

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

PURPOSE

1. This paper sets out the case demonstrating The Revolutionary People's Liberation Party/Front (DHKP/C, also known as Devrimci Halk Kurtuluş Partisi-Cephesi, Devrimci Sol (Revolutionary Left), and Dev Sol), meets the statutory criteria for 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 and/or developments to the organisation since its original designation in September 2011¹, and renewal in July 2014², 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 paper, provide the basis for the paper's 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 (s 25(1)(a) and (b)) and also includes an attempt to carry out the act (s 25(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. These are: The New York Times, Al Jazeera English, Reuters, IHS Jane's 360, The Christian Science Monitor, Agence France-Presse, London Evening Standard and IHS Jane's World Insurgency & Terrorism. Local news sources

referenced include Al Monitor, Hurriyet Daily News, Daily Sabah, Sabah, Takvim, Yeni Şafak and New Day Post. DHKP/C's website and social media platforms 'Halkin Sesi TV' were also accessed.

EVIDENCE TO SUPPORT DESIGNATION RENEWAL UNDER THE TSA

Continued involvement in terrorist activity

8. On 1 January 2015, DHKP/C member Firat Ozcelik, armed with a machine gun and pistol, threw two grenades at police honour guards on duty outside Dolmabahce Palace in Istanbul. Both grenades failed to explode and Ozcelik was subsequently arrested. DHKP/C claimed "armed action had been realised by one of our warriors", in retaliation for the police killing of teenager Berkin Elvan during a 2013 anti-government protest.³
9. On 30 January 2015, Elif Sultan Kalsen, a member of DHKP/C, used a Kalashnikov to open fire on a police post in Taksim Square, Istanbul before being killed by police. No other injuries were reported, however a police car was damaged.⁴
10. On 31 March 2015, senior Turkish prosecutor Mehmet Selim Kiraz was taken hostage by two DHKP/C gunmen in his office in a courthouse in Istanbul. DHKP/C published a picture of one DHKP/C gunman with a gun to Kiraz's head, and claimed they would kill Kiraz if their list of demands were not met. DHKP/C claimed it wanted the police officer responsible for Berkin Elvan's death to confess on television, other officers involved to be tried in "people's courts", and charges against those who attended protests for Elvan dropped. The courthouse was evacuated and security forces, following six hours of negotiation with the gunmen, stormed the building upon hearing gunfire. Both captors were killed, and Kiraz later died after suffering gun shots to his head and body. Kiraz had been leading an investigation into Elvan's death.⁵ Turkey's Prime Minister at the time, Ahmet Davutoglu, stated the hostage incident aimed to create chaos ahead of Turkey's general election on 7 June 2015.⁶
11. On 10 August 2015, two people opened fire at the US consulate in Istanbul. No Turkish or US officials were injured, but one suspected assailant was wounded in a shoot-out with police before being captured. DHKP/C claimed responsibility for the attack, describing the United States as an "enemy of the people of the Middle East".⁷
12. On 2 February 2016, the governor's office in Aydin province, Turkey, stated two DHKP/C members, a male and a female, suspected of planning a terrorist attack in Ankara, had been detained in Soke district. The male was İsmail Akkol, a suspect in the 1996 murder of businessman Özdemir Sabancı, who had only recently returned to Turkey after evading authorities in Greece.⁸ A rocket launcher, grenade, pistol, machine gun and ammunition were seized from the pair. The DHKP/C members were in possession of fake identity cards and said through their lawyer they would bring to account those responsible for the deaths of Berkin Elvan and Dilek Dogan, a woman killed during a police raid on 18 October 2015.⁹
13. On 3 March 2016, Turkish police shot and killed two women who attacked a police station with gunfire and hand grenades in Istanbul. The women had brandished weapons concealed in handbags before fleeing the scene and hiding near a police station. During the operation to apprehend the pair, two police officers were slightly injured. DHKP/C claimed responsibility for the attack on their website, describing the women as "two brave female liberation fighters who have taken the people's liberation fight on their shoulders".¹⁰ On 17 March, DHKP/C also claimed a 3 March attack against a police

vehicle in Istanbul, noting the occupants had managed to survive but would “not be so lucky next time”, and they would fight until “the last bullet”.¹¹

14. On 30 March 2016, two DHKP/C militants attacked a police post at the entrance of the office of the Governor and courthouse in Tunceli province, Turkey. The militants used hand grenades, which failed to detonate, before attempting to enter the building by firing automatic weapons. One militant was killed during the subsequent clash with security forces and the other fled the scene.¹²
15. On 17 April 2016, local media reported on two “bombs” thrown into the garden of ruling party AKP’s¹³ Provincial Centre in Beyoğlu, Istanbul. No one was injured in the attack; however, the noise from the explosion caused panic amongst bystanders.¹⁴ AKP’s Istanbul Provincial Chairman, Selim Temurci, condemned the attack and described the explosives as “sound bombs”. DHKP/C claimed responsibility for the attack on their website on 19 April, stating the bombs were symbols of “the people’s anger being vented” and were “in retribution for our homeland, who you have set ablaze with massacres”. DHKP/C further stated, “we are going to continue making you fear and tremble in your fortresses that you think are going to keep you safe”.¹⁵
16. On 20 January 2017, two armed assailants attacked police headquarters and an office of AKP in Istanbul with rocket launchers. One rocket pierced a building wall but did not explode, and no casualties were reported. A fingerprint found on a weapon left behind matched that of DHKP/C member Şerif Tunç (also known as Şerif Turunç). Tunç was later captured by Turkish authorities and his accomplice shot dead after opening fire on police officers ordering his surrender.¹⁶ On 23 January, DHKP/C released a statement claiming that slaughtering and arresting their warriors would never put an end to DHKP/C.¹⁷
17. On 13 June 2017, DHKP/C militant İnanç Özkeskin was killed in a shootout with Istanbul police after he fired upon police and refused to surrender inside a house in Kadıköy, Istanbul.¹⁸ Police had determined Özkeskin was planning “an armed and bomb attack” on Interior Minister Süleyman Soylu prior to conducting their anti-terror operation.¹⁹ On 14 June, DHKP/C released a statement vowing retribution for Özkeskin’s death.²⁰

Ideology and objectives

18. DHKP/C continues to be committed to the establishment of a Marxist-Leninist state in Turkey as part of a global revolution, and by means of an “armed revolutionary struggle”.²¹

Organisation and structure

19. There has been no reported significant change to the organisation or structure of DHKP/C. DHKP/C continue to operate in Turkey and maintain a far-reaching support network in Europe.²² In March 2016 at a ceremony to commemorate the anniversary of prosecutor Mehmet Selim Kiraz’s death, prosecutors stated DHKP/C leaders were believed to be hiding in Greece, Bulgaria, Germany and the Netherlands.²³ Examples of DHKP/C activity in Europe include:

- 19.1. DHKP/C member Fehriye Erdal was sighted meeting other DHKP/C members in Belgium in March 2016, and was sentenced to 15 years in prison in absentia by the

Bruges high criminal court on 20 February 2017 for her involvement in the assassination of Özdemir Sabancı in 1996.²⁴

- 19.2. In May 2016, the Anatolian Culture Centre in London was identified as a front for DHKP/C. During a raid executed by specialist operations group SO15, publications encouraging political or ideological violence, a shrine commemorating deceased DHKP/C members and charity collection tins bearing the Centre's name and DHKP/C colours were found. A grant of £10,000 from the National Lottery Fund to finance the Centre's cultural classes was also not declared to the Charity Commission, and sent to fund DHKP/C activities instead.²⁵
- 19.3. On 2 December 2016, high ranking DHKP/C militant Musa Aşoğlu was detained in Hamburg, Germany, during an anti-terror raid on his apartment by German security forces. Aşoğlu was accused of leading a terrorist organisation, giving orders to carry out terrorist attacks, supervising terrorists and obtaining donations for DHKP/C.²⁶ DHKP/C demanded Aşoğlu be released immediately via their website Halkin Sesi TV on 5 December 2016.²⁷
20. DHKP/C continues to be heavily targeted by Turkish authorities, which undermines DHKP/C capabilities considerably. Examples of recent DHKP/C member arrests and closure of associated organisations in Turkey include:
 - 20.1. Following the attempted coup in Turkey on 15 July 2016 by a faction within the Turkish Armed Forces, the activities of over 1,400 non-governmental organisations (NGOs) were banned by the State, including NGOs linked to the Gulen movement, and others with links to terrorist entities such as Partiya Kakeren Kurdistan (PKK) or Islamic State in Iraq and the Levant (ISIL). On 11 November 2016, at least 19 NGOs allegedly linked to DHKP/C were shut down by Turkey's Ministry of Interior with investigations ongoing.²⁸
 - 20.2. On 26 September 2016, DHKP/C senior leader Gokhan Yildirim was arrested in Esenyurt district, Istanbul. Turkish police records note Yildirim as involved in a range of assaults, a murder and other organised crimes throughout 2016.²⁹
 - 20.3. On 16 January 2017, DHKP/C's Aegean region leader, 'Çiğdem Ş', was captured in Izmir province, Turkey. Çiğdem Ş was accused of recruiting terrorists, issuing statements and attending protests on behalf of DHKP/C.³⁰

Weapons, tactics and capability

21. DHKP/C is less influential than other terrorist organisations in Turkey, but still represents a considerable threat to Turkey's security.³¹ DHKP/C's attacks continue to demonstrate a capability to carry out mass-casualty terrorist attacks, and continue to focus on police and government targets.
22. Members continue to use light weapons, such hand guns, assault rifles and grenades, and make occasional use of explosives. DHKP/C activities are still primarily financed through donations and extortion.³² DHKP/C utilises website Halkin Sesi TV and a variety of social media platforms to make announcements, claim attacks and publish news items.³³

Law of armed conflict (LOAC)

23. 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 section 5(4) of the TSA. Further, DHKP/C’s actual or planned targeting of police officers, and local and foreign government officials and associated 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

24. 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.
25. Since its designation in September 2011 and renewal in July 2014, DHKP/C has continued to carry out activities which meet the definition of terrorist acts in ss 5 and 25 of the TSA (paragraphs 8-17), including planning and preparation for attacks. Accordingly, given there are still reasonable grounds to believe DHKP/C has knowingly carried 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.
26. The designation must be renewed by 20 July 2017 to be effective.

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