

# The Öcalan Affair Revisited

*Roberto Aliboni and Daniela Pioppi*

*Roberto Aliboni* is Director of Research at the IAI;  
*Daniela Pioppi* is Research Fellow at the IAI.<sup>1</sup>

On 12 November 1998, Abdullah Öcalan, political and military head of the Kurdistan Workers' Party (PKK),<sup>2</sup> was arrested by Italian authorities upon entry into the country. The following day, the Kurdish leader filed a request for political asylum. This was the beginning of an unexpected – as well as risky and difficult – crisis, which is worth examining as an example of the workings of the Italian foreign policy decision-making process and for its implications on European-Turkish relations.

The article is divided into three parts. The first deals with the arrest in Italy of Öcalan and the incident that ensued; the second assesses the Öcalan affair in the framework of European Union-Turkish relations; the third presents some conclusions.

## The Öcalan affair in Italy

Upon his arrival at Rome's Leonardo Da Vinci airport on 12 November 1998, where he presented a false passport but deliberately made himself known, Abdullah Öcalan was arrested on the basis of an international warrant of arrest issued by the German government and carried out by the Italian authorities in application of the Schengen Agreement. He was also subject to a Turkish arrest warrant which had been issued on 24 September 1981. Immediately after Öcalan's arrest and request for asylum, Turkey demanded his extradition on charges of high treason and terrorism. It is worth recalling that the conflict in which the PKK and the Turkish state have been engaged since 1984 has caused the death of more than 30,000 people, the devastation of 2500-3000 villages in southeastern Anatolia, and the

- 1 This is a revised version of an article published in the Italian foreign policy yearbook, *L'Italia e la politica internazionale* (Bologna: il Mulino, forthcoming, 2000), a joint endeavour of the IAI and the Istituto per gli Studi di Politica Internazionale (ISPI). Translation is by *Gabriele Tonne*.
- 2 For more information on the Kurdistan Workers' Party and Turkey, see the special issue on Turkey of *The International Spectator*, vol. XXXIV, no. 1, 1999.

exodus of almost two million Kurds.<sup>3</sup>

From the moment he arrived, Öcalan based his position on two points. First, he declared that the PKK intended to give up the use of violence and the goal of secession and to commit itself to political negotiations with the government in Ankara for the recognition of the civil and human rights of the Kurds within the Turkish state. Second, he stated that he was ready to stand trial in Europe, realising that this would provide an excellent opportunity to draw broader international attention to the injustices against the Kurds in Turkey. While Kurdish immigrants in Europe organised mass demonstrations in Rome and other European cities, giving Europeans a chance to assess their numbers and impact, Öcalan allowed himself to be taken – some claim – to facilitate his planned shift from a military strategy no longer feasible to a political strategy aimed at involving the European Union in the Kurdish question.

The Italian government began consideration of Öcalan's asylum request and announced that he would not be extradited to Turkey on the basis of Article 27.4 of the Italian Constitution, which does not allow for extradition to a country that practices capital punishment. But instead of using this provision to maintain a low and prudent profile and gain time, the government gave in to pressure from the left and broad pro-Kurdish public opinion urging it to take an active stance. Pro-Kurdish sentiments are strong and widespread in the country. Only a few weeks prior to Öcalan's arrival in Italy (28-30 September 1998), the Kurdish parliament in exile had met in the Sala del Cenacolo of the Italian Parliament building with the support of a large majority of parliamentarians.

Later, it was revealed that, Ramon Mantovani, the person in charge of international relations for Italy's Communist Refoundation Party, which had recently left the government for the opposition,<sup>4</sup> had been on the same plane as Öcalan during the flight from Moscow to Italy. It has been argued – without coming to any certain conclusions, however – that Öcalan's arrival in Italy was prepared by supporters of the Kurdish cause in the belief that support in the country and the government was solid enough to allow Öcalan not only to receive asylum, but also and above all to implement his new political strategy effectively. A number of political circles in the country, especially on the left, felt that the PKK and the Kurdish nationalist movement were at the same kind of turning point as the Palestinian Liberation Organisation and the Palestinian nationalist movement at the end of the eighties. Öcalan was compared to Yasser Arafat and it was felt that the opportunity had to be seized to encourage Turkish-Kurdish negotiations.<sup>5</sup>

3 C. de Bellaigue, "Turkey: Into the Abyss?", *The Washington Quarterly*, no. 3, 1998, p. 143.

4 The Communist Refoundation Party had split during the last change in government, with the Refoundation Party going over to the opposition and the splinter party, the Party of Italian Communists, staying on in government.

5 In this context, certain spheres on the left even proposed that Italy should host an international conference – like the one that started the Israeli-Palestinian peace process – with the participation of the countries with Kurdish populations (in addition to Turkey, Iraq, Iran and Syria). This proposal

Against this background and, in particular, given Öcalan's intentions to reject violence and seek negotiations, the government of Massimo D'Alema, which had come to power less than a month before, underlined the possibility of starting a process of reconciliation between the Kurdish people and the PKK, on the one hand, and the Turkish government, on the other, and declared that it would be best to attempt a European and/or Italian mediation. On 17 November, D'Alema stated to the Italian Chamber of Deputies that "Italy wants it to be known that, if talks are to be sought, if a negotiated and peaceful solution to the conflict is to be sought, we are willing, as a country friendly to Turkey, and sensitive to the causes and the rights of the Kurdish people, to do our part, to play the role of a country that works for peace and for negotiated solutions to conflicts."<sup>6</sup>

In these early days of the crisis, the government was encouraged in its conduct by its conviction that the European Union would take up or at least support the idea of mediating and bringing pressure on Turkey to find a political solution to the Kurdish problem. Similar statements had been made by Greece and numerous members of the European Parliament supported it during the debate on 19 November. Even more importantly, German Foreign Minister Joschka Fischer stated that the presence of Öcalan provided "a way to launch a peace process that finally resolves the Kurdish problem".<sup>7</sup>

But the international context soon turned out to be less favourable than expected. On 18 November, the American government publicly asked Italy to extradite Öcalan, after obtaining guarantees for his safety. The German government unofficially announced that it was withdrawing its request for extradition; the official confirmation came on 27 November. The Turkish government continued to make declarations of an ever more threatening tone. The rapid deterioration of economic relations with a country in which Italy has considerable interests was particularly troubling. The Turkish entrepreneurial world, certainly not discouraged by its government, spontaneously boycotted economic relations with Italy. Turkish Minister of Defence Ismet Sezgin threatened to bar Italian companies from defence contracts (at stake was an order from Finmeccanica worth \$3.5 billion). In reality, the Turkish government of Mesut Yilmaz, which fell on 25 November, seemed divided about whether or not to resort to economic retaliation. All the same, faced with these risks, Rome asked the European Commission for support, but the latter kept its reserve. D'Alema had to fly to Brussels on 24 November to convince the president of the Commission Jacques Santer to issue a firm warning to Turkey.

There are two reasons for the difficulties Italy encountered at the

was defined "pure fantasy" by Stefano Silvestri: "Tentare una mediazione è un'illusione pericolosa", *Il Sole 24 Ore*, 19 Nov. 1998.

6 See D'Alema before the Chamber of Deputies on 17 November 1998, at [www.palazzochigi.it/uf-stampa](http://www.palazzochigi.it/uf-stampa). All quotes from Italian sources are translations.

7 Quoted. in J. Blitz, "D'Alema seeks positive solution to Öcalan dilemma", *Financial Times*, 18 Nov. 1998, p. 19.

international level: one is rooted in the European context, the other in the broader Western sphere, which also includes the United States and Turkey. In the European context, as had already happened numerous times before (for example, during the Albanian crisis), Italy overestimated European political cooperation. In this specific case, it was in one of the most thorny and backward areas of cooperation – immigration and asylum policies – in which it was improbable, to say the least, that any support could be obtained.<sup>8</sup> In the Western sphere, the political initiatives undertaken by the Rome government aimed at internationalising the Kurdish question and forcing the Turkish government to negotiate with what it considered terrorists, rendered Italy's scrupulous application of the rules suspect and irritating. While the decision not to extradite Öcalan – although open to political criticism – adhered strictly to the letter of the law, the willingness to grant asylum and use the case to bring pressure to bear on Turkey made the choice seem instrumental to a political objective that would cause friction among the allies and in Turkey.

The debate raging in Italy about whether or not to grant Öcalan asylum split the government. The Minister of Justice, Oliviero Diliberto, a member of the Party of Italian Communists, following the explicitly pro-Kurd, anti-Turk and anti-American line of his party, was in favour. Prime Minister D'Alema did not share this stance, but felt that refugee status could be useful to the strategy of mediation which he advocated. Foreign Minister Dini emphasised that the PKK and Öcalan were accused of serious crimes, that granting asylum went against Italy's international interests and that the request should therefore be thoroughly and attentively examined.<sup>9</sup> These differences within the government certainly did not help dissipate Western doubts as to the Italian government's ambiguity, and increased irritation towards the country's policy and its isolation.

Ten days after the beginning of the affair, the government realised that it was isolated and undertook a more cautious and realistic evaluation, toning down the optimism and activism of the first phase. Prime Minister D'Alema stated that the commission that had been tasked with examining Öcalan's request for asylum would also take into consideration the terrorist dimension of the PKK's activity and emphasised the complexity of the domestic and international aspects of the Kurdish crisis, suggesting caution.<sup>10</sup> He put the accent on the Italian government's intention to manage the crisis in a strictly legal manner, thereby implying that it was abandoning its original intentions of using it for political purposes. Italy's new line of conduct found consensus in Brussels on 7 December when the EU foreign ministers denounced the PKK as a terrorist body and supported Italy's refusal to extradite its leader to Turkey.

Thus, at the beginning of December, Italy had given up its initial position and

8 See the article by European Commissioner Emma Bonino, "Inutile l'appello all'Unione, sull'asilo decidono i governi", *Corriere della Sera*, 24 Nov. 1998, p. 5.

9 "No all'asilo, Öcalan sia processato", interview in *Corriere della Sera*, 26 Nov. 1998, p. 3.

10 *Corriere della Sera*, "Boicottaggio turco, l'UE difende l'Italia", 25 Nov. 1998.

started to consider options for getting rid of the Kurdish leader. The decision became urgent when, with the Germans having withdrawn their extradition request, the Court of Appeal freed Öcalan,<sup>11</sup> paving the way for an administrative declaration concerning the asylum request. The government considered four solutions:

- expelling Öcalan on the basis of the new (1998) law on immigration, according to which foreigners who arrive at the border without the required prerequisites are sent back to the country from which they came. This option was sounded out during Foreign Minister Dini's official trip to Moscow (29 November), but Moscow would not hear of it.
- bringing Öcalan before an international court or that of a third country (as in the Lockerbie case) as provided for by the 1972 Strasbourg Convention signed under the aegis of the Council of Europe. This proposal was supported by the German government, but Minister of the Interior Rosa Russo Jervolino admitted that the Italian government did not see how it could be implemented.<sup>12</sup> In any case, the proposal came up against opposition from Turkey which obviously saw the risk of the question being internationalised and of Turkey ending up in the dock. In an evidently changed atmosphere, Dini and Ismail Cem, the Turkish foreign minister, met and discussed the matter in Brussels on 8 December.
- granting political asylum. This option was firmly rejected not only by the foreign minister, but also by the prime minister (who now seemed to be acting in consultation with the Turkish government).
- bringing Öcalan to trial in Italy. This option was put forward to the Foreign Affairs Commission of Parliament by Dini on 9 December. It had been advanced by a number of legal experts<sup>13</sup> and undoubtedly seemed to be the most sound from a legal point of view, given that the possibility of handing Öcalan over was becoming increasingly remote. But this solution would also entail the risk of putting Turkey into the dock.

All these options turned out to be impracticable or, in light of the more prudent

11 On 20 November, the Italian Court of Appeal declared Turkey's international warrant of arrest ineffective on Italian territory and confined Öcalan to house arrest while waiting for the extradition request on the part of Germany to elapse.

12 The reasons why Italy could not apply the Strasbourg Convention were cogently explained by Foreign Minister Dini in an interview with A. Purgatori, "L'Unione esplora la via per il processo europeo", *Corriere della Sera*, 8 Dec. 1998. Dini pointed out three difficulties: "The first is that Italy has not even signed the 1972 convention which it would now like to apply. Second, a country willing to host the trial has to be found among the signatory countries. The third obstacle is that the procedures of the Council of Europe call for the agreement of Turkey, which is a member of the organisation and has – unlike Italy – signed the convention."

13 The argument is well presented in an article by Vittorio Grevi, "La Convenzione sul terrorismo ci impone il processo in Italia", *Corriere della Sera*, 2 Dec. 1998. Grevi claims that "since some of the crimes attributed to Öcalan in the Turkish request [for extradition] can be classified as 'terroristic' as referred to in the European Convention for the repression of terrorism, signed by Turkey as well as Italy, the latter, if it refuses to extradite Öcalan, must try him".

line chosen by the government, politically inopportune. On 23 December, D'Alema declared that the best solution would be for Öcalan to leave the country voluntarily. In the meantime, the government used administrative means to keep him under house arrest. The circumstances under which Öcalan left Italy on 16 January remain unclear, but according to the government, he did so of his own free will.

Nevertheless, before leaving, the Kurdish leader had filed for political asylum. On 4 October 1999, when he was already back in Turkey and sentenced to death, the Civil Court of Rome established that he had the right to political asylum in Italy on the grounds of the Turkish government's violation of the Kurds' civil and human rights.

### **The Öcalan affair and EU-Turkish relations**

In early 1999, the Öcalan crisis re-emerged and, this time, involved the Union as a whole. Öcalan was captured on 16 February by security forces in Kenya, where he had been staying in the Greek embassy. In Turkey, he was put on trial and condemned to death on 29 June. The Court of Appeal of Ankara confirmed the sentence on 25 November. These events had important repercussions on European and international public opinion. They also affected relations between the European Union and Turkey which unexpectedly however, after an initial crisis, improved.

The developments that characterised this phase of the crisis involved relations between Greece and Turkey, the interaction between Turkey and the European Union in relation to the Öcalan trial and, in conclusion, the rapprochement between the EU and Turkey and the admission of the latter's candidature to the Union at the Helsinki European Council of 10-11 December 1999.

### ***Öcalan and Greece***

After leaving Rome, and touching down at a number of unidentified points, Öcalan was brought into Greece by a Greek pro-Kurdish group belonging to the nationalist left. On Corfu, where he landed on 1 February, he was received by the Greek authorities who transferred him to Nairobi, where he remained in the Greek embassy until he was captured by the Kenyan police, probably with the help of foreign secret services, and handed over to Turkish authorities. During early questioning, according to the Turkish authorities, the Kurdish leader claimed to have received Greek offers of concrete support in the form of arms and training for the PKK. These statements triggered an acute crisis between Greece and Turkey, exacerbating the already serious and persistent tension between the two countries.

As in Italy, the Öcalan crisis in Greece fed on the post-Cold War divisions of an evolving left, but in Greece it had an added dimension, since support for the Kurds is obviously rooted in a nationalistic vision and the conflict with Turkey, which has no parallel in Italy. For Greek public opinion, the Kurdish struggle against Turkey is comparable to the Greek struggle for independence and has

national security implications. The people who brought Öcalan to Greece (later indicted by the Greek judiciary) were acting with far more determination and confidence than the Rt. Hon. Mantovani. Former Admiral Nikolaos Naxalis and former Socialist MP Costas Badouvas were able to exploit the vague and fluctuating line which, in both the Pan-Hellenic Socialist Movement (Pasok) and the country itself, divides nationalist forces from the modernising and Europeanising forces that rose to power with Costas Simitis after the death of Andreas Papandreou and are now managing the country's difficult transition.

In this context, the problem of the Greek government, once it found Öcalan on its hands, was to keep the matter a secret out of fear of not being able to contain the flame of nationalistic and anti-Turkish sentiment that the old left would be able to ignite. At least this is what emerged from the declaration of Foreign Minister Theodoros Pangalos, explaining the Greek government's behaviour after Öcalan's capture in Nairobi: "the fundamental question was to find out whether Greece should or should not grant Öcalan political asylum; the answer was no because it would have hurt the Kurdish cause, the cause of security, stability and peace in the region, and would have turned the Kurdish question into a Greek-Turkish dispute."<sup>14</sup> Hence the Greek decision to manage the matter secretly. Accordingly, Athens opted for a kind of managed expulsion, in which Nairobi was to be the first step towards some other south African destination where the Kurdish leader would be welcomed and protected, far from the European theatre.<sup>15</sup> As a result, the final stages of the Öcalan affair in Italy and Greece resembled each other, and highlight the objective difficulties involved.

The political crisis caused by the Öcalan affair in Greece ended with the resignation of three ministers: in addition to Pangalos, Interior Minister Alekos Papadopoulos, and Minister for Public Order Philippos Petsalnikos. A high price to pay, but one that preserved the basic political line mentioned previously by Pangalos and kept the Greek government, despite the serious crisis, on the course it had undertaken towards solving the conflict with Turkey. Throughout 1999, Greece kept a moderate and constructive stance in EU relations with Turkey, limiting itself to reporting delays in negotiations with Cyprus. Relations picked up momentum again when Athens sent effective and timely aid to Turkey after the violent earthquake in August 1999. And Ankara was able to reciprocate when Greece was shaken by an earthquake only one month later. At the end of the year, Greece participated in the EU decision to accept the Turkish candidature. Thus, despite the serious Öcalan incident, the Greek government managed not only to maintain its policy of rapprochement with Turkey, but even to carry it forward. This was made possible, however, by developments that took place in other spheres, particularly that of EU-Turkish relations.

14 Quoted in D. Kunz, "L'opposition et la presse grecques estiment que leur pays a été 'ridiculisé'", *Le Monde*, 18 Feb. 1998 (translation from the French).

15 D. Kunz, "Affaire Öcalan: trois ministres grecs contraints à la démission", *Le Monde*, 20 Feb. 1998 (translated from the French).

### ***The Öcalan trial***

With the Öcalan trial, the epicentre of the crisis shifted from Italy and Greece to Turkey. The trial exposed Turkey to European and international public opinion which was upset by the images broadcast on television of Öcalan's humiliation as a prisoner and worried about the risk that the Kurdish leader could receive capital punishment. It was also influenced by the numerous demonstrations of Kurdish emigrants that took place around Europe. In this phase, characterised by European and Western preoccupation for the respect of human and civil rights, the European Union – lacking normative instruments in this field – stepped aside and left the floor to the Council of Europe, of which Turkey is a member.

At the beginning of March, the Council of Europe sent a mission to verify the conditions of the defendant on the island of Imrali and a representative to check on the proceedings of the trial. The Council's assessment of the trial was "correct and regular", but it repeatedly urged the Turkish government not to carry out the death sentence, handed down on 29 June. The action of the Council of Europe was backed by pressure from the governments, reflecting their public opinions. In Italy, the Chamber of Deputies passed a resolution put forward by the Foreign Relations Committee committing the government to issue a declaration with respect to the Imrali sentence.

In Turkey, the 18 April 1999 elections were won by Bulent Ecevit's Democratic Left Party, with a distinct drop in votes for the Islamist party and an increase for the Nationalist Action Party, that is, the nationalistic extreme right, reflecting the atmosphere of fanaticism unleashed by Öcalan's capture and trial. In May, Bulent Ecevit formed a kemalist centre-right coalition government including the Nationalist Action Party and the Motherland Party. The presence of the former with its extremely nationalistic platform immediately triggered fears in Europe that EU-Turkish relations could be jeopardised. But the government's foreign policy has proven to be prudent, realistic and, willing to implement – albeit gradually and with caution – the changes needed to bring Turkey into harmony with European and Western principles.

The limits of Turkey's nationalistic policy were made evident at the NATO Atlantic Council of 23-25 April 1999 in Washington. On that occasion, the US and the Europeans gave the green light to the formation of a European security and defence identity (ESDI) comprehensively linked to the Atlantic Alliance, thereby overcoming Turkey's strong opposition to the prospect of military operations led by European countries. But the lesson was dual. First, it became clear that the preferential strategic and military ties with the United States cultivated by Turkey after the end of the Cold War as a basis for its autonomy towards the EU was seriously thrown into question by US-EU convergence during NATO's revision of its strategic doctrine. Second, Turkey's marginalisation in NATO reflected its marginalisation in the Western European Union (WEU), thus making Turkey's entry



into the EU, already indispensable from the economic point of view, a priority for the country's foreign policy as well.

On the other hand, the EU also came to the conclusion during the course of the year that some rethinking of its position towards Turkey was needed. Indeed, the various phases of the Öcalan affair revealed Turkey's strong imbrication with the European Union. The attempt to leave the country alone with its many and diverse problems, excluding it from the enlargement process, proved illusory in that the problems, thrown out the door, came back in through the window, bringing the Kurdish question and that of Turkish instability to the streets and parliaments of Europe. Even the Cyprus question revealed an intertwining which would be difficult to disentangle if Turkey were pushed aside.

The Öcalan affair showed Turkey that it has no alternative to membership in the EU and must therefore accept its rules. It taught Europe that it cannot ignore Turkey's problems and must deal with them if it wants to see them solved. The changes in perspective that took place on both sides during 1999 led to a silent diplomacy that culminated in the Helsinki decision. It was concluded that only a gradual and inclusive strategy can help Turkey solve the problems that currently keep it from fully entering into Europe and protect the latter from the instability it fears (and has till now tried above all to contain and isolate). The Europeanisation of the Kurdish question was almost unanimously recommended by observers. The European Union and the Europeans must now reflect on how they can contribute to a solution, by taking over at least some of the tasks of reconciliation, mediation and negotiation that the Turkish government can hardly perform, at least in the short term.

## Conclusions

This article has attempted to examine the Öcalan affair in light of Italian foreign policy and Europe-Turkish relations. A few brief conclusions can be drawn, starting with Euro-Turkish relations.

By taking the decision at the Helsinki Council to admit Turkey as a candidate for entry into the Union, almost as if to reward the process examined in this article, the EU accepted the linkage between Turkey's inclusion and the Kurdish problem, thereby indirectly taking it upon its shoulders. Thus, the Öcalan affair served to change the 1997 Luxembourg decision, suggesting on a more general plane and according to a kind of crypto-metropolitan model, that the EU will have to take on certain problems – even if they lie beyond the Mediterranean – if it wants to obtain the stability it desires. This happened with the Palestinians, it is now materialising with the Turkish Kurds and could occur in relations with Algeria.

If this is the conclusion, what can the Union do? It is obvious that there will be neither a negotiation, nor mediation, nor much less an international conference. The presumably long process of Turkey's entry and integration into the Union, if appropriately managed, should persuade the government in Ankara to take the necessary steps of its own accord, albeit gradually. The (insufficient) law on amnesty passed by the Turkish parliament on 25 August 1999 and the government's

suspension of the death sentence on 12 January 2000, taken for granted by the Helsinki Council, can be considered first steps. They will have to be followed by more substantial ones involving changing the constitution and the anomalies, at least in European terms, left in legacy by the kemalist state-building process. For these steps to be taken, however, completion of economic integration with the EU will be crucial, above all in relation to development of the depressed areas of southeastern Anatolia. Of equal importance will be the EU's ability to establish direct contacts with Turkey's civil and political society and to strengthen it as a base for democratic growth. There can be no doubt that the long Öcalan affair made a cooperative and democratic evolution in Euro-Turkish relations possible.

In the framework of these relations, Italy has long held an efficacious and balanced position which anticipated the inclusive strategy that the EU seems to have adopted at the end of the Öcalan crisis. Then again, in interpreting the PKK's renunciation of armed struggle as the key to a solution managed by the EU in the setting of a positive and converging evolution in Euro-Turkish relations, the D'Alema government did no more than adapt the general premises of Italy's position to the circumstances. Management of the crisis was undermined, however, by some misjudgement. Above all, as already mentioned, the possibilities of receiving support from Europe and solidarity from the Atlantic sphere were largely overestimated.

In the European sphere, the initiative could not be dealt with on a strictly political level (as this field of EU cooperation is still very weak) and had to proceed via a strengthening of existing Euro-Turkish relations, hence the change in the Luxembourg decisions. This outcome was consistent with the main objectives of Italian policy.

More generally, and with reference to the Atlantic sphere, it would have been better to take the Turkish government's rejection of negotiations with the PKK into consideration from the very beginning. Nevertheless, it must be recognised that, if the Italian government had considered this point, the objective legal constraints and the decision (unlike in Greece) to deal with the question publicly would in any case have severely reduced the number of feasible options. This became obvious ten days after the beginning of the crisis when the government abandoned the line advocated by the pro-Kurdish left and tried to get rid of Öcalan, thereby taking the Turkish government's needs into account. In practice, the double constraint of respecting the law and avoiding solutions that would go against Turkish requirements excluded all political options, including that of trying the Kurdish leader in Italy, and led the Italian government to abandon Öcalan and all responsibility. Although Italy was reproached for this from various sides at the time of Öcalan's capture, no one was able to come up with better solutions. *A posteriori*, it seems that a higher Italian profile would have been deleterious and would probably not have led to the results that were later, almost providentially, achieved.

The future will tell whether the events examined here continued in the positive direction they took at the end of 1999. The Öcalan case is not closed yet. After

the 25 November 1999 sentence of the Ankara Court of Appeal, Öcalan's lawyers turned to the Council of Europe's European Court of Human Rights for a judgement. The Court asked the Turkish government to suspend execution of the sentence until it hands down its decision. The Turkish government was initially facilitated in complying by the fact that the judicial procedure had not been completed since the verdict would have to be approved by parliament and, subsequently, the president of the republic. Nevertheless, Ankara must have offered European diplomacy some assurances (on this matter and Cyprus) because the decision to admit Turkey's candidature to the EU would not have been possible otherwise. In fact, on 12 January 2000, the Turkish government announced that it would suspend Öcalan's death sentence while waiting for the judgement of the European Court – which could take years. The Turkish prime minister, Bulent Ecevit, nevertheless pointed out that the procedure leading to capital punishment could be reactivated at any time.

As positive as the current phase may be, the final outcome is still not certain. Numerous obstacles remain: the proceedings of the European Court could indict Turkey in the end, something that was carefully avoided to make a political solution possible; a rekindling of tension would drive the Turkish parliament to demand execution of the sentence and could trigger a government crisis in the country. Diverse interactions are possible between the court in Strasbourg and the parliament in Ankara and it can only be hoped that the trial will not close the window of opportunity for resolution of the conflict recently thrown open.