



**Australian Government**  
**Refugee Review Tribunal**

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# Country Advice

## Turkey

Turkey – TUR38223 – Kurds – Gaziantep  
– Newroz – HADEP – Grey Wolves  
4 March 2011

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**1. Please provide background on the history and characteristics of the Kurdish people in Gaziantep.**

No information was found regarding the history or characteristics of the Kurdish people in Gaziantep. General information on Gaziantep is as follows.

According to *Barga News*, approximately a third of Gaziantep's metropolitan population, currently estimated as approaching 1.5 million, are Kurds, most of whom fled ancestral villages during the conflict between Kurdish separatists and the Turkish government in the mid-90s. Gaziantep province is Turkey's largest exporter and importer, accounting for 6 per cent of small-scale industry.<sup>1</sup> According to a Turkish-American hotelier, there is "no friction here between ethnic groups...None. Period. Everyone is too busy living".<sup>2</sup>

**2. Please provide information on the treatment of Kurds in Turkey generally, and in Kurdish Hill a suburb of Gaziantep. Are they at risk of being harassed or ill-treated because they are characterised as being terrorists?**

Kurds are the largest minority group in Turkey, with an estimated 12 million throughout the country.<sup>3</sup> No information was found specifically relating to the treatment of Kurds in the Gaziantep suburb of Kurdish Hill, however, according to Human Rights Watch, the Turkish government "made little concrete progress towards realising its 2009 plan to improve the human rights of Kurds in Turkey".<sup>4</sup> This sentiment was echoed by Amnesty International, who concurred that little progress was made on enhancing human rights protections, citing reports of torture and ill-treatment.<sup>5</sup> In July 2010, workplaces and property belonging to Kurds were attacked in a number of towns, resembling similar ethnically-motivated attacks in recent years.<sup>6</sup>

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<sup>1</sup> 'Good news from an unlikely source: The Middle East' 2009, *Barga News* website, 17 November <http://www.barganews.com/2009/11/17/good-news-from-an-unlikely-source-the-middle-east/> – Accessed 28 February 2011 – Attachment 1

<sup>2</sup> 'Good news from an unlikely source: The Middle East' 2009, *Barga News* website, 17 November <http://www.barganews.com/2009/11/17/good-news-from-an-unlikely-source-the-middle-east/> – Accessed 28 February 2011 – Attachment 1

<sup>3</sup> 'Turkey' 2010, *Political Handbook of the World Online Edition*, [http://library.cqpress.com/phw/phw2010\\_Turkey](http://library.cqpress.com/phw/phw2010_Turkey) – Accessed 4 June 2010 – Attachment 2

<sup>4</sup> Human Rights Watch 2011, *World Report 2011*, 24 January <http://www.hrw.org/en/world-report-2011/turkey> – Accessed 31 January 2011 – Attachment 3

<sup>5</sup> Amnesty International 2010, p.328 *Amnesty International Annual Report 2010 – Turkey* – Attachment 4

<sup>6</sup> Human Rights Watch 2011, *World Report 2011*, 24 January <http://www.hrw.org/en/world-report-2011/turkey> – Accessed 31 January 2011 – Attachment 3

In November 2010, parliament discussed an initiative aimed at addressing the human rights concerns of Kurdish citizens, as well as ending the conflict with the Kurdistan Workers' Party (PKK); the government indicated steps to enhance human rights protections but provided no timeline for implementation.<sup>7</sup> While Turkish law provides for freedom of speech and of the press, the government limits these freedoms in some cases. In some instances individuals have been unable to publicly criticise the state or government for fear of criminal charges, and the government has restricted expression by individuals sympathetic to some religious, political and Kurdish nationalist or cultural viewpoints.<sup>8</sup> Authorities also routinely censor media with pro-Kurdish or leftist content by confiscating materials or temporarily closing down the media source.<sup>9</sup>

Turkish law provides a single nationality designation for all citizens and does not recognise national, racial or ethnic minorities. While millions of Turkish citizens identified themselves as Kurds and spoke Kurdish, Kurds who publicly or politically asserted their Kurdish identity risked censure, harassment or prosecution.<sup>10</sup> Freedom House stated that minorities in Turkey – including Kurds – have faced restrictions on language, culture and freedom of expression, and “alleged collaboration with the PKK is still used as an excuse to arrest Kurds who challenge the government”.<sup>11</sup>

Kurds in Turkey can be at risk of being harassed or ill-treated, and can be tarred with the terrorist brush, due to general perceptions associating them with the PKK. Turkish courts continue to use terrorism laws to prosecute hundreds of demonstrators considered to be PKK supporters as if they were the group's armed militants, with most spending prolonged periods in detention.<sup>12</sup>

The US Department of State (USDOS) cited an October 2008 report by the Societal and Legal Research Foundation that reported an increase in torture cases during 2008. Of 275 credible reports of torture between 2006 and 2008, the report found 210 of the victims were ethnic Kurds.<sup>13</sup>

### **3. Please provide information on the major political parties in Turkey and in particular whether there are “pro-Kurdish parties”.**

**Current governing party:**

**Justice and Development Party (*Adalet ve Kalkınma Partisi* – AKP)**

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<sup>7</sup> Amnesty International 2010, p.328 *Amnesty International Annual Report 2010 – Turkey* – Attachment 4

<sup>8</sup> US Department of State 2010, *Country reports on Human Rights Practices 2009 – Turkey*, March, Section 2.a – Attachment 5

<sup>9</sup> US Department of State 2010, *Country reports on Human Rights Practices 2009 – Turkey*, March, Section 2.a – Attachment 5

<sup>10</sup> US Department of State 2010, *Country reports on Human Rights Practices 2009 – Turkey*, March, Section 6 – Attachment 5

<sup>11</sup> Freedom House 2010, *Freedom in the World – Turkey (2010)*, June

<http://www.freedomhouse.org/template.cfm?page=22&year=2010&country=7937> – Accessed 10 September 2010 – Attachment 6

<sup>12</sup> Human Rights Watch 2011, *World Report 2011*, 24 January <http://www.hrw.org/en/world-report-2011/turkey> – Accessed 31 January 2011 – Attachment 3

<sup>13</sup> US Department of State 2010, *Country reports on Human Rights Practices 2009 – Turkey*, March, Section 1.c – Attachment 5

The AKP was launched in August 2001 as a moderate religious, centre-right party. In November 2002, the AKP won 34.3 per cent of the vote and 363 legislative seats. AKP President Recep Tayyip Erdoğan's previous ineligibility to run for election was overturned when parliament approved a change to the constitution that allowed a by-election in March 2003. A few days later, he was named prime minister.<sup>14</sup>

In 2007, the July election gave Erdoğan the chance to shift the party toward the centre, and more than 150 MPs from the party's Islamist wing were removed from AKP candidate lists. The new party lists included prominent liberal secularists, academics, and young professionals. The party improved its margin by more than 12 per cent over the previous election. In March 2007, the chief prosecutor of the Court of Cassation sought to shut down the AKP because of the party's alleged anti-secular activities. A ruling by the Constitutional Court in 2008 upheld the party's viability.<sup>15</sup>

### **Current opposition parties:**

#### **Republican People's Party (*Cumhuriyet Halk Partisi* – CHP)**

The CHP is a left-of-centre party founded in 1923. It was dissolved in 1981 and reactivated in 1992 by 21 MPs who resigned from the Social Democratic People's Party (*Sosyal Demokrat Halkçı Parti* – SHP). The CHP absorbed the SHP on February 18, 1995. In the November 2002 elections the CHP won 19.3 per cent of the vote and 178 legislative seats, thus becoming the main opposition party. In October 2004, the New Turkey Party (*Yeni Türkiye Partisi* – YTP) merged with the CHP.<sup>16</sup>

The CHP led secularist reaction against the candidacy of Abdullah Gül, culminating in several large "Republican Demonstrations" in spring 2007. The party was accused of swapping its leftist identity for a nationalist platform and identifying itself with the military establishment. The CHP continued its opposition by appealing to the Constitutional Court against AKP parliamentary decisions, such as the proposed constitutional amendment to allow women to wear headscarves in universities. CHP's identification with the most radical elements of the bureaucracy was revealed in its fierce opposition to the "Ergenekon" investigations, which it saw as an AKP ploy to rout political opponents.<sup>17</sup>

#### **Nationalist Action Party (*Milliyetçi Hareket Partisi* – MHP)**

Until 1969, the ultra-nationalist MHP was known as the Republican Peasant Nation Party (*Cumhuriyetçi Köylü Millet Partisi* – CKMP), formed in 1948 by conservative dissidents from the old Democratic Party. The MHP dissolved following the 1980 military coup. After 1983, its sympathisers regrouped under a number of guises before reassuming the MHP title in 1992. The MHP's extremist youth wing, members of which were known as

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<sup>14</sup> 'Turkey' 2010, *Political Handbook of the World Online Edition*, [http://library.cqpress.com/phw/phw2010\\_Turkey](http://library.cqpress.com/phw/phw2010_Turkey) – Accessed 4 June 2010 – Attachment 2

<sup>15</sup> 'Turkey' 2010, *Political Handbook of the World Online Edition*, [http://library.cqpress.com/phw/phw2010\\_Turkey](http://library.cqpress.com/phw/phw2010_Turkey) – Accessed 4 June 2010 – Attachment 2

<sup>16</sup> 'Turkey' 2010, *Political Handbook of the World Online Edition*, [http://library.cqpress.com/phw/phw2010\\_Turkey](http://library.cqpress.com/phw/phw2010_Turkey) – Accessed 4 June 2010 – Attachment 2

<sup>17</sup> 'Turkey' 2010, *Political Handbook of the World Online Edition*, [http://library.cqpress.com/phw/phw2010\\_Turkey](http://library.cqpress.com/phw/phw2010_Turkey) – Accessed 4 June 2010 – Attachment 2

the Grey Wolves, remained proscribed, although similar activities were reportedly carried out under semi-official youth clubs.<sup>18</sup>

The party benefited from rising nationalist sentiment, which was bolstered by the Iraq crisis and deteriorating EU-Turkey relations. The MHP supported the constitutional amendment proposed by the AKP to allow women to wear headscarves in universities. This enabled the swift passage of the amendment, which was later annulled by the Constitutional Court. While the party was less opposed to the AKP and avoided siding with the radical portion of the bureaucracy in its struggle against the AKP, it maintained a nationalist stance, notably in the country's disputes with Armenia and Cyprus.<sup>19</sup>

### **Other legislative parties:**

#### **Democratic Left Party (*Demokratik Sol Parti – DSP*)**

The DSP, a centre-left populist formation, was formed in March 1984. In June 1998, the party became a junior partner in a coalition government which also included the DTP. After the coalition government collapsed in November 1998, the DSP formed a minority government that ruled the country until the early elections of April 18. The DSP became the largest party in that balloting with 22 per cent of the votes and 136 seats.<sup>20</sup>

In 2002 rifts were reported in the party, and some prominent members resigned to form the YTP. The DSP suffered a major electoral defeat in November 2002, receiving only 1.2 per cent of the vote and no legislative seats. The DSP struck an electoral alliance with the CHP on May 18, 2005. Thirteen DSP members of parliament were elected on the CHP ticket in the 2007 parliamentary balloting. These members withdrew from the CHP during the first parliamentary session to form an independent DSP parliamentary group.<sup>21</sup>

#### **Democratic Society Party (*Demokratik Toplum Partisi – DTP*)**

The pro-Kurdish DTP was formerly known as the Democratic People's Party (*Demokratik Halk Partisi – DEHAP*), which was launched in January 1999 by former members of the People's Democracy Party (*Halkin Demokrasi Partisi – HADEP*). Based on concerns that the DEHAP would be banned by the Constitutional Court, the DTP was launched reportedly as a pre-emptive "successor" to the party. Since then, all DEHAP mayors, members, and leaders have entered the DTP.<sup>22</sup>

In an attempt to circumvent the 10 per cent electoral threshold, which had prevented it from obtaining legislative representation in the past, the DTP decided to abstain from the 2007 elections and support party members who would formally resign their membership

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<sup>18</sup> 'Turkey' 2010, *Political Handbook of the World Online Edition*,

[http://library.cqpress.com/phw/phw2010\\_Turkey](http://library.cqpress.com/phw/phw2010_Turkey) – Accessed 4 June 2010 – Attachment 2

<sup>19</sup> 'Turkey' 2010, *Political Handbook of the World Online Edition*,

[http://library.cqpress.com/phw/phw2010\\_Turkey](http://library.cqpress.com/phw/phw2010_Turkey) – Accessed 4 June 2010 – Attachment 2

<sup>20</sup> 'Turkey' 2010, *Political Handbook of the World Online Edition*,

[http://library.cqpress.com/phw/phw2010\\_Turkey](http://library.cqpress.com/phw/phw2010_Turkey) – Accessed 4 June 2010 – Attachment 2

<sup>21</sup> 'Turkey' 2010, *Political Handbook of the World Online Edition*,

[http://library.cqpress.com/phw/phw2010\\_Turkey](http://library.cqpress.com/phw/phw2010_Turkey) – Accessed 4 June 2010 – Attachment 2

<sup>22</sup> 'Turkey' 2010, *Political Handbook of the World Online Edition*,

[http://library.cqpress.com/phw/phw2010\\_Turkey](http://library.cqpress.com/phw/phw2010_Turkey) – Accessed 4 June 2010 – Attachment 2

to run as independent candidates. Subsequently, 22 of these candidates were elected, and 20 of them formed the DTP parliamentary group in the first parliamentary session. The presence of DTP parliamentarians presented an opportunity to reconsider Turkey's Kurdish question.<sup>23</sup>

On November 16, 2007, the chief prosecutor of the Court of Cassation sought to close the DTP, claiming it was “a focal point of activities aiming to damage the independence of the state and the indivisible integrity of its territory and nation”. As the DTP failed to draw a clear line between itself and the PKK, a rift developed between PKK sympathisers and social-democrats, who opposed terrorism. The party succeeded in restoring its electoral strength in south-eastern and eastern Turkey in the March 2009 municipal elections.<sup>24</sup>

According to Human Rights Watch, the DTP was dissolved by the Constitutional Court in December 2009, for alleged separatist activities. Hundreds of officials from the DTP and its successor, the Peace and Democracy Party (BDP) faced trial for membership of the Union of Kurdistan Committee, and body connected with the PKK.<sup>25</sup>

### **Great Unity Party (*Buyük Birlik Partisi* – BBP)**

A nationalist Islamic grouping, the BBP was launched in 1993 by a number of dissident parliamentarians. The BBP won only 1.5 per cent of the votes in the general election of April 1999. In November 2002 the party received 1.1 per cent of the vote and no legislative seats. While the party did not present candidates in the 2007 parliamentary elections, its leader ran as an independent in the district of Sivas and was elected. In March 2009, he was killed in a helicopter crash.<sup>26</sup>

### **Liberty and Solidarity Party (*Özgürlük ve Dayanışma Partisi* – ÖDP)**

Backed by many leftist intellectuals, feminists, and human rights activists, the ODP was launched after the December 1995 election as a broad alliance of various socialist factions together with elements of the once powerful Dev-Yol movement. Some of the socialist groups, notably the United Socialist Party (*Birleşik Sosyalist Parti* – BSP), had contested the balloting as part of the HADEP bloc.<sup>27</sup>

## **4. Are Kurdish people prevented from speaking their native language?**

According to the Political Handbook of the World, a 1982 law banning the use of the Kurdish language in Turkey was rescinded in early 1991.<sup>28</sup> Restrictions regarding the use of Kurdish in Turkey continue to prevent the language being spoken “in schools,

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<sup>23</sup> ‘Turkey’ 2010, *Political Handbook of the World Online Edition*,

[http://library.cqpress.com/phw/phw2010\\_Turkey](http://library.cqpress.com/phw/phw2010_Turkey) – Accessed 4 June 2010 – Attachment 2

<sup>24</sup> ‘Turkey’ 2010, *Political Handbook of the World Online Edition*,

[http://library.cqpress.com/phw/phw2010\\_Turkey](http://library.cqpress.com/phw/phw2010_Turkey) – Accessed 4 June 2010 – Attachment 2

<sup>25</sup> Human Rights Watch 2011, *World Report 2011*, 24 January <http://www.hrw.org/en/world-report-2011/turkey> – Accessed 31 January 2011 – Attachment 3

<sup>26</sup> ‘Turkey’ 2010, *Political Handbook of the World Online Edition*,

[http://library.cqpress.com/phw/phw2010\\_Turkey](http://library.cqpress.com/phw/phw2010_Turkey) – Accessed 4 June 2010 – Attachment 2

<sup>27</sup> ‘Turkey’ 2010, *Political Handbook of the World Online Edition*,

[http://library.cqpress.com/phw/phw2010\\_Turkey](http://library.cqpress.com/phw/phw2010_Turkey) – Accessed 4 June 2010 – Attachment 2

<sup>28</sup> ‘Turkey’ 2010, *Political Handbook of the World Online Edition*,

[http://library.cqpress.com/phw/phw2010\\_Turkey](http://library.cqpress.com/phw/phw2010_Turkey) – Accessed 4 June 2010 – Attachment 2

parliament and other official settings on the grounds that it would divide the country along ethnic lines”.<sup>29</sup> In 2009, a Kurdish politician spoke in Kurdish in Parliament to “challenge the longtime cornerstone of Turkish policy toward its restive Kurdish population, a suppression of rights that has only began [sic] to ease in recent years”.<sup>30</sup> According to the *New York Times*, in 2009 the Turkish government announced a plan which would “allow the Kurdish language to be used in all broadcast media and political campaigns, and restore Kurdish names to cities and towns that have been given Turkish ones.”<sup>31</sup> The plan, to be debated by Parliament, would also establish a committee to fight discrimination.

In November 2009, the Turkish higher education authority approved a proposal to teach Kurdish at a university for the first time.<sup>32</sup> The Turkish government had previously permitted private language schools to teach Kurdish, and has allowed the operation of Kurdish-language radio stations, in addition to a 24-hour state-run Kurdish television station launched in January 2009.<sup>33</sup> Also in November 2009, a regulation came into effect “allowing Kurdish prisoners to communicate with visitors in their native language”.<sup>34</sup>

Reporters Without Borders (RSF) noted in 2009 that, notwithstanding the Turkish government’s progress in lifting restrictions on the use of the Kurdish language, its “impact will be very limited as long as the media cannot tackle Kurdish issues without risking persecution”.<sup>35</sup> RSF cited Turkish legislation, particularly criminal code 301, which imposed restrictions on democratic debate by defining verboten subjects for discussion. These included discussions on the armed forces, police, the judicial system, torture, secularism and the republic’s founder, Mustafa Kernal Atatürk.<sup>36</sup>

##### **5. Please provide information on the HADEP and whether a member of the Youth Branch of that party is likely to be targeted for harm.**

The People’s Democracy Party (*Halkin Demokrasi Partisi* – HADEP) was established in 1994 and was the only legal political party permitted to represent Kurdish interests. HADEP was banned by the Constitutional Court in March 2003 on charges of “separatism

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<sup>29</sup> ‘Kurdish spoken in challenge to Turkey’ 2009, MSNBC [Source: *Associated Press*], 24 February [http://www.msnbc.msn.com/id/29371366/ns/world\\_news-europe/](http://www.msnbc.msn.com/id/29371366/ns/world_news-europe/) – Accessed 28 February 2011 – Attachment 7

<sup>30</sup> ‘Kurdish spoken in challenge to Turkey’ 2009, MSNBC [Source: *Associated Press*], 24 February [http://www.msnbc.msn.com/id/29371366/ns/world\\_news-europe/](http://www.msnbc.msn.com/id/29371366/ns/world_news-europe/) – Accessed 28 February 2011 – Attachment 7

<sup>31</sup> ‘Turkey Plans to Ease Restrictions on Kurds and Help End Decades of Conflict’ 2009, *New York Times*, 13 November <http://www.nytimes.com/2009/11/14/world/europe/14kurds.html> – Accessed 28 February 2011 – Attachment 8

<sup>32</sup> ‘Kurdish, once banned, to be taught in Turkey’ 2009, Kurdish Academy of Language [Source: *Associated Press*], 9 November <http://www.kurdishacademy.org/?q=node/621> – Accessed 28 February 2011 – Attachment 9

<sup>33</sup> ‘Kurdish, once banned, to be taught in Turkey’ 2009, Kurdish Academy of Language [Source: *Associated Press*], 9 November <http://www.kurdishacademy.org/?q=node/621> – Accessed 28 February 2011 – Attachment 9

<sup>34</sup> ‘Turkey Plans to Ease Restrictions on Kurds and Help End Decades of Conflict’ 2009, *New York Times*, 13 November <http://www.nytimes.com/2009/11/14/world/europe/14kurds.html> – Accessed 28 February 2011 – Attachment 8

<sup>35</sup> ‘Media allowed to use Kurdish language but still forbidden to discuss Kurdish issues freely, says RSF’ 2009, International Freedom of Expression Exchange website [Source: *Reporters Without Borders*], 24 November [http://www.ifex.org/turkey/2009/11/24/restrictions\\_lifted/](http://www.ifex.org/turkey/2009/11/24/restrictions_lifted/) – Accessed 28 February 2011 – Attachment 10

<sup>36</sup> ‘Media allowed to use Kurdish language but still forbidden to discuss Kurdish issues freely, says RSF’ 2009, International Freedom of Expression Exchange website [Source: *Reporters Without Borders*], 24 November [http://www.ifex.org/turkey/2009/11/24/restrictions\\_lifted/](http://www.ifex.org/turkey/2009/11/24/restrictions_lifted/) – Accessed 28 February 2011 – Attachment 10

and supporting terrorism” for its alleged links to and support of the Kurdistan Workers’ Party (PKK), although it has denied these accusations.<sup>37</sup>

While there were numerous examples of the arrest and detention of members of the HADEP Youth Commission during its existence,<sup>38</sup> no information could be found suggesting that membership in the Youth Commission would have made an individual more of a target for harm than regular HADEP members.

According to the International Helsinki Federation for Human Rights, in February 2003 police detained two members of the youth section of HADEP, who were taken to a police station and interrogated about the spread of propaganda for a pro-Kurdish organisation. While one of the men was released, the other was reportedly remanded and tortured in detention, with police unsuccessfully attempting to coerce him into becoming an informer.<sup>39</sup>

A 2002 report by the Netherlands delegation of the European Union Council indicates “large numbers of HADEP members were arrested” and mistreated in 2001, on charges of “separatist propaganda and supporting the PKK”. While membership of HADEP was not an offence at the time, members were often prosecuted for “activities or comments construed by the authorities as separatist in nature”. Furthermore, “HADEP sympathisers who make their sympathies clearly known may also face harassment by local authorities and security forces, particularly in south-east Turkey”.<sup>40</sup>

## **6. Please provide information on Newroz Celebrations and is there information that anyone was beaten by police at the 2000 Newroz Celebrations?**

Newroz, as traditionally celebrated by Turkish Kurds, represents the start of the New Year and the arrival of spring. The holiday is also considered to be a symbol of freedom and of the Kurdish struggle for justice.<sup>41</sup> According to akakurdistan.com, celebrating Newroz was illegal in Turkey until 1995.<sup>42</sup> The Washington Report of Middle East Affairs stated Newroz has often been a flashpoint for ethnic tensions.<sup>43</sup> Newroz celebrations have attracted violence in recent years, and Newroz Day has “become a platform for the Kurdish community to demand broader rights and voice support for the outlawed

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<sup>37</sup> ‘Turkey cracks down on Kurdish parties’ 2003, *Dawn*, 13 March  
<http://archives.dawn.com/2003/03/14/top7.htm> – Accessed 10 December 2010 – Attachment 11

<sup>38</sup> ‘2001 Freedom of Association’ 2001, Human Rights Foundation of Turkey website,  
[http://www.tuerkeiforum.net/enw/index.php/2001\\_Freedom\\_of\\_Association](http://www.tuerkeiforum.net/enw/index.php/2001_Freedom_of_Association) – Accessed 28 February 2011 – Attachment 12

<sup>39</sup> International Helsinki Federation for Human Rights 2003, ‘Report focused on torture and inhuman and degrading treatment or punishment in selected Osce states’, European Country of Origin Information Network website, 7 November <http://www.ecoi.net/190288::trkei/328810.327884.9806...eth.327896/prosecution-of-hadep-dehap-members-and-sympathizers.htm> – Accessed 10 December 2010 – Attachment 13

<sup>40</sup> Netherlands Delegation of the Council of the European Union 2002, ‘Official general report on Turkey’, January, European Country of Origin Information Network website, p.134  
[http://www.ecoi.net/file\\_upload/1329\\_1202731567\\_nz117-00840tur.pdf](http://www.ecoi.net/file_upload/1329_1202731567_nz117-00840tur.pdf) – Accessed 10 December 2010 – Attachment 14

<sup>41</sup> ‘Peaceful Kurdish New Year ‘Newroz’ Celebrations in Turkey 2010, Kurd.net website, 22 March  
<http://www.ekurd.net/mismas/articles/misc2010/3/turkey2588.htm> – accessed 28 February 2011 – Attachment 15

<sup>42</sup> ‘Newroz, Kurdish New Year in Turkey’ 1998, akakurdistan.com website, March  
<http://www.akakurdistan.com/kurds/stories/onnik2/index.html> – accessed 28 February 2011 – Attachment 16

<sup>43</sup> Gorvett, J. 2005, *Washington Report on Middle East Affairs* – *Talking Turkey*, July, pp42-43  
[http://www.wrmea.com/archives/July\\_2005/0507042.html](http://www.wrmea.com/archives/July_2005/0507042.html) – Accessed 21 December 2009 – Attachment 17

Kurdistan Workers' Party (PKK)".<sup>44</sup> In 2010, Prime Minister Recep Tayyip Erdogan appealed for reconciliation, asking that the traditional Newroz bonfires be used to signify "the light of love, friendship and fraternity and not the fire of violence and hatred".<sup>45</sup>

While no information was found regarding specific instances of police beatings at the 2000 Newroz celebrations, the then-chair of a HADEP branch in Gaziantep, Ritvan Ozer claims his two daughters were arrested and detained for a night in custody after lighting a traditional Newroz fire in their garden on 21 March 2000. While in custody, they were pressured by the gendarmerie to sign documents saying their father had given them military and political training. Ozer himself was taken into custody the next day, where he claims he was held for two nights and was allegedly beaten.<sup>46</sup>

In 2001, more than 100 people were detained in Istanbul after police fired shots into the air to disperse the demonstrators who had reportedly disrupted traffic and damaged car and shop windows.<sup>47</sup> Dozens of Newroz 2002 demonstrators were wounded when police used truncheons, tear gas, a water cannon and plastic bullets to disperse the crowd.<sup>48</sup>

## **7. Please confirm whether the HADEP was banned by the Turkish Court of Constitution and DEHAP became the new party for Kurds?**

According to the Political Handbook of the World, the Democratic People's Party (*Demokratik Halk Partisi* – DEHAP) was launched in January 1999 by former members of the People's Democracy Party (*Halkin Demokrasi Partisi* – HADEP).<sup>49</sup> Both parties co-existed with essentially the same membership<sup>50</sup> until 2003, when the Constitutional Court banned HADEP for aiding and supporting separatist Kurdistan Workers' Party (PKK) rebels.<sup>51</sup> In 2003, the Kurdish Human Rights Project reported that HADEP campaigned under DEHAP in the 2002 general election in anticipation of the ban.<sup>52</sup>

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<sup>44</sup> 'Turkey's Kurds celebrate Newroz under tight security' 2010, Ekathimerini website [Source: *Agence-France Presse*], 22 March [http://archive.ekathimerini.com/4dcgi/w\\_articles\\_world\\_1\\_22/03/2010\\_115797](http://archive.ekathimerini.com/4dcgi/w_articles_world_1_22/03/2010_115797) – Accessed 28 February 2011 – Attachment 18

<sup>45</sup> 'Turkey's Kurds celebrate Newroz under tight security' 2010, Ekathimerini website [Source: *Agence-France Presse*], 22 March [http://archive.ekathimerini.com/4dcgi/w\\_articles\\_world\\_1\\_22/03/2010\\_115797](http://archive.ekathimerini.com/4dcgi/w_articles_world_1_22/03/2010_115797) – Accessed 28 February 2011 – Attachment 18

<sup>46</sup> McDowall, D. 2002, 'Asylum Seekers from Turkey II', Asylum Aid, European Country of Origin Information Network website, November, p.109 [http://www.ecoi.net/file\\_upload/ds497\\_02652tur.doc](http://www.ecoi.net/file_upload/ds497_02652tur.doc) – Accessed 10 December 2010 – Attachment 19

<sup>47</sup> McDowall, D. 2002, 'Asylum Seekers from Turkey II', Asylum Aid, European Country of Origin Information Network website, November, p.84 [http://www.ecoi.net/file\\_upload/ds497\\_02652tur.doc](http://www.ecoi.net/file_upload/ds497_02652tur.doc) – Accessed 10 December 2010 – Attachment 19

<sup>48</sup> McDowall, D. 2002, 'Asylum Seekers from Turkey II', Asylum Aid, European Country of Origin Information Network website, November, p.84 [http://www.ecoi.net/file\\_upload/ds497\\_02652tur.doc](http://www.ecoi.net/file_upload/ds497_02652tur.doc) – Accessed 10 December 2010 – Attachment 19

<sup>49</sup> 'Turkey' 2010, *Political Handbook of the World Online Edition*, [http://library.cqpress.com/phw/phw2010\\_Turkey](http://library.cqpress.com/phw/phw2010_Turkey) – Accessed 4 June 2010 – Attachment 2

<sup>50</sup> Prusher, I. 2003, 'War memories haunt Turkey's Kurds', *The Christian Science Monitor*, 3 April <http://www.csmonitor.com/2003/0403/p09s01-woeu.html#> – Accessed 30 September 2009 – Attachment 20

<sup>51</sup> 'Turkey cracks down on Kurdish parties' 2003, *Dawn*, 13 March <http://archives.dawn.com/2003/03/14/top7.htm> – Accessed 10 December 2010 – Attachment 11

<sup>52</sup> 'Turkey Breaks EU Promises: HADEP is closed' 2003, Kurdish Human Rights Project website, 14 March <http://www.khrp.org/khrp-news/news-archive/2003-news/110-turkey-breaks-eu-promises-hadep-is-closed.html> – Accessed 28 February 2011 – Attachment 21

DEHAP was banned in 2005, again for alleged ties with the PKK, and changed its name to the Democratic Society Party (DTP).<sup>53</sup>

**8. Is there any information to suggest that a Kurd in Turkey might be terminated from employment because of their political activities?**

No information was found to suggest a Kurd in Turkey might be terminated from employment because of their political activities.

**9. Is there information to suggest the police had members of the DTP under surveillance during the general election of July 2007?**

No information was found to suggest the police had members of the DTP under surveillance during the general election of July 2007.

**10. Is there any information that the police raid the houses of members of the DTP and that the police take such members to the anti-terror unit of police headquarters? Is there any evidence that the police torture people when they interrogate them?**

Police are known to raid houses and offices of DTP members, as well as members of other opposition parties, particularly during the lead-up to elections. In 2009, Bianet.com reported the home of a DTP Mayor was raided by police in eastern Turkey on the grounds of “distributing a PKK statement”.<sup>54</sup> In separate raids of offices and homes in June 2009, 30 DTP members were also reportedly arrested.<sup>55</sup> In December 2009, anti-terror police reportedly conducted dawn raids on the homes of DTP members in 11 Turkish provinces, resulting in 43 people being detained and up to 31 arrests. The arrests were part of an ongoing investigation into suspected links between DTP party members and the PKK.<sup>56 57</sup> According to Human Rights Watch, from late February to early March 2007, security forces raided several DTP premises in a number of provinces, seizing documents and computers, and arbitrarily detaining party members and party executives.<sup>58</sup>

While no information was found regarding police specifically torturing DTP members during interrogation, it is widely accepted that historically, Turkish security forces have been known to use interrogation methods inconsistent with globally accepted standards. This has been acknowledged and addressed by the Turkish government in recent years. In 2007, Human Rights Watch said “[r]eports of torture and ill-treatment remain much lower

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<sup>53</sup> Sansal, B. (undated), ‘Political parties in Turkey’, All About Turkey website

<http://www.allaboutturkey.com/parti.htm> – Accessed 16 December 2010 – Attachment 22

<sup>54</sup> ‘Police Raid of DTP Mayor Sahin’s Home’ 2009, Bianet News in English website, 30 September

<http://bianet.org/english/minorities/117348-police-raid-of-dtp-mayor-sahins-home> – Accessed 2 March 2011 – Attachment 23

<sup>55</sup> ‘Police Raid of DTP Mayor Sahin’s Home’ 2009, Bianet News in English website, 30 September

<http://bianet.org/english/minorities/117348-police-raid-of-dtp-mayor-sahins-home> – Accessed 2 March 2011 – Attachment 23

<sup>56</sup> ‘Turkish Police Arrest 31 Suspected Kurdish Separatists’ 2009, Voice of America website, 24 December

<http://www.voanews.com/english/news/europe/Turkish-Police-Arrest-31-Suspected-Kurdish-Separatists-80071427.html> – Accessed 2 March 2011 – Attachment 24

<sup>57</sup> ‘Turkish police round up Kurdish party members’ 2009, *Reuters*, 24 December

<http://www.reuters.com/article/2009/12/24/us-turkey-kurd-idUSTRE5BN1ZL20091224> – Accessed 2 March 2011 – Attachment 25

<sup>58</sup> Human Rights Watch 2007, *Turkey: Human Rights Concerns in the Lead up to July Parliamentary Elections*, July, p.14 – Attachment 26

than in the 1990s, when torture was pandemic in police stations throughout Turkey, and especially in Turkey's anti-terror units".<sup>59</sup> In 2007, the USDOS reported "law enforcement and the judiciary increased pressure on members of the pro-Kurdish DTP. The most common tactic used was investigation and prosecution of DTP leaders for speaking in the Kurdish language or for making statements critical of the government".<sup>60</sup>

According to Amnesty International, widespread and often violent demonstrations took place throughout Turkey following the banning of the DTP by the Constitutional Court in 2009. After the protests, there were "allegations of excessive use of force by law enforcement officials and reports of hundreds of arrests of demonstrators".

**11. Is there any information indicating that towards the end of January 2010, police arrested many Kurds in Gaziantep and that they were tortured and threatened with killing if they did not cease their political activities?**

No information was found regarding the arrest of significant numbers of Kurds in Gaziantep towards the end of January 2010, or of torture or threats of death if they did not cease political activities.

According to the Human Rights Foundation of Turkey, however, Turkish officials commenced an operation in a number of cities against members and executives of the Peace and Democracy Party (BDP) on 5 January 2010, on the grounds that they were members of the Kurdistan Communities League/Assembly of Turkey (*Koma Ciwaken Kurdistan* – KCK/TM). Of the 60 individuals arrested in the operation, 20 were from Gaziantep province.<sup>61</sup>

According to media reporting from 22 January 2010, Turkish police raided several areas across the country and arrested at least 120 al-Qa'ida suspects. Officials stated that the suspects were planning to conduct suicide attacks against Turkish soldiers in Afghanistan and on police in Turkey. Among the suspects was the alleged head of the al-Qa'ida network in Gaziantep province.<sup>62</sup>

An article from the Support Kurds in Syria website reported that on 12 and 13 February 2010, "police arrested more than 100 people, most of them members of the Peace and Democracy Party". The arrests were reportedly part of on-going operations against the KCK, and were made in the cities of Adana, Diyarbakir, Van, Siirt, Batman, Mardin, Gaziantep, Sanliurfa, Mus and Istanbul.<sup>63</sup>

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<sup>59</sup> Human Rights Watch 2007, *Turkey: Human Rights Concerns in the Lead up to July Parliamentary Elections*, July, p.20 – Attachment 26

<sup>60</sup> US Department of State 2008, *Country Reports on Human Rights Practices 2007 – Turkey*, March, Section 2.a – Attachment 27

<sup>61</sup> 'Arrests and court cases against KCK/TM' (undated), Human Rights Foundation of Turkey website [http://www.tuerkeiforum.net/enw/index.php/Arrests\\_and\\_court\\_cases\\_against\\_KCK/TM](http://www.tuerkeiforum.net/enw/index.php/Arrests_and_court_cases_against_KCK/TM) – Accessed 1 March 2011 – Attachment 28

<sup>62</sup> 'Turkey Detains 120 Al-Qaeda Suspects in Raids' 2010, *Intelligence Quarterly*, 22 January <http://www.intelligencequarterly.com/2010/01/turkey-detains-120-al-qaeda-suspects-in-raids/> – Accessed 1 March 2011 – Attachment 29

<sup>63</sup> 'Dozens of Kurdish BDP Members Arrested – Again' 2010, Support Kurds in Syria website, 16 February <http://supportkurds.org/news/dozens-of-kurdish-bdp-members-arrested-again/> – Accessed 1 March 2011 – Attachment 30

## 12. Is there information that the police try to target political activists using “fascist” groups.

While no recent information could be found, there is a history of Turkish officials using ultra-nationalist right-wing groups – often youths – to target Kurdish activists. According to a 1999 report from Human Rights Watch, security forces involved in targeting the PKK have “seemingly cultivated a tight, if largely unofficial, relationship with ultra-nationalist right-wing groups, so-called “*ulkucu*”<sup>64</sup>.

A 1996 interview with a former member of the Grey Wolves (the extremist youth wing of the ultra-nationalist MHP), revealed that following the 1980 military coup, gaol *ulkucu* members were presented with an offer of cooperation, allegedly from a senior intelligence officer from the National Intelligence Organisation (MIT). According to the interviewee, they were individually told, “[I]et us send you to the Southeast. You will work there on our behalf. You will fight the PKK. You will be getting out of here (Ankara’s Mamak Military prison)”. When asked what would happen if the Grey Wolves were caught, the intelligence officer replied they would be permitted to escape.<sup>65</sup>

In 1996, students and lecturers at Istanbul University claimed *ulkucu* and plain-clothes police officers were collaborating in recent attacks on students. They alleged a group of approximately 15 ultra-right wing students armed with cleavers and pistols entered the campus and attacked students indiscriminately. After the attack, the gang reportedly sought refuge among a group of uniformed riot police who had watched the attack. Students said the gang leaders were not arrested. When students gathered the following day to march on the hospital to see their injured friends, they were reportedly stopped by police, with some arrests made. The following week, the alleged *ulkucu* leader again entered the campus with a group of right-wing students, carrying a Turkish flag. Left-wing students were attacked, resulting in several injuries. Police reportedly again watched the incident, allowing the attack to continue, and then allegedly assaulting and arresting eight left-wing students.<sup>66</sup>

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<sup>64</sup> Human Rights Watch 1999, *Violations of Free Expression in Turkey: Violence Against Journalists*, Human Rights Watch – Accessed 7 November 2006 – Attachment 31

<sup>65</sup> ‘They have used and discarded us’ 1996, *Turkish Daily News Online*, 14 November <http://arama.hurriyet.com.tr/arsivnews.aspx?id=-500660> – Accessed 24 February 2011 – Attachment 32

<sup>66</sup> ‘Istanbul University: Alleged Police-Ulkucu Collaboration Escalates Tensions’ 1996, *Turkish Daily News*, 13 December <http://arama.hurriyet.com.tr/arsivnews.aspx?id=-502244> – Accessed 1 March 2011 – Attachment 33

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