

# Mahmut Alınak File



Lawyer Mahmut Alınak was elected MP from SHP (Social Democrat Populist Party) for Kars in 1987. In 1991 elections he again became an MP for Şırnak, entering the Parliament as the candidate of HEP-SHP alliance formed to get around the election barrage. The day after he became an MP he almost got lynched at the platform of the Parliament for saying *“Two young men from the same family lost their lives in the war, one was a soldier and the other was a guerrilla. Let us end this feud.”*

Alınak moved to newly found DEP (Democracy Party) when the Court of Constitution closed down HEP (People’s Labour Party). Alınak stood trial in March 1994 along with DEP President Hatip Dicle and MPs Leyla Zana, Orhan Doğan, Ahmet Türk, and Sırrı Sakık. In December 1994 DEP case was concluded. MPs who were tried on the charge of “membership to an illegal organization” received a total of 89 years and six months prison sentence. Mahmut Alınak and Sırrı Sakık were released as the time they had spent in prison corresponded to the time they were given. Other MPs remained in prison for more than 10 years. Alınak has been acting as Kars city chairman of DTP for a long time.

Alınak has never given up defending what he thought was right and the prosecutors have not given up prosecuting him. However he went to prison this time for all of us, for the supremacy of law and human rights. We are all in prison in his person. **None of us is free as long as Alınak is in prison!..**

## **Mahmut Alınak, 2007's record holder of trials**

### **24 cases have been filed against Alınak in 2007**

Mahmut Alınak while acting as DTP city chairman organized 100 actions including beating tin pots, marching barefooted, wearing shroud, sending PM Erdoğan sewage water, inviting the chief of staff general Yaşar Büyükanıt to resign and sending the government officials letters in Kurdish about the problems of Kars. Police harshly interfered in some actions Alınak organized. Numerous executive members of the party have been arrested, and Alınak faced charges. Alınak faced 24 cases in 2007 over civil disobedience actions he launched. That means on average one case was filed against Alınak every fortnight.

### **Cases with all kinds of charges**

In 2007 Kars Public Prosecution wrote indictments against Alınak twice with the charge of 'Insulting Turkishness', twice with the charge of 'inciting hatred and hostility among the people', twice on the charge of 'insulting the Republic and its institutions', three times on the charge of 'violating the law on political parties', three times for 'violating the law num. 2911 on Assembly and Protest Marches', twice for 'praising crime and criminal', 'insulting Turkish Armed Forces', 'Alienating the people from military service'. Most of these trials continue.

### **We will send you where Hrant Dink is**

Alınak has been receiving death threats over his actions. Two days after the murder of Hrant Dink, on 21 January 2007 an e-mail he received was enough to freeze one's blood:

**"You Traitor Dog, every living thing will taste death. However you are not even alive. Hrant Dink barked and howled, in the end we got his head lain on the floor, you are next, and then Mr Pamuk. Wait, it is close."**

Levent Dalgıç who sent that e-mail stood trial at Kars Criminal Court of First Instance Num.1 and was given 1 year and 8 months prison sentence. However Dalgıç's sentence was postponed.

## **Alınak launches his latest civil disobedience actions in prison**

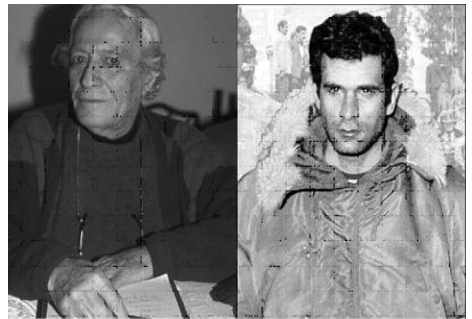
There were two cases against Alınak, one was over his demand that the names of Deniz Gezmiş, the leader of People's Liberation Army of Turkey Deniz Gezmiş who was executed on 6 May 1972, HEP's Diyarbakır city chairman Vedat Aydın who was murdered, and Kurdish intellectual Musa Anter who was assassinated by the state which was later confessed in Susurluk Report; to be given to streets, roads and parks. The other case was over Alınak's demand that the conditions of PKK leader Öcalan in prison to be improved. Alınak was charged in both cases with "praising crime and criminal" (TPC 215). Kars Criminal Court of Peace condemned Alınak in both cases giving him a total of 50 days in prison. That was commuted to a fine of 1000 Liras. Alınak applied to the European Human Rights Court and argued that facilities and airports were named after people like Adnan Menderes (former PM, hanged by the military regime of 1960) and Celal Bayar (Former President condemned to death and then to life imprisonment by the military rule in 1960), and nobody charged the officials who named places after them. Alınak said *"In Turkey they treat you depending on who you are"*.

## **Alınak: I am not buying my freedom with money**

Alınak said after he got condemned, *"Going to prison is a duty in Turkey. Unfortunately there is no other way of getting freedoms. I decided with my own free will to go to prison in order to protest the unlawfulness and expose this practice designed to block freedom of expression."* Alınak went to prison on 12 August 2008, for 50 days. Alınak was put in Kars Prison but then transferred to Susuz Prison for his own security.



Following the military takeover in 1960, Prime Minister of the time Adnan Menderes and President Celal Bayar were found guilty of violating the Constitution and were condemned to capital punishment. Menderes was hanged while Bayar was given life sentence due to old age. Izmir airport is named after Menderes; university in Manisa is named after Bayar.



Musa Anter stayed in prison for "making propaganda for Kurdistan". He was shot dead in Diyarbakır in 1992. Deniz Gezmiş and his friends were found guilty of violating the Constitution in THKO trial and were executed in 1972. It is criminal to ask the authorities to name streets after any of them.

The letter by Alnak written before going to prison

## GOODBYE

I will be in Kars Prison by the time you read this letter.

I think this will be the first civil disobedience action of this kind.

I am imprisoning my body in order to free my soul.

I am exposing this masked fascist regime and I am blaming it for the shed blood and suffering endured by the people.

This masked fascist order has charged, punished and handcuffed intellectuals and politicians all through its history. Prisons of Sinop, Diyarbakır, Mamak, and Selimiye are witnesses of that.

I was made to sit on the seat of the accused while I was very young in 1973 because of my ideas. Now the year is 2008, I am in the same seat and on my way to prison. So decades passed but nothing has changed.

I want to make it clear that I would sacrifice not only my freedom but my thousand lives if I had so many lives, to make sure children do not become orphans, mothers' hearts do not get seared, and people become free and happy.

I am going to prison to pay the cost of freedom. I am calling on those who dismiss this action of civil disobedience to be fair or at least to show respect.

Goodbye.

Love and respect...

12/8/2008

Mahmut Alnak



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