

# The Committee for Freedom of Öcalan

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## INFORMATION FILE

2015-08-25

## **Freedom of A. Öcalan Will Guarantee 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.

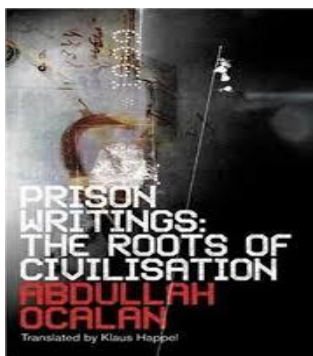


Öcalan's lawyers took the case to the European Court of Human Rights to overturn the unfair trial that took place in Turkey. The court ruled in 2003 that Öcalan's trial was not fair, that his right to fair legal representation had been restricted and that he had faced inhumane conditions in Imrali prison. 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 16 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.

## 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".



*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.



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).



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

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

## 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.

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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.**