

Democracy in the dock – a weekly news review

[3:55 pm 17/01/2023](#)



Sarah Glynn

The dissolution of the Peoples' Democratic Party (HDP) "would be a huge blow to democracy... violating multiple basic freedoms and rights, such as freedom of association, freedom of expression and the right to vote." These were the words of Nacho Sánchez Amor, European Parliament rapporteur on Turkey. He was [speaking](#) on behalf of the Socialists and Democrats in the European Parliament on Wednesday, the day after Turkey's chief prosecutor submitted his final case to the Constitutional Court for the closure of the HDP. And he further observed, "If the HDP is ordered to close, no international independent observer delegation will be able to come to Turkey and say that the elections were fair". A group of ten international and local non-governmental organisations, including Human Rights Watch, has [commented](#),

“Current efforts to dissolve the second-largest opposition party in Turkey’s parliament ahead of parliamentary and presidential elections are the latest in a deeply problematic practice in Turkey of forcing the closure of political parties”.

Summarising his case for the HDP’s closure, the prosecutor referenced the ongoing Kobanê case against leading HDP members who called for protests against the ISIS siege of Kobanê in 2014, and speeches given by party MPs on television, and he claimed that the government-supported sit-in outside the party’s Diyarbakir office was proof of PKK links.

The HDP will make their verbal defence at a future date, and both parties can submit further evidence while the court rapporteur prepares his report. The final decision will be made by the Constitutional Court committee, with a majority of ten out of the 15 members needed to implement a ban. But no one is under any illusions that their decision will be independent of the government’s wishes. We can’t yet be sure what outcome President Erdoğan will consider most likely to benefit his own election chances, but, on Monday, the day before the prosecutor’s speech, a key Erdoğan advisor [told](#) Habertürk TV that the court would approve the closure. The prosecutor has also asked that 451 named party members be banned from all party politics for the next five years.

Already, on 5 January, the court had put a block on the state grant due to the HDP. In the Through-the-Looking-Glass world of the Turkish judicial system, the arguments given by the chief public prosecutor to justify this block were only revealed almost a week after the decision was taken. The HDP now has a month to respond and make their argument for the block on their funds to be lifted, but already they have to function without their expected income. Twice before, applications to block the HDP’s funding had been rejected. This time, as “new evidence”, the prosecutor claimed that the HDP had not condemned the November bombing in Istanbul – which the Turkish Government attributes, without evidence or logic, to the PKK – or the September PKK attack on a police building in Mersin. In fact, the HDP condemned both.

In making this claim, the prosecutor attempted to draw a parallel with the 2009 European Court of Human Rights decision that backed Spain's argument that a Basque separatist party, Batasuna, was linked to (terrorist listed) ETA. HDP Lawyer Serhat Eren explained to Bianet that a similar argument had been used to shut down the Democratic Society Party (DTP), one of the HDP's predecessors, but that the European Court had [ruled](#) against this: "Today the allegations are the same, and the result will also be the same. The ECtHR judgments in all cases related to the political parties the heritage of which we have taken over were that there was a violation. The case against our party today is no different." Not that Turkey allows European Court decisions to limit their actions.

Meanwhile, the HDP is continuing with their plans for the forthcoming elections, which must take place by June and are expected to be brought forward a little. Besides continuing to work on contingency arrangements in case of a ban, they announced last Saturday that they will be putting forward their own presidential candidate. The Turkish presidential election is a two-stage process, like that in France. The HDP do not expect their candidate to be one of the two main vote-winners who go through to the final run-off, but they want to be able to influence the debate. They have had to defend this announcement against those who have attempted to argue that they should simply fall in behind the candidate chosen by the main opposition coalition, the National Alliance led by the Republican People's Party (CHP). However, the National Alliance has avoided consulting with the HDP on any issue, and HDP voters could still support the National Alliance candidate in the decisive second round, where the closeness between the numbers supporting the two main political coalitions means that these voters will be king makers. The day after her initial announcement, HDP co-chair, Pervin Buldan, felt forced to [ask](#), "Why shouldn't the HDP run with its own candidate, what is the difference between the HDP and you? Isn't the HDP a political party, does it or does it not have the right to run in elections?"

The HDP played a crucial role in the election of CHP mayors in 2019, when they chose not to stand candidates in the areas where Kurds are in the minority, and, instead, encouraged their supporters to vote for the CHP

candidates. But those mayors have shown them and the Kurds little support since, and the HDP does not want to be taken for granted by an opposition that includes elements every bit as anti-Kurdish and ethnic nationalist as the ruling coalition. Nevertheless, they [say](#) that they are still open to the idea of supporting a National Alliance presidential candidate if that person shows a positive approach to Kurdish issues, and also to women's rights and ecology – ruling out the potential candidature of Mansur Yavaş, the mayor of Ankara. The HDP's other co-chair, Mithat Sancar, [explained](#) in a television interview on Monday, "The doors for negotiation will not be shut once we nominate our candidate. We are not nominating a candidate as blackmail or a threat. We are just trying to keep the promises we have made to the people over the last year and a half." And the HDP's position was defended in another television interview by the CHP's parliamentary group leader, Özgür Özel, who argued that what the HDP was doing was normal party behaviour, and who tried to dispel images of opposition disunity with the assurance that discussions were on healthy ground.

The HDP, together with the small left-wing parties with which it is allied, will hold a [pre-election rally](#) tomorrow in Istanbul under the banner, "Say no to poverty, war and oppression".

The government has also been [discussing](#) how to stop the HDP's imprisoned co-chair, Selahattin Demirtaş, from contributing to political debate through social media with the help of friends and family. And the hatred the government has [generated](#) towards the party can probably be blamed for yet another attack on an HDP office – an apparent case of attempted arson in Muş.

At the same time, the Interior Ministry have announced another prosecution against the CHP Mayor of Istanbul, Ekrem İmamoğlu, who is a front runner to challenge Erdoğan for the presidency. This case is due to be [heard](#) on 15 June, so probably after the election, but İmamoğlu still stands to be banned from politics if the appeal court upholds his December conviction for "insulting public officers".

And the ruling party's junior alliance partner, the Nationalist Movement Party (MHP), is feeling the results of the murder of Sinan Ateş, the former head of its paramilitary organisation, the Grey Wolves. This has exposed a major division within the party, as well as links between party members, criminal gangs, and the police. Two of those [arrested](#) for the murder are special forces policemen.

The Turkish state continues to defy international human rights law – as well as Turkey's own law – by maintaining the isolation of Kurdish leader, Abdullah Öcalan, and denying him any communication with his family and lawyers. Yet again his lawyers have been – eventually – informed that a three-month disciplinary punishment visitors ban for Öcalan and the three other prisoners in İmralı has been directly followed by another of the same. Most of the lawyers' applications and questions do not even [receive](#) an answer from the authorities.

While concern over Öcalan tends to be limited to those on the political left, despite human rights being universal, there has been wider interest in the political prosecution of Şebnem Korur Fincancı, the head of the Turkish Medial Association, who has a long history of defending human rights. This week, Fincancı was [sentenced](#) to 2 years 8 1/2 months in prison for “propagandising for a terrorist organisation” on the basis of her call for an independent investigation into accusations of the use of chemical weapons by the Turkish army against PKK guerrillas in Iraq. The support she received, including from international doctors' organisations, may have helped make her sentence shorter than it might have been, and encouraged the decision to release her from prison pending ratification of her sentence.

European complicity

I began with a quote from the European Parliament's rapporteur on Turkey, but European criticism of Turkish authoritarianism rarely goes beyond words. Meanwhile, both through action and inaction, European countries are giving Erdoğan their support.

Monday was the tenth anniversary of the assassination in Paris of three leading Kurdish women – Sakine Cansiz, Fidan Doğan, and Leyla Şaylemez – and the commemorative protests acquired a doubled urgency with the triple murder of three more Kurdish activists in a nearby street on 23 December. The 25,000-strong [demonstration](#) in Paris on Saturday followed two weeks of mass protests. French politicians, including the mayors of Paris and of the 10th Arrondissement where the assassinations took place, also joined the [commemorations](#) on Monday; and on Thursday, the Conseil Démocratique Kurde en France organised a [colloquium](#) in the French parliament with the patronage of Frédéric Mathieu MP of La France Insoumise.

While few can seriously doubt the role of the Turkish state in planning the 2013 assassinations, the man who pulled the trigger conveniently died of a brain tumour in December 2016, and the French authorities closed the case. It was reopened, under pressure, in 2019, but crucial case files have been hidden behind a confidentiality order. The final indictment drawn up in 2015 made French legal history by being the first to raise the possible implication of a foreign intelligence service in a political assassination carried out in France. And since then, there has been a wealth of further evidence [showing](#) Turkey's responsibility. The French government has been accused of covering up for Turkey and of deliberately obstructing the exposure of their role.

With this background, it is little wonder that few trust the French authorities to carry out a full investigation into the recent murders, which almost all Kurds believe were also orchestrated by Ankara. And this distrust was reinforced by the almost immediate announcement by French Interior Minister, Gerald Darmanin, that this was the action of a lone racist, and the dismissal of the need for a terrorism investigation.

At all the events marking the assassinations, representatives of France's left parties united together, along with the Kurdish community, in demanding a full and transparent investigation into both triple murders – including the lifting of the confidentiality order – and in calling for December's attack to be investigated as a potential case of terrorism. There were also calls to remove

the PKK from the EU's terrorism list so that European countries might stop treating the Kurds as criminals and stop allowing Turkey to act with impunity.

While France is accused of allowing the Turkish state to get away with murder, Germany is especially proactive in helping Turkey to criminalise the Kurds and stymie their campaigns. As well as the general European concerns about not upsetting a NATO ally and responding to Turkish threats to allow migrants into the EU, Germany values Turkey as a trading partner and market for German arms exports, and they want to appease their large Turkish minority.

The ban on the PKK is used as an excuse to close down actions and raid Kurdish organisations. German police removed several Kurdish activists from the buses travelling to the demonstration in Paris. They [banned](#) them from leaving Germany, claiming that participation in the event "could have a considerable impact on the security policy of the Federal Republic of Germany."

A former Die Linke MP, Michel Brandt, attended an appeal hearing in Karlsruhe on Thursday (subsequently adjourned) against a 14,000 € penalty order for the inclusion of banned symbols and flags in social media posts. These were posts about demonstrations against Turkey's unprovoked invasion of North and East Syria in 2019, including images of a demonstration in Strasbourg where Brandt [addressed](#) the crowd as a member of the Council of Europe.

In contrast, Turkey's invasions themselves seem to give the German Government little cause for concern. Also last week, another Die Linke MP, Sevim Dağdelen, asked the government to investigate Turkey's violation of international law in their invasion of Afrîn nearly five years ago. The government spokesperson responded by claiming that they didn't have the necessary information, despite the fact that the Bundestag's own Scientific Services have classified the Turkish presence as a military occupation.

In Sweden, where Turkey is exploiting its veto over NATO membership to try and force the government to take a harsh line against Swedish Kurds, hopes were briefly raised on Sunday that they would not cave entirely to Erdoğan's wishes. The Prime Minister, Ulf Kristersson, [told](#) a security conference that

“Turkey both confirms that we have done what we said we would do, but they also say that they want things that we cannot or do not want to give them”. However, by Wednesday, Kristersson was claiming that his earlier comment had been misunderstood and that the discussions about NATO membership were going very well.

Not everyone is happy with Sweden’s readiness to dance to Erdoğan’s tune and to abandon their Kurdish population and their commitment to freedom of speech and human rights. On Wednesday, the Swedish Solidarity Committee for Rojava hung a dummy representing Erdoğan upside down outside Stockholm City Hall. Their tweet in which they shared a video of the action explains, “History shows how dictators often end, so for everyone’s sake Erdogan: – Now take the chance and resign... We say no to NATO! No alliance with fascists!” The next day, Turkey’s Ministry of Foreign Affairs summoned the Swedish Ambassador and demanded that Sweden [find](#) the culprits and take “the necessary measures”. A spokesperson for the activist group commented, “No democratic country would ever react in this way, because a doll is hung in another part of Europe”.

Iraq and Syria

Turkey is continuing their diplomacy with menaces, trying to draw their neighbours into their plans to eliminate the Kurds. This week, Erdoğan and Iraqi Prime Minister Mohammed Shia’ al-Sudani discussed boosting Turkish-Iraqi relations. Their telephone discussions included “coordination to pursue terrorist groups”, according to Sudani’s office, while Erdoğan’s office stated that he [told](#) Sudani that the PKK’s presence in Iraq “should be ended.”

Talks about a new agreement between Turkey and Syria have [continued](#) with discussions between a Russian envoy and President Assad, while Iran has expressed their approval of the rapprochement.

And we continue to be reminded about the toxic legacy bequeathed to Syria by Turkey’s interference – which has replaced hundreds of thousands of original inhabitants in a planned programme of demographic change, and which

enabled ISIS to grow and still enables them to continue their activities. An eight-day operation launched by the Autonomous Administration of North and East Syria and the US-led International Coalition on 29 December resulted in the arrest of over a hundred ISIS terrorists. This operation had had to be postponed when Turkey launched widespread air attacks on the region in November.

Iran

Last Saturday, some people left the Kurdish demonstration early to respond to an emergency call to protest outside the Iranian embassy. News had just come through that Iran had [carried out](#) two further death penalties against men who had protested against the regime – Mohammad Mehdi Karami, aged 22, and Seyyed Mohammad Hosseini, aged 39. Over a hundred more people are on death row after fake trials.

Meanwhile, Iran's police have been [instructed](#) to clamp down on women not wearing hijabs, with a new list of possible penalties.

None of this has stopped people from protesting. Just as the many hurdles and setbacks have not stopped the struggle for Kurdish freedom in any of the four parts of Kurdistan nor in the diaspora.

Sarah Glynn is a writer and activist – check her [website](#) and follow her on [Twitter](#)