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THE EU'S ROLE IN SOLVING THE KURDISH QUESTION IN TURKEY

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- The Kurdish question in Turkey is one of the most pressing issues facing the EU in its near neighbourhood. It has the potential to destabilise the region, with ramifications for the EU.
- The EU has failed to facilitate a solution to the Kurdish question in the framework of Turkey's EU accession process. This is due in part to its non-conclusive policies towards Turkey in general and the Kurdish question in particular.
- The Turkish government is currently leading the mediation process on the Kurdish question, but lacks adequate legitimacy across the whole political spectrum to find a holistic and lasting solution.
- By taking a more active role in finding a solution to the Kurdish question, the EU could breathe new life into EU-Turkey relations and enhance its global role.
- The EU can either take a passive approach and apply stricter conditionality with clear goals, or an active role and offer to take part in the mediation process.
- Applying more conditionality is a politically viable but ineffective option. To give it the maximum boost, it would have to be coupled with strong EU support for enhancing political legitimacy in Turkey.
- Mediation is an effective yet politically ambitious option. It would allow the EU to use its post-Lisbon competences, and offer the EU a more prominent role in peace mediation activities. But finding a mandate that would satisfy all sides within the EU and in Turkey would be a challenge.

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Kurdish women celebrating *newroz*, or the Persian new year, in Istanbul. Photo: Bertil Videt.

The Kurdish question in Turkey is one of the most pressing issues facing the EU in its near neighbourhood. It involves a rights-based dimension caused by the lack of cultural rights and freedoms for the Kurds, and a security dimension caused by the violent conflict between the militant Kurdistan Workers' Party (PKK) and the Turkish military. It has the potential to destabilise Turkey as well as its Kurdish-inhabited neighbours of Iran, Iraq and Syria, with ramifications for Turkey's EU membership negotiations and the EU's foreign-policy goals in the region. The EU is also directly intertwined with the issue, not least because of its large and active Kurdish diaspora. As such, the EU has a major stake in finding a solution to the question.

This Briefing Paper argues that the EU has failed to facilitate a solution to the Kurdish question in Turkey in the EU accession framework. This has not benefited the EU's international credibility and has left the issue entirely to the AKP government, which is lacking adequate legitimacy across the whole political spectrum to find a holistic and lasting solution. The EU needs to form a more coherent and conclusive policy on the Kurdish question. This would involve either applying stricter conditionality and specifying a preferred solution to the question, or offering to take part in the mediation process.

What question?

Turkey's Kurdish question has its roots in the founding of the republic in 1923, which saw Kurdish ethnicity assimilated with Turkishness. In accordance with the Treaty of Lausanne (1923), only three minorities were and continue to be officially recognised in Turkey: Armenians, Jews and Greeks. These three groups were granted minority status on the basis of their religion. Kurdish identity—whether national, racial or ethnic—was not recognised by the republic, resulting in decades of uprisings by the Kurds and oppressive and assimilative politics by the state. For a long time, the Turkish state denied the question's ethno-political nature by presenting it as a socio-economic problem.

By the early 1990s, the state's perception and methods regarding the Kurdish question began to change as a result of the growing discontent and increased level of armed clashes between the PKK and the military. The ethnic dimension of the question began to be slowly recognised. The politics of oppression continued throughout the 1990s, but the unrest was now viewed as ethnic separatism that required military measures. During the 1990s the Kurdish question was thoroughly securitised.

The EU stepping in

The Kurdish question in Turkey entered into the European Parliament's (EP) resolutions in the 1990s with Saddam Hussein's genocidal campaigns against the Kurds in northern Iraq. The EP has been pivotal in bringing the Kurdish question to the EU agenda and pressuring the Commission and the Council to take it into consideration in their approach towards Turkey. For example, in 1996 the EP managed to include the question in the negotiations on the Customs Union, nearly bringing them to a halt, and subsequently in the rejection of Turkey's application

The Turkish army has fought against the armed PKK since 1984. Photo: Timm Duckworth / Nato.

for EU candidacy in 1997. Indeed, in the run-up to Turkey's EU candidacy in 1999, the EP was an important player in the relations between Turkey and the EU through its numerous resolutions in Turkish politics'. This role was possible after the EP's powers were increased in the Maastricht Treaty (1993).

From the beginning, the EP's emphasis was strongly on human rights and finding a holistic solution to the situation in Turkey. Indeed, 'while criticising the violence of the PKK, the EP requested that the European Council and the European Commission take the initiative in seeking a *negotiated solution* to the Kurdish question through the UN'.[1] Throughout the 1990s, the EP continued its calls for a political solution to the question. It urged Turkey to grant a general amnesty to people jailed under laws in conflict with the principles of free speech and human rights, to end its military operations in the southeast, and to open negotiations with all Kurdish organizations for a possible political solution.

The EP's efforts to have the Kurdish question in general, and a negotiated solution in particular, included in EU policies towards Turkey were not in vain. Its stance was clearly evident in the first EU Commission Regular Report on Turkey's Progress Towards Accession in 1998. It stated that 'Turkey will have to find a political and non-military solution to the problem of the south-east. The largely military response seen so far is costly in human and financial terms and is hampering the region's social and economic development. It has also damaged Turkey's international image. A civil solution could include recognition of a certain form of Kurdish cultural identity and greater tolerance of the ways of expressing that identity, provided it does not advocate separatism or terrorism'. The Kurdish question was part and parcel of Turkey's eventual EU candidacy, which was decided in the 1999 Helsinki Summit.

Turkey's EU candidacy transferred the question to the enlargement framework and placed it under the auspices of the Commission. Following Turkey's EU candidacy, the Commission has refrained from specifying its preferred solution to the Kurdish question and emphasising the cohesive nature of the question. A two-track approach between human rights and security can be detected. In 1998 the Commission demanded that a civil, non-military solution must be found to the situation in south-eastern Turkey, particularly since many of the violations of civil and political rights observed in the country are connected in one way or another with this issue. However, in the ensuing progress reports, there were no calls for a political solution and in 2008 the EU's support in the fight against terrorism was reaffirmed.

It is likely that the ostensible shift in emphasis from human rights to security—and from a negotiated solution to the fight against terrorism—has more to do with the changing global security landscape following the attacks of 9/11 than with changes in the stances of EU member states. Indeed, while in the latter part of the 1990s, amid mass violations and displacements of Kurds in southeast Turkey, many EU

1 Marlies Casier, 'The Kurdish Question in European Parliament' in *Nationalisms and Politics in Turkey: Political Islam, Kemalism and the Kurdish issue*, Marlies Casier and Joost Jongerden (eds.), Routledge 2011, p. 200. Emphasis added.

Turkish prime minister Recep Tayyip Erdoğan launched an initiative to solve the Kurdish question in 2009. Photo: Marco Castro / United Nations.

governments criticised Turkey for failing to solve the Kurdish question, they have been less vocal on the issue in the 2000s. Turkey's EU candidacy brought many other issues to the agenda, often overshadowing the Kurdish question, which—following the arrest of the PKK leader Abdullah Özalan in 1999—was expected to slowly untangle as a result of EU reforms.

In the absence of clear goals, the EU left strategic planning entirely to the AKP government. This has been counter-productive for two reasons. First, as elaborated later in this paper, the AKP government does not have sufficient legitimacy across the political spectrum to reach a negotiated solution to the question. Second, it has not been beneficial for the EU's international credibility. Despite its sharp tools, namely the enlargement framework, it has been unable to provide a solution to an issue that remains one of the key questions in Turkey and its neighbourhood, and which also impacts the EU's internal stability.

The democratic opening: what's in a name?

In 2009 the Turkish government launched a novel initiative to tackle the Kurdish question. The launch of the initiative took place exactly ten years after Turkey was granted candidate status by the EU. The initiative, initially known as the Kurdish opening and later referred to variously as the democratic opening, the national unity project and the democratic initiative among others, was set to profoundly transform 'the basic institutional structure of the post-1980 regime through enlarging the understanding of citizenship, which would lead to re-defining the political community, strengthening association and grassroots participation, and engaging in a relative decentralization of the state with local levels of government carefully integrated into the national centre'.[2] Its essential aim is to bring an end to the armed conflict by disarming and disbanding the PKK.

The initiative has its roots in internal politics and external conditions. Five key factors behind the initiative can be distinguished. First, it complemented the Turkish government's 'zero problems with neighbours' policy and gave it domestic and international credibility. It also responded to the still prevailing domestic insecurity caused by the establishment of the Kurdistan regional government in Iraq in 2004. Second, with the Democratic Society Party (DTP, closed down in December 2009 by the Constitutional Court of Turkey) gaining votes in the south-east, the government attempted to win back its lost seats by appealing to the Kurdish electorate with a new initiative.

Third, with its unsuccessful attempts to destroy the PKK strongholds in the Iraqi Kurdistan territory and the looming withdrawal of American troops from Iraq, the government was forced to come up with a new solution to the situation in the southeast. Fourth, the so-called Ergenekon case, which investigates "deep state" activities within Turkey, facilitated the prospects for addressing the Kurdish issue through non-military means'.

2 Kıvanç Ulusoy, 'The "Democratic Opening" in Turkey: A Historical/Comparative Perspective', *Insight Turkey*, Vol. 12 No. 2 2010, pp. 83-84.

The president of the European Parliament, Jerzy Buzek, receives Leyla Zana, a Kurdish politician and winner of the 1995 Sakharov Prize for Freedom of Thought. Photo: The European Parliament.

Finally, there were significant economic factors that favoured a non-military solution to the question. In addition to the dire need to reduce the overblown military expenditure, Turkey's role as an energy hub and crossroads for pipelines was part of the equation. Indeed, 'once Turkey resolves its Kurdish question, it would also be able to secure its environs for the realization of new energy transportation projects including Nabucco'.[3] All these factors demonstrate that the initiative was motivated by political considerations rather than a genuine attempt to boost Turkish democracy.

Prospects for genuine reform

The initiative, as pointed out earlier in this paper, is running the risk of becoming politicised by its association with the AKP government and thus ending up a failure. The constitutional reform in September 2010 encountered this dilemma and divided the country. Although the reform package was passed in the referendum, almost half of the voters rejected the proposal.

Opponents of the proposal largely saw it as a plot by the governing party to gain more power and take the country towards authoritarianism. A large section of Kurdish voters boycotted the referendum because, in their view, the reforms did not go far enough. This demonstrates a lack of political legitimacy in the current system, resulting from different historical, religious and ethnic experiences and interpretations of the state institution.

The EU recognises this legitimacy deficit in Turkish internal politics. The EP reiterated 'its concern about the ongoing polarisation within Turkish society and between political parties' in its resolution of 10 February 2010 on Turkey's progress report 2009. The Commission similarly noted in its 2010 Progress Report on Turkey that 'a confrontational political climate prevailed, marked by lack of dialogue and spirit of compromise between the main political parties and the government and strained relations between key political institutions'.

The democratic initiative has breathed new life into Turkey's domestic arena and opened a window of opportunity for a negotiated solution to the Kurdish question. However, with Turkey's political fragility and increasingly polarised political environment, it is very possible that the reform process gets sabotaged by an internal schism. The opening has been overshadowed by the dissolution of the pro-Kurdish Democratic Society Party in December 2009 and a large number of executives and politicians getting arrested for their alleged links to illegal networks. Indeed, as the 2010 Commission Progress Report notes, 'concrete measures announced within the framework of the democratic opening fell short of the expectations and were not followed through and implemented'.

Some observers are even more pessimistic: 'The "opening" announced by the AKP last year has lost much of its momentum. With growing polarization, it seems unlikely that a new constructive

3 Cengiz Çandar, 'The Kurdish Question: The Reasons and Fortunes of the 'Opening'', *Insight Turkey*, Vol. 11 No. 2 2009, p. 15.

engagement between Turkish political forces can be attempted on the Kurdish question. But this nevertheless seems imperative'.[4]

While the atmosphere is still conducive to dialogue, the EU should get more actively involved in facilitating a solution. A solution to the Kurdish question would serve as a gateway to solving many other stalemates in Turkey. It would also show to what extent the government is committed to its "zero-problems-with-neighbours" policy. Taking an active role in the Kurdish question would require the EU to form a coherent and conclusive policy with clear goals. The EU should revert to its original position of viewing the Kurdish question as a cohesive issue and demanding a negotiated solution to it. This demand should be backed up by enhancing conditionality and levelling greater support towards strengthening political legitimacy in Turkey.

A more ambitious move would be to offer to act as a mediator in the process, for example by financing the participation of technical experts or providing venues and opportunities for confidence-building measures. However, it is most likely that at this point a mediation role would not be a politically viable option. Opposition within EU member states with similar domestic situations as well as in Turkey could sabotage such initiatives. Furthermore, as with the border dispute between the Baltic states and Russia during the EU's Eastern enlargement phase, it is likely that the EU would be unwilling to assume such a role. But amid calls for the EU to become a mediating power and prospects of the Turkish government-led democratic opening failing, it is still an option that should be kept on the agenda.

4 Emiliano Alessandri, 'Democratization and Europeanization in Turkey After the September 12 Referendum', *Insight Turkey*, Vol. 12 No. 4 2010, p. 29.

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