

For Six Month Period Ending July 31, 2010
(insert date)

I - REGISTRANT

1. (a) Name of Registrant

(b) Registration No. **5978**

Mr. Nazmi Gur

(c) Business Address(es) of Registrant

**1100 Connecticut Avenue
Suite 1250
Washington, D.C. 20036**

2. Has there been a change in the information previously furnished in connection with the following:

(a) If an individual:

(1) Residence address(es)

Yes ☐

No ☒

(2) Citizenship

Yes ☐

No ☒

(3) Occupation

Yes ☐

No ☒

(b) If an organization:

(1) Name

Yes ☐

No ☐

(2) Ownership or control

Yes ☐

No ☐

(3) Branch offices

Yes ☐

No ☐

(c) Explain fully all changes, if any, indicated in items (a) and (b) above.

IF THE REGISTRANT IS AN INDIVIDUAL, OMIT RESPONSE TO ITEMS 3, 4 AND 5(a).

3. If you have previously filed Exhibit C¹, state whether any changes therein have occurred during this 6 month reporting period.

Yes ☐

No ☐

If yes, have you filed an amendment to the Exhibit C?

Yes ☐

No ☐

If no, please attach the required amendment.

Not Applicable (N/A)

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4. (a) Have any persons ceased acting as partners, officers, directors or similar officials of the registrant during this 6 month reporting period? Yes ☐ No ☐ *N/A*

If yes, furnish the following information:

Name	Position	Date connection ended
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- (b) Have any persons become partners, officers, directors or similar officials during this 6 month reporting period? Yes ☐ No ☐

If yes, furnish the following information:

Name	Residence address	Citizenship	Position	Date assumed
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5. (a) Has any person named in item 4(b) rendered services directly in furtherance of the interests of any foreign principal? Yes ☐ No ☐ *N/A*

If yes, identify each such person and describe his service.

- (b) Have any employees or individuals, who have filed a short form registration statement, terminated their employment or connection with the registrant during this 6 month reporting period? Yes ☐ No ☒

If yes, furnish the following information:

Name	Position or connection	Date terminated
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- (c) During this 6 month reporting period, has the registrant hired as employees or in any other capacity, any persons who rendered or will render services to the registrant directly in furtherance of the interests of any foreign principal(s) in other than a clerical or secretarial, or in a related or similar capacity? Yes ☐ No ☒

If yes, furnish the following information:

Name	Residence address	Citizenship	Position	Date assumed
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6. Have short form registration statements been filed by all of the persons named in Items 5(a) and 5(c) of the supplemental statement? Yes ☐ No ☐

If no, list names of persons who have not filed the required statement.

N/A

II - FOREIGN PRINCIPAL

7. Has your connection with any foreign principal ended during this 6 month reporting period?

Yes ☐

No ☒

If yes, furnish the following information:

Name of foreign principal

Date of termination

8. Have you acquired any new foreign principal² during this 6 month reporting period?

Yes ☐

No ☒

If yes, furnish the following information:

Name and address of foreign principal

Date acquired

9. In addition to those named in Items 7 and 8, if any, list foreign principals² whom you continued to represent during the 6 month reporting period.

10. EXHIBITS A AND B

Peace and Democracy Party of Turkey (BDP)

(a) Have you filed for each of the newly acquired foreign principals in Item 8 the following:

Exhibit A³

Yes ☐

No ☐

Exhibit B⁴

Yes ☐

No ☐

N/A

If no, please attach the required exhibit.

(b) Have there been any changes in the Exhibits A and B previously filed for any foreign principal whom you represented during the 6 month period?

Yes ☐

No ☒

If yes, have you filed an amendment to these exhibits?

Yes ☐

No ☐

If no, please attach the required amendment.

N/A

² The term "foreign principal" includes, in addition to those defined in Section 1(b) of the Act, an individual organization any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign government, foreign political party, foreign organization or foreign individual. (See Rule 100(a)(9).) A registrant who represents more than one foreign principal is required to list in the statements he files under the Act only those principals for whom he is not entitled to claim exemption under Section 3 of the Act. (See Rule 208.)

³ The Exhibit A, which is filed on Form NSD-3 (Formerly CRM-157), sets forth the information required to be disclosed concerning each foreign principal.

⁴ The Exhibit B, which is filed on Form NSD-4 (Formerly CRM-155), sets forth the information concerning the agreement or understanding between the registrant and the foreign principal.

III - ACTIVITIES

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11. During this 6 month reporting period, have you engaged in any activities for or rendered any services to any foreign principal named in Items 7, 8, and 9 of this statement? Yes ☒ No ☐

If yes, identify each such foreign principal and describe in full detail your activities and services:

-
12. During this 6 month reporting period, have you on behalf of any foreign principal engaged in political activity⁵ as defined below? Yes ☒ No ☐

If yes, identify each such foreign principal and describe in full detail all such political activity, indicating, among other things, the relations, interests and policies sought to be influenced and the means employed to achieve this purpose. If the registrant arranged, sponsored or delivered speeches, lectures or radio and TV broadcasts, give details as to dates and places of delivery, names of speakers and subject matter.

-
13. In addition to the above described activities, if any, have you engaged in activity on your own behalf which benefits any or all of your foreign principals? Yes ☐ No ☒

If yes, describe fully.

⁵ The term "political activities" means any activity that the person engaging in believes will, or that the person intends to, in any way influence any agency or official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting or changing the domestic or foreign policies of the United States or with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party.

IV - FINANCIAL INFORMATION

14. (a) RECEIPTS - MONIES

During this 6 month reporting period, have you received from any foreign principal named in Items 7, 8, or 9 of this statement, or from any other source, for or in the interests of any such foreign principal, any contributions, income or money either as compensation or otherwise? Yes ☒ No ☐

If no, explain why.

If yes, set forth below in the required detail and separately for each foreign principal an account of such monies⁶.

Date	From whom	Purpose	Amount
May 2, 2010	BDP General Accountant	General Operating and travel expenses	\$ 14,600.00
April 21, 2010	BDP General Accountant	BDP In USA Operations	\$ 10,000.00
			<u>\$ 24,600.00</u>
			Total

(b) RECEIPTS - FUND RAISING CAMPAIGN

During this 6 month reporting period, have you received, as part of a fund raising campaign⁷, any money on behalf of any foreign principal named in items 7, 8, or 9 of this statement? Yes ☐ No ☒

If yes, have you filed an Exhibit D⁸ to your registration? Yes ☐ No ☐ N/A

If yes, indicate the date the Exhibit D was filed. Date _____ N/A

(c) RECEIPTS - THINGS OF VALUE

During this 6 month reporting period, have you received any thing of value⁹ other than money from any foreign principal named in Items 7, 8, or 9 of this statement, or from any other source, for or in the interests of any such foreign principal? Yes ☐ No ☒

If yes, furnish the following information:

Name of foreign principal	Date received	Description of thing of value	Purpose
N/A			

⁶ 7 A registrant is required to file an Exhibit D if he collects or receives contributions, loans, money, or other things of value for a foreign principal, as part of a fund raising campaign. (See Rule 201(e).)

⁸ An Exhibit D, for which no printed form is provided, sets forth an account of money collected or received as a result of a fund raising campaign and transmitted for a foreign principal.

⁹ Things of value include but are not limited to gifts, interest free loans, expense free travel, favored stock purchases, exclusive rights, favored treatment over competitors, "kickbacks," and the like.

15. (a) DISBURSEMENTS – MONIES

During this 6 month reporting period, have you

(1) disbursed or expended monies in connection with activity on behalf of any foreign principal named in Items 7, 8, or 9 of this statement? Yes ☒ No ☐(2) transmitted monies to any such foreign principal? Yes ☐ No ☒

If no, explain in full detail why there were no disbursements made on behalf of any foreign principal.

If yes, set forth below in the required detail and separately for each foreign principal an account of such monies, including monies transmitted, if any, to each foreign principal.

Date	To whom	Purpose	Amount
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Total

(b) DISBURSEMENTS – THINGS OF VALUE

During this 6 month reporting period, have you disposed of anything of value¹⁰ other than money in furtherance of or in connection with activities on behalf of any foreign principal named in Items 7, 8, or 9 of this statement?

Yes ☐ No ☒

If yes, furnish the following information:

Date disposed	Name of person to whom given	On behalf of what foreign principal	Description of thing of value	Purpose
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(c) DISBURSEMENTS – POLITICAL CONTRIBUTIONS

During this 6 month reporting period, have you from your own funds and on your own behalf either directly or through any other person, made any contributions of money or other things of value¹¹ in connection with an election to any political office, or in connection with any primary election, convention, or caucus held to select candidates for political office?

Yes ☐ No ☒

If yes, furnish the following information:

Date	Amount or thing of value	Name of political organization	Name of candidate
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^{10, 11} Things of value include but are not limited to gifts, interest free loans, expense free travel, favored stock purchases, exclusive rights, favored treatment over competitors, "kickbacks" and the like.

V - INFORMATIONAL MATERIALS

16. During this 6 month reporting period, did you prepare, disseminate or cause to be disseminated any informational materials ¹²?
 Yes ☒ No ☐

IF YES, RESPOND TO THE REMAINING ITEMS IN SECTION V.

17. Identify each such foreign principal.

Peace and Democracy Party (BDP)

18. During this 6 month reporting period, has any foreign principal established a budget or allocated a specified sum of money to finance your activities in preparing or disseminating informational materials? Yes ☐ No ☒

If yes, identify each such foreign principal, specify amount, and indicate for what period of time.

19. During this 6 month reporting period, did your activities in preparing, disseminating or causing the dissemination of informational materials include the use of any of the following:

- | | | | |
|--|--|--|--|
| ☒ Radio or TV broadcasts | ☒ Magazine or newspaper articles | ☐ Motion picture films | ☐ Letters or telegrams |
| ☐ Advertising campaigns | ☐ Press releases | ☐ Pamphlets or other publications | ☒ Lectures or speeches |
| ☒ Internet | ☐ Other (specify) _____ | | |

20. During this 6 month reporting period, did you disseminate or cause to be disseminated informational materials among any of the following groups:

- | | | |
|---|--|--|
| ☒ Public officials | ☒ Newspapers | ☐ Libraries |
| ☐ Legislators | ☐ Editors | ☐ Educational institutions |
| ☒ Government agencies | ☒ Civic groups or associations | ☒ Nationality groups |
| ☐ Other (specify) _____ | | |

21. What language was used in the informational materials:

- ☒ English ☐ Other (specify) _____

22. Did you file with the Registration Unit, U.S. Department of Justice a copy of each item of such informational materials disseminated or caused to be disseminated during this 6 month reporting period? Yes ☐ No ☒

23. Did you label each item of such informational materials with the statement required by Section 4(b) of the Act? Yes ☒ No ☐

¹² The term informational materials includes any oral, visual, graphic, written, or pictorial information or matter of any kind, including that published by means of advertising, books, periodicals, newspapers, lectures, broadcasts, motion pictures, or any means or instrumentality of interstate or foreign commerce or otherwise. Informational materials disseminated by an agent of a foreign principal as part of an activity in itself exempt from registration, or an activity which by itself would not require registration, need not be filed pursuant to Section 4(b) of the Act.

VI – EXECUTION

In accordance with 28 U.S.C. §1746, the undersigned swear(s) or affirm(s) under penalty of perjury that he/she has (they have) read the information set forth in this registration statement and the attached exhibits and that he/she is (they are) familiar with the contents thereof and that such contents are in their entirety true and accurate to the best of his/her (their) knowledge and belief, except that the undersigned make(s) no representation as to the truth or accuracy of the information contained in the attached Short Form Registration Statement(s), if any, insofar as such information is not within his/her (their) personal knowledge.

(Date of signature)

(Type or print name under each signature¹³)

July 26, 2010 

Nazmi Gar

¹³ This statement shall be signed by the individual agent, if the registrant is an individual, or by a majority of those partners, officers, directors or persons performing similar functions, if the registrant is an organization, except that the organization can, by power of attorney, authorize one or more individuals to execute this statement on its behalf.

UNITED STATES DEPARTMENT OF JUSTICE
FARA REGISTRATION UNIT
NATIONAL SECURITY DIVISION
WASHINGTON, D.C. 20530

NOTICE

Please answer the following questions and return this sheet in triplicate with your Supplemental Statement:

1. Is your answer to Item 16 of Section V (Informational Materials – page 8 of Form NSD-2, formerly Form CRM-154 Supplemental Statement):

YES ✓ or NO _____

(If your answer to question 1 is “yes” do not answer question 2 of this form.)

2. Do you disseminate any material in connection with your registration:

YES _____ or NO _____

(If your answer to question 2 is “yes” please forward for our review copies of all material including: films, film catalogs, posters, brochures, press releases, etc. which you have disseminated during the past six months.)

Nazmi Gur
Signature

July 26, 2010
Date

Nazmi Gur
Please type or print name of
Signatory on the line above

Representative of BOP in the United States
Title

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U.S. Department of Justice

National Security Division

Washington, DC 20530

THIS FORM IS TO BE AN OFFICIAL ATTACHMENT TO YOUR CURRENT SUPPLEMENTAL
STATEMENT - PLEASE EXECUTE IN TRIPLICATE

SHORT-FORM REGISTRATION INFORMATION SHEET

SECTION A

The Department records list active short-form registration statements for the following persons of your organization filed on the date indicated by each name. If a person is not still functioning in the same capacity directly on behalf of the foreign principal, please show the date of termination.

Short Form List for Registrant:

Last Name	First Name and Other Names	Registration Date	Termination Date	Role
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U.S. Department of Justice

National Security Division

Washington, DC 20530

SECTION B

In addition to those persons listed in Section A, list below all current employees rendering services directly on behalf of the foreign principals(s) who have not filed short-form registration statements. (Do not list clerks, secretaries, typists or employees in a similar or related capacity). If there is some question as to whether an employee has an obligation to file a short-form, please address a letter to the Registration Unit describing the activities and connection with the foreign principal.

Name	Function	Date Hired

Signature: Nepun (M) Date: July 26, 2010
Title: Representative of BOP in the United States

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IV-Financial Information

BDP In USA General Financial Report January 14 – July 26, 2010

INCOME

<u>Date</u>	<u>Source</u>	<u>Purpose</u>	<u>Amount</u>
April 21, 2010	BDP Gen. Acct.	BDP In USA Operations	\$ 10000.00
May 2	BDP Gen. Acct.	BDP In USA Operations	14600.00
Total Income			\$ 24600.00

EXPENDITURES

<u>Date</u>	<u>To Whom</u>	<u>Purpose</u>	<u>Amount</u>
Jan. 14 – Pres.	ATFL (Lessor)	Office Lease Payments	\$ 14000.00
Jan. 14 – Pres.	Various Vendors	Office Equip. and Supp.	270.00
Jan. 14 – Pres.	Verizon	Telephone Service	1373.43
Feb. 26,	DC Gov't	Incorporate BDP In USA	400.00
Total Expenditures			\$ 16043.43

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**ATTACHMENT-ACTIVITIES UNDER QUESTIONS 11, 12 AND 13 OF
SUPPLEMENTAL STATEMENTS**

January 10

Attended meeting organized by California Kurdish Community Center in San Francisco current political and human rights situation in Turkey.

January 15-17

Attended 1th Kurdish Youth Festival in Atlanta and gave a lecture on leadership.

January 24

Meeting with American Kurdish Association (AKA) in New Jersey : Current situation in Turkey and Human Rights.

January 26

Attended a reception for President Masoud Barzani, President of Kurdistan Region of Iraq , organized by KRG USA office at the KRG office.

January 27

Attended a Saban Center Statesman's Forum with H.E. Masoud Barzani, President of the Kurdistan Region of Iraq at the Brookings Institution on " Assessing Iraq's Future : The Path to the March Elections and Beyond"

January 29

Voice of America Interview : Dakhil Samoud Interview regarding situation in Turkey and BDP office in USA.

As well as Interview with Turkish desk on same issue.

February 1

Attended a conference organized by SETADC on " Turkey's Procedural Challenges to Making a New Constitution

Call to Mr. Alexander D. Schrank, Turkey Desk Officer, US Department of State, request for a meeting.

February 2

Meeting with Denise Maria Marsh, Senior Turkey Desk Officer, US Department of State, and Mr. Alexander D. Schrank, Turkey Desk Officer, US Department of State, discussed upcoming BDP delegation to USA and current political and human rights situation in Turkey.

February 3

Send a letter to all diplomatic mission in Washington ,DC, informed them that Peace and Democracy Party (BDP) opened an office in Washington , DC.

February 9

E-mail to Denise Maria Marsh, Senior Turkey Desk Officer, US Department of State, request a meeting for BDP upcoming delegation with State Secretary H.E. Hillary Random Clinton.

March 1

Meeting with Kathryn Cameron Porter, President of Leadership Council for Human Rights, discussed on upcoming BDP delegation to USA and current human rights situation of the Kurds.

March 4

Al Jazeera interview and discussion: the arrest of Kurdish Children under anti-terror law of Turkey with Mr. Riz Khan

March 12

Meeting with Mr. Mike Amity, Senior Policy Analyst of Open Society Institute, discussed on current political and human rights situation in Turkey.

March 12

Meeting with Alan Makovsky Senior Professional Staff member of Committee on Foreign Affairs, US Senate discussed on upcoming BDP delegation to USA and current political and human rights situation in Turkey.

March 17

Meeting with Henry Barkey, discussed on current political and human rights situation in Turkey and possibility of organizing a meeting for BDP delegation at Carnegie Institute.

March 19

Meeting with Bryan Ardouny, Executive Director of Armenian Assembly of America, for a courtesy visit and discussed current political issues.

March 20

Attended to Newroz Celebration organized by AKA (American Kurdish Association) in New Jersey.

March 21

Attended to Newroz Celebration organized by CKCC (California Kurdish Community Center) in San Francisco.

March 27

Attended to Newroz Celebration organized by NEKA (New England Kurdish Association) in Rod Island.

1-21 April, a trip to Turkey.

Monday, 26 April 2010

In order to arrange appointments for our delegation, made phone calls to the offices of Reps. Lewis, Scott, Ros-Lehtinen, Berman, Gallegly, Pelosi, Lee, and Boxer; and Senators Durbin, Kerry, Lugar, Leahy, and Sanders.

In order to arrange appointments for our delegation, sent emails to the offices of Reps. Lewis, Pelosi, and Lee, and Senators Kerry and Lugar. For the same purpose, corresponded by email with Henri Barkey of the Carnegie Endowment for International Peace and Qubad Talabani of the Representative Office of the Kurdistan Regional Government in Washington.

Tuesday, 27 April 2010

In order to arrange appointments for our delegation, sent emails to the Turkish Embassy in Washington and the offices of Reps. Pelosi and Scott.

Thursday, 29 April 2010

Corresponded via email with Jason Bruder of the Senate Foreign Relations Committee concerning the BDP parliamentary delegation.

Corresponded via email with Denise Marsh of the State Department concerning the BDP parliamentary delegation.

Friday, 30 April 2010

Called and corresponded via email with the offices of Congressman Dennis Kucinich and Alcee Hastings concerning the BDP parliamentary delegation.

Corresponded via email with the Carnegie Endowment for International Peace concerning a panel discussion there to take place on May 04.

E-mailed invitations for reception with BDP delegates on 05 May.

April 29

Visit to Turkish Embassy and meeting with ambassador H.E Namik Tan about BDP delegation.

Peace and Democracy Party high level delegation has carried out a visit to the USA between May 2nd-11th 2010. This visit was organized by BDP representative Nazmi Gur . BDP delegation was consist of BDP chairperson Mr. Selahattin Demirtas, vice chirwoman Mrs. Emine Ayna and formar chairman of closed party DTP (Democratic Society Party) Mr. Ahmet Turk.

May 2

Arrival of BDP delegation to Dulles International Airport.

May 3

Meeting with Turkish ambassador H.E Namik Tan.

Visit to Kurdistan Regional Government Office and meet with KRG Representative Mr. Qubad Talabani.

Sent press release concerning BDP delegation's meeting with Turkish Embassy to various news outlets.

Communicated via telephone with Don Evans of the Holiday Inn in order to plan May 05 2010 reception for BDP parliamentarians.

Communicated via email with Henri Barkey of the Carnegie Endowment concerning dinner plans for May 03 2010.

Corresponded via email and phone with Denise Marsh of the State Department concerning the BDP parliamentary delegation.

Communicated via phone with the office of Speaker Pelosi concerning a meeting with the BDP delegation.

May 4

A Conference organized at Carnegie Endowment on Kurdish issue and current political situation in Turkey. "A Conversation with Turkey's Kurdish Leaders" Mr. Ahmet Turk and Mr. Selahattin Demirtas were main speaker for this conference and chaired by Henri Barkey.

Also Meeting with Rep Barbara Lee aide at 2444 Rayburn House Office Building. Emine Ayna, Nazmi Gür attended to the meeting.

Delegation meet with David Phillips, is a visiting scholar at Columbia University's Center for the Study of Human Rights, at Holiday Inn.

Dinner hosted by KRG representative Mr. Qubad Talabani for BDP delegation with the participation of KDP and PUK representatives.

Communicated via email and telephone with Denise Marsh of the State Department in order to plan meetings for the BDP delegation.

Communicated via telephone with Don Evans of the Holiday Inn in order to plan May 05 2010 reception for BDP parliamentarians.

Communicated via email with Lauren Brockmeyer of the National Security Council concerning meeting on BDP delegation at NSC.

E-mailed invitations for reception with BDP delegates on 05 May.

Communicated via phone with interpreter Serra Hakyemez concerning the BDP delegation.

Communicated via phone with Mandana Afshar of NED and Emrah Usar concerning BDP reception.

Communicated via phone with office of Rep. Dana Rohrabacher concerning his meeting with the BDP delegation.

May 5

BDP delegation meet with Principal Deputy Assistant Secretary Nancy McEldowney at the State Department to discuss current political situation and political development concerning Kurdish issue as well as recent Kurdish opening policy initiated by AKP government.

Lunch hosted by KDP representative Hikmet Bamerni to BDP delegation.

BDP Reception to honor of BDP delegation and on the occasion of opening BDP office in Washington DC.

May 6

BDP delegation meet with Assistant Secretary of Defense for International Security Affairs at the Pentagon to discuss current political situation and political development concerning Kurdish issue as well as recent Kurdish opening policy initiated by AKP government.

BDP delegation meet with Deputy Director Bridget Brink at the NSC to discuss current political situation and political development concerning Kurdish issue as well as recent Kurdish opening policy initiated by AKP government.

Meeting with Rep. Dennis Kucinich at 2445 Rayburn House Office Building. Mr. Selahattin Demirtaş, Mr. Ahmet Türk, Mrs. Emine Ayna and Mr. Nami Gur.

Meeting with Jason Bruder of Senate FRC at Dirksen Senate Office Building room 419.

Interview with Aliza Marcus a journalist and outhur, interviewed with Mr. Selahattin Demirtas about current political situation in Turkey.

BDP delegation meet with congressmen Dana Rohrabcher discuss current political situation and political development concerning Kurdish issue as well as recent Kurdish opening policy initiated by AKP government.

BDP parliamentarian Emine Ayna met with the National Democratic Institute in Washington, DC.

May 7

Community dinner organized and hosted by Kurdish American Association (AKA) in New Jersey with the participation of BDP delegation.

May 8

Community dinner organized and hosted by The New England Kurdish Association (NEKA) in Boston and Rhode Island with the participation of BDP delegation.

May 9

Dinner with board of directors of the California Kurdish Community Center (CKCC) in San Francisco, California.

May 10

The grand opening of the California Kurdish Community Center (CKCC) with the participation of BDP delegation.

Roundtable discussion with Mr. Selahattin Demirtas and Mr. Ahmet Turk at SFSU moderated by Prof. Nicole Watts and Prof. Gilles Dorronsoro about the future of Kurdish issue in Turkey and current co-called opening policy of AKP and reform packages.

Reception and Conference organized and hosted by California Kurdish Community Center (CKCC) in the Terra Art Gallery) with the participation of BDP delegation.

May 11

BDP delegation, Mr. Demirtas, Mr. Turk and Mrs. Ayna flight back to Turkey from San Francisco.

Meeting with board of directors of the California Kurdish Community Center (CKCC) in San Francisco, California, discussed Kurdish grassroots activities in CA.

May 27

Attended “ The view from Baghdad: U.N. Special Representative Ad Melkert on Iraq’s Transition” hosted by the United States Institute of Peace.

June 2

Participate to the congress of Kurdish National Congress of North America (KNC) and its 22nd Conference June 4-6, 2010 San Diego, California

June 6

Meeting with Ralph D. Fertig U.S. Administrative Judge (Ret.) Prof. University of Southern California and Humanitarian Law Project discussed on current human rights situation of Kurds in Turkey

June 15

Attended an book launch event “ Reset: Iran, Turkey and America’s Future” with author Stephen Kinzer, organized by SETA Foundation.

June 18

Attended conference organized by The Middle East Institute's Center for Turkish Studies presents the First Annual Conference, Turkey's New Geopolitics: Challenges and Opportunities

Attended meeting organized by The Brookings Institution on “ U.S. – Turkish Relations : A Perspective from the Private Sector”

June 19

Attended annual congress of American Kurdish Association in New Jersey.

June 21

Represent Peace and Democracy Party (BDP) at the Council meeting of Socialist International (SI) take place at the United Nations, New York between 21-22 June 2010.

June 25

Voice of America Interview : Dakhil Samoud , interview regarding new political developments in Turkey,

July 12

Meeting with board member of the Chicago Kurdish Cultural Center in Chicago, to discuss on how to build stronger grassroots organizations and how to strength activities.

July 16

Meeting with board member of Kurdistan Cultural Institute in Nashville discuss on activities of Institute.

July 17

Meeting with board member of Salahadeen Center of Nashville, Nashville discuss on activities of center.

PEACE AND DEMOCRACY PARTY (BDP) OF TURKEY REPRESENTATION IN THE USA



Information File on the BDP and Human Rights in Turkey

May 2010

Contact:

**Nazmi Gür, Representative of the BDP to the USA
1100 Connecticut Avenue
Suite 1250
Washington, DC 20036
Tel: 202 223 4062
Fax: 202 223 4063
bdp.usa@gmail.com**

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Peace and Democracy Party (BDP)

The Peace and Democracy Party (BDP), which is the voice of the Kurdish minority in Turkey, aims to solve the 86 year-old Kurdish issue within the country's existing borders and through democracy, pluralism and decentralization, which are the pillars of many western nations.

The BDP (*Barış ve Demokrasi Partisi* in Turkish) comes from the tradition of six pro-Kurdish political parties in Turkey, the first of which was founded in 1990. The predecessors of the BDP were the People's Labor Party (HEP) from July 1990 to September 1993; Freedom and Democracy Party (ÖZDEP) from July 1992 to November 1993; Democracy and Equality Party (DEP) from May 1993 to June 1994; People's Democracy Party (HADEP) from May 1994 to March 2003; Democratic People's Party (DEHAP) from October 1997 to August 2005; and the Democratic Society Party (DTP) from October 2005 to December 2009. All of these parties were shut down by the Turkish government.

The BDP was established on May 2nd, 2008 in Ankara. The founding chairman of the BDP was Mustafa Ayzit, a lawyer. On September 7, 2008, Demir Çelik was elected as second chairman of the party in its first extraordinary congress. After the DTP was closed, the chairman of BDP called on the DTP's members, parliamentarians, mayors and all other elected officials to join BDP. Following the closure of the DTP by the Turkish Constitution Court in 2009, 19 members of parliament and 98 mayors joined the BDP. As part of the Constitutional Court's decision, a political ban was imposed on 37 party members, among them DTP co-chairs Ahmet Türk and Aysel Tuğluk, both of whom were also stripped of their status as parliamentarians. The remaining 19 DTP MPs joined the Peace and Democracy Party. With the participation of Mr.Ufuk Uras, the BDP has formed a political group in the Parliament.

Members of the Peace and Democracy Party (BDP) elected their new co-chairs -- Diyarbakir MPs Selahattin Demirtas and Gultan Kisanak -- in an extraordinary congress on 1 February 2009.

Biographies of BDP Delegation Members

Mr. Selahattin Demirtaş

Selahattin Demirtaş was born on April 10th, 1973 in the town of Palu in Elazığ province. He graduated from the Law Faculty at Ankara University and has worked as a lawyer. He has been both a Board Member and President of the Diyarbakir branch of the Human Rights Association (IHD), Turkey's largest and oldest independent human rights monitoring organization. He is also a member of the Human Rights Foundation of Turkey and the Turkish branch of Amnesty International. Demirtaş is married and has two children. He was elected to parliament as independent candidate representing Diyarbakır in the elections of 22 July 2007 and subsequently joined the DTP and later BDP groups.

Ms. Emine Ayna

Emine Ayna was born on July 1st, 1968 in the town of Dicle in Diyarbakir province. She's a been a Member of Parliament representing Mardin since 2007. Currently a member of the Peace and Democracy Party (BDP), Ms. Ayna was co-chairperson of the Democratic Society Party (DTP) before the party was closed by the Turkish Constitutional Court in 2009. A prominent women's rights advocate, Ms. Ayna is a founding member and former chairwoman of the Rainbow Women's Association.

Mr. Ahmet Türk

Ahmet Türk was born in Mardin, southeastern Turkey on July 2nd, 1942. A farmer by trade, he was a founding member and chairperson of both the People's Labor Party and Democratic Society Party, each of which were shut down by the Turkish government. He's been elected to the Turkish Parliament as a representative from Mardin four times, most recently in 2007, and is a past chairman of the Human Rights Investigation Commission of the Turkish Parliament. He was stripped of his positions as an elected Member of Parliament and Co-Chairperson of the Democratic Society Party following the Turkish Constitutional Court's closure of the party in December 2009.

** This document was adopted by the Democratic Society Party (DTP) in 2007, a party which was closed by the Turkish Constitutional Court in December 2009. The Peace and Democracy Party (BDP) stands in the political tradition of the DTP. The Democratic Autonomy Project contains proposals for a resolution to the Kurdish issue.*

DEMOCRATIC AUTONOMY PROJECT

DOCUMENT OF POLITICAL STANCE ON TURKEY'S DEMOCRATIZATION AND SOLUTION TO THE KURDISH PROBLEM

A- REFORM IN TURKEY'S POLITICAL-ADMINISTRATIVE STRUCTURE AND MODEL OF SOLUTION TO THE KURDISH QUESTION

The Republic proclaimed after a joint struggle waged by the People of Anatolia in 1920's, has not been able to acquire a democratic quality in spite of the eighty-four years that have passed. The centralist system of nation state, while engendering the ignorance of cultural differences, has given rise to major discrepancies rendering the social and economic problems and demands for freedom and equality of all social segments in Turkey deadlocked.

In essence, the administrative conception that ignores cultural differences –particularly that of Kurdish people and yet that adopts the elimination of cultures through assimilation as official ideology, is devoid of providing solutions to any specific social problem. The current practices that aim at the imposition of uniformity on society through a monolithic understanding of state administration do not respond to social needs. Rather, they stand as the primary cause of prevailing problems and crises. The political and administrative mechanism of the nation state, organized as a rigid, centralist entity, corresponds a fortiori to an oligarchic structure rather than a Democratic Republic. The expression in the Preamble to the 1982 Turkish Constitution that qualifies the Republic as essentially a social, democratic, secular state, governed by the rule of law, has never been effectuated throughout the course of the republic. It is beyond dispute that the discursive non-ethnic (civic) understanding of Turkish nationalism apart, the military, administrative and judicial organization of the state has, in fact, been fundamentally established on an overwhelming conception of Turkish ethnicity.

The process of nation state building, initiated with the Treaty of Westphalia, has been fabricated on the generation of the uniform citizen and a cultural structure based upon such conception of the individual. This system has induced an extermination of the cultures outside the dominant culture; thereby paving the way for an incredible massacre of cultures. Again, during this period, the world has experienced two world wars and thousands of regional and local wars. Eventually, this process of nation state building has ascended to the level of Hitler fascism. In the aftermath of the Second World War, upon experience of the dangerous course of history, several European countries have adapted themselves to the federal administrative structure; hence, the European Union has emerged as the culmination of this orientation. The administrative structure of the United States has also been predicated upon an attempt to thwart this dangerous possibility. Nevertheless, states such as France are still tackling ongoing problems due to their insufficient perception of the issue.

Yet, even in countries such as France, which is presented as the most powerful model of nation state

based on ethnicity, the eventual recognition of the impossibility of carrying along with the existing nation state system has led to the abolition of barriers to free self-expression of different languages and cultures, which took effect with accompanying legal changes acting as a bulwark. "Dixion Language Law" has granted the Corsican, Basque, Breton and Alsace languages the right to education, broadcasting and such. Likewise, autonomy in several degrees has been granted to the Sardinian, German, French and Slovene languages in Italy, the Slovene, Croatian, Czech, Hungarian and Sorab languages in Austria, the Spanish language in the USA, the Swedish language in Finland and Turkish in Greece. Contemporary Iraq also signifies one of the disastrous consequences of the centralist nation state system. It is revealed without doubt today that the Saddam regime which was established on the basis of Arab nationalism stands as the major cause of the violent ethnic clashes taking place in Iraqi geography. The persistence of the system of administration based on a centralist conception of the nation rather than the organization differences around a democratic conception of the nation has reduced Iraq to its current state of affairs.

In spite of the discourse in Turkey stating that sovereignty unconditionally belongs to the people and that the will of the nation is superior to the rest, certain mechanisms providing the democratic participation of people in state administration has hitherto not been established and the military tutelage over civilian politics has been regarded as normal.

Compared to contemporary democracies where problems are discussed and solved in localities by the people encountering them, the rigid, centralist, administrative structure of Turkey, which is remote from the localities, manifests a deadlocked image with its slow, cumbersome characteristics.. The central government in Ankara, facing many different cultural, social and economic problems from East to West and from North to South has not only been unable to generate the will to bring about a solution to these problems, but has been structurally exhausted to a significant extent.

On this basis, our Congress sees inevitable the comprehensive change of Turkish political-administrative structure through a fundamental reform. Considering many contemporary debates, world experiences and current state of affairs in the Middle East, it is evident that statehood and statehood based on ethnicity in particular, brings suppression rather than democracy and freedom to people.

In accordance with this argument, the philosophically and conjecturally sightless understanding of politics of demanding a separate state for each and every nation seems capable of triggering mutual slaughter between people. Instead, a model of political and administrative structure that takes as its basis the democratic unity of the people, liberates democracy from the limitations of a single general assembly, enables the participation of people in mechanisms of discussion and decision and promotes a local and immediate solution to all fundamental problems of society asserts itself as an urgent necessity. Our congress depicts the contemporary conceptualization of the model "democratic autonomy" which is predicated upon the gaining of autonomy of all diversities on matters of free self expression and the rendering of voice to the people in all localities protecting the integrity of the country. Democratic autonomy, also meaning democratic self-governance, introduces the essentials of Democratic Republic.

Democratic Autonomy;

-Envisages a fundamental reform in order to achieve democratization in the political and administrative structure of Turkey,

- Departs from an understanding that advocates the empowerment of the people in processes of discussion and decision making as a method for problem solving,
- Defends the principle of democratic participation for incorporating people into processes of decision making and establishes itself upon the system of assemblies in all local units.
- Rather than a purely “ethnic” and “territorial” conception of autonomy, democratic autonomy defends a regional and local structure through which cultural differences are able to freely express themselves,
- Observance with the “Flag” and “Official Language” are binding for the whole territory; yet, democratic autonomy also envisages the establishment of democratic self-governance by each region and autonomous unit with their own colors and symbols,
- Predicating itself upon the self-sufficiency of the society as a whole, it does not seek the solution to the problem solely with reference to a change in the state system.
- While envisaging a change in the political and administrative structure of Turkey, shedding light onto the demographic structure of Turkey and the conduct of necessary studies herein are imperative.

Also taking into consideration the endeavor on the New Constitution, the need for a comprehensive political and administrative reform asserts itself in order to bring to life “democratic autonomy”, which we define as the most rational model for the solution of different social problems ranging from common issues experienced by all provinces such as İstanbul, Antalya, Adana, Samsun, Edirne and Kars, to unique, local issues within a modern and democratic state structure.

In this administrative model, through the operation of decentralization, a regional assembly which assumes power through elections similar to those of the county councils is established. The regional assembly embraces those neighbor provinces which are in close socio-cultural and economic encounter. This regional assembly assumes responsibility in fields of service such as concerning education, health, culture, social services, agriculture, marine, industry, construction, telecommunication, social security, women, youth and sports. The central government conducts foreign affairs, finance and defense services. Security and judicial services are jointly conducted by the central and regional government. The central supervision of these services is mutually determined by both governments.

Regional assemblies provide the carrying out of services through their reception of local revenues alongside the budget allocated by the central government taking into consideration population indices and levels of development. Underdeveloped and poor regions benefit from positive discrimination.

These assemblies are called “regional assemblies” and the people assuming duty in these assemblies are called “regional representatives”. The assembly elects the assembly chairperson and the executive council members of the assigned field of duty separately. The chairperson and members of the executive council are responsible for the execution of the decisions taken by the assembly.

This structure does not denote federalism or autonomy based on ethnicity; it is rather an administrative consolidation situated between the central government and provinces that takes participatory democracy as its basis. Each of the regions is named after the specific name of the region or of the largest province

within the area of responsibility of the regional assembly.

In this model, governors of provinces are responsible for the enforcement of the decisions taken by both the central government and the regional executive council. Provincial town organizations of ministries submit to the same procedure. Other administrative structures such as the Provincial General Assembly, municipalities and elected heads of neighborhoods (Mukhtar) retain their existence.

In essence, regional assemblies to be established in Turkey, the numbers of which are figured around 20-25, constitute democratic political and administrative structures that facilitate the smooth conduct of affairs between the Turkish Grand National Assembly (TBMM) and the provinces and that enable increased participation of the people in state administration. The functioning and jurisprudence of this political and administrative structure is expected to take shape as a consequence of the intense academic and political debates to be conducted in the forthcoming period of time.

Our Congress has the conviction that this model signifies a significant improvement in the construction of the Democratic Republic. Thereby, the process of democratization miscarried during the first years of the Republic is to be effectuated. This process denotes at the same time, the implementation of a variety of Local Autonomy cited in Ataturk's statements to the journalist Ahmet Emin Yalman, in the face of contemporary circumstances.

The implementation of "Democratic Autonomy", which requires joint elaboration with the establishment of civilian, self organizations of society, is essentially the systematized model of the perception of "less state" "more society", "less restrictions", "more freedom". It is for this reason that, democratic autonomy connotes a more functional, democratic and participatory system through which the society is able to formulate solutions to its own problems, utilizing the intermediation of civilian and independent institutions, the scope of which is by no means limited to comprehensive and central state intervention in all areas of social life. In all areas of social life ranging from economy, environmental problems to health, education, culture and arts and the freedom of women, autonomous units predicated themselves on self-sufficiency are to be established. The expression implies that the society constructs its own system of democratic autonomy by means of its own will. Our congress, while envisaging reform in state structure, has reached a decision that favors the prompt installation of the self-organization systems of society.

Our congress deems essential the redefinition of the concept of "NATION" through the common ties of belonging to the "NATION OF TURKEY" as an indication of the advancement of the democratic nation, in place of the emphasis on ethnic identity, particularly present in the Constitution.

In replacement of a definition of citizenship which depicts every individual as Turkish, the citizenship of Turkish Republic, within the framework of "Turkey as homeland" that recognizes cultural identities and embraces the nation of Turkey based on these cultural identities is acknowledged. Diverse identities and cultures that constitute the nation of Turkey are hence able to acquire a freer atmosphere through this system within which they preserve and improve their differences under constitutional guarantee. As a matter of fact, these principles, espoused in 1920's, have been included in the 1921 Constitution of the Republic and yet they have been abolished with the adoption of the 1924 Constitution of the Republic. For this reason, the new Constitution, which requires elaboration as a new social contract in accordance with the founding philosophy of the Republic qualifies as Turkey's headway to twenty first century.

The arrangement in the new Constitution so as to include the clause “the Constitution of the Turkish Republic acquiesces the democratic existence and self expression of all cultures” would entail a steering approach for Turkey’s democratization and the peaceful resolution of the Kurdish Question. Our political objectives, depicted as the abolition of barriers to all languages and cultures –the Kurdish language heading first- and the democratic redefinition of the ethnic based concepts of “citizenship” and “nation” constitute principal criteria in the Constitutional Referendum.

As a matter of fact, though the restrictions on language and culture persisting since 1924 have been particularly designed in order to target the Kurdish population; other diverse cultures in Turkey have also received their share in the process. For this reason, the need for accepting the presence of ethnic and religious diversities constituting the Nation of Turkey as a cultural richness as well as the advancement of specific regulations by the state, which attributes the state a positive performance in their protection and enhancement, arises. Although Turkish is retained as official language, taking into consideration the demographic structure of the regions and in conformity with the clauses of international conventions, constitutional guarantee for the use of other languages in public sphere and as language of education is required. The opportunity for self-organization and creation of civilian institutions of all cultures, including the right to engage in politics in one’s mother tongue should be placed under constitutional guarantee. Furthermore, statements constraining liberty of thought and speech should not exist in the Constitution.

Social inequalities emanate from gender inequality. Any demand for equality and freedom is bound to fall short of its objectives in the absence of gender equality. For this reason, the clear and open statement of the principle of positive discrimination in the Constitution is mandatory in order to provide the equal participation of women in social, cultural, political and economic life and to achieve gender equality in all aspects of life.

B- PROPOSALS FOR SOLUTION TO ECONOMIC AND SOCIAL PROBLEMS OF THE REGION

I. ECONOMIC POLICIES

The need for fundamental economic changes asserts itself in order to eliminate the underdevelopment and devastation generated by the atmosphere of conflict and statist economic policies implemented throughout the history of the Republic. It is crucial to consider the experiences of those countries successfully implementing regional development focused models that render initiative to the local in the utilization of some sources according to the urgencies and priorities of regions within which the exercise of authority between the center and the local is balanced.

The initiation of effective and comprehensive policies designed for the alleviation of the current socioeconomic problems of the region is most necessary for the establishment of peace on the Kurdish Question. Nevertheless, confronting the historical and political causes of the poverty and deprivation of the region is an indispensable component for paving the way for a sustainable peace and stability through policy formation and activation. However, just as the high level of economic welfare in the Catalan and Basque regions was unable to thwart the emergence of ethnic violence and conflict, economic programs targeting the region would be unsuccessful in establishing a lasting peace unless the political and historical aspects of the socioeconomic problems of the region are confronted.

According to the 2003 data provided by the State Planning Organization (DPT), East and Southeast Anatolian Regions rank last in social and economic development indices.

14 of the 16 most backward provinces in socio-economic terms are in the East and Southeast regions of the country.

As also reflected in other welfare indices, in terms of production in agricultural, industrial and service sectors, Southeast Anatolian Region extremely lags behind other regions. The number of doctors for each ten thousand people in the most developed provinces of İstanbul, İzmir and Ankara in the western part of the country is 20, 23 and 32 respectively. These figures which are below the expected standards, also demonstrate the fact that the numbers are thirteen times higher in capital city Ankara than the eastern province of Ağrı.

In discourse, almost all political parties emphasize these socioeconomic disparities; however, practical policies fall short of achieving slightest improvement in the situation. Official statistics revealing the regional distribution of the law of incentive implemented by the AKP government through developmentalist rhetoric, investment incentives and public investments oriented towards the creation of investment and employment demonstrate that these practices fail to generate a positive outcome for the region. It is obligatory for any social and economic program to confront the political and historical causes of poverty in the region for the establishment of a just and honorable peace.

PROPOSALS FOR A SOLUTION

1. Establishing coordination with local dynamics, -local governments in particular- is compulsory. As revealed in the Southeast Anatolian Project (GAP) case, centralist economic policies, devoid of encouraging local participation and lacking in humanist orientation are completely deficient in their achievement of success. As is true of all social phenomena, effective dialogue between the center and the local is capable of initiating constructive consequences.

2. Some portion of compulsory levies, tax revenues and of the outcome received through local sources at the disposal of local and regional assemblies with increased authority is utilized for the solution of socioeconomic problems of people.

3. In order to reestablish the disrupted economic and social balance of the regions and to abolish regional discrepancies in development, a special incentive law aiming at the development of mining, industry based on agriculture, stock raising, tourism and labor-intensive sectors in particular, is enacted. The previous incentive law promoted all provinces equally. We express our will without hesitation for the development of all provinces regardless of their geographical location. Nevertheless, due to the atmosphere of conflict and violence, the implementation of equal investment incentives for eastern and western parts of the country would most naturally channel investor preferences to the western provinces. Therefore, we strongly emphasize the requirement for a special incentive law regarding the region.

4. The democratic autonomous regions that are established are prepared in infrastructure (transportation, communication, energy and such) for economic investments.

5. The construction of North-South and East-West Highways is the sine qua non for the strengthening of economic and social ties.

6. With respect to economic development, it is of utmost significance that the EU funds are allocated to regions taking into consideration the principle of “positive discrimination” and the establishment of

democratic autonomy in the political and administrative model according to the principle of subsidiarity in the utilization of these funds.

7. Provinces such as Trabzon, Diyarbakır, Van, Erzurum are transformed into regional metropolitan areas in order to facilitate regional dynamics which will assume key role for regional socioeconomic development and to hinder outward migration.

8. The capacity of Habur entry point is increased, friendly and commercial relations are developed with Iraq and Kurdistan Federal Government and free zones are created.

9. In order to introduce a general solution to forced migration and to mitigate the pressure on cities generated by migration, suitable conditions are prepared for citizens for their return to villages, economic and social preventative measures are taken for those who wish to remain as urban residents and cooperation with local governments is established to this end. It is compulsory that the implementation of security zones is abolished and rural development projects are effectuated. Urban transformation projects are put into practice for the integration of migrants who wish to remain as urban residents; comprehensive solutions are developed for the solution of social problems including health, employment, education and sheltering.

10. Legal and administrative regulations essential for projects that provide employment in the region are initiated. In this respect, special priority is given to incentives for small and medium sized enterprises (KOBİ) and for investments, credits and subsidies, tax exemption as well as to areas of transportation, energy, information-communication as infrastructural preparation for investments. The practice of additional share and positive discrimination is adopted in the allocation of incentives and public investments.

11. Apart from these long-term projects, many other problems require urgent intervention. In this respect, the government, through the utilization of special funds and in cooperation with the Department of Health and Social Services, local governments and civil society organizations, initiates social policies targeting the urgent problems of hunger, violence, sheltering, health, education, encountered by females, children, the youth and sufferers of migration.

II. SOCIAL POLICIES

The social and economic disaster in the region generated particularly in the last two decades, mass poverty and the traumas they have caused require urgent intervention.

The question of Domestic Displacement is by no means an object of analysis independent of the historical, ethnic and social problems of the East and Southeast Anatolian Region. Additionally, the lack of mutual confidence between the state and the citizen which grows on the “remote” and “martial” presence of the state in the region is much more aggravated by migration, poverty and social problems.

As far as its causes are concerned, the wave of migration between 1984-1999 constitutes, to a great extent a forced migration stemming from the political conditions within the context of the Kurdish Question and security concerns; unlike the migration of 1960's and 1970's triggered by socioeconomic conditions. Poverty, deprivation and social problems generated by conflict and displacement not only represent a violation of human rights, but also a breach of many international agreements some of which Turkey has signed as a party. During the course of the atmosphere of conflict, the region has been de-humanized on the one hand, through policies of forced migration implemented on Kurdish people, the numbers of which range between 380,000 and 3.5-4,000,000 and economic activities vital for the inhabitants of the region have been abolished on the other.

RETURN TO INHABITED LANDS AND PROVISION OF ITS CONDITIONS

1. Return to inhabited lands is a right. All aggrieved victims of migration are entitled to benefit from this right.

2. The state must trust its citizens; the right to view its citizens as potential criminals is not bestowed on any state. For this reason, decisions regarding the specific villages to be returned will be given not security forces, but by citizens registered in that village. Security forces have the duty to provide security in the returned village; other public sectors on the other hand are charged with the elimination of grievances and the provision of necessary support for the emergence of humanly conditions of life in the returned village.

3. The system of village guards that imposes severe obstacles to the return to previously inhabited lands will be abolished. The village guards will be disarmed and employed according to their labor. Expropriated lands will be returned to their owners.

4. Prior to the return, all villages that have been evacuated, their surroundings and meadows will be cleansed of land mines. Mine fields in borderlines will be made use of in conformity with public benefit.

5. Facilities necessary for the fostering of economic activities such as apiculture, commercial growing of hothouse flowers and production of industrial plants will be supplied and encouraged. Technical and legal support will be provided for the establishment of cooperatives and unions by peasants.

6. Citizens returning to the villages will be granted privileges in the implementation of low interest livestock feeding project; a system of guarantee based on the personal assets of the receivers of the credit in question will be developed and surety will not be sought.

7. All material and moral losses caused by the forced migration that has detached millions of people from their living areas and economic relations of production will be compensated with fairness and without delay. Thus, the scope and criteria for compensation of the current Law no. 52331 will be widened; applications will be evaluated respecting efficiency and transparency. The fair compensation of the losses created by forced migration will be effectuated not only to alleviate the economic problems encountered by the people inhabiting the outer fringes of cities, but also, in accordance with the social character of the state, as the realization of the state's responsibility towards its citizens. The law in terms of method, amount and procedure will function in favor of rehabilitation of the disrupted relationship between the citizen and the state. Unfortunately, the law has hitherto been applied towards the obliteration of the past rather than the provision of justice and solving problems.

C- PLAN OF ACTION FOR THE TERMINATION OF CLASHES

Following the July 22 2007 general elections, Turkey entered a new phase. Presently, all political forces approach the problems of the country from their own stance and considering their own priorities. However, centers of power able to assume a role in the solution of the problems, unfortunately adopt an attitude of disregard against the most fundamental and poignant problem of our country.

Even though the almost thirty years of conflict stands as the major source for the exacerbation of all problems of the country, it is still not analyzed beyond a question of terrorism and security. In this context, the problem is more aggravated in every sense. The absolute failure of the efforts to solve the problem with the same mentality and measures for decades is now clearly revealed. Consequently, the society experiences incurable losses in every respect. All the people living in our geography now desire a solution to this problem. Not a single person finds acceptable the loss of lives and the pain suffered by a

different family every day. The statements “BLESS THE MOTHERLAND”, “BLESS THE MOTHERLAND BUT UNTIL WHEN?” are expressions of it.

The permanency of the atmosphere of conflict gradually grows feelings of enmity, the rehabilitation and reparation of which is very difficult among the people inhabiting the same geography for over a thousand years and collaborating in many areas of life. In recent months, significant signals of warning which were indications of this tendency appeared in many places. Nevertheless, these were unfortunately either disregarded or were exploited as issues in domestic political agenda by various circles.

We find the taking of steps for the establishment and endurance of an atmosphere of non-conflict as a party that attends to all problems of Turkey and seeks solutions to them. We believe that unless concrete results are obtained on the issue, the attainment of internal peace, tranquility and welfare remains an illusion. It is on this ground that we have been struggling for years for the attainment of our internal peace. We paid a high price for this sake. This is only because we are aware of the fact that this is the only way to endorse and uphold the common values created by a thousand years of common life. We know now by the testimony of our near history that all other efforts and ways only serve to plant and grow seeds of enmity among our people. Hence, we insist and we are stubborn.

We are aware that the reconfiguration of the historical commonality through an equal and free relationship of fraternity would benefit this country and its people. Our aim is to bring in an esteem and respectability to our people and country that would set the pace for the whole region.

Until today, we took our steps conscious of our responsibility in the attainment of internal peace and the reconfiguration of relations. We are determined to fulfill our share of responsibility in this tense and critical period Turkey is witnessing. We will intensify our efforts for the termination of clashes and the gradual establishment of a lasting peace. Until this day, our party has made many attempts for the termination of clashes and the emergence of a suitable atmosphere for the solution of the problem. These efforts received, from time to time, positive feedback and engendered the rising of hopes for solution in society. However, each time these attempts were impeded and rendered futile by structures feeding on conflict and tension. As might be expected, this attitude gave way to a shattering of trust and belief among our people. For this reason, as the Party, we will assume our leading role for the development of a solemn and conclusive process. Past experiences reveal the fact the establishment of ceasefire by a single party is devoid of generating enduring positive consequences. Departing from these experiences, practical efforts will be exerted for the commencement and endurance of a process of mutual ceasefire.

To this end;

1- The Kurdish Question lies at the core of the conflict experienced by our country. The development of an inclusive approach regarding the Kurdish Question during the endeavor for the New Constitution entails prospects for the achievement of a peaceful atmosphere. Regarding the issue, efforts will be devoted to the initiation of conventions and collaborations with all related powers and organizations.

2- Attempts will be brought to the fore to exert influence on all related circles for the attainment of a lasting termination of clashes. The assumption of the role of intermediation is a possibility once suitable conditions arise and upon the positive stance adopted by related powers.

3-Attempts at collaboration with civil society organizations, democratic institutions and organizations for the commencement of a lasting termination of clashes, initiatives will be taken for the formation of an appropriate ground and pressure groups.

4- Relations will be developed with the foreign powers able to assume prominent role for the termination of clashes including the civil society organizations working for peace, EU, USA, Kurdish Federal Government and a diplomatic process will be initiated in this context.

5- In order to carry out all these attempts mentioned above, our party assumes profound responsibility and declares its genuine will to work for the formation of a workshop group comprised of the representatives of political parties, peace assembly, civil society and democratic mass organizations and various figures.

1,500 Kurdish politicians and political activists arrested in 5 waves of repression

Prepared by the Peace and Democracy Party (BDP)

Since 2009, detentions and arrests have been the top human rights violations perpetrated against Kurds in Turkey. Thousands of people have been detained and more than 1,500 arrested as a part of a wave of five operations carried out against the DTP (Democratic Society Party) and the BDP (Peace and Democracy Party).

As a result of operations against DTP, many mayors, provincial chairpersons and politicians from DTP have been taken into custody and arrested. In December 2009 alone, 1,366 Kurdish political operatives were detained and out of these detainees, 491 were arrested and imprisoned.

Despite the AKP's government's empty promises and propaganda of "more democracy and more freedom", the events and rights violations which have taken place during this time have shown the reality to be the opposite. We've come to realize that the new concept of the era is the arrest of Kurdish politicians. Hundreds of people have been arrested during protests against these operations. The AKP government and the police aim to suppress the dynamic Kurdish people's movement with detention and arrests. Despite all the intimidation, public protests have continued throughout the year.

1,500 People Arrested

According to the Diyarbakir branch of the IHD's (Human Rights Association) 2009 report regarding human rights violations in the East and Southeast regions of the country, 4,475 people were detained in 2009 and out of the detainees, 1,444 were arrested. With many arrests in past two months, this number has reached 1,500.

The first 3 months of the year 2010 were active months. February is the anniversary of the handing over of Mr. Abdullah Ocalan, Leader of the Kurdish People, to Turkey. March is very important month because of the Kurdish New Year, Newroz, International Women's Day, the Anniversary of the Halabja Genocide and Heroes Week. Thus these months resulted in many rights violations. In these first 3 months of the year, 1,118 Kurdish politicians and activists were detained and out of these detainees, 302 were arrested.

Operation Started During the Month of April

The big detention operation against the DTP started on April 14th 2009. After the DTP's success in the March 29th local elections became evident, detention and arrests were started against party officials and members. On April 14th, in 15 provinces at same time, house searches were conducted by police and as a part of the operation, 539 Kurdish politicians and activists were detained, including DTP Central Party Officials and former mayors.

During the two-day operation, the number of detainees exceeded 1,000 people. These included DTP Vice Chairman Bayram Altun and Kamuran Yuksek, DTP Party Assembly Member and candidate for the mayorship of Derik; lawyer Selma Irmak; lawyer Sinasi Tur; lawyer Ebru Gunay; Huseyin Yilmaz; Kemal Aktas; Mehmet Abbasoglu; Member of Diyarbakir Bar Association Siracettin Irmak; Herdem Kizilkaya; Mehmet Akin; Celal Yoldas; Hasan Inatci; Sara Aktas; Ercan Sezgin; Nadir Yildirim; DTP Diyarbakir city official Musa Farisogullari; Temer Tanrikulu; Gun TV General Broadcast Coordinator

Ahmet Birsin; Zohre Bozaci; Zahide Besi; Cimen Isik; Heval Erdemli; Perguzar Kaygusuz; Ahmet Celen; Alican Onlu; Salih Akdogan; Besima Konca; Elif Kaya; Leyla Deniz; Mazlum Tekdag; Olcay Kanlibas; Pero Dunder; Pinar Isik; Seve Demir; Zeynep Boga; Ahmet Zirek; Nihayet Tasdemir; Dilan Tasdemir; Esma Guler; Gulcihan Simsek; Hasan Uner; Musa Ciftci; Aslan Ozdemir; Engin Kotay; Mehmet Nimet Sevim; Rahmi Ozmen; Roza Erdede; Hasan Iraz; Lutfu Dag; and Senanik Oner, all of whom were accused of “leadership of an [illegal] organization” and “membership of an [illegal] organization” and arrested.

According to IHD, during the month of April 2009, 539 people were detained and of these detainees, 265 were arrested.

When we came to the month of May 2009, the focus of detentions and arrests became the Patriotic Democratic Youth Assembly (YDG-M), DTP’s Youth Branch. After DTP Central Party Officials, operations started against YDG-M members in many cities and resulted in arrests of tens of youths. In many provinces in western Turkey, many workers were taken into custody as well. During the month of May, 184 people were detained and out of these, 67 were arrested and put in jail.

During the month of June 2009, the number of people who were detained increased while operations against YDG-M continued; during this month, the focus of arrests and detention became employees of certain departments of local municipalities. On June 17th, operations were simultaneously conducted in many cities, and many people arrested, including municipal assembly members, deputy mayors and heads of various departments at local municipalities. Many DTP municipality employees who were detained were arrested while operations against other party officials continued throughout the month. During the month of June, 362 people were detained and out of these 129 were arrested and put in jail.

July and August became the quietest months

July and August months became the quietest months as far as detention and arrests were concerned. Operations against DTP continued during these two months and many DTP provincial and city chairpersons and other officials were taken into custody. During the month of July, 66 people were detained and out of these, 18 were arrested. During the month of August, 110 people were detained and out of these 34 were arrested and put jail.

A new wave of operations against DTP in September

After two quiet months, September 2009 became another month of high activity with large numbers of detentions and arrests. This time, the focus of the operation wave against the DTP was Diyarbakir. On September 11th, police searched many institutions, organizations and houses and detained Yurdusev Ozsozmenler, former mayor of Baglar (Diyarbakir) and Chairman of the Union of East and Southeast Anatolian Municipalities (GABB); Sukran Aydin, former mayor of Bismil; Diyarbakir City General Assembly Chairman Sehmus Bayhan; Main Municipality Assembly General Deputy Secretary Huseyin Bayrak; Deputy Mayor of Kayapinar Sebahatin Dinc, Deputy Mayor of Yenisehir Ihsan Ugur; Yenisehir Municipality Assembly member Kenan Kaya; DTP Women Assembly members Azize Yagiz and Melike Karagoz; DIHA correspondent Gulistan Aksoy; SELIS Women Center Activist Sociologist Behice Ok; DTP worker Hasan Huseyin Ebem; Galip Kandemir, former Bismil Town Chairman of DTP; former DTP Local Municipality Commission member Kerem Duruk; and DTP Central Office official Mehmet Tari.

Similar operations took place in Sirnak, Van and Mardin. Sirnak's former mayor and GABB General Secretary Ahmet Ertak, Peace Party Chairman Demir Celik, Democratic Society Congress (DTK) member and Istanbul Kurdish Institute Official Alaatin Aktas and former Mayor of Mazidagi Nuran Altı were arrested as a part of the operations.

In these operations, City General Assembly and Municipality Assembly members who were elected in the 29 March 2009 last local elections were targeted. Out of the 19 people who were detained, 10 were arrested and put in jail.

After these operations, detentions continued to increase and during the month of September; 182 people were detained and 35 of them were arrested.

October was very active and November passed quietly

One of the most active months of 2009 was October. Detention and arrests against the DTP continued at same speed during this month. This wave of operation was against DTP Municipalities' Finance departments. On October 8th, in Diyarbakir, Van and Kiziltepe, Municipality employees' houses and DIYAR Inc. were raided by simultaneously and 35 people were detained, among them former DTP mayors. Those detained were brought in front of a public prosecutor only after 4 days of detention. They included Diyar Inc.'s General Manager Vedat Bakir and employees Ali Karakus, Necmettin Kızılkaya, Yusuf Kenan Baysan, Turhan Apik, and Sait Kantarcioglu who were detained in Van; Tahir Kurtulus, Mahmut Karakus, and Refik Akay, who were detained in Kiziltepe; and Vakkas Tokgozlu and Feray Karahan, who worked at the Diyarbakir Forestry Department. A total of 11 people were arrested.

October was an active month because of protests against the anniversary of the international plot against Abdullah Ocalan, Leader of the Kurdish People. Protests spread to scores of cities in the southeast and the reaction of the police was very harsh. Hundreds of people were detained either during the protests or after the protests when police searched people's houses. During the month of October, 358 people were detained and out of these 90 were arrested and put in jail.

The month of November was one of the quietest months. However, toward end of the month, activities started in the Kurdish provinces due to the harsh conditions and isolation of Mr. Abdullah Ocalan in prison. Protests started in all Kurdish provinces because of Ocalan's conditions. With increase in protests, the number of people detained also increased. During this month, 190 people were detained and 13 of them were arrested.

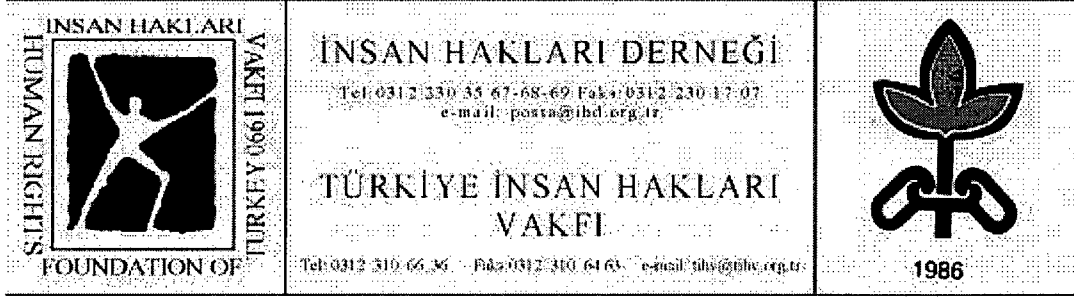
The month which symbolized 2009: December

December, the last month of the year, symbolized the whole of 2009. An increase in street protests due to the isolation of Ocalan resulted in attacks by the security apparatus. This resulted in detentions and arrests, of which there was one each on all 31 days of the month. Also, the closure of the DTP by the Constitutional Court, the killing of university student Aydin Erdem in Diyarbakir by police and the killing of two citizens in Bulanik town in Mus province by JITEM member and village guard Turan Bilen touched off protests. The state took into custody hundreds and arrested tens of people due to these protests.

The event which symbolized the year took place toward end of the month. On December 24, 2009, operations were conducted simultaneously in 11 provinces against mayors from DTP, Kurdish politicians and human rights defenders. As a part of the operation, more than 80 people were detained, including DEP former parliamentarian and Democratic Society Congress (DTK) co-chairperson Hatip Dicle, IHD Vice-Chairman and Diyarbakir Branch President Muharrem Erbey, Batman mayor Nejedet Atalay, Sur Mayor Abdullah Demirtas, Kayapinar Mayor Zulkuf Karatekin, Diyarbakir Metropolitan Municipality Deputy Mayor Ali Simsek, Cinar Mayor Ahmet Cengiz, Viransehir Mayor Leyla Guven, Suruc Mayor Ethem Sahin and Siirt Mayor Selim Sadak, Cizre Mayor Aydin Budak and Kiziltepe Mayor Ferhan Turk, all of whom had been forbidden from politics; closed DTP Diyarbakir City Chairman Firat Anli, DISKI General Manager Yasar Sari, former Dicle mayor Abdullah Akengin, former Silvan mayor Fikret Kaya, former Batman mayor Huseyin Kalkan and former Viransehir mayor Emrullah Cin. Among the detainees, 23 were arrested in Diyarbakir, 16 in Sirnak, 12 in Van and 12 in Batman for being a "member of an [illegal] organization" and sent to jail.

The operation, which was labeled as the 5th wave of operation against the Kurdish politicians, caused activity and protests in Kurdish cities and resulted in detention of more people. During the month of December, 1,366 people were detained and out of these 491 were arrested and put in jail.

**Evaluation of the Year 2009 from the Perspective of Human Rights on Human Rights Day
By the Turkish Human Rights Foundation (TİHV) and Human Rights Association (İHD)
10 December 2009**



Sixty-one years ago on December 10, 1948 the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights.

We would like to state with sorrow that after 61 years the world order based on rights and freedoms mentioned in the Universal Declaration has not yet become reality. Unfortunately, the basic idea that every person has rights and freedom just for being a human being and independent from his/her colour, race, language, religion and political and conscientious view has been seriously eroded.

Today our world is still characterised by the domination of inequalities between countries, peoples and classes. These inequalities are deepened by the economic crisis that resulted from the neoliberal policies in 2008 and its destructive effects were felt all around the world in 2009. According to the findings of International Labour Organisation (ILO) the number of unemployed people exceeded 230 million people in 2009. With unemployment the poverty gradually deepened and millions deprived of their most basic rights such as nutrition, clean water, health and shelter. Women and children are particularly severely affected by these developments.

Industrialisation and overproduction damaged our world's ecological equilibrium and caused 'natural' disasters. Environmental rights have become a rights category that needs to be defended even more strongly today. Gas emissions damaging the atmosphere have turned into the most serious environmental problem and needs to be urgently dealt with.

While people have 'real' security concerns caused by social inequalities, poverty and fading perspectives for their future, the States, ignoring these concerns, put the world into a security "paranoia" to reproduce their legitimacy by using the "terror" threat, especially after the attacks 9/11.

The States, using this atmosphere that they have created as a justification, on the one hand strengthened the militarist and authoritarian administrative view by increasing the security measures and on the other hand, force the societies to consent to the human rights violations by exposing them to the "security or freedom" dilemma. The States perpetuated these policies in 2009 as such with some changes in discursive level.

2009 was a year with ups and downs for Turkey where human rights continue to be violated while at the same time other positive developments raised our hopes.

A democracy that respects human rights still does not exist in Turkey and this fundamental problem of Turkey has not changed in passing years. The most important obstacle in front the democratisation of Turkey is the “Kurdish Issue” and “violence and clash atmosphere” caused by this issue. In this respect the activities that were initiated under the title of “Kurdish opening” or “democratic opening” are very important.

Keeping in mind that this kind of activities take time to produce the desired results, our hopes and expectations for the future are low because of the content of these activities and because of the ongoing rights violations the momentum for change is now fading. Some recent developments bring in mind that the initiative affords came to a halt and because of this hopes and expectations leave their places to serious concerns.

Despite the opening and democratisation discourses, many human rights violations occurred during 2009, for example:

- Violence resorted to by law enforcement officers did not decrease in proportion to the previous years. Until 1 December five people in detention places and 33 people died in prisons in 2009. 46 people were killed by law enforcement officers in extrajudicial killings/stop warning/random firing incidents.

- 17 murders by unknown assailants were perpetrated in 2009. Unfortunately, the 60th government did not show a strong will in 2009 for the investigation of the enforced disappearances and murder by unknown assailants cases between 1980-2002. Disappeared people should be found, murder by unknown assailants cases should be investigated immediately and their perpetrators should be convicted. Nonetheless the case on the murders by unknown assailants that took place in Cizre District between 1994 and 1995 gives some hope.

- In 2009 the “zero tolerance to torture” discourse was still not fully implemented. This year until the end of November 436 people applied to HRFT claiming torture and ill-treatment. 252 of them declared that they were tortured in 2009.

- Due to excessive use of force by law enforcement officers in meetings and demonstrations five people were killed and 269 people were wounded in nine meetings and demonstrations. Law enforcement officers detained 1414 people in the interventions and 369 of them were arrested. Another violation that should be evaluated in this context is the 177 juveniles that have been tried in heavy penal courts on charges of opposition to the Fight with Terrorism Law (FTL).

- The number of prisoners increased rapidly. There were 117,061 prisoners in November 2009. 40,206 of the total number of people in prisons were pre-trial detainees and 76,855 of them were convicted ones. The number of juveniles in prisons was 2,603 and constitutes 2.22 % of all prisoners. 44 chronically ill prisoners have been waiting for a proper medical treatment. The demand of the Human Rights Association, the Organisation of Human Rights and Solidarity for Oppressed People (MAZLUMDER) and the Human Rights Foundation of Turkey for the monitoring of the İmralı High Security F Type Prison – which is a constant source of tension in society – was declined again this year.

The given codification system as a whole has a hindering effect in the face of the freedom of expression.

Only in the Turkish Penal Code (TPC) there are at least 15 other articles that can be used as alternatives to limit the freedom of expression and there is not any attempt to amend these articles. The trials 355 people that continued during the first ten months of 2009 can be considered as violations of the freedom of thought and expression.

There are still serious problems in the field of freedom of media. 34 journalists are in prison as pre-trial detainees. The number of newspapers and magazines that were sentenced with ban of publication for various periods of time was 29 in the first 11 months of 2009. The number of cases against books were 65 and 4662 websites were sentenced with restriction of access.

The problems of freedom of organisation still increase. The closures of political parties are still easy and ordinary practices. The closure cases against parties and associations are six. 129 attacks on party and association buildings took place. Law enforcement officers organised 42 raids to offices. The raids on the office of the General Centre of the Confederation of Public Employees Trade Unions (KESK) and the Democratic Society Party (DTP) should also not be forgotten. The closure case against the DTP plays an important role in the progress of the democratic initiative on the Kurdish Issue.

Coercion on human rights and peace defenders, and especially on the members of the Human Rights Association was doubled; many people were arrested and tried.

As a result, we as human rights defenders got wearisome and tired of making such long lists of severe human rights violations over the passing years. We call out once again with highlighting the values and principles of the Universal Declaration in its 61st anniversary;

We want a Turkey where the right to life is seen as sacred, ban of torture is absolutely abided by, people are not killed on the grounds that they did not obey the "stop!" warnings, people are not tried and put into prisons in connection with their thoughts, juveniles are not sentenced to decades of imprisonments, and people are not subjected to discrimination, hate speech, and lynch attempts and due to their ethnic origins, religious faiths, gender, sexual orientation, or political views. We want justice for all. We want the rule of law. We want a pluralistic democracy. We want violence to cease and live in peace.

For a Turkey like this, the unity and independency of judiciary should be secured, military tutelage on political and social life should be terminated, all coup d'état attempts and illegal military activities should be victimised, the State apparatus should be cleaned from gangs and illegal organisations, a libertarian and egalitarian, new constitution that improves and secures fundamental rights and freedoms should be created, impunity should cease to exist, the Optional Protocol to the Convention against Torture (OPCAT) should be ratified, a civil National Human Rights Institution should be constituted with the participation of all parts of society and especially the human rights organisations and most important of all, brave and determinant steps should be taken for the peaceful, democratic and just solution of the Kurdish Issue.

Turkey: Rights Defender Arrested
New Crackdown on Kurdish Mayors and Activists
Human Rights Watch | 12 January 2010

The arrest of a human rights advocate on suspicion of links to the armed Kurdistan Workers' Party (PKK) raises serious concerns that he was targeted because of his legitimate work on human and minority rights, Human Rights Watch said today. The arrest on December 24, 2009 of Muharrem Erbey, vice president of the national Human Rights Association and chairman of its Diyarbakir branch, was part of a broader operation by the anti-terror police, in which 36 people were detained.

"Muharrem Erbey is well known for his tireless human rights work on behalf of Kurds," said Emma Sinclair-Webb, Turkey researcher at Human Rights Watch. "The government claims it wants to solve the Kurdish question, but this new wave of arrests shows it is still trying to restrict Kurdish activism and political participation."

The latest wave of arrests came the day after many of those arrested had joined the newly formed pro-Kurdish Peace and Democracy Party, following the December 11, 2009 closure of the Democratic Society Party by Turkey's Constitutional Court. Those arrested included a number of democratically elected mayors and officials of the new party.

Erbey was detained at his home in Diyarbakir by anti-terror police of the Diyarbakir Security Directorate. During his interrogation, he was asked about his foreign travel on behalf of the Human Rights Association and meetings he had participated in. On December 26, Erbey was remanded into custody pending trial.

The police also conducted a search of the Diyarbakir branch office of the Human Rights Association and confiscated computer hard drives. Lawyers for the Human Rights Association told Human Rights Watch that there were procedural flaws in issuing the search warrant. The Human Rights Association is Turkey's oldest human rights group, founded in 1986.

Erbey was arrested as part of an anti-terror operation on December 24 in 11 Turkish provinces against the Kurdish Peace and Democracy Party. Of the 36 Kurdish political leaders, journalists, and activists detained during the operation, 23 have been indicted and remanded into custody pending trial. Charges were also filed against another five of the 36, but they were released on bail. Nine of those indicted are democratically elected mayors.

The Diyarbakir prosecutor's office has an ongoing investigation against officials and members of the Peace and Democracy Party and its predecessor, the Democratic Society Party, for alleged links with the PKK. Over 100 party officials and members have been arrested since April 2009.

The investigation is under a secrecy order, and the prosecutor's office has not made the evidence against the suspects available to them or their lawyers. They are likely to be charged with "membership in an armed organization" (Turkish Penal Code article 314/2) or having connections with an organization linked to the PKK, known as the KCK (Kurdistan Communities Union). The evidence against the accused will only be revealed once they are formally indicted.

Withholding evidence against an accused compromises his ability to prepare his defense, undermining

basic due process rights, Human Rights Watch said. For a suspect on remand, it also interferes with the ability to successfully challenge his continued pre-trial detention.

In a separate investigation in May 2009, mainly Izmir-based members of trade unions affiliated with the public sector workers' trade union confederation KESK were detained, with 22 remanded pending trial, on charges of being members of the PKK. The evidence against them referred primarily to their activities in support of such issues as Kurdish-language education and their participation in meetings. Those in pre-trial detention were released from prison at their first trial hearing in November. An honorary board member of the Human Rights Association, Yüksel Mutlu, was among them.

The timing of the newest wave of arrests, the day after many of those arrested joined the newly formed Peace and Democracy Party, and the decision to place the suspects in detention pending trial raises serious concerns that the right to political participation and representation for those involved in pro-Kurdish political activity in Turkey are being restricted, Human Rights Watch said.

"This recent clampdown came just two weeks after the Democratic Society Party was banned and severely limits the right to political representation for the Kurdish minority," Sinclair-Webb said. "Following the Justice and Development Party government's encouraging talk of pursuing democratization in Turkey and of trying to solve the Kurdish problem, prosecutors have turned right around and taken new menacing steps against legal Kurdish political organizations."

Turkey: Thousands of children prosecuted under anti-terrorism legislation
Excerpt from an Amnesty International report published on 08 March 2010

In a letter to the [Turkish] Minister of Justice in July, Amnesty International expressed the organization's concerns regarding the continuing prosecutions of children under antiterrorism legislation. AI received widespread allegations of ill-treatment and excessive use of force by law enforcement officials during the often violent demonstrations regarding the "Kurdish problem" and allegations of illtreatment in prison of PKK leader Abdullah Öcalan. AI noted that thousands of children had been arrested in relation to the demonstrations and faced prosecution under anti-terrorism legislation.

In particular, AI raised concerns regarding the apparent arbitrary application of anti-terrorism legislation in the prosecutions of children, leading in many cases to convictions with long custodial sentences. Children were frequently prosecuted under the anti-terrorism law (terörle mücadele kanunu, no. 3713), specifically Article 7/2 which criminalizes making propaganda for a terrorist organization, and additionally under Article 314/2 of the Penal Code via Article 220/6 of the Penal Code that allows those who commit crimes in the name of a terrorist organization to be prosecuted additionally as if they were members of the organization. This application of the law followed the jurisprudence of the Supreme Court of Appeals (Judgment no. 2008/11): after considering the tactics of the PKK to make use of civil disobedience, the Court ruled that in demonstrations publicized by media organizations regarded by the Turkish state to be associated with the PKK, such as Roj TV and Firat News Agency, those that participate in demonstrations could be said to be acting on behalf of a terrorist organization.

In the letter, AI also expressed concerns that this application of anti-terrorism legislation allowed the courts to convict children for terrorist offences without sufficient evidence and that the legislation required urgent review. In the cases reviewed by AI and according to lawyers representing children, in the vast majority of cases children were convicted of the terrorist offence under which they were charged. Evidence leading to the conviction was commonly CCTV footage showing that they were present at the demonstrations or photographs showing that that they made "V-for victory" signs during the demonstrations. In many cases, however, the sole piece of evidence was the statement of a police officer that the child was present at the demonstration and that they shouted slogans in support of the PKK. In a small minority of cases the sole piece of evidence was the statement of a secret witness who could not be cross-examined in court.

AI expressed its grave concern that there had been consistent accounts of torture and other ill-treatment of children on transfer to prison and that in some cases children had been held together with adults. AI also expressed concerns that children prosecuted under anti-terrorism legislation were routinely held in pre-trial detention for extended periods of time without any provision for them to continue their education and, in contravention of the Convention on the Rights of the Child to which Turkey is a party.

In Diyarbakır, pre-trial detention periods were often six months; in Adana a period of three months was more common. However, pre-trial detention periods of more than one year were recorded. In some cases children had been held together with adult remand prisoners, with boys in Batman and girls in Adana reportedly subjected to this prison regime. Where children were held separately from adults, the prison regime did not differ from the one for adults. The children were reportedly made to wash their own clothes and dishes. In many cases a detention period of three months led to children missing a year of schooling after they were required to re-sit their school year due to missing classes. In Adana, Amnesty

International interviewed children who complained of severe beatings on transfer to Kükçüler adult prison. Such reports were made consistently by children previously held at the prison suggesting systematic ill-treatment. It was reported by children that they spent periods of more than one week in solitary confinement at the adult prison before being transferred to a children's prison.

AI also expressed concerns that anti-terrorism legislation allowed children as young as 15 to be tried in adult courts according to the same procedures as adults and that official court records showed that children as young as 12 had been tried in adult courts under the same procedures as adults in contravention of Turkey's child protection law (no.5395) and the UN Convention on the Rights of the Child. According to the anti-terrorism law (Article 9), children aged 15 years and above are to be tried in adult courts (special heavy penal courts) for terrorism-related offences.

In September the UN Committee on the Rights of the Child (CRC) issued a series of recommendations to Turkey regarding the prosecution of children under anti-terrorism legislation in order to bring the state's practice in line with the Convention on the Rights of the Child. In November the government submitted to parliament a draft bill amending the anti-terrorism law. The government proposals, if brought into law, would allow for more lenient sentencing of children convicted under the anti-terrorism law and remove the requirement for children over 15 years old accused of terrorism-related offences to be tried in adult courts. These amendments alone, if brought into law, would not allay the concerns expressed by the CRC, AI or civil society more broadly regarding the prosecutions. The amendments had not been passed by the parliament by the end of 2009.

On December first, AI launched a campaign calling on the Turkish authorities to comply with the Convention on the Rights of the Child and other international standards on juvenile justice and to conduct prompt, effective and impartial investigations into allegations that law enforcement officials and prison guards have ill-treated children.

What do the Kurds want in Turkey?

Published in the International Herald Tribune on December 8, 2004

The Kurds make up about a quarter of the population of Turkey, numbering between 15 and 20 million, according to the October 2004 Report of the European Commission.

Like all historically constituted human communities, they have the right to live in dignity in the land of their ancestors, and to preserve their identity, culture and language and hand them down freely to their children.

Having been victims of great injustice throughout the 20th century, the Kurds now pin their hopes for a better future on the process Turkey must undergo to become a member of the European Union, which they perceive as being, above all, a multicultural area of peace, democracy and pluralism. To join this family of democracies, Turkey itself must become a true democracy, with respect for its own cultural diversity and political pluralism. In particular, it must guarantee its Kurdish citizens the same rights that the Basques, Catalans, Scots, Lapps, South Tyroleans and Walloons enjoy in the democratic countries of Europe - and which it is itself demanding for the Turkish minority in Cyprus.

Public conscience will not abide a policy of double standards, which would eventually undermine the moral credibility of the European Union and tarnish the image of the Turkish government in European public opinion.

The European process offers both Turks and Kurds new and promising prospects, and gives them a chance for reconciliation on the basis of a peaceful settlement of the Kurdish question, with due respect for existing borders. This opportunity must be appreciated at its true value.

We the undersigned, representing Kurdish society in all its political and cultural diversity, consider that such a settlement calls for:

- * a new and democratic Constitution, recognising the existence of the Kurdish people, and guaranteeing it the right to a public school system and media in its own language and the right to form its own organisations, institutions and parties with the aim of contributing to the free expression of its culture and its political aspirations.

- * a general amnesty in order to establish a climate of confidence and reconciliation and, once and for all, to turn the page on violence and armed conflict;

- * the implementation, with European support, of a vast programme of economic development of the Kurdish region, particularly including rebuilding the more than 3,400 Kurdish villages destroyed in the 1990s, and incentives for the three million displaced Kurds to return to their homes.

We ask the Turkish authorities and the European leaders to do justice to the Kurds in Turkey by acceding to their legitimate demands in order to ensure regional peace and stability, and to consider the fulfilment of those demands to be an essential criterion by which to measure Turkey's progress along the road to membership of the European Union.

FIRST SIGNATORIES — TURKEY : Mehmet ABBASOGLU, Former President of the People's

Democratic Party (Dehap), Songül Erol ABDİL, Mayor of Tunceli ; Nesimi ADAY, Poet, writer ; Müslüm AKALIN, barrister, President of the Bar at Urfa (Edessa) ; Nilüfer AKBAL, musician ; Abdullah AKENGİN, Mayor of Dicle ; Abdullah AKIN, former Mayor of Batman ; Ibrahim AKSOY, Former Mayor of Malatya ; İhsan AKSOY, writer ; Hacı AKYOL, barrister, former Mayor of Yazihan Malayta ; Yusuf ALATAS, barrister ; Mahmut ALINAK, barrister, former Member of Parliament for Sirnak ; Süleyman ANIK, Mayor of Dargeçit, Mardin ; Firat ANLI, Mayor of Yenisehir, Diyarbakir ; M. Nezir ARAS, Mayor of Bulanik ; Rusen ARSLAN, lawyer, writer ; İsmail ARSLAN, Mayor of Ceylanpınar ; Mehmet Ali ASLAN, barrister, former President of the Workers' Party of Turkey (TIP) ; Naci ASLAN, Member of Parliament for Agri ; Sedat ASLANTAS, barrister, General Secretary of the Human Rights Foundation of Turkey ; Fahrettin ASTAN, Mayor of Besiri ; Nuran ATLI, Mayor of Mazıdag ; Mustafa AVCI, General Secretary of the Confederation of Public Service employees (KESK) ; Eshat AYATA, writer, publisher ; Sukran AYDIN, Mayor of Bismil ; Behrun AYGÖREN, former Mayor of Dicle ; Hüseyin AYYILDIZ, Secretary General of Tüm-Belsen ; İhsan BABAOĞLU, Spokesman for the Democratic Platform, Diyarbakir ; Tuncer BAKIRHAN, President of the People's Democratic Party (Dehap) ; Murat BATGI, actor, Osman BAYDEMİR, Mayor of Diyarbakir ; Seyhmus BAYHAN, Mayor of Lice ; Mehmet Celal BAYKARA, barrister, President of the Foundation for Research on Kurdish Culture (KÜRTKAV) ; Sefik BEYAZ, President of the Istanbul Kurdish Institute ; Ekrem BİLEK, former Mayor of Siirt ; Nevzat BİNGÖL, journalist, writer ; Nadir BİNGÖL, Mayor of Ergani ; Kemal BİRLİK, former Member of Parliament for Sirnak ; Murat BOZLAK, Former President of People's Democratic Party (Hadep) ; Ali BUCAK, barrister, President of the Urfa Cultural Centre ; Aydın BUDAK, Mayor of Cizre ; Feridun ÇELİK, former Mayor of Diyarbakir ; Demir ÇELİK, Mayor of Varto ; Ömer ÇETİN, co-founder of the Research Foundation on Social Issues (TOSAV) ; Yusuf ÇETİN, President of the Contemporary free Actors' Association (Çasod) ; Murat CEYLAN, Mayor of Kurtalan ; Emrullah CİN, Mayor of Viranşehir ; Muzaffer DEMİR, Former Member of Parliament for Mus ; Selim DEMİR, Mayor of Kozluk ; Cafer DEMİR, President of Elazığ Chapter of Human Rights Association ; Ahmet Turan DEMİR, President of the Free Society Party (OTP) ; Abdullah DEMİRTAS, Mayor of Suriçi, Diyarbakir ; Hatip DICLE, former Member of Parliament for Diyarbakir, former President of the Democracy Party (DEP) ; İlhan DİKEN, President of the Diyarbakir Medical Association ; Seyhmus DİKEN, writer ; Orhan DOĞAN, former Member of Parliament for Sirnak ; Faik DURSUN, Mayor of Beytülsebat ; Tarık Ziya EKİNCİ, former Member of Parliament for Diyarbakir, former General Secretary of the Worker's Party of Turkey (TIP) ; Tahsin EKİNCİ, lawyer ; Adnan EKMEK, former Minister, former Member of Parliament for Batman ; Serafettin ELÇİ, former Minister, former Member of Parliament for Mardin ; Nurettin ELHÜSEYİNİ, writer, translator ; Gıyasettin EMRE, former Member of Parliament for Mus ; Hamit ENGİN, Mayor of Hazro ; Mehmet Ali EREN, former Member of Parliament for Istanbul ; Ahmet ERTAK, Mayor of Sirnak ; Enver ETE, Spokesman for the Democratic Platform, Mardin ; Mehmet Fuat FIRAT, former Member of Parliament for Erzurum ; Ümit FIRAT, publisher, writer ; Ibrahim GÜÇLÜ, lawyer, writer ; Nezir GÜLCAN, former Mayor of Kurtalan (Siirt) ; Ahmet GÜMÜSTEKİN, painter ; Hasim HASIMI, former Member of Parliament for Diyarbakir, former Mayor of Cizre ; Necdet İPEKYÜZ, former President of the Diyarbakir Medical Association ; M. Tahir KAHAMANER, Mayor of Malazgirt ; Hüseyin KALKAN, Mayor of Batman ; Ramazan KAPAN, Mayor of Derik ; Hasip KAPLAN, barrister ; Seyhmus KARAHAN, former President of the Urfa Association of Civil Engineers ; Zülküf KARATEKİN, Mayor of Karapınar, Diyarbakir ; Selahattin KAYA, former Mayor of Bingöl ; Hasan KAYA, former President of the Istanbul Kurdish Institute ; Ferzende KAYA, journalist ; Mehmet KAYA, Mayor of Kocaköy, Diyarbakir ; Fikret KAYA, Mayor of Silvan ; Gülten KAYA, music publisher ; Eren KESKİN, former President of Istanbul Chapter of Human Rights Association of Turkey (İHD) ; Abdullah KESKİN, publisher ; Abdullah KIRAN, writer ; Muhsin KIZILKAYA, writer ; Servet

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A Conversation with Turkey's Kurdish Leaders

Ahmet Türk, Selahattin Demirtas, Henri Barkey TUESDAY, MAY 04, 2010 – WASHINGTON, D.C.



Last August, the Justice and Development Party (AKP) government launched an opening to Turkey's large Kurdish minority designed to acknowledge their cultural distinctiveness and recognize some political rights. Despite the great hopes engendered, almost nine months later, the opening seems to have run aground, as the government focuses instead on constitutional changes to redress other issues.

Not only is the Kurdish question not going away, it has also acquired an important international dimension. The fate of Turkish Kurds is interlinked with their brethren across the border in northern Iraq. As the United States prepares to withdraw from Iraq, the United States and Turkey have a vested interest in maintaining peace and stability in the Kurdistan region of Iraq.

Carnegie hosted a discussion on the Kurds' continued struggles in Turkey and the effect of the Kurdistan Regional Government's success in northern Iraq with Ahmet Türk, a former Turkish Member of Parliament and Selahattin Demirtas, the current co-chair of the Peace and Democracy party (BDP). Carnegie's Henri Barkey moderated the event.

Turkish Kurds' Demands

The Kurdish people are an integral part of the Middle East, with Kurds living in Iraq, Iran, Syria and Turkey, yet they are often not acknowledged as such by other ethnic communities. According to Türk, the Kurds in Turkey have three demands:

1. A constitutional recognition of the ethnic and linguistic differences among all citizens of Turkey
2. Cultural recognition and official usage of the Kurdish language
3. The decentralization of the administrative system so as to allow greater local decision making in all regions of Turkey and not just Kurdish majority regions

A Foundering Opening

The Turkish government's announcement of its plans to implement an opening policy towards the Kurds was met with much fanfare. Over the course of the last nine months, hope has dwindled as it seems that the AKP led government has placed its priorities elsewhere, namely on a robust, inclusive foreign policy and on constitutional issues related to the relationship between civil society, the judiciary and the military.

- **Responsibility:** Selahattin Demirtas placed the onus for the failure to implement this opening policy on the government.
- **Fresh Start:** Even if renewed efforts are delinquent, many of the Turkish Kurds are willing to welcome any attempt to successfully and fully implement this opening. Demirtas' Peace and Democracy Party (BDP) has and will continue to "give its moral support to the government's efforts to reach a resolution to Kurdish problem."
- **Moving Forward:** According to Demirtas, the most efficacious avenue for solving the Kurdish problem is the establishment of a parliamentary commission that would develop a roadmap with concrete step for constitutional changes.

Kurds in the Region

The Turkish government has reoriented its policy towards the Kurds in northern Iraq and is increasingly developing a relationship with the Kurdistan Regional Government (KRG).

- **Power Play:** Ostensibly this is a positive harbinger for the Turkish Kurds. However, as Kurds, Türk argued that they would oppose efforts by the Turkish government to use its relations with the KRG to diminish ties

between Iraqi and Turkish Kurds or manage Turkish Kurdish demands.

- **Regional Perceptions:** Türk suggested “Kurds in Syria, Iraq and Iran all believe that the key to solving the problems of the Kurds is with Turkey and its ability to give Kurds rights at home.” It is undoubtedly in the best interest of the Turks to work to solve the Kurdish problem in order to boost their international standing.

Violence and the PKK

The long festering conflict between Turks and Kurds in Southeast Turkey has resulted in a heavy loss of life.

- **PKK Responsibility:** Although the Kurdistan Workers’ Party (PKK) is responsible for perpetrating acts of violence against Turks, Demirtas noted that “the PKK is part of the reality of the conflict; it has an important constituency in the region and therefore is an important actor in the resolution of the Kurdish problem.”
- **Curbing Violence:** Demirtas also asserted the acts of violence emanating from both sides should immediately cease and that both sides should take the necessary political risks to begin this process. “This problem cannot be solved by force, it is necessary to begin a dialogue process involving all actors,” Türk noted, restating Demirtas’ assertion.

President Obama and Turkey

The United States and President Obama are well aware of Turkey’s rising prominence in the Middle East and the international arena. Consequently, the administration will be careful in pressuring Prime Minister Erdogan’s government on the Kurdish problem. Although Türk sees the election of Obama as an important ray of hope for all subjugated peoples and expects his administration to contribute to the flourishing of democracy in the region, he believes the problems of Turks and Kurds must be resolved by negotiations between the Turks and Kurds, not by a U.S.imposed solution.