

International solidarity plays a vital role in ensuring the freedom of political prisoners like Abdullah Öcalan

Öcalan's Isolation and Justice in Turkey – An Interview with Ibrahim Bilmez

The following is an interview given to Peace in Kurdistan by Ibrahim Bilmez, a solicitor of Asrin Law Office, in July 2021. Asrin Law Office serves to represent Abdullah Ocalan, the leader of the Kurdish freedom movement imprisoned on Imrali Island, as well as the other prisoners of Imrali Island, as well as numerous members of the HDP, and other human rights activists within Turkey. In this interview, Mr Bilmez provides an overview of the recent legal developments in Turkey, an update on the imprisonment conditions of Ocalan, and the importance of international solidarity efforts to realize freedom for Ocalan.

1. How do you evaluate the present situation within Turkey and in the region more broadly in terms of the possibilities for freedom for Ocalan and a peace process in Turkey?

If we are realistic, it does not appear possible to talk about a new process of resolution in these circumstances. However, to this it is necessary to add the possibility that in this country everything can change very quickly on account of the habitual and what has become almost a state culture of pragmatism and opportunism of the elites that rule Turkey. When talking about circumstances, I meant the following: Turkey has problems with almost all its neighbours. Wherever the Kurds get a chance to make a gain, Turkey sees this as an existential threat and intervenes. The developments in Rojava are the best example of this. Turkey sees the new life the Kurds there want to construct, using Mr Öcalan's alternative paradigm and ideas as a guide, including all the other peoples there, and the democratic autonomy they wish to build, as a threat and are doing their utmost to suffocate it. Turkey has not shied away from siding with reactionary, Salafi forces to oppose the peoples of Northern Syria who, the Kurds, Arabs, Turkmen, Armenians and Assyrians, sacrificed thousands of lives while defeating ISIS barbarism. Not content with this, it has taken advantage of the international conjuncture and contradictions between the global powers that have intervened in the region to occupy Afrin and other areas together with reactionary forces and the acquiescence of the Syrian government.

When we look at Iraq and South Kurdistan we encounter a similar situation. Turkey is launching constant military operations on land and in the air against the mountain regions where PKK guerrillas have their bases. And news agencies report that during these operations civilian settlements are frequently targeted with civilian casualties incurred.

The situation is little different within Turkey. Almost every day there are reports of new military operations. Dozens of Kurds and their friends are arrested on a daily basis and remanded in custody accused of being "terrorists". These people are HDP members and sympathisers, or human rights activists. To all these security policies we need to add the hate speech and othering discourse of, first and foremost, the President, and the officials of

the ruling bloc composed of the AKP and MHP. For this hateful rhetoric makes the Kurds and their friends an open target. We experienced the result of this toxic language a few weeks ago in Izmir when a crazed killer entered the HDP offices and murdered Deniz Poyraz, a defenceless woman. He murdered her in a ruthless way reminiscent of ISIS massacres. And, as always, so that the forces behind this political murder were not revealed, the perpetrator was only held in police detention for one day before being hurriedly remanded in custody before the evidence had even been properly gathered. The former Co-chairs of the HDP, the party of which Deniz Poyraz was a member, and dozens of the party's officials are being held in prison. As if it were not bad enough that they are being tried in numerous cases, they are also on trial in the Kafkaesque "Kobani Trial" as it is known. It is also necessary to add that the indictment prepared by the Chief Prosecutor of the Court of Cassation demanding the closing down of the HDP has been accepted by the Constitutional Court, signifying the formal opening of the trial.

Of course, it is necessary to place at the head of all these negative things, that which lies at the root of it, that is, the isolation that is being implemented on İmralı, which is not only unlawful but also inhuman. Really, there is a connection between the security policies I have mentioned above and the situation on İmralı, and to try to make a healthy political analysis in Turkey or try to find a solution to political-social problems without seeing this is like pushing a boulder up a steep hill. Yes, the most fundamental structural question in Turkey is the Kurdish question and this is closely linked to the isolation being imposed on İmralı. For the person being held on İmralı is no ordinary hostage! Abdullah Öcalan has become not only a gangrenous problem for Turkey, but for the entire Middle East. He has the will to resolve the Kurdish question and is perhaps the most powerful actor to have developed projects on this theme. And the Republic of Turkey has accepted the influence and strength of Mr Öcalan and sat at the table with him on numerous occasions within the framework of resolving this question. Mr Öcalan, who endeavours to evaluate the slightest opportunity for peace and a democratic solution, is being held in the severe conditions of isolation we discuss above as an 'award' for all his constructive efforts. And to claim it was not Turkish President Recep Tayyip Erdoğan who terminated the Dolmabahçe agreement, which was the final and highly important phase of the "process of resolution", and instead was our client Öcalan, makes the severe conditions imposed on him even worse, repugnant as they are both to political ethics and the principle of truth.

Mr Öcalan has on numerous occasions stated that his freedom is linked to a solution of the Kurdish question, adding that none of us, at home or abroad, can really be free as long as this matter is not resolved. The summary I have presented above demonstrates that on the state side there is no sign of an initiative to resolve the Kurdish question. However, as I said at the outset, it is necessary to bear in mind that everything can change very quickly in Turkey. The Kurdish people and their friends have the political awareness and experience to know that the more the struggle and solidarity grows, the quicker the negative situation in Turkey will change. For this reason, despite all the oppression and efforts at intimidation, the Kurdish people are continuing their struggle without let up, aware of the price they may pay.

2. What legal changes have been made within Turkey under Erdogan, and more recently under the AKP-MHP regime, and how have these affected the conditions of Ocalan in İmralı, the ability to contact Ocalan, and your work at Asrin Law Office?

Since Mr Öcalan was brought to Turkey on 15 February 1999, many laws have been introduced to restrict his rights. First and foremost, these laws breach the legal principle that special provisions shall not be enacted for one individual alone. In the past in the Turkish Parliament when such legislation was being debated, some deputies made comments such as: "Let's at least call these laws Öcalan laws", and these comments were documented. The aggravated life imprisonment provision, the provision whereby a state official may be present at a meeting of a lawyer with their client, and may record what is said, the prevention of certain lawyers representing Öcalan for a set period and the banning of detainees' right to see their legal representative are all examples of such laws. Over time these unlawful provisions have gone beyond the boundaries of İmralı, spreading all over Turkey and affecting sections of the population that never imagined they would be affected. Those who didn't object to the injustices heaped on Mr Öcalan and the Kurds began, in particular after the 'coup attempt' of 15 July 2016, to face these measures, too.

As a matter of fact, it would be possible to provide a much broader, more detailed reply to this question, but the problem is that there is no longer any motivation to comply even with these bad laws that were framed completely in contravention of fundamental legal principles. These legal changes were only brought in anyway as a legal cover for the unlawful measures being implemented. We have now reached the stage where it is not possible to talk about even the 'L' of legality. Both Turkey's own domestic laws and the provisions of international documents such as the European Convention on Human Rights have been entirely shelved. The principle of the rule of law only remains on paper. For this reason, we are unable to hear from either Mr Öcalan or our three Members of Parliament.

3. Can you tell us the details about the last contact made with Ocalan and what his message was, and additionally what you know about the current conditions of his isolation; for example, is he able to receive materials, such as letters or books, that people send him?

As I mentioned above, since we have not been able to contact him in any way we cannot confirm whether or not he has received any of the books, letters etc. that have been sent to him. From time to time we learn that hundreds of letters and cards have been sent to Mr Öcalan as part of campaigns organised in Turkey and outside. We also know that hundreds of prisoners in jails in Turkey have sent him letters. But we cannot verify that they have reached him. The fact Mr Öcalan has not replied to any of these letters leads us to believe that he has not received any of these letters and therefore has not been able to reply. As his lawyers, once a month we hand over books and magazines we think would interest him to officials at the Bursa Courthouse, but we have no way of learning whether they reach him.

While this absolute lack of communication continues, claims that Mr Öcalan had died began to circulate on social media on 14 March 2021. After we had made representations and as a result of growing reaction from public opinion, Mr Öcalan's brother was summoned to the Şanlıurfa Prosecutor's office to speak to his brother by telephone. After beginning a conversation, the call was terminated shortly after. During the short conversation our client was able to say he definitely wished to speak to his lawyers and that he did not accept this lawlessness. Thus, the government deputies' lie that "Öcalan doesn't want to meet his

lawyers,' was refuted by our client. This short telephone call was only our client's second telephone conversation since 15 February 1999. While prisoners serving the same sentence exercise their right to a phone call every fortnight, Mr Öcalan was only allowed this most recent call on account of concerns relating to his health during the Covid-19 pandemic.

4. What are the main focuses of the work you are doing now at the Asrin Law Office?

We apply every day to the Bursa Prosecutor's office and are following up legal procedures we launched here and in international mechanisms. For instance, after receiving a negative outcome to appeals we made to a higher court regarding a disciplinary infringement which we did not understand, we took the case to the Constitutional Court and the European Court of Human Rights. Although we cannot hold face to face meetings with the CPT we send them reports every three months. We are also continuing our efforts at the level of the Committee of Ministers of the Council of Europe to have Mr Öcalan's 'aggravated life sentence' changed after a European Court of Human Rights judgment to the effect that it is a sentence that breaches the prohibition on torture. Apart from that we participate in forums and public meetings to inform people of Mr Öcalan's condition and his isolation.

5. Can you tell us about the efforts, such as popular mobilizations and campaigns, that people within Turkey are undertaking now to realize freedom for Ocalan and a peace process?

Campaigns have been waged for the last 22 years for the removal of the severe conditions of isolation, a peaceful and democratic resolution of the Kurdish question and, consequently, the freedom of our client. For instance, between July 2005 and May 2006 a campaign under the slogan "Öcalan is my political will" was organised and around 3 and a quarter million signatures were collected. Another global campaign was run in September 2012, with the slogan "Freedom for Öcalan", and in 2015 a petition containing ten million signatures was presented to the Council of Europe. From time to time more specific campaigns are also organised. For instance, in May, 770 lawyers signed a petition calling for the ban on lawyers going to İmralı to be lifted.

The "We are marching against isolation, closure and massacres" campaign launched by the HDP on 1 July 2021 is continuing with press statements, protests, forums and public meetings. The hunger strikes in prison being conducted in rotation to protest against isolation and other rights abuses have been going on for over 220 days.

6. What sort of work are you at Asrin Law Office doing in collaboration with the Freedom for Ocalan Campaign and other legal organisations within Europe?

Since the pandemic broke out, we have unfortunately not been able to travel abroad, but from time to time we are able to participate in online forums, conferences and similar events. For instance, on 12 February 2021 I made a presentation at an online event in the UK. Prior to the pandemic we were often able to attend events during campaigns in various countries in Europe. On various dates we attended seminars under the auspices of the Council of Europe or the European Parliament, and once took part in a very useful seminar in the UK organised by the Freedom For Öcalan campaign featuring people like Simon Dubbins.

In 2018 when the hunger strikes were continuing we attended similar events in the UK Parliament.

7. How do you evaluate the efforts of the Freedom for Ocalan campaign in Europe, and in particular the UK Freedom for Ocalan trade union campaign? In your view, what impact are these efforts having on the situation regarding the possibility of Ocalan's release and creating the conditions for a peace process? Do you think these campaigns are the right place to focus our efforts in Europe, and do you have suggestions for other things that we can be doing?

International solidarity and support plays a really vital role in ensuring the freedom of political prisoners like Mr Öcalan, who has had all his rights suspended and is being virtually held hostage by a despotic state. Of course, what we mean by international solidarity is not the support of states that are part of the system of capitalist modernity that were involved in the international plot and still support absolute isolation, but the revolutionary support of peoples. For these states that have taken control of the written and visual media and even want to use the threat of punishment to suppress dissident voices on social media, it is very important that the oppression they inflict is not publicised. For what these states most fear is the synergy of the power created by the solidarity of peoples. In this context I think the campaigns carried out by the freedom for Öcalan initiative in European countries play a key role in the publicising of the 'truth' that states fear to the peoples of the world. For instance, when we told parliamentarians and officials of NGOs in European countries that "In Turkey there is a prison called İmralı and for 7 years no lawyer or defender of human rights has been able to enter it" they were astonished. I mean, they didn't even know about the extent of isolation or its dimensions. For this reason, I think such events in the international arena are very important and believe they need to continue in different fields. Finally, I would like to say that when I saw the footage of the event where thousands of Trade Unionists carried pictures of our client, not just as Mr Öcalan's lawyer, but also as a defender of human rights, I felt emotion and great pride.

For more information, see the following:

2020 Annual report by the Asrin Law Office on Violations and Current situation in the İmralı Island Prison: <https://freeocalan.org/news/english/2020-annual-report-imrali-island-prison>

International Initiative 'Freedom for Abdullah Ocalan—Peace in Kurdistan':
<https://freeocalan.org/main>

Freedom for Ocalan UK Trade Union Campaign: <https://www.freedomforocalan.org/>