

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 Kurtuluş 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 2014² and July 2017,³ 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 (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.
8. A range of think tanks were referred to including Security Review Report, Counter Extremism Project, Janes: World Insurgency and Terrorism, and Europol.
9. A range of regional news sources were also referred to including The Daily Sabah, Yeni Safak Online, Greek Reporter, TRT Spanish, and Anatolia Turk News.

EVIDENCE TO SUPPORT DESIGNATION RENEWAL UNDER THE TSA

Continued involvement in terrorist activity

10. Since its most recent renewal of designation on 27 July 2017 DHKP/C has continued to conduct terrorist activity.
11. In April 2018 Turkish security seized DHKP/C files detailing planning to carry out assassinations of numerous high-ranking Turkish officials and businessmen.⁴
12. In January 2019 an improvised explosive device (IED) was detonated in front of a workplace in Istanbul.⁵ Anti-terror Police identified and arrested a member of the DHKP/C youth wing two days after the bombing.
13. Mulla Zincir and Eylem Yücel were arrested in May 2019 attempting to enter the Turkish Parliament.⁶ During security checks the pair tried to use a razor blade taped to a pencil to take a staff member hostage but were subdued by security guards. Police later searched the pair and located a fake IED. Eylem Yücel had previously been imprisoned for terrorism offences. Mulla Zincir was linked by authorities to the DHKP/C, and was facing active charges including making propaganda for a terrorist organisation.

Ideology and objectives

14. DHKP/C is a Marxist-Leninist organisation whose objectives are “the overthrow of the Turkish state, establishment of a Marxist government and removal of U.S. and NATO influence from Turkey”.⁷
15. To achieve these objectives DHKP/C has traditionally targeted the Turkish security forces, prominent businessmen and politicians, and representatives of Western business interests.⁸

Organisation and structure

16. 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,⁹ Germany and Spain.¹⁰
17. When Dursun Karatas, the founder of DHKP/C, died in 2008 leadership passed to Hüseyin Fevzi Tekin. Tekin was arrested in Athens in 2014,¹¹ but subsequent extradition to Turkey failed and Tekin is assumed to have retained leadership.
18. Turkey-based DHKP/C members have been under intense pressure from Turkish authorities, with numerous members arrested in 2018 and 2019.¹² In contrast with other militant groups in Turkey, membership of DHKP/C has centred on urban populations, including students, lawyers and reporters.¹³ While this has resulted in an above-average education level among DHKP/C members, it has also seen membership decline as Marxism decreases in popularity and is supplanted by other ideologies.

Weapons, tactics and capability

19. 2014 raids against DHKP/C members have resulted in the seizure of small arms such as rifles and pistols, hand grenades, and explosives.¹⁴ Likewise, in March 2020 a Greek counter-terrorism raid in Athens seized a cache of DHKP/C weapons including rocket launchers, assault rifles and assorted small arms.¹⁵

20. Little is known about their current weapons, tactics and capability - but the seizure of a list of persons targeted for assassination demonstrates a continued intent and international evidence shows that sophisticated weapons, tactics and capabilities are not required for successful attacks.

LAW OF ARMED CONFLICT (LOAC)

21. Section 5(4) of the TSA provides that an act does not constitute a terrorist act for the purposes of the TSA if the act occurs in a situation of armed conflict and is, at the time and place that it occurs in accordance with rules of international law applicable to the conflict. The activities of DHKP/C do not meet either of these conditions. The sporadic violence has not reached a level of intensity and continuity on the part of DHKP/C which would bring the situation in Turkey within the meaning of “armed conflict”. Further, DHKP/C have made police officers, business representatives and political leaders the subject of actual or planned attacks which breaches 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

22. 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.
23. Since its designation in September 2011, and renewals in July 2014 and July 2017, DHKP/C has continued to carry out activities which meet the definition of terrorist acts in ss 5 and 25 of the TSA (paragraphs 11-13) including planning, attempting and executing 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.
24. The designation must be renewed by 20 July 2020 to be effective.

¹ The statement of case, dated 20 July 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 17 July 2014 can be accessed at: <https://www.police.govt.nz/sites/default/files/publications/dhkp-c-renewal-september-2014.pdf>.

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

⁴ (2/03/2019) “DHKP-C terror group facing extinction in Turkey”, *Yeni Safak Online*, accessed via <https://www.yenisafak.com/en/news/dhkp-c-terror-group-facing-extinction-in-turkey-3475819> on 2/03/2019.

⁵ February 2019, *Security Review Report*, Securitas, accessed via https://www.securitas.com.tr/globalassets/turkey/files/aylk-guvenlik-deerlendirme-rehberi/2019/securitas-monthly-security-review_february-2019.pdf on 27/02/2020, p.4.

⁶ (14/03/2019) “2 suspects linked to DHKP-C terrorists apprehended while trying to enter Turkish Parliament”, *The Daily Sabah*, accessed via <https://www.dailysabah.com/war-on-terror/2019/05/14/2-suspects-linked-to-dhkp-c-terrorists-apprehended-while-trying-to-enter-turkish-parliament> on 27/02/2020.

⁷ “Turkey: Extremism and Counter-Extremism”, *Counter Extremism Project*, accessed via <https://www.counterextremism.com/countries/turkey> on 28/02/2020.

⁸ (13/08/2013) “Devrimci Halk Kurtulus Partisi/Cephesi (DHKP/C)”, *Janes: World Insurgency and Terrorism*, available by subscription, accessed 28/02/2020.

i. (2/03/2019) “DHKP-C terror group facing extinction in Turkey”, *Yeni Safak Online*, accessed via <https://www.yenisafak.com/en/news/dhkp-c-terror-group-facing-extinction-in-turkey-3475819> on 2/03/2019.

⁹ (20/2/2014) Andy Dabilis, “Greece, Turkey Join Anti-Terrorist Forces”, *Greek Reporter*, accessed via <https://greece.greekreporter.com/2014/02/20/greece-turkey-join-anti-terrorist-forces/> on 28/02/2020.

¹⁰ (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 28/02/2020.

¹¹ (14/02/2014) “Sabancı Murder Suspect Arrested in Athens”, *Anatolia Turk News*, accessed via <http://www.anatoliaturknews.com/ENG/Detail/Sabancı-Murder-Suspect-Arrested-In-Athens-/2207> on 28/02/2020.

¹² “European Union Terrorism Situation and Trend Report 2019”, *Europol*, accessed via <https://www.europol.europa.eu/activities-services/main-reports/terrorism-situation-and-trend-report-2019-te-sat> on 27/02/2020. p.58.

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

¹⁴ (20/2/2014) Andy Dabilis, “Greece, Turkey Join Anti-Terrorist Forces”, *Greek Reporter*, accessed via <https://greece.greekreporter.com/2014/02/20/greece-turkey-join-anti-terrorist-forces/> on 28/02/2020.

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

¹⁵ (25/03/2020) Olivia Harper and Alex Theodosiou, “Raid on suspected DHKP-C cell in Athens finds high-powered firearms, indicates group's intent to continue attacks in Turkey”, *Janes Terrorism and Insurgency Centre*, accessed via <https://www.janes.com/article/95116/raid-on-suspected-dhkp-c-cell-in-athens-finds-high-powered-firearms-indicates-group-s-intent-to-continue-attacks-in-turkey> on 30/04/2020.

i. (19/03/2020) “Greek police detain 20 DHKP-C suspects, seize heavy arms in anti-terror operation”, *The Daily Sabah*, <https://www.dailysabah.com/politics/war-on-terror/greek-police-detain-20-dhkp-c-suspects-seize-heavy-arms-in-anti-terror-operation> on 30/04/2020.