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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 August 2024]

* Issued as received, in the language of submission only.



Türkiye: Political Prisoners, Attacks on Kurds and other Ethnic Groups in North of the Syrian Arab Republic in Violation of International Law

Description of the Human Rights Problem:

Since the foundation of Türkiye in 1923, the Kurds in Türkiye have been victims of aggressive Turkish nationalism and forced assimilation. From 1925 to 1939 they were subjected to genocidal campaigns. Around a quarter of a million Kurds were killed and at least 700,000 displaced. As a result, everything Kurdish was gradually banned and fought against with increasing brutality. However, Kurdish resistance continued to form.

When the AKP party of Turkish President Recep Tayyip Erdogan came to power in 2002, the bans on the Kurdish language and culture were relaxed, but they are still not constitutionally protected. The Kurds are not recognized in the constitution as an independent ethnic group with its own language, culture and history. There is not a single Kurdish school for the approximately 20 million Kurds. Forced assimilation is still the goal of the Turkish state. In addition, the Kurdish regions are subject to aggressive Islamization by the AKP, from which women and religious minorities such as Alevis, Christians and Yazidis suffer massively.

Kurdish resistance has formed against this policy of persecution, oppression and forced assimilation, including violent resistance, such as in 1984 by the PKK, which the Turkish state uses as an opportunity to fight all Kurdish opposition as “counter-terrorism”. Even though the Turkish state negotiated a settlement of the conflict with the PKK at times, it insisted on a military solution to the Kurdish question. The civilian population in particular has suffered and continues to suffer from this armed conflict. The most serious human rights violations and war crimes have occurred and continue to occur.

President Erdogan and other Turkish politicians like to talk about the assimilation of Turks living in Europe and refer to this as a “crime against humanity”. At the same time, Türkiye has been trying to assimilate Kurds and other non-Turkish population groups in its historical settlement area by force and war since its foundation. Turkish politicians demand that anyone who does not like the Turkish system should leave the country.

Even elected Kurdish politicians, members of the Turkish parliament or mayors in Kurdish populated region in Türkiye have been and are being taken to court for using the term “Kurdistan”. This included Osman Baydemir (53), who represented the Kurdish population of Şanlıurfa (Urfa) in the Turkish parliament as a member of the pro-Kurdish HDP party until 2018. Baydemir was punished. He had to flee Türkiye and found refuge in the United Kingdom of Great Britain and Northern Ireland. Six years later, in 2023, the European Court of Human Rights (ECtHR) ruled on a complaint by Baydemir. The ECtHR ruled that the disciplinary sanction imposed on Baydemir by the Turkish judiciary constituted a violation of his right to freedom of expression. The Court unanimously ruled that Article 10 of the European Convention on Human Rights (ECHR) had been violated and awarded Baydemir compensation in the amount of 16,957 euros.

Background:

On May 16, 2024, a Turkish court sentenced the former leader of the pro-Kurdish HDP party, Selahattin Demirtaş, to 42 years in prison. Demirtaş has been in prison since 2016, and the former co-chair of the HDP, Figen Yüksekdağ, was also sentenced to 30 years and three months in prison. The sentences are part of the politically motivated Kobane trial.

The European Court of Human Rights (ECtHR) had already ordered the release of Demirtaş in 2020. Despite this, Demirtaş was not released and was even sentenced to a further prison term. The government of Türkiye is thus showing that it is trampling on human rights and the rule of law. The Kobane trials are a politically motivated reaction to the protests in 2014, which the HDP had called for via Twitter.

During the protests, the military of Türkiye was criticized for not standing idly by and blocking the siege of the Syrian-Kurdish border town of Kobane by the “Islamic State” (IS) and for tolerating and thus strengthening IS. The Public Prosecutor General's Office in Türkiye interprets the Twitter post as an incitement to violence. According to the Grand Chamber of the ECtHR, however, there is no evidence for this assumption.

It is known that the Syrian Kurds' fight against IS in Kobane played a decisive role in the eventual military defeat of IS in 2019 with the support of the United States of America. IS has committed the most serious war crimes against Kurds and other minorities. The climax of IS crimes was the genocide committed by IS against the Yazidis in Sinjar in north-western Iraq. This was recognized as genocide by the German Bundestag in 2023 and other Parliaments. Against this backdrop, it is important that the Human Rights Council campaigns for the release of Demirtas and all other Kurdish political prisoners and Turkish democrats in Turkish prisons.

The prisons in Türkiye are already overcrowded and the situation is becoming increasingly unbearable. Türkiye's attacks and wars against the Kurds in neighbouring the Syrian Arab Republic, in Afrin, as part of the so-called “Operation Olive Branch” in 2018 and the so-called “Operation Peace Spring” in 2019, which violate international law, must also be unequivocally condemned by the Human Rights Council and a withdrawal of Turkish troops must be demanded. These attacks were classified as illegal under international law by the Scientific Service of the German Bundestag and other reputable international organizations. During and after these attacks, the most serious human rights violations and war crimes have occurred and continue to occur. This is one more reason why the Human Rights Council must not leave the “Syrian question” to Türkiye. Türkiye is only perceived in the region as a “Sunni protecting power”. It can therefore not act as a “partner of the West in the democratization of the Syrian Arab Republic”. In the Syrian Arab Republic, Türkiye is cooperating much more with the Russian Federation and the Islamic Republic of Iran within the framework of the Astana format, thereby effectively strengthening Assad.

Specific Requests, Demands and Recommendations:

1. the Human Rights Council is asked to campaign for the immediate release of Demirtas and all other political prisoners in Türkiye.
2. the Human Rights Council, together with other EU governments shall press more strongly for Türkiye to implement the judgments of the ECtHR.
3. With regard to the situation of the Kurds and other minorities in the Syrian Arab Republic, the Human Rights Council should not enter into any agreements with Türkiye that could jeopardize the democratic rights of all Syrians, especially the Kurds.
4. The Human Rights Council should ensure that Türkiye withdraws its troops from Afrin and other Syrian-Kurdish areas in north of the Syrian Arab Republic.
5. The Human Rights Council shall ensure that Türkiye is held accountable for its wars of aggression, human rights violations and war crimes against Kurds and other minorities in the Syrian Arab Republic.
6. The Human Rights Council is asked to monitor that humanitarian aid for the Kurds in the Syrian Arab Republic is delivered despite Turkish demands to exclude the region from humanitarian aid.