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Signatory to the International Initiative, "Freedom for Abdullah Öcalan—Peace in Kurdistan"

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Mme Marija Pejčinović Burić

Secretary General of the Council of Europe

31st March 2021

Dear Madame Secretary General, Marija Pejčinović Burić,

Allow me to explain why I have decided to write an open letter to you.

In a way I see my letter to be a continuation of my visit to the Council of Europe in the spring of 2019 and the dialogue I took up with your office and the CPT at the time. This was in the wake of an International Peace Delegation to Turkey asking for an end to the aggravated isolation of imprisoned Kurdish leader Abdullah Öcalan and a resumption of peace negotiations between the Turkish authorities and the Kurdish community.

Since this time, one and a half years ago, I have been on two further fact finding missions to Turkey (the latter, in February of this year, being virtual due to Covid) with the same objective: Advocating respect for human rights and that peace negotiations with the Kurdish community to be resumed. As I will explain, a precondition for this to succeed is that Abdullah Öcalan be invited to the negotiating table.

The spark for writing this letter now, however, is news that has recently spread quickly on social media with rumours of Abdullah Öcalan's serious health condition, even demise. This was denied by the authorities, but could not be confirmed due to the solitary confinement of Öcalan at İmralı prison. This highlights the danger of keeping in the dark, in utter isolation, a political prisoner of the standing of Abdullah Öcalan.

Now back to spring 2019. In May that year I travelled to Strasbourg to meet with representatives of the office of your predecessor, the Secretary General of the Council of Europe, Thorbjørn Jagland, and the Executive Secretariat of the Committee for the Prevention of Torture (CPT). I was representing the 2019 International Peace Delegation to İmralı, which had visited Turkey earlier in the year.

This was at a critical moment in time. Tensions were rising, not the least in connection with a hunger strike which had started in Turkish prisons but was spreading outside the prison walls and internationally. By then more than 7000 people around the world had over a period answered the call of Ms. Leyla Güven, (HDP MP) who as of 7<sup>th</sup> November had, from her cell in Diyarbakır Prison, initiated a mass hunger strike to demand that the isolation of Abdullah Öcalan be ended.

Mr. Connor Hayes and I came to Strasbourg to directly convey our concerns and our findings from our recent visit to Turkey, where we had met with human rights organizations, Öcalan's legal team and, among others, Leyla Güven, who by then had been moved to her home in Diyarbakır. She reminded us that her hunger strike should not be seen *as an act of suicide, but rather an act of love for life; to be able to live with human dignity*. She added that the campaign was for a “*peaceful solution*” on the precondition that *Öcalan's isolation be ended and he invited to the negotiating table*.

We felt we had an obligation to bring Leyla Güven's words to Strasbourg, to the office of the Secretary General and the CPT in particular. We also felt it was our duty to express our dismay at the inactivity of the Council of Europe and the CPT.

As it happened our visit coincided with the visit of the CPT to İmralı Island, the first since April 2016.

We were well received at the Council of Europe. Even if it was not expressed directly, we were hopeful that changes could be expected. And indeed, soon news came that the Turkish authorities had lifted the ban on consultations between Öcalan and his lawyers, which by then had been in place for eight years. Now Öcalan was able to issue a statement which I believe is of historic importance.

It reads as follows:

*“There is a need for a deep social reconciliation in this historic process we are experiencing. There is an urgent need for a method of democratic negotiations, away from all kinds of polarization and the culture of conflict in the solution of problems. We can solve the problems in Turkey, and even in the region—first and foremost the war—with soft power; that is with intelligence, political and cultural power instead of tools of physical violence.*

*We believe that within the scope of the Syrian Democratic Forces (SDF), the culture of conflict should be avoided in relation to the problems in Syria; they should aim to convey their own position and situation to a solution based on a local democracy perspective that has constitutional guarantees within the framework of Syria's unity. In this context, there should also be an awareness of Turkey's sensibilities.*

*While we respect the resistance of friends inside and outside of prisons, we would like to emphasize that they should not take it to the level where they endanger their health or where it will result in death. For us, their mental, physical and spiritual health is paramount. We also*

*believe that the most meaningful approach is related to the development of a mental and spiritual stance.*

*In İmralı, we have the determination to continue what we expressed in the 2013 Newroz Declaration by further deepening and clarifying it.*

*For us, a dignified peace and democratic political solution are essential.*

*We pay tribute to all those who have expressed concern and took a stand in response to our stance in İmralı, and we would like to convey our immense gratitude.”*

### **Optimism was in the air**

In August 2020, the CPT published its report on the aforementioned visit to İmralı, in May the previous year. It stated that “*solitary confinement*” as practiced on İmralı Island was “**not acceptable**” and that steps to improve this situation should be taken “**without further delay.**” Furthermore, the CPT called upon, “*the Turkish authorities to carry out a complete overhaul of the detention regime...The CPT urges the Turkish authorities to take the necessary steps to ensure that all prisoners at İmralı Prison are effectively able, if they so wish, to receive visits from their relatives and lawyers. To this end, an end should be put to the practice of imposing a ban on family visits for ‘disciplinary’ reasons. Further, the Committee requests the Turkish authorities to provide—on a monthly basis—an account of the visits which all prisoners held at İmralı Prison have received from their family members and lawyers.*”

As the Secretary General is aware, the CPT report and recommendations of the Monitoring Committee to lift the isolation in İmralı and the resolutions of the Parliamentary Assembly of the Council of Europe on the same matter were completely ignored. In fact, the Turkish government responded **with bans on further visits, whether with family or lawyers, and the prohibition of telephone contact, thus further aggravating the isolation conditions.**

There were expectations that the CPT would make a point of making a strong protest when visiting Turkey at the beginning of the year. That, however, did not happen to the best of my knowledge.

We have received news that hunger strikes have begun again and are spreading, reflecting despair—but also anger and determination. This is a message to all of us reminding us of **our responsibility.**

Allow me to contribute with some personal observations. From the time when I was foreign news editor at Icelandic State Television in the late seventies and eighties until I became a Member of the Parliamentary Assembly of the Council of Europe in 2013, I followed with keen interest the Kurdish struggle for basic human rights, as well as for democratic and cultural rights. I was very conscious of the ways in which the character of this struggle changed over time, reminiscent of the struggle against apartheid in South Africa.

In a way it is symbolic that Abdullah Öcalan was abducted and imprisoned on İmralı Island in

1999, when he was on his way to South Africa at the invitation of President Nelson Mandela, who himself had been imprisoned and isolated from the world by a racist regime which labelled all resistance as terrorism and who, like Abdullah Öcalan, struggled for freedom, democracy and peace for his people and the world. It is important to remember that international pressure and resistance eventually won Mandela his freedom.

When I became a Member of the Parliamentary Assembly of the Council of Europe, I made a point of gathering information available in the Council of Europe on the Kurdish struggle. I then decided to visit the Kurdish regions of Turkey, and, in February 2014, I attended Newroz, the Kurdish New Year celebration, in Diyarbakır and met with politicians and human rights activists.

During this visit I could sense optimism everywhere I went. Since the previous year, there had been genuine peace efforts, which Abdullah Öcalan was taking part in from his prison cell. I listened to his message delivered to the crowds in Diyarbakır, as his words were blasted out over the loudspeakers. In a foreign language, it all sounded aggressive, but once translated, I understood that what I had taken for aggression was an urgent call for peace and an appeal to the Kurds to have the courage to negotiate a peaceful solution.

As we know this process came to an abrupt end in 2015, much to the disappointment and grief of the Kurds.

The world knows what then happened: terrible human rights abuses, hundreds of thousands driven from their homes, all well-documented by human rights organizations, and, indeed, on numerous occasions taken up in Council of Europe committees, and then, of course, carefully mapped out at the Permanent Peoples' Tribunal in Paris, in March 2018. The mandate of the Tribunal was, in particular, to investigate war crimes committed between June 2015 and December 2017 in several cities of Southeastern Anatolia, where the majority of the inhabitants were Kurdish. It was likewise to investigate state crimes (such as bombings, assassinations and kidnappings) committed since 2003 in Turkey and abroad that targeted representatives of the Kurdish movement, their press organs and institutions. The verdict, which was decisive, was introduced in the European Parliament in Brussels, in May 2018. The judgment of the Tribunal can be found using the following link: [http://permanentpeopletribunal.org/wp-content/uploads/2018/05/PPT\\_-edited-\\_-JUDGMENT\\_TURKEY\\_KURDS\\_-EN\\_Ml.pdf](http://permanentpeopletribunal.org/wp-content/uploads/2018/05/PPT_-edited-_-JUDGMENT_TURKEY_KURDS_-EN_Ml.pdf)

These developments explain why I agreed to be part of three İmralı delegations to Turkey, with the mission of advocating freedom for Öcalan, an end to the atrocities and a resumption of the peace process. I also became a signatory to *the International Initiative "Freedom for Abdullah Öcalan—Peace in Kurdistan."* As the former Minister of Justice in Iceland I also wrote to the Turkish Minister of Justice requesting a meeting with him. I never received an answer.

The İmralı delegations I have participated in have included a variety of people, including politicians, artists, journalists, writers and peace activists. Attached to this letter, you will find the names of the first signatories to the *International Initiative "Freedom for Abdullah Öcalan—Peace in Kurdistan."*

There have been several delegations, the first being led by the late Supreme Court Judge Essa Moosa, a close associate of Nelson Mandela.

On my first mission in early 2018, I visited the same places I had visited four years earlier, in 2014, during the peace process, and witnessed the change that had taken place. This made a deep impression on me.

The historic dimension in Abdullah Öcalan's words is that, after all these years, sealed off from the world and persecuted by isolation, the message remains one of conciliation, a call for a just peace and democracy, and for the power of compassion and spirituality. These are his words, and the Kurdish community heeds them, giving them immense political importance. It remains for this to be recognized within Turkey and in the international community. This is the language of Nelson Mandela, who nobody now doubts was kept all too long imprisoned by a brutal regime based on force and not on justice. History will, of course, judge, just as it did in Nelson Mandela's case, but it is the time for international institutions to act now.

I know very well the limitations faced by the CPT and the Secretary General of the Council of Europe in taking action against human rights abuses, but there must also be limits on inaction. Sometimes it is not sufficient to say that a situation is "*not acceptable*" when in fact it is such *that it should not under any circumstances be tolerated*.

The President of the European Court of Human Rights in Strasbourg visited Turkey last year at the invitation of Turkish authorities to be awarded an honorary medal. Am I allowed to ask the Secretary General of the Council of Europe how the bastion of human rights in Strasbourg is to honour the victims of those same authorities?

I strongly believe that a positive change in the situation of Abdullah Öcalan will contribute to stability, peace, the rule of law and democratization in Turkey, which is good for us all. The Council of Europe can play an important role in this regard.

Respectfully,



**Ögmundur Jónasson,**

Honorary Associate of the Parliamentary Assembly of the Council of Europe,  
Signatory to *the International Initiative "Freedom for Abdullah Öcalan—Peace in Kurdistan."*

**Attached:**

**2020 ASSESSMENT REPORT ON RIGHTS VIOLATIONS, DEVELOPMENTS AND  
THE CURRENT SITUATION IN IMRALI ISLAND PRISON  
STATEMENT BY THE INTERNATIONAL DELEGATION IMRALI 2021  
REPORT BY THE INTERNATIONAL DELEGATION IMRALI 2021**

<https://www.freeocalan.org/downloads>