

Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP)

Roster

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Agenda item 4

**Co-sponsors: Europe – Third World Centre (CETIM), General status
Women's International League for Peace and Freedom (WILPF), Special
status**

Co-sponsor without ECOSOC Status: Amitiés kurdes de Bretagne

Violation of human rights of Kurdish people in Turkey

While the Government of the Republic of Turkey is stepping up efforts to join the European Union, its actions against the Kurdish minority show that it has still a long way to go to be in conformity with the general human rights standards.

In the most recent municipal elections, in March 2009, the Party for a Democratic Society (DTP) won nearly one hundred municipalities in the Eastern and Southeastern Anatolia regions, doubling its representation. The Turkish authorities seem not to want to accept the choice of the electorate and have triggered a wave of arrests among the elected leaders and cadres of the DTP.

On December 11, 2009, the eleven judges of the Constitutional Court of Turkey took the unanimous decision to disband the DTP. Basing itself on Article 69 of the Constitution, the Court argued that the DTP would be "a focus of activities detrimental to the independence of the state and its indivisible unity."

Elected officials and Kurdish activists, in anticipation, had filed several months before the statutes of a new political party: the Party of Peace and Democracy (BDP). Since December 12, all elected officials and activists of the dissolved DTP joined the BDP, which was already functioning. Members of the Grand Assembly of Turkey (Turkish Parliament), that had been members of the DTP also decided to join the BDP, thus constituting a parliamentary group.

The Constitutional Court also ordered the confiscation of all property of the DTP and banned for five years the exercise of all political responsibilities of its 37 leaders, including in particular the emblematic figures such as Leyla Zana. Among the 37 are the party chairman, Ahmet Türk, and Aysel Tugluk (MP from Diyarbakir) whose parliamentary mandates were taken away by the Constitutional Court although they still enjoy parliamentary immunity. Should the Great Assembly strip them of the parliamentary immunity, they could be condemned respectively to 56 and 52 years in jail. Five BDP deputies (formerly DTP) Ahmet Türk and Emine Ayna (Mardin MP), Sebahat Tuncel (Istanbul MP), Aysel Tugluk and Selahattin Demirtas (Diyarbakir MPs) have also been summoned by the prosecutor who threatened to fetch them by force if they refused to go, despite their parliamentary immunity.

It should be noted that in the predominantly Kurdish regions of Eastern and Southeastern Anatolia, new arrests have been since those of April 2009, continuing through the months of August and September 2009 and affecting more than 500 elected officials and responsible of political parties, associations or unions. These practices continue still today.

All these persons, like the Geneva trade unionist Murad Ankicilar, arrested in Istanbul in September 2009, were arrested by special units and are prosecuted under the anti-terrorist legislation¹. These arrests are highly publicized, with pictures of the elected officials in hand cuffs, intended to terrorize the population.

On 24 December 2009, a wave of arrests, conducted by prosecutors in Diyarbakir, touched more than 80 people, including mayors and former mayors. Also among these is Mr. Muharrem Erbey, Vice-President and National President of the Diyarbakir branch of the Association of Human Rights in Turkey (IHD)²

On 11 January 2010, following five hours of testimony before the special prosecutor of the Court of Diyarbakir, the Mayor of the City of Diyarbakir (Mr. Osman Baydemir) was notified that he was prohibited to leave the national territory. Since the municipal elections, the city of Diyarbakir has been given special attention by the security forces and the judiciary. The Director General of the City Hall and the First Deputy Mayor were jailed and other leaders were arrested during raids, which became an instrument used to systematically counter the legitimate aspirations of citizens of Kurdish origin.

On 22 January 2009, 60 persons were arrested during simultaneous operations in the provinces of Batman, Diyarbakir (South-East), Van (East) and Istanbul (North-West). In Igridir, Mayor Mehmet Nuri Gunes and 10 other members of the BDP were arrested and jailed. Currently, in Turkish prisons there are nearly 1,000 executives, managers and elected officials of the pro-Kurdish DTP and its successor, the Party of Peace and Democracy (BDP).

Kurdish children are not spared in the waves of arrests. Minors who threw stones at the police forces or made the symbolic signs of victory during the demonstrations are judged by the criminal courts and prosecuted like members or leaders of a terrorist organization.

Eshat Aktas, coordinator of the association for the defense of the rights of children of the Diyarbakir Bar Association reveals that in 2009 1'300 children were detained or tried under the Anti-terror Law (TMY) in the predominantly Kurdish regions of Eastern and Southeastern Anatolia. The President of the "Batman Bar Association", Yusuf Tanrıseven, cites the example of a girl of 15 years (Berivan S.) who was sentenced on 26 January 2010 by the High Criminal Court of Diyarbakir to 13.5 years imprisonment (reduced to 7 years and 9 months, because the young age of the accused) for having, according to the sentence, committed crimes in the name of an illegal organization and having participated in meetings and events contrary to the law and, finally, for making propaganda for an illegal organization. The girl, who had been placed in custody in connection with the Batman manifestation of 9 October 2009, denied the charges; she said she was beaten by police to obtain a forced confession.

Despite the implementation of a plan of systematic arrests of elected officials and executives of the DTP, started after the elections on 29 March 2009, the Turkish Prime Minister RT

¹ See joint report CETIM-MRAP to the UPR Working Group (http://www.Cetim.ch/fr/interventions_details.php?iid=334) et his annexes (http://www.cetim.ch/fr/interventions_details.php?iid=335 and http://www.cetim.ch/fr/interventions_details.php?iid=336)

² Since one year, the IHD organize a sit-in at Diyarbakir to aks for an inquiry about the 17,000 summary and extra-judiciary executions that took place during the 25 past years. The association has contributed to the discovery of numerous mass graves containing bodies following forced disappearances.

Erdogan, launched a process of opening on 22 July 2009. He received Ahmet Türk, chairman of the DTP, and accepted in October the entry into Turkey of the "Group of Peace", composed of unarmed combatants and refugees from camps in Iraq.

The enthusiastic reception the Kurdish population gave this Group made the Turkish authorities understand that the rebellion was a form of violent expression of a people that had been denied the enjoyment of all its rights, it has also made the parliamentary opposition grinds its teeth and provoked an intervention by the Chief of Defense, General Ilker Basbug, who issued a stern warning to the public.

It is urgent that the European Union request to the Republic of Turkey to conform immediately to the general standards and international treaties on human rights to which Turkey is a party, and it states clearly that any progress in negotiations for a strengthened partnership or membership in the EU are subject to this condition.

It is urgent that the authorities of the Republic of Turkey adopted the following measures:

- the release of all political prisoners and minors jailed for "acts of terrorism";
- the removal of all barriers leading to the recognition of Kurdish identity (language, culture, names, place names, etc..) And the right of association for members of the Kurdish minority;
- • the abolition of all laws that violate the exercise of freedom of opinion and expression.

We call on the High Commissioner for Human Rights and the concerned mandate holders of special procedures to visit Turkey to see for themselves the seriousness of the attacks on freedom and human rights of the Kurdish people.
