



CORI Research Analysis

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Country: Turkey

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Issues: Peace and Democracy Party (BDP)

Query: What is the current situation of members or sympathizers of the recently established BDP (former DTP)?

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Freedom House notes in its 2010 annual report the closure of the DTP party,

“The opposition landscape changed in 2007, with the entrance of the MHP and representatives of the DTP into the legislature. By contrast, only the two largest parties—the ruling AK and the opposition CHP—won seats in the 2002 elections.

A party can be shut down if its program is not in agreement with the constitution, and this criterion is interpreted broadly. In December 2009, the Constitutional Court closed the DTP and banned many of its members from politics, including the removal of two parliamentarians from office. Those remaining in parliament regrouped under the new Peace and Democracy Party. Major protests followed that were often violent and even deadly.”¹

The Financial Times notes the closure of the DTP in a December 2009 article,

“Turkey’s constitutional court on Friday ordered the closure of the country’s main pro-Kurdish party in a ruling that could kill off reforms aimed at ending decades of conflict. Hasim Kilic, the court’s top judge, said the Democratic Society Party (DTP) had become “a focus of actions against the unity of the nation”, citing its links to the rebel Kurdistan Workers’ Party (PKK), [].

The court also banned 37 party members from politics for five years, including DTP chairman Ahmet Turk.

¹ Freedom House, Freedom of the Press 2010 - Turkey, January 2010, <http://www.freedomhouse.org/template.cfm?page=251&country=7899&year=2010>, accessed 8 January 2011

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Many Turkish political parties have been closed down or ousted by military coups in past decades, including Islamists and leftists as well as pro-Kurdish parties that have often swiftly re-formed under different names. The risk is that the latest ban will shake Kurds' faith in the political process, as the DTP claimed to offer a legitimate alternative to violence to voice their aspirations."²

A *Reuters* report of December 2009 notes that ex-DTP legislators intend to join the BDP,

"Turkish police detained on Thursday scores of members of a newly banned Kurdish political party, including several mayors, suspected of having links with an outlawed militant group.

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They were members of the Democratic Society Party (DTP), which had been the only Kurdish party represented in parliament. Some accounts from Kurdish sources put the total number detained at 60 to 80, including more than a dozen mayors.

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After the police raids around 1,000 people gathered peacefully in front of the main office in Diyarbakir of another Kurdish party, the Peace and Democracy Party (BDP), while party deputies met inside. Addressing the crowd, the city's mayor Osman Baydemir warned that the Turkish state would be left with no one to hold a dialogue with if the detentions continued. "I state it very obviously: a day will come when you will find no one to shake hands with," he said.

Hundreds of people chanted support for Ocalan and anti-government slogans during protests against the detentions in the towns of Viransehir and Sanliurfa, according to the Firat news agency, a website seen as close to the PKK.

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On Tuesday, a state prosecutor opened an inquiry against Ahmet Turk, the chairman of the DTP, over comments that Ocalan had sent word through his lawyers advising the party's legislators to remain in parliament despite the court ban. The legislators, who had planned to quit, announced last Friday they would join the BDP in order to stay in parliament. The BDP is one of several Kurdish political parties to have been formed in Turkey. Its predecessors have been shut down."³

A February 2010 report by the *Jamestown Foundation* notes the formation of the BDP following the DTP's closure,

"While the Turkish government undertakes a comprehensive public campaign to explain why it is necessary to address the Kurdish question, the Kurdish opposition is sending mixed signals regarding cooperation with the government.

After the DTP's closure, the Kurdish nationalist parliamentary deputies formed a new political party, Bedis ve Demokrasi Partisi (Peace and Democracy Party - BDP), to continue their political life. PKK leader Abdullah Ocalan warned the BDP leaders not to associate with the PKK or be its spokesman but rather to work in the legal arena (Gundem-online.net, February 4). This is a new approach in Kurdish politics.

In the last 20 years of the Kurdish struggle a succession of pro-PKK parties have always acted as if they were the spokesman of the PKK. These ties with the PKK have become a major point of contention between the Kurdish nationalist movement and the European Union (E.U.)

² Financial Times, Turkey bars main pro-Kurdish party, 11 December 2009, <http://www.ft.com/cms/s/0/e3903efc-e689-11de-98b1-00144feab49a.html - axzz1AX4BgsMV>, accessed 8 January 2011

³ Reuters, Turkish police round up Kurdish party members, 24 December 2009, <http://www.reuters.com/article/idUSTRE5BN1ZL20091224>, accessed 7 January 2011

since 2004. E.U. representatives have unsuccessfully asked DTP politicians to distance themselves from the PKK.

The new Kurdish BDP party, however, follows a new path. Following Ocalan's advice, BDP leader, Selahattin Demirtas declared, "The PKK and the BDP are two separate organizations. If the PKK want to say something they have the right to say so. We will not be their voice". In a recent interview Selahattin Demirtas thanked Ocalan for allowing the BDP to develop its own political program as an independent party from the PKK."⁴

The *US Department of State* 2009 country report published in March 2010 notes members of the former DTP and its successor Peace and Democracy Party (BDP) were detained,

"During the year police routinely detained demonstrators for a few hours at a time. Police detained several hundred members of the former DTP and its successor Peace and Democracy Party (BDP) on various occasions. Police continued to detain and harass members of human rights organizations, media personnel, and human rights monitors. Police continued to detain persons on suspicion of "membership in an illegal organization" and for "promoting terrorist propaganda."

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Throughout the year police and the judiciary increased pressure on members of the pro-Kurdish former DTP and BDP. Human rights activists claimed that more than 1,000 cases had been opened against former DTP and BDP members during the year. Most were investigated and prosecuted for speaking in the Kurdish language or for making statements critical of the government. Many were also arrested for alleged ties with the KCK, the political branch of the terrorist PKK organization, including a group of more than 40 between December 25 and 31 that included elected mayors and BDP officials.

On April 21, the Diyarbakir criminal court sentenced two Kurdish politicians, Diyarbakir Mayor Osman Baydemir and former DTP leader Nejmet Atalay, to 10 months in prison for publicly spreading terrorist propaganda by referring to the PKK as "guerillas" instead of "terrorists" in a public speech. Baydemir continued to serve as mayor.

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During the year police raided dozens of DTP offices, particularly in the southeast, and detained hundreds of DTP officials and members. Prosecutors also opened numerous investigations and trials against DTP members. Police raids on DTP offices in Diyarbakir province resulted in the detention of approximately 54 DTP members. Between December 24 and 31, more than 40 members of the DTP successor BDP, including local elected mayors, were arrested and charged with ties to the KCK."⁵

An article published in December 2010 by the *Turkish Weekly* notes the BDP's political objectives in southeastern Turkey,

"Turkey's main pro-Kurdish party has no intention of dividing the country with its calls for bilingualism and "democratic autonomy," but rather seeks total decentralization, its co-leader said Thursday. "I am sure we can persuade whoever we talk to about our model – be it the General Staff, the MHP [opposition Nationalist Movement Party] or the president," Selahattin Demirtas, co-leader of the pro-Kurdish Peace and Democracy Party, or BDP, told daily Radikal on Thursday.

⁴ Jamestown Foundation, Resolution of Turkey's "Kurdish Question" in Critical Stage as PKK Threatens to End Peace Initiatives, 19 February 2010, [http://www.jamestown.org/single/?no_cache=1&tx_ttnews\[tt_news\]=36063](http://www.jamestown.org/single/?no_cache=1&tx_ttnews[tt_news]=36063), accessed 7 January 2011

⁵ USDOS, 2009 Human Rights Report: Turkey, 11 March 2010, <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136062.htm>, accessed 10 October 2011

Attempting to moderate the harsh reactions to the presentation last weekend of a model of “democratic autonomy” by the Democratic Society Congress, or DTK, an umbrella organization for pro-Kurdish groups, the BDP chief emphasized that the topic of discussion was “just a proposal.”

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Claiming the government was trying to create a perception that the ruling Justice and Development Party, or AKP, “was doing well [in addressing the Kurdish issue], but BDP has ruined it,” Demirtas criticized Prime Minister Recep Tayyip Erdogan for not presenting a better local administration project. He said whenever the BDP worked to reinstate places’ original Kurdish names, it faced harsh criticism, even though the idea was originally a government effort.

Faced with potential threats to close his party, the BDP leader emphasized the importance of pro-Kurdish political groups in resolving the Kurdish problem in Turkey. “If the BDP and DTK don’t talk, then what will happen? Will everybody go to the [Kandil] Mountains?” he asked, referring to the northern Iraq base of the outlawed Kurdistan Workers’ Party, or PKK. “We try to strengthen politics, we try to stress the solution [to the Kurdish problem] is in politics,” he said.

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The BDP has two basic messages that it can convince anyone to agree with, Demirtas said: “Our purpose is not dividing the country [and] we suggest that a model of decentralization will carry Turkey forward.”⁶

A July 2010 report by *IFEX* notes the launch of a criminal investigation into a BDP politician for statements made in connection to conscription,

“The Batman province prosecutor has launched an investigation into the Peace and Democracy Party's deputy chair, Bengi Yildiz, on charges of "alienating the public from military service". The actions against Yildiz were initiated after he called on citizens to refuse to perform military service, saying, "Do not send your children to the military."

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In a press release issued on 20 June in Batman, Yildez said, "There will be funerals. There will also be funerals for Kurdish children. Do not send your children to the military after this. Our children will die and we will go to prison. Spread the word to everybody."

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As reported by "Hürriyet" newspaper, the prosecutor also plans to launch an investigation of the Turkish politician on allegations of violating the Law on Meetings and Demonstrations and disseminating "propaganda for an illegal organization".⁷

A report published in June 2010 by the *Globalpost* notes tensions between the BDP and the Turkish government,

““The government promised a lot for its democratic opening and did nothing,” said Shamil Altan, a political activist for the BDP. “Nobody talked with us or with the Kurds.”

The governing AK party’s outreach has flagged after a vigorous media reaction last October to a video that showed deserting PKK fighters from Iraq being greeted as heroes in the predominantly Kurdish southeast.

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“For months now they are promising and doing nothing,” Altan said. “On the contrary, they started attacking our BDP cadres and thousands of people in military operations.”

⁶ Turkish Weekly, Turkey's Pro-Kurdish Party Tries to Calm 'Democratic Autonomy' Furor, 24 December 2010, <http://www.turkishweekly.net/news/110628/turkey-39-s-pro-kurdish-party-tries-to-calm-39-democratic-autonomy-39-furor.html>, accessed 7 January 2011

⁷ IFEX, Kurdish politician under investigation for issuing call to refuse military service, 2 July 2010, http://www.ifex.org/turkey/2010/07/02/bengi_yildiz_charged/, accessed 7 January 2011

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“Remember the prime minister said ‘one minute’ [to the Israeli president for killing Palestinians],” said Emine Ayna, a deputy of the Kurdish Peace and Democracy Party (BDP). “We have been saying ‘one minute’ to the prime minister for the killing of Kurdish people with Israeli guns and bombs for a long time.”⁸

A report in a June 2010 issue of *The Economist* notes tensions between the BDP and other parties,

“Pressure is building on Turkey’s prime minister, Recep Tayyip Erdogan, to respond. Devlet Bahçeli, leader of the nationalist opposition party, has called for martial law to be reimposed in the south-east. Sezgin Tanrikulu, a Kurdish human-rights lawyer, mutters of a “last exit” before Turks and Kurds go their separate ways.

Yet last year Mr Tanrikulu was among thousands of Kurds who spoke hopefully of peace. They were prompted by Mr Erdogan’s so-called “Kurdish opening”. This was marked by the launch of the first state-owned Kurdish-language television channel. It culminated last October in the return from northern Iraq of a group of PKK militants and supporters.

Yet on their return the militants, dressed in full combat gear, declared “victory” at mass rallies organised by the pro- Kurdish Peace and Democracy Party (BDP). Turks were outraged. Support for the “opening” weakened further when the PKK killed seven soldiers in December.

Mr Erdogan’s mildly Islamist Justice and Development (AK) party blames the PKK and what it considers to be its provocations for the collapse. The PKK and its BDP allies disagree. The rebels declared a ceasefire in April 2009, yet the army continued its operations. “Hardly a day passed that I did not attend a PKK fighter’s funeral,” says Nijad Yaruk, the BDP’s provincial boss in Diyarbakir. He sees the past year’s arrests of some 1,500 Kurdish activists and politicians, including elected BDP mayors, as proof that the “opening” is a lie.”⁹

A report by *Hurriyet Daily News* of July 2010 notes tensions in southeastern Turkey regarding alleged links between the BDP and the PKK,

“The voice of Turkey’s Kurdish community is growing increasingly fractured as terrorist attacks surge in the country, with some leaders calling for the continuation of democratic reforms while others dismiss the effort as a lost cause.

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Disarmament of the PKK remains a priority for the government and armed action poses a major impediment to peace and security in the country despite efforts to change the “security-driven perspective” that has dominated the last quarter of a century. Tanrikulu said the government’s pledge to “fight for democracy [and] continue to fight against terrorism on all fronts” will require a broad approach and must involve all state institutions, including the military, the opposition and civil society.

“Even if you ban the BDP [Peace and Democracy Party], the violence will continue,” he said. The pro-Kurdish BDP’s claim to represent the Kurdish community has been disputed by some AKP officials of Kurdish origin. One official from southeastern Anatolia expressed optimism about the government’s initiative and questioned the BDP’s right to “own” the Kurdish issue considering the support for the AKP within parts of the Kurdish community.

⁸ Globalpost, Turkey’s cycle of violence returns, 22 June 2010, <http://www.globalpost.com/dispatch/turkey/100622/kurds-AK-PKK-party>, accessed 7 January 2011

⁹ The Economist, Turkey and the PKK - A blocked opening, 24 June 2010, <http://www.economist.com/node/16439205>, accessed 8 January 2011

“The BDP failed to get enough votes to secure a seat in Parliament,” said another AKP official, this one from a western province, implying that this failure represents a lack of support for the BDP in the Kurdish community. Pro-Kurdish politicians have circumvented the 10-percent threshold for official party representation in Parliament by running as independents and then establishing a party group after winning election.

Most commentators say it will take several generations to normalize relations with citizens of Kurdish origin, but the ground must be prepared now for legal, economic, political and cultural moves – something sources said would not be sustainable until a clear distinction is made between the PKK and the BDP.

“It is a fact that the PKK resorts to violence but it is necessary to look at the underlying conditions that caused the PKK to emerge,” a local BDP official in Diyarbakır said, speaking on condition of anonymity. “There is no organic bond between the BDP and the PKK, but the two have an overlapping community of supporters among the Kurds.” Another BDP official, however, said the pro-Kurdish party “would not be in the political system if not for the PKK.”¹⁰

An August 2010 report by the *Carnegie Endowment for International Peace* notes the impact of the BDP in the southeast, stating that the BDP has close ties to the PKK,

“The end of the Kurdish opening has also served to consolidate Kurdish attitudes toward the Peace and Democracy Party (BDP), the primary legal Kurdish political organization. The BDP has close ties to the PKK and increasingly sees itself as the Turkish equivalent of Sinn Fein, the political wing of the Irish Republican Army.

In the absence of political progress with the government, the BDP and Kurds in general are also beginning to put together the rudimentary institutional structures of self-governance in the southeastern provinces.”¹¹

A September 2010 report by the *Southeast European Times (SE Times)*, an online newspaper sponsored by the US European Command, reports the sentencing of Salaetin Demirtas, co-leader of the BDP for making a pro-PKK speech,

“Salaetin Demirtas, the co-leader of the biggest pro-Kurdish party in parliament, the Peace and Democracy Party (BDP), received a suspended sentence of ten months in jail Tuesday (September 28th) for disseminating propaganda in favour of the terrorist Kurdistan Workers' Party (PKK).

The case stems from a speech Demirtas made in 2006 on Roj TV, a Denmark-based, pro-Kurdish TV channel that has been accused of serving as a PKK mouthpiece. The sentence has been suspended for five years and Demirtas will not have to serve it unless he repeats the same crime during this period. The sentence is subject to appeal.”¹²

Turkish online news source *Bianet* reported in September 2010 that despite parliamentary immunity Demirtas was sentenced under terror charges for criticising the conditions in which PKK leader, Ocalan was being held in prison

¹⁰ Hurriyet Daily News, Democratic initiative, BDP's role debated by Turkey's Kurds, 2 July 2010, <http://www.hurriyetdailynews.com/n.php?n=democratic-initiative-under-risk-amid-increasing-pkk-attacks-2010-07-02>, accessed 7 January 2011

¹¹ Carnegie Endowment for International Peace, Turkey's Silent Crisis, 31 August 2010, <http://carnegieeurope.eu/publications/?fa=41482>, accessed 7 January 2011

¹² SE Times, Turkey sentences BDP's Demirtas for PKK propaganda, 29 September 2010, http://www.setimes.com/cocoon/setimes/xhtml/en_GB/newsbriefs/setimes/newsbriefs/2010/09/29/nb-01, accessed 7 January 2011

"The Co-chair of the pro-Kurdish Peace and Democracy Party (BDP), Selahattin Demirtaş, was convicted of "propaganda for an illegal organization" and received a ten-month prison sentence.

Demirtaş, then Diyarbakır branch president of the Human Rights Foundation, was punished for a statement he made about the detention conditions of Abdullah Öcalan, leader of the militant Kurdistan Workers Party. Öcalan is imprisoned on Imrali Island in the Sea of Marmara since 1999.

In the hearing on Tuesday (28 September), the Diyarbakır High Criminal Court initially handed down a one-year prison sentence which was then mitigated to ten months. The pronouncement of judgement was postponed. Additionally, the court decided for the suspension of sentence on probation of five years."¹³

An article published by the *Institute Of Strategic Thinking* in Turkey in September 2010 criticizes the BDP's attitude toward PKK violence,

"It is very superfluous to discuss the legitimacy of a political party -the BDP (the Peace and Democracy Party) - which regards itself in a position where it can do politics on behalf of Kurds in the democracy test, which started at this point! What is interesting is that the BDP constantly moves by implying that its legitimacy is being discussed, probably because it does not observe the political life seriously.

Perhaps this can be a choice in terms of the BDP's idea of the role of politics. How a political party will determine its political line and will move with which arguments, etc. are the matters which will be decided by the free will of this political party's political executives.

However, many people have serious doubts about whether this style is a method that wishes to search for the solution with the "political" mechanisms. What nourishes these doubts is absolutely not such anxiety of legitimacy, but on the contrary irresponsible statements of the BDP's spokesmen.

One of the current examples of these statements was realized when the BDP's spokesmen talked about the mine disaster in Hakkari city. Interestingly, Co-chairman Selahattin Demirtaş clearly stated that those responsible for the mine incident was not the PKK, but those related with Ergenekon. Until today the BDP has not criticized remarkably the terrorist activities organized by the PKK. However, if the BDP wants to emphasize that it cares about terrorist incidents, it can display its attitude clearly by condemning violence and supporting democracy and human rights.

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On the top of it, the BDP compelled the people it represents to ally with the pro-status quo powers that are the protectors of the Ergenekon terrorist organization. Probably because it realized that it did not have the power to make all the people it represented say "no", it adopted more interesting attitude and took the decision of boycotting.

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This attitude of the BDP cannot be perceived merely as its own political decisions. This decision cannot be handled such simply. Because now there are a group of people in the society who support the NGOs that suggest the politics as a way to solve our all problems in Turkey including the Kurdish problem and struggle to achieve this. With this attitude, the BDP

¹³ Bianet, Leading Kurdish politician convicted, 29 September 2010, <http://www.bianet.org/english/minorities/125104-leading-kurdish-politician-convicted>, accessed 7 January 2011

prevents the growing of this group (of people). The BDP does not open the doors for those who make a contribution to solving the problem with political devices. Moreover, it closes the doors for the politics in a sense.”¹⁴

A September 2010 report by *International Freedom of Expression Exchange (IFEX)* notes the arrest of a BDP district chairman for the distribution of leaflets,

“Ayhan Demirel, the Tutak district chairman for the pro-Kurdish Peace and Democracy Party (BDP), and five children were arrested by police when they were handing out leaflets related to a school boycott initiated in the Kurdish-majority region of southeastern Turkey. The boycott campaign is demanding the right to education in the mother tongue. It was to start on 20 September 2010 and last until 24 September. Tutak is a town in the province of Agri, in eastern Turkey.

BDP Agri provincial chair Mustafa Akyol told BIANET that Demirel was released later on, together with three children. The other two children were taken to the Children's Court Prosecution in Erzurum because of their young age.

Akyol said that Demirel and the children were arrested because they were campaigning for the one-week school boycott. He reported that he had been interrogated by the Agri public prosecutor a couple of days earlier for the same reason: "I gave my statement to the prosecutor as well because I distributed leaflets. The prosecutors are trying to turn the school boycott in a certain direction. The prosecutor asked me questions such as whether the leaflets were printed by the organization (i.e. the militant Kurdistan Workers Party). My party supports the school boycott. Our co-chairs have issued a related statement and directives were given within the party. We abide by these directives. I wrote the leaflets myself but the prosecutor tries to drag them into a different corner. We claim our right to education in our mother tongue as our democratic right.”¹⁵

In August 2010 UK daily newspaper *The Independent* reported that since April 2009 hundreds of Kurdish political activists, including BDP members have been imprisoned,

“Since 14 April 2009, Turkish police have thrown into prison at least 840 Kurdish political activists, mainly from the leftist and pro-Kurdish Peace and Democracy Party (BDP), a legal formation with a parliamentary group; many have been in custody awaiting trial for a year or more. Although the Turkish government claims to be cracking down on the PKK's "urban extensions", the 7,587-page indictment dealing with 151 of the most senior detainees suggests the reality is rather more sinister.”¹⁶

In its World Report on events of 2009 *Human Rights Watch* stated that,

“Since the World Report went to press in December, the Democratic Society Party (DTP) was closed by a decision of the Constitutional Court, and human rights defender Muharrem Erbey was arrested in the course of a broader police operation against elected mayors and activists from the DTP and the Peace and Democracy Party, its successor.”¹⁷

¹⁴ Institute Of Strategic Thinking (SDE), The BDP (The Peace and Democracy Party) and the Kurdish Problem, 25 September 2010, <http://www.sde.org.tr/en/columns/602/the-bdp-the-peace-and-democracy-party-and-the-kurdish-problem.aspx>, accessed 6 January 2011

¹⁵ IFEX, Five children and pro-Kurdish party district chairman arrested for distributing leaflets, 24 September 2010, http://www.ifex.org/turkey/2010/09/24/leaflets_arrests/, accessed 7 January 2011

¹⁶ The Independent, My reporting on the Kurds landed me in a Turkish prison, 31 August 2010, <http://www.independent.co.uk/news/world/europe/my-reporting-on-the-kurds-landed-me-in-a-turkish-prison-2066157.html>, accessed 7 January 2011

¹⁷ Human Rights Watch, World Report 2010; Turkey, 20 January 2010, <http://www.hrw.org/en/node/87518>, accessed 7 January 2011

In an undated article, the *BDP* website reports that the mass arrests of people related to the BDP is part of a pattern of repression against pro-Kurdish politicians,

“On December 24th, more than 80 people related to the BDP (Peace and Democracy Party or *Bariş ve Demokrasi Partisi*), as well as human rights defenders and members of NGO’s were arrested across Turkey. On December 28th, another 24 people were arrested in Van, and Batman, cities of the pre-dominantly Kurdish south-east of Turkey.

The BDP (Peace and Democracy Party) is the succession party to the recently closed Democratic Society Party (DTP). The prosecutor's office accuses the detained of membership in the KCK (Koma Civaken Kurdistan), the umbrella organization that includes the militant Kurdistan Workers' Party (PKK).

The detentions are part of a wider pattern of repression of pro-Kurdish politicians, and in fact this is the fourth major crackdown on Kurdish politicians since the DTP won a landslide victory in the local elections in March 2009. Immediately following this success, executives of the DTP, including the party’s vice-co-presidents, were taken into custody and arrested. In the intervening eight months, not one of those individuals detained has been brought to trial. Moreover, the authorities have yet to give reasons for their detention. To date, some 1500 Kurdish politicians, including DTP executives and members have been arrested or detained since April 2009. The arrested politicians belong to those who worked hardest for local democracy in their communities. In spite of constant harassment from the Turkish state, they have tried to build a functioning infrastructure in their municipalities.”¹⁸

The *BDP* website lists the names of some of the detained;

“Muharrem Erbey: Lawyer, Vice President and Diyarbakyr Branch President of Human Rights Association (IHD). Following the detention of Muharrem Erbey, the police raided the Diyarbakir Branch of Human Rights Association in the hope of finding more evidence. Besides the unlawful raid, the search and confiscation in this office , which had no relation with the related investigation, was a scandal in terms of law. The Diyarbakir Branch of IHD has not ever been raided even during the years of state of emergency. Muharrem Erbeys activities are the work of a human rights defender.

Hatip Dicle: Co Chairperson of Democratic Community Congress, he was previously arrested while member of parliament and imprisoned for ten years.

Firat Anli: DTP Amed city leader. He was the mayor of Yenisehir in the last term and stood for Mayor of Cewlik in the last election.

Abdullah Demirbas: Mayor of Sur. He was removed from power by the state for supporting multi-lingual administration, but was put back into power by the people in the March Elections. In addition he has health problems that make his detainment without attention of a doctor a threat to his well being

Aydin Budak: Mayor of Cizre-- just like Demirbas was removed from power by the state and re-elected by the people.

Zulkuf Karatekin: Mayor of Kayapinar Serving his second term in office.

¹⁸ The official website of the Peace and Democracy Party (BDP), Information document about detentions and arrestments against BDP, <http://www.bdp.org.tr/english/announcements/2010-1/announcement1.html>, accessed 7 January 2010

Nejdet Atalay: Mayor of Batman. He won his office with a high majority in Batman.

Ferhan Turk: Mayor of Kiziltepe He spent years in the notorious Amed prison and felt the full force of the coup. He is now imprisoned for the second time.

Leyla Guven: Mayor of Viransehir She has previously been a local administrator and has actively taken part in the womens freedom movement. She is also member of Council of European Municipalities and Regions (CEMR)

Ethem Sahin: Mayor of Suruc won the local election with a landslide victory and has since changed the appearance of the town.

Huseyin Kalkan: Former mayor of Batman

Emrullah Cin: Former mayor of Viransehir

Abdullah Akengin: Former mayor of Dicle

Kazim Kurt: Former mayor of Hakkari

Nadir Bingol: Former mayor of Ergani

Ali Simsek: Assistant mayor of Diyarbakir Metropolitan Municipality

Yasar Sari: General Secretary of DISKI

Ferzende Abi: MEYADER (Mesopotamia Association of Those Having Lost their Relatives) Van Branch President ,

Tefik Say: Hacibekir Suburb Free Citizen Association Chairman

Siddik Gül: DTP Van Provincial Treasurer

Yıldız Tekin: BDP Women's Council Member

Eylem Açıklan: BDP Women's Council Member

Kerem Çağlı: BDP Women's Council Member

Ramazan Özlü:BDP Women's Council Member

Selim Çay: BDP Women's Council Member

Cafer Koçak: BDP Women's Council Member

Zihni Karakaya: BDP Women's Council Member

Mustafa Ayaz - Kamuran Parlak

Ahmet Sormaz: Former DTP Batman Provincial President

Selamet Akyüz: Göç-Der (Migration Association) in Batman

Veysi Gülseren - İlyas Sağlam - Aydın Kılıç: former DTP city and county administrators

Gülizar Kal: Urban Women's Council employee

Cahit Conbay: politician

Rıdvan Asaln: politician

Şeymus Yaşar: politician

Şirin Bağlı,: Batman Municipality Council Member

Rıfat Başalak: Batman Municipality Council Member

Nesri Kılıç: Batman Municipality Council Member

Fethi Suvari: Coordinator of Local Agenda21

Abbas Celik: Administrator of Goc-Ders Diyarbakir Branch

Cebrail Kurt: BDP worker

Ramazan Debe - Ahmet Makas - Takibe Turgay: BDP workers"¹⁹

Websites Vigilante Journalist and Kurdish Aspect have published a copy of a *Peace and Democracy Party* statement relating to arrests of BDP members in December 2009, however during the course of our research this statement could not be found on the BDP website,

¹⁹ The official website of the Peace and Democracy Party (BDP), Information document about detentions and arrestments against BDP, <http://www.bdp.org.tr/english/announcements/2010-1/announcement1.html>, accessed 7 January 2010

“On Thursday morning, 24 December 2009, an operation was carried out by security forces against the Peace and Democracy Party (Barış ve Demokrasi Partisi – BDP). More than 80 people were taken into custody, including mayors and former members of parliament.

The detentions were carried out without respect for universal legal principles, by breaking doors and raiding houses arbitrarily.

After the closure of the Democratic Society Party by the Constitutional Court on 11 December 2009, 94 mayors, members of provincial assemblies and members of city councils joined the Peace and Democracy Party (BDP) on 23 December 2009. It's thought provoking that the operation was carried out against the BDP without even 24 hours having passed.

Shortly after the clear victory of Democratic Society Party in the local election on 29 March 2009, 53 senior DTP activists - including vice co-presidents of the party – were detained and arrested in an operation launched on the morning of 14 April 2009. Although 8 months have passed, these party members have not been tried. Moreover, they don't even know what they're being accused of due to a judicial decision to prevent access to their case files. Up until now, the number of arrested Kurdish politicians including the 53 DTP executives has exceeded 500.

As this injustice continues, today 80 Kurdish politicians and representatives of NGOs -- including former DEP deputy and co-president of Democratic Society Congress, Mr. Hatip DİCLE, Mayor of Sur Municipality, Mr. Abdullah DEMİRBAŞ, Mayor of Kayapınar, Mr. Zülkif KARATEKİN, former DEP Deputy and Mayor of Siirt, Mr. Selim SADAK, Mayor of BATMAN, Mr. Necdet ATALAY, Mayor of Viranşehir and member of the Congress of Local and Regional Authorities of the Council of Europe Mrs. Leyla GÜVEN, Mayor of Kızıltepe, Mr. Ferhan TÜRK and Vice President of the Human Rights Association, Mr. Muharrem ERBEY were taken into custody under the instructions of prosecutors.

The AKP Government has on the one hand redoubled offensives against the Kurdish people's political will and on the other hand misled Turkish and international public opinion with the rhetoric of the “democratic opening”. The Democratic Society Party (DTP), which received nearly 2.5 million votes in the last local election, has been shut down; DTP Co-Presidents Mr. Ahmet TÜRK and Diyarbakır Deputy Ms. Aysel TUĞLUK's statuses as members of parliament have been lifted. As a response to these attacks, DTP's deputies initially decided to resign from their seats. But after taking into consideration public calls not to resign, DTP deputies reversed their decision and instead chose to continue their insistence on democratic politics and a peaceful solution to the Kurdish problem with a democratic struggle on the floor of parliament under the banner of the Peace and Democracy Party, BDP. The last raid after the DTP's decision is a provocation and this operation is not independent from the AKP government.”²⁰

In a January 2010 article *Human Rights Watch* reported that the arrest of the Vice President of the national Human Rights Association Muharrem Erbrey and BDP members causes concern for the right to political participation and representation,

“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

²⁰ Vigilante Journalist, Kurdish Peace and Democracy Party Issues open letter, 26 December 2009, <http://vigilantejournalist.com/blog/archives/1394>, accessed 7 January 2011, see also Kurdish Aspect, Peace and Democracy Party Statement, 26 December 2009, <http://www.kurdishaspect.com/doc122609KA.html>, accessed 7 January 2011

the Democratic Society Party by Turkey's Constitutional Court. Those arrested included a number of democratically elected mayors and officials of the new party.

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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 Diyarbakır 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.

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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."²¹

A *Reuters* report of October 2010 also notes the inclusion of BDP members and serving officials in a mass trial,

"Turkey on Monday began trying 151 politicians and activists, including 12 elected mayors, charged with links to Kurdish rebels in a case testing a European Union-inspired drive to broaden Kurdish rights. The defendants are accused of crimes including membership in an illegal armed group, spreading its propaganda, undermining Turkey's territorial integrity and violating laws on public demonstrations, according to a 7,500- page indictment.

²¹ Human Rights Watch, Turkey: Rights Defender Arrested, 12 January 2010, <http://www.hrw.org/en/news/2010/01/12/turkey-rights-defender-arrested>, accessed 7 January 2011

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But Turkey has also cracked down on Kurdish groups. More than 1,000 people are in jail on charges that link them to the PKK, according to the Peace and Democracy Party (BDP), Turkey's only pro-Kurdish grouping in parliament.

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The BDP succeeded the Democratic Society Party (DTP), banned by Turkey's top court in December for links with the PKK. "We see this trial as an attempt to break our will," Ahmet Turk, the former DTP chairman who lost his parliamentary seat after the party was shut, said outside of the courthouse. "At a time when we are seeking peace, it's unacceptable that our friends are being held in jail for 18 months only for expressing their thoughts and opinions."

The charges against the defendants, 103 of whom are in detention, stem from wiretapped phone conversations or include the alleged roles they played organising public demonstrations that often turned violent, lawyers have said. The trial is expected to last months because of the number of defendants. A special courtroom that can hold 500 people was built for the proceedings.

The BDP denies outright links with the PKK, but espouses the same proposals as the rebels for the ending the war, including an amnesty for the fighters and a negotiated settlement. For its part, the PKK has said the arrest of Kurdish politicians has made a political settlement of the conflict more remote. The rebels called off a one-sided cease-fire on June 1 and fighting intensified until it resumed the truce on August 13.²²

In an article published in the Guardian in November 2010, Human Rights Lawyer and advisor to the Kurdish Human Rights Project *Mary Owen* reports on the KCK trial of 151 Kurdish lawyers, politicians and civil society leaders as an affront to human rights,

"The Democratic Society party (DTP) was the last of several parties to be closed in 2009. Today, legal-democratic Kurdish politics continues under the roof of the newly named BDP (Peace and Democracy party). Not only have many of its members been arrested and imprisoned, but its distinguished chair, Ahmed Turk, has been banned from all political activities for the next five years, and the brilliant and charismatic mayor of Diyarbakir, Osman Baydemir, faces not only prosecution but also assassination threats as he continues to speak out on behalf of the Kurdish population whose lives are wracked by persecution, extrajudicial killings, torture, displacement and extreme poverty.

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This trial of the 151 "suspects" is the most repressive action yet to shut down the lawful and democratic activities of Kurdish organisations and eliminate all political activity. The manner by which the evidence in the trial was gathered gives cause for extreme concern.

It is clear from the 7,500-page indictment and so-called supporting evidence that there are no grounds for suspecting any actual crimes have been committed, such as references to weapons, acts of violence, or conspiracy for terrorism. Most of the evidence is based on (unlawful) wiretapping and bugging to draw conclusions from private daily conversations, or on routine political propaganda and secret statements by anonymous prosecution witnesses.²³

In an NGO Shadow report submitted to the UN Committee against Torture in October 2010 the UK based *Roj Women Assembly*, an organisation promoting women's rights in Kurdish regions of Turkey,

²² Reuters, Turkey begins trial of 151 pro-Kurdish politicians, 18 October 2010,

<http://www.guardian.co.uk/commentisfree/libertycentral/2010/nov/10/turkey-show-trial-of-kurds?INTCMP=SRCH>, accessed 8 January 2011

²³ The Guardian, Kurdish show trial shames Turkey, 10 November 2010,

<http://www.guardian.co.uk/commentisfree/libertycentral/2010/nov/10/turkey-show-trial-of-kurds>, accessed 7 January 2011

reported that female supporters of the BDP had been sexually harassed by law enforcement authorities,

“Female members of the Peace and Democracy Party (BDP) are sexually harassed not only in detention places, but also in public spaces. For example, BDP Assembly member Nursel Aydoğan pointed out in a public speech in June 2010 that during the previous year many women members of the closed Democratic Society Party (DTP) and BDP had been exposed to verbal abuse, threatened and followed in public spaces by policemen and gendarmes. She also stated that “the attacks have especially accelerated during the term when the Women’s Assembly of the party launched the year-long campaign ‘Let’s struggle for freedom, let’s overcome the rape culture’”, which attempts to expose how security forces “in order to break the pride of the society they attack the pride of women”.²⁴

In October 2010 *Roj Women Assembly* further reported that a female BDP member was kidnapped and raped by two plain clothes policemen,

“A recent case, not occurred under custody, encapsulates the nature of the abuse. An active member of the Free Women’s Democratic Movement (DÖKH) and of BDP was kidnapped on June 17 this year at 2.30pm in Bagcilar Town by two policemen in plain clothes. Before they caused her to faint through inhalation she was told “who do you think you are, we have been chasing you for two months”. It was 6am in the following day when she woke up in an abandoned house. She was naked and her bag has been searched. After the incident her colleagues from BDP obtained a hospital medical report. The report showed that she had been raped.”²⁵

In its section on political dissidents *Roj Women Assembly* report that female relatives have been targeted, but do not specify whether this was in relation to BDP membership,

“In occasions, state actors target female relatives as a way of punishing of specific individuals.”²⁶

Roj Women’s Assembly report that none of those responsible for abusing female BDP members have been prosecuted,

“The BDP’s Women’s Assembly also highlighted the ineffectiveness of the State in prosecuting and convicting the perpetrators of acts of torture in a conference in June 2010 given that none of those who sexually harass and abused members of the Women’s Assembly has been found and sentenced.”²⁷

EurasiaNet notes in a September 2010 report the influence of the BDP in calling a boycott of schools,

“[] thousands of school children across Turkey’s mainly Kurdish southeast stayed away from school to protest the lack of Kurdish-language education in Turkish state schools. Acts of mass

²⁴ *Roj Women Assembly*, NGO Shadow Report, FOR THE REVIEW OF THE TURKISH GOVERNMENT UNDER THE UN INTERNATIONAL CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (CAT), October 2010, <http://www2.ohchr.org/english/bodies/cat/docs/ngos/RojWomen.pdf>, accessed 7 January 2011

²⁵ *Roj Women Assembly*, NGO Shadow Report, FOR THE REVIEW OF THE TURKISH GOVERNMENT UNDER THE UN INTERNATIONAL CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (CAT), October 2010, <http://www2.ohchr.org/english/bodies/cat/docs/ngos/RojWomen.pdf>, accessed 7 January 2011

²⁶ *Roj Women Assembly*, NGO Shadow Report, FOR THE REVIEW OF THE TURKISH GOVERNMENT UNDER THE UN INTERNATIONAL CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (CAT), October 2010, <http://www2.ohchr.org/english/bodies/cat/docs/ngos/RojWomen.pdf>, accessed 7 January 2011

²⁷ *Roj Women Assembly*, NGO Shadow Report, FOR THE REVIEW OF THE TURKISH GOVERNMENT UNDER THE UN INTERNATIONAL CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (CAT), October 2010, <http://www2.ohchr.org/english/bodies/cat/docs/ngos/RojWomen.pdf>, accessed 7 January 2011

civil disobedience have been largely absent from the 26-year war that the Kurdistan Workers Party, or PKK, has waged against the Turkish state.

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Timed to coincide with the start of the new school year, the five-day long boycott was called by a Kurdish NGO that has no known links to the PKK. But it was the backing of the Peace and Democracy Party (BDP) -- a Kurdish party that shares the PKK's support base -- that ensured that thousands of children stayed away.

The BDP has developed quite a taste for boycotts recently. On September 12, in a face-off against the government, it called on Kurds to boycott a constitutional referendum, and got what it wanted: roughly half of voters in the southeast stayed at home, with absenteeism in some areas higher than 90 percent.

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Analysts said the referendum results, which provided fresh proof of the BDP's regional clout, acted as a catalyst for fresh talks between the government and the BDP. The renewed dialogue began September 23 after a long break. During the meeting, BDP representatives called for an end of military operations in Kurdish areas. Turkish leaders, meanwhile, reiterated their opposition to Kurdish-language education."²⁸

In September 2010 *Voice of America News* reported that the government has warned parents against participating in the boycott of schools, a week long initiative launched by the BDP as part of its campaign for the Kurdish language to be used within education and that over 500 BDP officials and supporters had been detained under anti-terror laws in the last month,

"The campaign to boycott schools has been condemned by the government, which also has warned participating parents they will face sanctions. Arrests of Peace and Democracy Party officials and supporters under Turkey's anti-terror laws also is continuing. It has been reported that more than 500 people have been detained in the past month."²⁹

A *Voice of America News* report of December 2010 states that the speaker of parliament has warned the BDP that the party may be closed down in response to the BDP's support for an initiative to bolster the use of the Kurdish language,

"Turkey's predominantly Kurdish southeast has launched a major initiative to use the Kurdish language in the region and demand greater regional autonomy. The move has sent political shock waves through the country. Under the Kurdish umbrella organization, the Democratic Society Congress, the Kurds' main political party, or BDP, joined leading Kurdish figures to launch the initiative. The demands include democratic autonomy, a separate flag, and a parliament and defense force for Kurds. But according to the head of the BDP, Selahattin Demirtas, use of their language is key.

"People should be able to use their native language in trade," he said. "The names of businesses and all the brands should be in their native languages. There are Kurdish people in this country, and they have their own native language. It is their most natural right to demand that its use is as free as Turkish," he said.

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The demands are the same as those of Kurdish insurgent group the PKK, which has been fighting the Turkish state since 1984, although it's now observing a cease-fire. Political scientist

²⁸ EurasiaNet, Turkey: Is a Kurdish School Boycott a Sign of the Future?, 24 September 2010, <http://www.eurasianet.org/node/62013>, accessed 7 January 2011

²⁹ Voice of America News, Kurd rebels extend ceasefire in Turkey, 21 September 2010, <http://www.voanews.com/english/news/Kurd-Rebels-Extend-Ceasefire-in-Turkey-103298084.html>, accessed 7 January 2011

Soli Ozel says the initiative is a clear indication that the struggle is shifting from a military to a civilian level, a move that has caught the government on the wrong foot.

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Observers say the ruling AK party has so far said and done little about the initiative, other than dismissing it as a populist move ahead of next year's election. But recently, a senior state prosecutor said the government will investigate the initiative and the BDP. The speaker of parliament also warned the party that it could face closure.

The BDP officials reacted swiftly, warning if its party was closed down, it could result in the return of conflict. The Turkish Armed forces also weighed in. On its web page it warned of the danger to the unity of the state with Devlet Bahçeli, head of the far-right Nationalist Movement Party, launching a blistering attack against the initiative."³⁰

A December 2010 article by Turkish news agency *Bianet* also notes threats, which have been rescinded, from the parliament speaker to close down the BDP due to their support for Kurdish linguistic rights,

"The southeast Cizre municipality, controlled by the pro-Kurdish Peace and Democracy Party (BDP), has replaced the signboards in the mayoralty to bear Kurdish and Turkish text while the government is planning to incorporate the town into a province for imposing tighter security measures and stronger control by the central government in Ankara.

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According to the Fırat News Agency, assistant mayor Hanım Onur said: "To those, who call Kurdish, -spoken by Kurds, who have been inhabiting in this land for thousands of years - an 'incomprehensible language,' we say, 'here, now you can easily comprehend it."

On the other hand, BDP Karlıova District Organisation and BDP Agri Provincial Organisation have launched a petition campaign for official recognition of a "bilingual life." BDP co-president Selahattin Demirtaş has recently announced that they will commence a bilingual life without waiting for a legal arrangement.

The government has reacted against this announcement. Parliament Speaker Mehmet Ali Şahin stated that this serves as a reason to close the party down. However, after meeting with BDP officials, he stepped back."³¹

In September 2010 *Al Jazeera* reported that the BDP has called for a boycott of a constitutional referendum,

"Selahattin Demirtaş, the leader of the Kurds' new BDP, told *Al Jazeera* that his group had called for a boycott because they wanted "sweeping changes to the constitution," and the package of changes proposed by Erdoğan and the AKP merely "revitalises" the legacy of the 1982 military coup constitution.

"This government wants to form their own civilian dictatorship," he said.

Demirtaş said that the existing courts are already biased against Kurds, who make up nearly 20 per cent of the country's 76.8 million people, and that if the AKP "was to take over the judiciary, from our point of view nothing will change".³²

³⁰ VOA News, Kurdish Initiative Increases Tension in Turkey, 23 December 2010, <http://www.voanews.com/english/news/europe/Kurdish-Initiative-Increases-Tension-in-Turkey-112402759.html>, accessed 7 January 2011

³¹ *Bianet*, Kurdish Town of Cizre Becomes Bilingual, 30 December 2010, <http://bianet.org/english/culture/126888-kurdish-town-of-cizre-becomes-bilingual>, accessed 7 January 2011

³² *Al Jazeera*, Major reforms cast as a power grab, 13 September 2010, <http://english.aljazeera.net/indepth/briefings/2010/09/201098133815256515.html>, accessed 7 January 2011

Voice of America News reported in September 2010 that prior to a successful boycott of the constitutional referendum the government had considered the BDP to be politically irrelevant and connected to terrorism,

“Political scientist Nuray Mert said that until the referendum, Turkey's government had dismissed the Peace and Democracy Party as politically irrelevant and a supporter of terrorism. "The government is constantly identifying them as marginal, and only have limited power in the region, and they are using force and violence to achieve this power. Otherwise people in the region are ready to support the government," said Mert.

But columnist Ozel said with the vast majority of Turkey's Kurds heeding the party's referendum boycott, a powerful message was sent to the government.

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Prime Minister Recep Tayyip Erdogan appeared to take that message on board, agreeing to meet with leading members of the Peace and Democracy Party. The killing of 12 Kurds by a land mine last week ended plans for a meeting. Mr. Erdogan blamed the PKK and accused the Peace and Democracy Party of being tactically responsible for the attack.”³³

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³³ Voice of America News, Kurd rebels extend ceasefire in Turkey, 21 September 2010, <http://www.voanews.com/english/news/Kurd-Rebels-Extend-Ceasefire-in-Turkey-103298084.html>, accessed 7 January 2011