

THIS COURT IS ALL ABOUT

DEFENDING

ISIS

The Kobani trial began on **26 April 2021**. The 2nd hearing was held on **18-20 May 2021**. However, the case is not concluded. The third hearing is scheduled for **14 June 2021**.

Representation of HDP in Europe, will maintain update to all information news.

BACKGROUND & TIMELINE OF EVENTS

On October 2014, the HDP called on people to support legitimate popular protests for Kobani against the ISIS attack on the city and the ongoing support for ISIS being shown by the Turkish regime. For years, the HDP has been calling for a parliamentary inquiry to shed light on what led to the violence, but Erdogan's regime has always rejected this proposal.

- Selahattin Demirtas, former Co-Chair of the HDP, was detained on **4 November 2016** as part of this case, which thus fell under the scrutiny of the European Court of Human Rights.
- On **22 December 2020**, The ECHR called for his immediate release arguing that the case had no basis, and the detention was purely political.
- Erdogan, instead of implementing the decision of the ECHR began a new step with his control of the judicial system and justice.
- On **28 December 2020**, Erdogan held HDP responsible as “the main perpetrator of the incidents of 6-8 October 2014”.
- On **30 December 2020**, the prosecutor's office filed an indictment.
- On **7 January 2021**, the indictment was filed and 'Kobani Case' was accepted by the Criminal Court in Ankara. This series of events shows that the Kobani case is in fact a political trial that was carried out by the Erdogan regime.

Afterwards, the Turkish Attorney General has started Kobani Case and ordered the detention of 108 individuals, among them leading representatives of the HDP; 28 of whom are being held hostage as already mentioned. There is an ongoing manhunt for 75 people.

With this show trial, they want to portray known politicians as criminals in order for social support to the HDP to be arrested. The 3530-page indictment contains evidence that has nothing to do with the truth. If things go according to Erdogan's wishes, Selahattin Demirtas should spend up to 15,000 years in prison. This is the request of the Office of the Attorney General. But this is a proxy trial to avenge the victory against ISIS at Kobani.



Thus, they (Turkish regime) want to criminalise resistance and solidarity with Kobani and oppress the HDP by legal system that does not exist in Turkey. As stated by the HDP's former Co-Chair, Selahattin Demirtas, "What really devastates Erdogan is not our people who have been brutally murdered, but ISIS's defeat in Kobani."



'HDP HAS BEEN SPECIFICALLY AND CONTINUOUSLY TARGETED BY THE TURKISH AUTHORITIES' - EUROPEAN PARLIAMENT REPORT

The European Parliament notes with great concern the way that the People's Democratic Party (HDP), including its youth organisations, has been specifically and continuously targeted by the Turkish authorities; strongly condemns the indictment filed by Turkey's Court of Cassation prosecutor at the Constitutional Court seeking the dissolution of the HDP and the political ban on more than 600 HDP members; stresses that as well as being a serious political mistake in the medium term, this would represent an irreversible blow to pluralism and democratic principles, leaving millions of voters in Turkey without representation.

The EP (European Parliament), strongly condemns the continued detention since November 2016 of former HDP co-chairs Figen Yüksekdağ and Selahattin Demirtaş, opposition leader and former presidential candidate, and of the former mayor of Diyarbakır Gülten Kışanak; recalls the ruling by the ECtHR on Demirtaş's case of 20 November 2018, confirmed by the ruling of its Grand Chamber on 22 December 2020, which calls on the Turkish authorities to immediately release him; is appalled by the continuous failure to comply with this binding ECtHR ruling.

The EP, condemns the recent decision by Istanbul's Bakırköy 46th Criminal Court of First Instance to sentence Selahattin Demirtaş to three and a half years in jail for allegedly insulting the president, one of the longest sentences ever handed down for such charges; regrets that on 7 January 2021, the Ankara 22nd Assize Court accepted another indictment against a total of 108 politicians, including Mr Demirtaş and Ms Yüksekdağ for their alleged role in the Kobane protests of October 2014, even though it is based on the same set of facts and incidents that the Grand Chamber already found to constitute insufficient grounds for his detention.

The EP, also condemns the recurrent use of revocation of the parliamentary status of opposition MPs, which seriously damages the parliament's image as a democratic institution.

The EP, is worried that the Ankara Chief Public Prosecutor is preparing enquiries to lift the parliamentary immunities of nine more HDP deputies – including current HDP co-chair Pervin Buldan, Meral Daniş Beştaş, Hakkı Saruhan Oluç, Garo Paylan, Hüda Kaya, Sezai Temelli, Serpil Kemalbay Pekgözegü, Pero DüNDAR and Fatma Kurtulan – so that they can be prosecuted for their alleged role in the 2014 Kobane protests.

The EP, highlights the case of Cihan Erdal, member of the youth wing of the Turkish Green/Left party, who, while temporarily visiting Turkey to see his family, was arrested and detained on 25 September 2020 for the sole reason of having been a member of the HDP six years prior to his arrest; condemns the decision to strip HDP MP Ömer Faruk Gergerlioğlu of his parliamentary seat and parliamentary immunity and his subsequent arrest on the premises of the Grand National Assembly of Turkey.

The EP, believes this decision to be a retaliation for his human rights activism, including for the fact that he brought to the floor of parliament widespread claims of strip searches and harassment in prisons and under police custody and started a social media campaign against them.

The report was accepted By EP by 480 MEP on 19 May 2021 - View the full report at EP official [website](#)

EUROPEAN OBSERVERS OF KOBANI TRIAL ON 26 APRIL



* Evin Incir (Swedish MEP, S&D) and Brando Benefie (Italian MEP, S&D) inside the courtroom of Kobani Trial on 26 April

“THE COURTROOM WAS FILLED BY POLICE AND SOLDIERS INSTEAD OF LAWYERS ; THIS IS A POLITICAL CASE OF A DICTATOR.”



François Alfonsi, (French MEP, Greens/ EFA, and member of the Bureau of the Kurdish Friendship Group (KFG) in the EP)

Despite COVID-19, we wanted to show solidarity by calling for democracy and freedom for 108 people. This is a political case of a dictator. There was no respect for

the law at the courthouse.

The courtroom was filled with policemen and soldiers, not lawyers. We really hope all the people will be freed as soon as possible.

"WE ARE IN SOLIDARITY WITH THE HDP AND AGAINST THE DICTATORIAL REGIME OF ERDOGAN"



Brando Benefie, (Italian MEP, S&D)

We are here to state clearly our solidarity with the HDP and against the dictatorial regime of Erdogan. As a Social Democrat member of the European Parliament, we strongly condemn what is taking place in Turkey with this hostile political trial.

As Italian Prime Minister Draghi has said and acknowledged that Erdogan is a dictator, we have seen in practice today the lack of respect for the rule of law in the courtroom. We will stand in solidarity with HDP not only today, but always.

"WHAT KIND OF DIALOGUE CAN YOU HAVE WITH A DICTATOR?"



Ana Miranda, (Galician Nationalist Bloc Spokesperson)

We are the sister party of the HDP, in the European Parliament, we have been standing with HDP against Erdogan's regime. We intend to have a dialogue with the regime in Turkey, but what kind of dialogue can you have with a dictator?

We also have been closely following up decisions of ECtHR. We demand the immediate release of HDP's prisoners.

Today, we attended a theatre performance of law and justice. We make it clear that we are not going to allow the Turkish regime to criminalise the HDP!

“THERE WERE AROUND 300 POLICEMEN AND SOLDIERS BUT NO PLACE FOR LAWYERS INSIDE THE COURTROOM”



Eric Coquerel, (French MP)

The political power of the Turkish regime acts as an obstacle to all human rights and democracy. An autocratic regime of Erdogan considers the HDP a political issue.

Today, there were around 300 policemen and soldiers in the courtroom, but no room for HDP lawyers. We know, it was to make the HDP weak. Today, the reason

the HDP is being tried is because it stands in solidarity with Kobani. Everyone knows that the people of Kobani fought against jihadist ISIS, that is why we cannot understand the silence of the French government.

When I return to France, I shall ask for a meeting with the Minister of Foreign Affairs and the President of Parliament to find out why they remain silent on this injustice.

“IT WAS PROSECUTION OF HDP - WHAT IS IMPORTANT, THE WORLD SHOULD SEE WHAT WE HAVE SEEN TODAY IN THE COURTROOM”



Maciek Konieczny, (Polish MP, Razem)

What we have seen today is definitely not a fair trial. We have seen courtroom

with enough places for police and soldiers but no place for lawyers.

We have seen a judge who act like fair, there was no fair trial. It was to criminalise and make the HDP guilty. What is important, the world should see what we have seen today in the courtroom.

That is why we are here today. The world politicians should not make deals with Erdogan's regime. We stand in full solidarity with HDP.

“THIS TRIAL IS AN EXCUSE TO CRIMINALISE THE HDP AND PEOPLE OF KOBANI”



*Marta Rosique i Saltor, (Spanish MP)
- Eulàlia Reguant, (MP of Catalan
Parliament) - Oihana Exebarrieta
Legrad (MP of Basque Parliament)*

We have seen an example of political chaos. This trial just an excuse to criminalize the HDP and people in Kobani. The Trial is started without lawyers being in the courtroom.

We have seen how the political use determines the law and justice in Spain as well; As Catalan and Basque people. We know also, Kurdish movement knows what is a political trial, that's why we stand united and in solidarity with the HDP.

The HDP is defending values as Feminism, Socialism, and Freedom to all the peoples. That is why we strongly stand with HDP.

“THE IDEOLOGY OF THE HDP IS AN IDEOLOGY WE ACCEPT - ITS ONLY TRUE OPPOSITION AGAINST ERDOGAN REGIME”



*Emilie Marche and Jean Christophe Sellin,
Parti de Gauche (PG) - France*

We have come to Turkey on 14 occasions to show our solidarity with the HDP. Today, two things have been judged: Those who resisted ISIS and the HDP's policy of supporting the people of Kobani.

The Kobani War was an historical war. This historical war on the jihadi terrorist was a 'war of freedom'. HDP is the only true opposition in Turkey. The Erdogan regime goes after the HDP because it knows that the HDP is not only the Kurdish party. It stands for feminism, democracy, the ecology, multiculturalism and freedoms.

That's why the ideology of HDP and 'Democratic Confederalism' is also the ideology that we accept. I call on the French Government to stop economic trade with the Turkish regime, which fails to respect human rights.

We are in solidarity with HDP at all times, long live international solidarity.

[VIEW THE FULL VIDEO COVERAGE ON THIS LINK](#)

OFFICIAL LEGAL DEFENCES OF HDP POLITICIANS

PLEASE NOTE: Following statements are only part of full legal defenses of politicians and lawyers of the HDP.

“THE KOBANI TRIAL IS ABOUT DEFENDING ISIS”



Sebahat Tuncel, Former MP of the HDP and Co-Chair of DBP (Affiliation of the HDP)

It has been 6 years since (Kobani Protests) then and Turkey has entered another road line. So, have you ever read the indictment in this case? But now with this indictment, you're defending ISIS. You're saying that 'Why did you stand in solidarity with the people of Kobani?'

Do you know what happens when you read the indictment? This court is defending ISIS!

Kobani trial is all about defending ISIS. The court is in a position to defend ISIS..

You try to judge solidarity with the people of Kobani, you have no words to sell women on the slave market. You're trying to judge solidarity. The Kurdish people, the Alleviates, the Armenians are the ones who fight and resist ISIS gangs, and they are the ones who stand up for humanity.”

If human dignity exists, we shall always stand up for it. In these hearings, if you do nothing, we're going to repeat everything. We will defend everything in favor of humanity, democracy, freedoms. In addition, we will strongly oppose crimes against humanity, massacred people, beheaded people. Women have been raped and sold for slavery. There's no penalty for that in the indictment. There is no single sentence that criticises ISIS and condemns its activities.

You can't stand in our way through your courts. We are going to leave our children an honourable life. But I'm not sure about your position. Will you truly be able to defend the decisions you make today, when Turkey changes after five years? Once the rule of democratic law is in place? But we will stand up for ourselves. We will voice our own struggle each time.

We believe that; peace, democracy and freedom will come to Turkey, the brotherhood of peoples will come.

“POLITICAL POWER HAS ESTABLISHED ITS SURVIVAL STRATEGY THROUGH THE JUDICIAL INSTITUTION”



Figen Yuksekdag, Former Co-Chair of the HDP

The aim of this legal provocation is to maintain power by undermining the mobility of the HDP. To date, they have always built their electoral campaign on plans to liquidate the HDP and exclude it from politics. They know perfectly well that they cannot go to the 2023 election, they need a vote of confidence in the approval of the population much earlier than that.

There's an election atmosphere. To regain popular trust in this electoral atmosphere, this judicial provocation was organised against our party. Turkish regime's goal is to undermine the reputation of the Peoples' Democratic Party, to reduce its political status and to reduce its political mobility.

It is also, of course, an expression of the hopelessness in which political power falls and the incapacity in which the system falls. The system has not been able to do without a court system for a long time. With this trial, they must check the unjustified black propaganda of the words spoken so far, the words spoken about political representatives.

The government has lost all legitimacy, trying to create legitimacy through the court system. In other words, there is no basis for confirming Turkey's actions at the international or domestic level. They've lost every legitimate foundation. The judiciary is the only institution that will place its legitimate stamp on them.

This is why politics go through the judiciary. It's a political tactic. Political power has established its survival strategy through the judicial institution. They don't have any legal basis.

“POLITICAL POWER HAS ESTABLISHED ITS SURVIVAL STRATEGY THROUGH THE JUDICIAL INSTITUTION”



Selahattin Demirtas, Former Co-Chair of the HDP

The name and substance of this case and its foundation are conspiracy cases against the HDP. This case involves political revenge against the HDP. One day, the Kobani Case will be opened, and the real responsible, the state and government officials who provoked the streets, the governors, the governors, the police chiefs, the real perpetrators of the massacre will surely be revealed.

But everybody can be sure that we won't be the ones sitting in the defendant's chair that day. Those responsible, especially those who put us in place, will be prosecuted, and the whole truth will not come out until that time. That is why we will continue our legal struggle all the way.

Many political cases have taken place in Turkey to date. I have also witnessed many conspiracy cases, but I think for the first time in the history of international law, a party in a courtroom, the AKP-MHP, dares to prosecute another party, the HDP. There are no judges or prosecutors in this case. Erdogan, Bahçeli and Soylu sit in the judges seat; In the prosecutor's chair it is the media and the social media troll army of the regime.

Me and Figen Yuksekdag are under arrest for 5 years, we are on trial for the incidents of Kobani. There was the ECtHR [decision](#) (on 22 DEC 2020), it turned out that those Tweets were not a crime. The ECtHR has ordered my release, and the same goes for Figen Yuksekdag. You had to find something new, create a new case. This is the kind of conspiracy we are dealing with.

“THIS REGIME WILL BE JUDGED BY ITS OWN RULES”



Ayla Akat Ata, Former MP of HDP

The constitutional amendments introduced in 2010-17 ensured complete political dominance of the judiciary. Delegations move in and out. The basic misconception of governments is that they believe the rules they set will be applied whenever they want. These rules are also going to affect them in the future. This regime will go, this regime will be judged by its own rules.

This indictment is an indictment to defend ISIS.

“YOU MAY BE BLINDFOLDED, DEFENDING THIS CASE BRAVELY. HOWEVER, THIS INDICTMENT IS TO DEFEND ISIS”



Gültan Kisanak, Former Co-Mayor of Diyarbakir

We said in Parliament, that from day one we had hours of discussions with ministers since the first events began in Syria. We said, "Let Turkey stand in a place where it will protect the people there, and we will support them." But they went and stood beside ISIS, cleared them.

You (addressing to judges) may be blindfolded, defending this case bravely. However, this indictment is to defend ISIS.

This case was prepared at the command of the Erdogan. Hence, I appeal to Turkish society, to our peoples, to young people, to all those who believe in equality and freedom. Defend the HDP, keep the peace. Don't let them shut down the last bridges on the road to peace.

“YOU ARE COMMITTING A CONSTITUTIONAL CRIME”



Günay Kubilay, Former spokesperson of the HDP

This case is political and your courts do not only recognize ECtHR decisions in these critical cases, but also AYM (Turkish Constitutional Court) decisions. The AYM also warned everyone (with the return of the closure case). You may not like the ECtHR's decision, and the regime doesn't like it, but you have to implement it. If you don't, you're committing a

constitutional crime.

“ALL MEMBERS OF HSYK CHOSEN BY ERDOGAN'S REGIME”

**HSYK (Supreme Council of Judges and Prosecutors) in Turkey who determines which judges will be looking at the case.*



**Foto: Turkish Chief Public Prosecutor and Erdogan.*

Cihan Aydın, lawyer of Kurdish Politician Gulten Kisanak (Former Co-Mayor of Diyarbakir), who attended the hearing via SEGBİS from Amed, said, "You have been appointed by HSK. Four members of the HSK were appointed by the President and 7

by the AKP-MHP bloc. Why should they trust your delegation appointed by those who declare our clients murderers every day?"

As it mentioned most of time, The Turkish regime has built total politics of hostility towards HDP and Lawyer Mesut Beştaş said: "The practices so far are beyond enemy law. There is no law to judge the person you do hostility."

"ERDOGAN TAKES 108 POLITICIANS AS POLITICAL HOSTAGE." - ' NO ONE HAS THE RIGHT TO OBEY.'



Devris Cimen, Representative of the HDP in Europe

As European politicians watched the Kobani trial, they saw hundreds of policemen and soldiers inside the courtroom. As, it is not enough to surround the roads and the court house outside, so putting all the soldiers shows, there is no justice on the surface of injustice.

This trial is not only a historical disgrace for lawyers and the courts of the world, but also for politicians, human rights organisations. It is an absolute example of dictatorship and complete shame on the Turkish regime.

Turkish jurisdiction is not judging 108 politicians. Erdogan has seized 108 politicians as political hostages. On the other hand, the HDP has not, and will not yield. The HDP will resist definitely. We want international political groups, communities and institutions to follow up the case closely. And we call for solidarity with HDP, as Hannah Arendt said: "No one has the right to obey."

WORLDWIDE SOLIDARITY MESSAGES + STATEMENTS

The strong international solidarity actions and robust statements for the HDP and Kobani resistance popped up worldwide with the involvement of deputies, political parties and diverse organizations.

This solidarity is very important since the process politically prescribed by Erdogan's regime. Therefore, it must continue to be supported politically and internationally. In

this sense, we will continue to follow and inform the next steps. What is more, the support and solidarity are crucial.

[Here](#) is much of what we brought together.

This file was prepared on 25th May, 2021