

BY EMAIL

12 October 2009

Committee Secretary
Parliamentary Joint Committee on
Intelligence and Security
Parliament House
CANBERRA ACT 2600

Dear Committee Secretary,

Re: Review of the re-listing of the Kurdistan Workers' Party as a terrorist organisation under the *Criminal Code Act 1995*.

I appreciate the opportunity to participate in the review and enclose my submission.

If you have any queries, please contact me via email: mathavanp23@yahoo.com.au.

Yours sincerely,

Mathavan Parameswaran

encl.

As a member of the Australian-Tamil community and someone with friends and acquaintances of Kurdish background, I would like to take this opportunity to raise my concerns with how the re-listing of the PKK can adversely impact the Australian-Kurdish community and those who are in support of the Kurdish people's pursuit of self-determination in Turkey/Kurdistan.

In response to the oppression that the Kurdish people have endured under the Turkish Government, the PKK formed with the aim of being a 'voice' for the Kurdish people in their pursuit of self-determination. Given the role the PKK play, listing them as a 'terrorist organisation' will only have the impact of arbitrarily intervening in a foreign conflict on the side of the Turkish government. This would be an unfair outcome as the intervention will not address the concerns of the Kurdish people. Further, such intervention is more likely to result in further violent conflict as the state actor, being the Turkish government, is likely to close off avenues for meaningful dialogue.

The anti-terrorism laws also come with great hypocrisy largely due to the application of the laws being narrowly focused on non-state political actors. The official material from the Parliament of Australia alleges that the PKK has engaged in 'terrorist activities'. If this is correct under the listing laws, then it clearly follows that the Turkish government has performed similar acts of terrorism over a longer period of time culminating in the deaths of a large number of Kurdish people and the repression of their rights. One expects, however, that the Turkish government (or any other state actor for that matter) will never be listed. Hence, the intervention is arbitrary and clearly favours the state.

The re-listing of the PKK as a 'terrorist organisation' not only shows that Australia does not give serious consideration to the Kurdish people's right to self-determination, but will also prevent the Australian-Kurdish community from directly or indirectly showing their own personal support for the Kurds' engagement in self-determination. Some consequences of this include:

1. Eroding free speech to speak out against rights violations committed by the Turkish government and security forces and supporting the self-determination rights of Kurds;

2. Creating uncertainty over Kurdish activities that are simply an expression of their identity;
3. Eroding freedom of association by creating a wedge between Kurds and the various organisations that support or are sympathetic to the PKK; and
4. Perpetuating the racial profiling of the Kurdish community and isolating them from mainstream Australian society.

I hope that the Committee's review of the relisting takes full account of the adverse impact that the anti-terrorism laws have on the Australian-Kurdish community.