



OHCHR REGISTRY

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Recipients :.....S.P.D.....
.....P. Sekagya (encl.)
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*The Ambassador
Permanent Representative*

2012/BMCO/4743449

Geneva, 26 April 2012

Dear Ms. Sekagya and Mr. Kiai

With reference to your joint allegation letter dated 8 February 2012, I have the pleasure to enclose herewith a non-paper which contains information received from the relevant Turkish authorities.

Please accept the assurances of my high consideration.

Oğuz DEMİRALP
Ambassador
Permanent Representative

Encl: As stated

Ms. Margaret Sekagya
Special Rapporteur on the situation of human rights defenders

Mr. Maina Kiai
Special Rapporteur on the rights to freedom
of peaceful assembly and of association

25 April 2012

With reference to your letter of 8 February 2012, The Republic of Turkey wishes to submit the following information regarding the search of the offices of IHD, KESK, Tuhay-Der, Eđitim-Sen and Krd-Der.

The said search was carried out on 13 January 2012 as an Istanbul-based police operation, falling within the scope of the investigation on a terrorist organization known as PKK/KCK.

In 2007, the Diyarbakır Chief Public Prosecutor Office initiated an investigation (No.2007/997) to transcribe the activities of the so-called "Koma Civaken Kurdistan Parliament of Turkey (KCK/TM)" that operates as the urban wing of the illegal PKK/KONGRA-GEL terrorist organization. The information that was provided by the relevant authorities is presented here below:

Concerning the terrorist organization PKK/KCK

It is well known that PKK is a terrorist organization which is included in the list of terrorist organizations of the European Union and NATO as well as those of many countries. PKK and its chieftain are responsible for countless crimes against humanity, including not only murders, but also kidnappings, tortures, extortion, illegal drug trafficking, etc. Many of its leading figures are internationally known criminals searched through Interpol channels.

Since 1984, PKK's terrorist activities resulted in the death of more than 30.000 Turkish citizens, among whom were innocent civilians, teachers and other public servants, many deliberately murdered.

Following the arrest of its head terrorist Abdullah Öcalan, in 1999, the supporters of the organization started claiming that it had switched its strategy to peaceful methods and would pursue political struggle from then on. In accordance with this policy of appearing as a born-again legitimate organization, PKK changed its name to KADEK on April 2002 and to KONGRAGEL on November 2003. In this line, KCK ("Koma Civaken Kurdistan") was created on May 2007 as framework structure that covers the illegal PKK/KONGRA-GEL terrorist organization and establishes its urban wing.

However, the organization has been continuing to carry out hit and run attacks mainly on southeastern Anatolia. PKK has hideouts in northern Iraq, and illegal network in Europe, where it finds financial support through extortion, illegal drug trafficking and money laundering.

The organic link between PKK and KCK is explicitly presented in the KCK document called "KCK Convention". PKK leader Abdullah Öcalan is also designated as the head of its urban wing. The new structure, strategic activities and name of the PKK/KCK terror organization were all presented as having been determined following the instructions and approval of Öcalan. The PKK terrorist named Murat Karayılan is heading the executive structure of KCK and Sabri OK is the head of the KCK structure in Turkey.

KCK/PKK activities are not limited to Turkey. They pursue separatist violent aims also in Iran, Iraq and Syria.

The so-called "KCK Convention" openly states that "Kurdistan's Democratic Confederalism" is based on the experience of PKK.

In paragraph 36 of the same document, it reads that PKK constitutes the ideological power of KCK and all PKK members serving within the KCK system are bound by the PKK structure's ideological, moral, organizational and vital principles. It also stated that every KCK member should act in accordance with PKK's ideological and moral standards.

In paragraph 43 of the same document KCK forces are instructed to act in line with PKK/KONGRA GEL's political will.

The ongoing confidential investigation revealed that the leadership of this terrorist organization operates in the hideouts located in northern Iraq; instructions given by Öcalan, from the prison are transmitted to KCK militants by his lawyers and visitors; the terrorist organization aims to establish first an autonomous, then a confederative and finally an independent state.

There are evidences proving that KCK structure is responsible for organizing and coordinating illegal activities, creating illegal structures with an aim to replace state institutions, conducting illegal activities and demonstrations throughout Turkey, holding illegal meetings to promote hatred and hostility, collecting funds by using intimidation methods, providing logistic support to terrorists operating in extra-urban areas, organizing corruption and irregularities within the local exerting pressure through unlawful means on the political party BDP for the nomination of candidates to the legislative and local elections, interrogating and punishing elected politicians, intervening in the recruitment of employees by the local administrations, trafficking drug, preparing false documents and passport for illegal entries in Turkey, etc...

KCK tries to recruits highly educated members with speaking and influencing skills and familiar with urban life. These new recruits attend courses on politics, culture, art, journalism and literature, in a camp called DOLE KOGE. Besides, they also receive training on the use of weapons. Thereafter, they are placed in some legally acting NGO's and institutions in order to influence their activities in line with KCK's instruction.

Concerning the allegations related to the search of IHD, KESK, Tuhay-Der, Eğitim-Sen and Kürd-Der.

The said operation was undertaken against the PKK/KCK structures in charge of transmitting the instructions of their leaders to the members of the terrorist organisation. The aim was to arrest some of the terrorists actively operating within "the "Leadership Committee". The police search was conducted in the premises of the organisations where several accesses to the internet-based secret and illegal communication network of PKK/KCK had been detected.

The operation did not intend to interfere with the institutional structure or the functioning of the said NGOs which have afterwards pursued their activities. The operation was exclusively conducted against the PKK/KCK terrorist organisation members who

infiltrated the said NGOs in order to abuse their capabilities in line with the terrorist objectives. The Turkish Government sees NGO's as indispensable in a pluralistic democracy and open and vocal society.

Those apprehended in the framework of the operation were all suspected of voluntarily participating in the elaboration and implementation of the terrorist organisation PKK/KCK's strategy, acting as high ranked members within the PKK/KCK and for promptly implementing PKK/KCK's instructions.

PKK/KCK terrorist organisation, concerned about the dismantling of its hidden structures, tries to distort these kinds of operations in order to create a perception of victimization in the public opinion and to put pressure on the judiciary.

Operations against the PKK/KCK structures which execute orders issued by the terrorist organisation to encourage some of our citizens to commit illegal acts are also welcomed by the people in the region who are freed from the yoke of PKK/KCK.