

PEACE AND DEMOCRACY PARTY

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Kurds are waiting for Government's Official Apology for the Roboski Massacre

The Roboski Massacre, which took place on 28th December 2011, is not the first tragedy Kurds have experienced. But those responsible for this massacre still have not been held to account. 34 civilians including 19 children from Roboski Village were killed by Turkish F16s. It is well known that the primary responsible authority for cross-border military operations is the Turkish Government. In other words, Prime Minister Recep Tayyip ERDOĞAN is responsible for this massacre.

Kurds are waiting for an official apology from the Turkish Government and the Prime Minister must be held to account before the public. When 9 Turkish citizens were killed by the Israeli Forces on board the Blue Marmara Ship on 31 May 2010, PM Erdoğan demanded an official apology from the Israeli Government. This is very clear example of the government's double standard in its treatment of the Kurds and Turks.



The International Criminal Court continues to investigate the massacre. But in Turkey, the official investigation process has been very slow and the prosecutors are not independent. Obviously, a thorough inquiry into the military hierarchy for bombardment missions, bombardment procedure, government's responsibilities, and careful investigation into Unmanned Aerial Vehicle (UAV) intelligence and witnesses' statements should take place. But to date no military officials have been interrogated by prosecutors.

According to recent reports by the Wall Street Journal, intelligence from an American UAV transmitted raw footage of the victims' movements to Turkish officials before the massacre at Roboski was sanctioned. The bombardment started without any confirmation from the local military bases near Roboski. Furthermore, the civilians who cross the border for trade (gas, cigarette and sugar) were well known to the local military base near the village. The villagers were paying money to commanders in the area for crossing the border for trade.

On the other hand, the Turkish media has been prevented from broadcasting the massacre. The press has been censored from criticizing the authorities or to investigate the reasons for the air strike. The independence of the press should not be compromised by censorship or government influence, and the official accounts given by the Turkish Government should be questioned by a free press and the public.

The Şakran Prison: A New Centre of Torture in Turkey

There has been rise in complaints made by prisoners at the newly constructed Aliğa/Şakran State Detention facilities in the province of Izmir in the short period time since their founding. While the construction of the prison was expected to be completed by the end of this year, the facilities have been opened for use by the state while still under construction due to the high number of arrests and detentions that have put the already



overcrowded Turkish State Prison system beyond official capacity. Thus, female inmates held in Buca, Bergama and Usak prisons were transferred to the incomplete Aliğa/Şakran facilities from 10.02.2012. The first complaints that were reported to us and other human rights organizations were from prisoners who were being forced to work on the construction of the prison itself. The complaints that followed were related to the larger human rights violations. When complaints of human rights violations made by prisoners intensified, our party commissioned our parliamentarian, Honorable Mr. Pervin Buldan to investigate these by meeting inmates in person and reporting his findings.

Based on conclusions made by our Parliamentarian as well as letters and reports sent by non-governmental organizations such as Contemporary Lawyers' Association (CHD), the Human Rights Association (IHD) as well as other civil society organizations, serious human rights violations appear to have taken place in the Şakran prison. These major human rights violations are as follows:

- During admission of prisoners to the facility, all inmates are forced to undress completely, including removing their undergarments.
- Those prisoners who refuse to remove their undergarments are assaulted, bitten, kicked on the ground, pulled by their hair and their undergarments are forcibly removed, exposing them for soldiers and guards to see.
- During searches, prisoners are harassed, stripped naked, touched in between their legs and breast regions against their will deliberately by hand; even though they are in prison, each time prisoners are transported to the court for trials, they are being searched 3-4 times.
- Prisoners' personal belongings that are transferred from other prisons to the facility are not given to them, specifically their daily clothes, shoes, slippers, medicines, personal care and cleaning products; as a result inmates are experiencing serious difficulties in their daily life.
- Although there is a serious dust threatening the health conditions in prison due to construction, general cleaning materials are not provided, causing hygienic conditions worsen, prisoners are forced to clean up the dust and material particles by their own efforts and on their own expense.
- Food supplies brought by prisoners are not granted them, per person food distributed to inmates are very low, due to shortage of supplies in the prison market and inadequate nutrition intake, prisoners are experiencing serious health problems and increased diseases.
- Since its opening the drinking water is not provided to prisoners and this violation of basic need and necessity still continues.

- Inmates on hunger strike demanding improvement in prison conditions are also not provided with sufficient drinking water, sugar and lemon, nor are they provided with vitamin B-1, all of which they are entitled to receive by right.
- An asthma patient is not given medication as a result experiencing health problems; another diabetic female inmate who require a special diabetic meal, still could not get a diabetic meal.
- Before the relocation, these prisoners are being forced to purchase items for respective personal use and communication tools from the shop managed by the state officials inside the state prison facilities that are more expensive than the new ones sold in the market.

These are violations that are have been reported and observed by our party.

Is important to note that the violations that have been taking place are not isolated incidents; rather they have become a matter of general concern. Our party receives letters of complaints and inmate reports from nearly all prisons in Turkey. Accordingly, it has been widely observed that the main reasons for these intense violations of prisoner rights occur due to the oppression and deliberate mistreatment of the Kurdish prisoners and unhealthy prison conditions. According to the official report prepared by the Prisons and Detention Offices, the total capacity of prisons in Turkey is 121,804 (<http://www.cte.adalet.gov.tr/kurumlar/cezainfazkurumlari.asp>). However currently 132,369 people are held in state detention facilities (http://www.cte.adalet.gov.tr/statistics/suc_gurubu.asp). Of these 54,782 are imprisoned.

In order to prevent torture and ill-treatment and bring the perpetrators to justice, our party have conducted investigations and provided reports to the official institutions in charge, however there has been no official response to our efforts yet, and no preventative measures have been taken by the official body in charge of regulating the state prison facilities.

Therefore the Peace and Democracy Party considers that the intervention of your institution is very important, in order to prevent these violations of basic rights in Turkish State Prisons and to hold Turkey responsible for honoring the international conventions such as the Convention on the Prevention of Torture and the European Convention on Human Rights, to which Turkey is a signatory, in order to fulfill its obligations.

For these reasons we would like to invite your institution to Turkey, to investigate and report the alleged basic human rights violations in Turkish prisons, specifically the Şakran prison.

The Women Question in Turkey Linked to AKP Government



AKP government that could not find solution to questions in many fields in turkey, didn't progress on women rights issue neither during its rulership. Even though the government announced effectual steps are taken about the women rights and the participation of women to the social life is supported by the state, the data shows the opposite.

The prime minister of AKP government imposes women to have at least three children. There is no provision for the women murders. For the cases about the violence against women, the courts generally decide the penal redaction to make allowance for impulse or good state of the offender. These kind of events cause women to lose their rights that has been gained with the struggle of years by the women rights defenders

Turkey that is currently the party to international conventions on women rights, the government adopts an attitude incompatible with the obligation on this issue and acts contrary to all international conventions signed by the Turkish state.

It is possible to see the results of the government's policies to discipline women in public and private sphere by the data of the former months.

-According to the data of last year the murder and violence against women rates increased by one thousand four hundred percent.

-A 13 year old child named N.Ç was raped by a number of men including several police, soldiers and public servants. At the last trial, the court decided that N.Ç was raped of her own accord.

-Women statue continued to take place at the rear lines in terms of education and employment as their representation in politics was less than 10 percent in the parliament. Only one female minister took part in the cabinet.



-Polygamy is brought up by the authorities, for instance, AKP's mayor of Rize suggested the Kurdish girls as a second wife for the Turkish man to solve the political question between Kurdish and Turkish societies.

-Although the murders of women is quite common, it appears to be simple, individual events in the society. Only in last May at least 15 women were killed in Turkey.

- According to planned legal arrangement it is planned, to withhold 15% out of mothers' wage to create a fund. This fund will be used for building kindergartens of their kids aged between. 0-5.

- Child marriage, forced marriage, murders of women, assault, harassment, the social pressure on women gender is normalized in Turkey.

-Finally the comments of government authorities showed misogynist attitudes of the state that emphasizes women don't own their bodies. The Prime Minister Recep Tayyip Erdoğan explained medically necessary abortion and cesarean sections as murder

-Ignoring the woman's psychology, personality and body, Minister of Health Recep Akdağ declared that the state will take care of babies conceived of as a result of assault

-Revealing his hatred for women, AKP's Mayor of Ankara Metropolitan Municipality Melih Gökçek said "women should suicide instead of killing their babies via abortion.

However according to the "Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in accordance with Article 16.1 also signed by Turkey, "women have the right to decide the number of the children and the time to give birth"

The AKP government that announced to make new legal arrangement became the main actor of the politics exacerbates existing inequalities

Human Shield Actions by the Kurdish People



Peace and Democracy Party BDP continues to the struggle of peace and freedom just as the other Kurdish parties closed by the Supreme Court as well as the political system. More than 20 years, The Kurdish Political Movement that covers the time before banned parties, maintains political struggle to solve the problems, against nationalist-militarist mentality in Turkey.

As before, BDP still holds a series of actions and activities to stop the military operations and support social peace and dialogue. Human shields action is one of the activities of Peace and Democracy Party. Actions, which are often organized in partnership with the other civil society organizations, in the conflict regions, have been continued in 2012 as well.

Ongoing military operations, causes loss of lives and the continuation of human rights violations. The military power is being used extremely, limitless and unlawfully. According to claims chemical weapons were used, extrajudicial executions were carried out, the bodies of PKK militants were tortured and instead of giving the bodies to their families, they were stored under unhealthy condition for weeks. All this violence causes serious psychological and social problems in the society.

According to the data saved by Human Rights Association (IHD) monitoring human rights violation in Turkey, In Northern part of Kurdistan during the first 4 months of 2012 20 soldiers, 67 guerillas and 12 civilians were died, 44 soldiers and 4 guerillas were injured in the clashes. Meantime, nine thousand and nine hundred right violation linked to Kurdish question, resulted. Obtaining a peaceful ambiance first of all the military operations have to be stopped.

Human shield actions hold in the last one year

1st September World Peace Day human shield Action On 21st August 2011 A cross-border operation started against Kandil Mountain located in the southern part of Kurdistan and within that operation 7 civilians including 4 kids were killed during the air strike of Turkish army. To stop this operation, a human shield action was hold with the participation of BDP deputies, mayors, local authorities and members of different non-governmental associations.

On 27th August, on 9th day of action, the activists were stopped by the soldiers in Çukurca- Hakkari a city located in Eastern part of Turkey. The group of the activists was attacked with truncheons and gas bombs. A member of city council from BDP of Van province **Yıldırım Ayhan** was died after he was shot by a soldier, many other activists were injured.



On 26th April 2012 another alive shield action was organized against ongoing military operation in Şırnak (located in Southeast of Turkey/North Kurdistan). Ten thousand soldiers were transferred to the region. After the great military buildup in the battle area, the gas masks were distributed to the soldiers. This was the sign of using chemical weapons against guerillas. Thereupon, the components of Democratic Society Congress decided to hold a human shield action to stop the operations as well as solving the question in a democratic way

As Peace and Democracy Party we declare that our peaceful, social actions will go on for a peaceful environment in a “Democratic Turkey”. Despite all detentions, arrests’ and murders we will struggle to solve Kurdish question in a democratic way.

KCK OPERATIONS AGAINST KURDISH POLITICANS BDP CALLS FOR INTERNATIONAL SOLIDARITY

We, as BDP (Peace and Democracy Party) invite you to the forthcoming KCK Trial to be held at the court of special authority in Istanbul.

The trial is about the on-going KCK operations, which have resulted arrests and prosecutions of thousands of Kurdish politicians, lawyers, deputies, counselors, human rights activists, academics, journalists and many other activists working for the non-government organizations. While 35.117 people are imprisoned on charges of terrorism worldwide, 12.897 of these people are in Turkey. This example shows that Turkey occupies the head of the list about human rights violations, which are mostly Kurdish question-related.

It is more than enough to be able to understand how the AKP Government in Turkey is trying to suppress and imprison all the democratic sections of society and opponent powers, under the guise of ‘struggle against terrorism’. As it is known more than 7000 Kurdish people, including 6 parliamentarians, 34 mayors, and hundreds members of city council and executive members of the BDP



have been arrested. Concurrent and periodic police operations have been continuing since 14 April 2009 after the victory of the pro-Kurdish Democratic People’s Party in local elections. Although the prosecutions are said, by the authorities, to be a crackdown on the legal or civilian arm of the armed Kurdish liberation movement, the PKK, it has turned into political genocide against Kurds. To this end, the government has put no limit on the arrests till now. The police operations have widened and

included Kurdish lawyers, academicians, journalists, unionists and students. 41 lawyers have been imprisoned since 25 November 2011. Immediately after, another police operation was launched against Kurdish journalists and academicians. 36 journalists' houses and offices were concurrently raided by police on 10 December 2011. Just like the lawyers 36 journalists were sent to jail as well. In total, more than 70 Kurdish journalists have been imprisoned since April 2009. New police operations were launched against the Peace and Democracy Party and NGOs such as Human Rights Association (IHD) and Trade Union of Public Workers (KESK). Among the detainees, there is Ragıp ZARAKOLU, a brave publisher whose hands can only be associated with books and pens, who had endeavored to protect the free speech in a silent period after the coup era by publishing the books which nobody dared to publish. There is also E. Büşra ERSANLI, an academic who never gives in against difficulties and who has always tried to contribute without submitting to any of the two poles.

The most recent and serious incident is the campaign of arrest, launched on November 22, 2011, that targeted 39 lawyers from many different cities and one legal worker. They were taken into custody in Istanbul for their alleged membership to KCK under charges of "being the member of an illegal organization" and "directing an illegal organization". All were remanded into custody on November 26 after they had been interrogated at the Besiktas (Istanbul) 11th High Criminal Court. The lawyers, who had involved in the legal representation of PKK's imprisoned leader Abdullah Ocalan, have been accused of "passing orders of Abdullah Ocalan". The arrests included defense lawyers who are engaged in the main KCK trial handled by the 6th High Criminal Court in Diyarbakır. Formerly those lawyers declared that they cannot defend their clients while it is prohibited to speak Kurdish in the courts. Both the lawyers and the Diyarbakir Bar Association were warned several times by the court and the prosecutors about "committing a crime". On December 5, another lawyer was remanded into custody in the same criminal case.

We have to say that the cases of judicial harassment against lawyers who are just exercising their mission to provide the defense, are not new. But especially in the frame of this operation this situation is repeated frequently. Many lawyers suffer from judicial harassment because they defend their clients stand on trial for political reasons. Notably, lawyers who represent clients in anti-terrorism cases, face to vague provisions based on cases such as membership, supporting a terrorist organization. It is clear that the lawyers in Turkey are being prosecuted under the anti-terror code though their activities are perfectly legitimate and should not be considered as crimes. Even in military coups time there was not such a case that over thirty lawyers convicted with an operation. These lawyers have significantly and unquestionably contributed to the promotion and protection of human rights in general and those of their clients in particular.

Not only Kurdish politicians, but also Turkish democrats, lawyers, journalists, thousands of students and NGO members are being jailed by the AKP Government without any reasonable grounds. The Anti-Terror Law, Turkish Criminal Code and Law of Criminal Procedure especially allow prosecutors to arrest Kurds and opposition activists without any evidence. There is a KCK trial in every province in Turkey with a court of special authority. It's clear that none of the BDP members in jail are accused of being a part of violence. Only speeches on Kurdish Identity or attending democratic meetings are perceived as terrorist activity by the Turkish judicial system. Courts of special authority keep going of the illegitimate state security courts in Turkey. Therefore, thousands

of Kurds are in prison. The AKP government is trying to criminalize the BDP and its members through these arrests.

In conclusion it is imperative to increase the solidarity with those who are arrested in connection to KCK operations and internationalize their cases. We hope you would be able to attend these trials. Your observation and participation may lessen the injustices that are perpetuated by state!

If you are able to attend to the trial as an observer in the name of your institution, please let us know. If you need, we will provide an Interpreter during the trial. Please don't hesitate to contact us.

Contact mails: diplo.bdp@hotmail.com
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"KCK TRIALS IN ISTANBUL"

DEFENSE SIDE: Mr. Ragıp ZARAKOLU (Publisher), Prof. BÜSRA ERSANLI (Academic), journalists and BDP members in Istanbul

DATE: 2-12 July 2012

PLACE: 15th Court of Specially Authority

Silivri Açık Ceza İnfaz Kurumu, Silivri Ceza İnfaz Kurumları Kampüsü,
Semizkuşlar Mh.
Silivri, İstanbul, Turkey

DEFENSE SIDE: Kurdish Advocates

DATE: 16-17-18 July 2012

PLACE: 16th Court of Special Authority in Çağlayan / Istanbul

PROTOCOL OF SOLUTION TO THE KURDISH ISSUE ACCORDING TO THE 2nd PARTY CONGRESS OF BDP

1. All identities, cultures, languages and beliefs existing in Turkey should be constitutionally guaranteed and be clearly included in the constitution. Within this framework, a constitutional citizenship is the basis, without emphasizing any ethnic identity as a higher identity.
2. The constitution should guarantee the free use of a person's mother tongue, which should be allowed to be used in all areas of public life, without reserve. Mother tongue education should be recognized as a constitutional right.
3. The protection of cultures, their development and passing on to future generations has to be corresponded to as a public responsibility.
4. The state should be downsized and freedoms in civil areas should be broadened to pass to a decentralized government system. Such a system should recognize the full implementation of the will of the people by giving an end to all sorts of tutelage. In this context, the power of regional, provincial and municipality councils should be increased compared to the central administration together with the autonomy to be recognized at a regional level.
5. The constitution should guarantee the right of workers to association and to fight for their interests. The agreements of the International Labour Organization should be guaranteed by the constitution without any reserve.
6. All kinds of obstacles before women's participation in social, political, economic and cultural life should be lifted. Violence and discrimination against women should be recognized as crimes against humanity. Women rights should be defined in a special section of the constitution.
7. Freedom of expression, the right to association and press freedom should be regulated by the constitution based on the agreements of the European Convention on Human Rights and the United Nations.
8. Measures to protect the nature and prevent the destruction of the ecological balance must be guaranteed on a constitutional level.
9. The election threshold should be abolished and a new election law should be enacted with a new law on political parties.
10. Turkish criminal law should be re-enacted and the Anti-Terror Law should be removed.