoing failures—such as ambulances not arriving, or if they did, no intervention being made; law enforcement preventing ambulances or vehicles carrying the injured from passing; entry to hospitals being blocked; or doctors being prevented from providing care—actually caused the deaths of people who might otherwise have survived. In some cases, it was even reported that torture was inflicted before death, further accelerating the death.

In 2001, a dawn raid was carried out on the home where 17-year-old Selma (Gurbet) Kılıç lived with her family in the Silvan district of Diyarbakır. A relative of Selma described that night as follows:

*“They knocked on the door, came in, searched the house, and announced, ‘There’s nothing in the house, the house is clean.’ (...) After they left, I went outside. As soon as I stepped out, I saw someone fall from the roof of our house. (...) I saw Gurbet lying on the ground. When I saw her, I ran to her. As soon as I reached her, they started hitting me. They hit me more than four or five times. I looked at her again, and she said, ‘Oh, my mother!’ At that moment, someone lifted me up, and my dress was torn all the way down. They were taking Gurbet to the ambulance. They were saying, ‘Tell us who your father’s guests were, and if you tell us, we will allow you to be treated.’ She said, ‘My father definitely had no guests.’ They insisted, but she kept saying, ‘I have nothing to say.’ In the ambulance, they hit her on the head with a Kalashnikov. I don’t know if it*

*caused a brain hemorrhage or what happened. After she was taken to the hospital, no matter what the doctor did, they wouldn't let him treat her. (...) She died."*<sup>55</sup>

Violence against the deceased is also striking for its complex structure, its systematic character, and its continuity. Subjecting the injured to torture on the one hand, and manipulating grief into anger with expressions such as "*gebermek*"<sup>56</sup> in the hospital on the other, emerges as a method that fuels social conflict. İkbâl Yaşar was prevented from being taken to the hospital while injured. His friends nevertheless attempted to transport him to the hospital by placing him in a vehicle they were able to find:

*"They had laid him on the ground while he was injured and tortured him. They had tortured him while he was injured, stripped him of his clothes. They had broken his ribs, his arm, and his hand. [His cousins] put him into a taxi, but they beat him there as well. (...) Until the ambulance arrived. We asked for an ambulance, they said, 'In five minutes...' But that was a lie, because they had beaten him so badly [his ribs were broken], he was already wounded in the heart. (...) After he was shot, we were going to put him in a taxi and take him to the hospital. Believe me, they didn't let us. (...) We came here [to the hospital] and encountered the police. They didn't let us. They insulted us, saying things like, 'Geberdi...!'"*<sup>57</sup>

After death, a second wave of violence begins. Autopsy and morgue procedures, which are among the most painful moments for the relatives of the deceased, often turn into a new phase of violence and uncertainty in these cases. Families who are kept waiting for hours outside the morgue, unable to access their loved ones' bodies, say that even the dead body has become a "means of control." In this sense, the continuity between pre-death torture and post-death morgue reveals different facets of violent practices.

One of the most striking examples of this is the case of Ceylan Önköl, who died at the age of 12 in an ammunition explosion. According to her relatives, the prosecutor refused to go to the scene, claiming that the area was a "terrorist zone," and instead waited at a nearby police station. The family was left with no option but to carry Ceylan's dismembered body there themselves. From that moment on, a chain of negligence unfolded, extending from the examination of the scene to the autopsy.

<sup>55</sup> Interview: Diyarbakır, Silvan - Selma (Gurbet) Kılıç Case - 03.12.2023

<sup>56</sup> **Translator's note:** The Turkish verb *gebermek* is a colloquial and pejorative term denoting death. It conveys a dehumanizing connotation that is not captured by the neutral English verb "to die." Thus, the original term has been retained here in order to preserve the linguistic and contextual meaning of the source text. The form *geberdi* - which appears later in the text - is the simple past tense of this verb.

<sup>57</sup> Interview: Hakkari, Yüksekova - İkbâl Yaşar Case - 28.04.2025

*"We left the body on the ground for five or six hours during that time. The prosecutor did not come. They said the cameraman would come to the scene last. When the cameraman arrived, he was wearing a cap and holding an ordinary camera. Who was he? He was the imam of Abalı Village. The prosecutor gave him a camera and told him, 'Go and take some pictures of the scene.' From beginning to end, there was a cover-up, from the prosecutor to the autopsy. (...) I am talking about negligence. They carried out Ceylan's autopsy in a container in the yard of the police station. Their faces were covered—who knows whether they were real doctors or hospital staff? Imagine conducting an examination like that in front of the family; I don't think it is right. There were other places, cleaner places, where the examination and investigation could have been carried out more meticulously. (...) The prosecutor gave instructions. He said, 'I have come to the Abalı Police Station. (...) Bring her here so that the autopsy can be carried out at the police station.' (...) In the midst of all that pain, they conducted an examination that lasted two to three hours."<sup>58</sup>*

In the case of Hasan İş, who lost his life in Batman on August 28, 2005, the efforts of his relatives to secure a proper autopsy reveal a struggle for a genuine forensic examination in lieu of mourning:

*"Yes, I was at home. (...) They called us, and we went. When we arrived, he was lying on a bed in a state hospital. (...) Blood was flowing. They had placed a trash can in front of the blood. He had already passed away. (...) They took him for an autopsy. They said he had not been killed at the scene, but elsewhere. That was it. We said no, he was martyred there, [at the scene]. Then he stayed there; we did not accept the autopsy report. The next day, we took him to Diyarbakır. (...) A more comprehensive autopsy was carried out. But again, no definitive conclusion was reached. In short, they examined him again for two or three months and said they would take a sample to the forensic medicine department. They took it and sent it there. It stayed there for about a month, and then they returned it. They had examined it in more detail; they documented it more thoroughly. (...) But when nothing conclusive came out of that either, they took the case to the world court [referring to the European Court of Human Rights]."<sup>59</sup>*

## **B) From Morgue Gates to Funeral Vigils**

The process that begins with the autopsy makes it impossible to mourn the deceased. This stage, which should constitute the first step of mourning for families, instead becomes a

<sup>58</sup> Interview: Diyarbakır, Lice, Yayla Village - Ceylan Önkol Case - 03.12.2023

<sup>59</sup> Interview: Batman, Center - Hasan İş Case - 24.05.2024

new struggle due to interventions by the authorities. Hours, and at times days, are spent waiting in front of the morgue; in some cases, bodies are not released to families and are secretly buried in cemeteries for the unclaimed. In this way, alongside the right to life, the right to farewell is also violated. For this reason, many families keep vigil outside morgues. For them, the issue becomes resisting the denial of their relatives' existence, claiming the body of the deceased, and carrying out burial rituals in accordance with their own beliefs and traditions. As a result, mourning, which should follow death, turns into a necessary form of resistance against being "neglected."

*"We are not releasing the body. This is a state decision."*<sup>60</sup>

This statement, made to the relatives of İlyas Aktaş at the Forensic Medicine Institute in Ankara, encapsulates a shared experience voiced by many families we interviewed during the fieldwork. It stands as a stark warning, revealing the authorities' inflexible attitude, the politicization of funerals, and the intrusion into the most intimate moments of mourning:

*"[I said,] 'Come hell or high water, I will take this funeral to our village.' We rented a private funeral vehicle. (...) We did realize what was happening. From one to the next, and then to another, the security forces were handing [the funeral vehicle] over to each other. They were following us. [From Ankara onward,] they escorted us. There was only one vehicle [on the road]: ours, and them, the police."*<sup>61</sup>

The process of claiming a body does not always unfold in this manner. Rojhat Özdel, a 16-year-old who was killed in Yüksekova on December 6, 2014, was shot in the back during a commemoration marking the death anniversary of Bêmal Tokçu. Tokçu had been killed at the funeral of Veysel İşbilir and Mehmet Reşit İşbilir, who themselves had been killed in Yüksekova the previous year. According to his family, Rojhat was left at the scene where he was shot for two hours, during which time an ambulance was prevented from reaching the location. His relatives, who attempted to reach Rojhat, recount that day as follows:

*"We went to the hospital. They had surrounded the hospital; a large number of soldiers had arrived. (...) They did not allow us to enter. They had closed off the entire area, so I opened the car door and passed through them. We did not know for certain whether it was Rojhat or someone else. (...) I managed to get past them, but I still did not know. (...) There were also special forces inside, all of them wearing masks. They closed the door and did not allow us into the room where he was being treated. Our son-in-law works*

<sup>60</sup> Interview: Diyarbakır, Dicle, Kırkpınar Village - İlyas Aktaş Case - 26.05.2024

<sup>61</sup> Interview: Diyarbakır, Dicle, Kırkpınar Village - İlyas Aktaş Case - 26.05.2024

*for an ambulance. He came and asked my sister what Rojhat was wearing. (...) My sister came and asked me. A black scarf and a T-shirt. (...) When he went to look, he did not recognize him either, because of the blood. Then he went again and they cleaned [the blood]. (...) My sister was far away from me. She started screaming there. When she screamed, I realized it was Rojhat. (...) No matter what we did, they would not let us go inside. Then they took him out through the back door. (...) We did not know how they took him out because of the pepper spray. Then they took him away like that..."<sup>62</sup>*

Amid the chaos at the hospital, attempts were made to remove the body without informing the family. The relatives, however, resisted. They were then told that the body would be transferred to another city for an autopsy:

*"They said they would take him to Hakkari for an autopsy and then to Şırnak. We said 'No, we would not hand over our dead.' There had already been incidents at the hospital and they had fired at us. They broke the windows, soldiers entered, and they beat the mothers with batons. (...) We did not allow them to take the body; otherwise, they were already prepared to do so. To prevent them from taking her child, my mother jumped from the second floor; her broken bones were put in plaster. My mother said, 'Since you killed him, then give him to us. Even if he is dead, we will take him and bury him.' After that, we took him to the cemetery to bury him, and there they attacked us again and said we could not bury him. (...) They were going to bury him themselves, take him to Erzurum, and bury him in the cemetery for the unclaimed. (...) We had heard that he was going to be taken away, so after that we did not allow them..."<sup>63</sup>*

Resisting this multi-layered practice of violence is not always possible. A relative of İkbâl Yaşar, who was killed at the age of 27, describes the authorities' control over mourning and the violation of the right to burial as follows:

*"We went to see İkbâl [at the morgue]. (...) It was three in the morning when we returned home. At six in the morning, we received a call. (...) They had taken İkbâl and buried him on the district governor's orders. (...) We went straight to the prosecutor's office, and they said, 'You signed.' We said, 'We did not sign.' We were told to come back the next day to collect the body. We were going to bury him in accordance with our customs and traditions, together with our friends and relatives. 'How could you not sign?' [the prosecutor] said. We replied, 'Show us our signature.' (...) The prosecutor learned that we had given no consent and said, 'That's right, this is an offence. [But] let him stay*

<sup>62</sup> Interview: Hakkari, Yüksekova - Rojhat Özdel Case - 29.04.2025

<sup>63</sup> Interview: Hakkari, Yüksekova - Rojhat Özdel Case - 29.04.2025

*there; there's no need [to exhume], it's a sin.' We said, 'No! We will exhume him and bury him according to our own customs and traditions.' (...) The lawyers came, the MPs came, and we exhumed the body with the prosecutor's order."*<sup>64</sup>

### **C) A Punishment Added to Death: Burial**

At İkbâl Yaşar's funeral, a second form of punishment emerges in addition to death itself. Hidden from the family, and in the middle of the night, the family's cousins who were incarcerated at the time were taken out of prison and forced to dig the grave of their own relative. They were handed shovels and told, "You dig; we'll bury." A relative recounts that night as follows:

*"Her cousin and uncle were also in prison. They were taken out of prison and made to dig the grave. They told them, 'It's the family's decision.' The other [cousin] was Bêmal [Tokçu] (...) He was also in prison. They took him out of prison. They gave him a shovel and said, 'You dig, we'll bury him.' (...) They looked around, surprised, and said, 'Why hasn't the family come? Where is the family? His mother isn't here, his father isn't here, his wife isn't here, no one is here—at three in the morning...' [The state officials] said, 'The family has already decided; you bury him.' (...) So, they dug the grave there and placed him in it."*<sup>65</sup>

The process that unfolds after death becomes as political as death itself. Some relatives are beaten in hospital corridors as they attempt to claim their dead; others discover that their loved ones secretly buried in cemeteries for the unclaimed; still others keep vigil in morgues to protect the bodies of the deceased. A relative who spent the night in the morgue to prevent the possible removal of the body of 19-year-old Medeni Yıldırım, who was killed in the Lice district of Diyarbakır on June 28, 2013, recounts:

*"They performed an autopsy in Diyarbakır. (...) I did not leave that night. Then I went to the morgue and waited by [Medeni's] side. The police were coming, but I wouldn't leave. I waited by the body until morning so that they would not take him away without our knowledge."*<sup>66</sup>

Due to these post-death obstructions, families are compelled to struggle to protect the bodies of their loved ones and to carry out burial rites in accordance with their own beliefs and traditions. Although burial and respect for the dead are universally recognized values, these religious and

<sup>64</sup> Interview: Hakkari, Yüksekova - İkbâl Yaşar Case - 28.04.2025

<sup>65</sup> Interview: Hakkari, Yüksekova - İkbâl Yaşar Case - 28.04.2025

<sup>66</sup> Interview: Diyarbakır, Lice, Ortaç Village - Medeni Yıldırım Case - 25.06.2024



cultural practices have at times become among the most intense sites of conflict in the Kurdish region (Aydın, 2017). While every family seeks to bury the deceased peacefully, in a place of their choice, and to mourn in line with their customs and traditions, this process is frequently disrupted by interventions. Sometimes the deceased are not buried at the time requested by the families; and sometimes the families are subjected to police violence during funerals. Those who request a quiet burial are often met with detention and violence. As funerals cannot proceed without the presence of family members, the burial process itself transforms into an additional form of punishment. A relative of Ceylan Önkol describes this situation as follows:

*"We're not going anywhere; we're not running away; we have a funeral. The body is already ripped apart. That body needs to be buried that night. (...) Of course, people are also waiting for us. They say they won't bury him without his father or brother. There, in the midst of that pain, they brought the body [toward the cemetery], and they sent my father and me to Lice. (...) They took our statements for two to three hours. By the time we returned, it was 11 p.m. We buried the body at night."*<sup>67</sup>

A relative of İslam Terkoğlu, who was killed at the age of 24 on November 23, 2006, recounts: *"We had to carry out the burial at night."* İslam's family states that they were compelled to accept burial conditions imposed by state authorities, including a quiet burial conducted at night. This acquiescence should be understood as a precautionary strategy to minimize the risk of violence, detention, or further harm to the body.

*"They did not allow us to see the body. (...) They did not hand the body over to us and took it from the village by plane. (...) They took it for an autopsy. We did not know whether it had been taken to Hakkari or Van. The body remained in the hands of the state for five days. Then they still did not hand it over to us; they took it back to the village by plane once more. (...) They said, 'The body will definitely not be buried there [in Yüksekova].' (...) The state took the body by plane and did not hand it over to us. (...) In other words, they made things difficult for us. (...) When the soldiers took him there [to the village], they said, 'We will not leave until you bury him.' They stayed in the village; they had already surrounded it. They said, 'We will not leave until you bury him.' We buried him at night. (...) All our relatives came. (...) They attended the funeral, but they did not allow us to hold a ceremony or anything else; they did not permit it."*<sup>68</sup>

Problems encountered during burials and funerals are not limited to relations with the state authorities; they may also give rise to tensions between families and the

<sup>67</sup> Interview: Diyarbakır, Lice, Yayla Village - Ceylan Önkol Case - 03.12.2023

<sup>68</sup> Interview: Hakkari, Yüksekova, Adaklı Village - İslam Terkoğlu Case - 27.04.2025

representatives or opinion leaders of Kurdish political movement. One of the most frequently expressed concerns relates to families' apprehension about funeral rituals turning into mass demonstrations. For various reasons, some families are concerned that the burial process may take on a collective scale or evolve into a renewed protest. As a result, they may withhold consent for such ceremonies. Sometimes the issue of determining the burial site adds to this concern. A particularly illustrative example arose at the funeral of Mehdi Taşkın, who was killed on August 19, 2014, in the Lice district of Diyarbakır. According to the testimonies of Mehdi's family members, while the family wished to bury him in the family cemetery, the Kurdish political movement designated a different burial site. Yet, the chosen cemetery was difficult to access and situated in an area where state authorities frequently restricted entry and exit. By their accounts, this constituted the most significant challenge they encountered during the burial process. A relative of Mehdi articulated his resentment toward the Kurdish political movement as follows:

*"You see how much my mother is suffering. (...) As if that were not enough, they took [the body] to that mountain. Of course, everyone buried there is our brother; we do not distinguish between anyone. But at the time we said it should remain in Lice. My mother is old; she cannot go [there]."*<sup>69</sup>

Mehdi's relatives also recount the struggle over determining the burial site and the difficulties they encountered in traveling to and from the grave:

*"I said, 'Look, let it be. I can't manage it; I'm old, I don't have the strength to go back and forth, I don't have a car. It's too expensive; it's too far.' I was thinking of taking him to Yatılı [a burial site in the district center of Lice] [to bury him]. (...) For example, if I could go to the cemetery every fifteen days and recite a prayer, I would feel at ease. Two years ago (...) we went to Sisê [the village where Mehdi is buried]. (...) Then we saw three tanks on the road. (...) The commander asked where we were going. We said we were going to the martyr's grave, to our martyr. He said, 'It's forbidden!' I said, 'How can it be forbidden? Let us go—he is my life, my heart. Let me go.' We were told that the order had come from Diyarbakır—that it was forbidden to go to the martyr's cemetery on the instructions of the Governor of Diyarbakır. (...) The pain is so deep that I want to go every day. I just would like to visit the grave once a month, or even once a year..."*<sup>70</sup>

<sup>69</sup> Interview: Diyarbakır, Center - Mehdi Taşkın Case - 18.05.2024

<sup>70</sup> Interview: Diyarbakır, Center - Mehdi Taşkın Case - 18.05.2024

The family was unable to resist the insistence imposed on the choice of burial site, and thus the body got buried in a village in Lice. The relatives criticized the state's approach, stating: *"This is not humane. Whatever happened, someone came to visit the grave. Open the road and let them pass."*<sup>71</sup>

#### **D) 'Sitting in Mourning': Condolence House and Condolence Tent**

One of the most significant practices following funerals and burials is the collective, rather than individual, observance of mourning. Extending beyond the condolence house, the mourning becomes visible through the shared silence of an entire village, town, or city. The tradition of closing shutters constitutes one of the most powerful symbols of such collective mourning. This practice not only provides strength to the family but also functions as a political act that publicly exposes the perpetrator. İlyas's relatives state with pride, *"The whole village closed its shutters,"*<sup>72</sup> underscoring the extent to which mourning spread across the community. The closing of shutters, a practice that has persisted in the Kurdish region since the 1990s, does not only signify that mourning is a collective responsibility shared by all; it also represents a silent yet forceful response to the perpetrator. A young man from Cizre who attended Yahya Menekşe's funeral explains the meaning of this practice as follows:

*"On Yahya's funeral day, the entire town of Cizre attended the funeral. Normally, when such a death occurs in Cizre, everyone closes their shutters. That was the case again. (...) Anyone who did not close their shutters, who did not share our mourning, who did not share our grief, became a target. Because not closing one's shutters meant standing with the perpetrators of the violence, with those who killed our friend. This was our response to those who forced us to mourn."*<sup>73</sup>

In the context of this research, the act of closing shutters also acquires the meaning of "declaring mourning." During such declared mourning periods, one or more "condolence tents" or "condolence houses" are organized by civil society organizations, local administrators, or relatives, where people gather to "sit in mourning" to collectively observe the mourning period. The condolence house or tent functions as a public space in which the loss is acknowledged, grief is shared, and social solidarity becomes visible. The ritual of sitting in mourning bears witness to the reality of the loss, offers support to those left behind, and transforms the loss into a form of social memory rather than

<sup>71</sup> Interview: Diyarbakır, Center - Mehdi Taşkın Case - 18.05.2024

<sup>72</sup> Interview: Diyarbakır, Dicle, Kırkpınar Village - İlyas Aktaş Case - 26.05.2024

<sup>73</sup> Interview: Şırnak, Cizre - Focus Group with Youth - 14.02.2025

allowing it to be silenced. For this reason, being able to establish condolence spaces and to sit in mourning is of critical importance for families.

In contexts of conflict and human rights violations, condolences also express a rights-based claims: Access to funerals, burial procedures, the right to mourn without interference, and the extent of security interventions are all embodied in the condolence process. Therefore, condolences constitute a critical juncture, both for the continuity of ritual practices and for processes of social healing. The testimonies of the relatives of 17-year-old İbrahim Halil Oruç, who was killed during a social protest in Diyarbakır on April 20, 2011, offer an opportunity to consider together a mourning process disrupted by interventions and the forms of solidarity sustained through strong communal ownership:

*"I buried my son. Yet even when I buried him, they rained pepper spray and bombs down on me. So I resisted; I mourned my son. Even if they had killed me, I would still have mourned him. I would have set up my [condolence] tent and stayed inside. I yelled and shouted, saying, 'Come and kill me too, but I will sit in mourning.'"*<sup>74</sup>

*"So, he was truly embraced by everyone. All of our teachers from the school came; our friends came; the school was closed for a period of time for him. (...) Normally, mourning lasts three days; that's when tents are set up. It was so intense that the municipality let us keep the tents for one more day. Also, normally one tent is set up, but we had two or three tents set up side by side, which meant there were really a lot of people coming and going. People came from every region. (...) These weren't relatives, there were even strangers, people we didn't know at all."*<sup>75</sup>

The participation of political leaders, mayors, civil society organizations, and artists in funeral and condolence processes constitutes an important source of support for the families. It also stands out as a restorative form of social solidarity. While such participation cannot fully heal the wounds, it transforms funeral and burial practices into one of the social foundations of restorative justice. Alongside political figures such as Selahattin Demirtaş, Gültan Kışanak, Ahmet Türk, Emine Ayna, Osman Baydemir, Aysel Tuğluk, Sezgin Tanrikulu, and Esad Canan, organizations including the Association for Cooperation with Families Who Lost Loved Ones in Mesopotamia (MEYA-DER), the Association for Cooperation and Solidarity with Families Who Lost Their Loved Ones in the Cradle of Civilizations (MEBYA-DER), the Human Rights Association (İHD), the Human Rights Foundation of Turkey (TİHV), and bar associations are mentioned in almost every

<sup>74</sup> Interview: Diyarbakır, Bismil, Halil İbrahim Oruç Case - 22.06.2024

<sup>75</sup> Interview: Diyarbakır, Bismil, Halil İbrahim Oruç Case - 22.06.2024

household. Families continue to recall and speak of the presence of these individuals and organizations who stood by them throughout the funeral and condolence process. This indicates that through a form of solidarity established in opposition to the official ideology that legitimizes civilian deaths through stigmatizing labels such as “terrorist,” “smuggler,” or “rebellious against the state,” the families’ long-ignored sense of justice is restored, and the message “you are not alone” is conveyed to them.

The relatives of Hasan İş, who described the crowd attending the condolences as “one million people,” the relatives of Abdulkerim Seyhan, who stated that “there were as many people as God’s mercy,” and the relatives of Medeni Yıldırım, who recalled that “it was as crowded as Tahir Elçi’s funeral,” all underscore how vital this shared experience and collective solidarity during the condolence period was for their families.

What is striking is not only the sheer number of people, but also the convergence of people from different social and political backgrounds in a shared act of mourning. The relatives of Abdulhalûk Geylanî, who was killed in Yüksekova, emphasize this point:

*“Every person, every family (...) regardless of how different their ideas were, or how distant they were from Kurdishness [politics], was included [in the condolences]. We witnessed this ourselves. (...) Together with the villages, Yüksekova became one voice. (...) For the first time, such a large crowd gathered. (...) For the first time, such a large crowd came together. And not only from Yüksekova. (...) They came from Şırnak, from Van, from Diyarbakır; I remember. (...) They came from Iran.”<sup>76</sup>*

This shows that mourning became not only local but also regional and even transnational; that death opened up a shared space of conscience and solidarity within Kurdish society, transcending distinctions of identity or ideology.

### **E) Attitude of the State**

Throughout the processes of the funeral, morgue, autopsy, burial, condolence, and mourning, different levels of the state often create obstacles for families and those who gather in solidarity with them. At the same time, however, state representatives may seek to attend condolence visits, enter mourning houses, and express solidarity with the families. In such moments, families’ responses tend to follow two distinct paths: some adopt a firm stance and reject these initiatives, while others invoke the tradition that “we do not close our doors to those who come to our house” and choose to receive them. The reaction of the relatives of İbrahim Halil Oruç to the then Minister of Agriculture, Mehdi

<sup>76</sup> Interview: Hakkari, Yüksekova - Abdulhalûk Geylanî Case- 28.04.2025

Eker, who wished to attend the condolences, was quite clear: *"If he wants to come to the condolences, he must first stop that gas [sprayed by the security forces to the condolence tent]. We did not allow him to come."*<sup>77</sup>

Rather than seeking to identify those responsible for these deaths, the authorities attempt to legitimize themselves through their presence in the same space. This dynamic emerges not only in relation to deaths occurring during social protests, but also in cases involving military operations and mine explosions. As in the aftermath of the Andaç mine explosion, state officials sometimes attend condolence visits in an effort to persuade families, offering support: *"The governor and his delegation came. Yes, they came on the day of the condolences and even said, 'We will seek justice for these children, whatever it takes; we are ready to do whatever it takes.' But they did nothing."*<sup>78</sup> As in the case of Roboskî, even when such promises are made, these visits frequently function less as genuine efforts to pursue justice than as efforts by the authorities to obscure their own responsibility. These examples demonstrate how pressure and attempts at embracing operate simultaneously, and how relationships with state authorities are tested in their most revealing form.

### 3) Then What? The Challenges of Living with Loss

One of the most challenging questions addressed in this research has been how those left behind cope with loss. In the aftermath of death, condolences may continue for three days, three weeks, or even several months; people come and go, and crowds gather. Yet eventually the house falls silent, the doors close, and families are left alone with their grief. At that point, the question emerges: Even when there is a collective social response, how does one cope individually with the void left by such a loss?

Although the relatives of the deceased describe different ways of mourning, resisting, and holding on to life, they converge on a shared sentiment: Nothing is the same anymore.

#### A) Changing Lives

*"You get one phone call, and your entire life changes, it collapses..."*<sup>79</sup>

These words of Halil İbrahim Oruç's relative summarize the emotions commonly experienced by the families of children and youth who have been killed. The emotional devastation resulting from such deaths affects not only parents but also other family

<sup>77</sup> Interview: Diyarbakır, Bismil, Halil İbrahim Oruç Case - 22.06.2024

<sup>78</sup> Interview: Şırnak, Uludere, Andaç Village Case - 14.02.2025

<sup>79</sup> Interview: Diyarbakır, Bismil, Halil İbrahim Oruç Case - 22.06.2024

members, friends of the deceased, as well as individuals with whom they interacted in their daily lives, including teachers and employers. Where the deceased had contributed to household income, the loss may also entail severe financial repercussions. In a region marked by a profound lack of psychosocial support and the persistence of violence and oppression, both mourning and the effort to sustain everyday life become enduring struggles for the relatives of the deceased, often extending over many years.

The deaths of the brothers Aydın and Cengiz Erdem constitute a striking illustration of the multidimensional harm inflicted on those left behind by the violations of the right to life analyzed in this report. Relatives recount how the killing of 24-year-old Aydın Erdem during a protest in Diyarbakır on December 9, 2009 altered the lives of those left behind:

*"When Aydın left, he took everything with him (...) We were condemned! Our entire family was condemned. (...) Our children's psychological well-being was shattered. Hatice [the youngest daughter of the family] took a five-year break from school. When the police came some time later, our children's eyes would open wide like this [gestures with her hand], as if they were about to attack. They became aggressive. Later, I was imprisoned in 2014, and Cengiz stayed there [in the village in Mardin]. (...) It was beyond my control. I was also imprisoned and could not leave."*<sup>80</sup>

Aydın's brother, Cengiz Erdem, a teacher candidate, was also shot dead in his car (Adanır, 2016). Thus, the catastrophe that began with one loss continued with the father's imprisonment and then Cengiz's killing. The family describes their suffering as *"indescribable. May God spare anyone from it; it cannot be put into words"*:

*"I suffered a stroke, and after that, life became a prison for us. (...) We had not yet recovered from Aydın's death. Our world was turned upside down—like walking upside down. Do you understand? [As if] you are walking upside down, and blood flows from your eyes."*<sup>81</sup>

While attempting to cope with the psychological burden of loss, the family also confronts the material hardships that accompany it. They face economic difficulties and are no longer able to continue living they once called home. One key distinction between the cases from the 2000s and those of the 1990s concerns displacement, which in this later period emerges as a strategy adopted by families to protect themselves. Although the state does not formally impose displacement, families are nonetheless compelled to relocate. Due to frequent house raids, constant surveillance, and the harassment of other

<sup>80</sup> Interview: Mersin, Center - Aydın Erdem Case - 19.12.2024

<sup>81</sup> Interview: Mersin, Center - Aydın Erdem Case - 19.12.2024

family members, Aydın's family migrated to Mersin in an effort to avoid losing another child. They describe the hardships they encountered there as follows:

*"We did not have the courage to register the house, water, or electricity in our own names here. (...) We were afraid, yes. (...) Because we did not want them to know where we were. Still, they found us. Our house was here in the city. They raided our home. (...) We were paying rent, and in the morning they would say, 'We are not renting it to you anymore.' So, people would not even rent us a house. (...) It was someone else's homeland, someone else's village, and we were prisoners there. We said to ourselves, let us protect ourselves, let us protect our children. After them [after Aydın and Cengiz's deaths], there was a breakdown among our children. It was a huge breakdown, very, very big. Everyone lost interest in education; everyone lost interest in life. (...) Then we came here. This time, no one would enroll us [in schools]. (...) So now, [you see] our life—what kind of life it is, how can I explain it, it is very difficult. (...) If your economic situation is good, the process does not hurt you as much. If not, these children cannot maintain education, and then they go and work in the fields as seasonal workers. And I was in prison. Do you see how difficult it is? It is very difficult."*<sup>82</sup>

The repeated trauma experienced by Aydın's family constitutes one of the clearest illustrations of the difficulties involved in living with loss: the harm extends beyond the death of a single individual and becomes a sustained effort to survive and defend oneself against multiple assaults in life. Another case that exemplifies the multiplicity of trauma is that of 16-year-old Rojhat Özdel, who was killed in Yüksekova. Rojhat's father was in prison when he learned of his son's death:

*"Sometimes a feeling settles inside you, a feeling that only parents can experience, and a very heavy feeling settled on me. I became restless, so I called out to the guard. (...) I told the guard that I needed to use the phone. I told them something had happened to my child, but they wouldn't accept it. After that, I kept banging on the door and causing a disturbance, and eventually the warden called me into his office. (...) I went to the warden's office, and I saw a female prosecutor sitting there. As soon as I entered, the prosecutor stood up and said, 'Come sit down.' I asked, 'Which one?' (...) She said, 'Rojhat.' Four hours after she said 'Rojhat,' I opened my eyes in the hospital."*<sup>83</sup>

Upon learning from the prosecutor that his child had died, the father sought permission to attend the funeral, yet his request was denied. Not only was he prevented from attending

<sup>82</sup> Interview: Mersin, Center - Aydın Erdem Case - 19.12.2024

<sup>83</sup> Interview: Hakkari, Yüksekova - Rojhat Özdel Case - 29.04.2025



the funeral, but he was also transferred into exile without even being allowed to mourn with his cellmates. In the early hours of the morning, he was taken from his cell in a state of distress and sent to a prison at an undisclosed location.

*"Around three or five in the morning, special operations teams and soldiers filled the prison. They came and took me away in a hurry; I could not even get my slippers. They took me in my undershirt and shorts and put me in the vehicle, and I had nothing with me. (...) I requested [to attend the funeral.] They said they could not guarantee my safety. (...) [I told them] I have no weapon, and I will go to my child's funeral."*<sup>84</sup>

While Rojhat's father mourned in prison, his mother endured her grief outside. She was only able to sleep with the aid of psychiatric medication. In the period that followed, their other children were also subjected to criminalization: Stating *"when we gave them our IDs, I could clearly see that they treated us differently once they saw our surname or looked into our past,"*<sup>85</sup> the family eventually relocated to Bursa as they were unable to withstand this pressure. They describe the pressure they experienced in Yüksekova and their decision to leave as follows:

*"This began to affect us deeply. At certain point, you say to yourself, 'This is not a place where we can live anymore,' so we went to the West, thinking, 'Let's see what kind of change there will be. (...) Let's work.' We locked the door of our house and left."*<sup>86</sup>

The remaining children no longer wish to attend school, having lost faith that anything in life can turn out well. As they explain *"After he was gone, after witnessing all these events, our other lives collapsed as well; after that, we did not want to do anything,"*<sup>87</sup> they summarize the impact of this loss on those left behind. After this, Rojhat's sister dropped out of school:

*"We do not actually want to leave school, but we have developed a kind of prejudice. What will we become if we study? Will they give us a job? To some extent, we have grown up with this idea, and it has created a prejudice."*<sup>88</sup>

<sup>84</sup> Interview: Hakkari, Yüksekova - Rojhat Özdel Case - 29.04.2025

<sup>85</sup> Interview: Hakkari, Yüksekova - Rojhat Özdel Case - 29.04.2025

<sup>86</sup> Interview: Hakkari, Yüksekova - Rojhat Özdel Case - 29.04.2025

<sup>87</sup> Interview: Hakkari, Yüksekova - Rojhat Özdel Case - 29.04.2025

<sup>88</sup> Interview: Hakkari, Yüksekova - Rojhat Özdel Case - 29.04.2025

## B) Children Growing Up Without a Father

The harsh living conditions and conflicts faced by these children growing up without a father in western cities extend beyond individual loss and point to the persistence of intergenerational trauma. The most concise expression of the difficulties confronting the “children growing up without a father” encountered in this research—particularly in the Yüksekova and Van regions—is offered by a relative who states simply, “*It’s not fair.*” These children, whose fathers were killed, are frequently consigned to silence and social withdrawal.

Some were old enough to remember their fathers, others spent only a brief period with them, and some never knew them at all. During the interviews, a few were present in the home, yet most remained silent. Throughout the interview, Bêmal Tokçu’s 11-year-old daughter Bermal repeatedly brought out photographs of her father. As explained by one of their relatives:

*“They ask questions like how tall our father was—how tall he was, what he did, and things like that... The girls ask more questions. (...) They are very attached to their fathers. They bear the absence of their father. The children are very curious about their father, wondering how their father would treat them, what their life would be like—maybe he would be better than their mother, or maybe their mother would be better. They would like to see their father too, wondering what life would be like with him.”<sup>89</sup>*

By contrast, the son of İslam Terkoğlu, who lost his father when he was only five days old, is now 19 and, according to relatives, has grown into a quiet and introverted young man. The silence that shapes the lives of Ercan Uca’s children, İkbâl Yaşar’s children, and many others who grow up without a father can, at times, erupt into abrupt confrontation when they encounter a possible perpetrator. One of the most striking examples of this was experienced at a military recruitment office by the son of one of the deceased. According to his mother, when asked the routine question, “*What does your father do?*”, he responded impulsively, “*You killed my father.*” The reply he received was, “*We did well to kill your father.*” This incident illustrates how long-suppressed anger can erupt suddenly and reveals that neither the victim nor the perpetrator ever truly forgets what has taken place.

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<sup>89</sup> Interview: Hakkari, Yüksekova, Adaklı Village - Bêmal Tokçu Case - 28.04.2025

### C) Women Whose Husbands Have Been Killed

One of the other most visible themes in Van and Yüsekova is the presence of young women who have lost their husbands. Although this research primarily focuses on children and youth, the profile of relatives differs from that observed in other cities due to early marriages. Interviews with women who have lost their husbands reveal the multiple struggles they face, both in the political sphere and in their everyday lives. *Hafıza Merkezi's* report *Holding Up the Photograph* (Kaya & Bozkurt, 2014), which examines women whose husbands were forcibly disappeared in the 1990s, highlights the gendered dimensions of violence and seeking justice. In the 2000s, particularly in urban settings of the Kurdish region, new social spaces emerged and women's awareness increased enabling them to develop strategies to confront economic, social, and societal pressures, and translating these strategies into everyday practices. As articulated by the women interviewees who lost their husbands—and as corroborated by our observations—one of the most significant manifestations of these empowering spaces in their everyday lives is the way they assume responsibility for the struggle for justice. One interviewee, whose first husband was killed by unknown assailants and whose second husband was killed during a social protest, is raising on her own her six children from both marriages. During an interview conducted beneath the photographs of her two deceased husbands hanging on the wall, she describes the complex and challenging life she leads, as follows:

*"There is a Kurdish saying that goes, 'When the man of the house is gone, the woman's worth decreases,' but that is not true. Our worth is the same as before; in fact, my pride is even greater. I take better care of myself, and I run my own life. When the man of the house is alive, he takes care of us—I speak for myself, he takes care of us—but when the man is gone, one takes better care of themselves and manage their own lives."*<sup>90</sup>

In interviews with women whose husbands were killed, their experiences are most often articulated through grief, loss, and seeking justice. However, it is equally important to consider, from a gendered perspective, the economic hardships they face, the familial and social pressures they resist, and the sustained struggle through which they seek to continue their lives. Although domestic tensions were not raised in most interviews, they were articulated with particular clarity in an interview conducted in Hakkari:

*"If the mother-in-law says something, it causes problems; if the father-in-law says something, it causes problems; if an in-law says something... I raise my own children. (...) It is very difficult for a woman without a husband to endure domestic problems*

<sup>90</sup> Interview: Hakkari, Yüsekova, Adaklı Village - Bêmal Tokçu Case - 28.04.2025

*[referring to her husband's family]. A woman whose husband has died should not have to suffer the problems imposed by her in-laws—her mother-in-law, father-in-law, or anyone else.”<sup>91</sup>*

Women who struggle both within the household and in the public sphere are, above all, striving to access justice. Our research documents cases in which the state has gone to considerable lengths to intimidate those left behind, and to prevent them from seeking justice for killings committed by known perpetrators. Halime Yaşar, the wife of İkbâl Yaşar, assumed the full burden of pursuing justice in Yüsekova while raising her two children alone at the age of 25. Her struggle began during her period of mourning, when she directly confronted the district governor.

*“The district governor summoned me again (...) and said: ‘Look, Halime, you have two children; you are like a sister to me. Come and say that the state did not kill him. When your children grow up, I will give them jobs. Whatever debt you and İkbâl have—whatever it is—come, put your hand in mine. I am your brother, and you are my little sister. Come, let’s go to the market, and I will pay off all of İkbâl’s debts.’ The village muhtar was our witness when he said, ‘I will build you such a house that everyone will admire.’ I said, ‘My blood has not been sold; I have not sold my blood. It is because of you—you ordered them to kill him. How can I say someone else killed him? You killed him. Besides, I do not need your money, your job, or anything else.’ (...) ‘If you come to me with something like this again, I will go to the prosecutor’s office and report you. I will file a lawsuit,’ I said. (...) Two days passed, and they came again and took me. When I arrived, there was money on the table. (...) Money—one or two, three or four stacks; I remember stacks of it. He said, ‘Take it, sister, this is for you and your children’s expenses.’ (...) I asked, ‘Why did you call me, Mr. District Governor?’ He said, ‘I had prepared a car with supplies; take this money to my nephews.’ I said, ‘First of all, they are not your nephews. (...) We are not for sale. Take your money back. You demolished my house, left my young children fatherless, made them orphans, and now you are offering me money?’”<sup>92</sup>*

The trauma literature cautions against the cumulative effects of multiple traumas, often referred as a “trauma chain”. Traumatic experiences are often not confined to a single event. In particular, armed conflict, displacement, and migration generate profound traumatic impacts by forcing individuals to abandon their homes, cultural environments, and social relationships (Ergin & Koman, 2021).

<sup>91</sup> Interview: Hakkari, Yüsekova, Adaklı Village - Bêmal Tokçu Case - 28.04.2025

<sup>92</sup> Interview: Hakkari, Yüsekova - İkbâl Yaşar Case - 28.04.2025

The narratives of the families interviewed in this study provide some of the most concrete illustrations of such chains of trauma. Some interviewees described their experiences with expressions such as *"I am now half a person," "The whole household died after Gurbet," "I have been crying every night for 18 years and blaming myself—what did I do that God punished me?"*. Others mentioned being dismissed from their jobs: *"People with the same surname as us are not hired."* Serious health problem and permanent disabilities were also observed. Still others attempted to endure this burden through saying, *"We waited for God's mercy; God gave me patience."* Hasan İş's father offers a particularly striking metaphor that captures the everyday persistence of living with loss: *"Our feelings? It's like when a needle goes missing—two years pass, and when you look for it, your eyes still search for it, and you say, 'This needle went missing here.'"*<sup>93</sup>

#### **D) Mourning a Friend: A Collective Trauma**

One of the central themes of this report concerns the new experiences that emerged in the 2000s alongside the state's evolving forms of violence. Although this section focuses primarily on the relatives of the deceased, mourning here takes on the character of a collective trauma ("Mental Health and Social Justice," 2025). The experiences of Mahsum Karaoğlu and Aydın Erdem constitute some of the most striking examples. Both were students at Dicle University and close friends. Mahsum was shot and killed on April 4, 2009, and his friend Aydın Erdem was killed on December 6, 2009, both during social protests. For students at Dicle University, encountering the bodies of their friends in the university morgue was an indescribable shock. Their mutual friend, Derya Moray, recalls the devastation of that moment: *"The deceased body of a university student was being taken out of the school he attended every day."* During this period, Dicle University became, in the students' words, both a site of political mourning and a space for renewed protest. Derya describes that period as follows:

*"I think it was a state of shock for us. (...) [During the peace process] we were somewhat stunned. (...) After the 'Peace Group' came, Aydın was killed. This was a very critical threshold for this country. (...) In fact, we experienced disappointment during that process. (...) Dicle University's political identity—its political stance—turned into a place that witnessed political griefs, more political protests, and, most importantly, the political killings of political people."*<sup>94</sup>

<sup>93</sup> Interview: Batman, Center - Hasan İş Case - 24.05.2024

<sup>94</sup> Interview: Diyarbakır, Center - Aydın Erdem Case - 24.06.2024

Following Aydın's death, students initiated a week-long class boycott and organized marches. As tensions escalated, the university administration closed the campus. Shortly thereafter, Derya herself was detained, arrested, and ultimately spent nine years in prison. Having been forced to mourn the deaths of two close friends while incarcerated, Derya describes these grieves as pivotal moments in her politicization:

*"I already had a political stance, but I didn't have a very prominent profile. There were two critical thresholds in 2009. (...) One was the killing of Mahsum Karaoğlu, whom I knew from university, in Amara on April 4. Because, for example, I knew about the 1990s (...) through what others had told me. (...) I never imagined that those stories would one day become my own reality, that someone close to me would be killed. (...) We had heard about the unsolved murders [of the 1990s], but we were also witnessing the state, with the rise of the AKP, undergoing a process of self-criticism, emphasizing that things would not be the same as before. Because of this, I didn't think it possible that someone so close to me, right next to me, would be killed, executed, in front of everyone."*<sup>95</sup>

The price paid is not limited to family members; it also reshapes the broader social sphere. At times, entire villages entered into mourning, shops closed their shutters, and in some cases university students refrained from attending classes for weeks. The changing modalities of violence thus fundamentally transformed the lives of those left behind. Each case sustains both a personal and collective pursuit of justice and hope. The words of Nihat's father capture the resilience of those who were left behind, as well as their aspiration for restorative justice in the future:

*"It is impossible for us to forget Nihat, but we try to remain strong for our other children."*<sup>96</sup>

<sup>95</sup> Interview: Diyarbakır, Center - Aydın Erdem Case - 24.06.2024

<sup>96</sup> Interview: Şırnak, Cizre - Nihat Kazanhan Case - May.2023

## SECTION 3

### Seeking Justice

As noted earlier, the pursuit of justice constitutes one of the central pillars of this study. Building on the analyses of spatial and social violence presented in the preceding sections, this part focuses on the post-violence period—specifically, the experiences in which mourning, struggle, and the seeking justice intersect. Drawing on interviews with families, it examines how legal processes initiated after the killing of children and youth operate, and how these processes are perceived and experienced by the relatives of the victims. At the same time, it seeks to explore what the phrase “Justice Heals” signifies for victims, their families and the broader society, extending beyond a narrow understanding of legal justice.

As stated in the introduction, for most relatives of victims, the search for justice is first and foremost a legal struggle. The punishment of perpetrators and the acknowledgment of state responsibility through judicial decisions rank among their most urgent demands. However, as numerous academic studies and reports have demonstrated, this struggle in Turkey—and particularly in the Kurdish region—repeatedly encounters mechanisms of structural impunity (Sevdiren, 2015).

First, the state’s policies of deterrence and intimidation can prevent investigations from being initiated or from turning into prosecutions. Second, there are structural barriers encountered upon entering the legal system. Particularly in cases of enforced disappearance, strategies commonly observed in trial proceedings include leaving cases unresolved for years, failing to bring defendants and witnesses before the court, and transferring cases to courts located far from the families’ places of residence (Alpkaya et al., 2017). Lastly, the economic burden imposed by protracted legal processes, together with various forms of pressure directed at victims’ relatives, further complicates these struggles. This study seeks to understand how these multiple layers have shaped families’ seeking of justice during this period and how they have defined its emotional and social dimensions.

Furthermore, this section does not focus solely on demands for retributive justice; it also opens space for restorative and transformative conceptions of justice. It examines how families’ individual and collective pathways to healing, practices of remembrance, and related initiatives contribute to rearticulating the meaning of justice. As demonstrated in earlier sections, although these demands are often expressed in individualized terms, they are articulated around a clear common horizon: Without the rule of law and peace, the horizon of justice will remain fundamentally closed.

## 1) The Limits of Legal Struggle

### A) Who is the Perpetrator? Addressing State Accountability

For almost all families, the legal struggle is defined as a confrontation with the state. When asked, “Who is the perpetrator?”, they point to a wide range of state institutions and symbols: “the upper echelons of the state”, “the company commander”, “intelligence agents and the MIT<sup>97</sup>”, “the police”, “those who reported it”, “those who knew about the incident but pretended not to, those who tried to cover it up”, “those who got out of the helicopter and opened fire on people,” “special operations units,” “JÖHs and PÖHs<sup>98</sup>,” “the armored vehicle,” “the system,” “the person who was driving the armored vehicle,” “the state’s soldiers,” “the battalion commander,” and “the governing body.”

Beyond these state-centered attributions, the victims—while emphasizing the state’s duty to protect—also identify the full spectrum of institutions, individuals, and acts of omission as part of this perpetrator, “the State”: healthcare workers who failed to intervene at the hospital, ambulances that did not arrive, security forces who blocked the roads, and state officials whose actions ignited the chain of events. For the victims, this entire chain points to a collective perpetrator, rather than to isolated individuals alone.

Three years after an armed clash in the Çermik district of Diyarbakır, on June 7, 2011, 15-year-old Umut Petekkaya lost his life while playing with ammunition he had found on the rocky terrain where the clash had occurred. A relative of Umut Petekkaya, invoking the state’s “duty to protect,” describes the perpetrator as follows:

*“It is the state... The state is responsible for Umut’s death. Let me put it this way: Let’s say today, I do not know who the bomb belonged to. (...) It doesn’t concern me. You [i.e. the state] are responsible for my life, my property; so that you protect me. That is your duty. (...) A clash broke out. It can happen, it does happen. It happens everywhere. But why don’t you clear that rocky area [of explosives]? You are at fault; you are directly at fault. You are at fault because you did not clear that area. The state is 99–100% responsible and guilty for this death.”<sup>99</sup>*

Interviewees repeatedly emphasized that the political system itself should also be understood as a perpetrator. The assimilationist policies, extraordinary forms of governance, and practices

<sup>97</sup> National Intelligence Organization of Turkey

<sup>98</sup> JÖH: Gendarmerie Special Operations, PÖH: Police Special Operations

<sup>99</sup> Interview: Diyarbakır, Çermik - Umut Petekkaya Case - 04.12.2023



of violence implemented in the Kurdish region since the founding of the Republic highlight the structural pressure and mechanisms of impunity to which many interviewees refer, either explicitly or implicitly. Stating that, “Naturally, we need to speak of a deeper, more organized evil,” a close friend of Aydın Erdem and Mahsum Karaoğlu defines the perpetrator as follows:

*“This system itself produces these people [the perpetrators]. The system itself is the problem; it is the source of the problem, and where the solution lies. Thus, an expression that I could reduce to a single ‘murderer’ does not adequately capture what is taking place here. Because it involves continuity; it involves a strategy; it involves policies specific to a particular geography and to a particular people.”<sup>100</sup>*

Perpetrators of violations believed to have been carried out on the order or decision of state officials or senior authorities are often referred to collectively as “the state.” However, some families also know the individuals who directly carried out the violations, or the units to which they belonged. The interviews made clear that families frequently possess detailed knowledge about the security forces involved—those who drove the armored vehicle, fired the weapon, or threw or launched the gas canister. This is evident in the case of Mehmet Uytun. His relatives recount how the perpetrator committed the act knowingly and deliberately, in full view of others:

*“When he fired, the witnesses there said he laughed—‘hahahaha.’ You would think he had killed an enemy in war. You killed a child in his mother’s arms.”<sup>101</sup>*

The perpetrators’ ties to the state also lead some families either to refrain from initiating legal proceedings or to abandon their struggle over time. Such decisions may stem from the relationships families have established with security forces or local state officials, or from fear created by intimidation and threats. As one family explained: “We could not say, ‘We are filing a complaint,’ out of fear; they intimidated us.”

Compounding this fear is a profound distrust of the judicial system. For many families, seeking justice through the state’s legal mechanisms appears futile from the outset. As one relative put it: “It is impossible to confront the state. That is why I am not seeking justice. God will give us our rights. These cases, these lawsuits, never lead anywhere.” Experiences with state institutions impose such a heavy psychological burden that the rule of law comes to appear almost illusory when set against the power of the state:

*“But a tiny family and a huge state. How could this ever work? It is difficult.”*

<sup>100</sup> Interview: Diyarbakır, Center - Aydın Erdem Case - 24.06.2024

<sup>101</sup> Interview: Şırnak, Cizre - Mehmet Uytun Case - May.2023

## **B) Filing (or Being Unable to File) a Lawsuit**

Almost all of the families we interviewed initiated legal proceedings immediately after the incident, either on the same day or within a few days. Depending on their level of legal knowledge and access to networks, families resorted to different methods. Some were summoned directly by the relevant police station or prosecutor's office, while others approached them on their own initiative. At the outset of the process, lawyers sometimes volunteered to take on the case; sometimes, political parties—most often representatives of Kurdish political movement—became involved through their lawyers. Often, civil society organizations active in this field intervened. The vast majority of families reported that their cases were undertaken by lawyers affiliated with the Human Rights Association (İHD), bar associations, or the representatives of Kurdish political movement. Nevertheless, some families pursued the cases using their own resources. While certain families entrusted the case entirely to an organization and did not follow the process thereafter, others remained closely engaged and, when necessary, also retained private lawyers.

Many families felt exhaustion and discouragement stemming from their unfamiliarity with the legal system and their inability to follow procedural developments despite the continuation of legal proceedings. They then handed over the case to an organization they trusted. The family of Mehmet Nuri Tançoban stated that they were unaware of the current stage of the proceedings because they were unable to follow the case file:

*"Supposedly our lawyer handled it. He was the Party's lawyer. (...) They filed the lawsuit and said, 'We will take care of it; we will be informed.'"*<sup>102</sup>

### **Confidentiality: Investigations with Unknown Outcomes**

The most common problem encountered at the initial stage is the delay of investigations or their closure through decisions of non-prosecution. Families who are unable to learn the outcome of an investigation frequently refer to a "confidentiality order." Although this term denotes a specific legal measure, many families use it not in a technical sense but as a way to express the practical difficulty of accessing information. Even after many years, families who remained unable to obtain clear information about the status of the investigation perceive both the absence of progress and the lack of transparency as a deliberate state policy. Halil İbrahim's relatives articulate this as follows:

<sup>102</sup> Interview: Van, Çaldıran, Hangediği Village - Mehmet Nuri Tançoban Case - 24.04.2025

*"I went to see the prosecutor three or four years ago. (...) 'All the evidence points to the police, but it is the police who bring me the evidence. What am I supposed to do?' And I have not gone back to the prosecutor since that day. I went to the Human Rights [Association] and to the Bar Association, because maybe there is a 'confidentiality order' in place."*<sup>103</sup>

In this case, the family, their lawyers, the Diyarbakır Bar Association, and the Human Rights Association (İHD) made sustained efforts to obtain information about the progress of the investigation; nevertheless, the role of political will is striking.

*"We have [a team of] six or seven lawyers. (...) Even so, the Turkish Parliament Speaker, Arınç<sup>104</sup> came to the Diyarbakır Bar Association. Mehmet Emin Aktar<sup>105</sup> [was there.] (...) [He said:] 'A young man was killed in Bismil. Despite everything we do as a Bar Association, we do not know who killed this young man or who will be tried; nothing is being allowed to come to light.' (...) Arınç said, 'I will look into this matter.'"*<sup>106</sup>

Appealing to state representatives outside the judiciary in an effort to accelerate stalled legal processes and gain access to information is a course of action frequently mentioned by families, yet it rarely produces tangible results. In this respect, the case of Medeni Yıldırım's mother stands out as an exception. When judicial avenues were blocked, she reached out to the highest level of state authority and initiated the process in an extraordinary manner.

*"There was confidentiality. (...) One day, I looked up a television channel. (...) I saw [on TV] that Recep Tayyip Erdoğan was coming to Diyarbakır an hour later. (...) He was going to officiate the marriages of 400 people at the university. (...) I planned to go up to him [Erdoğan] with Medeni's photograph in my hand. (...) "*<sup>107</sup>

She left the village alone, fastening a large banner bearing Medeni's photograph around her waist beneath her clothes, and made her way to the area in Diyarbakır where the mass wedding ceremony was being held. She managed to approach then-Prime Minister Recep Tayyip Erdoğan as closely as possible but was stopped and detained by security forces.

<sup>103</sup> Interview: Diyarbakır, Bismil, Halil İbrahim Oruç Case - 22.06.2024

<sup>104</sup> Bülent Arınç: 22nd Speaker of the Parliament of Turkey and the former Deputy Prime Minister

<sup>105</sup> Then President of the Diyarbakır Bar Association

<sup>106</sup> Interview: Diyarbakır, Bismil, Halil İbrahim Oruç Case - 22.06.2024

<sup>107</sup> Interview: Diyarbakır, Lice, Nênyas Village - Medeni Yıldırım Case - 25.06.2024

*"When I approached him, his bodyguards surrounded me and I couldn't breathe. (...) He was the prime minister then. I said, 'I want our killer,' and they went and told him [Erdoğan]. They said it was true and ordered to hand me over to the team. I was with the team that day; they took my ID, showed it to him, investigated, and saw that it was true. Erdoğan's aides came and asked why I was there. I said, 'I want my child's killer.'"*<sup>108</sup>

Her aim in confronting the then-Prime minister was to have the confidentiality order lifted and a lawsuit filed. She explains that five months after her son's death, the confidentiality order on the file was lifted:

*"That was my goal. If I had been able to reach him [Erdoğan], I would have gone straight to him and said, 'Whoever my child's killer is, do not protect him—hand him over. (...) Hand my child's killer over to me.' (...) After that, instructions were given to the Lice [prosecutor's office]. The prosecutor in Lice summoned us, and we filed a new lawsuit. (...) I got what I deserved—at least I made my voice heard. They did not conceal it."*<sup>109</sup>

Although Fahriye Yıldırım's action is exceptional, it offers an interesting example of how legal struggle can transform personal life and reach the public sphere. She learnt Turkish, followed television broadcasts, made plans, and sought to reach authorities directly. This case illustrates that relatives who are unable to navigate the system through formal channels may still carve out alternative paths, demonstrating a persistent pursuit of justice. Nevertheless, in most instances, it remains difficult to conclude that such determined efforts result in tangible outcomes.

### **C) Silenced Justice: Courtrooms**

Although cases that reach the courtroom despite all these obstacles are often regarded by families as a form of success, the courtrooms frequently become spaces where proceedings drag on for years, repeatedly plunging families into feelings of despair and helplessness. The repeated trips to court become an exhausting routine for the families. For instance, a relative of Mehmet Uytun questions when he might return to his life routine:

*"How long will I have to go to court every other day? (...) I'm tired of going to court. (...) I see that I go to court every 20 days. I have guests coming over too. I have a home, I have a routine. (...) We had a condolence visit today, but we couldn't go. How long will we have to go to court?"*

<sup>108</sup> Interview: Diyarbakır, Lice, Nēnyas Village - Medeni Yıldırım Case - 25.06.2024

<sup>109</sup> Interview: Diyarbakır, Lice, Nēnyas Village - Medeni Yıldırım Case - 25.06.2024

Despite these hardships, the relatives of the deceased who attend court hearings consider their presence there to be essential. Some families, while struggling there, also emphasize the importance of the crowds that attend. For families who experience isolation in their everyday lives, such solidarity becomes a source of strength and hope. Nihat Kazanhan's family summarizes court days as follows:

*"We would start preparing a week before the hearing days. Because on hearing days, many people would come. A large number of lawyers would attend. During Tahir Elçi's time. He had not yet been killed then. He himself attended a few times, and other lawyers have continued to attend to this day. From Amed, from other places."*<sup>110</sup>

Being present in the courtroom carries an additional meaning. Although the primary motivation of the relatives we interviewed was to obtain justice, courtrooms are often perceived as the only official space in which the truth can be formally acknowledged. Even when families anticipate that justice will not be delivered, the act of recording the truth and making it public constitutes a struggle in its own right (Göral, 2019). As the interviews suggest, "(...) even if the trials fail to hold perpetrators accountable, courtrooms provide a space for the voices of the relatives of those killed—whose efforts to speak the truth before official authorities have remained futile for many years—to finally be heard" (Alpkaya et al., 2017).

In cases of enforced disappearance, it is well documented that solidarity and confrontation are weakened through the transfer of cases, even when such transfers are justified on security grounds (Alpkaya et al., 2017). This practice does not appear to be widespread in relation to right-to-life violations in the 2000s. The only instance observed in this study is the case of Ahmet Kaymaz and Uğur Kaymaz. Following the first hearing in Mardin, the case was transferred to the Eskişehir High Criminal Court on security grounds upon the request of the defendants' lawyers. Between July 20, 2005, and April 18, 2007, numerous hearings were held in Eskişehir. As detailed in a ten-page petition submitted to the court by Ahmet Kaymaz's brother, during these hearings the lawyers representing the accused police officers verbally insulted and harassed members of the Kaymaz family, referring to them as "terrorists."

Transfers are only one of the obstacles imposed to prevent courtrooms from becoming spaces of confrontation. Practices observed notably in cases of enforced disappearances such as the frequent replacement of judicial panels, the failure to bring defendants and witnesses before the court, and the suppression of evidence are also evident in cases of

<sup>110</sup> Interview: Şırnak, Cizre - Nihat Kazanhan Case - May 2023

right-to-life violations from the 2000s. Negligence originating at the investigation stage has profound effects on the prosecution phase as well. For instance, in several of the cases examined in this study, tasks that should have been carried out by crime scene investigation units were instead undertaken by the relatives of the deceased. Families collected evidence themselves, examined the crime scene, took photographs, and, in some instances, even identified witnesses and brought them before the court:

*“They asked, ‘Do you have any evidence?’ I said, ‘There is a recording, but I haven’t obtained it yet.’ (...) They said, ‘That recording has reached me, let me see it.’ We took it out, transferred it to a CD, and submitted it to the prosecutor with a petition. The prosecutor came to that street, looked at the bullet marks, went out to the scene where the incident had occurred, then came back and said, ‘Come on, drop the case.’ His mother took out his photograph and placed it in front of him...”<sup>111</sup>*

In addition to delays in evidence collection, serious shortcomings are also apparent in the preservation and storage of evidence: weak forensic evidence management, materials that were lost or destroyed, and the inability to access critical records once statutory retention periods had expired. These deficiencies have carried over into the prosecution phase, resulting in cases being filed late, trials taking place years after the events, and the loss of opportunities to examine key material evidence. Taken together, these structural failures in evidence collection and preservation processes severely undermine the clarification of events, the identification of those responsible, and the accountability of public authorities.<sup>112</sup>

Such examples point to an environment in which seeking justice is sustained primarily through individual efforts rather than institutional mechanisms. Seeking justice places a heavy legal and emotional burden on families. Responsibilities that properly belong to the justice system, such as collecting evidence, pursuing investigative leads, and keeping cases active, becomes the families’ everyday struggle.

#### **D) “Lost” Cases**

Investigations that conclude in non-prosecution decision, cases that end in acquittal of the perpetrators, or proceedings that lapse due to statutes of limitation generate a profound sense of defeat among families, since these outcomes are manifestations of systematic impunity in the field of human rights. Even where perpetrators are known, their protection

<sup>111</sup> In this part, the names of families and cases have been anonymized in order to avoid influencing ongoing court proceedings.

<sup>112</sup> The legal report published as part of this research provides a detailed analysis of the obstacles hindering the effective conduct of the investigation and prosecution stages (Zingil et al., 2026).

by state institutions, the failure to conduct impartial and effective investigations and prosecutions, and the pressure exerted on victims' relatives constitute structural barriers to the legal struggle. This condition—often described by families simply as “the system”—reflects Turkey's shortcomings in the rule of law and judicial independence, while also emerging as a consequence of security-oriented policies developed in relation to conflict and colonial practices in the Kurdish region.

Despite identifying the state as the primary actor responsible for impunity, some families also point to negligence on the part of their own lawyers or civil society organizations in the course of seeking justice. In cases initiated by or support of civil society organizations or political parties, the failure of the relevant organizations or legal representatives to consistently follow proceedings sometimes result in cases being dismissed or become subject to statute of limitations. One of the most prominent examples frequently cited in discussions of such negligence is the Roboskî case, which is widely known to the public. As publicly disclosed, the case was initially filed in Diyarbakır but was soon transferred to a military court following a jurisdictional decision. Subsequently, families placed their hopes in an application to the Constitutional Court of Turkey (AYM). However, procedural complexity, technical deficiencies, and failures of inter-institutional coordination prevented the application from being properly completed, and the failure to submit the required documents in a timely manner effectively foreclosed access to the European Court of Human Rights (ECtHR).

While the victims' relatives sometimes complained about lawyer negligence, these concerns must be understood within the broader context of the difficult conditions under which human rights defenders and lawyers operate. Indeed, some relatives who voice such grievances also explicitly acknowledge these constraints. The result is an environment in which legal support mechanisms function inadequately and responsibility is continually deferred—particularly where legal assistance is provided on a voluntary basis within institutional frameworks. Heavy caseloads, precarious economic conditions, and the judicial harassment faced by lawyers themselves can lead to serious disruptions in the handling of cases. For example, the failure to file appeals within statutory time limits not only forecloses access to higher courts but also extinguishes families' primary source of hope—an application to the European Court of Human Rights:

*“You have the right to appeal within 15 days. (...) Time passed like this. After the time had passed (...) we did our own research through the e-government system and provided information to different sources. Then we realized that after the decision of*

*the Republic of Turkey, this case had not been taken anywhere outside Turkey. It had not been brought before a higher court.”<sup>113</sup>*

Another decisive factor that often remains invisible is the severe financial constraints faced by families. For many, initiating a lawsuit or pursuing an ongoing case constitutes not only a legal struggle but also an economic one. Understanding legal language, identifying avenues of appeal, and following procedural developments all require financial resources, and poverty emerges as one of the most significant barriers in this process. Relatives of Umut Petekkaya describe this situation as follows:

*“I couldn’t afford a lawyer. I didn’t have the money for a lawyer. (...) I lost my case because of money. I couldn’t fight for my son’s rights.”<sup>114</sup>*

However, even when each attempt proves futile, the promise to “never give up” on a case becomes more than a legal endeavor for families, turning into a form of existential resistance. The following words of Umut’s relatives underscore how a persistent search for justice—despite poverty, lack of information, and profound isolation—comes to function as a means of sustaining life itself.

*“You lose everything. I am still resisting. I am still resisting. I have not given up. As long as I live, I exist... I told my children too: ‘If I die, you continue. Do not give up!’”<sup>115</sup>*

This persistent pursuit, passed from one generation to the next, can at times reach a point where younger family members begin to question their elders’ perceived shortcomings in the struggle for justice and even hold them to account. As in the case of Fahrettin İnan, younger generations may decide to revive the process themselves, as they were unwilling to accept the fate of cases that were never opened or pursued due to negligence, lack of knowledge, economic hardship, or distrust in the justice system.

*“This case is now 20 years old and subject to statute of limitations. I spoke with the lawyer, and that is what he told me. So the statute of limitations will expire in two months. (...) Where are the documents? (...) Where is the forensic report? (...) If you do not pursue something, nothing will happen. (...) It will not bring back what was lost, it will not bring anything back, but at least I will feel a little better.”<sup>116</sup>*

<sup>113</sup> Interview: Şırnak, Cizre - Yahya Menekşe Case - 15.02.2025

<sup>114</sup> Interview: Diyarbakır, Çermik - Umut Petekkaya Case - 04.12.2023

<sup>115</sup> Interview: Diyarbakır, Çermik - Umut Petekkaya Case - 04.12.2023

<sup>116</sup> Interview: Van, Center - Fahrettin İnan Case - 25.04.2025



These narratives reveal the deep psychological imprint left by the absence of justice. Fear, insecurity, and a sense of powerlessness in the face of state authority bring the legal struggle to an end before it can even begin for many families; in some cases, proceedings are closed before they are ever initiated. Lawsuits that are filed may then be abandoned due to negligence, lack of information, or financial constraints. Over time, this void gives rise to deep fractures within families and, at times, to intergenerational reckonings. As seen in the case of Fahrettin İnan, the tension between the parents' silence and the children's insistence demonstrates that seeking justice is not merely a legal struggle; even when legal avenues are exhausted, the search for justice persists as an enduring dimension of people's lives.

### **E) The Cycle of Impunity and the European Court of Human Rights**

In this study on the violations of the right to life against children and youth in the 2000s, the most visible outcome of the efforts to seek justice has been the persistence of impunity. Even in cases where perpetrators are known, witnesses are present, and evidence is clearly available, investigations are frequently closed with decisions of non-prosecution or dragged on for years. Systematic practices such as transferring cases to military courts, shielding perpetrators, silencing witnesses through intimidation, and concealing or neglecting evidence, push cases toward statutes of limitation or result in acquittals. As a consequence, families are compelled to confront not only the pain of their loss but also the deliberate obstruction of their search for justice. Underlying this situation is a structural phenomenon commonly referred to as "impunity": *"impunity is a universal problem area encompassing not only legal but also ethical and political dimensions. It points to a social phenomenon that affects and characterizes society as a whole, perpetuating a repressive and authoritarian atmosphere. As a legal term, impunity refers to situations in which acts that should be subject to criminal sanction in any legal system go unpunished for de jure or de facto reasons"* (Alpkaya et al., 2017: 29).

The families interviewed in this study have become deeply familiar with concepts such as "impunity," "statute of limitations," and applications to the European Court of Human Rights due to their similar experiences from the 1990s. Their ability to anticipate what these concepts entail, which stages they will encounter, and how the process is likely to end underscores how entrenched impunity has become. Ceylan Önkol's brother expresses the everyday reality of this condition in the following words:

*"Because there is no just system, people can experience different kinds of suffering every day, every hour, every minute, every moment."*<sup>117</sup>

<sup>117</sup> Interview: Diyarbakır, Lice, Yayla Village - Ceylan Önkol Case - 03.12.2023

Despite these realities, as citizens of this country, families continue to demand fair trials and the punishment of those responsible. For them, the protection of perpetrators and the covering up of cases constitute the most distressing aspects of the process. Yet the institutional indifference and impunity they encounter within the judiciary extend beyond unmet legal demands and lead families to question their citizenship ties. Throughout the interviews, relatives repeatedly address the state as if speaking directly to government officials, invoking the state's obligations and explicitly articulating their demand for "equal citizenship," thereby revealing how the citizen-state relationship is fundamentally called into question in the face of impunity:

*"We were expecting something from the state: I may die, I may be killed, or something else may happen, but you have a responsibility, and you must fulfill that responsibility. A government must be fair to its people, without dividing them into first- and second-class citizens. Those who act within the government must also be held clearly accountable. Because if there is no accountability, there can be no fairness, no authenticity in governance or in anything that follows. The dysfunction in this system will continue, and sooner or later it will spread to someone else, and another child will be lost."*<sup>118</sup>

These cases demonstrate that impunity not only obscures crimes committed in the past but also creates the conditions for future violations. Explaining why they insist on justice, the families of Roboskî articulate what impunity could lead to in the future:

*"Why justice? (...) We said, 'If those responsible are not punished today, if they are not brought to account, other massacres will happen. They will take advantage of this and become emboldened.' And didn't it happen as we warned? Then the Ankara massacre took place in 2015. (...) There is a policy of impunity, and unless it is broken, other atrocities will follow. The perpetrators of the Roboskî massacre are not tried, so the perpetrators of other massacres will not be tried either. This perception has taken root. Those responsible for this pain, this oppression, this massacre must be tried so that other massacres do not occur."*<sup>119</sup>

In a system devoid of judicial accountability, deterrence disappears, paving the way for new killings. For this reason, families do not pursue justice solely as an individual remedy; they also articulate a preventive demand aimed at safeguarding social life. A close relative of Aydın Erdem argues that the identification and prosecution of perpetrators could

<sup>118</sup> Interview: Diyarbakır, Lice, Yayla Village - Ceylan Önkol Case - 03.12.2023

<sup>119</sup> Interview: Şırnak, Roboskî - Family Forum - 22.12.2024

prevent subsequent acts of violence, as he expresses the simple but striking logic of this cycle:

*“My final wish is: Punishment. If Aydın’s killer had been identified and brought to justice today, Cengiz would not have followed in his footsteps. Nor would the others. If the perpetrators of Mahsum Karaoğlu had been tried—he was [Aydın’s] friend, he followed in his footsteps—Aydın would not have met this end either. Thousands of Kurdish children have been lost, and because the perpetrators were never tried and punished, they are all gone.”<sup>120</sup>*

When domestic legal avenues are exhausted, hope is often transferred to the ECtHR. ECtHR is the final resort of hope for the families. Yet the ECtHR also represents a paradoxical place: On the one hand, its findings of violations and awards of symbolic compensation serve to record the truth; on the other hand, it does not deliver the essence of justice—the punishment of those responsible. As a result, while ECtHR judgments may signify “the truth made known to the world” for the families, they are insufficient to disrupt the cycle of impunity. In cases where no response could be received from the Court, the sense of disappointment deepens for the families. While even a brief acknowledgment or apology could carry significant moral weight for families, facing complete silence creates a sense of “double punishment.” Mahsum’s relatives describe this experience as follows:

*“The legal process did not reach a conclusion. (...) Most recently, the prosecutor threatened us, saying, ‘Do not come here again; the case is confidential, we are closing it, there is a confidentiality order.’ If we received any kind of paper from the European Court of Human Rights upon this, I would have been consoled. I have no hope in Turkish justice. But I would have been relieved to receive such a paper. If a written document had come. (...) If there had been even a word from the European Court of Human Rights, that would have been enough for me. I mean, I am not after economic [compensation]. I want an apology.”<sup>121</sup>*

ECtHR rulings do not carry financial significance for families. The “paper” the father waited for so eagerly symbolized, instead, the articulation of truth at the international level, the recognition of the state’s responsibility, and the acknowledgment of an apology. A relative of İbrahim Halil Oruç expresses, in simple terms, how vital it is for the truth to be established, regardless of the forum in which it emerges, as well as the essence of justice and the meaning of punishment:

<sup>120</sup> Interview: Mersin, Center- Aydın Erdem Case - 19.12.2024

<sup>121</sup> Interview: Diyarbakır, Ergani - Mahsum Karaoğlu Case - 17.05.2024

*"I do not think there can be justice for a death. (...) Even if his killer were killed in the same way, it would not lessen or erase our pain. We only want him to receive his punishment, if only to ease our pain a little. [The perpetrator] should be revealed—at least so that we know who he is, what has happened, how it happened—so that we can know about our loss. Anyone would like to know; so we want to know too."*<sup>122</sup>

In this regard, in the eyes of families, shortcomings are attributed not only to the Turkish judiciary but also to the ECtHR. The Court's judgments frequently remain limited to establishing a violation and awarding compensation, while the monitoring and sanctioning role of the Committee of Ministers of the Council of Europe—intended to ensure that states comply with their obligations—is inadequately enforced. This situation reinforces the sense that the ECHR unintentionally contributes to the persistence of the cycle of impunity. Despite these limitations, as in cases of enforced disappearance, the continuation of legal struggles before both national and international courts carries profound meaning for most families and sustains their determination to persist:

*"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. (...) 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."* (Lévy-Aksu, 2025: 21-22)

Taken together, these narratives and experiences reveal that justice is not merely a legal issue, but also a matter of social restoration and reassurance for the future. Therefore, in the next section of the report, it is important to analyze the families' pursuit of restorative justice and the ways in which justice is imagined in everyday life.

<sup>122</sup> Interview: Diyarbakır, Bismil - Halil İbrahim Oruç Case - 22.06.2024

## 2) Different Approaches to Justice: Seeking Healing

The cycle of impunity deeply wounds families' bonds with the state, along with their hope for justice. Yet, despite the extent of this destruction, one powerful theme consistently emerges in our interviews: seeking healing. Families are aware that they cannot bring back their loved ones and that even the punishment of perpetrators will not erase their pain. Nevertheless, they seek ways for their losses to be acknowledged, for the truth to be clearly articulated, for their grief to be recognized without criminalization, and for future generations to be spared the same suffering.

At this point, the idea of restorative justice emerges as an aspiration for social healing and reconnection. For families, this sometimes manifests as demanding justice at a graveside, sometimes as voicing the truth in a courtroom, and at other times as transmitting memory to their children by insisting, *"Our case does not end here."* In this sense, restorative justice represents one of the most powerful visions for the future, even in the face of the profound wounds inflicted by impunity.

In the families' imagination, this pursuit acquires a three-dimensional coherence: confrontation and apology, reparation, and solidarity. Apology entails recognition of the losses and the state's confrontation with the situation; reparation ensures the rebuilding of life; and solidarity ensures that the deceased are not forgotten. Taken together, these three dimensions articulate the needs most frequently expressed by the families to repair the fractures produced by the cycle of impunity, demonstrating that restorative justice is a collective vision of the future rather than an individual demand.

### A) Apology and Amnesty

Families we interviewed unanimously seek the punishment of the perpetrator. However, views diverge with respect to other demands. Victims' relatives do not constitute a homogeneous group, and differing political positions, beliefs, and life experiences may give rise to divergent understandings of justice, even within the same family. In this study, we aimed to create safe spaces for discussion where these differing perspectives could be articulated without judgment.<sup>123</sup> One of the issues that generated particularly varied expectations and responses concerns the concepts of apology and amnesty, which occupy a central place in the principles and practices of restorative justice.

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<sup>123</sup> The focus groups and forums conducted in the field, together with the closing forum of the international restorative justice symposium held in November 2024, provided important insights into different approaches to apology and reparation.

As Nesrin Uçarlar notes in the following excerpt, in a context marked by the absence of confrontation and the persistence of violence, asking victims of human rights violations and their families to forgive may itself be ethically and politically problematic: *“It is not enough to describe the question of forgiveness posed to victims as merely inappropriate, misplaced, or misleading, because the answers to this question can open the door to political abuse. (...) It is necessary to exercise caution with attempts to address the past that manage victimhood through individuals rather than through structures and institutions, and through emotions rather than services, while failing to address the political and humanitarian deprivations resulting from infrastructure deficiencies, poverty, violence, and impunity. Insisting on discussing political amnesty rather than forgiveness prioritizes thinking about dealing with the past around the issue of rights-based citizenship”* (Uçarlar, 2023).

In this research, drawing on this warning, victims were asked not about personal forgiveness but about apology and amnesty as political mechanisms. However, regardless of their positions on these issues, many relatives of the youth and children who were killed clearly emphasized that these personal and political dimensions were inseparable. In this respect, while the quotation above offers a valid warning against attempts to “govern through emotions,” making space for such feelings and expectations also constitutes an important step toward envisioning a more inclusive peace.

For some families, acknowledgement by the state, the government, and/or state officials of the crimes committed, together with an apology to the families, is regarded as a step that could contribute to a process of confrontation. Nihat’s relatives articulate this expectation as follows:

*“I mean, for example, I am speaking hypothetically. If the highest-level state official came out and said, ‘Yes, our officials, our police officers, our soldiers committed these acts unjustly, but we are now confronting this, we acknowledge it, we apologize to all the families, and we will do everything in our power to ensure that this does not happen again.’ If something like that had actually happened, we would feel better. We would say that since state officials are saying this, it means that there was wrongdoing, and that someone will receive the necessary punishment. That would be better for us.”<sup>124</sup>*

<sup>124</sup> Interview: Şırnak, Cizre - Nihat Kazanhan Case - May 2023

Similarly, a woman whose husband was killed explicitly expresses the relationship between confrontation and justice as follows:

*"If that man [the perpetrator] came and kissed my children's eyes and hands and said, 'I am your father's killer. I ruined your lives. I caused his death; I took away your father's youth,' and said, 'Your father wanted to live this life just like me, but I caused this and I killed him,' then I could say something like that. To say at that moment that he killed my husband and that I am going to take revenge would not be right."*<sup>125</sup>

However, some family members hold opposing views. A relative of Abdulhalûk Geylani states, "No matter what, I will never forgive him, even if he is punished; even if he apologizes, I will not forgive him," while another relative expresses a desire to confront the perpetrator and indicates that forgiveness could be possible under certain conditions. In articulating this position, forgiveness is linked to social peace, with an emphasis on its social rather than personal significance:

*"It's the system, okay, the state gave you [the perpetrator] these opportunities. But conscientiously, how can your conscience be clear when you kill a person? For no reason—he was innocent... Of course, these questions need to be asked: 'How can your conscience be clear? If it were your child today, how could your conscience be clear? If someone else had done this, how at ease would you feel?' Of course, I want all these questions to be asked.*

*Of course, there is also forgiveness. One could forgive the person who did this; one could forgive the one who killed. Because if there were no forgiveness, no reconciliation, there would always be war in the world. (...) But of course, I wish that one day, if that day comes, I could ask these questions: 'How did your conscience feel at ease? He was young, inexperienced. How could you do this to him? How angry were you with him, or what kind of resentment did you have toward him?' One wants to ask him these questions."*<sup>126</sup>

These narratives indicate that the demand for apology did not emerge uniformly among the families; rather, it reflected differing conceptions of justice. For some, forgiveness was impossible under any circumstances, while for others it became conceivable once conditions of apology and confrontation were met. However, as emphasized at the outset of this section, our interviews demonstrate that questions of apology and forgiveness are inseparable from the prospects of confrontation and reconciliation. During the

<sup>125</sup> Interview: Hakkari, Yüksekova, Adaklı Village - Bêmal Tokçu Case - 28.04.2025

<sup>126</sup> Görüşme: Hakkari, Yüksekova - Abdulhalûk Geylani Vakası - 28.04.2025

research period, due to the absence of conditions for confrontation and reconciliation, most interviewees considered even discussing forgiveness or political amnesty to be inappropriate. Although the new process, which coincided with the final months of this study, has not yet created a genuine space for confrontation, the most recent interviews suggest that it has prompted a resurgence of institutional, political, and personal expectations and demands. Another issue inseparable from this political context and the broader horizon of peace is reparation.

### **B) Compensation - Reparation**

Reparation is one of the most contested concepts within restorative justice approaches. Although the term, used in both English and Turkish, denotes restoration, academic and political debates diverge regarding the ethical and political meanings of compensation, as well as its individual and social effects. Some approaches emphasize the transformative potential of reparation, while others draw attention to the risks of commodifying human rights and undermining accountability. Despite these differences, a point of convergence in the literature on reparation is that reparation alone cannot ensure justice and that, to fulfill a restorative function, it must meet three core criteria: recognition of the harm suffered; acknowledgement of the state's responsibility for the violations in question; and contribution to access to truth (De Greiff, 2006). From this perspective, it can be argued that reparation practices offered by the Turkish state do not, in fact, serve a genuinely restorative function. For instance, the "Law on Compensation for Damages Arising from Terrorism and the Fight Against Terrorism," enacted in 2004, exemplifies reparation policies that fail to contribute to accountability and truth in the context of human rights violations related to the Kurdish issue (Kurban, 2012).

This situation leads the relatives of children and youth who were killed to adopt a cautious—and often openly hostile—stance toward compensation and reparation. Legal and informal compensation practices in Turkey, which have been strongly criticized by the Kurdish political movement and human rights defenders, are in many cases used to perpetuate impunity and suppress demands for justice rather than to contribute to reconciliation. In other words, reparation practices, which restorative justice approach conceive as a way to contribute—albeit limitedly—to the establishment of a more just social order while addressing harm suffered by individuals and society, are shaped in Turkey as an additional arena of state power through the denial of the political dimension of the struggle for justice, its individualization, and its commodification (Atalay, Aytemur & Zeren, 2019). For this reason, for some relatives of victims, rejecting compensation signifies remaining faithful to their struggle for justice and truth, even at considerable personal cost. The state's pressure on the relatives of those killed in the Roboskî massacre to accept



compensation and abandon their legal struggle clearly illustrates how reparation practices can be instrumentalized in contexts where the norms of the rule of law and peace are absent (Bozcalı, 2019). Relatives who rejected this form of compensation and insisted on confrontation and the prosecution of those responsible were subjected to criminalization, resulting in the arrest of some family members. Although most families ultimately accepted compensation in the face of intense pressure and the practical impossibility of sustaining legal action, this process deepened existing wounds and further weakened the prospects for confrontation:

*"We said, 'Let this not happen again. Let the perpetrators of this pain, this oppression, this massacre be tried so that other massacres do not occur.' That was what we wanted. How did the state compensate us? They wanted us to sign a settlement agreement. Families who went there were asked to sign a settlement agreement. (...) I was arrested, and then our families began to receive compensation. That organization of ours, our gatherings at the cemetery, were disrupted. Fear took hold. After I was arrested, our families started applying for compensation. They said, 'They will arrest us too.' They said, 'They arrested him; they will arrest us as well.' They said, 'They will arrest our children too.' After my arrest, we stopped making press statements at the cemetery."<sup>127</sup>*

Nevertheless, for many families, restorative justice becomes tangible through compensation mechanisms. Although their losses cannot be undone and their pain will never fully subside, the provision of material and moral compensation is highlighted as an important dimension of justice. Expectations regarding compensation are not confined to monetary reparations alone; some families view practical measures—such as public employment, priority in hiring, or educational support for their remaining children—as integral to justice. Such measures indicate that justice is conceived not only as redress for past violations but also as a condition for facing the future with a sense of security. Accordingly, compensation emerges as a demand persistently articulated by families, encompassing both the economic and social dimensions of restorative justice.

The father of Emrah Fidan, who lost his life in the events of March 28, states that he has been unable to overcome the trauma he experienced and that, in addition to the frustration caused by the lack of progress in the legal process, the economic difficulties they continue to face years later are deeply challenging. He does not confine his demand for justice to the punishment of those responsible; rather, he clearly articulates an expectation of reparation and compensation:

<sup>127</sup> Interview: Şırnak, Roboski - Family Forum - 22.12.2024

*“Eighteen years have passed as such. (...) I don’t know whether my case will ever be settled. My child [referring to his other son] is now living in rented accommodation. (...) He is working for others [as a laborer]. If only I could have somehow secured him a job in a public institution. At least he could have earned his living in a stable way. He would have come home in the evening, and I would have felt at ease. (...) Since the killer cannot be found, since the case is not being resolved, at least let our lives improve. Let us have a job; let the municipality help us.”<sup>128</sup>*

While this demand may appear, for some relatives of victims, to undermine the pursuit of justice, the practical and urgent nature of the demand itself should not be overlooked. Economic insecurity constitutes a persistent burden layered atop trauma. These narratives underscore the need for permanent social policies aimed at rebuilding lives as a compensation.

The clear demand articulated by a relative of Çekdar Kanay—*“Let the state give us our rights, give us jobs; if they had hired someone from our family, one of my sons, we would have been relieved at least”<sup>129</sup>*—demonstrates that for families struggling in their daily lives, employment support is a central component of their conception of justice. Another relative of Çekdar situates the demand for compensation within a broader framework, emphasizing both reparations’ status as a legal right and the inseparability of holding perpetrators accountable as part of justice.

*“I can say this about the case, (...) may Allah not let him [the perpetrator] get away with this. In addition, this is how the world works: we want our material and moral rights; reparation is our legal right, and those who did this, who killed him, should be punished. The state should punish them, and when these happen, we will feel at ease. We want both our material and moral rights, and we want our reparation. They killed my son unjustly. This is also the case in Sharia law, and it is the same among people. There is justice and law. We have been wronged; may Allah not leave our rights with them, and we want our reparation because they killed him unjustly.”<sup>130</sup>*

Throughout the interviews, we observed that demands for compensation were often not expressed explicitly. This may be interpreted as reflecting concerns among some families that such demands could be perceived as “reducing pain to a material issue.” At the same time, the interviews revealed that demand for reparation frequently generated significant

<sup>128</sup> Interview: Diyarbakır, Kayapınar - Emrah Fidan Case - 04.12.2023

<sup>129</sup> Interview: Diyarbakır, Bağlar - Çekdar Kanay Case - 02.12.2023

<sup>130</sup> Interview: Diyarbakır, Bağlar - Çekdar Kanay Case - 02.12.2023

tension both between and within families. Despite these differing views, reparation emerges as a key element in families' struggles for justice. Accordingly, reparation stands out as a need that clearly demonstrates the necessity of supporting restorative justice with economic and social mechanisms.

### **C) Solidarity**

Social solidarity emerges as another element emphasized by families in their conception of justice. Unlike apology and compensation, solidarity reflects families' expectations from the society. One of the needs most frequently articulated throughout the interviews was not to be left alone. For families, this need does not primarily take the form of large-scale or complex political initiatives, but rather of small yet sustained practices of support: regular home visits, maintaining contact with the family, visits during holidays, assistance with transportation for visits to the grave, a phone call to share their grief, or the continuation of condolence visits. These demands express a desire for the loss not to be forgotten and for the pain to be borne collectively. In this sense, solidarity functions as a support mechanism for families and as a source of strength that enables them to remember and to carry on.

Ceylan Önkol's family describes how the bags full of letters that arrived at their home after the incident and the presence of people who did not leave them alone were vital:

*"People provided us with emotional support. I am truly grateful. We realized that we were not alone. The pain is ours, of course, but when we saw people sharing our pain and comforting us, we found solace in them. People were truly helpful to us; they did not leave us alone, and they supported us in every way. We are grateful that they did not leave us alone."*<sup>131</sup>

These words illustrate how solidarity operates as a collective force that mitigates feelings of isolation. For families, "being remembered" and "being there for them" become indispensable to bearing the weight of trauma. Similarly, the statement of Umut Petekkaya's father underscores how solidarity is embedded in everyday life: *"I was continually waiting for a friend to come over so we could chat a little."*<sup>132</sup>

These statements show that solidarity materializes through practices that may appear minor yet are of vital importance for those who have lost loved ones, such as simply "asking how they are doing." Solidarity thus emerges as a form of healing that is realized

<sup>131</sup> Interview: Diyarbakır, Lice, Yayla Village - Ceylan Önkol Case - 03.12.2023

<sup>132</sup> Interview: Diyarbakır, Çermik - Umut Petekkaya Case - 04.12.2023

through everyday contact rather than grand political rhetoric. At the same time, the experiences of Mehdi Taşkın's relatives demonstrate how loneliness and resentment arise in the absence of such solidarity. For Mehdi's mother, the most profound shortcoming is not only the failure of the legal process to yield results, but also the absence of support in enabling visits to the grave.

*"I mean, it hurts so deeply inside that I want to go every day. I'm only asking to visit the grave once in a while..."<sup>133</sup>*

This request of the mother is a concrete demonstration of how much solidarity is lacking in their eyes.

*"You can rent a car; a car isn't that difficult to get. It's not just my mother; there are thousands like her. Take these cars and take them there. (...) This is happiness, this is also a service, this is a beautiful example of morality. But ten years have passed. (...) Is everything just about three days? I see that's till the cemetery, and once the cemetery part is over, everyone is left alone with their grief... People visit each other to ease each other's pain; the more you talk, the more you feel at ease..."<sup>134</sup>*

Mehdi's family's experience highlights how the absence of solidarity can give rise to resentment, while simultaneously foregrounding questions of social responsibility. Associations, political parties, and local institutions are expected to sustain practices of solidarity. For families, solidarity is not confined to condolence visits lasting a few days; rather, it entails being remembered on a regular basis. Expectations directed at associations and political parties in this regard indicate that solidarity is understood as an institutional responsibility. İkbâl Yaşar, who is also a member of parliament for a political party, frames this situation as a form of self-criticism:

*"Families are left alone. This is a huge problem and an injustice. If only society, the party, and the community would ask about us and share in our loneliness..."<sup>135</sup>*

By contrast, we also encountered accounts demonstrating how solidarity, when institutionalized, can have a restorative effect. For families, regular home visits signify being remembered and feeling that their pain is integrated into collective memory. A relative of İslam Terkoğlu describes how sustained solidarity becomes a source of strength:

<sup>133</sup> Interview: Diyarbakır, Kayapınar - Mehdi Taşkın Case - 18.05.2024

<sup>134</sup> Interview: Diyarbakır, Kayapınar - Mehdi Taşkın Case - 18.05.2024

<sup>135</sup> Interview: Hakkari, Yüksekova - İkbâl Yaşar Case - 28.04.2025

*"Honestly, when our party visits, and they always visit—they ask about our situation, and we feel better. That's how it is. Now our party, once a month, they visit all the homes of our martyrs, house by house. We feel happy... It means that these martyrs are not forgotten. When they come to visit the families of the martyrs, those martyrs are not forgotten."*<sup>136</sup>

Demands for acknowledgment, apology, compensation and solidarity are not perceived as separate elements in the families' understanding of justice, but rather as interrelated and complementary dimensions. Each aims to heal a different aspect of the harm produced by impunity: apology enables recognition of the loss; compensation facilitates the rebuilding of life; and solidarity guarantees that deceased are not forgotten and that communities can continue to live together. However, in the eyes of the families, none of these mechanisms substitutes for the demand for the punishment of the perpetrators. On the contrary, the primary condition for justice becomes the identification and prosecution of those responsible. Apology, compensation, and solidarity are understood as additional means of alleviating the fractures created by the cycle of impunity, alongside this fundamental demand. Despite the many obstacles encountered in seeking justice, articulating these demands reflects a persistent hope for the future, a form of endurance transmitted across generations, and the continuity of an insistence on "justice despite impunity."

### **3) Remembrance**

In restorative and transformative justice approaches, practices of memory and remembrance occupy a central place. The articulation between individual and collective memories was an important aspect of the present research, as a way to better understand the experiences of the victims' relatives, and to address the continuities and changes between the 1990s and the 2000s. For the parents and older relatives of the young victims, memories of the violence, displacement and hardships of the 1990s were imbricated with memories from the birth and childhood of their lost children. Many children either experienced the conflict of the 1990s in their early years, or grown up listening to stories of suffering and resistance within their families. When coming to the 2000s, memories were more blurred and it is difficult to identify a dominant narrative that would characterize the period for the interviewees, as the lower intensity of conflict and political violence generally attributed to the 2000s stood in sharp contrast with the intimate experiences of the deaths of their children. As expressed by a relative of Abdulhaluk Geylani:

<sup>136</sup> Görüşme: Hakkari, Yüksekova, Adaklı Köyü - İslam Terkoğlu Vakası - 27.04.2025

*“Yes, up until 2015, that’s true—there was a certain softening. (...) There was some easing, but not of the kind that would make you say, ‘All right, this really exists.’ Take my brother, for example: if there had truly been such a softening, how could my brother have been killed in the city center in 2005? Don’t misunderstand me—I’m not speaking only about my brother; there were dozens of others. If there had been such softening, then those deaths should not have occurred.”<sup>137</sup>*

The brutal collapse of the peace process and extreme violence of the years 2015-16 also overshadowed the memories of the 2000s. In many cases, the victims’ relatives expressed the feeling that the deaths of their children had been obliterated and their memories erased, including in the Kurdish region. In this context, their efforts to keep these memories alive in the private and public spaces appear particularly significant, standing both as a moral debt to the victims, a source of comfort for those left behind, and a political statement to the public and the state.

### **A) Intimate memories**

Memories of the victims in the domestic space take multiple forms. In numerous cases, the pictures of the victims were hung in the house and shown to the visitors. Personal belongings were also kept by many families, from the notebook of school pupils, to clothes and objects with a sentimental value, such as veil of Selma (Gurbet) Kılıç (Soydan et al. 2023: 91-92), the pullover of Çekdar Kanay or the sunglasses, tesbih and ring of Serhat Encü. In Medeni Yıldırım’s house, the smiley face that Medeni and his brother had carved on the wooden ceiling continues to remind his family of his witty character. In other cases, the memories of the victims are perpetuated through symbolic transitional objects: for instance, the cow given to Ceylan Önkol when she was still alive, was kept by her parents for years, as *“the only thing that remained alive from Ceylan was this cow”*<sup>138</sup>; and the nut tree planted by İlyas Aktaş before his death, became a site of remembering for his family, who came back to visit even after moving to a new house.<sup>139</sup> Food is also an occasion of remembering the victims, from cooking their favorite meals to organizing dinners for the relatives on the anniversary of the deceased. Remembering also takes more personal forms for some relatives of the victims: For instance, for Rojhat Özdel’s mother, tattooing her son’s name on her arm helped her to cope psychologically with her loss: *“He will be on my arm until I die, this is what I want, it makes me feel well.”*<sup>140</sup> As for Halil İbrahim Oruç’s

<sup>137</sup> Interview: Hakkari, Yüksekova - Abdulhalûk Geylani Case - 28.04.2025

<sup>138</sup> Interview, Diyarbakır, Lice, Yayla Village - Ceylan Önkol Case - 03.12.2023

<sup>139</sup> Interview: Diyarbakır, Dicle, Kırkpınar Village - İlyas Aktaş Case - 26.04.2024

<sup>140</sup> Interview: Hakkari, Yüksekova - Rojhat Özdel Case - 29.04.2025

uncle and Ahmet Kaymaz's brother, they wrote poems in their memory, which were read during commemorations.<sup>141</sup> In all cases, keeping the memory of the deceased children constitutes both a moral duty for the family and a way of coping with loss, even though many emphasize the impossibility of complete healing. While these personal and familial processes of remembering belong to the private sphere, their political significance is clear in the words of the victim's relatives: as the judiciary fight, the remembrance and honoring of those referred to as "martyrs" is also a form of loyalty to the political struggle against a system that is considered responsible for these deaths.



*The tattoo that Rojhat Özdel's mother had inked on her wrist.*

<sup>141</sup> Interview: Diyarbakır, Bismil, Halil İbrahim Oruç Case - 22.06.2024; Interview, Mardin, Kızıltepe, Uğur Kaymaz and Ahmet Kaymaz Cases - 25.05.2024





*A smiling face drawn by Medeni Yıldırım together with his sibling in their village home.*

The families are well aware that even objects of memory kept in the domestic space can be considered as subversive by the state authorities, in a context of surveillance and repression that frequently cross the threshold of the home. This is what happened during the violent urban clashes between the security forces and the guerilla movement in 2015-16. Many houses were then raided by the security forces and several families reported that pictures of the children hung on the walls were removed and ripped out on purpose. The symbolic violence of such acts can be likened to the desecration of the graves, also reported by some families, as an insult to the dead and a denial of the families' right to mourning. The harm done is well conveyed by Rojhat Özdel's mother, who discovered the picture of her son ripped off and the walls covered with insults when she returned to her house after a raid of the security forces in 2015:

*"They had carved it with a knife. When I entered the house [after the destruction] and saw Rojhat's photograph, the world began to look different to me. I didn't know what to do. I did not grieve over the property, but even that was not enough for them. What harm could a photograph possibly cause? They ransacked this house three times; they did the same during the curfew, and on one occasion, when they raided it, they turned everything upside down."*<sup>142</sup>

<sup>142</sup> Interview: Hakkari, Yüksekova - Rojhat Özdel Case - 29.04.2025



In the same manner, the pictures of İslam Terkoğlu were removed from the walls and ripped off, and their frames were broken. In other cases, families anticipated this violence and attempted to protect the pictures. For instance, the family of Abdülkerim Seyhan took his pictures with them when they left their home during the urban war.<sup>143</sup> Yet, sometimes the anticipation was not enough to protect the photographs: in Yüksekova, while the relatives of Abdulhalûk Geylani removed the pictures from the walls and hid them in their house before leaving, the security forces raided their home and burnt everything.<sup>144</sup> These reflexes show how the symbolic and physical violence experienced over generations by these families has resulted in an intimate knowledge of the strategies of the state, which also shapes strategies of resistance.

### **B) Remembrance in the public space**

Photographs of the victims are also emblematic of the continuum between memories in the domestic space and commemorations in the public spaces. "Holding up the photograph" of the disappeared has become the symbol of the resistance of the Saturday Mothers/People, who have been fighting for truth and justice since the mid 1990s in Cizre, Istanbul and other cities (Kaya and Bozkurt, 2014). By raising the photographs of the disappeared in public squares, their relatives virtually bring them back into existence and call the broader society to confront the truth. While the main focus of the sit-ins of the Saturday Mothers/People was the enforced disappearances perpetrated in the 1990s, several relatives of children and youth killed in the 2000s mentioned that they attended these gatherings, holding up the photograph of their own children. For İslam Terkoğlu's relatives, this participation is the only relevant form of commemoration:

*"On Saturdays, we go and hold their photographs and remember them. That is all; there is nothing else we can do."*<sup>145</sup>

Commemorating the losses of the 2000s together with the disappeared by the 1990s is a powerful way of acknowledging the continuity of both violence and resistance across the two decades. While many of the conflict-related deaths of the 2000s remained little visible and could be framed as incidents or exceptions in these times of relative liberalization, this political gesture integrates them in the chain of rights violations that have affected the Kurdish region for many decades, pointing to the continuous responsibility of the state authorities for enforced disappearances, extra-judiciary killings and other attacks on the right to life. At the same time, victims' families emphasized the importance of

<sup>143</sup> Interview: Mardin, Dargeçit - Abdülkerim Seyhan Case - 25.05.2024

<sup>144</sup> Interview: Hakkari, Yüksekova - Abdulhalûk Geylani Case - 28.04.2025

<sup>145</sup> Interview: Hakkari, Yüksekova, Adaklı Village - İslam Terkoğlu Case - 27.04.2025

the solidarity offered by the Saturday Mothers/People, in a context where they often struggled to raise public attention and sometimes felt neglected by their own political party. This dimension is particularly significant for the mothers of the children killed, such as Fahrettin İnan's mother, who could find some comfort and solidarity among women who had also experienced loss and welcomed her to join their struggle for truth and justice.<sup>146</sup>

Saturday Mothers/People gatherings are not the only spaces of solidarity and resistance organized around the memories of the lost ones. Victims' families underlined the importance of commemorations at the levels of the neighborhood, the city or the region. As gatherings in the public space were often banned or strictly controlled, including during the funerals, local communities found alternative ways of keeping alive the memory of the children and youth killed. For instance, in the neighborhood of Mardin-Kızıltepe, where Ahmet Araç used to live, name giving became a way to transmit his memory to the future generations:

*"In this neighborhood, on this street, after Ahmet was killed, nearly fifty families named their children Ahmet. People in his neighborhood loved him that much."*<sup>147</sup>

The political dimension of name-giving and its relevance to the Kurdish conflict is better known through the contention between the Turkish state and Kurdish families over Kurdish naming. The 2000s marked a turning point for Kurdish naming: both the strong social mobilization for cultural and linguistic rights and the legal reforms that facilitated the registration of Kurdish names, with some restrictions, contributed to a sharp rise in Kurdish names (Aslan, 2009). On the other hand, naming children after young victims of the conflict is another marker of identity and a way of expressing solidarity across the Kurdish geography, particularly significant for the victims' relatives, as stated by a family member of Yahya Menekşe:

*"So, whether they are our neighbors or live in other cities—for example, there is a family in Silopi who had twins, a boy and a girl. One was named Yahya and the other Menekşe."*<sup>148</sup>

One of the key actors in the memory work commemorating children and youth who lost their lives in the 2000s has been the Education and Science Workers' Union (Eğitim-Sen) and university youth organizations. For example, since July 2006, the Diyarbakır

<sup>146</sup> Interview: Van, Center- Fahrettin İnan Case - 25.04.2025

<sup>147</sup> Interview: Mardin, Kızıltepe - Ahmet Araç Case - 19.05.2024

<sup>148</sup> Interview: Şırnak, Cizre - Yahya Menekşe Case - 15.02.2025

branch of the Education and Science Workers' Union (Eğitim-Sen) has been organizing a storytelling competition to commemorate five children who lost their lives as a result of the disproportionate use of force by security forces during the incidents that took place in the city between March 28 and April 1, 2006. The contest, named after Abdullah Duran, a third-grade primary school student who lost his life in these incidents, is held in Turkish and Kurdish ("Öldürülen Çocuklar Anısına", 2006). Similarly, in Diyarbakır, members of the Chamber of Civil Engineers (Genç-İMO) are organizing a Traditional Football Tournament in memory of Aydın Erdem, a Dicle University student who was killed by police fire during a demonstration protesting the closure of the Democratic Society Party (DTP) in 2009 ("Genç-İMO üyeleri futbol turnuvası düzenledi", 2013).

While acknowledging the importance of these informal forms of social mobilization around the memories of the children, many of our interviewees also emphasized the need for more official commemorative practices and memorials in the public space. A wide discrepancy could be observed between the few cases that obtained an audience and made their way through the public sphere, and the majority that were not followed by any public commemoration or memorials. Geographically, memorialization was more tangible in urban centers than in the rural and border areas of Şırnak and Yüksekova, where victims' families often felt forgotten by their own communities. The village of Andaç, where four children were killed and nine injured by the explosion of ammunition in November 2003, is emblematic of this isolation and oblivion:

*"No commemoration, no ceremony, nothing... We had expectations; I would have liked something to happen. After all, they were all children—thirteen children is not a small number. For example, if on every anniversary a representative had made a statement, that would have been very meaningful. That way, we would not have been forgotten."*<sup>149</sup>

In Andaç as elsewhere, expectations in terms of memorialization mostly relied on the Kurdish political party and/or the municipal authorities. By contrast, expectations from the state authorities appeared almost inexistent. While scholarship on transitional and post-transitional settings identifies inclusive state memory politics as an essential dimension of accountability and reconciliation, in the context of the continuing Kurdish conflict, there were no aspirations for state interventions in the memory field. On the contrary, the demands for memorials and commemorations were articulated with the broader struggle to reappropriate a public space confiscated by colonial practices, such as renaming, destruction and surveillance. In Diyarbakır, Mardin or Van, victims' relatives underlined the significance of parks or streets named after their children, or statues erected in their memories, both as a powerful form of remembrance, and as a tangible

<sup>149</sup> Interview: Şırnak, Uludere, Andaç Village Case - 14.02.2025

challenge to state hegemony. Remembering the inauguration of a park named after Halil İbrahim Oruç in Bismil in 2012, one of his relatives had striking words to describe its meaning:

*"The construction of the park was something permanent. Because injustices were constantly being committed, it would remain in the public's mind. People there say, (...) 'I'm going to Halil İbrahim Park.' Halil İbrahim immediately comes to mind. (...) It is an honorable thing—it ensures that people do not forget. It is an honor for the family."*<sup>150</sup>

Similar feelings were expressed by the relatives of Fahrettin İnan about the conference venue and park named after him in Van, or by Yahya Menekşe's mother when she remembered a street temporarily named after her son. These examples were sources of inspiration for other families, whose children's names had not been commemorated in the public space: for instance, İkbâl Yaşar's relative imagined a neighborhood named after his name in Yüksekova, İslam Terkoğlu's relative a park.<sup>151</sup> As for the family of Rojhat Özdel, again in Yüksekova, although they were unaware of the existence of parks named after young victims in Diyarbakır and Mardin, they also acknowledged the personal and political meanings of these spaces of memory:

*"I am surprised that such a thing had been done. I would also very much like a fountain or something similar to be built, especially in the cemetery; it would be beneficial both for our dead and for the dead of others. (...) Parents or families will never forget, but more generally, it would be good if something like this were done. I would like to see such an initiative carried through to the end. (...) Because one of our aims is to sustain this movement and to develop it day by day; therefore, if something like this were done, it would be sacred to us."*<sup>152</sup>

Statues erected to commemorate children killed in the Kurdish region during the 2000s and early 2010s constitute the most tangible forms of memorialization of these cases in the public space. They shall be contextualized within the opening of the memory field in Turkey on the one hand, and the transformation of Kurdish politics on the other hand. Indeed, these monuments reflect the emergence of a counter-narrative, which contested official history and ideology, and opened a space for the promotion of justice and peace in the public space. Together with monuments devoted to abstract concepts and historical figures, several memorials built in these years evoke the victims of the continuing state

<sup>150</sup> Interview: Diyarbakır, Bismil, Halil İbrahim Oruç Case - 22.06.2024

<sup>151</sup> Interview: Hakkari, Yüksekova - İkbâl Yaşar Case - 28.04.2025, Interview: Hakkari, Yüksekova, Adaklı Village - İslam Terkoğlu Case - 27.04.2025

<sup>152</sup> Interview: Hakkari, Yüksekova - Rojhat Özdel Case - 29.04.2025

violence and conflict in the 2000s, such as the statues dedicated to Uğur Kaymaz and Ceylan Önkol, and the Roboskî Memorial in Diyarbakır. In this respect, while these monuments were made possible by the relative political liberalization of these years, their subject-matters point to the continuation of state violence and impunity, at the very time when the central state was promising peace and democratization. These memorials are thus not only discourses on the past, but also witnesses of the present and sites of defiance and resistance.



*The Uğur Kaymaz Memorial, inaugurated in 2006. Diyarbakır, Sur District.*

This political significance of the memorials became obvious after 2016 and the replacement of elected municipality by government-appointed trustees, who launched heavy attacks against the counter-memory field which had emerged in the previous years: names of streets and parks were changed, statues were removed. Memorials related to state violence and the Kurdish conflict were particularly affected by this systematic policy of destruction, which some scholars have qualified of memoricide (Çelik, 2018). The Roboskî Memorial erected by the Kayapınar Municipality of Diyarbakır was removed in January 2017, and its marble pedestal with the names of the 34 civilian victims of state bombing was intentionally damaged. The monument erected for Uğur Kaymaz by the municipality of Sur in Diyarbakır was damaged by an unknown person in May 2015, before being removed in 2018, by order of the government-appointed trustee of the district. Another memorial to Uğur Kaymaz, a statue of two children with a dove in their hands that was erected by

the Kızıltepe Municipality in August 2009, was removed in June 2017, at the initiative of the government-appointed trustee of the Kızıltepe Municipality. The symbolic violence of these destructions affected the whole Kurdish society, but it was even more intimately felt by the victims' relatives. The words of a relative of Halil İbrahim Oruç convey the pain and anger of witnessing the "Halil İbrahim Oruç Park" in Bismil being renamed "People's Garden", a term widely used by the state to rename parks after the failed coup of 2016:

*"I had a little hope, but that hope is gone now. I feel even more disillusioned, I protest even more. (...) They were afraid of that name, so they removed it. That is why I know Turkey is an unjust country."*<sup>153</sup>

Strongly impacted by the political developments at the local and national levels, the memory field remained a contentious area during the time of this research. In localities where Kurdish municipalities had been reinstated after the last elections, victims' relatives expressed clear expectations from their local administration. They demanded that memorials be rebuilt, and parks, streets, and other public spaces be renamed after the young victims. Beyond their personal losses, other families imagined more comprehensive memory work, that would bring together the names of all the young victims and create a new narrative. In the words of a relative of Abdulhalûk Geylani:

*"For every family, yes, we want their names to be remembered. (...) Let their names be given to a neighborhood; let their names appear in a book; let their names be on a park. (...) Because it is a right; it is their right."*<sup>154</sup>

### **C) The impact of the memory work**

Beyond the testimonies of these families, sources lack to assess the reception of the above-mentioned memorials among the broader public. Scholarship on memory work has highlighted that, even when monuments directly refer to well-identified figures and events, their visibility and appropriation by users of the public space remain dependent on changing political and social dynamics (Ahiska, 2011). We can assume that the intrinsic relationship between these monuments and the Kurdish political struggle facilitated their appropriation by politicized subjects. Paradoxically, their toppling by the state authorities after 2016 may have further increased their political significance for the broader Kurdish audience, by turning them into symbols of the systematic attacks against Kurdish culture and memory. However, the fieldwork conducted during this research also points to the limitations of the memory work conducted at the municipal level. First, while

<sup>153</sup> Interview: Diyarbakır, Bismil - Halil İbrahim Oruç Case - 22.06.2024

<sup>154</sup> Interview: Hakkari, Yüksekova - Abdulhalûk Geylani Case - 28.04.2025

many victims' relatives were deeply committed to keep the memories of their lost ones in the domestic space and among their local communities, they had little agency in the memorialization processes that took place in the public space. Neither the families nor the broader public were consulted on the location and the design of these memorials, which were commissioned to artists, without a comprehensive reflection on the objectives and methods of the memory work (Baydemir, 2015). To illustrate this lack of inclusivity, one of Uğur Kaymaz's close relatives mentioned having heard of a park named after him, but ignored where it was located.<sup>155</sup> A relative of Roboskî's victims also raised the question of ownership, when he critically addressed processes of memorialization marginalized the victims' relatives, such as the Roboskî Memorial erected by the Kayapınar Municipality of Diyarbakır in 2017:

*"In projects like this, they would only call us for the openings. They would say that something had been done, but they did not share many details with us. We would go to the openings."*<sup>156</sup>

This critique is not limited to the municipalities. Civil society initiatives in the area of memorialization may overlook the needs and demands of the victims' families, and harm rather than heal. The failed attempt of the Roboskî victims' families to collaborate with a platform of activists, artists and architects in Ankara for the design of a Roboskî museum, resulted in anger and disappointment, and a growing distrust towards the memory field:

*"Families also lost faith that anything would be done. We found some people sincere and trusted them, but it turned out that this sincerity was not genuine. Don't misunderstand me—there were also good people, and I exclude them. But there were also bad people who tried to profit from our pain, from what we went through, from our victimhood. Unfortunately, that is how it was."*<sup>157</sup>

The question of ownership and reception also applies to the cultural productions that have commemorated some of these children in the last decade. Did the song "Ceylan", performed by Sezen Aksu and Tarkan, increased the awareness of the broader Turkish public about the continuing violence in the Kurdish region? To what extent did the play "Şarapnel-Katliamın 34 Parçası", directed by Mehmet Ergen and staged in London and Istanbul in 2015 manage to convey the extreme violence of the Roboskî massacre? Or who constituted the audience of "13 Kurşun," a documentary film on Uğur Kaymaz directed by Mehmet Hatman in 2015? The concentration of these representations on a few

<sup>155</sup> Interview: Mardin, Kızıltepe - Uğur Kaymaz, Ahmet Kaymaz Case - 25.05.2024

<sup>156</sup> Interview: Şırnak, Roboskî - Family Forum - 22.12.2024

<sup>157</sup> Interview: Şırnak, Roboskî - Family Forum - 22.12.2024



emblematic cases is striking, and was mentioned by several of our interviewees as a source of inspiration. At the same time, however, this focus also carries a risk of establishing a hierarchy among victims and of increasing the feeling of injustice among the most isolated families. The violent controversy around Ahmet Güneştekin's "Memory Chamber" exhibition held in Diyarbakır in 2021 shed light on other ethical and political challenges of representing violence and loss. Throwing down off the walls of Sur some of the 34 colorful coffins exhibited as an implicit reference to the Roboskî massacre, protesters denounced the irrelevance of this artistic memory work, in times when state violence continued to prevail. On the other hand, the exhibition attracted a broad public of local and national visitors. If art can constitute a powerful language to reveal, heal and transform personal and collective experiences of violence and loss, expectations and objections of victims' families and local communities deserve to be better integrated in discussions on ethics and methods of representation. Yet, the current research also showed that memorialization and representation were not central to the horizon of expectations of most victims' relatives, who kept struggling for justice, rights and economic subsistence. Asked to react on the controversy around the Memory Chamber exhibition, a relative of the victims of the Roboskî massacre reminded us how these debates looked irrelevant to the everyday experiences of oppression and injustice shared by most of our interviewees:

*"Back then I was in prison. I have no idea. I don't know anything about that."*<sup>158</sup>

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<sup>158</sup> Interview: Şırnak, Roboskî - Family Forum - 22.12.2024



# **A HOLISTIC** **APPROACH TO** **JUSTICE: DEMANDS** **AND ASPIRATIONS**

*"Even if you kill millions upon millions of people, peace will eventually come. So, what are we waiting for?"<sup>159</sup>*

This report was prepared to draw attention to violations of the right to life in the Kurdish region of Turkey and to document how those who have experienced these violations articulate their pursuit of justice, peace, and restoration, as well as their visions for the future. The demands expressed by the interviewees recall the pain of the past, while simultaneously carrying a persistent hope for life ahead. The "negotiation process" that resumed in the end of the research period should be regarded as an opportunity to reopen the space in which these voices can be heard. The task at hand is not limited to ending the conflict; it is to build a society in which everyone can live on the basis of equal citizenship. In this period, the words of the families go beyond calls for accountability for past crimes and invite us to construct the justice and peace of the future. Their testimonies envision a horizon in which retributive justice—through which truth is made visible—is accompanied by restorative justice that ensures the repair of harm. The demands outlined below constitute concrete expressions of this horizon, representing a clear and enduring articulation of a collective desire for justice, peace, and restoration accumulated over many years:

- The prosecution and punishment of perpetrators constitute a common demand. Relatives of those killed repeatedly state that "the perpetrator must be punished," emphasizing this as the primary and non-negotiable condition for justice. Indeed, ending impunity is regarded as essential to preventing similar deaths. Families who assert that "if Ahmet's, Uğur's, or Enes's killer had been punished, no one would dare shoot a child today" view the realization of justice as a deterrent and as a crucial step toward preventing the recurrence of such crimes.

- ◆ Revealing the truth is fundamental not only for the purpose of punishment but also for social confrontation. Statements such as "I want to know whose bullet killed my brother" illustrate that the right to know and to have one's loss recognized constitutes an essential component of justice.

- Families are aware that the judicial system has failed to meet its claims of impartiality and equality. They emphasize that justice must be realized across the entire functioning of the state, not solely within courtrooms. Assertions such as "a government must be fair to its people and not treat anyone as second-class citizens" make clear that justice is experienced as a problem of structural inequality that extends beyond individual victimization. This reveals that inequality is felt not only in the application of the law, but also in its representation and accessibility. Demands for the equal representation of

<sup>159</sup> Interview: Batman, Center - Hasan İş Case - 24.05.2024

Kurds within the legal system are frequently articulated. Families note that they “believe that, within the framework of the peace process, speaking Kurdish should be permitted in hospitals and courts, and that judges and prosecutors should be Kurdish,” indicating that solutions lie not only in strengthening judicial independence, but also in ensuring cultural and linguistic justice within the judiciary. They therefore call for justice mechanisms that recognize the right to trial and defense in one’s mother tongue as a fundamental right.

- Alongside the punishment of perpetrators, families articulate a range of expectations directed at the judiciary and the state apparatus. These expectations outline steps toward the recognition and restoration of truth:

- ♦ Claims for reparation are frequently expressed with an emphasis on accountability and justice, rather than as a form of “closure” unilaterally defined by the state, as is often the case in existing practices. Families call for reparation mechanisms that clearly establish responsibility for rights violations and the harms they have caused, and that provide a sustainable guarantee of livelihood for those left behind.

- ♦ State is expected to acknowledge its responsibility and issue a public apology. The statement that “an apology would heal the wound in my heart” illustrates the significance of the “confrontation and apology” issue to social peace. In this sense, apology is not merely symbolic or rhetorical; it signifies a profound policy shift when compared to the denialist stance long adopted by state institutions since the late Ottoman period.

- ♦ Access to psychosocial support also emerges as a significant need. It is emphasized that the current system fails to address the multifaceted needs of victims, both in terms of financial assistance and concerning the scope of services provided. To this end, there is a need for establishing appropriate individual and group support mechanisms to address and heal the intergenerational harms produced by layered forms of violence; and experts, volunteers, and locally based initiatives engaged in this field should be supported.

- The need for inclusive documentation and memory practices, in which both state authorities and society assume an active role, is articulated in a multifaceted manner:

- ♦ Families' aspiration include documentation efforts; the call that “it be written and made known in Europe”; the establishment of a collective memory against forgetting; and that researchers, journalists, and human rights defenders carry out work in this field and disseminate the truth.

- ♦ The protection of graves and respect for the dead, voiced in statements such as “Do not destroy our graves; what have the graves done to you?”, underscore how attacks on these sites generate renewed trauma.

♦ Alongside calls for the reconstruction of artistic works, monuments, names, and memory spaces representing violations of the right to life after their destruction by trustee-appointed municipalities, there are also demands for the expansion of remembrance efforts for victims for whom no prior memory work has been undertaken. Demands such as “Uğur’s statue should be re-erected” and “A park should be built in his name” reflect a desire for symbolic restoration.

♦ Community embrace also emerges as a form of restoration. The statement “We have been forgotten; let them remember us” conveys the understanding that memory can be reconstituted through social bonds.

■ It is emphasized that restorative justice approaches and mechanisms can be genuinely transformative only when pursued in conjunction with accountability and broader rights-based claims. From this perspective, there is a clear need for mechanisms and processes—such as inclusive truth commissions, local justice councils, and social rights initiatives—that enable dealing with the past and structural change, rather than limiting practices to individual cases.

All these demands and imaginations clearly indicate that expectations for justice point toward a multifaceted political and social transformation. The assertion “no peace without justice” underscores the understanding that justice and peace are complementary processes, and demands for “peace” are articulated on this basis:

■ The phrase “no more deaths” emerges as a common ground across all interviews. For families who have lost their children, and for communities affected by these conflicts, peace is envisioned both as an end to suffering and as the possibility of a new beginning for life.

■ There is a demand for a lasting and transparent peace process that actively involves the public. The call for “a peace process that is unconditional, without exceptions, and known to everyone” reflects the need for social peace capable of overcoming the mistrust by past experiences.

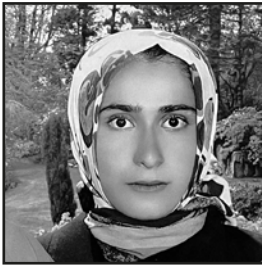
■ The demand for a political solution is strongly emphasized. Expressions such as “Politics, politics, politics! Solution, solution, solution!” convey the conviction that peace can only be achieved through democratic means.

■ Peace is envisioned in conjunction with linguistic and cultural rights. Statements such as “if peace comes, if our Kurdish language is free, if our children are not killed, we will feel at ease” indicate that cultural equality is a prerequisite for peace.

In this sense, peace points to a horizon in which the existing legal and political order is transformed. Such a transformation—entailing a reexamination of freedom, equality, and citizenship, alongside the adoption of comprehensive reforms—is necessary not only in the Kurdish region but across the country in order to build a more just and equal society. Views differ regarding the feasibility of such structural change under current political conditions, and more than a century of state policies of oppression and denial has generated deep mistrust. Nevertheless, despite these obstacles, there remains a belief that peace grounded in equal citizenship is possible among the peoples living in Turkey. The phrase “this geography is enough for all of us” encapsulates this aspiration for equal coexistence.

**IN MEMORY**  
**OF THE CHILDREN**  
**AND YOUTH WHO**  
**LOST THEIR LIVES**

In this final section of the report, we have compiled information on the personal lives of children and youth who were killed between 2000 and 2015 to make their stories more visible. They are presented in chronological order according to the dates of death. Through the eyes and accounts of their relatives, we have compiled limited yet significant details about the lives of these young people, based on first-hand information. The individuals featured here are drawn from the 40 cases examined in our research, and only those cases for which explicit consent was granted for this form of disclosure are included.



### **SELMA (GURBET) KILIÇ**

**Diyarbakır, Silvan**

18 years old

In the early hours of **October 17, 2001**, the house was raided. The police requested to search the barn. Gurbet took the key, opened the barn door, and returned to the house. At that moment, shots were fired from outside, and one of the bullets struck her. She was shot inside the house and taken to the hospital with serious injuries, where she later died.

*"Gurbet's name on her ID was Selma. But at home, we called her Gurbet. Gurbet never went to school. She helped with household work. She was the pillar of our house. She was very brave. She was determined and resilient. She was afraid of nothing. She was kind, delicate, and sensitive. She took care of her siblings and did all the housework. She had many friends. She was deeply loved in the neighborhood, in the community, and within her family. She did handicrafts and crocheted lace tablecloths. The last lace tablecloth she started crocheting was left unfinished. I continued crocheting it and finished it myself. I keep it now as a memento of her. She loved the colors green, red, and yellow. Her favorite foods were cakes and pastries. She enjoyed listening to Kurdish songs."*

**ANDAÇ EXPLOSION****Şırnak, Uludere, Andaç Village****ZAHİR ÖLMEZ**

**11 years old**, he was a 5th-grade elementary school student.

**SEVİM ÖLMEZ**

**10 years old**, she was a 4th-grade elementary school student.

**SONGÜL ÖLMEZ**

**6 years old**, she was a 1st-grade elementary school student.

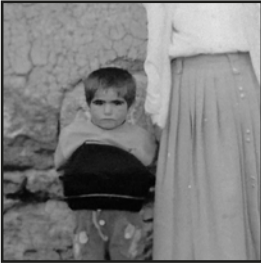
**WELAT (AHMET) ÖLMEZ**

**6 years old**, he was a 1st-grade elementary school student.

On **November 2, 2003**, a group of elementary school students walking to school noticed an unknown object on the ground. They called out to Zahir, the oldest among them. When Zahir came to take a look, he thought it might be unexploded ordnance and tried to move the others away. At that moment, while some of the children had managed to step back, the object exploded. Among the thirteen children present at the time of the explosion, nine were injured. Zahir, Songül, Sevim, and Welat lost their lives.

*"As you know, when you're a child, you're very excited; you don't think about much. People are very warm-hearted at that age, and life is mostly about playing. It's about your mother. You want to joke around. You dress up. You play football. These children were full of life. They were jumping around; they were always happy. They all had dreams."*





### **MAŞUK UCA**

**Van, Çaldıran**

14 years old

On Sunday, **November 8, 2004**, when schools were closed for the holiday, Maşuk went with the village shepherd to graze animals on the family's private land. While there, he began playing with an object he found on the ground and did not recognize. He lost his life when the landmine he had found exploded.

*"He was a very good child. A teacher in our village used to say, "Give him to me; I will take him and register him in my household." He was so young. Maşuk was a second-year middle school student. He was successful at school. He was smart and hardworking. He loved studying. He loved nature. He was perceptive and quick to learn. He was a cheerful child."*



### **UĞUR KAYMAZ**

**Mardin, Kızıltepe**

12 years old

On **November 21, 2004**, while his father, a truck driver, was preparing to leave for a long journey, he stepped outside to load the truck parked in front of their house with the supplies needed for the trip. While the rest of the family was having breakfast, Uğur was helping his father load the truck before going to school. At that moment, shots were fired, and both were shot and killed.

*"He was a 5th-grade elementary school student. He was successful at school. He was hardworking. In his spare time, he carried loads with a wheelbarrow to support us. When he wasn't at school, he worked wherever he could. He loved reading poetry. He read Kurdish poems. He played with other children in the garden of their house. He would go to cut wood and helped both us and our neighbors with the work that needed to be done in the garden."*



### **AHMET KAYMAZ**

**Mardin, Kızıltepe**

30 years old

On **November 21, 2004**, Ahmet was shot and killed in front of his house. He was a long-distance truck driver. Before setting out, he and his son Uğur left the house to load the supplies needed for the journey into the truck parked outside. At that moment, shots were fired, and both were shot and killed.

*"Ahmet's younger son keeps his father's old phone and prayer beads as mementos. His other son has recited poems for his father at various events. Recently, they brought me Ahmet's and Uğur's clothes. [The clothes they were wearing on the day they were shot had been taken from the family many years ago to be displayed in different places.] The jacket Ahmet was wearing and the clothes Uğur was wearing! They gathered them all and sent them here. I took them and went to the cemetery. I opened their graves, placed the clothes at their headstones, and came back.."*



### **FAHRETTİN İNAN**

**Van, Center**

19 years old

On **June 21, 2005**, preparations were underway for a mass funeral. Fahrettin joined the funeral ceremony with a group of friends. While the funeral procession was still on its way to Van, shots were fired at the crowd gathered to attend it. Fahrettin was shot in the heart and killed.

*"Fahrettin was a very fun, cheerful, and humorous young man. He was quite social. He had a wide circle of friends. He had a courageous and authoritative character. He could not tolerate injustice. Whenever he witnessed injustice, he would immediately intervene. He had strong leadership qualities. He especially liked wearing white socks, white shirts, and black trousers. He loved dogs very much. In fact, he worked in animal husbandry. He listened to Müslüm Gürses, and when he did, he would play the music on speakers so the whole neighborhood could hear it. He would put the cassette into the tape player in the garden, turn it on, and let the music fill the neighborhood. He loved it very much."*



**HASAN İŞ**  
**Batman, Center**  
 23 years old

On **August 28, 2005**, a mass funeral ceremony was held in Batman. As it was Hasan's day off, he went to the river with his friends for a picnic. On his way back, he came across the funeral ceremony and joined it. In the events that occurred during the ceremony, Hasan was shot in the head and lost his life.

*"I think he was the best person in the world. He never did anything bad. No matter what, he would never do any harm. He was helpful and sociable. He would rush to help both his family and everyone else, always supporting those around him. He did not continue his education after completing elementary school. He served his military service and then began working at his brother's auto repair shop. He was working there. He was living a quiet, peaceful life. We had already started making preparations for his marriage."*



**ABDULHALUK GEYLANI**  
**Hakkari, Yüksekova**  
 22 years old

On **November 9, 2005**, a bomb attack took place at the Umut Bookstore in the Şemdinli district of Hakkari. Protests against the bombing and subsequent developments began in Şemdinli and spread throughout Hakkari. On **November 15, 2005**, a mass press statement was held in Yüksekova on this issue. Clashes erupted during the events that followed, and Abdulhaluk Geylani was shot and killed.

*"He didn't go to school either. He was a construction worker. He had a somewhat tough character. But he was also an emotional young man. He was very handsome. He was tough, handsome, emotional, pure, and clean."*



## İSLAM TERKOĞLU

Hakkari, Yüksekova

24 years old

On **November 23, 2006**, İslam went to a rural area with two friends to collect firewood. After loading the firewood, he was shot and killed in an open area on the way back to the village.

*"İslam was involved in animal husbandry. He was not someone who upset us. He never broke our hearts, and we couldn't bear to hurt him either. Since he grew up without a father, he was given whatever he wanted. We didn't want him to work when he was a child. He was a pleasant, fun, and charming young man. He had been married for 11 months. On the day he was killed, his baby was only five days old."*



## MEHMET UYTUN

Şırnak, Cizre

1,5 years old

On **October 9, 2009**, during protests in Cizre, Mehmet was seriously injured when a gas canister struck him in the head while he was in his mother's arms on their balcony. He was taken to the hospital and remained in intensive care for ten days before passing away on **October 19, 2009**.



### ÇEKDAR KANAY

Diyarbakır, Lice

17 years old

On **July 2, 2010**, Çekdar, who had gone from Diyarbakır to Lice for a one-week vacation, was sitting with his cousins and friends in the evening on the family's land to spend time together. At that moment, he was shot and killed in a random armed attack in the dark.

*"Çekdar loved Lice and horseback riding more than anything else in life. He loved spending time in the mountains and plains of Lice and riding horses there. He had a horse in the village and often went there for that reason. He had gone to the village that day for the same reason: to spend time in Lice and ride his horse. He was hardworking. He was always working somewhere to earn money. He was honest, calm, and helpful. He loved eating bean casserole and cake. He was a Galatasaray fan. He always slept under the quilt with a Galatasaray logo his mother had bought."*



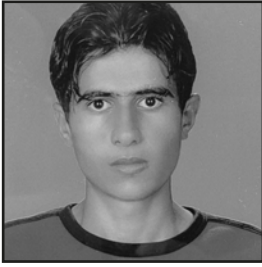
### AHMET ARAÇ

Mardin, Kızıltepe

26 years old

On March 28, 2006, during the events in Diyarbakır, protests spread to other cities. On **April 1, 2006**, Ahmet woke up to go to work and had breakfast while watching the breaking news about March 28 on television. He saw that Enes Ata had been shot and killed in Diyarbakır. Affected by this, he went outside and joined the protests, where he was shot and lost his life.

*"He ran a school cafeteria. He had good relationships with the students. He was a sincere and genuine young man. He was always peaceful. He tried to prevent arguments and fights around him; when there was a problem or dispute, he would try to resolve it. Even on the day of the incident, he shielded himself so that young people would not throw stones at shopkeepers' windows. His favorite food was êrok (kibbeh). He was a Galatasaray fan. He was compassionate and empathetic. He was benevolent. Ahmet never broke a single person's heart."*



## EMRAH FİDAN

Diyarbakır, Bağlar

17 years old

On **April 3, 2006**, in the aftermath of the events that took place in Diyarbakır on March 28, 2006, Emrah—after much insistence—received permission from his father to go out and play football with his friends. For a long time afterward, there was no news of him. The following day, he was found in a hospital, shot in the head and deceased.

*“Emrah was a very hardworking child. He was a high school student, and we had enrolled him in a prep school. He was preparing for the university entrance exam. He truly enjoyed going to school and studying. Even in his free time, he would study at home. He had very beautiful handwriting that impressed everyone—so much so that even his teachers admired it. He loved football, both playing and watching it. He was a Galatasaray fan. He especially loved going to the village and riding horses.”*



## İLYAS AKTAŞ

Diyarbakır, Bağlar

24 years old

On March 28, 2006, during the events in Diyarbakır, upon hearing that Enes Ata had been shot, İlyas went out into the streets to join the protests, despite his relatives' efforts to stop him. He was shot in the head. When medical intervention in Diyarbakır proved insufficient, he was transferred to Ankara, where he died in a hospital on **April 14, 2006**.

*“He was a second-year student in the Department of Architecture at Dicle University. He was very communicative.*

*He was a sensitive young man who was especially caring toward children. He did not go out much and spent most of his time at home. He read books and played with children in the garden. Reading was his favorite activity. He loved Dostoyevsky's *Crime and Punishment* the most; I think he read it two or three times. He got along very well with his sister. They would read books together on their bunk beds. My *Sweet Orange Tree* was their favorite book. He also cut out newspaper clippings from the papers he read and kept them. He was an organized and tidy young man. He expected his personal space to be respected. His favorite food was 'gözleme.' He was a Galatasaray fan and listened most to Xelil Xemgin. He planted a walnut tree in our garden. It is still there.”*

**YAHYA MENEKŞE****Şırnak, Cizre**

16 years old

Yahya lost his life on **February 15, 2008**, after being hit by an armored vehicle during a protest. When the protest began, he came home to have lunch and then return to work. After lunch, he left the house.

*"Yahya did not continue his education after completing middle school. He was working somewhere. He was a very fair child. He was cheerful, hardworking, and funny. He had a good sense of humor and made everyone laugh; that's how he was known among his friends. He had many friends. He was a tall, dark-skinned young man. What he loved most in life were weddings and dancing halay. Whenever there was a wedding, he would go and dance the halay. He always wanted to eat fried foods. When he came home for lunch that day too, he ate French fries and pasta."*

**İKBAL YAŞAR****Hakkari, Yüksekova**

27 years old

On **March 23, 2008**, in Yüksekova, a dispute that arose with local administrative authorities over which day Newroz should be celebrated ended with the people deciding to celebrate the holiday on the day and at the place they chose. However, when the crowd took to the streets with this decision, they were met with resistance from security forces. During these events, in which Newroz celebrations turned into a social protest, İkbâl was shot and killed. İkbâl was married with two children. He was killed on his younger son's second birthday.

*"I knew there would be trouble on Newroz [that year.] I washed his coat so that he couldn't go. I thought he wouldn't be able to wear it while it was wet and would stay home. But he wore it, went out, and was shot. İkbâl was a very cheerful, talkative, and social person. He loved going out. Every night he would visit someone's home as a guest. He loved spending time in crowded places. He had a very warm relationship with everyone. Everyone loved him. He was a very different person. He was a bricklayer. He was very good with children, especially his own. He would play with them and sing songs to them. He was a Galatasaray fan."*





### **MAHSUM KARAOĞLAN**

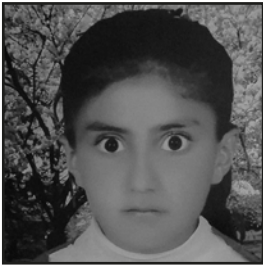
**Urfa, Halfeti, Ömerli Village**

22 years old

*He was a classmate and close friend of Aydın Erdem, who was killed eight months later.*

On **April 4, 2009**, during a march toward Abdullah Öcalan's birthplace to celebrate his birthday, the crowd was stopped and fired upon. Mahsum was shot in the heart and lost his life.

*"Mahsum was a third-year student in the Department of Mathematics at Dicle University. He loved dancing halay and therefore joined folk dance groups. He used to run. When his father once said to him, "You don't know how to run," he replied, "I thought I didn't, but when I ran, I realized I did." He was a Galatasaray fan. He was a hardworking, diligent, and intelligent young man. He was sociable and outgoing. He could not tolerate injustice. During his university years, he was active in student organizations and worked in the civil society sector."*



### **CEYLAN ÖNKOL**

**Diyarbakır, Lice, Şenlik Village**

12 years old

On **September 28, 2009**, Ceylan lost her life when a mortar shell exploded in the field while she was grazing animals.

*"Ceylan was the youngest child and the only daughter in the family. She was the apple of everyone's eye. She was a boarding elementary school student. She was a very hardworking and intelligent child. She wanted to go to university and become a prosecutor or a judge. She had a cow that her mother had*

*given her as a gift, and she loved it very much. Even after Ceylan's death, everyone in the village continued to refer to that cow as "Ceylan's cow." She had a notebook in which she had written the names of all the prophets mentioned in the Quran in beautiful handwriting. She cherished that notebook. She loved sleeping in her mother's arms. Her favorite food was pasta. On the day she went out to graze the animals, she had asked her mother to make her pasta."*





## **AYDIN ERDEM**

**Diyarbakır, Center**

24 years old

*Aydın was a close friend and classmate of Mahsum Karaoğlu, who had been killed eight months earlier. Their third close friend, Derya, who survived, says: "A pen was hung in Aydın's condolence tent. In those years, mourning had overtaken the pen, the word, and Aydın himself."*

On **December 6, 2009**, people in Diyarbakır sought to protest the decision of the Constitutional Court to close the Democratic Society Party (DTP), a Kurdish political party. As the crowd marched toward the DTP provincial headquarters, they were met with tear gas. During the protest, Aydın Erdem, who was among the crowd, was shot in the heart and lost his life.

*His father describes him as "a shining star." He was a third-year student in the Department of*

*Mathematics at Dicle University. He wanted to complete his education and become a teacher. He was a cheerful, democratic young man who loved life. He loved living, traveling, having fun, reading, dressing well, eating, and drinking. He was very social—there was no one he could not connect with. We do not know what kind of music he generally liked, but the last song on his phone was Hozan Serhat's Ez Kurdistanim. Sometimes after school, he would walk with his friends from Dicle University to the city center over the Dicle River and hold long conversations.*



## **MEHMET NURİ TANÇOĞAN**

**Van, Çaldıran, Hangediği Village**

15 years old

On **March 31, 2010**, Mehmet Nuri, who had come to his village during the school holidays, was traveling on horseback with his friends toward the border to obtain diesel fuel. On the way back, shots were fired at the group. Mehmet Nuri was killed by a bullet that struck him in the chest.

*"Mehmet Nuri was a very successful high school student. He was boarding at an Anatolian High School in the city center. When his neighbors and cousins were leaving, he insisted on spending time with them, and I gave him permission. He went there. Mehmet Nuri went only to socialize with his friends, to spend time with them. He was a very hardworking and intelligent child—so much so that he ranked highly in the village and placed at an Anatolian High School. He was intelligent and deeply devoted to his language and culture. If he had lived, he would certainly have gone on to university and pursued his studies."*



## HALİL İBRAHİM ORUÇ

**Diyarbakır, Bismil**

17 years old

On **April 20, 2011**, protests began across Kurdish provinces after the Supreme Election Board vetoed applications by independent Kurdish candidates to run in the elections. During the protest in the Bismil district of Diyarbakır, Halil İbrahim was shot in the chest and lost his life.

*"He was a third-year high school student. He attended both school and a private tutoring center and was preparing intensively for*

*the university entrance exams. He was a hardworking, successful, and determined child. He had promised his father that he would pass the exam and become a lawyer. He was a happy and cheerful child. He loved chatting, socializing, and helping those around him. In his spare time, he would go to his relatives' workplaces to help out and would brew tea to offer to everyone. He always carried 15–20 pieces of candy in his pocket and would hand them out to the children on the street when he entered the neighborhood. When the children saw him, they would gather around him, calling out, "İbo, İbo, İbo..." He was a Galatasaray fan. His favorite foods were bean casserole with meat and karnıyank. He also loved snacks such as cakes and pastries."*



## UMUT PETEKKAYA

**Diyarbakır, Çermik**

15 years old

On **June 7, 2011**, Umut lost his life when ammunition he found by the rocks exploded while he was taking his animals out to graze.

*"Umut was the youngest of the family, and for this reason he was raised a little spoiled. He*

*loved life and enjoyed living. He was a cheerful, mischievous, and playful child. When he did something his father would not approve of and got caught, he would joke, "Mom, I got caught at a traffic stop." He was fair. He loved his friends very much. He had a cow that he loved deeply—so much so that he kept it away from prying eyes for fear of the evil eye. When he took it out to graze, he would choose paths where no one could see it. He was a fan of Umut Karan, who played for the Turkish national team. He would wear baggy trousers and tie a sash around his waist, imitating the elders in the village."*



**ERCAN UCA**  
**Van, Çaldıran**  
 27 years old

On **30 July 2011**, at around midnight, Ercan and two friends went toward the Iranian border to buy diesel fuel. Near the border, Ercan and his two friends were surrounded and shot. Ercan lost his life there. He was a construction worker. He was married with four children.



*"If the bombs that killed me did not also kill justice, I demand justice... Isn't justice everyone's right?"\**

\* **Justice for Roboskî Platform** published a letter for each person killed in the Roboskî bombing, using their real information and quotations from their own words. These stories, published daily over 34 days, were sent by fax and email to the Presidency, the Prime Ministry, the Ministry of Justice, and the Ministry of the Interior. This quotation was appended to each letter, and the letters were also published on Bianet in 2012..

*This picture was taken during a workshop titled "Roboskî Through the Photographs of Youth and Children", conducted with the children and youth of Roboskî in 2013. Gülnaz Encü photographed the artwork of Gülnaz Encü (7 years old) and Kevser Encü (10 years old) ("Roboskî Through the Photographs of Youth and Children", 2013).*

## **ROBOSKÎ MASSACRE**

**Şırnak, Uludere, Roboskî Village**

On the night of **December 28, 2011**, Turkish Armed Forces warplanes bombed villagers engaged in "border trade." In the bombing, 34 civilians—most of them children—lost their lives.

**Bilal Encü (16)**, Özcan Uysal (18), **Seyithan Enç (21)**, Cemal Encü (17), **Vedat Encü (17)**, Selman Encü (38), **Selahattin (Karker) Encü (16)**, Nadir Alma (25), **Celal Encü (16)**, Şervan Encü (19), **Nevzat Encü (19)**, Salih Encü (18), **Osman Kaplan (31)**, Mahsun Encü (17), **Muhammet Encü (13)**, Hüsnü Encü (30), **Savaş Encü (14)**, Erkan Encü (13), **Cihan Encü (19)**, Fadıl Encü (20), **Şerafettin Encü (18)**, Hamza Encü (21), **Aslan Encü (17)**, Mehmet Ali Tosun (24), **Orhan Encü (13)**, Salih Ürek (16), **Yüksel Ürek (16)**, Adem Ant (19), **Hüseyin Encü (20)**, Bedran Encü (13), **Serhat Encü (16)**, Abdulsalam Encü (22), **Zeydan Encü**, Şivan Encü.



## MEDENİ YILDIRIM

**Diyarbakır, Lice,  
Ortaç Village**  
19 years old

On **June 28, 2013**, mass protests were held in the Lice district of Diyarbakır against the construction of military outposts. Medeni had gone to his village in Lice to rest after taking the university entrance exam, for which he had prepared very diligently. While there, he joined one of the protests and was shot in the heart, losing his life.

*"He was a successful student. His dream was to study Public Administration at Van Yüzüncü Yıl University and become a district governor. He also dreamed of swimming in Lake Van if he went there. After Medeni lost his life, when the exam results were announced, it was revealed that he had achieved the score required to attend the university he dreamed of. He was a fun, cheerful, witty young man. He loved drawing cartoons; the funny faces he drew on the ceilings of houses in the village are still there. He wrote screenplays and had an unfinished one titled "Ubiler," about aliens invading Lice. The tree he planted in the garden of the village house 40 days before the incident is still there. He loved milk, yogurt, and ayran most of all."*



## BÊMAL TOKÇU

**Hakkari, Yüksekova**  
25 years old

On December 6, 2013, during the events that erupted at the funeral of Mehmet Reşit İşbilir (35) and Veysel İşbilir (34), who had been shot and killed during protests against the desecration of graves in Yüksekova, Bêmal Tokçu was shot in the head and seriously wounded. He was taken to the hospital and died on **December 12, 2013**. Bêmal was married and had three children.

*"He was a brave man. He was humorous, cheerful, and talkative. He enjoyed chatting and took pleasure in working. He loved helping his relatives, friends, and neighbors. His relationship with his children was like that of friends—he would talk with them and joke around. He was also level-headed. He was very intelligent, a very good person—but good people do not live long. He was tall, with blue eyes. He was such a young man that you couldn't bear even to look."*



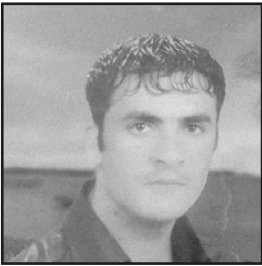
## **RAMAZAN BARAN**

**Diyarbakır, Lice**

23 years old

On **June 7, 2014**, mass vigils and protests were held in Lice against the construction of military outposts. During the vigils, Ramazan was shot in the back as a result of the open fire and lost his life.

*"Ramazan was a calm young man. He was very quiet and was much loved by those around him. As a child, he spent most of his time on the streets, playing outside. He also worked at that age. Sometimes he would go and sell seeds; other times, he worked as a painter. He was an exemplary child. He loved Yılmaz Güney's films and would bring recordings of them home. We would watch them all together. He was a Galatasaray fan."*



## **MEHDİ TAŞKIN**

**Diyarbakır, Lice**

23 years old

On **August 19, 2014**, following the decision to remove the Mahsum Korkmaz statue in the Lice district of Diyarbakır, the people of Lice began a vigil at the statue's location. Mehdi went there as well, and while standing directly beneath the statue, he was shot and killed.

*"Mehdi was the youngest in the family. His father passed away when he was very young, and he grew up without a father. He dropped out of high school and worked in a restaurant. He was a very curious young man and had very good relationships with his family, neighbors, and friends. Mehdi had dreams. He was preparing for the home he would build in the future. He had bought various household items and saved some money. He had even bought engagement rings. He was preparing for marriage."*



## **ABDULKERİM SEYHAN**

**Mardin, Dargeçit**

26 years old

On **October 9, 2014**, during the Kobanê protests, Abdulkerim was shot and killed when shots were fired at the crowd during the funeral of two young men who had been killed in the Dargeçit district of Mardin.

*"Abdulkerim did not continue his education after completing elementary school. He worked in the family business. He was a quiet and reserved person. He loved the mountains. In his spare time, he would wander through the mountains for hours, spending time in nature. He was hardworking. He was not picky about food, but he loved meat dishes most."*

*"Abdulkerim was a very kind-hearted child. Abdulkerim was a very good person. He was a child, he was young... We looked after him, fed him, raised him, kept an eye on him... And they came and took him from us."*



## **ROJHAT ÖZDEL**

**Hakkari, Yüksekova**

16 years old

On **December 6, 2014**, Rojhat was shot and killed during a march commemorating the anniversary of Bêmal Tokçu (25), who had been killed at the funeral of Mehmet Reşit İşbilir (35) and Veysel İşbilir (34), who had been killed during protests against the desecration of graves a year earlier.

*"Rojhat did not attend school. Because our father was in prison, he was responsible for working and supporting the family. He worked as a baker. He was a playful, cheerful, happy, and fun-loving child. He was responsible. At home, he was always joking and laughing with our mother and with us. When he took a shower, he would listen to songs and sing along loudly. He embraced his language and culture. He loved Mem Ararat's song "Zana û Andok." My father had a new car. When we were young and my father was in prison, Rojhat would go to my uncle's house, take the car, play that song, and drive around the neighborhood so everyone could hear it."*

**NİHAT KAZANHAN****Şırnak, Cizre**

12 years old

On **January 14, 2015**, after returning home from school and not finding his mother at home, Nihat went out to play with his friends behind his house. There were no incidents, protests, or demonstrations in the district that day. At that moment, he was killed when a gas cartridge fired by security forces struck him in the head.

*"Nihat was an elementary school student. He was successful at school. He was shot and killed while playing in the street on a peaceful day in Cizre."*



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Derya Bozarslan completed her bachelor's degree in Turkish Language and Literature at Dicle University in 2005. After working for three years at the European Union projects office of the Diyarbakır Chamber of Commerce and Industry starting from 2008, Bozarslan worked at the Diyarbakır office (Diyarbakır Arts Center) of Anadolu Kültür between 2011 and 2013. From 2013 to 2022, she worked at Anadolu Kültür's Istanbul office, contributing to programs centered on intercultural dialogue through art, Kurdish literature and language, children's books, children's rights and refugees, and children affected by conflict and war. In 2022, she received a cultural managers' scholarship from the Martin Roth Initiative, supported by the German Federal Foreign Office, and lived in Berlin for one year. During this period, Bozarslan conducted field visits in several countries to examine art-based practices providing psychosocial support for refugee, migrant, and asylum-seeking children in Europe. Since returning to Turkey in 2023, she has been working on children's rights violations within the Memory and Peace Program at *Hafıza Merkezi*.

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This report is the outcome of Hafıza Merkezi's three-year field research project, Justice Heals. Employing an interdisciplinary approach, the research examines violations of the right to life affecting children and youth in the Kurdish region of Turkey between 2000 and 2015.

As a continuation of Hafıza Merkezi's earlier work on the 1990s, this study investigates how violations of the right to life and practices of impunity evolved in the Kurdish region between 2000 and 2015—a period characterized by certain political openings and the peace process. It further explores how those who experienced these violations articulate their demands for justice, peace and reparation, as well as how their visions of the future are shaped. By questioning the conventional dichotomy between retributive justice and restorative justice, the study seeks to understand how these approaches may complement and transform one another in the pursuit of justice for both individuals and the broader society.

Conducted at a time when the horizon of transitional justice remained absent or blurred, this research underscores the importance of sustaining a multifaceted struggle for justice—one that confronts structural inequalities and addresses multiple layers of violence to transform both the present and the future.