

Human rights versus Turkey – a weekly news review

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Human rights, democracy, and the rule of law. These are the founding principles that the Council of Europe was set up to defend, and once again Kurds have gathered outside the Council building in Strasbourg to call on them to apply these principles to the case of their imprisoned leader, Abdullah Öcalan. Inside the Council building, in the Parliamentary Assembly, which is made up of MPs from parliaments across Europe, the debates all referenced these principles; but both what was said and what was not said give serious grounds for concern over where the European states are taking us. Meanwhile, Turkey's President Erdoğan has been attacking what exists of

European freedoms and manufacturing spats to boost his anti-Western credentials.

Inside the Council of Europe

The Council of Europe is a product of the post-war years, when political leaders were looking for a way to maintain a democratic peace; and it has always been flawed, like the democracies that make up its members. This week's debates in the Parliamentary Assembly showed that hopes for that peace are getting dimmer, and nowhere was this clearer than in the speech of the German Foreign Minister, who [addressed the Assembly](#) on Tuesday.

Annalena Baerbock is a member of the Green Party, which is part of a coalition government with the social democrats and the liberals. Her speech focused on the war in Ukraine, which she portrayed – with some heartfelt anecdotes – in black and white terms as a battle between freedom and oppression. In the following debate, she let slip an understanding of European involvement in the war that has never been officially agreed or announced, when she used the phrase “we are fighting a war against Russia”. Her words were immediately [amplified by the Russians](#), while the German government was forced to protest that Germany is not a party to the conflict.

Pushed to say whether Germany was going to respond positively to the demand to supply Ukraine with their Leopard tanks, as was actually announced the following day, Baerbock observed, “peace is not only on tanks”. I thought she was going to go on to talk about diplomacy, but no – peace “is also about air defence”, and diplomacy “is impossible”. Does her moral certainty, which she shared with most others in the chamber, make her blind to the many [warnings of escalating death and destruction](#) in an unwinnable war? To the risks that such escalation could end in the use of nuclear weapons? To the possibility that Putin could be ousted by a more hard-line leadership? To the historical imperative to accept flexibility and compromise in order to end the devastation of armed conflict?

One of the [biggest buyers](#) of Germany's Leopard tanks – second only to Greece – is Turkey, who has used them to invade Syria. Baerbock was asked,

by the Left Group, if she found German arms exports to Turkey “compatible with the EU Common Position of 2008, which forbids military sales to countries which affect regional stability or do not comply with their international commitments”. Her answer was evasive.

Baerbock’s speech observed that the Council had failed to see and respond to “early warning signs” from Russia – aggressiveness, show trials, ignoring rulings by the European Court of Human Rights, refusal to sign the Istanbul Convention against violence against women, and curbing women’s rights. But, despite a mention of Turkey’s political prisoners and the infringement proceedings that have been instigated in response to Turkey ignoring the European Court decision on the imprisonment of Osman Kavala, she does not appear to recognise the “early warning signs” in the Turkish case.

I have focused on Baerbock because she gave a keynote speech, but she was also representing views that are widely shared by Europe’s political leaders – and often in the genuine belief that they are acting as a force for good in the world.

In the debate on the Assembly’s monitoring procedure, more mention was, perforce, made of Turkey’s failure to honour the Council’s fundamental rules. The Monitoring Committee’s list of concerns included the ongoing case to shut down the pro-Kurdish, leftist Peoples’ Democratic Party (HDP), and the fact that “everything that opposes the government in power is described as ‘terrorist’”, but there was no mention of the serious breaches of human rights rules and the disrespect for the European Court’s rulings in the case of Abdullah Öcalan. Although human rights are defined as universal, most people prefer not to acknowledge Öcalan’s case; which is why Kurds were back outside the building, calling for the Council to carry out the role for which it was established and to put pressure on Turkey to end Öcalan’s isolation.

It is nearly 24 years since Öcalan was captured in an international conspiracy that itself breached his human rights. In all that time, the Council and its institutions have failed to preserve his human rights, and his situation has only got worse. Restrictions on seeing his family or his lawyers have evolved into a

continuous ban, and the last contact with either was a phone call with his brother in March 2021, which was cut short after a few minutes.

Öcalan's situation has attracted the support of hundreds of lawyers from across the world, and two Belgian lawyers [spoke at the protest](#) on Wednesday. Selma Benkhelifa explained that, normally, when a lawyer wins a case, that is it finished. But here, the lawyers win, and the decision isn't respected. Despite mechanisms for following up rulings, when Turkey doesn't respect the court's decision, nothing happens. And she stressed the importance of winning wide public support in order to force the authorities to act.

Öcalan's case has also been taken up by the [United Nations' Human Rights Committee](#) who have asked for a response from Turkey by March.

On Monday, the Parliamentary Assembly of the Council of Europe [discussed](#) Daesh foreign fighters and their families in captivity in North and East Syria. They passed a [motion](#) that called for the establishment of an international tribunal and that also called, meanwhile – since a tribunal has been long talked about without any progress – for member states to prioritise prosecution in their national courts.

The resolution calls, too, for Council of Europe member states to “consider bringing before the International Court of Justice, proceedings against States which allegedly failed to prevent and punish acts of genocide committed by Daesh, in order to hold those States to account under the Genocide Convention”. Iraq, Syria, and Turkey were all mentioned in the speech by the rapporteur introducing the debate. However, there was no mention of the ongoing dangers posed by Turkey's bombing of detention camps and prisons, nor of Turkey's aid to escapees. (Delegates from Turkey's ruling Justice and Development Party (AKP) attempted to turn history on its head and claim that Kurdish fighters, who lost 11,000 comrades in the fight against Daesh are in fact in cooperation with Daesh.)

A Canadian example

Meanwhile, a court in Canada has [ruled](#) that four imprisoned Daesh fighters with Canadian citizenship must be brought back to Canada, along with six women and 13 children who Canada had already arranged to repatriate. The decision is based on the constitutional rights of the men who, due to lack of any mechanism for trying them in North and East Syria, or any funding for proper prison facilities, have been left indefinitely, and without a conviction, in dangerous, overcrowded, and squalid conditions. Letta Tayler, of Human Rights Watch, told the Washington Post, “This is the first court case that I am aware of in which a court has ruled — and robustly — in favor of repatriations of men. This is a major crack in the wall of resistance by countries that prefer to outsource responsibility for their nationals to a nonstate actor inside a war zone [i.e. to the Autonomous Administration of North and East Syria].” One of the prisoners in the Canadian case is the man known to British media as Jihadi Jack, who was born and brought up in England. Thanks to his Canadian father he had dual citizenship, and the UK Government used this as an excuse to take away his British citizenship in 2019. This has made his “repatriation” to Canada especially politically charged.

In Germany

Despite the care taken by European countries not to upset Erdoğan, he is ever ready to take offence, and to use the resulting spat to attempt to impose his view of the world, and to pose as the defender of Muslims against Western Islamophobia. In fact, pussyfooting around Erdoğan can be counterproductive, as every concession only encourages his bullying.

The German authorities act as an extension of the Turkish police. They [clamp down](#) on Kurdish organisations and share information about them with the Turkish state. They also [share](#) German criminal convictions of Turkish citizens, and (as confirmed this week in a response to a question by a Die Linke MP) all details of failed applications for asylum.

Turkey’s far-right Grey Wolves have a much easier ride in Germany, though there are limits, as we saw a week ago. Then, the Turkish embassy received a

summons from the German government after Mustafa Acikgöz, a visiting MP from Erdoğan's AKP, called for the annihilation of people believed to be members of the PKK or followers of Erdoğan's ally-turned-enemy, Fethullah Gülen. In addition, although Turkish citizens living in Germany make up around 5% of the Turkish electorate, events by foreign elected representatives require approval (for which organisers must give ten days' notice), and non-EU politicians are not allowed to hold election rallies or events within three months of the vote.

Erdoğan had planned to visit German Chancellor, Olaf Scholz, yesterday, but the visit was [cancelled](#) at the last minute. It seems that their advisors could not agree on the content of the meeting, and the Turkish side reacted against German plans to make a public criticism of Acikgöz's speech.

Such behaviour will win Erdoğan few friends among the Germans. His photograph is on the [cover of Stern Magazine](#), where the headline reads, "Erdogan – the arsonist. In order to secure power, the Turkish President stirs up dangerous conflicts – in Germany too." However, what matters to Erdoğan is support from potential voters. He can be confident that Germany will continue to avoid crossing him on major issues, while he makes clear to his supporters that he will not submit to the German reprimand.

In Sweden and Finland

Cancelling European meetings has become a bit of a habit, especially since Turkey began to use their veto as a NATO member to extract concessions from would-be members Sweden and Finland. Last Saturday morning, ahead of protests in Stockholm that Turkey had told the Swedish government to ban, the planned visit to Ankara by the Swedish Defence Minister was cancelled. This followed the cancellation, the previous week, of a visit by Sweden's parliamentary speaker, after a Swedish protest that featured an Erdoğan doll hung upside down. Before last Saturday, the pro-Kurdish and anti-NATO protestors who had earlier hung the doll, had announced that they would [hold](#) a march and rally; and Turkey had made their opposition to this clear. When the march gathered, it was full of Kurdish flags. It began by walking over a large image of Erdoğan, and ended with speeches in front of a

banner that read “We are all PKK”. But the public impact of the march was partially eclipsed by another protest – an opportunistic action by a far-right Islamophobe, who likes to carry out public burnings of the Quran and chose to do this outside the Turkish embassy on the same day. There was also a pro AKP counter protest. All were permitted by Sweden’s freedom of speech laws, which are non-political and require the police to approve protests unless there is a strong practical reason not to. The Swedish government could legally do no more than express disapproval. The Prime Minister [tweeted](#), “Freedom of expression is a fundamental part of democracy. But what is legal is not necessarily appropriate. Burning books that are holy to many is a deeply disrespectful act. I want to express my sympathy for all Muslims who are offended by what has happened in Stockholm today.” The Quran burning could prove to be a gift for Erdoğan, boosting his image as a defender of Islam, and muddying the message of the other protestors.

After three days of anti-Sweden protests in Turkey, Erdoğan [claimed](#) in a televised speech on Monday that if Sweden did not respect the religious beliefs of Turkey or Muslims, they would get no support for their bid to join NATO. On Tuesday, Turkey postponed the next round of NATO accession talks with Sweden and Finland, which were due to take place in February.

However, neither the requirements of free speech, nor Turkish hesitancy, has stopped the Swedish Security Service, Säpo, from clamping down on Kurdish organisations. Dagens ETC [reports](#) that Säpo have “begun questioning leading representatives of the largest Kurdish umbrella organization in Sweden”.

As relations between Sweden and Turkey soured, the Finnish Foreign Minister announced on Monday that they might reconsider their earlier insistence that they would not join NATO separately from Sweden. And on Wednesday, it was [reported](#) that Finland had lifted their arms embargo, imposed when Turkey invaded Syria in 2019, and had issued a licence for the export of steel to Turkey for use in military vehicles.

In the UK

The government of the United Kingdom completely lifted all restrictions on exporting arms to Turkey back in May – for commercial reasons. This week, Middle East Eye [revealed](#) that the UK is having ongoing discussions with Turkey for a “multibillion-dollar deal for Eurofighter jets, transport planes, frigates and tank engines”. While US congressmen try and prevent Turkey being allowed access to further American warplanes, Britain’s Conservative government is ready to step in and reap financial rewards for their friends in the British arms industry. Britain’s Secretary of State for Defence, Ben Wallace, demonstrated that he has no qualms about Turkish aggression when he supported their 2019 invasion.

Iran

A week ago, the European Parliament (the parliament of the European Union, which is a completely different organisation from the Council of Europe) voted overwhelmingly in favour of listing Iran’s Islamic Revolutionary Guard Corps as a terrorist organisation. But the EU’s Foreign Affairs Council, made up of the Foreign Ministers of the member states and chaired by EU High Representative for Foreign Affairs and Security Policy, Josep Borrell, has [not supported](#) this and has claimed that it might be subject to legal challenge. Borrell has kept his distance from the debates, and it has been [argued](#) that he is still focussed on dialogue with Tehran and the possibility of a new deal limiting Iran’s nuclear programme in return for lifting sanctions. Meanwhile, the Foreign Affairs Council agreed further sanctions against a list of named people and institutions. More sanctions were also brought in by the US and the UK.

In Iran itself, protests and government crackdown continue. Al Monitor has reported on the difficulties facing refugees from Iran who have crossed into the Kurdistan Region of Iraq to escape further torture and imprisonment but feel forced to remain in hiding to avoid being targeted in a cross-border attack from Iran. A man from Sina (Sanandaj) [explained](#) “It’s safer here than in Iran,

but I'm scared of Tehran's security services. They are everywhere. I'm worried about how me being here could impact my family [in Iran]."

In Syria

Syria's future [continues](#) to be the subject of different negotiations between interested parties. However, North Press Agency observed that the much-discussed normalisation of relations with Damascus, which was expected to lead the agenda of the Turkish National Security Council meeting [held](#) on Wednesday, did not appear at all.

Amnesty International has written a report on the situation in the autonomous neighbourhoods of Aleppo, Sheikh Maqsoud and Ashrafiyah, where the Syrian government has [attempted](#) to destroy their autonomy through a blockade that includes vital foodstuffs, fuel and medicines. Sheikh Maqsoud is also the site of a fatal building collapse that killed 16 people. Lack of regulation of both construction and of drainage systems, compounded by war damage, make a [repetition](#) of this disaster highly likely.

In Turkey

Across the Turkish border, in Mardin, suspicions grow over the murder of five Kurds from Duhok who were shot in their car. The official account [describes](#) this as a robbery, but almost nothing was taken.

In Turkey's political arena, the HDP has [started](#) a fundraising campaign to compensate for the freezing of their government funds. This is a lot of extra work for party organisers, but can also serve to reinforce commitment to the party. An attempt to persuade the courts that the HDP closure case should be postponed till after the election was [defeated](#).

In an [online interview](#), the HDP's imprisoned former co-chair, Selahattin Demirtaş was asked. "What can the European Union do to support the Turkish people's struggle for freedom?" He replied, "If you want to do something for me, something for all of us, you have to expose the hypocrisy of your own

governments... You cannot save us and we cannot save you. But we can fight together and save ourselves together.”

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