

STATEMENT OF CASE TO RENEW THE DESIGNATION OF REVOLUTIONARY PEOPLE'S LIBERATION PARTY/FRONT AS A TERRORIST ENTITY

PURPOSE

1. This paper sets out the case demonstrating **Revolutionary People's Liberation Party/Front** (DHKP/C), also known as Devrimci Halk Kurtulus Partisi-Cephesi, Devrimci Sol, Revolutionary Left, and Dev Sol, meets the statutory criteria for the renewal of its designation as a terrorist entity within New Zealand pursuant to the Terrorism Suppression Act 2002 (TSA).

STRUCTURE OF THIS PAPER

2. This paper sets out updated information about DHKP/C's continued involvement in terrorist activity and covers any relevant changes or developments to the organisation since its original designation in September 2011,¹ and renewals in July 2014,² July 2017,³ and July 2020⁴ including DHKP/C's objectives, structure, weapons and tactics, and includes recent attacks which meet the definition of a terrorist act under the TSA.
3. This updated information, together with the information contained in the original designation paper and previous renewal papers, provide the basis for the conclusion that DHKP/C meets the legal criteria for renewal of its designation as a terrorist entity under the TSA.

STATUTORY CRITERIA FOR DESIGNATION RENEWAL UNDER THE TSA

4. Section 35(1) of the TSA provides that a designation of a terrorist entity expires three years after the date of designation unless it is earlier renewed by the Prime Minister. The original designation is made pursuant to s 22 of the TSA, which provides that the Prime Minister may designate an entity as a terrorist entity if the Prime Minister believes on reasonable grounds that the entity has knowingly carried out, or has knowingly participated in the carrying out of, one or more terrorist acts. Carrying out a terrorist act includes the planning, preparation or credible threat to carry out the act, whether it is actually carried out or not (ss 5 and 5A) and also includes an attempt to carry out the act (s 5A(1)(c)).
5. The Prime Minister may renew that designation for a further three years under s 35(2) if satisfied that there are still reasonable grounds as set out in s 22 for the entity to be designated under that section.
6. Before the expiry of an order made under s 35(2), the Prime Minister may make another order under s 35(3) renewing the designation concerned for a further three years. The Prime Minister may make any number of orders under s 35(3) in respect of the same designation (s 35(5)).

CREDIBILITY OF SOURCES

7. This paper has been prepared using open or unclassified sources which have a reputation for careful and unbiased reporting. A range of think tanks were referred to including Counter Extremism Project, and Janes: World Insurgency and Terrorism. A range of regional news sources were also referred to including Sozcu, Milliyet, The Turkish Minute, Anadolu Ajansi, The Daily Sabah, Greek Reporter, TRT Spanish, and Demirören Haber Ajansı. Other sources utilised include the US Department of State and Europol.

EVIDENCE TO SUPPORT DESIGNATION RENEWAL UNDER THE TSA

Continued involvement in terrorist activity

8. Whilst no terror attacks were claimed by DHKP/C since the last renewal in June 2020, preparation for terrorist attacks was identified, with multiple arrests, including:

8.1. In 2021, an operation launched against DHKP/C by the Terrorism and Organised Crime Bureau of the Istanbul Chief Public Prosecutors detained 84 suspects⁵ relating to a plan to attack security buildings, kidnap high-court judges and police officers, and bargain for their release in front of the Republic Monument in Taksim Square.⁶ Weapons, including two Kalashnikov rifles (AK47), two CZ26 type machine guns, and 2,107 cartridges were seized during the operation.⁷

8.2. In May 2022, German authorities arrested three senior members of DHKP/C who were suspected of organising propaganda activities, funding, recruitment, false documentation, and logistical support.⁸⁹ On 2 January 2023, the Federal Public Prosecutor's Office brought charges before the State Protection Senate of the Düsseldorf Higher Regional Court and all three individuals were charged.¹⁰

Ideology and objectives

9. DHKP/C is a Marxist-Leninist organisation whose objectives are “the overthrow of the Turkish state, establishment of a Marxist government and removal of US and NATO influence from Turkey”.¹¹
10. To achieve these objectives, DHKP/C has traditionally targeted Turkish security forces, prominent businessmen and politicians, and representatives of Western business interests.¹²

Organisation and structure

11. DHKP/C's membership number is currently unknown. Turkish media report the group is divided into various branches including “armed propaganda”, “resistance assembly”, “public assembly”, “field committee”, and “illegal field” which is a faction set up for the sole purpose of “illegal” tactics to advance their cause within what they consider to be a legal entity. In addition, they are accused of plotting “sensational” attacks to motivate group members.¹³
12. DHKP/C considers members in Europe, particularly in Germany, as an important means to strengthen cohesion and motivation for their cause. Events organised in Europe to commemorate their “revolution martyrs” show that followers abroad similarly support the party line, including the terrorist option.¹⁴ Germany and Europe are seen by DHKP/C as a base to finance its terrorist activities, to recruit and train fighters, to procure weapons and other military equipment, and as a safe haven for its members.¹⁵
13. Members of the senior hierarchy of DHKP/C are often identified living in Western Europe. Arrests of alleged senior DHKP/C members since 2014 have occurred in Greece,¹⁶ Germany and Spain.¹⁷

Weapons, tactics and capability

14. Police raids conducted in February, August, September and October 2021 against DHKP/C members resulted in the seizure of a rocket-propelled grenade (RPG) and its launcher, an improvised explosive device, an AK-47 assault rifle, pistols and ammunition.¹⁸

15. Little is known about their current weapons, tactics and capability - however the alleged plans to kidnap Police staff demonstrates continued intent and international evidence demonstrates that sophisticated weapons, tactics and capabilities are not required for successful attacks.

LAW OF ARMED CONFLICT (LOAC)

16. The situation continues to be one of sporadic violent activity by DHKP/C, and has not reached a level of intensity and continuity on the part of DHKP/C which would bring the situation within the meaning of “armed conflict” for the purposes of the exemption in s 5(4) of the TSA. Further, DHKP/C actual or planned targeting of police officers, and infrastructure is in breach of the LOAC principle of distinction. Accordingly, the exemption in s 5(4) cannot apply, and DHKP/C attacks are properly characterised as terrorist acts.

CONCLUSION

17. On the evidence set out above, this paper concludes that there are still reasonable grounds as set out in s 22 of the TSA for DHKP/C to be designated under that section.
18. Since its designation in September 2011 and renewals in July 2014, July 2017, and June 2020, DHKP/C has continued to carry out activities which meet the definition of terrorist acts in ss 5 and 5A of the TSA (paragraph 11) including planning attacks. Accordingly, given there are still reasonable grounds to believe DHKP/C has knowingly planned to carry out terrorist acts as set out in s 22 of the TSA, DHKP/C meets the legal criteria for renewal of its designation as a terrorist entity under s 35.
19. The designation must be renewed by 30 June 2023 to be effective.

¹ The statement of case, dated 12 September 2011 can be accessed at: https://www.police.govt.nz/sites/default/files/publications/statement-of-case-revolutionary-people-liberation-party-terrorist-entity-12-sept-2011_0.pdf

² The statement of case, dated 20 July 2014 can be accessed at: <https://www.police.govt.nz/sites/default/files/publications/dhkp-renewal-september-2014.pdf>

³ The statement of case, dated 13 July 2017 can be accessed at <https://www.police.govt.nz/sites/default/files/publications/renew-dhkp-c-terrorist-entity-27july2017.pdf>

⁴ The statement of case, dated 30 June 2020 can be accessed at <https://www.police.govt.nz/sites/default/files/publications/renew-dhkp-c-terrorist-entity-30june2020.pdf>

⁵ “Operation in 16 provinces based in Istanbul rose to 84”, Milliyet, accessed via <https://www.milliyet.com.tr/gundem/istanbul-merkezli-16-ilde-operasyon-84e-yukseldi-6620828> on 11/04/2023

⁶ “Allegations of kidnapping politicians in the DHKP/C operation”, Milliyet, accessed via <https://www.milliyet.com.tr/gundem/dhkp-c-operasyonunda-siyasileri-kacirma-plani-iddiasi-6620616> on 11/04/2021

⁷ “Weapons belonging to DHKP/C members, whose action plan was deciphered, were discovered”, Sozcu, accessed via <https://www.sozcu.com.tr/2021/gunun-icinden/eylem-plani-desifre-olan-dhkp-clilere-ait-silahlar-ortaya-cikti-6720095/> on 11/04/2023

⁸ Germany arrests members of DHKP-C terrorist group sought by Turkey”, *The Daily Sabah*, accessed via <https://www.dailysabah.com/turkey/investigations/germany-arrests-members-of-dhkp-c-terrorist-group-sought-by-turkey> on 04/04/2023.

⁹ “Germany arrests leading members of DHKP-C terror group”, Anadolu Ajansi, accessed via Germany arrests leading members of DHKP-C terror group (aa.com.tr)

¹⁰ Der Generalbundesanwalt beim Bundersgerichtshof, accessed via <https://www.generalbundesanwalt.de/SharedDocs/Pressemitteilungen/DE/aktuelle/Pressemitteilung-vom-25-01-2023.html>

¹¹ “Turkey: Extremism and Counter-Extremism”, Counter Extremism Project, accessed via <https://www.counterextremism.com/countries/turkey-extremism-and-terrorism> on 9 March 2023

¹² (13/08/2013) “Devrimci Halk Kurtulus Partisi/Cephesi (DHKP/C)”, Janes: World Insurgency and Terrorism, available by subscription, accessed 28/02/2020.

¹³ (29/10/2020) “93 Captured in Operations Against Terrorist Group DHKP-C in Turkey”, *The Daily Sabah*, accessed via <https://www.dailysabah.com/turkey/investigations/93-captured-in-operations-against-terrorist-group-dhkp-c-in-turkey> on 10/03/2023

¹⁴ “Foreign extremism - Turkish left-wing extremist organisations”, Federal Office for the Protection of the Constitution (Bundesamt für Verfassungsschutz), accessed via https://www.verfassungsschutz.de/EN/topics/foreign-extremism/foreign-extremism_article.html

¹⁵ “Anklage gegen mutmaßliche Mitglieder der ausländischen terroristischen Vereinigung „Revolutionäre Volksbefreiungspartei/-front (DHKP-C)“ erhoben”, Federal Office for the Protection of the Constitution (Bundesamt für Verfassungsschutz), accessed via <https://www.generalbundesanwalt.de/SharedDocs/Pressemitteilungen/DE/aktuelle/Pressemitteilung-vom-25-01-2023.html>

¹⁶ (20/2/2013) Andy Dablis, “Greece, Turkey Join Anti-Terrorist Forces”, *Greek Reporter*, accessed via <https://greekreporter.com/2014/02/20/greece-turkey-join-anti-terrorist-forces/> on 10/03/2023

¹⁷ 28/02/2020 “Capturado en España un miembro de DHKP/C, buscado con alerta roja”, TRT Spanish, accessed via <https://www.trt.net.tr/espanol/turquia/2018/07/14/capturado-en-espana-un-miembro-de-dhkp-c-buscado-con-alerta-roja-1012466> on 10/03/2023.

¹⁸ European Union Terrorism Situation and Trend Report 2021, *Europol*, Accessed 10 March 2023 <https://www.europol.europa.eu/cms/sites/default/files/documents/tesat_2021_0.pdf>