

The Committee for Freedom of Öcalan

INFORMATION FILE

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The Freedom of Abdullah Öcalan Will Guarantee the Success of the Peace Process in Turkey

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INTRODUCTION

In 1998, Turkey threatened Syria with war if Syria did not expel the Kurdish leader Abdullah Öcalan from the country. As a result of this threat, Abdullah Öcalan left Syria and travelled to Europe in order to promote a political solution. However, due to continued pressure from Turkey, Öcalan could not find amnesty in Europe and eventually found himself in Kenya.



On 15 February 1999, Öcalan was captured in Kenya by Turkish special agents in a clandestine operation backed by an alliance of secret services, CIA and Mossad (which was officially accepted by the US State Department at the time). He was abducted and handed over to the Turkish state. The capture of Turkey's "enemy number one" was claimed by the authorities in Ankara as their victory against the Kurds, who had been waging a mass uprising against the policies of denial and discrimination; a struggle Öcalan had led since the 1980s. The capture of the Kurdish leader was regarded by the Kurds as the outcome of an "*international conspiracy*", the denial of the legitimacy of the Kurdish struggle, and involving the security services of several nations. His abduction sparked outrage and major protests from Kurds all over the world.



Öcalan's capture was followed by a show trial during which Turkish prosecutors sought to portray the Kurdish leader as a "terrorist". In reality, this was not a fight against terrorism, rather, it was a war in accordance with international law. It is an armed conflict for the purpose of international humanitarian law in

accordance with the Geneva Conventions of 1949 and the additional protocols of 1977. The PKK became a signatory to the Geneva Conventions in 1995.

Since this date, this war was subject to the Geneva Conventions, but this was completely ignored by Turkey and its allies. Despite these limitations, Öcalan was deeply committed to a peace process, and with this in mind he began a new quest for a peaceful solution.

Within this framework, Öcalan used his defence to articulate the case for peace and reconciliation between Turks and Kurds based on the recognition of the Kurds' cultural and national differences within a unitary state. The defence by Öcalan was very significant, as at the time Turkey was on the brink of a full scale civil war. This stand prevented Turkey from deteriorating into a Turkish-Kurdish civil war.



Öcalan's lawyers took the case to the European Court of Human Rights to overturn the unfair trial that took place in Turkey. The court ruled in 2003 that Öcalan's trial was not fair, that his right to fair legal representation had been restricted and that he had faced inhumane conditions in Imrali prison. Unfortunately, the ECHR did not fulfil its role completely and did not attempt to adequately investigate the truths behind Öcalan's illegal abduction through the international conspiracy and the breaking of the rules of war. This inadequate

stand is still encouraging the Turkish state to continue with its policies of isolation, and preventing any pressure on Turkey to engage in a legitimate peace process. **During the 18-year imprisonment of Mr Öcalan, the CPT prepared several reports – after strong mass actions (hunger strikes, rallies and signature campaigns) by the Kurdish people – in which they accepted that Turkey was infringing the human rights of Öcalan and keeping him in solitary confinement. This, however, never led to any practical sanctions.**

2016 REPORT ON RIGHTS AND INFRINGEMENTS IN IMRALI PRISON

The attempted coup that took place on the 15th of July 2016, in Turkey, has led to drastic changes and upheavals in the legal-political-administrative spheres in Turkey. It is for this reason that we are presenting a report, written by Ocalan's lawyer, on the developments and infringements in 2016, separating the report into two sections from 1 January-15 July 2016 to 15 July-31 December 2016.

Mr Abdullah Ocalan has been serving a life sentence in a one-person cell in Imrali Island Prison since 15 February 1999, of this time he served ten years as the only inmate in the prison. Only after ten years had passed was this seen as torture and on 9 November 2009, five other inmates were transferred to the island prison. The inmates known publicly as “the secretariat”, were transferred to the island prison as part of the then ongoing peace process. However, on 26 December 2015, two of these inmates, Mr Nasrullah Kuran and Mr Cetin Arkas, were transferred to Silivri's No. 9 Prison without their consent. This incident was only coincidentally made public on 5 January 2016. On 6 January 2016, although an application for a lawyer's visit was made every day to the prison administration, for six days this was not allowed. The visit that was eventually permitted was conducted in a manner contrary to the law, with both

a recorder and an official from the prison present at the meeting that was only allowed for fifteen minutes. With this incident, the isolation implemented in Imrali Island Prison was now also being implemented at the mainland prisons.

After these developments, other than Mr Ocalan, Mr Omer Hayri Konar, Mr Veysi Aktas and Mr Hamili Yildirim were left in Imrali Island Prison. All those remaining in Imrali are being kept in one-person cells and isolated from each other. Although they are allowed out of their cells for four hours a day, this is in individual areas adjacent to their rooms and in isolation (this time was two hours for Mr. Ocalan and we have no evidence that this has changed in 2016). The inmates are brought together for only one hour a day (talking or sports).

Due to the fact that the opportunities and rights implemented in other prisons are not afforded to Imrali Island Prison, we are unable to attain clear and accurate information regarding the living conditions and health conditions of the inmates in Imrali Island Prison. These are rights such as family visits, visits by three friends outside of the family, and phone calls. The inmates of Imrali were prevented from having any lawyer's visits or phone calls for the whole of 2016. Other than the solitary visit by Ocalan's brother, the other inmates had no visits from family members. When one takes into account all of these conditions, Imrali Prison cannot be deemed a prison that is in accordance with the law and that can be monitored; rather, it is now a unique institution that can be called the Imrali isolation system.

On 18 March 2014, the ECHR decided on four unified cases belonging to Mr Ocalan (Application no.: 24069/03, 197/4, 6201/06 and 10464/07). In this decision, the lack of a parole date, a life sentence "until death" was deemed torture and maltreatment. Mr Ocalan's sentence is in its 18th year. The government in Turkey has not taken any legal or administrative steps to appease or address this decision. This situation was brought to the attention of the Committee of Ministers of the European Council on 16 June 2016.

I. DEVELOPMENTS AND OBSERVATIONS BETWEEN 1 JANUARY-15 JULY 2016

Since 27 July 2011, although hundreds of applications have been made, not a single lawyer's visit has been allowed for Mr Ocalan. The 57 applications for legal visits made to the Bursa Chief Public Prosecutor's Office between January 2016 and 15 July 2016 were all rejected due to various reasons. These applications were made for Wednesdays and Fridays of every week. 47 applications were denied on grounds of "boat out of order" and 10 were denied on grounds of "bad weather". Within the same period, family members made 26 applications to the Bursa Chief Public Prosecutor's Office. However, all applications were denied on similar grounds.

The isolationist measures in Imrali were regularly presented to the Committee for the Prevention of Torture (CPT). In the first half of the year:

- A general briefing was presented to the CPT on January, 2016, on the applications of family and legal visits and their results and the general situation of our clients.
- In April 2016, a general briefing was given on the applications of family and legal visits and their results and action was demanded of the CPT against the isolation in Imrali Island.

Subsequently, the CPT officially announced on its website that it had visited Imrali Island Prison on 28-29 April 2016. The CPT has yet to release its report from this visit to the public.

It is not possible to say that the efforts of the CPT have made any impact on the isolation of Imrali Island. In June 2016, an application was made regarding the conditions of isolation to the United Nations Rapporteur for the Prevention of Torture. There has been no response from this application, as of yet.

II. DEVELOPMENTS AND OBSERVATIONS BETWEEN 15 JULY-31 DECEMBER 2016

On 15 July 2016, there was an attempted coup in Turkey. After this attempt, on 21 July 2016, a country-wide State of Emergency was declared. After the State of Emergency 12 decree laws were published in the official gazette on 22 July 2016, in which severe limitations were brought to visits and legal meetings for prisoners, in a way, spreading the arbitrary and unlawful measures implemented in Imrali Island Prison for the past 18 years to the whole country.

According to the 2016/56 D. numbered decision on 21 July 2016, of the Bursa Judges Office, the inmates of Imrali Island Prison were:

- Banned from having visits;
- Limited phone rights and written communication;
- Limited access to documents supplied by the legal team of the inmates.

This decision, to which we have appealed, has no legal basis. The law that has been shown as a basis for this decision is article 114 and 115 of law number 5275, which clearly states it is for detainees and not for those that have been sentenced, it also guarantees that meetings between client and legal representative cannot be blocked in any way. The appeal that was made against this decision was rejected by the 2nd Bursa Criminal Court on 26 July 2016, in decision number 2016/1127. An individual application against these measures and decisions was made to the Constitutional Court on 27 October 2016. The Court is yet to make a decision in this case.

After the coup attempt, headlines like “The Putschists’ Imrali Plan” have increased worries for our clients’ wellbeing. Reports in the media stated that “Imrali Island was going to be bombed on 15 July” and “Ocalan was going to be captured”. Subsequently, all applications were made for visits to Imrali Prison, but all were rejected for the same reasons as stated above. Although the decision is for the termination of written communication, phone calls and regular visits, legal visits are also being denied arbitrarily. Even in the decree laws that were passed, there is no article that bans legal visits to any inmate.

Briefings were given to civil society organisations and rights groups in Turkey regarding these worrying developments. On 19 and 26 July 2016, applications were made to the CPT for them to urgently visit Imrali Island Prison. The CPT visited Turkey between the dates of 29 August - 6 September 2016. The CPT had not visited Imrali Island, but in an official statement declared that they had asked officials about the conditions in Imrali.

These developments led to 50 Kurdish politicians going on hunger strike with the sole demand of establishing contact with Mr Ocalan. The hunger strike, which started on 5 September 2016, ended on 11 September 2016, after Mr Ocalan’s brother, Mehmet Ocalan, was allowed to visit the Island and meet

with Mr Ocalan for an hour. In this meeting, which was Mr Ocalan's first meeting with a family member since 6 October 2014, only Mr Ocalan was seen. This meeting was the only visit to Imrali Island Prison in the whole of 2016. Mehmet Ocalan announced that from what he saw, Mr Ocalan's health was not looking bad and that no attack on Mr Ocalan had materialised during the attempted coup. All applications for a visit after this visit were again denied and Imrali Island was isolated again for the rest of 2016.

The CPT was once again informed on 16 December 2016, regarding applications for legal and family visits between 19 July 2016 - 25 November 2016. Between 15 July - 31 December 2016, 62 applications for legal visits were made. Within the same period, 54 applications for family visits were made. Apart from the family visit on 11 September 2016, all other applications were denied by the Bursa Judges Office due to a decision to "cease all visits during a state of emergency".

III. CONCLUSION

The Imrali Island F Type High Security Prison, which is found within the sovereignty of the Republic of Turkey in the Bosphorus Sea, is a prison administered contrary to fundamental rights and freedoms, universal principles and standards and democratic values. The decree laws introduced after the attempted coup have opened the possibility of spreading the unlawful measures implemented in Imrali Island since 2005 to the whole country. These are: the banning of legal visits for inmates, the limitation of time with a legal representative, the presence of a government official in meetings between detainee and legal representative, the confiscation of legal documents and the recording of meetings with legal representatives. These measures, although having no legal base, were being implemented in Imrali Island between June 2005 and 27 July 2011. The legitimisation of these measures by decree laws introduced after July 2016 just goes to show that these measures were actually unlawful, and that Imrali Island has always been governed under a state of emergency.

We would like to give a reminder that Imrali Island was the official and legal location for the peace process that was being conducted between 2013 - 2015, and that Mr. Ocalan was the fundamental actor in this process. These meetings had led to a period of ceasefire, the creation of a political atmosphere for the discussion of a solution, and a pluralist and tolerant socio-political platform. All of these characteristics are in urgent need for the Turkey of 2016. The peace process that continued in Imrali Island until April 2015 has been replaced by a bloody war that has taken over since July 2015. Since this date, dialogue, political discussion, pluralism, fundamental rights have all taken a severe hit.

Under these conditions, in his only contact with the outside world, our client said "We did not end the process. They should only meet me for peace. If they have this intention, we can solve this problem with our projects within a few months". The previous processes of dialogue and the constructive role that Imrali has played in the past all show that the current isolation of Imrali will only serve to weaken the possibility of peaceful and democratic options for Turkey.

ASRIN LAW OFFICE

06.01.2016

IMRALI PEACE DELEGATION IN ISTANBUL FEBRUARY 2015

This was not only worrying for the Kurdish people, but also for many internationally renowned individuals, academics, human rights activists and politicians. Those people that did not accept the continuous massacring of people formed an initiative named the Imrali Peace Delegation.

This initiative was popularly supported by many people around the world. Supported by people

like **Noam Chomsky** Professor Emeritus at Massachusetts Institute of Technology and author, US; **Mauro Palma** President of the Committee for the Prevention of Torture of the Council of Europe, Italy; **Tariq Ali** Writer, journalist and filmmaker, UK; **Dr Felix Padel** Professor at JNU, Delhi and author, India; **Prof David Graeber** anthropologist, London School of Economics; author and social activist, UK; **Baroness Helena Kennedy QC** House of Lords, UK; **Baroness Jenny Jones** House of Lords, UK; **Mark Thomas** political satirist, author and journalist, UK; **Jeremy Hardy**, stand-up comedian, actor, writer and activist, UK; **John Holloway** Professor of Sociology and author, Mexico; **Dr Norman Paech**, Professor of international and national constitutional law, Hamburg University, retired and politician, Germany; **Dr Dafydd Iwan**, former President of Plaid Cymru Party, Wales; **Dr Bill Bowring** Professor of Law in the School of Law, Birkbeck, University of London and author, UK; **Mike Mansfield QC** President of the Haldane Society of Socialist Lawyers, UK; **James Kelman** Writer and Booker Prize winner, Scotland; **Bruce Kent** Vice-President Pax Christi, UK; **Dr Derek Wall** Writer and International Coordinator of the Green Party, UK; **Bert Schouwenburg**, International Officer, GMB, UK; **Stephen Smellie**, Deputy Convenor UNISON, Scotland; Grahame Smith, General Secretary, Scottish Trades Union Congress, Scotland; **Nick Hildyard** Policy adviser, UK; **Louise Christian** Vice-President of Haldane Society of Socialist Lawyers, UK; **Tony Simpson** Bertrand Russell Peace Foundation, UK; **Ara Sarafian** Director, Gomidas Institute, UK; **Alastair Lyon** lawyer, Birnberg Peirce Solicitors, UK; **Matt Foot** lawyer, Birnberg Peirce Solicitors, UK; **Bronwen Jones** barrister, Goldsmith Chambers, UK; **Johannes de Jong**, Manager of Christian Political Foundation for Europe (CPFE), The Netherlands; **Feroze Mithiborwala**, well known international activist and the General Secretary of India Palestine Solidarity Forum who recently visited Syria, India, and led by Nelson Mandela's

lawyer, **Judge Essa Moosa**, a group (**Dimitri Roussopoulos**, Co-founder of the Transnational Institute of Social Ecology, Quebec, Canada; **Janet Biehl**, writer, translator, artist, US; **Federico Venturini**, School of Geography, University of Leeds; Member of Advisory Board of the Transnational Institute of Social Ecology, UK; **Dr Thomas Jeffrey Miley**, Lecturer of Political Sociology, Cambridge University, UK; **Dr Radha D'Souza**, Reader in Law and social justice activist, UK; **Andrej Hunko**, German MP of The Left party for Aachen, Germany; **Eirik Eglad**, writer, translator and New Compass Press, Norway; **Edgar de Jesús Lucena González**, Member of the National Assembly of

Venezuela; **Joe Ryan** Chair of the Westminster Justice and Peace Commission, UK)

consisting of people from Canada to Venezuela to India and various European countries applied to the Turkish Justice Ministry to visit Imrali Prison. The delegation conducted several meetings in Istanbul while waiting for a



response from the Justice Ministry. However, the isolation of Ocalan meant that this application fell on deaf ears. Below is a summary of the report from this delegation:

ISOLATION OF ABDULLAH ÖCALAN

The escalation of conflict has coincided with the total isolation of the leader of the Kurdish freedom movement, Abdullah Öcalan, who from his lonely prison cell on the island of Imrali has been a crucial role-player and a consistent voice calling for peace.

Yet the very fact that Öcalan is in prison was a problem even during the talks that occurred for two years starting in March 2013. His condition of imprisonment forces him to negotiate with his captors - an

inherent disadvantage. Moreover, in prison he cannot consult with his constituency. Before substantive negotiations can start, the state must first release him, as Nelson Mandela was released before - not after or during - the South African negotiations. Until Öcalan is freed, only talks about talks, and not actual negotiations, can take place. Mandela emphasized that only free persons and not prisoners can negotiate, on behalf his people, for a political solution.

THE ONLY VIABLE SOLUTION

Neither the Kurdistan Workers' Party (PKK) nor the Turkish military could ever decisively prevail in a war that would only exacerbate the severe humanitarian crises in the country, the peace process offers the only solution and Öcalan, as the chief spokesperson for the Kurdish movement, is essential to that process. No progress toward a solution can be achieved without Öcalan's participation.

THE TEN-MEMBER INTERNATIONAL PEACE DELEGATION

On February 14 a ten-member international delegation assembled in Istanbul to try to help restart the Kurdish-Turkish peace process, which has been suspended since the spring of 2015. The leader of the delegation, Judge Essa Moosa of the High Court of South Africa, on behalf of the delegation, wrote a letter to the Turkish Ministry of Justice on February 3 to request two meetings: one with the Ministry, to discuss ways and means to resume the peace process between the Turkish government and Öcalan; and one with Abdullah Öcalan on Imrali to discuss the same issue. We requested that the meetings take place on February 15, which coincided with the seventeenth anniversary of Öcalan's capture and detention. Judge Moosa formerly acted for Nelson Mandela, while imprisoned on Robben Island and elsewhere and was involved in the negotiation process in South Africa.

REQUEST FOR AUDIENCE

Unfortunately, the delegation was granted neither of the two meetings that was requested. On February 15 the ministry acknowledged receipt of the letter but did not bother to formally accept or reject the request. Beyond that mere acknowledgment, it gave no response at all by the time the delegation left Turkey. The delegation was not afforded an opportunity to engage the Minister of Justice and Öcalan on the question of the resumption of the peace process.

MEETINGS

The delegation meanwhile met with representatives from a variety of political and social organizations who briefed us on the country's most disturbing situation. They also met with lawyers and lawyer's organizations, who have been deeply involved in the defense of members of the Kurdish freedom movement against criminal charges, and who have themselves been the subject of much intimidation and persecution by the state.

FROM PEACE TO WAR

During the current period of Öcalan's isolation, from April 2015, the Erdoğan government has shifted from a peace footing to a war footing. The shift from peace-making to war-making has coincided with the total isolation of Öcalan. As he enters the eighteenth year of his detention, he leads a solitary life. Two other prisoners who were formerly present on Imrali have now been transferred to other high-security prisons. Öcalan's only human contact is with his guards. Not even his family can visit him. His lawyers, who have not been able to visit him since 2011, apply to visit at least once a week, but they have applied 600 times now and are repeatedly turned down, given absurd excuses that the boat is broken. No one at all has been permitted to visit since the last HDP delegates left on April 5, 2015. No communication from him has been received since then. He is suffering from poor health and his access to medical care is limited.

Meanwhile the situation in the country deteriorated rapidly after the elections and the peace process decisively came to an end. Cities have become war zones, pounded with heavy artillery and tank fire. Children are being killed. People's parents and grandparents are shot dead in streets, but because of the curfew, their bodies cannot be retrieved for extended periods. Certain police forces are licensed to shoot anyone with full impunity, with no fear of consequences. These Special Forces are not commanded by local governors but are directly linked to the government.

In Cizre, people, many of them civilians who took refuge in three different basements were killed, even burned alive, and now the state is destroying the buildings to eliminate the evidence. Violence against women is on the rise. Women are killed, then stripped and humiliated. These constitute war crimes and crimes against humanity. It violates the Third Geneva Convention, to which Turkey is committed and it meets United Nations criteria for genocide.

IMRALI PEACE DELEGATION IN STRASBOURG APRIL 2015



The International Peace Delegation continued its work due to the urgency of the situation and decided to visit the most supreme institutions in the Ocalan case. Along with 50 academics that responded to positively to their call, the International Peace Delegation was in Strasbourg between the 18th-22nd of April to meet with

the European Council and the CPT. The delegation while joining the continuous vigil that has been ongoing for four years (25 June, 2012) in front of the European Council also conducted meetings with the European Commission's Cabinet of the General Secretary, political groups of the Parliamentary Assembly, delegations from member countries and the CPT. The delegation made this statement after the meetings:

THE RESOLUTION

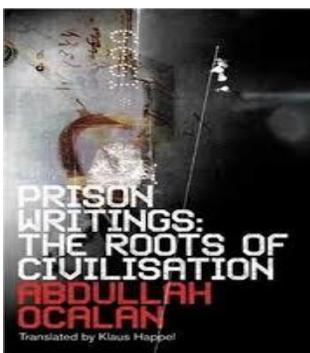
In the light of circumstances, we, the members of the International Peace Delegation, unanimously resolve as follows:

- *We call upon the Turkish Government and the Abdullah Öcalan to resume the peace process as a matter of urgency. In December 2012, the Archbishop Emeritus Desmond Tutu as the Chair of the Elders, which was founded by Nelson Mandela, in a personal note to the then Prime Minister, Recep Tayyip Erdogan said that "Peace is better than War" and appealed to the Prime Minister to resume the peace process with Abdullah Öcalan.*
- *In order for genuine Peace negotiations to take place to resolve the Kurdish issue in Turkey that Abdullah Öcalan, who is a crucial role-player, be released unconditionally from prison, to enable*

him to take his rightful place at the negotiating table for the lasting resolution of the Kurdish issue in Turkey and for the democratization of Turkey.

- We call upon the Turkish Government to level the playing field by, amongst other, legitimizing PKK and other banned organizations, releasing of all political prisoners and permitting exiles to return to the Turkey to participate in the peace process.
- We have to lobby our respective governments and non-governmental organizations to put pressure on the Turkish government to resume the peace process as a matter of urgency and in those countries where PKK is listed as a terrorist organization and Abdullah Öcalan is listed as a terrorist that pressure is put on such government to remove them from such list as they are a liberation movement and a freedom fighter in terms of the International Human Rights Instruments.
- We call upon the international human rights organizations to investigate, as a matter of urgency, the human rights abuse perpetrated by the Turkish authorities against the civilian population in the areas of conflict and to assess and determine whether such abuses constitute war crimes, crimes against humanity, genocide and/or contravention of the Geneva Convention.
- We call upon the Committee for the Protection against Torture, Inhuman or Degrading Treatment or Punishment of the Council of Europe (CPT), as a matter of extreme urgency, to visit Abdullah Öcalan on Imrali Island Prison in order investigate the violation of his rights, in terms of the European Convention for the Protection Human Rights and Fundamental Freedoms as a political prisoner in that (i) his right to have access to his lawyers have been violated for the last 5 years; (ii) his right to have access to members of his family have been violated for the last 14 months; (iii) his right not to be completely isolated from social contact which has been violated for an unknown period; and (iv) his right to have access to medical doctors and/or treatment; and to report urgently on their findings to the Council of Europe, the Turkish government and to Abdullah Öcalan and his lawyers.
- We call upon the international academic fraternity to come out in support of the dissident academics in Turkey in the interest of academic freedom and give them moral, material, physical and academic assistance.
- We call upon members of our delegation to distribute this Report as widely as possible to head of state, foreign minister, ambassadors, officials, the media, both electronic and print, human rights organizations and non-governmental organizations in our respective countries.

TRANSFORMATION PERIOD



Due to these policies, for many years Öcalan was held in solitary confinement in hazardous conditions on Imrali Island off the coast of Istanbul. His health condition has deteriorated because of the harsh environment of the prison. But despite all his personal difficulties, Öcalan has continued to play a central role in Turkey's politics, and exerts influence among the Kurdish movement which cannot be ignored. From within his prison cell, through his writings and calls, Öcalan changed the paradigm of the PKK in which he called upon them to seek a democratic political solution to the Kurdish question within the borders of Turkey. He also called upon the PKK's armed forces to withdraw to a position of self-defence.

Since then, Öcalan and the Kurdish national movement have maintained a consistent stand for a peaceful conclusion to the conflict based on the achievement of justice for the Kurdish people. Through continuous discussions their proposals have evolved into the current demand for **“democratic autonomy”** inside Turkey, a policy which envisages the granting of local decision-

making powers in the regions through political, social and cultural rights, such as the use of the Kurdish language and mother tongue education, thus fulfilling longstanding key Kurdish demands.

As a result of the subsequent internalisation of these calls by the PKK, Öcalan advocated a negotiated settlement by putting forward detailed proposals calling on both sides to take steps to bring about a permanent end to the conflict. He has used his stature among the Kurds to urge repeated unilateral ceasefires on Kurdish guerrillas to give peace a chance which they have repeatedly adopted in the face of continued aggression by the Turkish military.

EFFORTS FOR PEACE AND RESPONSE

The first of these calls for peace was in 1999-2004 when the PKK replied to Öcalan's call to cease fire, and retreated from Turkey in order to change its strategy. As a result, in 1999 the PKK withdrew all armed forces outside the borders of Turkey. This marked the beginning of a five-



year cease-fire, the longest in the history of the conflict. In another surprising move in the same year Öcalan suggested that two "peace groups" consisting of PKK members should return to Turkey, as a sign of readiness for a peaceful solution. The two groups did indeed arrive in Turkey. But the members of the peace envoy were immediately arrested, and now serve long prison terms.

The Turkish state wasted this opportunity for peace talks, and did not respond positively by taking this gesture seriously. When the escalation of violence took over, in 2006-2007, Öcalan again intervened and called for another ceasefire from the PKK, which the PKK again duly obliged but was left unanswered by the Turkish state.

Öcalan's third call for peace negotiations and a ceasefire came in 2009 when the publicly known 'Oslo meetings' was initiated. From 2009 until mid-2011, secret negotiations, later known as the Oslo Process, were held between Öcalan, a government-appointed delegation of the Turkish state



and senior PKK members. The subject was a political solution to the Kurdish question. ***Based on the Road Map to Negotiations***, which Öcalan authored in 2009, the parties agreed on three protocols. They contained a phased plan for an end of the conflict and a political solution to the Kurdish issue. Additionally, in 2010, Öcalan called for another peace envoy to enter Turkey. Subsequently, a group of unarmed guerrillas, and a group of refugees from the Mexmûr refugee camp crossed the border from South Kurdistan (Iraq) into Turkey as a symbolic representation of peace and negotiations. Unlike the earlier peace

envoy this group was not arrested immediately, creating a false sense of hope and security. The delegation was welcomed ecstatically by Kurds who hoped that “the war had finally ended”.

The Turkish government, however, chose not to implement the plan or engage in discussions, and many members of the peace groups were soon arrested and imprisoned. Due to the escalation of violence after July 2011, Öcalan once again responded to calls by social movements to call for another ceasefire and started a new negotiation process, the so-called ‘Imrali Process’, in early 2013. Finally, this latest most significant attempt was once again halted by *President Erdogan when he realised that the process was becoming successful in March, 2015, leading him to state that “there is no negotiating table, no Kurdish question and peace process”*. With this statement, all hope for a continued peace process were eradicated.

IMPACT ON THE MIDDLE EAST

Abdullah Öcalan is best known as the living symbol for the struggle of the Kurdish people for recognition and self-determination. The continued systematic denial of these rights has paved the way for numerous massacres and genocidal attacks on Kurdish populations in different countries. Resistances against these attacks have resulted in armed conflicts which have contributed to the overall instability in the Middle East. During more than four decades, Öcalan has made a tremendous effort to transform the conflict from an armed struggle into a political one. Through his continuous efforts, now for the first time in decades, a political solution seems to be within reach.



In a political atmosphere in the Middle East that increasingly dictates national or religious uniformity and oppression of women's rights, over the last 20 years Öcalan has developed a political philosophy that stands for the implementation of an alternative vision of society. His ideology for peace advocates equal rights for people of all nationalities and beliefs and – especially – the practical recognition of woman's rights and freedoms in all areas of society. This paradigm has proven to be influential and a source of hope for many groups. Policies that follow his approach have helped to keep the *Rojava Kurdish region of Syria* peaceful and stable, while most of Syria sank into chaos, which inspired several long-lasting ceasefires and a promising dialogue between two former staunch enemies: the Turkish state and the Kurdistan Workers' Party (PKK).

In Rojava, the inclusion of all ethnic and religious groups like *Assyrian, Syriac and Chaldean Christians* into the canton administrations came about due to Öcalan's advocacy and repeated calls for this model. In his writings and statements, Öcalan argues for an inclusive approach and has managed to influence political leaders, Kurdish and non-Kurdish, in the relevant region.

This made the rescue of the *Yezidi-Kurds`* possible, contributed immensely to the relatively peaceful development of the region amidst the turmoil of the Syrian civil war and serves as a model for the future of Syria and the Middle East in General. This paradigm of Mr. Öcalan has

been adopted by the Kurdish movement in Syria who have been in a tense war against ISIL since 2013.



The Kurdish movement in Syria has applied this paradigm in the liberated areas and have proven to be the most effective force against ISIL barbarism. The success of the Kurdish movement in Syria, not only in the fight against ISIL terrorism, but also for an inclusive model of coexistence between long mistrustful ethnic and religious groups is reliant on the ideas and paradigm of Mr. Öcalan. The efforts of Abdullah Öcalan for peace and democracy has not only been welcomed by the Kurds in

Turkey but especially the other ethnic-religious groups in Syria fighting ISIL. The model of inclusive coexistence has served and can serve, as a powerful tool for peace, stability and prosperity for the peoples of the region.

ISOLATION

Abdullah Öcalan last had access to his legal team on 27 July 2011. Since then, Öcalan has been cut off from the outside world. Neither family members nor lawyers are allowed to visit. Telephone calls or written communication are also not possible.

Even in Turkish law – which is not at all flexible on political prisoners – there is no legal basis for this total and inhumane isolation. Weekly unconvincing excuses, such as a defective vessel or bad weather, are cited to prevent the due visits occurring. However, Prime Minister Erdogan, as well as Minister of Justice S. Ergin, have both stated publicly that it is the government who blocks every visit. Without a doubt, the prevention of Öcalan from having access to his legal team or the peace delegation is a deliberate policy by the AKP government to silence the most powerful Kurdish voice for a peace process, democracy and human rights in Turkey and the region.



This deliberate isolation also demonstrates the complete arbitrariness of the AKP government whose representatives publicly defend breaches of the law where Kurdish matters are concerned. Another scandalous and illegal development was the detention of Öcalan's complete defence team of 36 lawyers who have been in jail for more than half a year now.

The real scandal however is the silence of foreign countries. The European Convention on Human Rights is valid in 47 states. For over 40 million Kurds, it seems, it is not. At least not for Abdullah Öcalan. The Council of Europe delegates the responsibility for the appalling prison conditions on Imrali Island to the powerless anti-torture committee (CPT) and

otherwise deliberately still ignores the matter. Even the much-appraised European Court for Human Rights has so far not been able to determine the facts and conditions of isolation. Turkey, it seems is not constrained by international human rights laws or conventions.

The Kurds and their friends have repeatedly resorted to public and mass protests to show their support for Öcalan, and their rejection of the Turkish government's anti-democratic and anti-human rights policies towards the Kurds. There have also been many campaigns launched for Öcalan's freedom. In a signature campaign conducted in 2005-2006, around 3.5 million people from all parts of Kurdistan signed a statement affirming that they regard Öcalan as their political leader.

On September 6, 2012, a second signature campaign began, demanding “***Freedom for Abdullah Öcalan and other political prisoners in Turkey.***” The signatories state that “*Öcalan’s freedom will mark a breakthrough for the democratization of Turkey and peace in Kurdistan.*” The campaign began in Brussels, ***and subsequently 10, 321 million signatures*** were gathered. The number of signatures was remarkable considering that the campaign was conducted under immense restrictions— Turkey, Syria, and Iran declared it illegal. Hundreds of people were convicted and sentenced to several years in prison.

ISOLATION: FACTS AND FIGURES

- In the 16 years of Öcalan's imprisonment his family and legal team have always been hindered from visiting him. Mr Öcalan was allowed to meet with his lawyers once a week for one hour, although even this right was never consistently implemented. However, since the 27th of July, 2011, Öcalan has been prevented from meeting with his lawyers.
- Mr Öcalan was previously allowed to meet with his family once a week for one hour. In June 2005 this was reduced to one hour once in two weeks. However, this has come to a complete stop since October of 2014.
- These are the figures for applications made by Abdullah Öcalan's family and lawyers since the 27th of July, 2011:
- From the 27th of July, 2011, to the end of that year, of the 43 applications by Mr Öcalan's lawyers to meet him none were permitted (17 rejected due to bad weather conditions, 23 rejected due to broken down ferry and 2 rejected due to official holidays).
- Throughout the year of 2012 of the 104 applications by Mr Öcalan's lawyers to meet him none were permitted (14 rejected due to bad weather conditions, 73 rejected due to broken down ferry, 16 due to repair of ferry and 1 rejected due to official holidays).
- Throughout the year of 2013 of the 102 applications by Mr Öcalan's lawyers to meet him none were permitted (12 rejected due to bad weather conditions, 86 rejected due to broken down ferry and 4 rejected due to official holidays).
- Throughout the year of 2014 of the 104 applications by Mr Öcalan's lawyers to meet him none were permitted (9 rejected due to bad weather conditions, 86 rejected due to broken down ferry, 6 due to repair of ferry and 3 rejected due to official holidays).
- Throughout the year of 2015 of the 56 applications by Mr Öcalan's lawyers to meet him none were permitted (5 rejected due to bad weather conditions, 27 rejected due to broken down ferry and 24 due to repair of ferry).



their human rights, calls for peace and democracy. To silence Öcalan is to silence the Kurds and their basic and fundamental human rights.

Needless to say, all of the reasons given above are clear violations of Öcalan's human rights as a political prisoner and in direct breach of international legal norms and values. Nothing has been done since by the Turkish government and the international community and major organizations to address this violation, which not only limits the human rights of Öcalan but also silences the needs of millions of Kurds who rely on Öcalan as the voice for

THE REALITY IN TURKEY AND THE ONLY WAY FOR PEACE



Turkish context Öcalan's total isolation is politically thoughtless. It was Öcalan who was able to urge the Kurdish guerilla to adhere to several cease-fires. No one else is capable of exerting such an influence on the Kurdish forces. His constructive proposals for a political solution, laid out in his Road Map, formed the basis of the 3-year negotiations between the Turkish government and the Kurdistan Workers Party (PKK) for a peaceful settlement of the conflict. A solution to the conflict was within grasp; However, Recep Tayyip Erdogan stopped the negotiations abruptly and stepped up the attacks against Kurdish civil society.

This sudden change in policy by the AKP government solved none of the existing and ongoing problems, but instead created new ones. The clashes between Kurdish guerillas and the Turkish army have rekindled, the situation seems ever more complex and a solution for peace even more out of reach. But even Erdogan will have to realize that the Kurdish issue can only be solved through dialogue and through concrete steps to accept the human rights of ethnic and religious groups in Turkey. With the rise of popular political parties such as HDP, which recently gained a historical win in the Turkish parliament, the democratic call of the people of Turkey for peace, for democratization, for political reforms, gender equality and human rights is increasing. It is essential that the Turkish government resumes negotiations to prevent further bloodshed.

Öcalan's actions throughout the last years have proven that the Kurdish leader is able to play a balancing role regarding Turkish and Kurdish interests. This balance is the precondition for a lasting and legitimate peace. The ball is now in the Turkish government's court to put things on track.

Abdullah Öcalan's release, as a vital contribution to the solution of the conflict, is therefore inevitable. To continue to silence and isolate Öcalan is to continue to ignore the Kurdish question in Turkey, and to fail to take concrete steps towards political reforms and democratization. To fail to address this issue humanly and according to international legal norms and values is to highlight that Turkey has no intention to uphold universal human rights.



July 27th, 2016

Re: Appeal to join and support the ‘Freedom for Öcalan’ campaign:

Dear Colleagues,

As you will no doubt be well aware the situation in Turkey has deteriorated dramatically in recent months. The Turkish government is now effectively at war with its own Kurdish population and is brutally clamping down on all opposition activities and civil society organisations.

UNITE and the GMB have become closely involved in building urgent solidarity with the Kurds and all progressive forces inside Turkey. Following delegation visits to the region and through discussions with local groups on the ground we are now totally convinced that a peaceful solution to the current conflict will only be found if the jailed Kurdish leader Abdullah Öcalan is freed and allowed to play a full role in the development of a new peace process.

To this effect on April 25th of this year UNITE and GMB, two of the biggest trade unions in the UK, together with a number of sympathetic MPs, launched the ‘Freedom for Öcalan’ campaign and we are now looking for your support.

Öcalan has the support of the Kurdish people as is clearly demonstrated by the fact that over 10 million people signed a petition last year calling for his release. He has called consistently for a democratic resolution within Turkey to secure a peaceful and lasting solution and if that could be achieved, it would have huge ramifications for other parts of the region.

This is a vitally important campaign based on solid trade union principles of international solidarity and we urge you to join us in the struggle to free Abdullah Öcalan. We would be very pleased to discuss the matter further should you so wish but in the meantime you can consult our website at www.freedomforocalan.org We look forward to hearing from you.

Yours sincerely,

Bert Schouwenburg

International Officer, GMB

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Kongreya Neteweyî ya Kurdistanê
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Congrès National du Kurdistan

KNK

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Subject: Assassination plans against Mr Abdullah Öcalan

Dear Madame/Sir,

We wish to inform you of an issue that is of great importance to us. The matter is the safety and life of Mr Abdullah Öcalan.

As you will know, the dialogue seeking a peaceful solution to the Kurdish question that began in 2012 ended in spring 2015 with the unilateral interruption by the Turkish government. The talks had been opened in cooperation with Mr Öcalan and then progressed through him. The Kurdish side considers Mr Öcalan to be its chief negotiator. With regard to the Kurdish question, Mr Öcalan has been the architect of the talks, the processes towards a solution, and the ceasefires of the past 24 years.

The last meeting with Mr. Öcalan took place on 5 April 2015. After that, the government ended all talks and meetings. Since that day, Mr. Öcalan is held in isolation. The Turkish government ended the talks and decided to go to war. Since 24 July 2015 Turkey and Kurdistan are undergoing a situation of war. Everything and everyone connected to the Kurds or Kurdishness is a target. Municipalities are seized, and the deputy mayors and Members of Parliament are being jailed under the lamest pretexts.

According to the information we have received, it has been decided that Mr Öcalan will be removed in one way or the other. This decision is part of the AKP-MHP agreement. This is also the reason why the discussion on the reintroduction of the death penalty has resurfaced in Turkey. In order to secure his Presidency, Mr Erdogan has allied himself with the Turkish racists and nationalists that wish to confront the Kurdish question with violence and suppression. The results of this alliance can be seen in the brutality of the war – in the destruction and devastation of the cities, the arrests of the politicians, and in this plan for the liquidation of Mr Öcalan. Such a move would bring about an inextricable and destabilizing chaos in Turkey, Kurdistan, and the Middle East. The matter is not confined to that region but would affect Europe and all the places where Kurds live, giving rise to problems far worse than those we witnessed in 1999.

While Mr Öcalan and peace seeking, forces are making serious efforts to begin new talks, the Turkish government has embarked on the aforementioned course of madness. It is crucial that precautions are taken in order to avoid such a situation. You have varied and versatile relations with Turkey. We therefore urge you to use your channels and make an effort to prevent the madness of the Turkish leadership.

This issue is of great and urgent importance to us, our people, and all the peace seeking sections of society. We are assured that you will do your best and use your channels and undertake an initiative on this matter.

Respectfully yours,

Adem Uzun, Executive Member of KNK, 26 December 2016

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PROCES-VERBAL DE CONSTAT

L'AN DEUX MILLE QUINZE

LE 25 MARS

A LA REQUETE DE

The International Initiative « Freedom for Ocalan, Peace in Kurdistan » avec siège social à 1060 BRUXELLES, « Kurdistan National Congres » rue Jean Stas 41

Je soussigné, **Célestin PLUGERS**, Huissier de Justice, de résidence à 3090 OVERIJSE, Brusselsesteenweg 80

Me suis rendu au siège prénommé où j'ai rencontré une préposée de l'organisation soit Madame OZLEM TANRIKULU.

Elle me montre les signatures réceptionnées en réponse sur la pétition organisée. Au hasard je vérifie.

Le solde du constat de ce jour s'élève à 701.903 pour les villes Kurdes en Turquie et la Russie .

En supplément du constat du 10 février 2015 le total s'élève des lors à :

Constat du 10.02.2015 : 9.548.303

Constat du 25.03.2015 : 701.903

TOTAL : 10.250.206

Je joins la liste me remise en annexe.