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9 March 2010

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Turkey: The situation and treatment of members and supporters of the Democratic Society Party (Democratik Toplum Partisi, DTP) and the Peace and Democracy Party (Barış ve Demokrasi Partisi, BDP)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Democratic Society Party (Democratik Toplum Partisi, DTP)

Sources indicate that the Democratic Society Party (Democratik Toplum Partisi, DTP) became a political party in November 2005 and was a successor to the Democratic People's Party (Demokratik Halk Partisi, DEHAP) (*Political Parties of the World* 2009, 591; PHW 2008, 1355). The DTP is characterized as Turkey's "largest pro-Kurdish party" (IHS Global Insight 14 Dec. 2009) and as a "Kurdish nationalist group" (*The New York Times* 6 Dec. 2008). According to *Political Parties of the World*, the DTP is an observer member of the Socialist International and an associate member of the Party of European Socialists (2009, 591). Sources report that in November 2007, the DTP advocated for decentralizing governmental power to Turkey's regions (*The New York Times* 6 Dec. 2008; EUTCC Jan. 2009, 166).

In Turkey, political parties must obtain at least 10 percent of the national vote to be represented in parliament, so in the July 2007 national elections, DTP candidates ran as independents (PPW 2009, 591; PHW 2008, 1355; Human Rights Watch 9 Dec. 2009). Sources indicate that the DTP won 20 seats (PPW 2009, 591; PHW 2008, 1355; *The New York Times* 6 Dec. 2008; Freedom House 2009), or 21 seats (AI 14 Dec. 2009; *The Guardian* 12 Dec. 2009; Human Rights Watch 9 Dec. 2009; IHS Global Insight 14 Dec. 2009). According to one media source, the DTP was the first pro-Kurdish party to have representatives in parliament since 1991 (*The Christian Science Monitor* 16 Dec. 2009). *The New York Times* reports that as of December 2008, 54 mayors in largely Kurdish cities in the southeast were members of the DTP (6 Dec. 2008). According to the European Union Turkish Civic Commission (EUTCC) and a report by the London-based non-governmental organization (NGO) Kurdish Human Rights Project (KHRP) and the Bar Human Rights Committee of England and Wales (BHRC), in the local elections of March 2009, the DTP nearly doubled its representation from 56 municipalities to 98 (KHRP/BHRC Aug. 2009, 17; EUTCC 2009, 19).

Sources report that on 16 November 2007, the Chief Prosecutor of the Supreme Court of Appeals filed a case with the Constitutional Court to ban the DTP and expel several of its legislators on charges of separatism and links to the outlawed Kurdistan Workers' Party (Partiya Karkeren Kurdistan, PKK) (Human Rights Watch 9 Dec. 2009, PPW 2009, 591). According to Agence-France Presse (AFP), the DTP claims that they have "no organic links" with the PKK (14 Dec. 2009). *The New York Times* states that DTP politicians may sympathize with PKK fighters, but they are not PKK members and they oppose violence (6 Dec. 2008). Both sources indicate that the DTP does not recognize the PKK as a "terrorist group" (AFP 14 Dec. 2009; *The New York Times* 6 Dec. 2008).

On 11 December 2009, the Turkish Constitutional Court banned the DTP on charges that it undermined the state's unity (Anatolia 31 Dec. 2009; *The Guardian* 12 Dec. 2009) and has links to the PKK (AFP 11 Dec. 2009; Anatolia 11 Dec. 2009; *The Christian Science Monitor* 16 Dec. 2009; Human Rights Watch 11 Dec. 2009). Sources report that 37 DTP members, including its leader, were barred from politics for the next five years (AI 14 Dec. 2009; Human Rights Watch 11 Dec. 2009; AFP 11 Dec. 2009; Anatolia 11 Dec. 2009). The court also ruled that DTP assets would be seized by the Treasury (Human Rights Watch 11 Dec. 2009; AFP 11 Dec. 2009). The Constitutional Court's verdict was unanimous (AFP 11 Dec. 2009; AI 14 Dec. 2009; *The Christian Science Monitor* 16 Dec. 2009). Human Rights Watch reports that the DTP was the twenty-fifth political party banned in Turkey since 1962 (11 Dec. 2009). According to *Political Parties of the World*, the

People's Labour Party (HEP), the Democracy Party (DEP), and the People's Democracy Party (Halkin Demokrasi Partisi, HADEP), which were pro-Kurdish predecessor parties to DEHAP and DTP, were accused of being front organizations for the PKK and were banned by the Constitutional Court in earlier years (PPW 2009, 591).

Sources indicate that the ban of the DTP sparked violent protests in several regions of Turkey (AFP 14 Dec. 2009; Aljazeera 15 Dec. 2009; IHS Global Insight 14 Dec. 2009; VOA 24 Dec. 2009; Trend News Agency 28 Dec. 2009). Media sources report that clashes between Kurdish demonstrators and authorities occurred in Diyarbakir (IHS Global Insight 14 Dec. 2009; AFP 14 Dec. 2009; *Toronto Star* 14 Dec. 2009; Trend News Agency 28 Dec. 2009), Hakkari, Yuksekova (ibid.; IHS Global Insight 14 Dec. 2009), Istanbul (ibid.; *The Toronto Star* 14 Dec. 2009; AFP 14 Dec. 2009), Dogubeyazit, Adana, Mersin, Viransehir (ibid.), Izmir, Van and Ankara (IHS Global Insight 14 Dec. 2009). According to AFP, in several demonstrations, Kurdish protesters threw stones and firebombs at police, and police responded by using tear gas, water cannons or pepper gas (AFP 14 Dec. 2009). Other media sources also report cases in which police used tear gas to disperse protesters (*The Toronto Star* 14 Dec. 2009; Aljazeera 15 Dec. 2009). In the town of Bulanik in the province of Mus, two people were killed and six to seven others were wounded when a shopkeeper opened fire on a crowd of protesters who attacked his shop; the demonstrators reportedly threw stones at banks and shops which had not closed to protest the DTP ban (AFP 15 Dec. 2009; Aljazeera 15 Dec. 2009; HIS Global Insight 16 Dec. 2009).

The Peace and Democracy Party (Barış ve Demokrasi Partisi, BDP)

Sources indicate that the Peace and Democracy Party (Barış ve Demokrasi Partisi, BDP) was created as a successor to the DTP in anticipation of the DTP being banned (EUTCC Jan. 2010, 167; Plus News Pakistan 19 Dec. 2009). The 19 legislators who remained in parliament following the ban of DTP have reportedly joined the BDP (Aljazeera 18 Dec. 2009; Plus News Pakistan 19 Dec. 2009; AFP 1 Feb. 2010). According to AFP, Selahattin Demirtas, a lawyer for the Turkish Human Rights Association and a member of parliament, was elected the leader of the BDP (1 Feb. 2010).

Treatment of DTP and BDP members by authorities

Freedom House reports that in 2007 as many as 50 DTP members were arrested for pro-Kurdish activities and some were convicted (2009). The United States (US) Department of State's *Country Reports on Human Rights Practices for 2008* indicates that in 2007, some DTP members were convicted for speaking Kurdish during political or judicial proceedings (US 25 Feb. 2009, Sec. 2a). *Country Reports 2008* also notes that in 2008, prosecutors opened several investigations and trials against DTP members (ibid., Sec. 3). Police raided DTP offices in Van and Siirt provinces and arrested approximately 50 DTP members during the year (ibid.).

KHRP/BHRC reports that in March 2009, villagers in Tepecik were allegedly attacked by village guards for supporting the DTP in local elections (Aug. 2009, 34). Media sources report that in April 2009, following DTP successes in local elections, approximately 50 members of the DTP were arrested (*The Guardian* 29 Apr. 2009; *The Kurdish Globe* 19 Dec. 2009).

Information about the approximate number of DTP members arrested throughout 2009 varies: according to KHRP/BHRC, between April 2009 and August 2009, more than 500 DTP members were taken into custody and 267 were indicted (KHRP/BHRC 2009, 17); the Turkish NGO Human Rights Association (İnsan Hakları Derneği, IHD) reports that three operations were carried out against the DTP between April and October 2009, in which 1,000 people were detained, including 450 DTP members who have not been told the charges laid against them (IHD 27 Oct. 2009). Human Rights Watch reports that between April 2009 and January 2010, more than 100 DTP or BDP party officials were arrested (Human Rights Watch 12 Jan. 2010). Human Rights Watch noted that the investigation of BDP and former DTP members is under a secrecy order, and the evidence against those charged is not disclosed to the suspects or their lawyers (ibid.).

Sources report that on 24 December 2009, Turkish authorities detained over 30 Kurdish political leaders, journalists and activists as part of an anti-terror operation against BDP or former DTP members (Human Rights Watch 12 Jan. 2010; IHS Global Insight 30 Dec. 2009; VOA 24 Dec. 2009). Twenty-three people were indicted, including several mayors (Human Rights Watch 12 Jan. 2010; IHS Global Insight 30 Dec. 2009). The Vice President of the Human Rights Association was among those arrested (ibid.; Human Rights Watch 12 Jan. 2010). According to Human Rights Watch, the arrests occurred the day after many of those arrested joined the BDP (ibid.). United Press International reports that following the arrests, Kurdish demonstrators in Istanbul and southeast Turkey clashed with riot police (UPI 28 Dec. 2009).

Media sources report that the BDP headquarters in Ankara was attacked on 5 February 2010 (Anatolia 6 Feb. 2010; Plus News Pakistan 10 Feb. 2010). A BDP party official reportedly stated that more than 15 bullets were fired at the building (ibid.; Anatolia 6 Feb. 2010). According to the official, it was the fifth time that the party was attacked within a year (ibid.). According to one media source, three people were detained by the police in connection to the attack (Plus News Pakistan 10 Feb. 2010).

AFP reports that in February 2010, police arrested 86 people in ten provinces for alleged links with the PKK, including leaders and elected officials of the BDP (AFP 13 Feb. 2010). The arrests occurred in Batman, Hakkari, Mardin, Siirt, Sirnat, Agri, Mus, Van, Adana and Istanbul (ibid.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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