



A report from the UK Parliament's All Party Parliamentary Group on Kurdistan in Syria and Turkey.

Kurdish Political Representation and Equality in Turkey

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With special thanks to the inquiry research assistant Lily Lofty

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Executive Summary

This inquiry is published at a time of acute crisis: a crisis of human rights and freedom of speech, and a fundamental collapse of democracy. This report outlines the dire situation in Turkey regarding repression of political representatives, violence against women and girls, quashing of journalistic freedoms and militarised attacks targeting majority-Kurdish regions.

Despite intervals at which the Turkish state has attempted to expand the rights of the Kurdish population, recent years under President Recep Tayyip Erdoğan's ruling party have seen a return to repressive and violent targeting of Kurds. The Turkish government cites the ongoing conflict with the PKK, and the autonomous majority-Kurdish region in North East Syria, to justify repression of Kurdish politicians and civilians.

The treatment of the Kurdish population and of elected representatives is one of the greatest threats to democracy in Turkey and the wider region. Repression of elected representatives from the pro-Kurdish HDP party includes actions such as removal from office, bringing charges of terrorism-based offences, and imprisonment and torture has now started to expand to CHP (the centre-left party that founded modern Turkey). These instances of repression and violence exacerbate the conflict between the Turkish state and Kurdish groups. As the repression of democratically elected representatives has increased in severity, the violence directed at Kurdish civil society has also become more pronounced.

The APPG asks the Government to consider the future of not just the Kurdish population in Turkey, but how this related to democracy in the Middle East more broadly. The actions of the Turkish state in relation to Kurdish communities have great impacts on any prospects of a peaceful future in the region. This report recommends that the Government take action in support of imprisoned and persecuted political representatives, freedom of expression, and an end to gender-based violence. Furthermore, this report offers recommendations to revisit the automatic listing of the PKK as a terrorist organisation at the behest of Turkey, which is being used as a cover to persecute legitimate political figures in Turkey and abroad. The current trajectory of Turkish state repression of Kurdish communities can only lead to further human rights abuses and violence. The UK must support Kurdish political and cultural organisations, and put pressure on the Turkish government, to take action for lasting peace.

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Glossary

Parliamentary Political Parties:

- AKP:** (Adalet ve Kalkınma Partisi) The Justice and Development Party
Governing Party with 289 MPs (right, populist, neo-Ottoman)
- MHP:** (Milliyetçi Hareket Partisi) Nationalist Movement Party
Main Coalition Partner of Government with 48 MPs (nationalist, right/far right, soft Islamist)
- CHP:** (Cumhuriyet Halk Partisi) The Republican People's Party
Official Opposition with 136 MPs (centre left, Kemalist)
- HDP:** (Halkların Demokratik Partisi): The People's Democratic Party
Third Party with 56 MPs (left, pro-minority, pro-Kurdish)
- BDP:** (Barış ve Demokrasi Partisi) The Peace and Democracy Party
Former Pro-Kurdish party which merged with the HDP in 2014 and no longer exists as a separate party.
- DBP:** (Demokratik Bölgeler Partisi) The Democratic Regions Party
After the BDP and HDP merged, the DBP was formed to operate as the HDP in municipal elections post 2014, for the 2019 local elections the HDP stood itself. (Hard left, Kurdish)
- İYİ:** (İYİ Parti) Good Party
Fourth Party with 37 MPs (centre, liberal, Kemalist)

Other abbreviations used:

- DFG:** The Dicle Fırat Journalists Association
Established in January 2020, DFG aims to support both journalists currently in prison and those being prosecuted in Turkey.
- KNK:** (Kongreya Neteweyî ya Kurdistanê) Kurdistan National Congress
Collection of organisations made up of NGOs, trade unions and human rights groups housed across Europe who all aim to achieve Kurdish equality.
- PACE:** The Parliamentary Assembly of the Council of Europe
- PKK:** (Partiya Karkerên Kurdistan) The Kurdistan Workers' Party
Kurdish militant organisation, often described as terrorist.
- TJA:** (Tevgera Jinen Azad) Free Women's Movement
Umbrella organisation of the broader Kurdish Women's Movement, an organisation in which women from multiple backgrounds and faiths are represented.

Forward

Lloyd Russell-Moyle MP, Chair of the APPG on Kurdistan in Syria and Turkey:

'The APPG for Kurdistan in Syria and Turkey aims to provide British Parliament with accounts of recent events occurring in Turkey and Syria. Turkey as a member of the Council of Europe has certain human rights and international obligations to abide by. These include principles and laws which not only this inquiry, but other reports conducted by the Foreign Affairs Committee (FAC), suggest these commitment have not always been adhered to. Whilst the APPG published reports on visits in North East Syria in 2018 and 2019, for the purposes of this inquiry, the APPG aimed to investigate the actions by the Turkish Government in relation to the Kurdish community in Turkey.

The concern for Kurdish rights, felt by many British MPs, was initiated by the significant arrests made of Kurdish individuals after the state of emergency was launched in 2016. Since then, hundreds of activists, journalists, MPs and mayors have been arrested. The arrests of activists and journalists is particularly concerning in the ability for Turkey to maintain freedom for speech.

The significant number of arrests made of MPs and municipal leaders is concerning. When they are arrested, they are often subject to human rights abuses but in addition have their parliamentary immunity stripped. The stripping of parliamentary immunity of many Kurdish MPs or those who support Kurdish rights, has a significant effect on the protection of those living in Kurdish majority areas. When a significant number of MPs have their immunity stripped, not only is the democratic institution of Turkish parliament hindered but the representation of Kurdish rights is inherently prevented.

This inquiry aimed to investigate the main reasons for the imprisonment of MPs, municipal leaders and Kurdish individuals and how international bodies and governments can be involved in seeking peace in Turkey. The last chapter of the report details the Kurdistan Workers' Party (PKK) being listed as a terrorist organisation at the behest of the Turkish Government without further checks and safeguards. The system to list terrorist organisations is archaic. The UK government needs to both review the processes in which terrorist organisations are listed in Britain and suggest ways in which this conflict could be resolved.

As chair of this APPG, I hope this inquiry contributes to making the international community aware of the human rights abuses occurring in Turkey and provides a step forward in seeking peace and stability for all citizens living in Turkey.'

Crispin Blunt MP, Vice Chair:

'Under Global Britain the UK Parliament will expect its role to reflect the highest standards of democracy and accountable government for the world. Turkey is a NATO ally and we have an obligation to be honest with our partners when we think they are turning their backs on fundamental principles of democracy, as laid out in the joint letter that Hilary Benn and I, along with 48 other Parliamentarians, signed.

The conflict between the Kurdish population and the Turkish government, as demonstrated in this report, has ended and affected the lives of hundreds of thousands of civilians.

The figures produced by the UN and the European Council include those who engaged in conflict but also many who were simply caught in the crossfire. Thousands of civilians residing in Turkey have been displaced and much community infrastructure destroyed. This report comes at a vital time for both political disputes in Turkey, resolving fundamental democratic institutions and for the physical and mental wellbeing of those in Turkey.

Having been the chair of the Foreign Affairs Committee (FAC) from 2015 – 2017 during crucial events in the relations between the Kurdish community and the Turkish government, I believe it essential that this APPG report engage further the UK government in the most recent events.

The FAC report on 'Kurdish aspirations and the interests of the UK' called for the UK Foreign Office to 'clarify its position on the relationship between the PYDIYPG and the PKK' and to 'specifically answer whether it sees no links between the PYDIYPG and the PKK. This distinction could be crucial in the next steps for securing peace between the Turkish government and the Kurdish population.

Additionally, the UK's experience with Northern Ireland could be of vital importance in the relations between the Kurdish population and Turkey. We hope this report will shed light on both the injustices occurring in Turkey and how best the international community can help.'

Introduction

This inquiry is published at a time of acute crisis for Kurdish communities in terms of both political representation and fundamental human rights. This is by no means a new or recent issue but derives from a growing historical problem with deep rooted causes. Since the collapse of the Ottoman Empire in the early twentieth century, the Kurdish population in Turkey has been informally acknowledged and treated as a 'minority' ethnic group. Today, Kurdish people make up an estimated global population of 30 to 45 million. The majority of the Kurdish population remain in south-eastern Turkey which makes up part of Kurdistan (a term used without prejudice on legal status), a geo-cultural area which also spans across northern Iraq, northern Syria and north-western Iran. However, many Kurdish communities also live across the world. The Kurdish Turkish population is roughly 25 million.

The Inquiry

This inquiry was launched on 9th November 2020 to investigate the current state of Kurdish equality and political representation in Turkey. An initial agreement was reached in 2019, before the UK General Election, to conduct an investigation into Kurdish representation in Turkey.

The inquiry follows the short reports and visits completed by the APPG in 2018 and 2019 in North East Syria and the autonomous region which has been created there during the ongoing civil war. During the 2018 and 2019 visits it was clear that Turkey's infringements and annexation of parts of Syria was intrinsically linked to their treatment and perception of Kurds in Turkey itself.

The Foreign Affairs Select Committee last looked at these issues in two reports, with recommendation in the 2015 Parliament. One of these reports was concerned with the UK's relations with Turkey; and the other with the UK's role in the war against ISIL following the cessation of hostilities in Syria in February 2016 and one report in the 2017 parliament: Kurdish aspirations and the interests of the UK. No reports on this issue have been forthcoming in the 2019 Parliament to date.

Whilst the international consequences of Turkey-Kurdish relations were to some degree addressed, we note that this inquiry confined itself to Turkey and Kurds in Turkey. Further work on how the events described herein affect both Eastern Kurdistan (North East Syria) and Southern Kurdistan (Northern Iraq) could be undertaken.

The inquiry uses the phrase Kurdistan, Kurdish peoples or nationals to describe a historic cultural region populated by people who identify as Kurds. We do not do this to suggest internationally recognised statehood, or sovereignty but equally do not deny that such a claim may be made, although most Kurds we spoke to didn't push for statehood.

This inquiry focuses on recent events occurring between the Turkish government and the Kurdish community and proposes recommendations on what the British government, civil society and other actors can do to support the democratic rights and a peaceful resolution of disputes between the Kurdish and Turkish population.

Terms of reference and call for evidence

The inquiry is compiled using a range of collated evidence. The APPG invited individuals, organisations, unions and political parties to submit written evidence based on the terms of reference for the inquiry listed below:

- What are the main obstacles to Kurdish political representation in Turkey?
- Is the Turkish government addressing the issue of Kurdish representation, and if so how?
- What is the impact of the current Turkish government's approach to Kurdish rights, and what is the effect of this on democracy, peace and security in Turkey and the wider region?
- What are the relevant gendered aspects of the crisis in Kurdish rights?
- What relationship does the Turkish government hold with Kurdish diaspora communities?
- To what extent can the UK government influence policy on these issues and what are the best means of support for consolidating democracy in Turkey and promoting peaceful co-existence and harmony in the region?

The Turkish ambassador was invited to input to this report; they declined, but did provide a letter about the wider politics of Turkey. A copy of the report was sent for comment to the Turkish embassy before publication, any reply will be published.

Following a variety of 18 written evidence, witnesses were invited to present evidence at three oral evidence sessions. These sessions reflected the main themes discussed in written submissions and exemplified the main themes the inquiry aimed to investigate. The inquiry was ordered in the following topics:

- 1) Kurdish Political Representation
- 2) Community, Linguistic and Cultural Repression
- 3) Gender-based Oppression
- 4) Freedom of the Press
- 5) International Classification of Kurdish Organisations

The first session was held in December 2020 and invited MPs sitting in the Turkish Parliament (Grand National Assembly of Turkey) and municipal leaders to discuss their experiences of Kurdish representation.

The second session also held in December 2020 assessed both gender-based violence and freedom for speech in Turkey and their relation to Kurdish representation.

The third session took place in February 2021 and invited Jan Fermon to discuss the legal cases at which he defended Kurdish individuals being persecuted for being part of the PKK.

The panelled sessions were attended by 6-8 cross-party, cross-house, British MPs allowing for open discussion between British MPs and witnesses to Kurdish oppression in Turkey.

Evidence and Findings

Background

Summary:

- The Kurdish population in Turkey has experienced repression — ranging from cultural repression to violent attacks — throughout the existence of the Turkish Republic.
- Despite intervals at which the Turkish state has attempted to expand the rights of the Kurdish population, recent years under President Recep Tayyip Erdoğan’s ruling party have seen a return to repressive and violent targeting of Kurds.
- This repression seems in part a response to the growing popularity of the People’s Democratic Party (HDP), who seek greater representation and rights for Kurdish communities.
- The Turkish government cites the ongoing conflict with the PKK, and the autonomous majority-Kurdish region in North East Syria, to justify repression of Kurdish politicians and civilians.

Kurds as a minority within Turkey

The Kurdish population makes up roughly between 18% and 20% of the Turkish population (14 million people). Under legal and constitutional arrangements based in ethnic-Turkish nationalism — arrangements whose origins date to those of the Turkish Republic — elements of Kurdish identity, such as the use of the Kurdish language, were denied recognition by the state. As part of ‘Turkification’ following the formation of the Turkish state, from the 1920s onwards, repression of the Kurdish language and culture has taken different forms, including outright bans. It is notable that the Biden Administration recently recognised the massacre of one million ethnic Armenians during World War I as a genocide — suggesting that the more violent aspects of the ‘Turkification’ process that has taken different forms over the last century may be in need of re-examination.

After coming to power in 2002, the AK Party took significant and historically unprecedented steps to reverse some of these restrictions.¹ following their election victory, Prime Minister Erdoğan and his AKP party committed themselves to seeking consensus and greater protection for human and civil rights, stating, “this will be a constitution of the Kurd, of Turkmen people, of Alevis, of all minorities, which means all 74 million people.”²

Before developments in recent years, the Foreign Affairs Select Committee report published on ‘UK-Turkey Relations and Turkey’s Regional Role’ stated that prospects for Kurdish communities in both human and political rights looked optimistic. The report stated that by 2011, when Turkey was accepted as an EU accession state, the democratic rights of Kurds had improved. They noted that, at the time, “Turkey has made progress on cultural rights, further relaxing restrictions on use of the Kurdish language.”³

¹ Foreign Affairs Committee, The UK’s relations with Turkey, Tenth Report of Session 2016–17, Page 48

² Ibid

³ Foreign Affairs Committee, ‘UK-Turkey Relations and Turkey’s Regional Role’, 2011, p. 5

As Dr Cengiz Gunes highlighted in his submission to the inquiry,

“The past two decades have witnessed an improvement in the substantive representation of the Kurds, leading to Kurdish political actors openly calling for widespread political reforms to broaden the political space available to the Kurds and state to recognise Kurdish identity and collective national rights, including Kurdish self-government and language rights in Turkey.”

However, Gunes in his evidence argued that since the election success of the HDP in 2015 and the subsequent unrelated allegedly Gülen inspired coup attempt leading to sweeping emergency powers to the government, the civil and human rights of Kurdish communities in Turkey have significantly worsened.

In written correspondence with the APPG the Turkish ambassador stated, *“There are no minorities or ethnic groups defined by law in Turkey, except the non-Muslim minorities stated in the Lausanne Peace Treaty of 1923.”*

The ambassador also stated, *“Quite a large section of the Turkish population could also identify themselves with different ethnic background. Yet, there is no political representation within the Turkish Political system based on any ethnic background, as every person is equal before the law. Therefore, the question of representation of certain ethnic groups in the Turkish Parliament becomes irrelevant.”*

This reluctance to recognise in law ethnic backgrounds dates back to the founding of the Turkish Republic. The lack of legal and historical hostility should not be confused with a denial of participation as Turkish citizens, as the ambassador pointed out: *“The political parties in Turkey have members of different ethnic backgrounds and the people with Kurdish background are part in the political life through different political parties.”*

Ongoing conflict

Alongside a historic repression of minority culture and languages, which the Foreign Affairs Committee report of 2017 points out, decades-long fighting between those claiming to represent the Kurds and the Turkish state has at times created an atmosphere of hostility towards Kurdish institutions.

Since 1984, the PKK (Kurdistan Workers’ Party) has been engaged in armed conflict with the Turkish state (with ceasefires in place 1999-2003 and 2013-2015). The Turkish state views the PKK as a terrorist organisation. At the request of Turkey the PKK is listed as a terrorist organisation by the EU and the UK.

It is important to restate at this point (as 2017 FAC reports on these issues did) that:

“Terrorism... represents a denial of the most basic of human rights and freedoms, as well as of the values of democracy...Turkey also accepts specific limitations—including under the terms of its current State of Emergency—to the actions that it can legally undertake while countering terrorism”⁴

⁴ Foreign Affairs Committee, ‘The UK’s relations with Turkey’, 2017, p. 48

As will be discussed in the latter chapters of this report, participants in a conflict being classed as either belligerent or terrorist does not deny that all parties have the requirement to abide by international laws and norms.

President Recep Tayyip Erdoğan’s ruling party, The Justice and Development Party (AKP) negotiated a peace agreement with the PKK after coming to power in 2002 and gained support from the Kurdish communities at some elections. However, the run up to and outcome of the June 2015 Turkish general election led to a restoration of hostilities. The APPG did not explore what caused this; however, the FAC’s 2018 report on the UK’s relations with Turkey does put forward possible reasons for the hostilities. The June 2015 election saw the People’s Democratic Party (HDP) gain votes above the 10% threshold needed to secure seats in Turkey’s parliament, winning 13.1% of votes and 80 seats. This was a positive outcome for the Kurdish community and for many other members of the public — one million of whom voted for the HDP⁵ — but the Turkish government’s reaction of increased hostility toward the HDP and toward the Kurdish population has been a negative outcome. The AKP lost their outright majority having to rely on support of the etho-nationalist and far right soft-islamist MHP. A re-run in November that year saw them gain a simple majority but retain cooperation with the MHP whilst HDP lost seats they remained the third party in parliament. A year later an allegedly Gülen inspired coup was unsuccessful but gave the backdrop for the then AKP-MHP government to cease more emergency powers and bypass parts of the rule of law.

Another development in this time period has been the establishment of an autonomous region in North East Syria by primarily Syrian Kurdish communities. Supported by the US, the Kurdish-led Syrian Defence Force (SDF) alliance have been militarily focused on fighting Islamic State forces. In 2019, the SDF announced the territorial defeat of IS in Syria.⁶ The creation of a majority-Kurdish autonomous region just beyond Turkey’s southern border has been a cause of great concern to the Turkish state, which has launched repeated military offences into the region since 2018 and claims that the autonomous administration is run by terrorists aligned with the PKK⁷. The situation in Syria has escalated tensions within Turkey, and is frequently cited in accusations of terrorism levelled at HDP MPs by the Turkish government.

Increasing repression

The June 2015 general election, in which the HDP gained more seats than ever before, denying a constitutional change majority for the AKP, marked a turning point in the Turkish government’s increasing hostility toward elected representatives. In 2016, the KP moved a motion to remove immunity from 139 parliamentarians including 55 of 59 HDP members.⁸

⁵ John Hunt, ‘This is not an election for the Parliament, but for Turkey’s future’, *The Kurdistan Tribune*, 6th June 2015, <https://kurdistantribune.com/this-is-not-an-election-for-the-parliament-but-for-turkeys-future/>

⁶ Bethan McKernan, ‘Isis defeated, US-backed Syrian Democratic Forces announce’, *The Observer*, 23rd March 2019, <https://www.theguardian.com/world/2019/mar/23/isis-defeated-us-backed-syrian-democratic-forces-announce>

⁷ Al Jazeera, ‘Turkey’s operation in Syria’s Afrin’, 22 Jan 2018, <https://www.aljazeera.com/news/2018/01/22/turkeys-operation-in-syrias-afrin-the-key-players/>

⁸ Foreign Affairs Committee, *The UK’s relations with Turkey*, Tenth Report of Session 2016–17, Page 62

Both the oral and written evidence submitted to this inquiry claims that the Turkish government, particularly since the state of emergency in July 2016, after the attempted coup, have physically oppressed and weakened political representation in Kurdish majority areas. This can be seen in prominent militarisation, physical suppression and authoritarianism in south-eastern Turkey, which has significantly affected the democratic running of Turkish parliament overall.

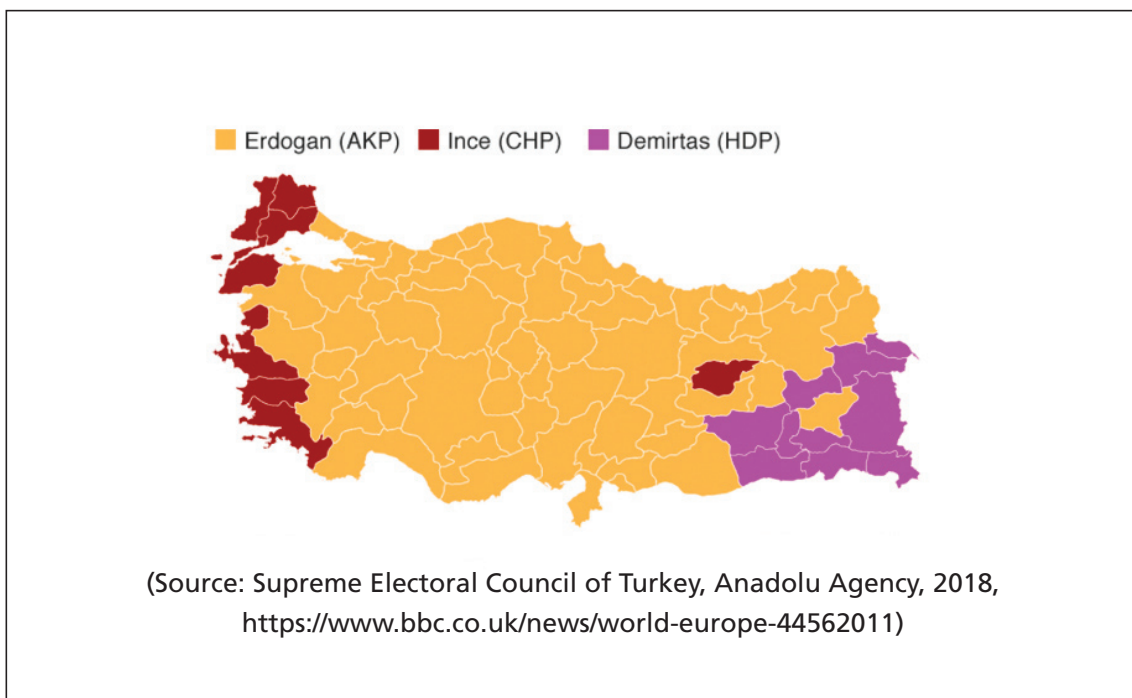
To evidence this, the United Nations High Commissioner for Human Rights report on 'the impact of the state of emergency on human rights in Turkey', published in March 2018, states that in February 2017, "official round the clock curfews were imposed on nine villages" predominantly in the districts of Kurukoy, in Omerli, Nusaybin and Artuklu in Mardin province.

We received evidence from Hişyar Özsoy, MP and Foreign Affairs Spokesperson for the HDP, where he stated;

"This authoritarianism has gained momentum since 2015, dragging the country into political conflict and violence, social turmoil, and economic decline. With the 'Turkish-type presidential system' established under emergency rule in 2017, Erdoğan has virtually monopolised all executive, legislative, and judicial powers."

Özsoy suggests the weakened support for Erdoğan's government in 2015 sparked years of increasing persecution of the Kurdish community.

The map below represents the results of the last general election in Turkey (June, 2018). The HDP majority area includes the majority-Kurdish cities of Silopi, Cizre and Diyarbakır, which all suffered strict curfews issued by the government in 2015.



Timeline of events

2002

The AKP comes to power.

2007

Second general election victory for the AKP.

2011

Third general election victory for the AKP.

2013

Beginning of ceasefire and peace negotiations between the PKK and the Turkish state.

2014

Recep Tayyip Erdoğan elected as President.

2015

June: General election sees HDP win 13.1% of the vote and 80 seats, their greatest success to date. AKP failed to get the majority and are forced into coalition with the nationalist far right MHP.

July: Collapse of the peace process between the PKK and the Turkish state.

August: Curfews are imposed in many cities in majority-Kurdish areas. The following months see increasingly violent police and military attacks on civilians in the region.

November: Rerun of General Elections sees AKP gain majority but fail to get a constitutional super majority of two-thirds without working with MHP and other opposition parties. HDP make minor losses but remain in Parliament as third party.

2016

May: The AKP makes motions to strip 139 MPs of parliamentary immunity.

July: Attempted coup by a faction of the Turkish Armed Forces, followed by a state of emergency.

November: Selahattin Demirtaş, Figen Yüksekdağ and other HDP MPs arrested.

2017

Constitutional referendum replaces the parliamentary system with an executive presidency. The office of Prime Minister is abolished.

2019

In municipal elections, the AKP loses mayorships in Istanbul, Ankara and İzmir due to tactical voting by HDP supporters.

2020

June: Arrests of prominent HDP politicians, including MP and Democratic Society Congress (DTK) co-chair Leyla Güven.

September: Mayor of Kars, Ayhan Bilgen, alongside other prominent HDP representatives, placed in detention.

October: Only 6 out of 65 elected HDP mayors remain in office.

2021

March: State prosecutor in the Supreme Court of Turkey files a lawsuit demanding the closure of the HDP, alleging the party's links to the PKK.

Kurdish Political Representation

Summary

- Repression of elected representatives from the pro-Kurdish HDP party includes removal from office, bringing charges of terrorism-based offences, and imprisonment and torture.
- These instances of repression and violence exacerbate the conflict between the Turkish state and Kurdish groups.
- The treatment of the Kurdish minority and of HDP elected representatives is one of the greatest threats to democracy in Turkey and the wider region.

Repression of HDP MPs

It is undoubtedly true, as the Turkish ambassador points out, that many Members of Parliament can claim some Kurdish ethnicity including previous *“speaker of the parliament, minister of governments, Members of Parliament and other prominent political figures”* from parties of different political backgrounds. However, the 2020 World Report published by Human Rights Watch, concerning the year 2019, states *“cases against HDP politicians provide the starkest evidence that authorities bring criminal prosecution and use detention in bad faith and for political purposes.”*⁹

The HDP gains most of its support from majority Kurdish areas and has policies which are particularly focused on rights for Kurds and their greater participation within Turkey. The ruling AKP has sometimes attracted support in similar areas, making it difficult to determine whether ongoing persecution of the HDP is purely ethnically motivated or related to attempts to gain a political advantage. The reality is likely to be a mixture of both.

The Human Rights Watch report additionally stated that *“as of June 2019, almost one fifth (48,924) of the total prison population (246,426) had been charged or convicted of terrorism offences. 10,286 held for alleged links to the outlawed PKK.”* The use of PKK links in prosecutions, and the status of the PKK as a listed terrorist organisation, is something that the APPG considered in the final chapter of this report.

The Human Rights Watch report claimed that *“an estimated 8,500 people, including elected politicians and journalists are held in prison on remand or following conviction for alleged links with the PKK and many more on trial.”*

A report published by the UK Home Office states that a HDP MP claimed that *“in June 2019 there were currently 67 HDP MPs in parliament and 9 former MPs in prison who had their parliamentary immunity lifted.”*¹⁰

The 2020 PACE (Parliamentary Assembly of the Council of Europe) resolution dealt with the ‘Political crackdown on political opposition’, highlighting how the immunity of 154 parliamentarians from multiple parties were stripped in 2016 alone.¹¹ This disproportionately targeted opposition MPs and MPs that had expressed support for Kurdish people or greater autonomy for majority-Kurdish areas.

Below is a map demonstrating the areas in which HDP MPs were elected and which since have had MPs arrested, detained or stripped of their parliamentary status and immunity.

⁹ Human Rights Watch, World Report 2020, <https://www.hrw.org/world-report/2020/country-chapters/turkey>

¹⁰ UK Home Office, ‘Country Policy and Information Note’, 2020, p. 35

¹¹ PACE, ‘New crackdown on political opposition and civil dissent in Turkey: urgent need to safeguard Council of Europe Standards’, 2020, <https://pace.coe.int/en/files/28818/html>



(A map representing the primarily Kurdish areas in which HDP MPs have been arrested, detained or have had their parliamentary status stripped.)

Hi yarşÖzsoy MP stated in the written evidence he submitted to this inquiry that 12 MPs (at the time of writing) were in prison. This included Selahattin Demirtaş, Figen Yüksekdağ, İdris Baluken, Abdullah Zeydan, Gülser Yıldırım, Çağlar Demirel, Musa Farisoğulları, Nazmi Gür, Ayla Akat Ata, Ayhan Bilgen (the suspended mayor of Kars), Beyza Üstün, and Emine Ayna.

Former HDP co-chairs Selahattin Demirtaş and Figen Yüksekdağ, who led the HDP party in the 2015 elections, were arrested for alleged connections to the PKK. In December 2020, The European Court of Human Rights (ECtHR) ordered for the immediate release of Demirtaş and the suspension of his trials due to the “politically motivated” reasons for his imprisonment.¹² After over four years of appeals to release Demirtaş, the ECtHR ruling was rejected by the Turkish government for many reasons including the “lack of translation” of the written ECtHR ruling from English to Turkish.

The European Union’s Parliament has further called for the release of Demirtaş in line with the ECtHR ruling in a motion approved by 590 votes in favour to 16 against.¹³ The EU Parliament similarly called for the charges against Yüksekdağ to be dropped.¹⁴ Both Demirtaş and Yüksekdağ were arrested for being linked to the PKK; Demirtaş was tried for forming the PKK in 1978, at which time he was five years old. He was also tried for using the words ‘Kurds’ and ‘Kurdistan’ in public speeches he made in 2012.¹⁵

¹² Case of Selahattin Demirtaş vs Turkey, Judgement, The European Court of Human Rights, December 2020, [https://hudoc.echr.coe.int/eng#{"itemid":\["001-207173"\]}](https://hudoc.echr.coe.int/eng#{)

¹³ The European Union’s Parliament, Motion for a Resolution (B9-0072/2021), January 2021, https://www.europarl.europa.eu/doceo/document/B-9-2021-0072_EN.html

¹⁴ The European Union’s Parliament, European Parliament Resolution, January 2021, https://www.europarl.europa.eu/doceo/document/TA-9-2021-0028_EN.html

¹⁵ Case of Selahattin Demirtaş vs Turkey, Judgement, The European Court of Human Rights, December 2020, [https://hudoc.echr.coe.int/eng#{"itemid":\["001-207173"\]}](https://hudoc.echr.coe.int/eng#{)

DemirtaşThe APPG heard in oral evidence sessions of HDP and CHP MPs to provide testimonies of their experiences as MPs of Kurdish background and wider Kurdish representation.

Both Hişyar Özsoy MP (HDP) and Sezgin Tanrıkulu MP (CHP) who is a key advisor to Kemal Kılıçdaroğlu leader of the CHP, gave evidence about proceedings brought against them by courts in Ankara. Özsoy stated:

“Over the last three weeks, I received four different, what they call, summary of proceedings, mainly where some prosecutor somewhere demanded to lift my parliamentary immunity so that I can be prosecuted. When my parliamentary mandate ends, all of those summaries will turn into court cases and I will be sentenced, or I will have to leave the country.”

Özsoy later discovered the charges were brought against him for joining peaceful protests to object to the removal of the mayor in his municipality. Tanrıkulu evidenced similar charges. He stated that for one year his phone was tapped and he was accused of being part of a terrorist organisation. He stated (at the time of the oral evidence session in December 2020) that he had 14 summaries of proceedings against him, which collectively aimed to have his parliamentary immunity lifted.

In Tanrıkulu's oral evidence he highlighted how before the 2016 coup, if an individual was prosecuted, the investigation would take place in their jurisdiction. Since the coup, the investigation now takes place in Ankara which was arguably “implemented to intimidate the opposition”.

The APPG heard how holding trials in Ankara made it harder to defend and provide witnesses during the trials for actions that may have happened in the home jurisdictions.

Tanrıkulu spoke of how these orders against MPs end up disproportionately affecting MPs of Kurdish backgrounds simply demanding peace, not their own state:

“Kurdish people have been living on these soils for thousands of years. They have not migrated from somewhere else. They have been living on this territory for so many years. The Kurdish people do not want a state of their own, in Iraq, in Syria, in Iran, in Turkey, they want to live in peace and with equal rights and to have their rights respected. They do not claim any piece of soil from any state at all. Kurds want to live peacefully with their own ethnic identity.”

When asked about what international governments and organisations can do to support democracy in Turkey, Hişyar Özsoy MP (HDP) stated that:

“We expect all international actors, including the government and politicians in the United Kingdom, to refrain from policies buttressing militarism and war in the context of the Kurdish issue and criminalizing Kurdish struggles for political recognition and cultural rights in Turkey and the broader Middle East.”

Repression of HDP municipal leaders

The APPG heard that since the last local elections (2019), 59 of 65 HDP elected municipal leaders have been replaced by government-appointed trustees (as of December 2020). A report published by the HDP stated that from August 2019 to January 2021, 72 HDP co-mayors have been detained at various points during this time period.

There are a total of 81 provinces in Turkey. 30 municipal leaders and 1,351 district municipal mayors were elected in the 2019 local elections. A report published by the UK Home Office includes multiple figures from a range of sources on the removal of municipal leaders from office in Turkey. This report stated that “according to media reports, the government removed the elected mayors of 99 municipalities from office. These included 94 Democratic Regions Party (DBP) or HDP mayors, 4 Justice and Development Party (AKP) and one National Movement Party (MHP) mayor.”¹⁶

The HDP is often allied on a local level with smaller parties, such as the DBP and the Communist Party of Kurdistan; these parties have experienced similar tactics of repression in recent years. In the report dated May 2017, International Crisis Group (ICG) described the DBP as “the main legal political sister party of the HDP that operates only at the local level”¹⁷. In the 2014 local elections, it won in 11 provinces, 68 districts and 23 town municipalities in the majority Kurdish south-east.¹⁸ US State Department country reports of 2018 outline that before the 2019 election in the 102 HDP or DBP controlled municipalities, the Turkish government had installed trustees in all but four¹⁹.

The Human Rights Watch World Report (2021) states that at the time of writing, 19 mayors in Turkey remained in pretrial detention.²⁰ Below is a map representing the various districts which held elected HDP municipal leaders and which have now been replaced by government appointed trustees.

¹⁶ USSD, 'Country Reports on Human Rights Practises: Turkey', 2018, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/turkey/>

¹⁷ UK Home Office, 'Country Policy and Information Note', 2020 pp. 23 - 24

¹⁸ Ibid.

¹⁹ USSD, 'Country Reports on Human Rights Practises: Turkey', 2018, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/turkey/>

²⁰ Human Rights Watch World Report, 2021, p. 671, https://www.hrw.org/sites/default/files/media_2021/01/2021_hrw_world_report.pdf



(A map representing the districts which elected HDP representatives in local elections, and which have now had representatives replaced by government-appointed trustees.)²¹

As a consequence of municipal leaders being replaced by trustees, the report stated:

“Regardless of which party or candidate they voted for, the will of 4,356,819 (more than 4 million) voters living within the boundaries of 48 municipalities where trustees were appointed, who voted to be governed by an ‘elected’ municipal government, were seized through the appointment of trustees.”

During the inquiry’s first oral evidence session, Adalet Fidan, HDP’s co-mayor of Silopi in the district of Şırnak, and Bedia Özgökçe, the elected HDP co-mayor of Greater Van Municipality, provided evidence on Kurdish representation as municipal leaders in Turkey. Özgökçe was elected as the first female co-mayor of the Greater Van Municipality and was suspended by the Turkish government in October 2019 under terrorism charges. She now lives in exile as an asylum seeker in Greece. During the oral evidence session, Özgökçe, an elected mayor currently living in exile, gave a warning concerning the power of the state:

“I would like to remind everyone that it is important to be cautious and sceptical of the state's arguments. Although the state uses legal language to justify its actions, it is in fact targeting democratically elected representatives, in a system that has already systematically and drastically undermined democratic due process in recent years. The state is acting far beyond the law, while using the judiciary as a smoke screen for its violent repression.”

Şırnak, a Kurdish-majority province, suffered from a strict eight-month curfew implemented in 2016.

²¹ Data taken from an HDP report on 'Seizure of Will and Realities on Trustees', 2021, <https://drive.google.com/file/d/1hX1KkjZiShso4nVf6pUqBFdBIMH5U578/view>

Adalet Fidan, co-mayor of Silopi, Şirnak, during the oral evidence session, expressed that the threat of being arrested was ever-present as she states, “there were already threats, even though we were elected, that we would be removed from office the next day and trustees would be sent.” She also emphasised this had an impact on the ‘psychology of the voters’ and thus suggested this damaged both the electoral voting system and belief in democratic process generally.

Charged with murder and terrorism: Case studies of HDP mayors

The HDP included in their evidence the case study of Ayhan Bilgen who won the 2019 local election and was appointed HDP mayor of the city of Kars. In September 2020 he was arrested and charged with “murder, attempted murder, theft, damaging property, looting, burning the Turkish flag and injuring 326 security officials and 435 citizens”²². Since then, the terrorist charges against him have been dropped, but he has been replaced as mayor by an unelected government-appointed trustee, Etüp Tepe.

Similar situations have also been experienced by BDP mayors. Gültan Kışanak, member of the Peace and Democracy Party (BDP) was elected as mayor of Diyarbakir in 2014 and in 2016 was detained on charges of terrorism and sentenced to 14 years in prison. In November 2020, Turkish prosecutors called for further charges to be placed against Kışanak for running a terrorist organisation.

As noted in an article and submission to the inquiry by journalist John Hunt, Kışanak was accused of 41 charges relating to supposed recorded tapes connecting her to PKK meetings. During her trial in November 2017, Hunt notes the tapes never made it to the courtroom to be presented as evidential proof of her involvement with the PKK.

She was also accused of making speeches relating to her involvement with the PKK. Kışanak stated during her trial that “she never advocated violence and all the speeches cited were made at public events such as Newroz (Kurdish New Year), the International Women’s Day celebrations and the funerals of local youths who died in Kobane, across the Syrian border, resisting an ISIS onslaught.”

During the hearing for these charges, Kışanak stated she was subject to poor communication with her lawyers: *“I feel pity for the members of this judiciary, since the government threatened the constitutional court. Those who give out these rulings should not sleep soundly, but they are forced to forego their conscience and obey orders.”*²³

²² The Guardian, ‘Turkey issues arrest warrants for over 82 pro-Kurdish protestors’, 25th September 2020, <https://www.theguardian.com/world/2020/sep/25/turkey-issues-arrest-warrants-pro-kurdish-protests>

²³ Ahval News Agency, ‘Three Kurdish politicians in Turkey facing up to 41 years in prison on terror charges’, 18th November 2020, <https://ahvalnews.com/kurdish-politicians/three-kurdish-politicians-turkey-facing-41-years-prison-terror-charges>

Additionally, a statement was released in February 2021 by the HDP co-spokespeople for the Foreign Affairs Committee claiming that there had been recent cases of torture experienced by HDP mayors.²⁴ They highlighted the condition of the former co-mayor of Hakkari, Dilek Hatipoglu, who was sentenced to 16 years in prison in March 2016.

They state that before she was sentenced, she was ordered to undress upon arrival at Van T-Type Prison where she was held during her trial. When she refused, she was “severely beaten by three guards”. On 19th February 2016 at her court hearing they said “the bruising she had received as a consequence of being beaten was visible on her face... [this] physically impacted her ability to plead not guilty due to the 'battering' she had received”.

The Closure of the Democratic Society Congress (DTK)

The Democratic Society Congress (DTK) was a gathering of wider civil society actors wanting to pursue the cause of Democratic Confederalism in Turkey. Democratic Confederalism is the idea proposed by a range of Kurdish political and civil society actors that Turkey should be reorganised as a federal state in which a Kurdish “confederate” based on grassroots democracy would be a constituent member.

The DTK was established in 2007 with a general assembly of over 500 delegates. The delegates include MPs, members of the Kurdish Women’s Movement, labour unions, NGOs and Turkish local councils. According to the HDP (who are members), the DTK “has been the largest and most diverse democratic platform in the Kurdish region”. After the general elections in 2015 and the end of the peace process, the DTK position was challenged by the Turkish government.

In June 2020, DTK’s co-chairs and HDP MPs Leyla Güven and Musa Farisoğulları were stripped of their parliamentary immunity and arrested. Many others have also been arrested for their involvement with the DTK. The Turkish police closed the DTK’s headquarters in Diyarbakır in June 2020 without a court order.²⁵ The DTK’s, through representing a variety of organisations, remains a body with great significance to securing peace negotiations with the Turkish state, and to the demilitarisation of the conflict. By preventing DTK’s activity. The evidence the APPG received stated that the Turkish government clamping down on the DTK reduces the ability for peaceful actors to negotiate with the government in future.

²⁴ HDP, ‘HDP under even more political pressure’, 22nd February 2021, <https://www.hdp.org.tr/en/hdp-under-even-more-political-pressure/15094/>

²⁵ See details of the arrest and imprisonment of Leyla Güven in the section on gender issues.

Oppression of Kurdish youth and the HDP Parliamentary Youth Assembly²⁶

The APPG received evidence of repression of young people's political and social rights in majority-Kurdish areas, and of young people linked with the HDP.

The HDP's Youth Assembly submitted evidence to the inquiry which stated that Kurdish and HDP youth *"have been turned into targets of implementation of the government's policies of oppression, violence and the like, one-by-one"*. The HDP Youth states the reason for this specific attack on the Kurdish youth is because *"they do not hesitate to stand against them (the government) and demand their rights. Those who do have either disappeared, were killed, or kidnapped in order to be turned into spies"*.

The HDP Youth Assembly notes multiple examples of their members being targeted due to their pro-Kurdish activism and political motivations. This disproportionately affects Kurdish young people and therefore their trust in Turkey's political system, whilst also reducing their ability to free expression of political thought. Evidence submitted seemed to suggest that the Council of Europe's 'Revised European Charter on the Participation of Young People in Local and Regional Life' was not being fulfilled for minority youth communities in Turkey.²⁷ Notably, clause II.8.56 of the charter says member states should *"promote the involvement of young people in the party political system in general, and support specific actions, such as training."*

Findings

- 1) The APPG finds that trials have been increasingly conducted in central courts in Ankara and not in divisional courts in the home provinces, making defence harder for many MPs.
- 2) The APPG finds that ECtHR judgments are not fully complied with in regards to political prisoners and notes that this has been raised by the PACE a number of times.
- 3) The APPG finds that the routine cases against 154 MPs indicates that legal proceedings are being used to tackle political disagreements, which in turn is disproportionately affecting Members of Parliament from Kurdish backgrounds.
- 4) The APPG recognises many Kurdish individuals and MPs do not demand their own state, but respect for due democratic process.
- 5) The APPG finds that the human rights of municipal leaders are being violated while they are detained pending trial or sentenced to prison.
- 6) The APPG finds that the DTK closure violates the principles of a democratic society. Further, the APPG considers these actions to undermine the possibility of negotiations on a peaceful settlement to the ongoing Kurdish conflict within Turkey.

²⁶ 'Intimidation policy' is the term used in the HDP Youth's submission to the inquiry.

²⁷ 'Revised European Charter on the Participation of Young People in Local and Regional Life', Congress of Local and Regional Authorities, Council of Europe, Adopted 2003, <https://rm.coe.int/168071b4d6>

- 7) The APPG finds that there is systematic repression of Kurdish political youth groups and of those linked to the HDP.
- 8) The APPG finds that the Charter Participation of Young People is unequally applied to young people from Kurdish and/or HDP political backgrounds
- 9) The APPG notes that accusation of CHP MPs of links to terrorism when they have spoken in support of Kurds highlights the absurdity of the accusations of terrorism for elected officials.

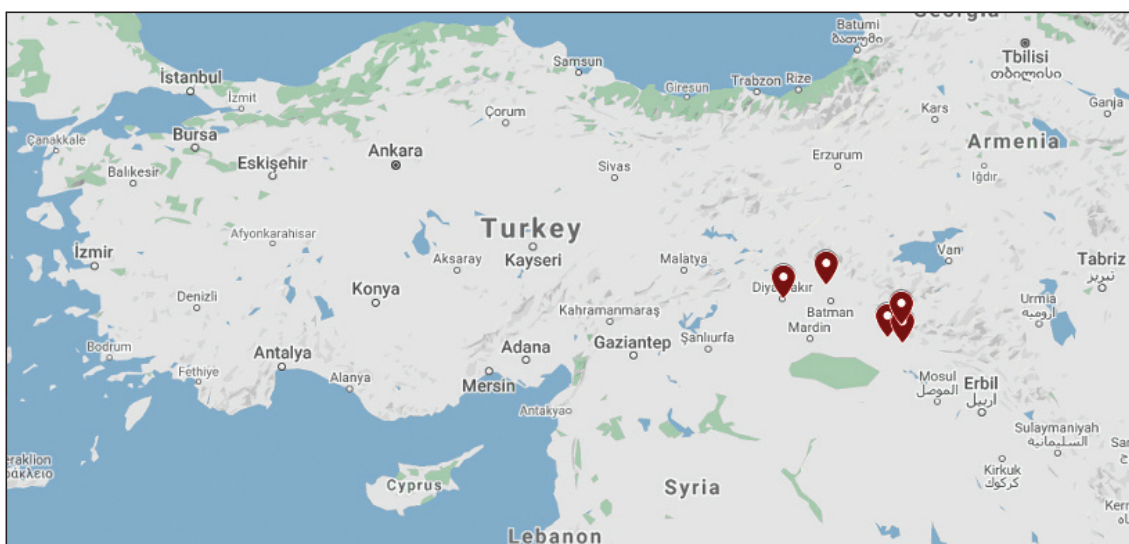
Recommendations

- I. The APPG calls on the UK government to raise these issues with the Turkish government, to put pressure on upholding the rule of law and commitment to democracy.**
- II. The APPG recommends that Parliamentary representatives in the PACE continue to raise these issues within the Council of Europe to ensure that ECtHR ruling and Council of Europe Resolutions are upheld.**
- III. The APPG urges the Government to actively voice their support for the European Court of Human Rights (ECtHR) December 2020 ruling to demand the release of former HDP co-leader Selahattin Demirtaş from prison.**
- IV. The APPG calls on the UK Government to press the Turkish government to uphold the rule of law and democratic principles at the local level in Turkey.**
- V. The APPG recommends this issue should be raised within the Congress of Local and Regional Authorities of the Council of Europe.**
- VI. The APPG supports the ongoing call for greater transparency in the process in which the Turkish government's approach to replacement of elected mayors.**
- VII. The APPG urges the UK government to condemn the closure of the DTK and remind the Turkish government of its previous commitment to finding a peaceful solution to the ongoing conflict.**
- VIII. The APPG recommends that the UK government and the Congress of Local and Regional Authorities reinforce the importance of all members fulfilling the ambitions in the Revised European Charter on the Participation of Young People in Local and Regional Life for young people in Turkey.**

Repression and violence targeting civil society

Summary:

- As the repression of democratically elected representatives has increased in severity, the violence directed at Kurdish civil society has also become more pronounced.
- Kurdish cultural and linguistic organisations have been closed down by the Turkish government.
- Curfews have been imposed in many cities in the Kurdish region. Cities have been attacked by military and police forces; these attacks specifically targeted civilians.



(A map representing a few of the areas in which curfews were enforced in 2015.)

Discrimination through language and culture

The APPG heard about how post-2015, the criminalisation of Kurdish culture and language increased to new levels.

Turkey has refused to sign and ratify the European Charter for Regional or Minority Languages²⁸ and the APPG received evidence that this has greatly affected the education of Kurdish children. The Education and Science Workers’ Union released a report in January 2021 stating that 200,000 children in Diyarbakir and 6 million children in North Kurdistan were either denied an education or were forced to learn exclusively in Turkish and not in their mother tongue. It has also made it impossible for children to be helped in their studies by their parents or caregivers, who are most familiar with the Kurdish languages.²⁹

²⁸ European Charter for Regional or Minority Languages, Council of Europe, Entered into force 1998, <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/148>

²⁹ ANF News Agency, ‘Eğitim Sen: Lack of education in mother tongue led to a disruption in education’, 25th January 2021, <https://anfenglish.com/news/egitim-sen-lack-of-education-in-mother-tongue-led-to-a-disruption-in-education-49563>

The inquiry received a report from the Kurdish Language and Culture Network. The report, entitled 'Report on Turkey's Linguicide and Culturicide against Kurds', suggests that there has been an enforced targeted discrimination against the Kurdish community, particularly where or when they express their culture in language and other traditional practices. The report states that over the last five years, 57 Kurdish cultural institutions and organisations have been closed down.

Additionally, in 2019, 31 actors were made redundant from the Amed Metropolitan Municipality City Theatre and plays in Kurdish were banned or could only be performed in Turkish. The report also stated that the activities of the Amed Metropolitan Municipality Language Branch Office have been prevented and publications translated into the Kurdish language from the office have been banned.

Ward further highlights that Kurdish children's TV channels were banned, including Zarok TV which aired cartoons in the Kurdish language.³⁰ Together with the suppression of young people who are politically active, young people are left extremely vulnerable to oppression by the Turkish government.

It is widely accepted that cultural and linguistic rights exist within the framework of the European Charter of Human Rights and the ruling of the courts.³¹

³⁰ The Guardian, 'Turkey closes 20 TV and radio stations in post-coup clampdown', 30th September 2016, <https://www.theguardian.com/world/2016/sep/30/turkey-closes-20-tv-and-radio-stations-post-coup-clampdown>

³¹ Cultural rights in the case-law of the European Court of Human Rights, European Court of Human Rights Research Department, Council of Europe, 2011, https://www.echr.coe.int/Documents/Research_report_cultural_rights_ENG.pdf

Military attacks on civilians: the case of Cizre and İrnak

On the 16th August 2015, curfews exceeding periods of 24 hours were put in place for the first time in Turkish history.³² This included the Turkish government implementing strict militarisation through curfews, shelling and other forms of violence and intimidation. The city of Cizre is notable for the 78-day curfew imposed from December 2015 to March 2016.³³

According to an UN OHCHR report, as a consequence of the conflict in 2015 (as of November 2016), 323 civilians were murdered by the Turkish military and police special forces, and 2040 were injured. Up to 189 local residents were killed in Cizre alone.³⁴

In Cizre, the APPG was told, many members of the community sought refuge in basements; however, they soon became targets for the Turkish army. Amongst the rubble of three basements in Cizre and Sur the bodies of 31, 50 and 62 people were found.³⁵ The Turkish government deployed specially trained police and military forces to Cizre; these forces are trained in urban warfare and treated the civilian population — citizens of Turkey — as enemy combatants. Air strikes and snipers were deployed in residential areas, with the Turkish government claiming the neighbourhoods were harbouring terrorists. Internet and phone connections were blocked and Turkish media did not report on the massacres.³⁶

On the 7th February 2016, more than 150 civilians were burnt alive in basements. Shielding from bombing attacks, families crowded in basements, where they were intentionally targeted by arson attacks perpetrated by Turkish security forces.³⁷

Şirnak, a Kurdish-majority province, suffered from a strict eight-month curfew implemented in 2016. Human Rights Watch reported that during the conflict from 2015 to 2016, 355,000 people “had been driven from their homes” from large parts of İdil, Şirnak, Nusaybin, and Yüksekova.³⁸

Arrests are common in Şirnak, in December 2020, the Turkish police detained twenty people from the district, including HDP’s co-mayor of the city of Cizre, Berivan Kutlu.

Julie Ward, former MEP for NW England, stated in the evidence she submitted to the inquiry that during a visit to Kurdistan, she was a witness to the military’s ‘bombardment’ of the neighborhoods of Sur and Cizre, and met the mothers of the young people who were ‘burned alive in basements’. Ward also met the mothers of those who had died in the city of Nusayabin in 2016. The young people living in the area had been trapped under the rubble of shelled buildings.

³² Data taken from the report submitted to the inquiry by the Turkish Human Rights Association.

³³ BBC, ‘Inside Cizre’, May 2016

³⁴ Office of the United Nations High Commissioner for Human Rights, ‘Report on the human rights situation in South-East Turkey’, February 2017, https://www.ohchr.org/Documents/Countries/TR/OHCHR_South-East_TurkeyReport_10March2017.pdf

³⁵ ANF News Agency, ‘The death basements of Cizre: Five years on, victims are still fighting for justice’, 8th February 2021, <https://anfenglish.com/news/x-49855>

³⁶ Nick Cumming-Bruce, ‘U.N. accuses Turkey of killing hundreds of Kurds’, The New York Times, 10th March 2017, <https://www.nytimes.com/2017/03/10/world/europe/un-turkey-kurds-human-rights-abuses.html>

³⁷ Deutsche Welle, ‘Turkish forces accused of “mass murder” in southeast’, 12th February 2016, <https://www.dw.com/en/turkish-forces-accused-of-mass-murder-in-southeast/a-19044651>

³⁸ HRW, ‘Turkey: State Blocks Probes of Southeast Killings’, July 2016, <https://www.hrw.org/news/2016/07/11/turkey-state-blocks-probes-southeast-killings>

Findings

- 1) The APPG notes that accusation of CHP MPs of links to terrorism when they have spoken in support of Kurds highlights the absurdity of the accusations of terrorism for elected officials.
- 2) The APPG finds that the closure of Kurdish organisations and institutions in Kurdish majority areas in Turkey is severely inhibiting the right to use the Kurdish language and the right to cultural expression, which is particularly concerning for the continuation of Kurdish culture and language amongst younger generations.
- 3) The APPG acknowledges that curfews and other civil liberty restrictions can occasionally be made by governments to assist with public order but these should be proportionate and only used with clear explanations, timeframes and abilities to appeal.
- 4) The APPG finds that the consequences of the state of emergency launched in 2016 have led to extreme violence experienced by the Kurdish population, including the targeting of civilians and the refusal for independent monitors or the United Nations to monitor the effects of curfews, shelling and other forms of militarisation.

Recommendations

- IX. The APPG recommends that the Government condemn the Turkish government's decisions to close multiple institutions which uphold Kurdish cultural life.*
- X. The APPG urges the Government to raise with the Turkish government the impact these closures and policies will have on the education received by young Kurdish people.*
- XI. The APPG urges the UK government to clarify with the Turkish government the use of curfews and other civil liberty restrictions, including the timeframe, process of appeals and justification of putting such restrictions in place.*
- XII. The APPG urges the UK government to condemn all violence against the civilian population in majority-Kurdish regions.*

Gender-based oppression

Summary:

- Turkey consistently ranks low on indices of gender equality. Violence against women has been increasing at alarming rates for several years.
- Turkey recently withdrew from the Istanbul Convention, a decision seen as expressing a lack of commitment to fighting gender-based violence and oppression.
- Kurdish women experience a doubled risk of violence and repression, on the basis of gender as well as ethnicity.
- The HDP's commitment to women's political representation has led to the singling out of women politicians as targets of systemic, state-promoted misogyny.

During the writing of this report the Turkish Government withdrew from the Istanbul Convention on Preventing and Combating Violence Against Women and Domestic Violence; the convention had only come into force in Turkey in 2014. This withdrawal shows a worrying lack of commitment to gender equality and tackling gender-based violence. The UK Civil Society Women's Alliance (CSW) issued a statement expressing deep concern over Turkey's withdrawal³⁹.

According to the 2020 Global Gender Gap Report published by the World Economic Forum, Turkey is ranked at 130 out of 153 countries.⁴⁰ The Human Rights Association in Turkey in their submission noted how according to the report, at the current rate of improvements to gender equality, it will take 100 years to close the gender pay gap and for women. Whilst many of the political movements in majority-Kurdish areas aim to promote gender equality, the closing of women's spaces has entrenched a Turkey-wide issue of gender inequality.

The APPG received reports of women MPs and women activists repressed by the government. Teverga Jinen Azad (TJA), the Free Women's Movement, in their submission to the inquiry stated that in 2016, their umbrella organisation Kongreya Jinên Azad (KJA), the Free Women's Congress and 49 women's organisations under its umbrella, as well as the women's press agency (JINHA), were closed by emergency decrees.

Consequently, Kurdish women are vulnerable to arrest and physical violence for not only belonging to the Kurdish community, but for being female.

Gendered political oppression

Historically, Turkey has retained a low representation of women in parliament. The World Bank calculated that in 2020, 17% of seats were held by women, sitting below the global average of 25%.⁴¹

³⁹ UK Civil Society Women's Alliance, 'Public statement on the withdrawal of the Republic of Turkey from the Istanbul Convention', 2021, <https://sigbi.org/assets/UKCSA-Statement-on-Istanbul-Convention.pdf>

⁴⁰ *The World Economic Forum*, 'Global Gender Gap Report', 2020, http://www3.weforum.org/docs/WEF_GGGR_2020.pdf

⁴¹ The World Bank, Graph showing the proportion of seats held by women in national parliaments – Turkey, 2020, <https://data.worldbank.org/indicator/SG.GEN.PARL.ZS?end=2020&locations=TR&start=1997>

The HDP aims to rectify this and implement gender inclusive policies in the running of the party and in the leadership of municipalities. The FAC report on 'Kurdish Aspirations' published in 2018 found in their evidence that 'supportive witnesses argued that the Kurds held values that were distinctive in the Middle East, and shared with the UK. They described, for example, a greater culture of gender egalitarianism among the Kurds.'⁴²

The HDP and other Kurdish political organisations are distinctive for their clear signs of commitment to gender egalitarianism. The HDP operates a co-chair system, in which a man and woman are co-chairs of the party and of many municipalities. The HDP aims to maintain a quota of nearly 50% of female MP candidates (and 10% of members from the LGBTQ+ community).⁴³ This means that repression of Kurdish and Kurdish-supporting MPs has a disproportionate effect on women, who tend to take on leading political roles more frequently than in other political organisations. It is notable that the co-chair system itself, which guarantees equal gender representation at every level of political representation, and is common practice in European Green Parties, is frequently cited by the Turkish government as evidence of links to the PKK, the first Kurdish organisation to implement the practice. The Turkish government frequently treats policies that uphold and expand women's participation in political life as evidence of terrorist links.

The HDP's efforts were rewarded in 2015 when 98 of 550 seats in parliament were won by women, 32 being HDP MPs. With regards to municipal leaders, TJA in their evidence submitted to the inquiry stated that since 2019, 7 women co-mayors remain in prison, 13 municipal assembly members were detained, 9 have been released pending trial, 2 remain in prison and 2 co-mayors are under house arrest. This means that out of both local politicians and national members of parliament the removal of immunity or removal from office has disproportionately affected women representatives.

Hacer Ozdemir attended the inquiry's second oral evidence session as a representative and activist from TJA. Ozdemir has been a human rights and women's rights activist for 25 years. She believes that in 2009 due to her activism she was arrested and later imprisoned for 5 years. Ozdemir discussed the oppression she faces and her experiences in prison, all of which occurred, she suggested, because the Turkish government holds antiquated views on women's roles being limited to those of housewives.

One example she gave was after she was interviewed by a newspaper defending the Istanbul Convention, a pro-government newspaper used Ozdemir's name in a headline which stated that 'Turkish and Kurdish women finally agree on one thing and that is a lack of chastity and dishonour'.⁴⁴

Ozdemir also stated that whilst she was serving her prison sentence, she was issued with another lawsuit for protesting on the streets. During this time, she was in prison and so could not have committed any crimes. Ozdemir also indicated she has a government-issued travel ban imposed against her.

⁴² Foreign Affairs Committee, 'Kurdish aspirations and the interests of the UK', Third Report Session 2017 - 2019, p. 6

⁴³ The Guardian, 'Record number of women elected to Turkish parliament', 8th June 2015, <https://www.theguardian.com/world/2015/jun/08/record-number-women-elected-turkish-parliament>

⁴⁴ The Council of Europe, The Istanbul Convention, 2011, <https://rm.coe.int/168046031c>

The case of Leyla Güven

The APPG heard that Leyla Güven, the HDP MP for Hakkari and co-chair of the Democratic Society Congress (DTK), was detained in 2018 for describing Turkey's military operation in Afrin, Syria, as 'an invasion'. Whilst in prison, Güven participated in the hunger strikes taking place internationally to protest the imprisonment and isolation of Abdullah Öcalan, the PKK founder and Kurdish liberation leader.

Güven's parliamentary immunity was stripped in June 2020 and in December 2020 she was sentenced to 22 years in prison for being a member of the PKK.⁴⁵ Peace in Kurdistan, an organisation dedicated to fighting for Kurdish rights, published an interview with Güven's lead lawyer. They discussed the unusual processing of her sentence and arrest warrant:

"There were signs indicating there was not going to be a fair trial and the decisions made would be unfair and unjust. However, it is the first time they have given such a long prison sentence as well as issuing an arrest warrant with their decision. Due to the joint arrest warrant and sentence, Ms. Güven experienced another first by being detained at the Counter Terrorism branch for a night. If proper procedure were followed, Ms. Güven would have been taken to the courthouse to receive the arrest warrant in person.

"Not only was this not the case, we were prevented from accompanying her the next day when she was brought to the courthouse after her detention; and Güven was immediately sent to prison after a simple identification check."⁴⁶

Barrister Margaret Owen's submission to the inquiry details how when she and others attempted to visit Güven in prison, they were "brutally attacked by the police". She also emphasises other examples of violence that female MPs are subjected to:

"The homes of HDP women members are routinely raided in the small hours, and women threatened and attacked by dogs, such actions intended to deter Kurdish women from becoming politically active. Torture, physical, sexual, and psychological is endemic in police stations, and HDP women in detention, and in solitary confinement are most vulnerable to sexual torture, and threats of it including rape."

⁴⁵ BBC, 'Leyla Güven: Turkey sentences Kurdish politician to 22 years in prison', 22nd December 2020, <https://www.bbc.co.uk/news/world-europe-55407129>

⁴⁶ Peace in Kurdistan, 'Interview with Leyla Güven's Lawyer', 11th January 2021, <https://www.peaceinkurdistancampaign.com/interview-with-leyla-guens-lawyer/>

The closure of women's organisations

In their submission, the TJA state how their umbrella organisation Kongreya Jinên Azad (KJA), the Free Women's Congress and 49 other women's organisations were closed down as a result of the state of emergency issued by the government in 2016. Many bank accounts associated with these organisations were closed making it impossible for the organisations to continue to operate. The TJA further stated that in 2020, 244 TJA activists were detained, 81 of them arrested.

TJA also provided useful recommendations, in relation to the evidence they submitted. They stated, "*women's struggle is a struggle from which there can be no question of backing off*". Of particular concern in their conclusion was the impact of the closures of women's organisations on the wellbeing and protection of vulnerable women. As a result of the closure of multiple women's organisations, women have few ways to seek help in dangerous situations experienced either in their home or professional lives.

Gender-based violence against Kurdish women and girls

A submission to the inquiry by Margaret Owen, gender rights barrister and campaigner for Kurdish equality, states that "the Erdoğan government shows itself to be not only racist, and anti-Kurd but also misogynist." In the report submitted by TJA to the inquiry they state that within 18 years of the AKP's ruling, femicide has increased by 1400%.

In the evidence submitted by TJA, they state that in Kurdistan, 2520 women reported cases of physical, gendered violence to trade unions and NGOs in 2020. 775 women applied for shelter and 113 women reported cases of sexual assault. In addition to this, due to the increasing number of women being arrested and detained, the increasing numbers of women experiencing sexual abuse whilst in prison became evident.

The Legal Aid Office of Sexual Abuse and Rape under Custody stated in a report that over the last 20 years, 544 women in custody experienced sexual assault, 389 of the perpetrators were police officers, 125 soldiers and 66 correction officers. These acts, TJA define as examples of 'sexual violence as a weapon of war.'

Findings

- 1) The APPG finds that Kurdish women in Turkey face particular challenges both in their professional political roles and in their personal lives, and notes that this is in the backdrop of a hostile environment for women's rights in Turkey more generally.
- 2) The APPG finds that the distinctive values of Kurdish communities, and the policies of the HDP, promote gender equality in democratic processes.
- 3) The APPG finds that the closure of women's organisations significantly prevents freedom of speech in Turkey and the progression towards gender equality.
- 4) The APPG finds that the closure of women's organisations in Turkey is particularly concerning as it prevents the opportunity for women experiencing violence to seek refuge from NGOs and other aid organisations.
- 5) The APPG finds that gender-based violence is on the rise in Turkey, impacting not only Kurdish women and girls, but women and girls in the general population.
- 6) The APPG finds that women have been arrested for speaking up in support of the Istanbul Convention, a Council of Europe instrument to preventing and combating violence against women and girls.

Recommendations

- XIII.** *The APPG urges the UK government to actively encourage political systems which seek to end femicide and promote women's rights both in the Turkish population and in political life.*
- XIV.** *The APPG recommends that the UK government recognise policies implemented by the HDP, which aim to support gender equality, as a key component to political representation and democracy.*
- XV.** *The APPG recommends the UK government support international organisations aiding women in vulnerable situations,*
- XVI.** *The APPG recommends that the UK government ensure that aid is directed to women-led organisations in Turkey, and that aid reaches majority-Kurdish areas.*
- XVII.** *The APPG recommends that the UK should call, in the strongest terms, on Turkey to rejoin the Istanbul Convention and fully implement it.*
- XVIII.** *The APPG recommends that the Council of Europe further investigate how women's voices are being silenced in their opposition to Turkey's withdrawal from the Istanbul Convention, and consider how this might breach the right to freedom of expression.*

Freedom of the press

Summary:

- The freedom of the press and freedom of speech are under constant attack by the Turkish government.
- One third of the world's jailed journalists were imprisoned in Turkey in 2016.
- State censorship particularly targets Kurdish media outlets or those seen as sympathetic to Kurdish rights.

The APPG heard how many journalists and media outlets feel that they are constantly persecuted for speaking out against the Turkish government or for highlighting the injustices committed against Kurdish communities. This has included the closure of journalist associations and newspapers as well as the imprisonment of hundreds of journalists. The closure of media outlets and imprisonment of journalists has also significantly impacted how the Turkish public interact with the media and governmental and non-governmental newspapers. These closures and arrests impact Kurdish media particularly severely, but freedom of speech and of the press are not generally upheld by the Turkish state.

The FAC report on 'the UK's relations with Turkey' noted how 'when assessing the health of the media in Turkey, the FCO told us that "Turkey's position as 151st out of 180 in the World Press Freedom Index remains a concern". Additionally, they note, "the National Union of Journalists assessed that the Turkish government had taken extensive measures to restrict the media, and said that some of these measures aimed to silence critics"⁴⁷.

The APPG supports the conclusion made by the FAC report on the UK's relations with Turkey that "there is a fundamental intolerance of alternative narratives in Turkey, with the government broadly suppressing, discrediting or punishing those who contradict its authorised accounts of sensitive events"⁴⁸.

Journalist arrests

According to Amnesty International, in 2016, one third of the world's jailed journalists and media journalists were imprisoned in Turkey (this is likely to have risen since then).⁴⁹

At the start of the global COVID-19 Pandemic in early 2020, there was growing concern over the spread of the virus in prisons. In March 2020, Turkish parliament debated a legal amendment which would have granted amnesties to one third of Turkey's prison population in order to prevent the spread of Coronavirus in prisons. The bill included dropping the sentences of prisoners of serious crimes, but not for journalists, activists or politicians.⁵⁰

⁴⁷ Foreign Affairs Committee, 'the UK's relations with Turkey' Report, 2017, pp. 58 - 59

⁴⁸ Foreign Affairs Committee, 'the UK's relations with Turkey' Report, 2017, pp. 58 - 59

⁴⁹ Amnesty International, 'Turkey has earned an accolade which holds no glory', <https://www.amnesty.org/en/latest/campaigns/2017/02/free-turkey-media/>

⁵⁰ Amnesty International, 'Turkey imprisoned journalists, human rights defenders and others', 30th March 2020, <https://www.amnesty.org/en/latest/news/2020/03/turkey-imprisoned-journalists-human-rights-defenders-and-others-now-at-risk-of-covid-19-must-be-urgently-released/>

Dicle Firat Journalist Association (DFG) was established in January 2020 and aims to support journalists facing persecution in all parts of Turkey, and as they state, “to voice the voiceless”. The DFG has a particular focus on representing journalists that work on Kurdish issues or are themselves Kurdish. The DFG also works closely with professional journalist associations and journalists' unions who work with Turkish journalists more generally. In evidence submitted to this inquiry, the DFG provided data on arrests made of journalist in the first eleven months of 2020:⁵¹

Detained Journalists	71
Attacked Journalists	19
Maltreatment, Threats and Imposition of Journalists	15
Journalists Under Investigation	54
Journalists Undergoing Trials	192 filed, 429 journalists
Journalists who received penalties for newspaper advertisements	7
Radio and Television Supreme Council Penalties	42
Cases of Internet Access Blocks	763 news, 143 websites
Number of Arrested Journalists (as of 03/12/2020)	91

The DFG highlight the arrests made of journalists Adnan Bilen, Cemil Uğur, Şehriban Abi, Nazan Sala and Dindar Karata in October 2020. The journalists were arrested for publishing a news article on two tortured civilians from the city of Van who were thrown from a helicopter. One of the civilians later died due to his injuries.⁵² The governor of Van later released a statement claiming the two civilians had been acting for the PKK, this is disputed.⁵³ Reportedly, Karata has been released by the courts but has had an international travel ban imposed against him.⁵⁴ The other journalists were detained pending trial, with little current knowledge provided on their release.

⁵¹ Data compiled from a range of sources and reports.

⁵² Committee to Protect Journalists, 6th October 2020, <https://cpj.org/data/people/adnan-bilen/>

⁵³ Statement released by the Governor of Van, Turkey, 21st September 2020, <http://www.van.gov.tr/van-valiligi-basin-duyurusu>

⁵⁴ Media and Law Studies Association, February 2021, <https://www.mlsaturkey.com/en/court-releases-journalist-dindar-karatas/>

Charged with terrorism: The case of Asli Erodgan

The APPG heard of the case of journalist Asli Erodgan. Asli Erodgan was held in pre-trial detention for 4 months in 2016 for writing for the Ozgur Gundem newspaper and for participating in an alleged 'terrorist organisation'. She was released in December 2016 pending trial however, whilst in prison she experienced solitary confinement and other worsening conditions. She was acquitted in February 2020 but remains in exile in Europe, with fear of being arrested in Turkey again.⁵⁵

Serdar Altan, founding co-chair of DFG, participated in this inquiry at an oral evidence session held on freedom for the press:

"In Turkey, those who want to express their opinion, those who defend the people's liberty to get news and information and those who want to provide that information to them in the field, are under a serious amount of pressure and are pushed so far, they cannot work anymore."

In their submission, DFG emphasised how even Kurdish journalists or journalists defending Kurdish rights who are not arrested, are still persecuted in other ways. They state that since 2016 around four thousand press cards were taken from journalists because they worked for media organisations that had been shut down. Those who apply for new press cards have often been denied them by the Presidency Directorate of Communications.

Altan emphasises how these acts fundamentally prevent Kurdish and non-Kurdish journalists from working and they weaken the legitimacy of Turkish news, freedom of speech and information.

The closure of media outlets

In their submission to the inquiry, DFG stated that following the state of emergency in 2016, the following numbers of media outlets were forced to close:

- **62 newspapers**
- **24 radio stations**
- **19 magazines**
- **29 publishing houses**

A total of **177 media organisations were shut down**, and as a consequence nearly 2,500 journalists and media professionals were left unemployed.

⁵⁵ *Al Jazeera*, 'Renowned Turkish novelist Asli Erdogan acquitted in 'terror' case', 14th February 2020, <https://www.aljazeera.com/news/2020/2/14/renowned-turkish-novelist-asli-erdogan-acquitted-in-terror-case>

Safiye Alağaç is the editor-in-chief of Jin News Agency which was founded in 2019 as a women-only news agency. Alağaç herself has been investigated between 8 and 9 times by the Turkish government. Five of these investigations turned into lawsuits. During the oral evidence session on freedom of the press, Alağaç stated she did not think Jin News Agency would survive as long as it did because of how many media organisations were being closed down. She stated, “if you are not on the side of the state, you are not allowed to exist”. When asked about the closure of media outlets and the oppression faced by journalists, she indicated that,

“The prosecution and persecution of journalists had an impact on society’s outlook of the media. If a journalist is oppressed by the government, then half the society thinks that the journalist was doing something completely right, but the other half of society thinks that the journalist was a criminal. If you went to Istanbul and asked someone on the street, they would tell you they don’t trust the media.”

Both the arrests of journalists and the closure of media institutions who support the Kurdish community, highlight the persecution of Kurdish people and the actions the Turkish government takes to erode the right to freedom of speech in Turkey. This clearly represents a threat to freedom of speech through weakening a fair and equal knowledge base in Turkey, which is currently controlled and censored by the government.

Findings

- 1) The APPG finds that democratic institutions and the democratic culture of Turkey has significantly weakened in recent years, and that freedom of expression has notably deteriorated.
- 2) The APPG finds that the restrictions placed on journalists and media outlets greatly affect the ability of journalists to fulfil their professional roles, as well as the ability for the Turkish population to trust media sources.
- 3) The APPG urges the Government to condemn the destruction of freedom of speech via the suppression of a free media. The APPG considers the arrests of journalists to physically prevent the freedom for individuals to express criticism of the government or the atrocities occurring in Turkey. This significantly inhibits the ability for the international community to be made aware of actions taken against the Kurdish communities and for governments globally to gain a better understanding of how best to support them.
- 4) The APPG finds the number of journalists currently imprisoned in Turkey to be of grave concern.

Recommendations

- XIX. The APPG asks the UK government to support organisations aiming to support imprisoned journalists and those aiming to support the expression of Kurdish culture.**
- XX. The APPG urges the Government to condemn the measures to restrict freedom of speech implemented in Turkey, and to remind the Turkish government that criticism of government is a fundamental aspect of the public's rights.**
- XXI. The APPG urges the UK government to raise the effect of imprisoning journalists on freedom of speech in Turkey.**
- XXII. The APPG urges the UK government to strongly condemn the torture and intimidation of journalists.**

International classification of Kurdish organisations

Summary

- The Turkish government views any organisation or individual who shares aims or ideology with the PKK as 'terrorist'. Further, Turkey views many Kurdish political organisations as structurally linked to the PKK, even when these organisations work with Turkey's NATO allies such as the United States.
- Turkey's repression of political organisations on this basis has been condemned by many governments and international political arms, such as the Council of Europe and the European Union.
- The legal basis for proscribing the PKK as a terrorist organisation has been proven questionable in a Belgian Supreme Court case in 2020.

As mentioned in this report, majority-Kurdish organisations in Turkey have received particular attention and been disproportionately affected in terms of forced closures. This has often happened under the guise of linking these organisations to the PKK. The UK currently, at Turkey's request, classifies the PKK as a terrorist organization, along with most other NATO and European Union countries.

It is worth reiterating again the APPGs abhorrence of the use of indiscriminate attacks and terrorism, whomever carries them out. We do note that a number of attacks in recent years have disputed origins, with the PKK or allied organisations claiming that attacks were not carried out by them. Regardless of who carried out these attacks, civilian lives have been lost, which is unacceptable.

A broad-brush approach to the PKK

The classification of a terrorist organisation does not negate Turkey's obligations under international law, and the APPG heard how any sympathy for the aims or ideologies of the PKK, even if no methods are shared, is often used to tarnish that view as terrorist. The committee heard that there is little nuance on whether the PKK acts as a terrorist organisation or an organisation engaged in international armed conflict, despite both Belgium and European Court of Justice cases indicating that this is a point of contention. As members of the Council of Europe, the Turkish government is subject to regulations regarding the treatment of their civilians and to laws on armed conflicts and terrorist activity.

The UK Turkish Ambassador, His Excellency Ümit Yalçın, was invited to submit written evidence to the report. In a letter the APPG received in response to this invitation he defended political representation in Turkish Parliament and stated:

"In Turkey, as defined in the Constitution, every person is equal before the law and this equality is protected by the State. The Republic of Turkey is a unitary state. There are no minorities or ethnic groups defined by law in Turkey, except the non-Muslim minorities stated in the Lausanne Peace Treaty. Therefore, the question of representation of certain ethnic groups in the Turkish Parliament becomes irrelevant."

The Turkish Ambassador also suggested the support the Turkish government have offered the Kurdish community in the greater diaspora and states:

“Turkey's approach to Kurdish population in its neighbouring countries has been either developing relations with them as in the case of Northern Iraq or supporting them as we host more than 350,000 Syrian Kurds who fled from the conflict.”

The Turkish Ambassador additionally discussed relations with the PKK suggesting:

“PKK/PYD-YPG is also threatening Iraqi stability and lately the Kurdish administration in northern Iraq has been struggling to remove them from its territory. However, certain circles are also always quick to brand Turkey's struggle against terror as oppression of Kurds. I hope that you (the APPG) will not also fall into that trap and make the distinction between Kurdish people and the PKK/PYD-YPG terrorist organisation.”

The APPG is careful to condemn terrorism, but notes that the PYD-YPG are not considered terrorist organisations in the UK, and have been as part of the SDF forces in Syria a key component and NATO ally in fighting against ISIS and Islamic-based fascism — with ISIS being an undisputed terrorist organisation. The FAC report on 'Kurdish aspirations and the interests of the UK' examined the relationships between the PKK and the rising political prominence of the Democratic Union Party (PYD) and the People's Protection Units (YPG). As they note, “Turkey sees the PYD/YPG as an extension of the PKK” and therefore as linked to the activity of an internationally recognised terrorist organisation. This automatic link is unhelpful for the achievement of democratic participation of the Kurds, and has been extended now internally with the HDP and sometimes the CHP MPs being branded PKK for sharing any similar views, even if not any methodology.

Additionally, the FAC report on 'the UK's role in the war against ISIL' argued that the 'UK must press Turkey to refrain from taking any further action against YPG forces and play a constructive role towards shared objectives in the defeat of ISIL'.⁵⁶ The APPG notes that the UK has taken a divergent view of PYD-YPG from Turkey.

In conflating the PYD-YPG as purely terrorist, Turkey shines a light on to their broad brush approach of claiming any organisation or individual with PKK sympathies is in itself terrorist. If this were taken into the context of recent UK history, this would have required much of the Washington establishment, which had IRA sympathies, to be branded terrorist by association; furthermore, this kind of an approach would have precluded coming to any peace agreement in Northern Ireland.

It is this expansive approach, which sees any shared ideology or practice as evidence of terrorist intent or action, that has been used as a cover to persecute HDP and CHP Members of Parliament.

⁵⁶ Foreign Affairs Committee, 'The UK's role in the war against ISIL following the Cessation of Hostilities in Syria in February 2016', Third Report of Session 2015 - 2016, p. 11

Inhibiting the peace process

The APPG agrees with the recommendation made by the FAC report on 'Kurdish aspirations and the interests of the UK' that "the FCO should support meaningful political participation and representation for Kurds, as well as cultural recognition, equal rights, and economic opportunities for them, underpinned by national constitutions and achieved through negotiation, as a means of fulfilling Kurdish aspirations"⁵⁷.

As the FAC report on the 'UK's relations with Turkey' suggests, the 'FCO should explain how it is working with the Turkish government to secure a path towards both a ceasefire with the PKK, and a wider process of reconciliation to address the causes of the conflict. Turkey may be able to benefit from the FCO sharing the example of the UK's experience in Northern Ireland.'⁵⁸ The persecution of Kurdish politicians as 'terrorists' is a significant inhibitor of a peace process in Turkey. The impact on the peace process of attacks on civilians in majority-Kurdish regions, and of the imprisonment of Kurdish and pro-Kurdish politicians, is undeniable.

In October 2020, PACE released a statement on the "crackdown" of Kurdish rights in Turkish government and noted the lack of improvement since their 2019 debate on equal political representation in Turkey:

"The Assembly condemns the recent mass arrest warrants issued against HDP members, including the co-mayors of Kars and former deputies, for their alleged involvement in the October 2014 protests violence."

"The Assembly calls on the Turkish authorities to put an end to the repression of opposition of political parties and to create the conditions necessary for a proper functioning of representative democracy, with political parties able to operate in a free and safe environment, guarantee parliamentary immunity and ensure that politicians, including from the opposition, are able to express themselves and exercise their political mandates."⁵⁹

European politicians have since urged the Council of Europe and the European Union to defend Kurdish rights and call for the release of Kurdish politicians from prison. In February 2021 an open letter was written to the Turkish government, on behalf of the European Union's Parliament, calling for the immediate release of Selahattin Demirtaş and described his arrest and imprisonment as a "stark violation of the obligations placed on a Member State of the Council of Europe and threatens to undermine the credibility of the court"⁶⁰.

Additionally, in November 2020, the cross-party Kurdish Friendship Group of the European Parliament sent an open letter to the Kurdish democratic authorities and to members of the Turkish government, to express their concerns on the rights and representation of Kurdish individuals:

⁵⁷ Foreign Affairs Committee, 'Kurdish aspirations and the interests of the UK', 2018, p. 25

⁵⁸ Foreign Affairs Committee, 'The UK's relations with Turkey', p. 50

⁵⁹ Foreign Affairs Committee, 'Kurdish aspirations and the interests of the UK', 2018, p. 25

⁶⁰ Kati Piri, Twitter, 1st February 2021, <https://twitter.com/KatiPiri/status/1356252961882726403>

“We believe that the Kurdish people are the bearers of essential values through the difficult and dangerous political context of the Middle East: values that promote democracy, the fight against terrorism, and the rights of women and minorities. This makes them an essential pillar for the building of a peaceful future in the Middle East, based on the right to self-determination.”

They stated they had “become particularly concerned about the aggressive and hostile policy towards the Kurds by the ruling regime in Turkey, under the leadership of Erdoğan”⁶¹. The letter was signed by representatives from France, Austria and Denmark.

Similarly, in November 2020, Human Rights Watch stated:

“The Turkish government should immediately release from detention Selahattin Demirtaş, in accordance with the 2018 judgement of the European Court of Human Rights, Article 19.”

Hugh Williamson, the Human Rights Watch director for Europe and Central Asia, called for the MPs to be released stating the “Turkish government has misused detention and criminal proceedings in a campaign of persecution”⁶².

The EU Turkey Civic Commission published a report on the ‘Third Imrali Peace Delegation’, based on a visit to Turkey in 2017 and in relation to EU efforts stated:

“A dark hour for the European Union, to say the least, a veritable crisis for its self-image as beacon of human rights and democracy. Not only does the EU look the other way while the Erdoğan government commits human rights atrocities, it even rewards it for pledging to help keep refugees at bay, safely outside the ‘fortress’.”

The legal basis of the proscription of the Kurdistan Workers Party (PKK)

A significant contribution to Kurdish oppression and worsening political representation is the criminalisation of Kurdish organisations and individuals through the claim they belong to the Kurdistan Workers' Party (PKK), an internationally listed terrorist organisation. The founder of the PKK, Abdullah Öcalan, has been in prison on the island of Imrali since 1999. He has since his arrest proclaimed a peaceful and democratic path with the Turkish government, he has urged his supporters to take on democratic roles and participate in peace negotiations. Öcalan has urged the PKK in to maintain peace with Turkish officials and rejected separatism in favour of Democratic Confederalism (see section on the Democratic Party Congress, DTK) which the HDP supports.

Over recent years, there has been growing concern over the Turkish government’s use of the criminalisation of the PKK to persecute the Kurdish population generally. The most recent international campaigns have focused on two particular issues which are currently prohibiting peace negotiations from taking place and worsening the chances of equality being reached for the Kurdish community in Turkey.

⁶¹ ANF News Agency, ‘MEPs issue call to Kurdish parties’, 20th November 2020, <https://anfenglish.com/news/meps-issue-call-to-kurdish-parties-48091>

⁶² Human Rights Watch, ‘Turkey: Opposition Politicians Detained for Four Years’, 19th November 2020, <https://www.hrw.org/news/2020/11/19/turkey-opposition-politicians-detained-four-years>

The first, as demonstrated through the evidence submitted to this report, relates to the significant number of Kurdish individuals being arrested for acting for the PKK and the number of organisations that have been closed down for supposedly being linked to the PKK. The second issue questions the criteria that qualifies the PKK as a terrorist organisation. Whether individuals are prosecuted in Turkey or internationally for being members of the PKK, these prosecutions remain fundamental to the criminalisation of Kurdish individuals globally.

Belgian Supreme Court case

Lawyer Jan Fermon successfully argued in a Supreme Court case in Belgium that the PKK should be internationally recognised not as a terrorist organisation, but as a non-state group acting within an armed conflict. Fermon also contributed to the Permanent People’s Tribunal (PPT) in 2018 which concluded that the PKK should not be listed as a terrorist organisation but that,

“There is no doubt that this organization meets all the criteria that allow it to be considered as a political-military organization, which carries out an armed struggle against Turkish security services, army and authorities, towards the realization of the right to self-determination of the Kurdish people.”

This ruling was echoed in the Court of Cessation (Belgium's Supreme Court) where they ruled that the PKK is a party active in a war against the Turkish government; in effect, the PKK does not meet the criteria to be listed internationally as a terrorist organisation.

In the third oral evidence session of the inquiry, Fermon discussed the most recent cases in the Belgian Supreme Court and a parallel case in the European Court of Justice, Luxembourg. Both cases related to the criminalisation or the listing of the PKK.

The Belgian prosecutions began when Belgian authorities concluded — after significant pressure from the Turkish government — that Kurdish media outlets and the Kurdistan National Congress were publishing propaganda, and recruiting and financing the PKK.

By 2014, although 42 individuals had been named as working for the PKK, insufficient evidence had been collected to conclude the allegations outlined previously. It was argued, similarly to the PPT case, that the PKK should be treated as a party in an armed conflict or civil war, rather than a terrorist group. This defence was accepted by the Belgian Court of Cessation in January 2020. The Court concluded that the conflict in Turkey is significant enough to be classed as a civil war, and that the PKK is a structured and organised military non-state party, rather than a terrorist gang-like group.

⁵ John Hunt, ‘This is not an election for the Parliament, but for Turkey’s future’, *The Kurdistan Tribune*, 6th June 2015, <https://kurdistantribune.com/this-is-not-an-election-for-the-parliament-but-for-turkeys-future/>

⁶ Bethan McKernan, ‘Isis defeated, US-backed Syrian Democratic Forces announce’, *The Observer*, 23rd March 2019, <https://www.theguardian.com/world/2019/mar/23/isis-defeated-us-backed-syrian-democratic-forces-announce>

⁷ Al Jazeera, ‘Turkey’s operation in Syria’s Afrin’, 22 Jan 2018, <https://www.aljazeera.com/news/2018/01/22/turkeys-operation-in-syrias-afrin-the-key-players/>

⁸ Foreign Affairs Committee, *The UK’s relations with Turkey*, Tenth Report of Session 2016–17, Page 62

Whilst the Belgian ruling has no precedential standing in EU or international law, the legal wording in Belgian law was directly translated from international treaty legislation; therefore, similar court cases would be expected to refer to roughly the same legal arguments.

The APPG heard that if the PKK were treated as an equal party in an armed conflict, rather than as a terrorist organisation, there would be more inclination for international governments and the parties involved to reach a peace agreement. Fermon argued in his submission that once the PKK are internationally recognised as a non-state party in a civil war, the path to peace would be more straightforward; governments would be able to begin to find ways to solve the conflict, rather than committing resources to fighting a terrorist organisation.

In the parallel case, the European Court of Justice removed the PKK from the EU terrorist list in 2018; however, the list is renewed by the Commission and Council every six months, and at the subsequent reassessment the PKK were once again added to the list.⁶³

The APPG heard that states would often add all requested organizations onto their prohibited lists to avoid the time-consuming process of assessment. This arbitrary nature goes against the principles of due process and fair administration. Thorough assessments of the PKK's status on these lists have only been carried out through court cases. So far, no European or international court has found that the PKK meets the requirements for a terrorist organization, or that the listing is legally applied.

Findings

- 1) The APPG finds that the Turkish government does not distinguish between aims associated with terrorism and fighting for equal human rights.
- 2) The APPG finds that MPs in Turkey may have ideological or even communicative links with the PKK, but they have also made a strong commitment to operate in the democratic political sphere.
- 3) The APPG finds that the PKK has participated in peace negotiations in good faith, and has made efforts to move from a violent sphere into a political one.
- 4) The APPG finds that the conclusion from the FAC that the UK government's historical experiences could be of value to promoting peace in Turkey is correct.
- 5) The APPG finds that the structural processes of listing international organisations as terrorist organisations as extremely arbitrary
- 6) The APPG finds that the conclusion from the FAC that the UK government's historical experiences could be of value to promoting peace in Turkey is correct.

⁶³ Court of Justice of the European Union (CURIA), Judgement of the General Court, 'Common foreign and security policy — Restrictive measures imposed on the PKK with a view to combating terrorism - plea of illegality', 15th November 2018, <http://curia.europa.eu/juris/document/document.jsf?jsessionid=4471291BF0862664F290796CFACF5F6D?text=&docid=107801&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=4010222>

Recommendations

- XXIII. The APPG urges the UK government to make clear that the application of the label of ‘terrorism’ can not be applied to a broad range of Kurdish political and cultural organisations just because they are Kurdish or support Kurdish self-autonomy.
- XXIV. The APPG urges the UK government to consider the reliability of the Turkish government’s rhetoric in HDP prosecutions, and in regard to the PKK itself.
- XXV. The APPG recommends that the UK government unreservedly diverge from Turkey on its definition of the PYD-YPG as terrorist organizations in line with its current practice to not list them and to work with them on the ground.
- XXVI. The APPG recommends that the UK government recognise the PKK’s aim to move away from a violent sphere and into a political one as seen in the recent peace process.
- XXVII. The APPG urges the UK government to support the opening of international and domestic democratic channels for the PKK to distance themselves from violence and move towards reconciliation with the Turkish government.
- XXVIII. The APPG urges the government to use experiences in Northern Ireland to support a process in which the PKK and Turkish government are able to come to a peace agreement.
- XXIX. The APPG recommends that a clear process for the PKK and the Turkish government to politically resolve this conflict is suggested by the UK government.
- XXX. The APPG suggests that the process of listing terrorist organisations should be constantly subject to review and based on public criteria.
- XXXI. The APPG urges the UK government to review the classification of the PKK as a terrorist organisation based on contemporary evidence, recent legal cases in both Belgium and the European courts and to outline its findings.
- XXXII. The APPG urges the UK government to clarify how organisations can distance themselves from violent pasts.

Conclusions and Recommendations

Kurdish Political Representation

1. The APPG finds that trials have been increasingly conducted in central courts in Ankara and not in divisional courts in the home provinces, making defence harder for many MPs.
 2. The APPG finds that ECtHR judgments are not fully complied with in regards to political prisoners and notes that this has been raised by the PACE a number of times.
 3. The APPG finds that the routine cases against 154 MPs indicates that legal proceedings are being used to tackle political disagreements, which in turn is disproportionately affecting Members of Parliament from Kurdish backgrounds.
 4. The APPG recognises many Kurdish individuals and MPs do not demand their own state, but respect for due democratic process.
 5. The APPG finds that the human rights of municipal leaders are being violated while they are detained pending trial or sentenced to prison.
 6. The APPG finds that the DTK closure violates the principles of a democratic society. Further, the APPG considers these actions to undermine the possibility of negotiations on a peaceful settlement to the ongoing Kurdish conflict within Turkey.
 7. The APPG finds that there is systematic repression of Kurdish political youth groups and of those linked to the HDP.
 8. The APPG finds that the Charter Participation of Young People is unequally applied to young people from Kurdish and/or HDP political backgrounds
 9. The APPG notes that accusation of CHP MPs of links to terrorism when they have spoken in support of Kurds highlights the absurdity of the accusations of terrorism for elected officials.
- I. ***The APPG calls on the UK government to raise these issues with the Turkish government, to put pressure on upholding the rule of law and commitment to democracy.***
 - II. ***The APPG recommends that Parliamentary representatives in the PACE continue to raise these issues within the Council of Europe to ensure that ECtHR ruling and Council of Europe Resolutions are upheld.***
 - III. ***The APPG urges the Government to actively voice their support for the European Court of Human Rights (ECtHR) December 2020 ruling to demand the release of former HDP co-leader Selahattin Demirtaş from prison.***
 - IV. ***The APPG calls on the UK Government to press the Turkish government to uphold the rule of law and democratic principles at the local level in Turkey.***

- V. *The APPG recommends this issue should be raised within the Congress of Local and Regional Authorities of the Council of Europe.*
- VI. *The APPG supports the ongoing call for greater transparency in the process in which the Turkish government's approach to replacement of elected mayors.*
- VII. *The APPG urges the UK government to condemn the closure of the DTK and remind the Turkish government of its previous commitment to finding a peaceful solution to the ongoing conflict.*
- VIII. *The APPG recommends that the UK government and the Congress of Local and Regional Authorities reinforce the importance of all members fulfilling the ambitions in the Revised European Charter on the Participation of Young People in Local and Regional Life for young people in Turkey.*

Repression and violence targeting civil society

1. The APPG notes that accusation of CHP MPs of links to terrorism when they have spoken in support of Kurds highlights the absurdity of the accusations of terrorism for elected officials.
2. The APPG notes that accusation of CHP MPs of links to terrorism when they have spoken in support of Kurds highlights the absurdity of the accusations of terrorism for elected officials.
3. The APPG finds that the closure of Kurdish organisations and institutions in Kurdish majority areas in Turkey is severely inhibiting the right to use the Kurdish language and the right to cultural expression, which is particularly concerning for the continuation of Kurdish culture and language amongst younger generations.
4. The APPG acknowledges that curfews and other civil liberty restrictions can occasionally be made by governments to assist with public order but these should be proportionate and only used with clear explanations, timeframes and abilities to appeal.
5. The APPG finds that the consequences of the state of emergency launched in 2016 have led to extreme violence experienced by the Kurdish population, including the targeting of civilians and the refusal for independent monitors or the United Nations to monitor the effects of curfews, shelling and other forms of militarisation.
 - I. *The APPG recommends that the Government condemn the Turkish government's decisions to close multiple institutions which uphold Kurdish cultural life.*
 - II. *The APPG urges the Government to raise with the Turkish government the impact these closures and policies will have on the education received by young Kurdish people.*

- III. The APPG urges the UK government to clarify with the Turkish government the use of curfews and other civil liberty restrictions, including the timeframe, process of appeals and justification of putting such restrictions in place.**
- IV. The APPG urges the UK government to condemn all violence against the civilian population in majority-Kurdish regions.**

Gender-based oppression

1. The APPG finds that Kurdish women in Turkey face particular challenges both in their professional political roles and in their personal lives, and notes that this is in the backdrop of a hostile environment for women's rights in Turkey more generally.
 2. The APPG finds that the distinctive values of Kurdish communities, and the policies of the HDP, promote gender equality in democratic processes.
 3. The APPG finds that the closure of women's organisations significantly prevents freedom of speech in Turkey and the progression towards gender equality.
 4. The APPG finds that the closure of women's organisations in Turkey is particularly concerning as it prevents the opportunity for women experiencing violence to seek refuge from NGOs and other aid organisations.
 5. The APPG finds that gender-based violence is on the rise in Turkey, impacting not only Kurdish women and girls, but women and girls in the general population.
 6. The APPG finds that women have been arrested for speaking up in support of the Istanbul Convention, a Council of Europe instrument to preventing and combating violence against women and girls.
- I. The APPG urges the UK government to actively encourage political systems which seek to end femicide and promote women's rights both in the Turkish population and in political life.**
 - II. The APPG recommends that the UK government recognise policies implemented by the HDP, which aim to support gender equality, as a key component to political representation and democracy.**
 - III. The APPG recommends the UK government support international organisations aiding women in vulnerable situations,**
 - IV. The APPG recommends that the UK government ensure that aid is directed to women-led organisations in Turkey, and that aid reaches majority-Kurdish areas.**
 - V. The APPG recommends that the UK should call, in the strongest terms, on Turkey to rejoin the Istanbul Convention and fully implement it.**
 - VI. The APPG recommends that the Council of Europe further investigate how women's voices are being silenced in their opposition to Turkey's withdrawal from the Istanbul Convention, and consider how this might breach the right to freedom of expression.**

Freedom of the press

1. The APPG finds that democratic institutions and the democratic culture of Turkey has significantly weakened in recent years, and that freedom of expression has notably deteriorated.
2. The APPG finds that the restrictions placed on journalists and media outlets greatly affect the ability of journalists to fulfil their professional roles, as well as the ability for the Turkish population to trust media sources.
3. The APPG urges the Government to condemn the destruction of freedom of speech via the suppression of a free media. The APPG considers the arrests of journalists to physically prevent the freedom for individuals to express criticism of the government or the atrocities occurring in Turkey. This significantly inhibits the ability for the international community to be made aware of actions taken against the Kurdish communities and for governments globally to gain a better understanding of how best to support them.
4. The APPG finds the number of journalists currently imprisoned in Turkey to be of grave concern.
 - I. *The APPG asks the UK government to support organisations aiming to support imprisoned journalists and those aiming to support the expression of Kurdish culture.*
 - II. *The APPG urges the Government to condemn the measures to restrict freedom of speech implemented in Turkey, and to remind the Turkish government that criticism of government is a fundamental aspect of the public's rights.*
 - III. *The APPG urges the UK government to raise the effect of imprisoning journalists on freedom of speech in Turkey.*
 - IV. *The APPG urges the UK government to strongly condemn the torture and intimidation of journalists.*

International classification of Kurdish organisations

1. The APPG finds that the Turkish government does not distinguish between aims associated with terrorism and fighting for equal human rights.
2. The APPG finds that MPs in Turkey may have ideological or even communicative links with the PKK, but they have also made a strong commitment to operate in the democratic political sphere.
3. The APPG finds that the PKK has participated in peace negotiations in good faith, and has made efforts to move from a violent sphere into a political one.
4. The APPG finds that the conclusion from the FAC that the UK government's historical experiences could be of value to promoting peace in Turkey is correct.
5. The APPG finds that the structural processes of listing international organisations as terrorist organisations as extremely arbitrary

6. The APPG finds that the conclusion from the FAC that the UK government's historical experiences could be of value to promoting peace in Turkey is correct.
 - I. *The APPG urges the UK government to make clear that the application of the label of 'terrorism' can not be applied to a broad range of Kurdish political and cultural organisations just because they are Kurdish or support Kurdish self-autonomy.*
 - II. *The APPG urges the UK government to consider the reliability of the Turkish government's rhetoric in HDP prosecutions, and in regard to the PKK itself.*
 - III. *The APPG recommends that the UK government unreservedly diverge from Turkey on its definition of the PYD-YPG as terrorist organizations in line with its current practice to not list them and to work with them on the ground.*
 - IV. *The APPG recommends that the UK government recognise the PKK's aim to move away from a violent sphere and into a political one as seen in the recent peace process.*
 - V. *The APPG urges the UK government to support the opening of international and domestic democratic channels for the PKK to distance themselves from violence and move towards reconciliation with the Turkish government.*
 - VI. *The APPG urges the government to use experiences in Northern Ireland to support a process in which the PKK and Turkish government are able to come to a peace agreement.*

