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Home Office

Country Policy and Information Note **Turkey: Peoples' Democratic Party/ Green Left Party (HDP/YSP)**

Version 5.0

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Executive summary

Despite its status as a legitimate political party, the Peoples' Democratic Party (HDP) the Turkish authorities often conflate it with the proscribed terrorist organisation, the Kurdistan Workers' Party (PKK). In March 2021, a prosecutor filed a case in Turkey's Constitutional Court to ban the HDP, accusing the party of colluding with the PKK. At the time of writing, the case is still ongoing and the HDP's future remains unclear.

In the May 2023 General Elections, the HDP decided to have its representatives run under the name of a sister party, the YSP (which translates as the Green Left Party). The HDP party leadership said that this decision was due to the threat of closure of the HDP by the government before the elections. There is currently no similar closure case against the YSP. At time of writing the HDP/YSP have said that they may change their name again the coming months – a familiar pattern amongst pro-Kurdish political parties who have periodically changed their names to avoid closure.

Given the Turkish authorities' conflation of the HDP with the PKK, the 2003 Country Guidance case of IA and others is relevant. In that case, the Upper Tribunal (UT) set out 15 (non-exhaustive) factors to consider when assessing claims based on political or 'separatist' beliefs and activity (which must not be used as a 'checklist'). Whilst the caselaw is 20 years old, the broad principles it sets out on how to consider risk remain relevant (against the backdrop of the most up-to-date information).

The starting point should be the person's claimed involvement with the HDP and their activities and, applying the relevant burden and standard of proof, how credible and plausible the claimed reaction from the Turkish state to that would be.

In general, simply being a member or supporter of the HDP/YSP is not likely to result in a person facing persecution. However, the risk faced will depend on the person's profile and activities. If the person is a senior member of the HDP, for example, an MP, local official, or elected mayor, or is an activist, or vocally critical of the government's approach to Kurds via social media, or has otherwise come to the adverse attention of the authorities because of suspected involvement with the PKK or support for greater autonomy for Kurdish people, they may be at risk of arrest under the government's broad interpretation of terrorism-related charges.

Whilst those fleeing prosecution or punishment after being accused of a criminal offence are not normally refugees, prosecution may amount to persecution if it involves victimisation in its application by the authorities; for example, if it is the vehicle or excuse or if only certain groups are prosecuted for a particular offence and the consequences of that discrimination are sufficiently severe. Punishment which is cruel, inhuman or degrading (and/or which is out of all proportion to the offence committed) may also amount to persecution. A person who can demonstrate a real risk of a flagrant violation of Article 6 of the European Convention on Human Rights (right to a fair trial) could therefore qualify for leave to remain on that basis.

Where the person has a well-founded fear of persecution from the state they will not, in general, be able to obtain protection from the authorities, nor likely be able to relocate to escape that risk. Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under s94 of the Nationality, Immigration and Asylum Act 2002.

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Assessment

About the assessment

This section considers the evidence relevant to this note – that is information in the [country information](#), refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**:

- a person is reasonably likely to face a real risk of persecution/serious harm by the state because of their membership or support of the Halkların Demokratik Partisi (People’s Democratic Party) (HDP)
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a grant of asylum, humanitarian protection or other form of leave is likely, and
- if a claim is refused, it is likely or unlikely to be certifiable as ‘clearly unfounded’ under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case’s specific facts.

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1. Material facts, credibility and other checks/referrals

1.1 Credibility

- 1.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 1.1.3 In cases where there are doubts surrounding a person’s claimed place of origin, decision makers should also consider language analysis testing, where available (see the [Asylum Instruction on Language Analysis](#)).

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1.2 Exclusion

- 1.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable.

Each case must be considered on its individual facts and merits.

- 1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
- 1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention, Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

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2. Convention reason(s)

- 2.1.1 Actual or imputed political opinion.
- 2.1.2 Establishing a convention reason is not sufficient to be recognised as a refugee. The question is whether the person has a well-founded fear of persecution on account of an actual or imputed Refugee Convention reason.
- 2.1.3 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

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3. Risk

3.1 Risk from the state

- 3.1.1 In general, simply being a member or supporter of the HDP/YSP is not likely to result in a person facing persecution. However, the risk faced will depend on the person's profile and activities.
- 3.1.2 Given the Turkish authorities' conflation of the HDP with the PKK, the Country Guidance case of [IA and others \(Risk-Guidelines-Separatist\) CG \[2003\] UKIAT 00034](#), heard 12 May 2003 and promulgated 28 July 2003, is relevant. In that case, the Upper Tribunal gave consideration of the potential risk to a person involved in 'separatist' activities on return to Turkey. It held:
 - 'The following are the factors which inexhaustively we consider to be material in giving rise to potential suspicion in the minds of the authorities concerning a particular claimant.
 - 'a) The level, if any, of the appellant's known or suspected involvement with a separatist organisation. Together with this must be assessed the basis upon which it is contended that the authorities knew of or might suspect such involvement.
 - 'b) Whether the appellant has ever been arrested or detained and, if so, in what circumstances. In this context it may be relevant to note how long ago

such arrests or detentions took place, if it is the case that there appears to be no causal connection between them and the claimant's departure from Turkey, but otherwise it may be a factor of no particular significance.

'c) Whether the circumstances of the appellant's past arrest(s) and detention(s) (if any) indicate that the authorities did in fact view him or her as a suspected separatist.

'd) Whether the appellant was charged or placed on reporting conditions or now faces charges.

'e) The degree of ill treatment to which the appellant was subjected in the past.

'f) Whether the appellant has family connections with a separatist organisation such as KADEK or HADEP or DEHAP [n.b. these were the names of historic, pro-Kurdish legal political parties (and effective forerunners to the HDP), some of which shut down by constitutional court and some dissolved by itself].

'g) How long a period elapsed between the appellant's last arrest and detention and his or her departure from Turkey. In this regard it may of course be relevant to consider the evidence, if any, concerning what the appellant was in fact doing between the time of the last arrest and detention and departure from Turkey. It is a factor that is only likely to be of any particular relevance if there is a reasonably lengthy period between the two events without any ongoing problems being experienced on the part of the appellant from the authorities.

'h) Whether in the period after the appellant's last arrest there is any evidence that he or she was kept under surveillance or monitored by the authorities.

'i) Kurdish ethnicity.

'j) Alevi faith.

'k) Lack of a current up-to-date Turkish passport

'l) Whether there is any evidence that the authorities have been pursuing or otherwise expressing an interest in the appellant since he or she left Turkey.

'm) Whether the appellant became an informer or was asked to become one.

'n) Actual perceived political activities abroad in connection with a separatist organisation.

'o) If the returnee is a military draft evader there will be some logical impact on his profile to those assessing him on his immediate return. Following Sepet, of course, this alone is not a basis for a refugee or human rights claim.

'We cannot emphasise too strongly the importance of avoiding treating these factors as some kind of checklist. Assessment of the claim must be in the round, bearing in mind the matters set out above as a consequence of a careful scrutiny and assessment of the evidence. The central issue, as always, is the question of the real risk on return of ill treatment amounting to persecution or breach of a person's Article 3 rights. The existing political and

human rights context overall is also a matter of significance...’ (paras 46-7).

- 3.1.3 While the Upper Tribunal’s findings were based on evidence which is now over 20 years old, the factors it identified as relevant to assessing risk remain relevant in the current country context. The starting point should be the person’s claimed involvement with the HDP and their activities and, applying the relevant burden and standard of proof, how credible and plausible the claimed reaction from the Turkish state to that would be.
- 3.1.4 When ordinary members of the HDP have come to the adverse attention of the authorities, this has generally been whilst participating in demonstrations and rallies, or for being vocal in criticising the government or the president or speaking out on Kurdish political issues including on social media. Otherwise, ordinary members are unlikely to attract the adverse attention of the authorities on account of their political beliefs (see [Profiles of those targeted](#), [Arrests of HDP members and supporters](#), [Other individuals who are critical of the government](#)).
- 3.1.5 It should be noted that attracting the adverse attention of the authorities and being arrested and detained is not the same as, and does not automatically equate to, a well-founded fear of persecution or real risk of serious harm. Similarly, being detained can encompass various types of treatment, not all of which would breach Article 3 ECHR or create a future well-founded fear of persecution or real risk of serious harm.
- 3.1.6 Sources stated that it is difficult to keep track of the exact numbers of HDP members in prison because people get arrested and released, additionally stating that HDP members are not being systematically prosecuted and rather arrests may be a tactic of discouraging people from actively working for the HDP (see [Detention of individuals associated with the HDP](#)).
- 3.1.7 If the person is a senior member of the HDP, for example, an MP, local official, or elected mayor, or is an activist, or vocally critical of the government’s approach to Kurds via social media, or has otherwise come to the adverse attention of the authorities because of suspected involvement with the PKK or support for greater autonomy for Kurdish people, they may be at risk of arrest under the government’s broad interpretation of terrorism-related charges. In such cases, see the Country Policy and Information Note [Turkey: Kurdistan Workers’ Party \(PKK\)](#) (see also [Profiles of those targeted](#), [Arrests of HDP members and supporters](#)).
- 3.1.8 Those fleeing prosecution or punishment for a criminal offence are not normally refugees. However, prosecution may amount to persecution if it involves victimisation in its application by the authorities; for example, if it is the vehicle or excuse for or if only certain groups are prosecuted for a particular offence and the consequences of that discrimination are sufficiently severe. Punishment which is cruel, inhuman or degrading (including punishment which is out of all proportion to the offence committed) may also amount to persecution.
- 3.1.9 In order to qualify on the basis of a breach of Article 6 of the European Convention on Human Rights (right to a fair trial), the person must demonstrate a real risk of a flagrant violation of that right. The onus is on the person to do this. For further information, see the [Asylum Instruction on](#)

Considering human rights claims.

- 3.1.10 The HDP and the PKK are separate organisations with different goals. The HDP was established in 2012 to promote Kurdish rights through the democratic process. It also appeals to other underrepresented groups, such as other ethnic minorities besides Kurds, women and lesbian, gay, bisexual, transgender and intersex people. The PKK is recognised by Turkey and its western allies, including the United Kingdom, as a terrorist organisation (see [Logo and History](#), [Aims](#) and [Perceived association with the PKK](#)).
- 3.1.11 The HDP denies direct organisational links with the PKK. However, several interlocutors who met with a Home Office fact-finding team in June 2019 believed that the government considered there to be a link between the PKK and the HDP; sources gave differing opinions on the extent to which this was accurate and, if accurate, the reasons for this. In March 2021, a prosecutor filed a case in Turkey's Constitutional Court to ban the HDP, accusing the party of colluding with the PKK and acting as an extension of the terrorist group. The case also called for 451 HDP members to be banned from politics for 5 years. In June 2021, Turkey's Constitutional Court approved the opening of prohibition proceedings against the HDP (see [Logo and History](#) and [Attempts to ban the HDP and merging with the Green Left Party](#)).
- 3.1.12 In December 2022, the same prosecutor requested that the Constitutional Court block the bank accounts of the HDP and withhold any further financial aid from the Treasury, claiming that the HDP has 'organic ties' to PKK and uses funds in line with the aims of the group. In January 2023, the Constitutional Court ruled in favour of freezing the HDP's accounts, before reversing its decision in March 2023. In January 2023, the HDP's request to be granted an additional 2 months to prepare its defence and to delay the final ruling of the Constitutional Court case until after the May 2023 presidential and parliamentary elections was rejected (see [Attempts to ban the HDP and merging with the Green Left Party](#)).
- 3.1.13 In March 2023, the HDP announced it would not be fielding its own candidate for president in the upcoming elections before announcing in April 2023 that, to circumvent the risk of a possible closure ahead of the elections, the HDP would run in the election under the banner of the Green Left Party (Yeşil Sol Parti). The Green Left Party received nearly 5 million votes (8.82% of the vote and 5.75% of Turkey's population) and had 61 MPs elected to parliament. Turkey has a multiparty system; 7 parties from 3 different alliances now constitute the Turkish parliament following the May 2023 elections (see [Legislation – political parties](#), [Green Left Party \(Yeşil Sol Parti\)](#), [Attempts to ban the HDP and merging with the Green Left Party](#) and [2023 election](#)).
- 3.1.14 In August 2023, the HDP announced that it would formally merge with the Green Left Party at the party's 'extraordinary' congress on 27 August 2023. At the time of writing the future of the HDP is yet to be determined. It is unclear whether the HDP will be banned by the Constitutional Court of Turkey, whether it will disband voluntarily prior to any ban, continue to operate on a much smaller level or, as appears most likely at the time of writing, merge with the Green Left Party. However, this is not new and pro-Kurdish political parties have historically disbanded and been renamed due

to the periodic risk of closure/criminalisation by the state (see [Attempts to ban the HDP and merging with the Green Left Party](#)).

- 3.1.15 Counter-terrorism laws are applied broadly and have been used against government opponents. Some HDP members, those who are active in supporting the party, and those who work on human rights issues, have been arrested for acts of terrorism or for aiding and abetting terrorism, such as spreading terrorist propaganda. Lawyers have been accused of having links to terrorism for offering legal support to persons accused of terrorism and individuals have been accused of links to the PKK for criticising the government on the issue of Kurdish rights on social media. Some terrorism cases have involved weak, circumstantial evidence. For more information see [Judicial system, due process and fair trial](#) and the Country Policy and Information Note [Turkey: Kurdistan Workers' Party \(PKK\)](#).
- 3.1.16 Following the coup attempt of 2016 which preceded a two-year and wide-reaching state of emergency, a number of HDP MPs and many local officials and elected mayors were detained and prosecuted or placed in pre-trial detention. In November 2016, Selahattin Demirtaş, one of the co-leaders of the HDP and a former presidential candidate, was detained. At the time of writing he remains in prison despite two European Court of Human Rights (ECtHR) judgements ruling for his immediate release, with a new indictment launched against him in April 2022 over his social media postings nine years previous (see [Perceived association with the PKK](#), [Arrests of HDP members and supporters](#) and [Detention of individuals associated with the HDP](#)).
- 3.1.17 Many elected mayors have been replaced with government appointed trustees since the coup attempt of 2016. According to sources, following the 2019 local elections 48 out of 65 elected HDP mayors in southeast Turkey were suspended from office and replaced with trustees based on allegations that they were involved with the PKK. According to the HDP, since the first appointment of a trustee in June 2019, a total of 72 HDP mayors have been arrested, with 15 of them remaining in detention (see [Suspension and dismissals of HDP politicians](#) and [Arrests of HDP members and supporters](#)).
- 3.1.18 In April 2023, Turkish authorities carried out operations in 21 predominantly Kurdish provinces, resulting in the arrest of at least 126 people on suspicion of involvement with the PKK. Those arrested included politicians, elected officials, lawyers and journalists. State media reported that these raids were linked to street protests and child abductions, however the HDP claimed that these arrests were timed to affect the 2023 elections. According to sources there were additional waves of arrests and detentions in the weeks following the initial operations, with the HDP claiming that as of 8 May 2023, 295 people had been detained and 61 additional people had been arrested (see [Arrests of HDP members and supporters](#)).
- 3.1.19 For information on treatment and conditions in detention see the Country Information and Policy Note, [Turkey: Kurdistan Workers' Party \(PKK\)](#).
- 3.1.20 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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3.2 Risk from non-state actors

- 3.2.1 There have been incidents of HDP offices and members being attacked by non-state actors in recent years, with the HDP claiming these attacks were as a result of intensified government rhetoric linking the HDP with the PKK (see [Non-state attacks on HDP offices and staff](#)). However, given that these are isolated incidents, in general, a person would not be a risk of serious harm or persecution from non-state actors based on their membership or support for the HDP.
- 3.2.2 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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4. Protection

- 4.1.1 Where the person has a well-founded fear of persecution from the state they will not, in general, be able to obtain protection from the authorities.
- 4.1.2 Where the person has a well-founded fear of persecution from non-state actors, including 'rogue' state actors, decision makers must assess whether the state can provide effective protection.
- 4.1.3 For further guidance on assessing state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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5. Internal relocation

- 5.1.1 Where the person has a well-founded fear of persecution or serious harm from the state, they are unlikely to be able to relocate to escape that risk.
- 5.1.2 Where the risk faced is from a non-state actor, internal relocation is likely to be reasonable. There are Kurdish communities throughout Turkey and Turkish citizens are free to move throughout the country.
- 5.1.3 Decision makers must give careful consideration to the relevance and reasonableness of internal relocation, taking full account of the individual circumstances of the particular person.
- 5.1.4 For more on internal relocation and factors to be taken into account, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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6. Certification

- 6.1.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 6.1.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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Country information

About the country information

This contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the [research methodology](#). It provides the evidence base for the assessment.

The structure and content of this section follow a [terms of reference](#) which sets out the general and specific topics relevant to the scope of this note.

Decision makers must use relevant country information as the evidential basis for decisions.

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section updated: 18 August 2023

7. Key events with an impact on Kurdish issues

7.1 2015 - 2019

7.1.1 For a timeline of key events from 2015 to 2019 see the previous version of the [Turkey: Peoples' Democratic Party \(HDP\) CPIN](#).

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7.2 2020 – 2023

7.2.1 Across the last 3 years, the main events that have impacted Kurdish people in Turkey include the escalation of violence between the Turkish authorities and the Kurdistan Workers' Party (PKK), albeit with the vast majority of violence taking place outside of Turkey (see the Country Policy and Information Note [Turkey: Kurdistan Workers' Party \(PKK\)](#), the attempts by the Turkish authorities to ban the Peoples' Democratic Party (HDP) (see [Attempts to band the HDP and merging with the Green Left Party](#)), the earthquakes that struck Turkey and Syria on 6 February 2023¹, and the presidential and parliamentary election in May 2023 (see [2023 election](#)).

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section updated: 18 August 2023

8. Legal position

8.1 Legislation – political parties

8.1.1 On 20 March 2023, the United States Department of State (USSD) published its annual report on human rights practices in Turkey, covering events in 2022. The report stated:

‘Although the constitution and law provide citizens the ability to change their government through free and fair elections based on universal and equal suffrage conducted by secret ballot, the government restricted equal competition and placed restrictions on the fundamental freedoms of assembly and expression...The government restricted the activities of opposition political parties, leaders, and officials, including through police

¹ The Guardian, [‘Thousands dead, millions displaced: the earthquake fallout...’](#), 21 February 2021

detention. Several parliamentarians remained at risk of prosecution after parliament lifted their immunity.²

- 8.1.2 The same source additionally stated: ‘The law provides for punishment of up to three years in prison for conviction of “hate speech” or injurious acts related to language, race, nationality, color, gender, disability, political opinion, philosophical belief, religion, or sectarian differences. Human rights groups noted the law was used more to restrict freedom of expression than to protect members of minority groups.’³
- 8.1.3 When the Home Office fact-finding team (HO FFT) met a representative from the Ministry of Justice in June 2019, they were told that, according to Turkish law, any discrimination based on religion, ethnicity, gender or language is prohibited⁴. The representative from the Ministry of Foreign Affairs mentioned to the HO FFT that discrimination based on race, language, religion, sect, sex, or political or philosophical belief or opinion is penalised under Article 122 of the Penal Code and there are legal and administrative ways to complain about any such discrimination⁵.
- 8.1.4 In March 2023, Freedom House published its annual report on political rights and civil liberties in Turkey, covering events in 2022. The report stated:
‘The unicameral Grand National Assembly has 600 seats. Lawmakers are elected to five-year terms by proportional representation. Parties need at least 7 percent of the national vote to join the parliament as of 2022.
‘...The judges of the Supreme Electoral Council (YSK), who oversee all voting procedures, are appointed by AKP-dominated judicial bodies and often defer to the AKP in their decisions.
‘A new electoral law passed in March 2022 lowered the parliamentary entry threshold from 10 percent to 7 percent and changed the way parliamentary seats are distributed among party alliances. Opposition parties criticized the threshold changes as an attempt by the AKP to scuttle a broad opposition alliance, saying the lower threshold was designed to encourage smaller parties to break from a unified opposition bloc. The new law modified procedures for the selection of judges who oversee elections and control vote-counting process. Previously, the top-ranking judge in a district would select the judges responsible for any challenges to the vote count; the new law prescribes that those judges be selected in a draw, making it more likely that AKP-aligned judges appointed in recent years would oversee the processes. The law also exempted the president from rules that ban ministers from using state resources for their campaigns.’⁶
- 8.1.5 Turkey maintains a multiparty system in parliament. Following the 2023 elections, 7 parties from 3 different alliances constitute the Turkish parliament⁷. See [2023 election](#) for more information.

² USSD, ‘[2022 Country Report on Human Rights Practices: Turkey](#)’ (page 69), 20 March 2023

³ USSD, ‘[2022 Country Report on Human Rights Practices: Turkey](#)’ (page 34), 20 March 2023

⁴ HO FFM Report, ‘[Turkey: Kurds, the HDP and the PKK](#)’ (page 11), 1 October 2019

⁵ HO FFM Report, ‘[Turkey: Kurds, the HDP and the PKK](#)’ (page 11), 1 October 2019

⁶ Freedom House, ‘[Freedom in the World 2023 – Turkey](#)’ (A2-A3) March 2023

⁷ Rudaw, ‘[Seven parties constitute new Turkish parliament](#)’, 30 May 2023

9. People's Democratic Party (Halkların Demokratik Partisi (HDP))

9.1 Logo and history

9.1.1 The logo of the HDP⁸:



9.1.2 Global Security provided the following (undated) information: 'The Peoples' Democratic Party (HDP - Halkların Demokratik Partisi) was officially founded in 2012 and became politically activated in October 27, 2013 after holding its first extraordinary congress. The HDP was formed as a political wing of the People's Democratic Congress (HDK), an association that includes numerous leftist and Kurdish groups.'⁹

9.1.3 In November 2016, the European Union Agency for Asylum (EUAA), formally known as the European Asylum Support Office (EASO), published a country report on Turkey which stated:

'The People's Democratic Party (Halkların Demokratik Partisi, HDP, in Kurdish Partiya Demokratîk a Gelan) is the latest of the Kurdish-focused parties created in Turkey since the beginning of the 1970s: HEP [Halkın Emek Partisi – People's Labor Party], DEP [Demokrasi Partisi – Democracy Party], ÖZDEP [Özgürlük ve Demokrasi Partisi – Freedom and Democracy Party], HADEP [Halkın Demokrasi Partisi – People's Democracy Party], DEHAP [Demokratik Halk Partisi – Democratic People's Party], DTP [Demokratik Toplum Partisi - Democratic Society Party], BDP [Barış ve Demokrasi Partisi – Peace and Democracy Party], HDP. However, contrary to its predecessors the HDP was not created to succeed a party banned by the Constitutional Court. Formally founded in 2012, it is the political branch of a union of left-wing political organisations, the People's Democratic

⁸ HDP, '[HDP's Patnos co-mayors arrested on bogus charges](#)', 19 June 2023

⁹ Global Security, '[Turkey – Political Parties](#)', undated

Congress. It gradually replaced the BDP before the former disappeared in 2014.¹⁰

- 9.1.4 On 17 March 2021, BBC News published an article entitled 'Turkey moves to ban pro-Kurdish HDP opposition party' which stated:

'A Turkish prosecutor has asked the country's top court to ban the main pro-Kurdish opposition party, in a move the group branded a "political coup". The prosecutor filed a case accusing the Peoples' Democratic Party - or HDP - of colluding with a banned Kurdish militant movement.

'The HDP, which is the third-largest party in Turkey's parliament, denies any links to the militants. The party said the case against it was "a heavy blow to democracy and law".

"We call on all the democratic forces, the social and political opposition, and on our people to join a common fight against this political coup," the party said on Wednesday [17 March 2021].

'On Wednesday [17 March 2021], prosecutor Bekir Sahin alleged that the HDP "was acting together with PKK [Kurdistan Workers' Party] terrorists and affiliated organisations, acting as an extension of such organisations". He said such activity threatened "to destroy the indivisibility between the state and the people".

'Mr Sahin filed the case with the Constitutional Court, which has the power to decide on the closure of political parties, according to the Hurriyet newspaper. Critics have accused Mr Erdogan of using the courts to suppress political dissent against the government and his conservative AK Party.

'The HDP has come under increasing political and legal pressure since a shaky truce between the PKK and Mr Erdogan's government broke down in 2015. That pressure has only intensified since a failed 2016 coup against Mr Erdogan by a mutinous faction of Turkish army officers.¹¹

- 9.1.5 In order to circumvent its potential closure ahead of the elections that took place in May 2023, the HDP announced in March 2023 that it would run for parliament under the Green Left Party (Yeşil Sol Parti)¹².

- 9.1.6 For more information see [Attempts to ban the HDP and merging with the Green Left Party](#), [Green Left Party \(Yeşil Sol Parti\)](#) and [2023 election](#).

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9.2 Aims

- 9.2.1 According to a political party profile produced by BBC Monitoring, last updated on 10 April 2023, the HDP:

'Describes its party programme as for "labour, equality, freedom, peace and justice", on its official Turkish language website

'The party defines its policy areas of consisting of a number of "struggles" on its official Turkish language website; these include "the struggle against

¹⁰ EUAA, '[Turkey – Country Focus](#)', (page 26), November 2016

¹¹ BBC News, '[Turkey moves to ban pro-Kurdish HDP opposition party](#)', 17 March 2021

¹² Reuters, '[In vote setback for Erdogan, Turkey's HDP will not field candidate](#)', 22 March 2023

imperialism, warmongering, exploitation and hegemony", and struggles for "attaining democracy", "self and local administration, democratic freedom", "peace, equality and a democratic solution on the Kurdish issue", "attaining labour rights", "equality and freedom for people and faiths", "equality and freedom for women", "LGBT individuals" and "ecology and life".¹³

9.2.2 The HDP described their beliefs and aims in (undated) information on their [website](#) using the headings below:

‘Honest Politics

‘A Democratic Party

‘A Party of Freedom and Equality

‘A Pro-Peace Party

‘A Pro-Labor Party

‘A Pro-Selfgovernment Party

‘A Pro-Gender Equality Party

‘A Green Party’¹⁴

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9.3 Registration and membership of the HDP

9.3.1 In June 2019, the HO FFT were told by 2 interlocutors that all members of all political parties have to be registered at the Court of Cassation, also known as the Supreme Court of Appeals of Turkey¹⁵. This information is therefore available online¹⁶. Supporters are not registered¹⁷.

9.3.2 The HO FFT met an HDP MP who opined that, ‘This process of putting all members of political parties into the Court of Cassation discourages people who want to join the parties.’¹⁸

9.3.3 Murat Celikkan, Director of Hafiza Merkezi (Truth, Justice and Memory Centre), told the HO FFT that the HDP have thousands of members¹⁹. The HDP MP said that there are 30,000 to 40,000 HDP members registered at the Court of Cassation, yet six million people voted for the HDP at the elections²⁰.

9.3.4 The HDP MP explained to the HO FFT that the HDP do not offer ID cards, a membership card or document cards for members. A person can apply at district/provincial levels, and once accepted, the new member’s name is in the system²¹.

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¹³ BBC Monitoring (accessed via subscription), ‘[Peoples’ Democratic Party \(HDP\)](#)’, 10 April 2023

¹⁴ HDP, ‘[Peoples’ Democratic Party - Who are we?](#)’, undated

¹⁵ HO FFM Report, ‘[Turkey: Kurds, the HDP and the PKK](#)’ (page 14), 1 October 2019

¹⁶ HO FFM Report, ‘[Turkey: Kurds, the HDP and the PKK](#)’ (page 14), 1 October 2019

¹⁷ HO FFM Report, ‘[Turkey: Kurds, the HDP and the PKK](#)’ (page 14), 1 October 2019

¹⁸ HO FFM Report, ‘[Turkey: Kurds, the HDP and the PKK](#)’ (page 14), 1 October 2019

¹⁹ HO FFM Report, ‘[Turkey: Kurds, the HDP and the PKK](#)’ (page 14), 1 October 2019

²⁰ HO FFM Report, ‘[Turkey: Kurds, the HDP and the PKK](#)’ (page 14), 1 October 2019

²¹ HO FFM Report, ‘[Turkey: Kurds, the HDP and the PKK](#)’ (page 14), 1 October 2019

9.4 Perceived association with the PKK

- 9.4.1 In June 2019, the HO FFT met several sources who believed that the government perceived there to be a link between the HDP and the PKK. Sources gave differing opinions on the extent to which this was accurate and, if accurate, the reasons for that²². The HDP MP perceived that the government consider HDP supporters as terrorists and consider Kurds as HDP supporters²³.
- 9.4.2 A human rights lawyer told the HO FFT that an MHP (Nationalist Movement Party) MP stated on television that each member or supporter of the HDP is a terrorist. The lawyer thought that ‘most people do not draw a distinction between HDP/PKK.’²⁴ A Turkish organisation working in the UK considered that ‘HDP members are accused of supporting “terrorists,” such as the PKK, even if they were speaking/acting on behalf of the HDP. They are treated as guilty unless they can prove themselves innocent.’²⁵
- 9.4.3 Murat Celikkan, Director of Hafiza Merkezi, stated that ‘It is true if you support the HDP or if you have family members in the PKK you will be suspected of being supportive of the PKK.’²⁶
- 9.4.4 The Congressional Research Service (CRS), ‘a research entity within the Library of Congress that provides policy and legal analysis to committees and members of both chambers of the United States Congress’²⁷, published a report, last updated on 9 January 2023 and citing various sources, covering recent developments in Turkey. The report stated that ‘Turkish officials routinely accuse Kurdish politicians of support for the PKK, but these politicians generally deny close ties.’²⁸
- 9.4.5 A Financial Times (FT) article, published on 22 March 2023, stated:
‘Erdoğan and his partners have labelled the HDP the “political extension” of the armed Kurdistan Workers’ party (PKK), which has waged a four-decade insurgency for autonomy in south-eastern Turkey that has killed more than 40,000 people.
‘The HDP denies links with the PKK, which is listed as a terrorist organisation by Turkey, the US and EU, and advocates for a negotiated settlement of the conflict. Thousands of HDP activists, including its former leader Selahattin Demirtaş, are in prison following the collapse of a peace process with the PKK in 2015.’²⁹
- 9.4.6 For more information see [Attempt to ban the HDP and merging with the Green Left Party](#).

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²² HO FFM Report, [‘Turkey: Kurds, the HDP and the PKK’](#) (page 16), 1 October 2019

²³ HO FFM Report, [‘Turkey: Kurds, the HDP and the PKK’](#) (page 17), 1 October 2019

²⁴ HO FFM Report, [‘Turkey: Kurds, the HDP and the PKK’](#) (page 17), 1 October 2019

²⁵ HO FFM Report, [‘Turkey: Kurds, the HDP and the PKK’](#) (page 57), 1 October 2019

²⁶ HO FFM Report, [‘Turkey: Kurds, the HDP and the PKK’](#) (page 81), 1 October 2019

²⁷ ECOLI.net, [‘Congressional Research Service \(CRS\)’](#), 7 October 2019

²⁸ CRS, [‘Turkey \(Türkiye\): Background and U.S. Relations’](#) (page 15), last updated 9 January 2023

²⁹ FT, [‘Pro-Kurdish party signals support for Turkey’s main opposition candidate’](#), 22 March 2023

9.5 Attempts to ban the HDP and merging with the Green Left Party

9.5.1 As mentioned in paragraph 9.1.4, in March 2021 a prosecutor filed a case in Turkey's top court to ban the HDP, accusing the party of colluding with the Kurdistan Workers' Party (PKK)³⁰, a group recognised as a terrorist organisation by Turkey and its western allies, including the United Kingdom³¹.

9.5.2 In a report published on 28 June 2021, the German Federal Office for Migration and Refugees (GFOMR) stated: 'On 21.06.21, the constitutional court approved the opening of prohibition proceedings against the HDP party. The decision was taken after the chief public prosecutor's office had submitted a second version of the application on 06.06.21, as the first one had been rejected by the constitutional court due to formal irregularities.'³²

9.5.3 On 19 December 2022, Reuters published an article entitled 'Turkish prosecutor says pro-Kurdish party's bank accounts should be blocked - Haberturk' which stated:

'A top Turkish prosecutor requested that the Constitutional Court block the bank accounts belonging to the pro-Kurdish Peoples' Democratic Party (HDP), broadcaster Haberturk reported on Monday, as part of a case seeking a political ban on the party.

'...Bekir Sahin, a top prosecutor at the Court of Cassation, requested that HDP's bank accounts where it receives funds from the Treasury should "urgently" be blocked for the duration of the case, Haberturk reported on Monday [19 December 2022].

'Sahin repeated that the HDP has "organic ties" to the outlawed Kurdistan Workers Party (PKK) and uses the funds in line with the aims of the militant group.

'...Aside from closing the party, the indictment also calls for 451 HDP members to be banned from politics for five years. It is unclear whether a final verdict could come before presidential and parliamentary elections scheduled for no later than June 2023.'³³

9.5.4 On 5 January 2023, Reuters published an article entitled 'Turkish top court freezes pro-Kurdish party funds as elections looms' which stated:

'Turkey's top court narrowly ruled in favour of freezing pro-Kurdish Peoples' Democratic Party (HDP) bank accounts holding Treasury aid on Thursday while it hears a case on shutting down the party over alleged ties to militants, state media said.

'...The Constitutional Court ruled eight members to seven in favour of blocking the party's accounts while the case continues, state-owned Anadolu news agency said.

'A prosecutor filed the case against the HDP in March 2021, seeking the ban over alleged ties to the Kurdistan Workers Party (PKK), which is designated

³⁰ BBC News, '[Turkey moves to bank pro-Kurdish HDP opposition party](#)', 17 March 2021

³¹ Home Office, '[Proscribed terrorist groups or organisations](#)', last updated 26 November 2021

³² GFOMR, '[Briefing Notes](#)' (page 11), 28 June 2021

³³ Reuters, '[Turkish prosecutor says pro-Kurdish party's bank accounts...](#)', 19 December 2022

a terrorist group by Turkey, the United States and the European Union. The HDP denies such links.

'...HDP spokeswoman Ebru Gunay said the court decision would "go down as a black mark in the history of the country's democracy."

"This decision, taken in the middle of an ongoing case, shows the extent of political hatred and how much the court members are under pressure," she told reporters.³⁴

9.5.5 The CRS report, citing various sources and last updated on 9 January 2023 stated: 'In June 2021, Turkey's Constitutional Court accepted an indictment from a state prosecutor seeking to close the HDP and ban many of its members from politics. The HDP is the successor to a number of pro-Kurdish parties that the state has shut down throughout Turkey's history going back to the early 1990s. As of early 2023, the court has yet to rule on the closure case.'³⁵

9.5.6 On 26 January 2023, Al Jazeera published an article entitled 'Turkish court rejects delay in case over pro-Kurdish HDP closure' which stated:

'Turkey's top court has rejected a request by the pro-Kurdish Peoples' Democratic Party (HDP) to delay a final ruling until after May elections in a case that could shut it down over alleged ties to armed groups.

'...The Constitutional Court also on Thursday unanimously rejected the HDP's request to be granted an additional two months to prepare its defence.

'The court will hear the HDP's arguments against the suspension of its funding on March 14 [2023], exactly two months before elections will be held, the state-run Anadolu Agency reported. It remains unclear when the court will deliver its final ruling on the party closure case.'³⁶

9.5.7 On 9 March 2023, Reuters published an article entitled 'Turkish top court unfreezes pro-Kurdish party's bank accounts' which stated:

'Turkey's top court ruled on Thursday [9 March 2023] to unfreeze bank accounts of a pro-Kurdish party accused by the state of links to terrorism but likely to have a pivotal role in upcoming elections that are a threat to President Tayyip Erdogan.

'Turkey's top court ruled on Thursday to unfreeze bank accounts of a pro-Kurdish party accused by the state of links to terrorism but likely to have a pivotal role in upcoming elections that are a threat to President Tayyip Erdogan.

'The HDP, the third-biggest bloc in parliament, is due 539 million lira (\$28.5 million) this year in funds for parties. The court had frozen its accounts while it heard a wider case brought by the state to ban the party over alleged ties to the Kurdistan Worker's Party (PKK), which is designated a terrorist group by Turkey and its Western allies. The HDP denies supporting terrorism.

³⁴ Reuters, '[Turkish top court freezes pro-Kurdish party funds as elections loom](#)', 5 January 2023

³⁵ CRS, '[Turkey \(Türkiye\): Background and U.S. Relations](#)' (page 15), last updated 9 January 2023

³⁶ Al Jazeera, '[Turkish court rejects delay in case over pro-Kurdish HDP closure](#)', 26 January 2023

'...There was no immediate reaction from the HDP or government to the ruling about the bank accounts.'³⁷

9.5.8 The FT article published on 22 March 2023 stated:

'Turkey's third-biggest political party has said it will not field its own candidate for president in May's election, a move that is likely to boost support for the main opposition candidate hoping to end incumbent Recep Tayyip Erdoğan's two decades in power.

'The Peoples' Democratic party (HDP), whose base is overwhelmingly Kurdish, stopped short of explicitly backing Kemal Kılıçdaroğlu, the leader of the main opposition party who has the support of five other groups that have formed an alliance to unseat Erdoğan.

'But the HDP's decision, announced on Wednesday, reduces the chances of a major split in the opposition vote as Kılıçdaroğlu seeks to consolidate support ahead of the May 14 presidential and parliamentary vote. The HDP has the support of an estimated 12 per cent of the electorate, and analysts say its voters could swing the election outcome.'³⁸

9.5.9 On 3 April 2023, the HDP published an article entitled 'We launched our election campaign under the banner of the Green Left Party' on their official website, which stated:

'In a bid to circumvent the risk of a possible closure ahead of the elections, our party HDP announced that it will participate in the elections under the banner of the Green Left Party (Yeşil Sol Parti), one of our constituent parties.

'On March 30th, the Green Left Party announced its election manifesto at an event in Ankara. The manifesto, titled "We Are Here, Together We Will Bring Change", pledges to replace the current presidential system of governance with a democratic system that features a pluralistic parliament with broad powers, a robust separation of powers, and an effective system of checks and balances. It also aims to seek a democratic solution to the Kurdish issue and opposes policies of fighting and denial.

'The Green Left Party stated in its manifesto that it aims to establish a robust local democracy, where the separation of powers extends to the local level, local governments have secure delegation of authority and resources, and central authority over local governments is eliminated.'³⁹

9.5.10 In May 2023, presidential and parliamentary elections took place in Turkey. See [2023 election](#) for more information. For more information on the Green Left Party see [Green Left Party \(Yeşil Sol Parti\)](#).

9.5.11 On 9 August 2023, Rudaw, a Kurdish news agency based in Erbil in the Iraqi Kurdistan Region (IKR)⁴⁰, published an article 'Turkey's HDP to merge with Green Left Party later this month' which stated:

³⁷ Reuters, '[Turkish top court unfreezes pro-Kurdish party's bank accounts](#)', 9 March 2023

³⁸ FT, '[Pro-Kurdish party signals support for Turkey's main opposition candidate](#)', 22 March 2023

³⁹ HDP, '[We launched our election campaign under the banner of the Green Left Party](#)', 3 April 2023

⁴⁰ Rudaw, '[About Us](#)', undated

'Turkey's pro-Kurdish Peoples' Democratic Party (HDP) on Wednesday [9 August 2023] announced that it will merge with the Green Left party in the party's "extraordinary" congress later this month.

"Our party will lead the struggle and building process of the new era with the Green Left Party by adhering to the essence and revolutionary nature of our paradigm and preserving its institutional identity," read the statement of the HDP.

'The decision of joining the Green Left Party was taken in the Party's assembly meeting on Monday, where they also decided to hold the party's extraordinary congress on August 27 [2023].

"The 4th Extraordinary Congress, which we will hold on August 27, 2023, will be a beginning where the experience and knowledge of HDP and the parties representing our tradition will be transferred to the Green Left Party," continued the statement.

'HDP participated in Turkey's parliamentary elections in May under the umbrella of the Green Left party, to evade an ongoing party shutdown case at Turkey's constitutional court.

'Party co-chair Mithat Sancar said ahead of Monday's assembly meeting that they will be discussing the methods of transferring HDP's experience to the Green Left in a way that "will maintain its institutional presence".

'On May 14 [2023], Turkey conducted parliamentary and presidential elections wherein the HDP lost six seats as compared to the 2018 polls. The party managed to secure 61 out of the 600 seats in the legislature. Criticism was directed towards the party for endorsing opposition candidate Kemal Kilicdaroglu in the presidential election and not running a purely pro-Kurdish campaign. Following their poor performance in the election, the party opted to hold a congress.

'It is still uncertain whether HDP will disband or continue to operate on a much smaller level.

'In June [2023], Sancar and Pervin Buldan, the co-chairs of the party, announced stepping down from the top position at the party's next congress during a live broadcast. Buldan cited the weak election campaign and lack of diversity among their candidates as the main reasons for losing votes.

'The HDP's loss of votes in the election caused criticism within the party. Many voices called for Buldan and Sancar to be held accountable and resign from their positions.'⁴¹

- 9.5.12 At the time of writing, the future of the HDP is yet to be determined. It is unclear whether the HDP will be banned by the Constitutional Court of Turkey, whether it will disband voluntarily prior to any ban, continue to operate on a much smaller level or as appears most likely at the time of writing, merge with the Green Left Party and operate under that banner.

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⁴¹ Rudaw, '[Turkey's HDP to merge with Green Left Party later this month](#)', 9 August 2023

10. Green Left Party (Yeşil Sol Parti)



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10.1.1 According to an article published on the HDP Europe website on 31 March 2023, the Green Left Party (GLP) was founded in November 2012⁴³.

10.1.2 The same article additionally stated the following regarding the GLPs manifesto for the May 2023 election:

‘The Green Left Party on Thursday released its election manifesto titled “We Are Here, We Will Change [Turkey] Together” and vowed to replace the country’s current presidential system of governance with a democratic system that includes a pluralist parliament with broad powers, an effective separation of powers and a working system of checks and balances.

‘The Green Left Party on Thursday released its election manifesto titled “We Are Here, We Will Change [Turkey] Together” and vowed to replace the country’s current presidential system of governance with a democratic system that includes a pluralist parliament with broad powers, an effective separation of powers and a working system of checks and balances.

‘... The party describes in its manifesto that it wants to solve the housing crisis, which has been worsened by the currency crisis and inflation in Turkey, and make Turkey a signatory to the Istanbul Convention on Violence against Women again.

‘The program also emphasises independent and multicultural arts, and the protection of the natural environment.

‘Cross-border operations in Iraq and Syria, as well as the wider hostile foreign policy espoused by the current government are also among the changes the party seeks. They call for Turkey’s withdrawal from Iraq and

⁴² HDP Europe, [‘HDP launches its election campaign under the banner of the...’](#), 31 March 2023

⁴³ HDP Europe, [‘HDP launches its election campaign under the banner of the...’](#), 31 March 2023

Syria, as well as a solution to the Kurdish issue based on negotiation and dialogue.

'Other pledges by the party include prison reform, and a judiciary free from government intervention.'⁴⁴

10.1.3 The Green Left Party's [official website](#) is in Turkish.

10.1.4 CPIT was unable to find any further information on the Green Left Party in the sources consulted (see [Bibliography](#)).

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section updated: 18 August 2023

11. 2023 election

11.1.1 On 18 July 2023, the CRS published a report, citing various sources, covering recent developments in Turkey which stated:

'On May 14, 2023, Turkey held presidential and parliamentary elections. Largely in the context of Turkey's economic problems... public opinion polls before May 14 fueled [sic] speculation that Erdogan and his allies might be vulnerable to a coalition of six opposition parties led by the generally pro-secular Republican People's Party (CHP) and the nationalistic Good (IYI) Party... Despite Erdogan's potential vulnerability, some observers questioned the opposition coalition's prospects. They cited opposition disunity, Erdogan's political resilience, and the government's influence over judicial rulings, ability to provide economic subsidies, and effective control of around 90% of the media.

'The three main alliances contested the election:

'People's Alliance, which includes Erdogan's AKP [Adalet ve Kalkınma Partisi - Justice and Development Party], the MHP [Milliyetçi Hareket Partisi – Nationalist Movement Party], and a few smaller parties.

'Nation Alliance (or "table of six"), which includes the CHP, the Good Party, and four smaller parties, including two led by prominent former AKP figures.

'Labor and Freedom Alliance, which includes a few small parties alongside the Kurdish-led Peoples' Democratic Party (Turkish acronym HDP). The HDP arranged to run under the aegis of the Green Left Party (Turkish acronym YSP) to prevent against its exclusion, because a case pending before the Constitutional Court could ban the HDP from future campaigns under its own name.

'In March 2023, the Nation Alliance nominated CHP party leader Kemal Kilicdaroglu as its joint presidential candidate. Kilicdaroglu's most important coalition partner, Good Party leader Meral Aksener, eventually agreed to support Kilicdaroglu after two other potential candidates who had polled more favorably against Erdogan - Istanbul mayor Ekrem Imamoglu and Ankara mayor Mansur Yavas - backed Kilicdaroglu in response to Aksener's last-ditch appeal for one of them to run. Imamoglu's prospects may have

⁴⁴ HDP Europe, ['HDP launches its election campaign under the banner of the...'](#), 31 March 2023

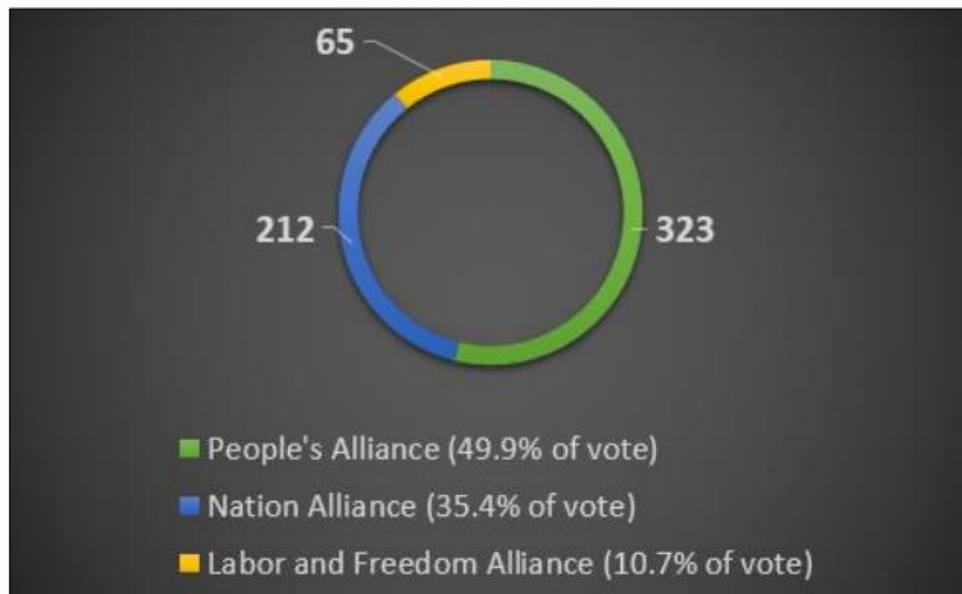
been undermined by a criminal conviction (pending final resolution on appeal) that he and other opposition figures charge is politically motivated. While Aksener's Good Party rejected a formal coalition between the Nation Alliance and the HDP, the HDP decided to support Kilicdaroglu in the presidential race instead of fielding its own candidate.'

'...In the May 14 [2023] elections, Erdogan fell just short of the 50% mark he needed to surpass to claim outright victory in the presidential race, leading Kilicdaroglu by 4% as they prepared for Turkey's first-ever presidential run-off election on May 28 [2023]. About 87% of registered voters turned out to vote. Erdogan's People's Alliance retained its parliamentary majority, even though it slipped from 344 seats out of 600 to 323 (see Figure 2 [below]). While Turkey's economic challenges and the February earthquakes may have increased voter dissatisfaction with Erdogan, his first-round electoral performance surpassed many observers' expectations. Aggregate pre-election polling anticipated a Kilicdaroglu lead or victory and a hung parliament.

'Erdogan prevailed in the run-off against Kilicdaroglu by a margin of 52%-48%, winning a new five-year term. Voter turnout in the run-off was around 84%. Under Turkey's constitution, Erdogan might be entitled to run for one additional term if three-fifths of parliament's members vote to schedule early elections. Erdogan could seek to revise or remove presidential term limits via constitutional amendment.

Figure 2. Turkish 2023 Parliamentary Election Results

(out of 600 total seats)



'Note: The various alliances and parties that received the remaining votes are unlisted because none of them won parliamentary seats.'⁴⁵

11.1.2 The same source additionally stated the following regarding electoral processes:

⁴⁵ CRS, '[Turkey \(Türkiye\): Major Issues and U.S. Relations](#)' (page 7-8), 18 July 2023

‘Observers for Turkey’s elections included representatives from domestic political parties and civil society organizations, as well as the Organization for Security and Co-operation in Europe (OSCE) and the Parliamentary Assembly of the Council of Europe (PACE). These observers monitored polling station operations, voting, ballot counting, and the tabulation of results. The OSCE-PACE international election observation mission said the following in preliminary findings and conclusions it released a day after the May 28 run-off:

‘The run-off presidential election held on 28 May offered voters a choice between genuine political alternatives and voter participation remained high, however, as in the first round, biased media coverage and the lack of a level playing field gave an unjustified advantage to the incumbent. The election administration technically managed the election efficiently, but its lack of transparency and communication largely persisted. While the absence of regulation of several aspects of the second round did not provide legal certainty, positively, the Supreme Electoral Council (SEC) issued multiple regulations to remedy some of these legal gaps. In the subdued yet competitive campaign, candidates were able to campaign freely. However, harsher rhetoric, inflammatory and discriminatory language by both contestants, along with the continued intimidation and harassment of supporters of some opposition parties undermined the process. In an environment with restrictions on freedom of expression, both private and public media did not ensure editorial independence and impartiality in their coverage of the campaign, detracting from the ability of voters to make an informed choice. Election day was generally calm and well-administered. However, instances of deficient implementation of certain procedures, particularly during the vote count, were noted.

‘Other domestic and international commentators have expressed varying views about the conduct of Turkey’s elections. Many have echoed the OSCE-PACE mission’s assessment that Erdogan’s control over state resources and institutions gave him an unfair advantage during the campaign. Despite the high turnout for both electoral rounds, some analysts challenged whether the electoral process could be characterized as free. Although Kilicdaroglu said the election period was the most unfair in Turkish history, the opposition did not argue that various irregularities alleged by some sources would have changed the results.’⁴⁶

- 11.1.3 On 17 June 2023, the Council of Europe Parliamentary Assembly (CEPA) published a report entitled ‘Observation of the presidential and parliamentary elections in Turkey (14 and 28 May 2023)’ which provided the following breakdown of votes⁴⁷:

⁴⁶ CRS, [‘Turkey \(Türkiye\): Major Issues and U.S. Relations’](#) (page 8-9), 18 July 2023

⁴⁷ CEPA, [‘Observation of the presidential and parliamentary elections...’](#) (page 13), 17 June 2023

	Voting rate (%)	Votes	Number of seats
Justice and Development Party (AKP) AK Party : 264 MP Free Cause Party (HÜDA PAR): 3 MPs Democratic Left Party (DSP): 1 MP	35,62	19 392 462	268
Republican People's Party (CHP) CHP : 130 MPs DEVA Party: 15 MPs Future Party: 10 MPs Felicity Party: 10 MPs Democratic Party: 4 MPs	25,35	13 802 183	169
Nationalist Movement Party (MHP)	10,07	5 484 820	50
Good (İYİ) Party	9,69	5 275 981	43
Green Left (Yeşil Sol) Party	8,82	4 803 922	61
New Welfare (Yeniden Refah) Party	2,80	1 527 048	5
Workers' Party of Turkey (TİP)	1,76	956 057	4

11.1.4 The same source additionally stated that ‘The second round took place in an environment of continued restrictions on fundamental freedoms of assembly, association and expression that hindered the participation of some opposition politicians and parties, civil society and independent media in the election process. Representatives and supporters of YSP and HDP continued to face intimidation and harassment.’⁴⁸

11.1.5 For information on elections that took place prior to 2023 see the previous version of the [Turkey: Peoples' Democratic Party \(HDP\) CPIN](#).

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12. State treatment

12.1 Scale and extent of the use of anti-terror law(s)

12.1.1 The HO FFT met with Andrew Gardner of Amnesty International in June 2019, who put the number of persons having been investigated on terror-related crimes since 2015 at tens of thousands of people, describing a ‘surge in people being arrested and charged with terrorist propaganda’ when the Turkish-Kurdish peace process broke down in 2015⁴⁹.

12.1.2 Murat Celikkan, Director of Hafiza Merkezi, told the HO FFT, ‘500,000 people last year [2018] were investigated for being a member of a terrorist organisation. It is easy to assume/suspect that they are members/supportive of terrorist organisations under the anti-terror law.’⁵⁰

12.1.3 On 13 June 2022 the World Organisation Against Torture (WOAT) reported ‘Official data show that in 2020, 6551 people were prosecuted under the anti-terrorism law, while a staggering 208,833 were investigated for

⁴⁸ CEPA, ‘[Observation of the presidential and parliamentary elections...](#)’ (page 7), 17 June 2023

⁴⁹ HO FFM Report, ‘[Turkey: Kurds, the HDP and the PKK](#)’ (page 32), October 2019

⁵⁰ HO FFM Report, ‘[Turkey: Kurds, the HDP and the PKK](#)’ (page 32), October 2019

“membership in an armed organisation”, including thousands of human rights defenders.’⁵¹

12.1.4 The CRS report, last updated in January 2023, stated:

‘Under the state of emergency enacted after the failed July 2016 coup attempt, Turkey’s government cracked down on Turkey’s Kurdish minority. Dozens of elected Kurdish mayors were removed from office and replaced with government-appointed “custodians.” In November 2016, the two then-co-leaders of the pro-Kurdish Peoples’ Democratic Party...were arrested along with other parliamentarians under various charges of crimes against the state; some remain imprisoned, along with other party leaders and members who have been detained on similar charges since 2016.’⁵²

12.1.5 The USSD report published in March 2023 stated:

‘Under broad antiterror legislation passed in 2018, the government continued to restrict the enjoyment of human rights and fundamental freedoms and compromised the rule of law. Since the 2016 coup attempt, authorities have dismissed or suspended tens of thousands of civil servants and government workers, including more than 60,000 police and military personnel and more than 4,000 judges and prosecutors, arrested or imprisoned more than 95,000 citizens, and closed more than 1,500 nongovernmental organizations on terrorism-related grounds...’⁵³

12.1.6 The same report noted that ‘Human rights groups alleged many detainees had no substantial link to terrorism and were detained to silence critical voices or weaken political opposition to the ruling Justice and Development Party (AKP), particularly the HDP or its partner party, the Democratic Regions Party.’⁵⁴

12.1.7 The March 2023 Freedom House report covering events in 2022 noted that:

‘Opposition leaders face politically motivated prosecutions and other harassment that affects their parties’ ability to function. Members of the HDP have faced regular such prosecutions since 2015, after a peace process with the outlawed Kurdistan Workers’ Party (PKK) collapsed and the government accused the pro-Kurdish HDP of serving as a proxy for the PKK... The HDP’s offices are regularly raided by police... Opposition leaders face obstacles even after winning elections. The government has replaced dozens of HDP mayors with trustees since the 2019 elections and has obstructed newly elected CHP mayors—including Istanbul mayor İmamoğlu—from carrying out their duties. Opposition leaders have been arrested and charged in politically motivated cases with offenses ranging from terrorism to insulting the president.’⁵⁵

12.1.8 For further information on the impact of state of emergency and anti-terrorism laws see the Country Policy and Information Note [Turkey: Kurdistan Workers’ Party \(PKK\)](#).

⁵¹ WOAT, ‘[How Turkey weaponizes counter-terrorism legislation...](#)’, 13 June 2022

⁵² CRS, ‘[Turkey \(Türkiye\): Background and U.S. Relations](#)’ (page 15), last updated 9 January 2023

⁵³ USSD, ‘[2022 Country Report on Human Rights Practices: Turkey](#)’ (page 1), 20 March 2023

⁵⁴ USSD, ‘[2022 Country Report on Human Rights Practices: Turkey](#)’ (page 21), 20 March 2023

⁵⁵ Freedom House, ‘[Freedom in the World 2023 – Turkey](#)’ (B1-B2) March 2023

12.2 Freedom of assembly

- 12.2.1 The HO FFT met with various sources in June 2019, who gave conflicting views on the extent to which the HDP could organise and conduct rallies or meetings. A human rights lawyer suggested that ‘Currently, except for the AKP, no political party can hold meetings, they don’t have the capability to hold them’ and that for the HDP it was ‘impossible’⁵⁶. The Human Rights Foundation of Turkey also claimed that ‘if the HDP are alone in the rallies/meetings, they are banned.’⁵⁷
- 12.2.2 However, Murat Celikkan, Director of Hafiza Merkezi, and the Director of a Turkish organisation in the UK both informed the HO FFT that the HDP are able to hold rallies and meetings, but with difficulties, including raids or arrests by the police⁵⁸. A source who wished to be unnamed believed the HDP could hold meetings during elections, mostly in the south-east and east of Turkey⁵⁹.
- 12.2.3 The HDP MP and Andrew Gardner of Amnesty both explained to the HO FFT that permission was needed for such activities, with both explaining that it was frequently refused⁶⁰.
- 12.2.4 Andrew Gardner of Amnesty International informed the HO FFT that once permission had been obtained, a rally could go ahead, but ‘Article 2911, which is the law on assembly and demonstrations, allows someone to be charged for unlawful assembly and demonstrations. This law is applied routinely to any demonstration on Kurdish rights or by pro-Kurdish groups, including demonstrations by HDP members and supporters. Government officials will not agree for you to hold a demonstration if you are HDP.’⁶¹
- 12.2.5 The March 2023 USSD report, covering events in 2022, stated:
- ‘Although the constitution provides for freedom of assembly, the law provides several grounds for the government to limit that right. The law stipulates penalties for protesters convicted of carrying items that might be construed as weapons, prohibits the use of symbols linked to illegal organizations (including chanting slogans), and criminalizes covering one’s face while protesting.
- ‘...The law also allows police to take persons into “protective custody” without a prosecutor’s authorization if there is reasonable suspicion that they are a threat to themselves or to public order. The antiterror law gives provincial governors enhanced authority to ban protests and public gatherings, a ban some governors enacted broadly during the year.
- ‘The government regarded many demonstrations as security threats to the state, deploying large numbers of riot police to control crowds, frequently using excessive force, resulting in injuries, detentions, and arrests. At times

⁵⁶ HO FFM Report, [‘Turkey: Kurds, the HDP and the PKK’](#) (page 14-15), 1 October 2019

⁵⁷ HO FFM Report, [‘Turkey: Kurds, the HDP and the PKK’](#) (page 14-15), 1 October 2019

⁵⁸ HO FFM Report, [‘Turkey: Kurds, the HDP and the PKK’](#) (page 14-15), 1 October 2019

⁵⁹ HO FFM Report, [‘Turkey: Kurds, the HDP and the PKK’](#) (page 14-15), 1 October 2019

⁶⁰ HO FFM Report, [‘Turkey: Kurds, the HDP and the PKK’](#) (page 14-15), 1 October 2019

⁶¹ HO FFM Report, [‘Turkey: Kurds, the HDP and the PKK’](#) (page 14-15), 1 October 2019

the government used its authority to detain persons before protests were held on the premise that they might cause civil disruption. The government generally did not investigate security forces' actions. The HRFT [Human Rights Foundation of Turkey] reported that in the first 11 months of the year, police intervened in at least 303 peaceful demonstrations and prohibited at least 91. Human rights NGOs asserted the government's failure to delineate clearly in the law the circumstances that justify the use of force contributed to disproportionate use of force during protests.⁶²

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12.3 Campaigning and elections

12.3.1 In June 2019, the HO FFT met with a source who suggested that there is some persecution of HDP members during elections which is intended to put pressure on the HDP⁶³. Andrew Gardner of Amnesty International told the HO FFT that, during the 2018 election and referendum, people who supported the HDP were arrested and detained⁶⁴.

12.3.2 The USSD report published in March 2023, covering events in 2022, stated: 'HDP representatives faced significant legal challenges to their ability to campaign, express opinions, and retain their mandate. The party faced a closure suit brought by the government. On March 31, more than 40 international and local human rights organizations and lawyers' associations, including the HRA, the Human Rights Foundation of Turkey, the European Association of Lawyers for Democracy and World Human Rights, and the International Federation for Human Rights, raised concerns such legal action is politically motivated to stifle dissent and particularly problematic against the backdrop of "severe democratic and rule of law backsliding"... During the year, restrictive government regulations constrained the ability of many among the opposition to conduct political activities such as organizing protests or political campaign events and sharing critical messages on social media.'⁶⁵

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12.4 Profiles of those targeted

12.4.1 In June 2019, the HO FFT met with Murat Celikkan, the Director of Hafiza Merkezi (Truth, Justice and Memory Centre) who stated that one can be a member of the HDP or write against the president but 'the price is very high'⁶⁶. He added that low-level HDP members are targeted by the authorities and that anyone who criticises the President is likely to be arrest, detained, imprisoned and criminalised⁶⁷.

12.4.2 Another source that spoke to the HO FFT stated that HDP members working on human rights issues risk being arrested for terrorist or criminal acts or aiding and abetting terrorism. If a person criticises the government or

⁶² USSD, '[2022 Country Report on Human Rights Practices: Turkey](#)' (page 51-52), 20 March 2023

⁶³ HO FFM Report, '[Turkey: Kurds, the HDP and the PKK](#)' (page 15), 1 October 2019

⁶⁴ HO FFM Report, '[Turkey: Kurds, the HDP and the PKK](#)' (page 15), 1 October 2019

⁶⁵ USSD, '[2022 Country Report on Human Rights Practices: Turkey](#)' (page 72-73), 20 March 2023

⁶⁶ HO FFM Report, '[Turkey: Kurds, the HDP and the PKK](#)' (page 17), 1 October 2019

⁶⁷ HO FFM Report, '[Turkey: Kurds, the HDP and the PKK](#)' (page 17), 1 October 2019

security forces, they are considered by the government as supporting a terrorist organisation⁶⁸.

- 12.4.3 Andrew Gardner of Amnesty International believed that 'Activism on behalf of the HDP has become de facto criminalized as support for terrorism with many unfair cases brought where there is no attempt to link people to violent acts or any other internationally recognisable offences.'⁶⁹
- 12.4.4 The Director of a Turkish organisation in the UK gave his view that 'Being ethnically Kurdish and outspoken politically', could cause the authorities to suspect an HDP member/supporter of supporting the PKK. He suggested that 'The government attempts to discredit political opponents by suggesting that they are affiliated with terrorists'⁷⁰
- 12.4.5 The same source opined that any of the following may attract the attention of the authorities:
- '• Elected HDP officials or persons on a regional board
 - '• Management committee members
 - '• Election organisers
 - '• Canvassers (knocking on doors, leafletting)
 - '• Being a Mayor or a Councillor; local officials can be more influential than elected officials and many Mayors are in prison...'⁷¹
- 12.4.6 While it is acknowledged that Home Office Fact-Finding Mission to Turkey took place over 4 years ago at the time of writing, the vast majority of the information is corroborated by a number of more recent sources in the sections below (see [Arrests of HDP members](#) and [Other individuals who are critical of the government](#)).
- 12.4.7 A representative of the Ombudsman Institution (the purpose of the Institution is to establish an independent and efficient complaint mechanism regarding the delivery of public services and investigate, research and make recommendations about the conformity of all kinds of actions, acts, attitudes and behaviours of the administration with law and fairness under the respect for human rights) spoke to the HO FFT in June 2019 and stated:
- 'Under normal conditions, members of parliament enjoy immunity, but there are exceptions, if there is direct communication and clear direction from an MP such as a phone call to a terrorist member this is regarded as a clear connection, if you go to a funeral and speak during the funeral of the terrorist, a speech from an MP that praises terrorist incidents or attacks or speaking highly of terrorists, this is all considered as a crime, and you will lose your immunity.'⁷²
- 12.4.8 The information in the paragraph above which was obtained by the HO FFT in June 2019 was corroborated in an article entitled 'Turkish police detain

⁶⁸ HO FFM Report, ['Turkey: Kurds, the HDP and the PKK'](#) (page 17), 1 October 2019

⁶⁹ HO FFM Report, ['Turkey: Kurds, the HDP and the PKK'](#) (page 18), 1 October 2019

⁷⁰ HO FFM Report, ['Turkey: Kurds, the HDP and the PKK'](#) (page 18), 1 October 2019

⁷¹ HO FFM Report, ['Turkey: Kurds, the HDP and the PKK'](#) (page 18), 1 October 2019

⁷² HO FFM Report, ['Turkey: Kurds, the HDP and the PKK'](#) (page 19), 1 October 2019

pro-Kurdish parliamentarian whose immunity was lifted', published by Reuters on 2 September 2022 which stated:

'Turkish police detained a pro-Kurdish member of parliament who was wanted over alleged terrorism charges, the Interior Ministry said on Friday, months after her parliamentary immunity had been lifted.

'Turkey's parliament voted to lift Semra Guzel's immunity in March over a photo of her taken with a militant from the Kurdistan Workers Party (PKK) and an arrest warrant was issued for her on charges of membership of a terrorist organisation.

'The Interior Ministry said Guzel was caught in a car in Istanbul with fake identification along with two people, one who had a previous record of smuggling migrants and forgery and another who had a record for terrorism propaganda.

'The car was headed in the direction of Turkey's Edirne province, which borders Greece and Bulgaria, the ministry said. The HDP did not immediately comment.'⁷³

12.4.9 Additionally, on 12 October 2022 the European Commission (EC) published a report on Turkey which stated:

'The judiciary continued to systematically target members of the opposition parties in Parliament, particularly the People's Democratic Party (HDP), for alleged terrorism-related offenses, which undermined political pluralism. The parliamentary immunity system did not provide adequate legal protection to allow the opposition parliamentarians to express their opinions within the boundaries of freedom of speech.

'...The Justice Ministry's request to remove the parliamentary immunity of 20 opposition Members of Parliament from six different parties is pending. An HDP politician regained his status as an MP in July 2021 after the Constitutional Court ruled that his rights had been violated. However, the immunity of another HDP parliamentarian was removed by Parliament in March 2022. Four additional opposition deputies have had their parliamentary immunity removed and have been detained on terrorism-related accusations during the current parliamentary term.'⁷⁴

12.4.10 In March 2022, the Netherlands Ministry of Foreign Affairs (NMFA) published a report entitled 'General Country of Origin Information Report - Turkey' which stated:

'Interviews with confidential sources brought to light a range of circumstances and activities that in practice could lead to arrests, detentions, criminal investigations and convictions. This does not mean that these circumstances and activities led to personal problems with the Turkish authorities for all HDP members, employees, activists and/or sympathisers. The list below indicates some factors that could lead to negative attention from the Turkish authorities. The list should by no means be considered exhaustive:

⁷³ Reuters, '[Turkish police detain pro-Kurdish parliamentarian...](#)', 2 September 2022

⁷⁴ EC, '[Türkiye Report 2022](#)' (page 13), 12 October 2022

- HDP membership in itself;
- Observing elections;
- Participating in HDP demonstrations;
- Participating in HDP press conferences;
- Participating in HDP election campaigns;
- Attending HDP gatherings;
- Posting and sharing pro-HDP posts on social media (e.g. posting pictures of imprisoned HDP leader Demirtaş);
- Possessing and distributing HDP pamphlets;
- Possessing certain kinds of literature (for example books on “confederalism” i.e. the pursuit of self-government and autonomy for the Kurds).¹⁷⁵

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12.5 Suspension and dismissals of HDP politicians

12.5.1 On 26 January 2023, the Stockholm Center for Freedom (SCF), which describes itself as ‘a non-profit advocacy organization that promotes the rule of law, democracy and human rights with a special focus on Turkey’¹⁷⁶, but is run by what has been described as a “fugitive FETO member”¹⁷⁷ published a report which claimed that ‘According to the Ministry of Interior, Ankara has ousted a total of 151 elected mayors from office on accusations of terrorism in the last seven years, almost all from the HDP, replacing them with government-appointed bureaucrats. State-appointed trustees now administer nearly all towns and cities in southeastern Turkey.’¹⁷⁸

12.5.2 The USSD report published in March 2023 stated:

‘Since 2019, the Ministry of Interior suspended 48 of 65 elected HDP mayors in the southeast based on allegations of support for terrorism related to the PKK; six additional HDP mayors were not permitted to assume office following the 2019 elections on the grounds that they had been dismissed from their public jobs by governmental decrees, despite being cleared for candidacy in elections. Because the mayors were suspended but not removed, local residents did not have the opportunity to elect other representatives. The government appointed officials to govern these 48 municipalities in lieu of the removed elected mayors. Of the suspended mayors, authorities arrested 39. By August 2019, the government had suspended most of the mayors elected in the southeast in March 2019, including the HDP mayors of the major southeastern cities Diyarbakir, Mardin, and Van. The government suspended most mayors for investigations into their alleged support for PKK terrorism, largely dating to before their respective elections.’¹⁷⁹

¹⁷⁵ NMFA, ‘[General Country of Origin Information Report – Turkey](#)’ (page 47), March 2022

¹⁷⁶ SCF, ‘[About us](#)’, undated

¹⁷⁷ Daily Sabah, ‘[How does FETÖ’s mouthpiece in Sweden generate fake news?](#)’, 6 January 2020

¹⁷⁸ SCF, ‘[Crackdown on the Kurdish Political Movement and Opposition Groups...](#)’, 26 January 2023

¹⁷⁹ USSD, ‘[2022 Country Report on Human Rights Practices: Turkey](#)’ (page 21), 20 March 2023

12.6 Arrests of HDP members and supporters

12.6.1 On 15 March 2021, openDemocracy, ‘an independent international media platform... [that helps] voices otherwise excluded from the media to reach larger audiences’⁸⁰, published an article entitled ‘In Turkey, two Facebook posts are enough to land you in jail’ which stated:

‘In October 2014, protesters in dozens of cities and towns throughout Turkey came together to pressure the government into providing assistance to the mostly Kurdish inhabitants of Kobanî, a Syrian town directly adjacent to the Turkish border that was then under heavy siege by Islamic State forces.

‘Police and demonstrators clashed violently and repeatedly during these protests. Among those supporting the protests were members of opposition political parties such as the Peoples’ Democratic Party (Halkların Demokratik Partisi, or “HDP”).

‘Six years later, on 25 September 2020, Cihan Erdal, a PhD student at Carleton University in Ottawa, Canada, was detained in Turkey, along with dozens of other academics, activists, and elected officials, for his involvement in the HDP at the time of the 2014 protests. Erdal had returned to Turkey in August to conduct research and check on his elderly parents.

‘During the first 36 hours of his detention, Erdal was prevented from meeting with legal counsel. He was eventually afforded access to counsel and transferred to an F-type high-security prison.

‘A permanent resident of Canada, Erdal has sat in an Ankara prison ever since. Much of this time has been spent in solitary confinement. No details about his case were made available until 7 January, when he and others were finally charged on various grounds, including 37 cases of homicide and disrupting the unity and territorial integrity of the state.

‘Erdal is a former member of the HDP’s central executive committee.’⁸¹

12.6.2 The same source additionally stated:

‘At the core of the Ankara public prosecutor’s indictment, which Erdal’s lawyers were provided only on 7 January, nearly four months after his arrest, are two Facebook posts from Erdal’s personal account. Both were reposts – one of a statement by Selahattin Demirtaş, the HDP’s then co-chair, expressing his party’s support for the Kobanî resistance, the other an article from a national left-wing newspaper discussing the execution of a young man by state security forces during the crackdown on pro-Kobanî protests.

‘The prosecutor claims that these posts expressed support for an upswell of rebellion, stoking the decades-long conflict between state security forces and Kurdistan Workers’ Party separatists. This is said to constitute a violation of Turkish constitutional and national security law, amounting to “terrorism” and posing a threat to the country’s unity and sovereignty.

⁸⁰ openDemocracy, ‘[About us](#)’, undated

⁸¹ openDemocracy, ‘[In Turkey, two Facebook posts are enough to land you in jail](#)’, 15 March 2021

'Erdal has been in jail for months, and... has never previously been arrested, detained or imprisoned.'⁸²

12.6.3 On 13 September 2022, the Canadian Broadcasting Corporation (CBC) published an article that stated Cihan Edal had returned to Canada after having spent more than 260 days in prison before being released on bail and fleeing Turkey⁸³.

12.6.4 On 4 November 2021, Bianet, a press agency with an aim of 'strengthening the "independent media"'⁸⁴ in Turkey, published an article entitled "'We won't surrender": Scores detained as HDP marks fifth year of mass arrest of MPs' which stated:

'Five years ago today, police detained many Peoples' Democratic Party (HDP) politicians, including its then co-chairs Selahattin Demirtaş and Figen Yüksekdağ.

'As almost all the arrested politicians are still behind bars on "terrorism" charges, the HDP marked the anniversary of the mass raids in several cities, mainly in the predominantly Kurdish-populated eastern and southeastern regions.

'Police intervened in demonstrations in Ağrı and Van, detaining many people, Mesopotamia Agency (MA) reported. The six detainees in Ağrı included the party's provincial co-chairs, Semra Özden and Erol Berke.

'HDP members were prevented from gathering in Van due to a demonstration ban in the province that has been in effect for nearly five years. Police battered and detained many people in Van, according to MA.

'When a group of HDP members in Dersim, including MP Alican Önlü, wanted to make a statement for the press on Sanat Street, police said they wouldn't be allowed to do so. MP Önlü said they were "not the police but forces who get orders from the (presidential) palace."

'HDP members and supporters held demonstrations in Diyarbakır, Mardin, Şırnak, Adıyaman, Batman, Siirt, Adana, Mersin, and İskenderun.

'The HDP Headquarters also released a statement about the issue, which it called "a coup against the will of the people". It pointed out the ongoing crackdown on the party with hundreds of its members, MPs and mayors sent behind bars over the past five years.'⁸⁵

12.6.5 The Netherlands Ministry of Foreign Affairs Country Report on Turkey, published in March 2022, stated that:

'The previous country of origin report stated that more than 5,000 HDP members and employees were in prison, and that it was difficult to keep track of the exact number of HDPs in prison because HDP members were constantly being arrested and released... According to one source, this situation remained unchanged during the current reporting period. About 5,000 HDP members were still in prison, and HDP members were being

⁸² openDemocracy, '[In Turkey, two Facebook posts are enough to land you in jail](#)', 15 March 2021

⁸³ CBC, '[Charleton PhD student returns to Canada after imprisonment in Turkey](#)', 13 September 2022

⁸⁴ Bianet, '[Independent Communication Network](#)', undated

⁸⁵ Bianet, '["We won't surrender": Scores detained as HDP...](#)', 4 November 2021

imprisoned and released all the time, the source said. According to the Court of Cassation, the HDP had 41,022 members on 4 October 2021... This means that about twelve percent of HDP members were in prison during the reporting period [March 2021 to February 2022]. One source states that HDP members are not systematically prosecuted. The source claims that which HDPs are arrested and imprisoned and which are not seems to be determined by chance and arbitrary factors. According to the source, this arbitrariness probably serves the purpose of instilling fear and insecurity and discouraging people from actively working for the HDP...⁸⁶

- 12.6.6 On 11 April 2022, the pro-Kurdish Rudaw published an article entitled 'HDP members arrested in police raid in Sirnak' which stated:

'Several members of the pro-Kurdish Peoples' Democratic Party (HDP) were detained in a police raid at the party's office in Sirnak province in the Kurdish region (Bakur) of eastern Turkey on Monday, said media outlets and officials from the bloc.

'The police raided HDP's office in Sirnak's Cizre town in the early hours of the day, arresting at least five party members, including HDP's district co-chair Mesut Nart, and district manager Yasamine Cikmaz, reported the pro-Kurdish Mezopotamya Agency.

'The reason for their detention is yet to be known, it added.'⁸⁷

- 12.6.7 In October 2022, the European Commission report stated that 'There were hundreds of new detentions and arrests of elected representatives and mayors, municipal council members and municipal executives on terrorism-related charges in the east and south-east of Türkiye. Requests by the prosecution to Parliament to remove the immunity of almost all HDP lawmakers are pending.'⁸⁸

- 12.6.8 On 31 March 2023, Bianet published an article entitled 'Twenty-three local Kurdish politicians in Urfa arrested on "terror" charges' which stated:

'Twenty-three people, including Democratic Regions Party (DBP) and Peoples' Democratic Party (HDP) district co-chairs were detained in house raids on March 27 in the Suruç district of the predominantly Kurdish-populated southeastern province of Urfa.

'They were detained on charges of "belonging to a terrorist organization" and "providing financial support to a terrorist organization." After being questioned at the local police station, they were taken to the Urfa Courthouse in the evening and subsequently arrested on the request of the public prosecutor, according to the Mezopotamya Agency (MA).

'... Mayors in the region were previously replaced with government-appointed trustees. After the 2019 local elections, multiple mayors from the HDP were detained and replaced with trustees in the region based on "terrorism-related" investigations, including the Suruç Co-Mayor Hatice Çevik. The removal and arrests of democratically elected mayors resulted in

⁸⁶ NMFA, '[General Country of Origin Information Report Turkey](#)' (page 46-47), March 2022

⁸⁷ Rudaw, '[HDP members arrested in police raid in Sirnak](#)', 11 April 2022

⁸⁸ EC, '[Türkiye Report 2022](#)' (pages 18-19), 12 October 2022

international disapproval, with the Council of Europe judging it as contrary to international law.⁸⁹

12.6.9 On 25 April 2023, the BBC published an article entitled 'Turkish mass arrests target Kurdish areas ahead of election' which stated:

'Turkish police have detained at least 126 people suspected of links to a banned Kurdish militant group, ahead of an election that could bring down President Recep Tayyip Erdogan.

'Turkish reports said those held across 21 provinces were suspected of financing and helping to recruit for the outlawed PKK. The suspects included lawyers, journalists and politicians.

'The main pro-Kurdish party said the arrests were timed to affect the vote.

'Nineteen days before Turks vote in presidential and parliamentary elections, the HDP said those detained included lawyers who could scrutinise election security, independent journalists, who could cover potential voter fraud, and party campaign managers.

'Turkey's state news agency Anadolu said some of those held in Tuesday's raids were linked to 60 street protests as well as child abductions, and were led by public prosecutors in the predominantly Kurdish city of Diyarbakir.

'The HDP denies links to the militant PKK, which is considered a terrorist organisation by Turkey, the United States and European Union. It is considered Turkey's second largest opposition party but has seen thousands of its members jailed, including former joint leader Selahattin Demirtas.

'In 2019, dozens of elected HDP mayors were removed because of "terror charges", condemned by their party as a coup against voters.'⁹⁰

12.6.10 On 5 May 2023, the pro-Kurdish Bianet, cited Nuray Özdoğan, co-spokesperson for the pro-Kurdish Peoples' Democratic Party's (HDP) law and human rights commissions, as claiming 'Some 295 individuals have been detained in Turkey in the last month as part of investigations and operations targeting the Peoples' Democratic Party (HDP)⁹¹

12.6.11 On 12 June 2023, Bianet published an article entitled 'HDP officials detained in Şırnak police raids' which stated:

'In the Beytüşşebap district in the southeastern province of Şırnak, special operations police conducted multiple simultaneous raids.

'Five people, including Peoples' Democratic Party (HDP)'s local district co-chair Zarife Borak and district manager Emrah Yacan, have been apprehended during house searches and taken to the police department, as reported by Mezopotamya Agency (MA).

'In recent months, crackdowns on Kurdish-linked groups have intensified, leading to numerous arrests of politicians, lawyers, and journalists.'⁹²

⁸⁹ Bianet, '[Twenty-three local Kurdish politicians in Urfa arrested on "terror" charges](#)', 31 March 2023

⁹⁰ BBC, '[Turkish mass arrests target Kurdish areas ahead of election](#)', 25 April 2023

⁹¹ Bianet, '[Nearly 300 people detained ... in a month, says official](#)', 5 May 2023

⁹² Bianet, '[HDP officials detained in Şırnak police raids](#)', 12 June 2023

12.6.12 On 13 June 2023, the Turkish Minute reported on the arrest of three Kurdish politicians⁹³

12.6.13 On 30 June 2023, GFOMR published a summary of events and developments in Turkey between January and June 2023 which stated:

‘On 09.06.23 Müserref Gecer and Emrah Kilic, the two co-mayors of the HDP of Patnos, were arrested in eastern Agri province. No reasons for the arrests have been made public. According to an HDP report, the Turkish government has removed a total of 48 HDP mayors from office since 2019 and appointed trustees in their place. Since the first appointment of a trustee in June 2019, a total of 72 HDP mayors have been arrested, and 15 of them remain in detention, according to the party.’⁹⁴

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12.7 Judicial system, due process and fair trial

12.7.1 The NMFA report published in March 2022 stated the following regarding the independence of the judiciary:

‘The previous country of origin report stated that the executive branch had a direct influence over the actions of prosecutors and judges. In addition, lawyers ran the risk of being associated with the alleged crimes of their clients even though there was no concrete evidence for this. Guilt by association of this kind applied in particular to lawyers of left-wing individuals and actual or alleged members of the Gülen movement and the PKK.

‘This situation remained the same during the current reporting period. For example, lawyers representing left-wing individuals and actual or alleged... PKK members still ran the risk of being prosecuted themselves because of guilt by association. For instance, a source is aware of two lawyers who were criminally prosecuted during the current reporting period merely because they represented (alleged) PKK members. One lawyer was accused of producing propaganda for a terrorist organisation. The other was suspected of being a member of a terrorist organisation. In both cases, ‘terrorist organisation’ referred to the PKK.’⁹⁵

12.7.2 The USSD report published in March 2023 stated that ‘According to defense lawyers and opposition groups, there was a trend of prosecutors using what appeared to be legally questionable evidence to file criminal charges against and prosecute a broad range of individuals, including...opposition politicians (primarily of the HDP)...’⁹⁶

12.7.3 The same source noted that:

‘Former HDP cochair and presidential candidate Demirtas has been in prison since 2016 based on terrorism charges despite 2018 and 2020 ECHR rulings for his release. In March 2021, in a separate case, a court sentenced Demirtas to three-and-a-half years in prison for insulting President Erdogan during a 2015 speech. Although the Constitutional Court ruled that

⁹³ Turkish Minute, [Turkey arrests 3 more Kurdish politicians](#), 13 June 2023

⁹⁴ GFOMR, ‘[Briefing Notes Summary](#)’ (page 9), 30 June 2023

⁹⁵ NMFA, ‘[General Country of Origin Information Report – Turkey](#)’ (page 28), March 2022

⁹⁶ USSD, ‘[2022 Country Report on Human Rights Practices: Turkey](#)’ (page 21), 20 March 2023

Demirtas's lengthy pretrial detention violated his rights in 2020, his release was denied based on the separate Kobane investigation.^{'97}

- 12.7.4 The report published by the SCF in January 2023 stated that 'The ECtHR [European Court of Human Rights] in November ruled that Turkey had violated the rights of 13 former lawmakers from the HDP by putting them in pretrial detention to stifle pluralism and to limit freedom of political debate, ordering the release of two of them who are still in jail.'⁹⁸

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12.8 Treatment of family members of HDP members

- 12.8.1 The Netherlands Ministry of Foreign Affairs Country Report on Turkey, published in March 2022, stated that:

'The previous country of origin report stated that relatives of HDP members who do not themselves formally belong to the HDP were viewed with suspicion by the Turkish authorities. This was shown in various ways. For example, relatives of HDP members could be denied certain services and products, such as a loan, building permit or subsidy. Also, a passport application from a relative of an HDP member could be deliberately delayed; a relative of an HDP member lost his job simply because his family member was active for the HDP...

'This situation remained the same during the current reporting period [March 2021 to February 2022]... One source claims to know of cases where an HDP member's relative was unable to get a government job or bank account because his or her family member was active for the HDP... Two other sources said relatives of HDP members were also subject to house searches... One of these sources also referred to a case involving an English teacher. She lost her job because her brother had attended a meeting of the Barış ve Demokrasi Partisi (Peace and Democracy Party, BDP) ten years earlier.... The BDP also worked for the political and cultural rights of the Kurdish minority in Turkey and merged with the HDP in 2014...

'A court sentenced Başak, the wife of imprisoned HDP leader Demirtaş, to 2.5 years in prison for alleged forgery. In 2015 she was working as a teacher. She applied for medical leave following a miscarriage. The doctor's note supporting her application was erroneously dated 14 December 2015 instead of 11 December 2015, the actual date of the medical consultation. Nacho Sánchez Amor, the European Parliament's rapporteur on Turkey, tweeted that this conviction 'gives the measure of the worrying state of Turkish judiciary'. Başak's lawyers said they would appeal...^{'99}

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12.9 Other individuals who are critical of the government

- 12.9.1 While not necessarily linked to the HDP, numerous sources have stated that individuals who are critical of the government, including journalists, human rights defenders and lawyers, are often targeted by the Turkish authorities.

⁹⁷ USSD, '[2022 Country Report on Human Rights Practices: Turkey](#)' (pages 22-23), 20 March 2023

⁹⁸ SCF, '[Crackdown on the Kurdish Political Movement and Opposition Groups...](#)', 26 January 2023

⁹⁹ NMFA, '[General Country of Origin Information Report Turkey](#)', (page 49), March 2022

12.9.2 In June 2019, the HO FFT met with:

- a. Andrew Gardner of Amnesty International, who opined ‘anyone who speaks out against the government on issues of Kurdish rights could be argued in the current context to be supporting the PKK, or anyone criticizing the post-coup cases, to be supporting FETO [the Gulen movement].’¹⁰⁰
- b. the Director of a Turkish organisation in the UK who claimed that ‘A person can be in prison for 6 months or so for sending a political tweet; they are accused of having links with the PKK, and a person does not have to be well-known to receive such treatment.’¹⁰¹ And when asked what would bring a suspected PKK member/supporter to the attention of the authorities, opined:
 - ‘ Any political activity would attract the attention of the authorities.
 - ‘ Kurds are assumed to be PKK members/supporters.
 - ‘ Even low-level activities, such as leafleting, rallies and use of social media to make political statements could attract the attention of the authorities, as would any criticism of the government.’¹⁰²
- c. a representative of the Ombudsman Institution who clarified that supporting any political party or criticising them is not a crime in Turkey; it is when people post online praising the PKK attacks or joining protests organised by them that police will intervene. However, praising terror attacks or organisations is a crime¹⁰³.
- d. Sebnem Financi of the Human Rights Foundation of Turkey (HRFT), who told the HO FFT, ‘Shepherds and ordinary Kurdish people from Kurdish villages are in jail for allegedly supporting the PKK or have given shelter and food to PKK. They arrest a few prominent people from a village as an intimidation tactic.’¹⁰⁴

12.9.3 For more information see section 11 of the Country Policy and Information Note [Turkey: Kurdistan Workers’ Party \(PKK\)](#).

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section updated: 18 August 2023

13. Non-state attacks on HDP offices and staff

13.1.1 The USSD report published in March 2023 stated: ‘The HDP blamed intensified government rhetoric linking the HDP with PKK terrorism for provoking armed attacks on HDP offices, including three attacks in 2021.’¹⁰⁵

13.1.2 On 17 June 2021, the HDP published a statement entitled ‘Armed attack against our Izmir provincial building, resulting in the death of a young woman’ which stated: ‘On 17 June 2021, an assailant with a shotgun attacked our office in İzmir. Deniz Poyraz, the daughter of a party employee,

¹⁰⁰ HO FFM Report, [‘Turkey: Kurds, the HDP and the PKK’](#) (page 12), October 2019

¹⁰¹ HO FFM Report, [‘Turkey: Kurds, the HDP and the PKK’](#) (page 13), October 2019

¹⁰² HO FFM Report, [‘Turkey: Kurds, the HDP and the PKK’](#) (page 22), October 2019

¹⁰³ HO FFM Report, [‘Turkey: Kurds, the HDP and the PKK’](#) (page 15), October 2019

¹⁰⁴ HO FFM Report, [‘Turkey: Kurds, the HDP and the PKK’](#) (page 22-23), October 2019

¹⁰⁵ USSD, [‘2022 Country Report on Human Rights Practices: Turkey’](#) (page 73), 20 March 2023

was in the office, and she lost her life as a result of the assailant's gunfire. As our party officials in İzmir have stated, our party-building has been targeted for months.'¹⁰⁶

- 13.1.3 The assailant who killed Deniz Poyraz was later sentenced to life imprisonment for her murder in December 2022¹⁰⁷.
- 13.1.4 On 14 July 2021, the pro-Kurdish Rudaw published an article entitled 'HDP Marmaris office attacked by gunman' which stated:
- 'The pro-Kurdish Peoples' Democratic Party (HDP) office in Turkey's Marmaris city was attacked early on Wednesday morning, marking the second attack on party offices in less than a month.
- 'A gunman attacked the HDP's Marmaris district office at around 6:20am, according to a statement from Mugla authorities. No injuries or casualties were reported.
- 'The suspect previously attacked the HDP office in 2018, it added. He is now in custody.'¹⁰⁸
- 13.1.5 On 28 December 2021, Bianet published an article entitled 'Attack on HDP office in Istanbul leaves two injured' which stated:
- 'An armed assailant injured two people today (December 28) at the Peoples' Democratic Party's (HDP) Bahçelievler District Organization office in İstanbul.
- 'The assailant introduced himself as a sympathizer of the party and asked about membership before attacking party members, Mesopotamia Agency (MA) reported.
- Party members Ramazan Dışarı and Aziz Şimşek were slightly injured in the attack, according to the report.
- "He said he wanted to be a member. We offered him a cup of tea. Then he threw it on me, saying, 'You don't know me. I came to kill you'," Dışarı told MA.
- "He attacked us with two weapons and a knife. He tried to stab me, but failed. We took the weapons away from him. There were three of us inside. We had to elderly friends as well," he said.'¹⁰⁹
- 13.1.6 On 3 January 2021, Rudaw reported that according to the HDP, the individual who attacked the HDP office in Istanbul was released¹¹⁰, although later reported on 10 January 2021 that he was re-arrested after his release was appealed against¹¹¹.
- 13.1.7 On 19 July 2023, Bianet published an article entitled 'HDP office in Ankara targeted in armed attack' which stated:

¹⁰⁶ HDP, '[Armed attack against our İzmir provincial building...](#)', 17 June 2021

¹⁰⁷ Bianet, '[Deniz Poyraz murder case: Assailant sentenced ...life imprisonment](#)', 27 December 2022

¹⁰⁸ Rudaw, '[HDP Marmaris office attacked by gunman](#)', 14 July 2021

¹⁰⁹ Bianet, '[Attack on HDP office in İstanbul leaves two injured](#)', 28 December 2021

¹¹⁰ Rudaw, '[Man who attacked HDP office in Istanbul released: party](#)', 3 January 2022

¹¹¹ Rudaw, '[HDP office assailant rearrested after appeal](#)', 10 January 2022

'Unidentified individuals last night launched an armed attack on a Peoples' Democratic Party (HDP) office in the Altındağ district of Ankara, the capital. A single bullet struck the meeting room of the party's premises, causing material damage, Mezopotamya Agency (MA) reported. No one was present inside the building when the attack took place.'¹¹²

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14. Detention of individuals associated with the HDP

14.1.1 The EC report published in October 2022 stated:

'Former HDP co-chair Selahattin Demirtaş remained in prison despite two final ECtHR [European Court of Human Rights] judgements ruling for his immediate release. The Constitutional Court's ruling of June 2020 on the violation of Mr. Demirtaş' right to liberty and security was also not implemented. In April 2022, a new indictment against Mr Demirtaş was launched over some of his social media messages posted nine years ago. Campaigns for the release of a former HDP MP and co-chair, who is reportedly unable to sustain herself in prison, yielded no results.'¹¹³

14.1.2 The USSD report published in March 2023, covering events in 2022, stated:

'As of year's end, seven former HDP parliamentarians and six HDP co-mayors were in detention following arrest. According to the HDP, since July 2015 at least 5,000 HDP lawmakers, executives, and party members were incarcerated for a variety of charges related to terrorism and political speech.

'... In April, the Ankara Chief Public Prosecutor's Office ordered detentions of an additional 91 suspects, including HDP members and officials, on charges of financing terrorism and alleged terrorist organization membership. The charges stem from accusations that suspects provided finances for the 2014 Kobane protests [protests over perceived government inaction in response to the Daesh takeover of the majority Kurdish town of Kobane in Syria] and gave financial assistance to families of dead or injured PKK members.'¹¹⁴

14.1.3 The same source additionally stated:

'According to varying reports from the HDP and data collected by the HRA [Human Rights Association], as of December between 61 and 73 prisoners died in prisons since December 2021. The HDP report found 39 died due to illness and 34 due to suicide. HRA noted various causes including sickness, suicide, violence, and negligence. According to data from Civil Society in the Penal System, from January to August there were 42 suspicious deaths.

'In September an HDP member of parliament submitted a parliamentary question regarding the circumstances of the death of a prisoner (sentenced to 18 years for drug crimes) who died on September 6 in the Diyarbakir Women's Closed Prison. In her motion, the parliamentarian noted the

¹¹² Bianet, '[HDP office in Ankara targeted in armed attack](#)', 19 July 2023

¹¹³ EC, '[Türkiye Report 2022](#)' (page 19), 12 October 2022

¹¹⁴ USSD, '[2022 Country Report on Human Rights Practices: Turkey](#)' (page 21-22), 20 March 2023

prisoner's right to health care had been increasingly violated in recent years.¹¹⁵

14.1.4 The same source further stated:

“Chief prosecutors have discretion, particularly under the wide-ranging counterterrorism law, to keep prisoners they deem dangerous to public security in pretrial detention, regardless of medical reports documenting serious illness.

‘Former HDP deputy cochair Aysel Tugluk, who suffers from dementia and early-stage Alzheimer’s, has been held for five years on charges of membership in a terrorist organization. Tugluk’s lawyer’s application for her release was denied, despite medical reports stating that she is unfit to remain in prison due to her medical condition.’¹¹⁶

14.1.5 For more information on judicial processes, pretrial detention, treatment of different groups, segregation, medical care and ill-treatment in detention see section 12 of the Country Policy and Information Note [Turkey: Kurdistan Workers’ Party \(PKK\)](#).

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¹¹⁵ USSD, [‘2022 Country Report on Human Rights Practices: Turkey’](#) (page 9), 20 March 2023

¹¹⁶ USSD, [‘2022 Country Report on Human Rights Practices: Turkey’](#) (page 10), 20 March 2023

Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

All the COI included in the note was published or made publicly available on or before the 'cut-off' date(s). Any event taking place or report/article published after these date(s) is not included.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Wherever possible, multiple sourcing is used and the COI compared and contrasted to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

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Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of the issues relevant to the scope of this note and forms the basis for the [country information](#).

The Home Office uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Legal position
- People's Democratic Party (HDP)
 - History, beliefs and aims
 - Perceived association with the PKK
- State treatment
 - Attempts to ban the HDP
 - Arrests and detention of HDP members and supporters
- 2023 elections
- Non-state treatment of the HDP

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Version control and feedback

Clearance

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The information on this page has been removed as it is restricted for internal Home Office use.

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Changes from last version of this note

Updated COI and guidance.

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