

DOSSIER

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STOP THE EXTRADITION TO TURKEY OF THE KURDISH POLITICIAN NURIYE KESBIR!

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www.nuriyokesbir.com

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We, the Kurdish women's institutions in Europe, appeal to your sense of democratic justice

NURIYE KESBIR MUST NOT BE EXTRADITED TO TURKEY!

Kurdish women have had to pay a heavy price during the fifteen years of war in Kurdistan. Thousands of them have had to face up to life in prisons and in other places of torture, sexual harassment, rape and both psychological and physical violence. However, none of these problems has been able to put an end to the Kurdish woman's fight for peace, democracy and liberty. The more she took an active part in politics the more the government pressure to which she was exposed was an important factor.

Nuriye Kesbir is an example of this. Mme Kesbir is going to be extradited to a country in which the prisons practice torture and lethal violence, where justice is administered in a partisan and unjust way, where those accused have no right of defence and where the human rights of the Kurdish people are trampled under foot. Worse still, those who belong to the yézidi religion, to which Nuriye Kesbir belongs, are either persecuted or killed “for unknown reasons”.

The well-known Human Rights organisations, such as Amnesty International, HRW (Human Rights Watch) and IHD (Turkish Human Rights Association) have repeatedly emphasised, both in dialogues with the Turkish Prime Minister, Erdogan, and the Minister of Foreign Affairs, Gül, and in their reports, that torture is still being practised in Turkey. In spite of these circumstances, on the 9 May the Court of Appeal in The Hague announced that Nuriye Kesbir would be extradited on the understanding that **Mme Kesbir be treated fairly, that her safety be assured and that no torture be practised.** It should not be forgotten that the European Court of Human Rights, in the case of politicians known throughout the world, such as Abdullah Ocalan, Leyla Zana and her three political colleagues, decided that they had to have a retrial because the original trial in Turkey had been conducted unjustly. If the trials for these persons were conducted in an unjust manner and not in accordance with the law, why should it be any different for Nuriye Kesbir? It seems obvious that the judgement of the tribunal in the Netherlands is subjective. It must be emphasised that the situation of Nuriye Kesbir requires urgent and sensitive action. It is for that reason that we are certain that the extradition of Mme Kesbir must be stopped immediately.

In this respect, representing the institution of Kurdish women in Europe, we are appealing to the friends of the Kurdish people both in Europe and in Turkey, the human rights organisations and all democratic beings to protest against this judgement.

14.05.2004

CENî – Bureau des femmes Kurdes pour la Paix (Organisation of Turkish women for Peace), Centre des Femmes d’ Anatolie (Centre for Anatolian Women), Association des Femmes-Dest-Dan (Association of Dest-Dan Women), Association des Femmes Libres de Mesopotamie (Association of the Free Women of Mesopotamia), Association des Femmes-Roza Kadýn (Association of the Women of Roza Kadýn), Association des Femmes- Süveyda (Association of the Women of Süveyda), Association des Femmes-Zilan (Association of the Women of Zilan), Fondation des Femmes –Helin (Helin Women’s Foundation), Association des Femmes Kurdes d’ Amsterdam (Association of Kurdish Women in Amsterdam), Association Voix des Femmes-Amara (Voice of the Women of Amara Association), Association des Femmes-Hêlîna Kurdan (Association of the Women of Hêlîna Kurdan), Union des Femmes Kurdes (Union of Kurdish Women), Association des Femmes Kurdes-Amara (Association of the Kurdish Women of Amara), Association des Femmes Kurdes de Graz (Association of the Kurdish Women of Graz), Association d’ Intégration des Femmes Kurdes (Association of the Integration of Kurdish Women).

BRIEF PORTRAIT OF A FEMALE KURDISH POLITICIAN

Yezidi, Kurdish and female

Nuriye Kesbir was born 1st January 1961 in Besiri/Batman. She was the youngest child in a family of 5 children. N. Kesbir is a member of the Yesidi religious community. She is a Kurdish woman in Turkey and a woman who fights for justice. Not only for herself, but for her people, for all the women in the world and for humanity.

From her earliest days, she began to experience what it was like to suffer discrimination and injustice. Her family had to flee from Turkey, both on account of its Yesidi origin and its Kurdish origin. It was thus that Nuriye Kesbir developed the decision not to give way in the face of injustice but to take an active part against oppression and the negation that both her religious community and her people had suffered for several centuries and against millennia of humiliation of women. Besiri Batman.

Persecution, escape, arrest

Persecution, escape and the search for justice led the Turkish citizen Nuriye Kesbir from Germany to Kurdistan and finally to Holland where she requested political asylum. But the confidence she had in the fact that Holland is a country where democracy rules and where human rights are respected was bitterly disappointed. Nuriye Kesbir was arrested on her arrival at the airport in September 2001.

To my people and to all democratic people!

In order to protest against the unjust decision taken on 7 May by the Netherlands Court of Appeal to authorise my extradition to Turkey, I feel compelled to go on a hunger strike because I want to live in freedom or not live at all.

To summarise the facts succinctly: Since my arrival in the Netherlands on 25 September 2001, I have been continually threatened with expulsion, my request for asylum was refused, I was imprisoned for 15 months and released on the decision of the Tribunal of Amsterdam.

The petition for extradition was not submitted directly by the Turkish authorities, but through the Foreign Office and the Attorney of the Republic who filed a petition at the Court of Appeal in The Hague, which led to my imprisonment on 5 March 2004.

It is obvious that this decision to authorise my extradition to Turkey has no legal value whatsoever. It is a purely political verdict, which once again scorns the legitimate struggle of the Kurdish people, the fifteen years of armed conflict, followed by five years of searching for a peaceful and democratic resolution. On the contrary, it encourages the Turkish government to continue its policy of persecuting the Kurdish people: 4000 villages demolished, millions of Kurds condemned to exile, more than 10,000 Kurdish militants, democrats, intellectuals thrown into prison, and principally, what is very important for our people, the imprisonment of our President, Abdulla Öcalan. For five years he has been held in solitary confinement in extremely severe conditions. President Öcalan, in spite of the inhumane treatment to which he has been subjected, continues to advocate peace and democracy, all the while knowing that international opinion is playing "three monkeys".

The European Union is responsible for this situation because it was the EU that refused to receive Abdullah Öcalan and therefore obliged him to leave Europe for Africa. Now it is committing another offence and making the biggest mistake in its history by putting Kongra-Gel on the list of terrorist organisations. One of the consequences of this action is that it gives the Turkish government the pretext

of introducing extradition requests of persons, like me, who belong to the Kongra-Gel. This decision is a sentence for all my people.

Yesterday once again, the European and Dutch delegates stated that the Kurdish delegates, Leyla Zana, Hatip Dicle and their friends elected by the Kurdish people had been judged unfairly. But today, these same delegates approved the decision to put me in the hands of the Turkish government “under certain conditions”. But what conditions? Probably commercial agreements. They are prepared to make all sorts of concessions to the AKP government when economic profits are involved and Turkey is prepared to make any concessions in order to be able, in exchange, to liquidate the Kurdish fight. It sold Cyprus in exchange for registering the Kongra-Gel on the list of terrorist organisations. The Turkish government, at present led by the Islamic party AKP, is playing a dangerous game. And unfortunately, some of the European countries are also active in this game.

Allow me to address the Dutch public directly: “Don’t draw a veil over respect for justice, democracy and human rights. Try to understand what the Turkish government is inflicting on the Kurdish people and, as a nation, make your own decision on my guilt.

During this period I’ve done a lot of thinking and I do want to acknowledge certain faults:

1. that of being a human being who is fighting to live like a human. If that is a fault, I am guilty!
2. that of being born Kurdish and, as a Kurd, wanting the Kurdish people to be in control of their own destiny, and wanting to serve in its legitimate fight. If that is a fault, then I am guilty!
3. that of being a Woman, and as a woman, of leading a fight for Women to be able to live in complete liberty with equal rights. If that is a fault, then yes, I am guilty!
4. that of having religious convictions and of refusing any form of discrimination. If that is a fault, yes, I am guilty!
5. that of not regretting having led a fight for my people to live in democratic conditions, in a humane world. If that is a fault, yes, I am guilty!

It is obvious that the decision to extradite me is completely unrelated to the fact of whether or not I am guilty. This decision is entirely political and its justification can be sought at the level of various economic interests. Once again, I am asking the Netherlands and the Dutch government not to dirty their hands by bargaining with the Turkish government.

As far as I am concerned, in complete liberty and without constraint, I am taking the decision to go on hunger strike, for an unlimited duration, until my legal right has been recognised. Once again, I appeal to international opinion and I ask for the solidarity of institutions for the defence of human rights, intellectuals and all democratic people.

Human Rights will conquer Despotism.

Either live in freedom
Or not live at all!

Yours sincerely

10.05.2004
Nuriye Kesbir

The sad reality of Turkey

The dangers to which Nuriye Kesbir will be subjected if she is extradited to Turkey

In spite of legislative changes that have taken place in Turkey in the context of negotiations with a view to joining the EU, the practices in this country have not really changed at all: one can well imagine that not a day passes without political prisoners being tortured and subjected to inhuman and degrading treatment. According to the report of 2003 of the IHD (Turkish Human Rights Association), in one year at least 818 persons were maltreated in police custody and 113 detainees were tortured.

Female detainees are in a more critical situation because in addition to the “usual treatment” they have to face sexual violence and rape. The few examples below can prove the reality of the dangers to which Mme Nuriye Kesbir will be subjected if she is extradited to Turkey.

The methods of torture that do not leave any visible marks on the body are particularly utilised (...) According to some sources, women and young girls placed in police custody would be systematically subjected to sexual maltreatment and threatened with rape. For some persons these threats became reality. A certain number of women were raped. (Amnesty International Annual Report by country 2003).

In Turkey, nearly all the women who were brought into police custody had to submit to violence and were **sexually harassed**. This took place in the police stations and the prisons in the west of the country, but the truth is that it is in the east of the country where the majority of Kurdish women live that these cases of violence were particularly numerous (Journal Graswurzelrevolution, no: 279, May 2003).

Amnesty International Report gives details of the following: **Hamdiye Aslan**, a Kurdish woman of thirty-seven, mother of five children, was arrested in March at Mardin, in the division of Kiziltepe, and was detained for two days in the antiterrorist section of the Head Quarters of the Mardin police. In the course of her police custody her clothes were removed and she was subjected to anal rape with the use of a truncheon. Her torturers blindfolded her, threatened her with death and made fun of her when she begged them to stop (Amnesty International report 2003).

The **Gülbahar Gündüz** affair took place on 14 July 2003: “When I came to, I was in a hot room without a window in a basement. They interrogated me. They had blindfolded me with adhesive tape. They were in the process of torturing me. They were hitting me on the head with a very heavy object. With a metal object they injured my back and other parts of my body. They extinguished cigarettes on my face. They raped me”.

Report of the delegation of 8 March 2003: “By using force, they were trying to exclude women from any political activity. There are other practical methods apart from **sexual torture**. These pressures took place against all women. But Kurdish women are doubly persecuted: first of all because they are Kurdish and secondly because they are women”. (Ceni, No: 3. April 2003)

Esen Şükran: From 1993 – 1994, she was brought into police custody several times. After removing her clothing, they bound her hands together and then she was suspended by her arms. After having been tortured by electric shocks, she was squeezed into a wheel, which they then rolled. Then she was threatened with death. During her time in police custody she was raped twice with a truncheon and by hand but she was not able to see the face of any of her aggressors as she was blindfolded.

The last report of Amnesty International “**Turkey and sexual violence against women in custody**” specifies the following: Women of all levels of society and of all cultures are subjected to sexual abuse and rape during their police custody and during their imprisonment.

But specifically, it is the Kurdish women and women with political opinions not accepted by the government who are in danger.

The female journalist, **Yüksel Bulut** was brought into police custody on 7 April 2002 at Gaziantep. At the police station her eyes were immediately blindfolded with an adhesive tape. She was beaten after having protested. They made her take all her clothes off during the interrogation, she was insulted, beaten and threatened with death. Dragged by her hair she was put under a jet of cold water and subjected to sexual maltreatment. She was photographed in the nude. In spite of the institution of proceedings, the court rejected the examination of the request. (Amnesty International annual report 2003).

“I begged the men to kill me immediately”. In despair, Mr **Ferit M**, 33 years old related what happened to him after being expelled. On arrival at the airport M. Ferit was immediately taken into police custody. Claiming that he was a partisan of the PKK (Kurdistan Workers’ Party), for 10 days he was beaten and subjected to electric shocks until he fainted. The tribunal in Germany decided on his expulsion under the pretext that he would not be facing any danger in Turkey (Newspaper Frankfurter Rundschau, 29.04.2000).

“After expulsion from Germany there were at least 3 cases of torture”
(In the press communiqué of 9 May 2001 of the German delegate Carsten Hübner)

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For the attention of the Minister of Justice for the Netherlands, Mr Jan Piet Donner

**Your Excellency,
Dear Sir**

I was horrified to learn that your government had taken the decision to put the Kurdish politician, Nuriye Kesbir, in the hands of the Turkish government.

The decision to extradite Nuriye Kesbir to Turkey is inhumane. For Kurds and in particular for a Kurdish woman, it represents a loss of liberty for life, with cruel treatment and tortures. I urgently request you to prevent these unworthy actions. Nuriye Kesbir must not be sent to her death. I /We protest against the extraditions of Madame Nuriye Kesbir to Turkey.

Name and first name: -----

Address: -----

Signature: -----

Please use these addresses for your protest faxes

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