



## **“Trustees” Appointed to Kurdish Municipalities of Diyarbakir, Mardin and Van, again!**

The Erdogan regime is determined in maintaining its authoritarian and unlawful rule that has been targeting the Kurdish provinces for the last three years. Since the local elections of 31 March 2019, HDP municipalities have been under constant threats and attacks of Mr Erdogan-led AKP government and their ultra-nationalist MHP allies. These threats took on a further bearing on 19 August 2019 when the Ministry of Interior removed the co-mayors and disbanded the municipal assemblies of three HDP-held Kurdish metropolitan municipalities of Diyarbakır, Mardin and Van.

HDP municipalities and the popular will that they represent were already severely circumvented, since when the Erdogan regime had declared a two-year-long state of emergency rule in Turkey following the abortive military coup of 15 July 2016, and used this to the end of furthering authoritarian consolidation. In that context, a Government Decree (No. 674) was issued in September 2016, which soon allowed, as a 2017 UN Report noted:

“the wholesale replacement of elected officials of Kurdish origin throughout South-East Turkey... with [central government appointed] “trustees.” In most cases, the “trustees” were appointed immediately following the arrest of the democratically elected officials, indicating a high degree of coordination between the judiciary and the executive branches.”<sup>1</sup>

From September 2016 to February 2018, 94 of 99 local governments ran by DBP, (HDP’s sister-party in local governments at the time), including four metropolitan and ten provincial municipalities in the Kurdish region, were disbanded and replaced with trustees. Ninety-three co-mayors and hundreds more municipal assembly members were imprisoned for varying terms. Although the State of Emergency officially ended in July 2018, its regulations, including those relating to local governments, were ratified at the Turkish Parliament as permanent by-laws and remained intact. In the run-up to the 31 March 2019 municipal elections, 50 Kurdish co-mayors were still in prison, 29 of whom had been under pre-trial arrest for about two years.

In virtually all cases from 2016 to 2018, the removal of Kurdish mayors was done under Turkey’s notably expansive anti-terrorism law. As has been widely criticized by also transnational observers, this law with “its broad and excessively vague definition of terrorism, organised crime and propaganda, makes it manifestly impossible to determine the precise nature of such offences,” and acts as “an instrument for the repression of internal dissent,”<sup>2</sup> at a general level. This arbitrariness is all the more acute when the “terror” charge is raised against expressions of Kurdish demands, especially within the recent context of comprehensive backsliding to Turkish state’s tradition of denial of Kurdish identity and conflict –a process that has gained momentum since after Mr Erdogan turned over the negotiation table with the Kurdish dissent in April 2015, and declared: “There is no such thing as the Kurdish problem” and, “whoever utters it is committing separatism.”

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<sup>1</sup> Office of the UN High Commissioner for Human Rights Report on the Human Rights Situation in South-East Turkey, July 2015 to December 2016.

<sup>2</sup> European Parliament Motion for a Resolution to wind up the Debate on the Statements by the Council and Commission Pursuant to Rule 123(2) of the Rules of Procedure on the 2015 Report on Turkey (2015/2898(RSP)).

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In the local elections of 31 March 2019, HDP won the overwhelming majority of Kurdish municipal offices usurped by the Erdogan regime, and the regime's authoritarian and unlawful practices promptly resumed. First of all, although the Turkish Election Law (No 3627) requires the pre-approval of eligibility by local election boards for each and every candidate, close to a hundred candidates who won the ballot were denied their certificates of election with the excuse of previous or pending investigations against them. Six HDP candidates who won mayoral offices in Kurdish districts were not given their election certificates with the reasoning that they had previously been dismissed from public office with emergency government decrees. In their stead, certificates were granted to the AKP candidates who had lost the ballot. Furthermore, eighty-eight HDP municipal council members were denied their certificates of election by the Interior Ministry purportedly on the grounds of pending criminal investigations (for details, see Appendix 1).

Most recently, on 19 August 2019, the Interior Ministry removed from office Diyarbakır Metropolitan Municipality Co-Mayor Mr Adnan Selçuk Mızraklı, Mardin Metropolitan Municipality Co-Mayor Mr Ahmet Türk, and Van Metropolitan Municipality Co-Mayor Ms. Bedia Ertan Özgökçe (See Appendix 2 for Mayors' bios).

In its written statement, the Ministry of Interior tried to justify this government coup over the Kurdish electorate's will with pending "terrorism" investigations against our mayors. The Ministry remarked: "Mayors who are linked with terrorist organizations and have been found to support terrorist organizations have been dismissed under Article 127 of the Constitution and Article 47 of Municipal Law No. 5393." Pass the arbitrary and obscure nature of anti-terrorism charges, as noted above, the Ministry's remark is worth a scandal if only for its unabashed declaration of the verdict in pending trials, and its avowal of the extent of the executive's control over the judiciary.

The Interior Ministry also listed HDP's co-mayor system as a reason for the purge of our mayors, targeting this practice as "evidence" of HDP's connection to a "terrorist organization." HDP pursues a co-chairship system in all of its bodies and at all levels of representation as a policy of gender equality. Local governments are not exempt from this practice. The existing Municipal Law does not recognize the system of co-mayorship. Nevertheless, we carry out this practice both *de facto* and with full public transparency and consent by informally nominating one of our municipal council candidates in local electoral platforms as "co-mayor" throughout the campaign period. For us, this practice is an essential component of promoting gender equality in political representation, and we would deem it an insult to defend it against any terror charge.

Not only the purge of our mayors but also their replacement by government-appointed trustees involves a coup against the Kurdish democratic will. Turkey's Municipal Law (No 5393) rules that in case a mayor is suspended or dismissed from duty, the municipal assembly elects one of their members as the new mayor. This rule was observed each time when, in the previous term, AKP, MHP and CHP mayors were removed from office for one reason or the other. An additional clause to Article 45 of the Municipal Law in 2016 exempted this rule for "cases of dismissal of mayors due to links with terrorist organizations," and authorized "Interior Ministry and governors [to] designate individuals to replace them." This state of emergency clause was later rendered permanent and has been implemented for the cases of purged DPB and HDP mayors without any exception.

This special administration reflects the outgrown hostility towards the Kurdish people's existence and rights, which has been a constitutive feature of Turkey's authoritarian backsliding under Mr

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Erdogan-led AKP-MHP coalition since 2015. In this process, not only has the Kurdish popular democratic will was suppressed by the purging of their parliamentary or local government representatives from their mandates, but a comprehensive regime of oppression and intimidation has been put into practice in Kurdish cities and towns to hamper the possibilities of popular protest. Thus, most recently in the early morning hours of 19 August, before the Interior Ministry's decision of purge decision was issued, the police detained at least 418 public figures in Diyarbakır, Van, Mardin and many other provinces in coordinated preemptive house raids. After the purge of our mayors, provincial governors banned and preemptively incriminated any form of protest as "aiding terrorism," using another state of emergency power.

Nevertheless, the Kurdish electorate has been powerfully standing in defense of their rights to democratic representation. For the past two days, mass non-violent protests have been carried out in Diyarbakır, Van, and Mardin, which have been met with police brutality. Hundreds of protestors have been detained in the process, and dozens have been injured and hospitalized, including HDP MPs Ms Feleknas Uca, Ms Ayşe Acar Başaran, Ms Tülay Hatimoğulları, Ms Semra Guzel, Ms. Serpil Kemalbay, Ms Remsıye Tosun, Mr Kemal Pekoz, and Mr Ridvan Turan.

It is imperative to note that this discriminatory hostility against the popular Kurdish will involves, and yet seeks to hide under a Turkish nationalist rhetoric of "terrorism," a more profound and comprehensive affront to whatever has remained of the principles of democratic representation and the rule of law in Mr Erdogan's Turkey. Turkey's sliding into institutional autocracy had started with the purging of HDP parliamentarians with the utter complicity of other opposition parties, including the Republican People's Party (CHP). Unless the non-HDP opposition takes an immediate and univocal position against this unconstitutional coup against the popular will, it is highly probable that the municipalities held by other opposition parties will soon be targeted in the same manner –such as the CHP-run Ankara and İstanbul metropolitan municipalities.

As HDP, we remain committed as ever before to protesting this autocratic coup against the popular will of our electorate as part of our struggle for a pluralist democratic political system, a powerful local democracy, and sustained peace in our country. We urge Turkey's larger political opposition and the international democratic community to lose no time in acting against this coup and fulfilling their part in leading Turkey back into the path of parliamentary and local democracy and the rule of law.

**Hişyar Özsoy**  
**Deputy Co-chair of HDP Responsible for Foreign Affairs**  
**Deputy for Diyarbakır**  
**20 August 2019**

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## Appendix I: Government Attacks on HDP municipalities since 31 March 2019 Local Elections

The HDP representatives that have won the popular vote on 31 March local elections and HDP municipalities have since been subjected to unremitting attacks by the central government and state institutions. Some of the arbitrary and unlawful practices that have targeted our representatives, and virtually always with the conventional “terrorism” charge, have been as follows:

- Dozens of **representatives elected to mayor’s** office were denied their certificates of election.

Of these, Co-Mayor of Bağlar District (Diyarbakır) Mr Zeyyat Ceylan, Çaldıran District (Van) Co-Mayor of Dis Ms Leyla Atsak, Edremit District (Van) Co-Mayor Ms. Gülcan Kaçmaz Sağığit, Tuşba (Van) Co-Mayor Mr. Yılmaz Berki, Tekman District (Erzurum) Co-Mayor Mr. Muzahit Karakuş and Dağpınar District (Kars) Co-Mayor Mr. Abubekir Erkmn were denied their certificates on the grounds that they had been previously dismissed from public office with emergency government decrees. In their stead, certificates were granted to candidates who had lost the ballot.

The certificates of election have been denied also to the following elected representatives, with the excuse that had previously been dismissed from public office with emergency government decrees: Diyarbakır Metropolitan Municipality Co-Mayor Ms. Hülya Alökmen Uyanık, Yenişehir District (Diyarbakır) Co-Mayor Mr. İbrahim Çiçek, Kayapınar District (Diyarbakır) Co-Mayor Mr. Necati Pirinçcioğlu, Hakkari Provincial Co-Mayor Ms. Seher Kadiroğlu Ataş, Kızıltepe District (Mardin) Co-Mayor Mr. Salih Kuday, Savur District (Mardin) Co-Mayor Mr. Mehmet Yasin Kalkan, Siirt Provincial Co-Mayor Mr. Resul Kaçar, Erciş District (Van) Co-Mayor Mr. Mahmut Pala

- The following **municipal council representatives** have also been denied their election certificates:

Ağrı Taşlıçay Municipality Council Member Mr. Fecri Aydın;

Ağrı Doğubayazıt Provincial Council Member Mr. Sabri Karayel;

Batman Municipality Council Members Mr. Ahmet Yılmaz, Mr. Erkan Kaygusuz, Mr. Mustafa Yurtsever, Mr. Reşat Akıncı, Mr. Abdulmecit Çeken and Mr. Ahmet Aslan;

Bitlis Tatvan Municipal Council Members Mr. Saffetullah Akyüz and Mr. Veysi Altıntaş;

Diyarbakır Yenişehir Municipality Council Member Mr. Ramazan Akkoç;

Diyarbakır Kayapınar Municipality Council Members Ms. Neriman Baran Yiğit, Ms. Amber Ceylan Ak, Mr. Mehmet Vecih Aydoğan, Ms. Dilan Yakut, Mr. Eser Özbek, Mr. Ali İhsan Karahan, Mr. Yusuf Gezer and Mr. Süleyman Okur;

Diyarbakır Bağlar Municipal Council Members Ms. Hava Karahancı, Ms. Şükran Şimşek, Ms. Derya Berktaş Açmaz, Ms. Sevgi Süer, Mr. Abdulkadir Önen and Mr. Aziz Turay;

Diyarbakır Dicle Municipality Council Member Ms. Songül Can Şimşek;

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Diyarbakır Sur Municipality Council Member Ms. Berivan Savaş Apaçık;  
Diyarbakır Ergani Municipal Council Members Mr. Müslüm Öcay and Mr. Erdal Tekdemir;  
Hakkari Yüksekova Provincial Council Members Deniz Öztekin and Mr. Ferhat Özdil;  
İğdır Municipality Council Member Mr. Yılmaz Hun, Mardin Kızıltepe Municipality Council Members Mr. Şeyhmus Akbaba and Mr. Mehmet Ali Çiçek;  
Mardin Derik Municipality Council Member Mr. Mehmet Gezici;  
Muş Varto Municipality Council Member Mr. Hakkı Bingöl;  
Siirt Municipality Council Member Ms. Fatma Kayar;  
Siirt Kurtalan Municipality Council Member Mr. Ercan Başar;  
Şanlıurfa Bozova Municipality Council Member Mr. Müslüm Kuşçu;  
Şanlıurfa Suruç Municipality Council Members Mr. Reşat Demirkol and Mr. Osman Kaya;  
Şanlıurfa Viranşehir Municipality Council Member Mr. Abdulcelil Çelebi;  
Şırnak Provincial Council Member Mr. Selahattin Barınç;  
Şırnak Cizre Municipality Council Member Mr. Dünder Yağarcık;  
Van İpekyolu Municipality Council Members Mr. Salih Kara, Ms. Mesude Demir and Ms. Sibel Harman Tertemiz.

•Dozens of **our co-mayors or council members were dismissed from office following criminal verdicts hastened after their election**, including:

Erzurum Karayazı Municipality Co-Mayor Ms. Melike Göksü;  
Dersim Provincial Council member Mithat Kaya;  
Patnos Municipal Council Member Mehmet Şahin Savcı;  
Kayapınar Municipal Council member Adnan Akgül;  
Co-spokesperson of the Çaldıran Municipal Council Faruk Demir;  
Co-spokesperson of the Edremit Municipal Council Medeni Özer; and  
Tatvan Municipal Council Members Ms. Serap Çakmak Genç, Mr. Suat Yetişkin, Mr. Diyar Orak, Mr. Ahmet Sağrıç, Mr. İsa Taş, Mr. Şükrü Aydemir, Mr. Mehmet Nedim Türemiş, Mr. Çetin Yılmaz and Mr. Selami Karahan who were removed from their offices as an interim measure.

•Dozens of our representatives have confronted **police and judiciary harassment in the form of arbitrary house raids and detentions across Kurdish towns**.

For instance, on July 11, in the Karayazı district (Erzurum), ten elected representatives, including district co-mayor Mr. Burhanettin Şahin were detained following coordinated house raids. One of the local HDP executives, Nuri Kandemir, was reportedly tortured in the presence of his family, and the former council member Erdem Kaya was reportedly threatened with a gun put to his head during the raid of their houses. The representatives were kept in detention for a week without an indictment.

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In other incidents that took place on various dates, Nusaybin Municipality Co-Mayor Mr. Ferhat Kut, Bismil Municipality Co-Mayor Ms. Gülşen Özer, Bitlis Provincial Council Member Medeni Yalçınkaya, Nusaybin Municipal Council Member Ms. Samiye Demir, Bağlar Municipality Council Member Ms. Nursel Örmek, Kurtalan District Municipality Council Member A. Gaffur Kubilay, and Şanlıurfa Ceylanpınar District Council Member Ms. Dilan Ablay were detained.

•The government's campaign of violence and intimidation against HDP municipalities has also involved tactics of **smear and disreputation**. On August 9, Narcotics and Anti-smuggling teams sieged and broke into the building of Diyabakır Kayapınar Municipality following a piece of alleged intelligence information regarding the use of drugs. The whole building was searched for hours, revealing no evidence of the alleged charge.

**HDP Committee on Democratic Local Governments**  
**August 10, 2019**

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## **Appendix II: Bios of the Purged HDP Mayors**

### **Ahmet Türk, Co-Mayor of Mardin Metropolitan Municipality**

At the age of 77, Ahmet Türk is a veteran of Kurdish people's struggles for human rights, justice, and democracy in Turkey for the past half a century. A native of the Mardin province, Mr Türk was first elected to the Parliament in 1973. After the military coup of 1980, he was imprisoned in the infamous Diyarbakir Military Prison where was subjected to systematic torture under isolation. In 1987, he was once again elected to the Parliament from the center-of-the left Republican People's Party (CHP). In 1989, Mr. Türk, along with several Kurdish MPs from the CHP ranks, was dismissed from the Party, when its Kemalist leadership interpreted their participation in an international Kurdish conference organized in Paris, France, as "separatism." This was a landmark event in the political biography of both Mr Türk and the trajectory of the Kurdish struggle in Turkey, which led to the foundation of Turkey's first legal pro-Kurdish political party, namely People's Labour Party (HEP), over the following year. In 1990, Mr Türk was among the eighteen Kurdish lawmakers elected from the HEP list. When the Constitutional Court indicted HEP for closure, Mr Türk acted as a co-founder of its successor the Democracy Party (DEP). In 1994, DEP was closed down on charges of separatism and Mr Türk was de-immunized and imprisoned along with a dozen other Kurdish MPs. Following his release, he continued his leading role in the development of Kurdish legal-political opposition in Turkey, acting as a founder of each and every Kurdish political party established in the legacy of HEP tradition and shut down by the political establishment in Turkey. Mr Türk's unrelenting commitment to developing a space for democratic struggle and peace in Turkey has earned him the standing respect of not only his fellow Kurds but also other persecuted and marginalized communities, such as the Armenian and Assyrian peoples of Turkey.

Ahmet Türk was elected the Mayor of Mardin Metropolitan Municipality in 2014 by a large margin. Following the failed coup of 15 July 2016, he was removed from the Office by an Emergency Government Decree. His Office remained usurped by an Interior Ministry appointed trustee until the local elections of 31 March 2019, which he re-won by a landslide 56,4%. On August 2019, Mr. Türk was removed from the Office once again, and replaced by the centrally appointed Governor of Mardin –a gesture that we deem to be deliberately reminiscent of colonial governorship practices. Today as ever before, Mr. Türk stands as the inspirational grey-hair of our struggle for democracy, peace, and justice in Turkey.

### **Bedia Özgökçe, Co-Mayor of Van Metropolitan Municipality**

Ms Bedia Özgökçe was born in Van province in 1975. Following her graduation from law school, Ms Özgökçe took a leading role in the foundation of the Human Rights Association Van Branch. For over a decade as of mid-1990, she focused in her practice as a human rights lawyer on issues related to the rights of refugees, torture prevention, and identity-based discrimination. In the general elections of November 2016 and June 2018, Mr Özgökçe was elected as an MP for Van from the ranks Peoples' Democratic Party (HDP). In the run-up to 31 March 2016 local elections, Ms. Özgökçe resigned from her Parliamentary mandate to run for co-mayorship of Van Metropolitan Municipality. She won over 53% of the votes and became first female mayor of Van Municipality.

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### **Adnan Selçuk Mızraklı, Co-Mayor of Diyarbakır Metropolitan Municipality**

Mr Adnan Selçuk Mızraklı was born in the province of Şanlıurfa and has been carrying out his professional and human rights practice in Diyarbakır as a medical doctor since 1992. Since the 1990s, Mr Mızraklı served at the executive board of the Diyarbakır Medical Chamber at different capacities, including branch chairmanship over 2008 and 2010. He is a founding member of the Diyarbakır-based Association for Struggle Against Poverty, SARMASIK, and a member of the Human Rights Association Diyarbakır Branch. In the general elections of June 2018, Mr Mızraklı was elected as an HDP MP for Diyarbakır. In the run-up to 31 March 2016 local elections, Mr Mızraklı resigned from his Parliamentary mandate to run for co-mayorship of Diyarbakır Metropolitan Municipality. He assumed the Office by a landslide 62.93%.

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