

# **TURKEY: THE PKK AND A KURDISH SETTLEMENT**

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## TURKEY: THE PKK AND A KURDISH SETTLEMENT

### EXECUTIVE SUMMARY AND RECOMMENDATIONS

Turkey's Kurdish conflict is becoming more violent, with more than 700 dead in fourteen months, the highest casualties in thirteen years. Prolonged clashes with militants in the south east, kidnappings and attacks on civilians suggest hardliners are gaining the upper hand in the insurgent PKK (Kurdistan Workers' Party). The government and mainstream media should resist the impulse to call for all-out anti-terrorist war and focus instead, together with Kurds, on long-term conflict resolution. There is need to reform oppressive laws that jail legitimate Kurdish politicians and make amends for security forces' excess. The Kurdish movement, including PKK leaders, must abjure terrorist attacks and publicly commit to realistic political goals. Above all, politicians on all sides must legalise the rights most of Turkey's Kurds seek, including mother-language education; an end to discriminatory laws; fair political representation; and more decentralisation. Turkey's Kurds would then have full equality and rights, support for PKK violence would drop, and the government would be better placed to negotiate insurgent disarmament and demobilisation.

The government has zigzagged in its commitment to Kurds' rights. The ruling Justice and Development Party (AKP) initiated a "Democratic Opening" in 2005, but its commitment faltered in 2009. At times, AKP leaders give positive signals, including scheduling optional Kurdish lessons in school and agreeing to collaborate in parliament with other parties on more reforms. At others, they appear intent on crushing the PKK militarily, minimise the true extent of fighting, fail to sympathise with Kurdish civilian casualties, openly show their deep distrust of the Kurdish movement, do nothing to stop the arrest of thousands of non-violent activists and generally remain complacent as international partners mute their criticism at a time of Middle East turmoil.

Contradictory signals have also come from the Kurdish movement, including leaders of legal factions and the PKK, which is condemned in Turkey and many other countries as a terrorist organisation. They have made conciliatory statements, tried to stick to legal avenues of association and protest in the European diaspora and repeatedly called for a mutual truce. At the same time, few have disavowed the suicide bombings, car bombs, attacks on civilians and kidnappings that have increased in 2012. Hardliners pro-

mote the armed struggle, radical youth defy more moderate leaders, and hundreds of young men and women volunteer to join the insurgency. European and U.S. counter-terrorism officials still accuse the PKK of extortion and drug dealing. Mixed messages have convinced mainstream public opinion that Turkey's Kurds seek an independent state, even though most just want full rights within Turkey. The Kurdish movement needs to speak with one voice and honour its leaders' commitments, if it is to be taken seriously in Ankara and its grievances are to be heard sympathetically by the rest of the country.

Finding the way to a settlement is hard, as terrorist attacks continue and the PKK mounts increasingly lengthy offensives. Turmoil in neighbouring Syria, where a PKK-affiliated group has taken control of at least one major Kurdish area near the border with Turkey, worries Ankara and may be inflating the insurgents' sense of power. Some on both sides are talking again of winning militarily and seem to have accepted many hundreds of dead each year as the cost, even though after nearly three decades of inconclusive fighting, public opinion among Turks and Kurds alike increasingly concedes that military action alone will not solve their mutual problem.

What has been missing is a clear conflict resolution strategy, implemented in parallel with measured security efforts to combat armed militants, to convince Turkey's Kurds that their rights will be gradually but convincingly extended in a democratising Turkey. Now is a good time for this to change. An election (presidential) is not expected for two years. A new constitution is being drafted. The AKP has a secure parliamentary majority. Prime Minister Recep Tayyip Erdoğan should seize the opportunity to champion democratic reforms that would meet many of the demands voiced by most of Turkey's Kurds. This would not require negotiations with the PKK, but the prime minister should engage with the legal Kurdish movement, take its grievances into account and make it feel ownership over reforms.

Major misapprehensions exist on the question of what the Kurdish movement is and what it wants. The actions recommended below would move the conflict closer to resolution than military operations alone.

## RECOMMENDATIONS

*To establish an environment for progress*

### **To the Turkish government and the leaders of the Kurdish movement:**

1. Work toward a ceasefire, urge insurgents to stop attacks, avoid large-scale military operations, including aerial bombings, and stand up to pressure for ever-stronger armed responses.
2. Urge the PKK to rein in factions that attack and kidnap civilians, plant bombs and trash property or throw Molotov cocktails in demonstrations, and to pledge not to use a ceasefire to rearm, resupply or relocate. The security forces must limit aggressive crowd control methods, including tear or pepper gas, to an absolute minimum.

*Even in the absence of a ceasefire*

3. Address the legitimate, broad demands of Kurdish society for mother-language education, the lowering of national election thresholds, more decentralised local government and removal of discriminatory ethnic bias in the constitution and laws.
4. Change the Anti-Terror Law, Penal Code and other legislation to end the practices of indefinite pre-trial detention and prosecution of thousands of peaceful Kurdish movement activists as “terrorists”, and ensure that non-violent discussion of Kurdish issues is not punished by law.
5. Help inform public opinion about the international legitimacy of multi-lingualism in education, ethnic diversity and wider powers for local government.
6. Use the parliament and, in particular, its constitutional reform commission to facilitate discussion between political parties on reform and assure wide buy-in.
7. Make public a package of measures for reintegration and retraining of former Kurdish insurgents, once the time comes to agree on full demobilisation.

### **To leaders of the Kurdish movement:**

8. Clarify what reforms Kurds want in language, education and public life; codify ideas for decentralisation or devolution; identify precisely which laws and constitutional articles should be changed; commit to these reforms, advocate for them in parliament and make a determined effort to explain them to mainstream Turkish opinion.

9. Stop demanding a “self-defence militia” in Kurdish-speaking areas, end any kind of illegal political organisation in Turkey that could be construed as a parallel state and remain committed to ending the fighting and disbanding insurgent units.

### **To Turkey’s allies and friends, notably the U.S., Canada, UK, Ireland and Spain:**

10. Engage with the Turkish government and opinion leaders to share experiences of defusing ethnic, linguistic, and regional tensions, including through travel programs for officials, politicians and opinion-makers from all relevant sides and parties in Turkey.
11. Continue to encourage Turkey to abide by its international commitments to protection of minority rights, freedom of expression and access to a fair trial without extended periods of pre-trial detention.

**Istanbul/Brussels, 11 September 2012**

## TURKEY: THE PKK AND A KURDISH SETTLEMENT

### I. INTRODUCTION

Since large-scale hostilities with the PKK resumed in summer 2011, Turkey has experienced the worst fighting since it captured and jailed the insurgency's leader, Abdullah Öcalan, in 1999.<sup>1</sup> According to an informal minimum tally of official statistics maintained by Crisis Group since the 12 June 2011 parliamentary elections, 711 people had been killed by mid-August 2012, including 222 soldiers, police and village guard militia, 405 PKK fighters and 84 civilians. This is four times more deaths than in 2009 and far more than the annual figures in 2000-2004, when the PKK was implementing a unilateral ceasefire.<sup>2</sup> Hopes have been dashed of ending a conflict that has already cost the economy \$300 billion-\$450 billion<sup>3</sup> and killed 30,000-40,000 people since 1984.<sup>4</sup> Serious tensions have returned to the south east, reversing a decade-long trend toward more normal daily life. In July, for example, Hakkari's four-year-old university stopped night classes because students commuting from rural areas were too fearful to attend.

The PKK has long used terrorist methods as part of its arsenal in an attempt to force the government to take it seriously and become the dominant element of the Kurdish movement.<sup>5</sup> Over the past year PKK groups apparently

kidnapped at least 50 people, most of them later released: a parliamentarian, businessmen, health workers, teachers, village guards, AKP officials and construction workers.<sup>6</sup> In August 2011, an explosive device on a tourist beach in Kemer near Antalya injured ten, mostly foreigners – the PKK did not claim responsibility, but one of its offshoots has targeted tourists in the past. A suicide car bomb attack claimed by the PKK on a police station in Kayseri province, far from any fighting, killed a policeman and two attackers and wounded seventeen in May 2012.<sup>7</sup> At least eleven other terrorist attacks killed 26 civilians.<sup>8</sup>

The most deadly was on 20 August 2012, when a remotely-controlled car bomb exploded near a police station in Gaziantep province on the Syrian border, killing a policeman and eight civilians, including four children, and wounding over 60. The PKK denied responsibility, but this did not convince the public, media or the government.<sup>9</sup>

and are not with the organisation, there are going to be threats, threats to our life". Crisis Group interview, Istanbul, May 2012.

<sup>6</sup>Most are released after several days, but a number of soldiers, in some cases taken while off-duty from inter-city buses, have been kept for extended periods. "PKK kidnaps three soldiers in south-eastern Turkey", *Today's Zaman*, 7 August 2012.

<sup>7</sup>"TAK issues warning to tourists going to Turkey", Firat News Agency (pro-PKK), 17 June 2010; "Guerrillas attack in Kayseri marked 'new phase'", Firat News Agency, 28 May 2012.

<sup>8</sup>The above and following lists of attacks are not comprehensive and are based on an informal Crisis Group survey of Turkish official statements and media reports. On 20 September 2011, a car bomb claimed by the Kurdistan Freedom Falcons (TAK, a splinter group of the PKK), and condemned by the PKK/KCK executive, killed three people in central Ankara; the PKK apologised for mistakenly killing four women in a car in Siirt on the same date. On 21 September 2011, a drive-by shooting at police cadets in Bitlis killed one and injured four. Five days later, fire on police killed a pregnant woman and a six-year-old. On 18 October, a roadside bomb attack on a police car killed four civilians in the car behind. On 29 October, a female suicide bomber killed herself and three others when she blew up a tea-house. On 23 November, a PKK group killed three oil field workers near Batman. On 11 December, a pro-PKK militant hijacked a ferry near Istanbul. On 20 May 2012 an apparent PKK group killed a village prayer leader in Ağrı. On 23 May in Muş, the PKK killed an off-duty non-commissioned officer.

<sup>9</sup>"PKK denied responsibility for attacks in the past", *Today's Zaman*, 21 August 2012. "Planning such an attack is not possi-

<sup>1</sup>For previous reporting on the Kurdish movement in Turkey and related matters, see Crisis Group Europe Report N°213 *Turkey: Ending the PKK Insurgency*, 20 September 2011, and Crisis Group Middle East Report N°81, *Turkey and Iraqi Kurds: Conflict or Cooperation?*, 13 November 2008.

<sup>2</sup>62 members of the security forces, 65 PKK and eighteen civilians died in 2009. Yalçın Akdoğan, AKP deputy and Erdoğan adviser on the Kurdish question, *İnsanı yaşat ki devlet yaşasın: demokratik açılım sürecinde yaşananlar [Improving People's Lives so the State Can Live: experiences in the Democratic Opening]*, (Istanbul, 2010), p. 18.

<sup>3</sup>The lower figure is from Prime Minister Erdoğan, cited in "The Democratic Initiative Process", AKP, Ankara, February 2010. The higher is from Yalçın Akdoğan, op. cit., p. 15.

<sup>4</sup>See Crisis Group Report, *Turkey: Ending the PKK Insurgency*, op. cit., fn. 2.

<sup>5</sup>Mazhar Bağlı, a Kurdish member of AKP Central Executive Committee, said the extent of bloodshed was partly a cultural problem. "I regret to say this, but shedding Kurds' blood is cheap for the Kurds. The worst blood feuds are internal, in the family, not between villages. If you are Kurdish, and speak Kurdish

The PKK also continues to attack isolated gendarmerie outposts manned by young, ill-trained conscripts and execute off-duty soldiers on city streets. In one instance, it shot at a police football match as families watched, killing a policeman and a policeman's wife. But this past summer violence has extended beyond the south east and lasted longer than in the past. On 9 August a bomb on a military vehicle in the western coastal town of Foça killed two soldiers. In the Şemdinli region of Hakkari province on the Iran-Iraq border between 23 July and 12 August, the PKK allegedly encircled a town and fought back with heavy weapons against the 2,000 soldiers sent to the area. The PKK said it was implementing a new tactic of holding territory inside the country,<sup>10</sup> and it led to one of the most sustained and bloody confrontations on Turkey's territory since the conflict started in 1984.<sup>11</sup>

The government has usually responded quickly to the at least 160 military clashes or security incidents that have caused casualties since June 2011.<sup>12</sup> The actual number of such events is believed to be far higher, but most are poorly reported in the press, especially in pro-government media.<sup>13</sup> In August 2012 alone, the PKK/KCK listed 400

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ble for our [PKK] movement [which is] focused on getting result[s] from the struggle. Our movement has instructed all its units not to make any actions, particularly in civil settled areas and on feast days". Statement from "KCK Presidency", 24 August 2012.

<sup>10</sup> "The guerrillas' basic tactic is hit-and-run, but now we have [a] tactical agenda of striking and digging in, taking control of territory. That's why there's heavy warfare going on in Kurdistan ... that the Turkish state and media are trying to portray as a series of individual events". Interview, Murat Karayilan, Firat News Agency, 3 August 2012.

<sup>11</sup> Turkish politicians claimed 115 PKK fighters were killed; NTV television (private) said 2,000 troops were involved, backed by helicopter gunships and warplanes. "Turkey says 115 Kurdish rebels killed in offensive", Associated Press, 5 August 2012. Crisis Group has compiled PKK reports saying that 23 insurgents were killed in the offensive, and the PKK claimed that it killed "more than 100" soldiers. For PKK statements to 5 August, see <http://bit.ly/QAkxHh>.

<sup>12</sup> Informal, minimum tally maintained by Crisis Group June 2011-August 2012.

<sup>13</sup> On 9 May 2012, the day after eight PKK insurgents were killed in clashes, five of eleven major press outlets did not mention the news; most of the rest had between a sentence and a paragraph deep inside the paper. Other apparent PKK actions not widely reported are burnings of trucks stopped at flying insurgent checkpoints in the south east, arson of private cars and attacks on buses in western cities. "The fierce clashes taking place in this period are almost non-existent in the media. Even though residents in Diyarbakır can reach some conclusions through the noise of warplanes frequently taking off and landing, people in other parts of Turkey who are unaware of all this continue their lives as normal". Cevdet Aşkın, *Radikal*, 23 May 2012. Similarly, after ten soldiers and twenty PKK were killed on 2 September, the three most pro-government newspapers limited the news on

incidents of shelling, air bombardment, clashes or other armed actions.<sup>14</sup>

Dozens of civilian deaths have resulted from Turkish armed action, too, which, though not intentional, are seen by many of Turkey's Kurds as evidence of the state's bad faith and impunity. The worst incident occurred in December 2011, when the air force bombed and killed 34 Kurdish villagers near the town of Uludere as they were smuggling oil products over the Iraqi border on mules and horses.<sup>15</sup> Prime Minister Recep Tayyip Erdoğan voiced regret and offered compensation, but he was coy about a full apology, saying "if you notice, none of these smugglers ever steps on a [PKK] mine. Whose hands are the maps in?"<sup>16</sup> The interior minister went further in suggesting that the smugglers – who were actually from villages aligned with the pro-government Village Guard militia – were in league with the PKK.<sup>17</sup> According to mainstream commentator Sedat Ergin:

The incident has really traumatised our Kurdish-origin citizens, and strengthened their sense of victimhood ... A major priority has to be the strengthening of the will of Turks and Kurds to live together. The government's handling of this dossier ... has turned the problem into gangrene".<sup>18</sup>

Additionally, seven Iraqi Kurds were killed on 17 August 2011 in an apparent air force attack.<sup>19</sup> Eleven days later, a tear gas projectile killed a Van town councillor during a demonstration in Hakkari province.

Since April 2009, waves of arrests have continued of several thousand activists from the main legal Kurdish movement party, the Peace and Democracy Party (BDP-Bariş ve Demokrasi Partisi) (see Section IV.D below). These include elected deputies, mayors (some from major cities and districts), provincial councillors, party officials and ordinary activists. Many have been accused of membership

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their front pages to a couple of minor paragraphs. "Hiç yayınlamasaydınız" ["Maybe it would have been better for you to publish nothing"], *Taraf*, 5 September 2012.

<sup>14</sup> "To the press and public: the balance of war for August 2012", <http://bit.ly/Q6exHT>.

<sup>15</sup> Many were from a village called in Kurdish Roboski, by which name the "massacre" is sometimes known.

<sup>16</sup> Speech, cited in *Milliyet*, 29 May 2012.

<sup>17</sup> "Interior Minister İdris Naim Şahin told NTV that 'there's nothing to say sorry about ... heavy weapons have been carried in by mules in other cases ... anyway those young people shouldn't have been there' ... in short, what Şahin is trying to say is the PKK + smuggling = Uludere". Cevdet Aşkın, *Radikal*, op. cit.  
<sup>18</sup> "Uludere faciası ve erdemli devlet olmak [The Uludere disaster and becoming a mature state]", *Hürriyet*, 18 May 2012.

<sup>19</sup> "Turkish strike against Kurdish targets kill 7, local official says", CNN, 21 August 2011.

in a terrorist organisation, but not of committing any violent act. The basis for the charge is usually some statement that implied support for one or more of the goals of the Union of Kurdish Communities (Koma Civakên Kurdistan, KCK) umbrella organisation and specifically its Turkish Assembly offshoot (KCK/Türkiye Meclisi, KCK/TM).

On 26 November 2011, police swooped down on the offices or homes of lawyers in sixteen provinces who acted for the jailed PKK leader Öcalan. It detained 44, 36 of whom are now in jail pending trial on charges of having committed terrorist offences and passed messages from Öcalan to other PKK members.<sup>20</sup> Those arrested included most lawyers at the main Istanbul office defending Öcalan and five other inmates on his prison island.<sup>21</sup> After the government in effect barred weekly lawyer's visits in July 2012, Öcalan refused to see his family members.

Thousands of these Kurdish movement activists remain in pre-trial detention, though the exact number is disputed. International reaction has been muted, partly because Turkey justifies this as part of an anti-terrorist effort (see Section IV.C below). AKP leaders make no apology, saying the PKK uses the KCK to try to create a parallel state, and the government's duty is to preserve the state's monopoly on justice and use of force.<sup>22</sup>

All this adds up to dangerous backsliding, undermining one of the most productive attempts to end the 28-year-old armed conflict. The AKP has arguably done more than any previous government to address the grievances of Turkey's long-suppressed ethnic Kurds, who number about 15-20 per cent of its 75 million people. This includes providing Kurdish-language state television, a fairer share

of investment in roads and infrastructure in the south-eastern Kurdish-speaking provinces, greater freedom for the use of Kurdish in society and a sharp reduction of torture in jails.<sup>23</sup>

Also, the government began talks with the PKK after 2005 on ending the insurgency, some mediated by third parties in Europe and known as the Oslo Process.<sup>24</sup> In October 2009, the two agreed on an initial return of 34 PKK fighters and refugees through the Habur post on the Iraq border. But neither side prepared properly. The Kurdish movement seized on a joyful popular demonstration to proclaim a kind of victory, and the government immediately responded angrily. The returnees were charged in court or fled back to Iraq, a planned return of diaspora exiles in Europe was cancelled, and the Democratic Opening began to unravel.<sup>25</sup>

The talks continued for about a dozen rounds, however. Leaked tapes and records demonstrate that the sides were able to converse in a good temper and with sincerity and that both recognised there could be no military solution.<sup>26</sup> Though discussions broke off abruptly in July 2011, the

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<sup>20</sup> Crisis Group interview, lawyer at Asrın Hukuk law office representing Öcalan, Istanbul, June 2012. "The indictment against us is about nothing 'illegal', it's all about our 'intention', and that we provided a channel of communication to [the PKK insurgent leadership on the northern Iraqi mountain of] Qandil. It's actually an operation against the [peace] process, to show that everything about us is illegal, everything we do, even for the health of our clients ... They wanted to put the blame of the failed Oslo Process on the lawyers. What they targeted was the negotiation process itself". Ibid.

<sup>21</sup> "Our computers were copied and our papers seized, including, for instance, preparations for defence before the European Court of Human Rights ... those put in jail [included] two drivers and a secretary "because you work in an illegal place, so it means they must trust you!" Ibid.

<sup>22</sup> "They conduct holdups, they kidnap, they judge, they shake down businessmen. There is an illegal organisation attempting to impose taxes and authority, to run trials and to establish a parallel state structure. I see the KCK operations not as something to impair the process, but rather a necessity of law and a natural extension of combating terrorism". Interview, Yalçın Akdoğan, AKP deputy, adviser to Prime Minister Erdoğan, *Star*, 3 October 2011.

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<sup>23</sup> See Crisis Group Report, *Turkey: Ending the PKK Insurgency*, op. cit., pp. 5-24.

<sup>24</sup> Deputy PKK leader Murat Karayılan said UK intelligence brought the sides together; some meetings were in Oslo; some leaked papers refer in Turkish to a "referee state" that would keep records; a tape of one session indicated support for the talks by a non-governmental mediation group.

<sup>25</sup> "Habur was not deliberate. We didn't think, we were shocked too. It was spontaneous, people feeling, 'the war has ended, our children are coming down from the mountains'". Crisis Group interview, Remzi Kartal, exiled Kurdish movement leader, Brussels, June 2012. "The deal for Habur was terribly premature, with anti-terrorism laws like we have on the books, there's nothing you can do, of course [the eight PKK insurgents and 26 pro-PKK refugees who returned] were going to be arrested". Crisis Group interview, Ümit Fırat, Turkish Kurd intellectual, Istanbul, May 2012. "At Habur there was a feeling [of joy] that we'd leave the violence behind, that thousands [of guerrillas] would come down. It was a general communal feeling. The PKK, BDP and the government all managed it badly". Crisis Group interview, Şahismail Bedirhanoglu, president, Southeastern Businessmen's and Industrialists' Association (GÜNSIAD), Diyarbakır, May 2012.

<sup>26</sup> "I would have posted the transcript of that [Oslo Process] discussion in 46-point capitals all over the streets of Diyarbakır. What are we fighting for? The two sides basically agreed. This can be solved without arms". Crisis Group interview, Zeynel Abidin Kızılyaprak, Turkish Kurd intellectual, Istanbul, April 2012. "We have always talked to the PKK, but our institutions always had to lie about it; now it's out in the open". Crisis Group interview, Turkish official, January 2012. "It was extremely serious, mutually respectful ... we got very close to a settlement". Murat Karayılan, deputy PKK leader, interview with Avni Özgürel, *Birlesikbasin.com*, <http://bit.ly/NIJdgs>.

need for new negotiations seems inevitable to some state officials.<sup>27</sup>

The end of the talks came after June 2011 parliamentary elections in which AKP won 50 per cent of the vote. Some officials blame a PKK-army firefight in Silvan that left thirteen soldiers dead a month after the elections. The 14 July 2011 clash, in which seven PKK were also killed, has been the subject of heated controversy from the start. Both sides say it proved the other's bad faith. PKK leaders say an army patrol ran into a PKK group, forcing the PKK to defend itself, and that most soldiers died in a brushfire that resulted. The Turkish side says the PKK's move to "active defence" in February 2011 had already nullified any ceasefire, and the attack was premeditated. Salt was rubbed in the Turkish wounds when, a few hours later, a Kurdish movement gathering in nearby Diyarbakır ignored the casualties and announced the goal of "democratic autonomy".<sup>28</sup>

The Kurdish movement, however, says that if Erdoğan sincerely aimed for peace, he would not have let the clash trip up his work for peace. Others say it was the PKK's demand to become a self-defence force in the south east after an agreement that broke the possible deal.<sup>29</sup> The Kurdish movement says that Öcalan had proposed the mutual signing of a document – the "three protocols" – which the government negotiating team found reasonable but was brushed aside by Prime Minister Erdoğan.<sup>30</sup> Another view

is that Erdoğan balked at the whole idea of communal rights for Kurds.<sup>31</sup> An exiled Kurdish movement leader said:

They pushed [Öcalan] on some concepts, thinking, "we can convince Öcalan, we can do this and that with the movement". They couldn't convince him. This is the cause of the new fighting. It makes the people and the movement very angry .... There was no reply [to Öcalan's offer], as if he had not said anything. They are pursuing a military solution, to break our will, even though they know it won't work.<sup>32</sup>

Not all hopes of compromise are lost, however. The BDP was also successful in the elections, backing independent candidates who won 36 seats in parliament. After boycotting the Grand Assembly for more than three months to protest the way one deputy had his seat taken away due to a last-minute conviction for "terrorist propaganda", and that five others were not allowed out of pre-trial detention, the deputies took their oaths and parliamentary seats on 1 October 2011.

Parliament should be where real negotiations on reforms to extend Kurds' rights occur. Prime Minister Erdoğan says he supports a parliamentary process.<sup>33</sup> The best initial forum is an all-party parliamentary committee set up in October 2011 to prepare the first draft of a new constitution.

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<sup>27</sup> "Eventually there will have to be negotiations with the PKK .... There is no harmony of views on what to do between state institutions in Ankara". Crisis Group interview, Turkish official, Ankara, November 2011. "For sure, the PKK has to be demonised". Crisis Group interview, Turkish official, Istanbul, April 2012.

<sup>28</sup> See, for instance, Yalçın Akdoğan, "Terör, süreci nasıl etkiler? [How will terror affect the process?]", *Star*, 22 June 2012. For more of the context, see Crisis Group Report, *Turkey: Ending the PKK Insurgency*, op. cit., p. 3. "Please believe me, it was not intentional". Murat Karayılan, deputy PKK leader, interview, op. cit.

<sup>29</sup> Crisis Group interview, Mazhar Bağlı, AKP Central Executive Committee, Istanbul, May 2012.

<sup>30</sup> The Kurdish movement says Öcalan laid out his demand for a Truth and Reconciliation Commission; a committee to write a democratic constitution; and concrete procedures for PKK withdrawal and subsequent disarmament. "The state delegation assured Öcalan that Prime Minister Erdoğan agreed with '95 per cent of the road map' .... The delegation promised that the government would respond – positively, it was understood [after the June 2011 elections]. But no written or verbal response ever arrived at İmralı. The delegation was never seen again. In July 2011, Öcalan stated that under these conditions he had to withdraw from the talks". Editorial note, International Initiative 'Freedom for Öcalan-Peace in Kurdistan'; Abdullah Öcalan, *Prison Writings III: The Road Map to Negotiations* (Cologne, 2012). "In 2010, the Movement really helped the AKP in the

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2010 referendum with a ceasefire from August .... Two days before the election, Erdoğan went on TV, said 'there's no Kurdish problem, only PKK terror, I would have hanged Öcalan'. People thought Erdoğan was being political, but those on the inside knew it was his answer .... the leader [Öcalan] kept saying, the [state negotiating] delegation is serious, but the AKP hasn't got a policy for a solution. Erdoğan just wants to win time". Crisis Group interview, Remzi Kartal, exiled Kurdish movement leader, Brussels, June 2012. "The protocols were very short, simple and clear. I got a copy written by the leader's own hand. They [the government] got it to me. We accepted it; we just suggested some simple sentences to change ... then suddenly the prime minister's attitude changed ... AKP wanted to stay in power more than to solve the Kurdish problem". Murat Karayılan, interview, op. cit.

<sup>31</sup> "Öcalan told his brother [in October 2011] that Turkey wants to impose a settlement with individual rights, not communal rights ... Öcalan said he wouldn't carry on giving life to this process of playing for time". Crisis Group interview, Öcalan lawyer, Istanbul, June 2012. In the Oslo Process, "the state wanted a deal [to solve the PKK problem], but it was half in, half out, a deal on the cheap and easy. And the Kurds took it as a sign that there was no good intention from the state". Crisis Group interview, Aliza Marcus, expert on the PKK, Istanbul, May 2012.

<sup>32</sup> Crisis Group interview, Remzi Kartal, Brussels, June 2012.

<sup>33</sup> "We will negotiate with their [parliamentary] representatives, but nobody should expect anything like this with the representatives of the [armed] terror organisation". Speech at opening of Iğdır airport, *Taraf*, 14 July 2012.



Few think this will be easy, with all four elected parties pencilling in red lines that have delayed compromise on sensitive matters relating to the Kurdish question.<sup>34</sup> But no party dares to leave the table, because the process automatically ends if one does.<sup>35</sup>

In May 2012, the main opposition party, the Republican People's Party (Cumhuriyetçi Halk Partisi, CHP) suggested an eight-person all-party parliamentary committee to discuss the Kurdish issue, to be joined by a "wise men's" committee of twelve. This was a turnabout for CHP, which, under its pre-2010 leadership, had refused even to discuss the Democratic Opening with AKP.<sup>36</sup> On 6 June, the AKP and CHP leaders discussed the idea, which was welcomed by the Kurdish movement's BDP, and the two sides agreed that the small but influential nationalist opposition MHP would have to take part. That party, however, refused to meet on the "so-called Kurdish problem".<sup>37</sup> With MHP accusing the CHP of becoming the "mouthpiece of Öcalan", AKP suggested that it could continue more informally with only CHP.<sup>38</sup>

Other progress is evident. The government is uncovering extra-judicial killings of Kurdish movement activists from the 1990s, even if convictions come slowly. In May 2012, for example, seventeen soldiers were arrested and charged in connection with the killing of two PKK insurgents and

a civilian in 2009.<sup>39</sup> But the overall government strategy and who is responsible for devising and implementing it are unclear.<sup>40</sup> Many Ankara commentators and diplomats think that Erdoğan's priority is to be elected president in 2014, so he seeks to maximise his share of the Turkish nationalist swing vote by avoiding potentially unpopular steps to solve the Kurdish problem.<sup>41</sup>

But AKP is willing to take some risks. In June 2012, Deputy Prime Minister Arınç said moving Öcalan to house arrest could be discussed once the PKK disarmed and peace was established. He also supported the idea of amendments to laws that now equate propaganda with terrorism.<sup>42</sup> In July 2012, a new set of rules made it more difficult to detain suspects, although few Kurdish movement activists were initially released.<sup>43</sup>

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<sup>34</sup> "Most folks we talk to are not very positive. This consensus process [is hard], people tend to be pessimistic. Someone will get pushed out. If it is the Kurds [of BDP], it doesn't solve the problem". Crisis Group interview, Western diplomat, Ankara, July 2012.

<sup>35</sup> "We are being constructive ... and we are in a prisoner's dilemma [unable to get out]". Crisis Group interview, Oktay Vural, MHP parliamentary group deputy chairman, Ankara, July 2012. "All of them are afraid of what happens if they stop ... there is a real commitment to the process ... the brackets [in the text] are strange for Turkey but a first for the country ... it's a very serious process, and they are prisoners of that process". Crisis Group interview, European diplomat, Ankara, July 2012.

<sup>36</sup> "Our party is trying to do something. Our aim was to be able to go [to Kurdish areas] where we couldn't go at all. We are now organised all over Turkey. We changed our position. We were the first to back optional Kurdish lessons. We are trying to change people's reflexes. [Kurds] were interested, but wondering if it would work in the long term; they asked, 'will CHP still say this after the elections'. It will take a long time; it will be difficult". Crisis Group interview, Sezgin Tanrıku, vice-president, CHP, and former president of the Diyarbakır bar, Ankara, May 2012.

<sup>37</sup> "It's a coalition of the willing and we won't be part of it. It'll be a commission of parties, not the assembly". Crisis Group interview, Oktay Vural, MHP parliamentary group deputy chairman, Ankara, July 2012.

<sup>38</sup> See "AK Party-CHP meeting on Kurdish issue 'positive', MHP backing sought", *Today's Zaman*, 6 June 2012.

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<sup>39</sup> "Turkish officers accused of executing PKK militants, civilian", *Hürriyet Daily News*, 23 May 2012. In 2009, gendarmerie Colonel Cemal Temizöz was put on trial for twenty killings or disappearances between 1993 and 1995; that trial is ongoing. These alleged "killings were just a tiny fraction of thousands of unresolved killings and enforced disappearances ... Temizöz is the most senior member of the Turkish military ever to stand trial specifically for gross violations of human rights ... [but] the trial, which started in September 2009, offers an opportunity to examine the [many] obstacles to securing accountability in Turkey's domestic courts". Emma Sinclair-Webb, "Time For Justice: Ending Impunity for Killings and Disappearances in 1990s Turkey", Human Rights Watch, September 2012. In 2012, a tip-off to a newspaper led to the arrest and charging of the long-suspected killer of famed Kurdish movement intellectual Musa Anter in 1992. Investigations in that case are continuing.

<sup>40</sup> In May 2012, the government removed Murat Özçelik as head of the main organ in charge of coordinating strategy, the Undersecretariat for Security and Public Order, the third change of chief in two years. A Western diplomat said the Kurdish movement politicians read the newspaper columns of AKP deputy and Erdoğan adviser Yalçın Akdoğan to gauge official policy and that the other two policymakers are also long-term advisers, Deputy Prime Minister Beşir Atalay and National Intelligence Organisation head Hakan Fidan. Crisis Group interview, Ankara, July 2012.

<sup>41</sup> "He's going for 51 per cent, that needs polarisation with CHP and much more nationalistic speeches". Crisis Group interview, Oktay Vural, MHP parliamentary group deputy chairman, Ankara, July 2012. "He doesn't want to solve the Kurdish issue right now". Crisis Group interview, European diplomat, Ankara, July 2012.

<sup>42</sup> "Silah bırakıp, eylem yapmazlarsa Öcalan'a ev hapsi konuşulabilir [If they lay down their weapons and take no action, house arrest for Öcalan can be talked about]", *AHaber*, 16 June 2012.

<sup>43</sup> For instance, in the Şırnak KCK case, an application to release all 36 of the 90 persons charged who were being held in pre-trial detention resulted in only five being released. "Court releases five suspects in KCK probe", *Today's Zaman*, 20 July

Signalling a corresponding wish for a new start, Leyla Zana, a Kurdish movement leader, tacked away from the BDP's and PKK's anti-AKP rhetoric. After saying that Erdoğan was someone who could solve the Kurdish problem, she met him on 30 June 2012 to ask for a revival of talks with the PKK, a proper apology for the killing of the 34 Kurdish smugglers and to consider house arrest for Öcalan.<sup>44</sup> Although she was indirectly criticised for this by BDP leaders and PKK hardliners,<sup>45</sup> she was backed by a cross-party group of Kurdish opinion-makers.<sup>46</sup> The government has also maintained a minimalist, indirect channel of communication with the PKK through Iraqi Kurdish leader Massoud Barzani (see Section III.B.2 below). As AKP deputy Galip Ensarioğlu put it, "the government hasn't completely given up on the process ... it's not over".<sup>47</sup>

But violence remains attractive to some. While a broad group of Turkish and Kurdish opinion-makers signed a petition asking that the PKK declare a ceasefire for the holy month of Ramadan, the insurgency brushed it aside and launched a new string of attacks (see above). A chunk of Turkish public opinion is angry and demanding a more robust government response. A top trending expression on Twitter in Turkish on 5-6 August was "*açılım değil katliam istiyoruz* [we don't want an opening; we want a massacre]".

This report focuses on the PKK and its side organisations, building on Crisis Group's September 2011 report on ending the insurgency. A subsequent report will examine the relevance of the Kurdish movement's demands from the perspective of Turkey's main Kurdish-speaking city of Diyarbakır. Another will profile Turkish nationalists' views of the conflict. All these reports constitute an attempt to bridge the gap in perceptions, information and trust that exists between the Kurdish movement, which feels unjustly

targeted by the Turkish state, and mainstream Turkish opinion, which is understandably angered by PKK violence, in order to help define a comprehensive yet realistic state policy for resolving the conflict.

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2012. See also Murat Yetkin, "Not a very bright start for reform", *Hürriyet Daily News*, 13 July 2012.

<sup>44</sup> Leyla Zana also suggested that the interviewers' newspaper could make a contribution to inter-ethnic harmony by taking what Kurds see as a discriminatory motto off its masthead: "Turkey for the Turks". "İnanıyorum bu işi Erdoğan çözer [I believe that Erdoğan can solve this business]", *Hürriyet*, 14 June 2012. See also "'Oslo talks should be revived', says Zana", *Hürriyet Daily News*, 1 July 2012.

<sup>45</sup> "To pin hopes on AKP is to be naïve". Selahettin Demirtaş, statement, "Demirtaş'tan Leyla Zana'ya eleştiri! [Criticism of Leyla Zana from Demirtaş]", *Vatan*, 14 June 2012. "AKP is pursuing a policy [harsher even] than that of state institutions ... Erdoğan can't solve this". Interview, Aysel Tuğluk, BDP deputy, *Aydınlık*, 16 July 2012. "Leyla Zana's statements came to the agenda [as AKP tries to] neutralise the PKK". Interview, Duran Kalkan, PKK leader, Fırat News Agency, 1 July 2012.

<sup>46</sup> "Kapı aralandı, adım atma zamanı [The door has opened, time to take steps]", *Taraf*, 2 July 2012.

<sup>47</sup> Interview with *Taraf*, 13 July 2012.

## II. MEANS OR END? THE PKK'S ARMED STRUGGLE

The PKK was founded in a remote village teashop by then university graduate Abdullah Öcalan and a few co-conspirators in 1978. Its declared goal was to liberate by armed struggle an independent, united Kurdistan for all the 25-30 million Kurds of the Middle East. Having failed to create an independent state, it now says it has abandoned that goal. It remains, however, a large, well-financed, highly organised and battle-hardened entity, with several thousand men and women under arms, millions of Kurdish sympathisers in Turkey, long-established bases, including a main one in Iraq, apparently jointly-run parties in Iran, Iraq and Syria and deep-rooted support networks in Europe. As a PKK leader put it, “the PKK started its struggle at the point where the question was ‘is there a Kurdish people or not?’ Now what’s being discussed is how the Kurdish problem should be solved”.<sup>48</sup>

Turkey captured the PKK’s leader, Abdullah Öcalan, in 1999; cut most of its links to Syria, Iran, Greece and other countries that in the 1980s and 1990s gave it support or safe haven; won designation of it as a terrorist organisation over the past decade by the U.S., the EU and most European countries, as well as listing by Washington of several leaders as significant drugs traffickers; and, since 2007, added to its vast superiority in men and equipment a live feed of U.S. intelligence on the PKK mountain bases along the Iraqi border.

Yet, the state has been unable to crush the organisation. Even if it may have been militarily more powerful in the 1990s,<sup>49</sup> the AKP failure to implement the Democratic Opening may have actually strengthened the PKK’s grip on the Kurdish movement’s imagination.<sup>50</sup> As a long-time outside analyst of the PKK put it, “the recognition of PKK authority is much more widespread than I have ever

seen ... it has a better base than before ... People see the PKK as the main group representing the Kurds. Even if they don’t like the PKK, they recognise that it in effect exerts authority over the region and Kurdish politics”.<sup>51</sup> Another believes the recent offensives are its attempt to prove that it is the necessary party to any settlement.<sup>52</sup> Sabri Ok, a member of the KCK Executive Committee, put it this way:

Our [the Kurdish movement’s] military goal is not to beat the Turkish army or state. We are not dreamers. Our military goal is to show the Turkish state and military that they can’t play with the Kurdish people’s will and honour any more as they have in the past, that [the Kurdish people] is not defenceless against the policy of denial and rejection and war, and that it has a natural right to self defence .... The PKK has announced several unilateral ceasefires, lasting for about five years of AKP’s nine years in power. AKP has used this opportunity to strengthen itself. But it didn’t use this strength for a solution, but to try to break the will of the Kurdish people and to destroy our movement.<sup>53</sup>

### A. THE ORGANISATION

The Kurdish movement in Turkey has spawned a bewildering alphabet soup of entities.<sup>54</sup> The most prominent is now technically the KCK, which emerged from PKK-led congresses in northern Iraq in 2005-2007. It views itself as a “system”, not an “organisation”,<sup>55</sup> and its constitution-like charter talks about “KCK citizens ... anyone who is

<sup>48</sup> Crisis Group written interview, Sabri Ok, PKK/KCK leader, 24 November 2011.

<sup>49</sup> “They ran Kurdistan in 1991-1994. A bird couldn’t fly without their permission. They had courts, for real. What they have now is just a kind of manipulation, perhaps they are truly dominant in just one or two places”. Crisis Group interview, Zeynel Abidin Kızılyaprak, Turkish Kurd intellectual, Istanbul, April 2012.

<sup>50</sup> “They seem as strong as ever, there is a feeling that other avenues have been closed. After the Opening failed, there was a sense of, ‘well of course’ .... What’s so upsetting is that the Turkish state has such an insistence that the PKK controls every single Kurd in the country, which is also what the PKK wants to have people believe, even though it isn’t true. This is a very unproductive perception of the conflict, but everyone believes it”. Crisis Group interview, U.S. researcher on Kurdish language and politics, Istanbul, May 2012.

<sup>51</sup> Crisis Group interview, Aliza Marcus, expert on the PKK, Istanbul, May 2012.

<sup>52</sup> “The PKK knows that they can’t win militarily but hopes attrition will force Turkey back to the negotiating table. They’ve adapted their tactics, using much more varied means, and the Turkish side is struggling to keep up”. Crisis Group telephone interview, Gareth Jenkins, expert on Turkish security matters, August 2012.

<sup>53</sup> Crisis Group written interview, 24 November 2011.

<sup>54</sup> Turkey’s Kurdish movement’s legal parties, for instance, have been successively known by their acronyms HEP, DEP, HADEP, DEHAP, DTP and BDP. The PKK has called itself ERNK, KADEK, Kongra Gel and KKK; currently it prefers KCK and perhaps HDP too. Its military wing, now HPG, was previously ARGK. The movement has changed names after the frequent closure of its newspapers, TV stations, parties or associations to avoid members being listed and jailed as terrorists, to rebrand itself after an ideological shift, or to mark the occasional new alliance with left-wing factions. “Despite all the changes of name, which were always proclaimed as new beginnings and promised democratic structures, there were no significant changes in organisation and personnel”. Protection of the Constitution Report 2010, German interior ministry, Berlin, 2011.

<sup>55</sup> The charter, proclaimed in March 2005, is in Turkish at <http://bit.ly/Qf6eI3>.

born in Kurdistan, lives there or is bound to the KCK". The armed insurgents, known as "People's Defence Forces", are an integral part of the KCK.<sup>56</sup>

The name PKK has, however, endured, used by both sympathisers and opponents to refer to Öcalan's dominant, core cadres.<sup>57</sup> "After the PKK's shift to KCK, we are now witnessing the emergence of a new name, HDP [Halkların Demokratik Kongresi, Congress of Democratic Peoples]", said a European counter-terrorism officer, "but underneath, we always find exactly the same organisation, the same associations".<sup>58</sup> Indeed, the most common appellation for the group cuts through the PKK's self-woven tangle of names and entities: the Turkish word *örgüt* ("the organisation").

The KCK, therefore, overlaps broadly with the PKK, with the latter's leaders sometimes using the terms interchangeably.<sup>59</sup> It is both more than simply the PKK's urban, civilian wing, but less than an umbrella body that integrates the whole Kurdish movement.<sup>60</sup> The leadership's strategies may in fact include keeping distinctions murky between the KCK, the KCK's various subsidiary armed, "judicial", and "legislative" groups, the PKK and legal groups like the BDP and Europe-based associations. Outsiders are left guessing whether the entities are distinct. Perhaps reality was best reflected in Brussels, where the BDP and

the pro-PKK Roj television offices had different addresses on different streets – but joined up at the back through their gardens.<sup>61</sup>

Under Öcalan's overarching leadership, the KCK is headed by his number two, Murat Karayılan, a Kurd from Turkey. He leads the KCK Executive Committee, in whose name major policy statements are made from his base in the Qandil mountains of northern Iraq. The KCK includes a legislature (the Kongra Gel, People's Congress), headed by Remzi Kartal, another Kurd from Turkey, who is a political refugee in Belgium;<sup>62</sup> an executive, including the "People's Defence Forces" (Hêzên Parastina Gel, HPG), which is run from the Qandils by Bahoz Erdal (a Syrian Kurd, born as Fahman Hussain); and a judiciary, headed by Sait Avdi, an Iranian Kurd.<sup>63</sup>

The top men in the PKK's current executive committee are also the three top names in the KCK's twelve-person executive committee: Öcalan, Karayılan and PKK co-founder and former insurgent forces chief Cemil Bayık. The KCK may also offer former PKK militants, most of them released from jail, a network through which they have the chance to become politically active in Turkey.<sup>64</sup> If KCK institutions seem secretive, the chief of its legislature says, it is because "we're a revolutionary movement, and there's a war going on, so we don't have public meeting times".<sup>65</sup>

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<sup>56</sup> According to the KCK charter, Article 14/4, "The People's Defence Forces are autonomous within the KCK system ... responsible for protecting the basic rights and freedoms of the Kurdistan people, to protect the KCK Leader's life and freedom ... within the parameters of legitimate defence". Article 43 adds that the executive committee appoints members of the autonomous People's Defence Forces command and charges the command with working according to the political will of the "Democratic Society of Confederalism Leader", Öcalan and the political will of the KCK's Kongra Gel legislature.

<sup>57</sup> Sympathisers use the Kurdish pronunciation Pe-Ke-Ke; most others in Turkey use the Turkish version, Pe-Ka-Ka.

<sup>58</sup> Crisis Group interview, Brussels, June 2012.

<sup>59</sup> For instance, Article 36 of the KCK charter states: "The PKK is not a classical political party .... It is the ideological force of the KCK system .... Every PKK cadre within the KCK system is bound to the PKK formation in ideological, moral, philosophical, organisational and everyday life points of reference".

<sup>60</sup> "Not everyone in KCK is PKK. The PKK is more narrow. But they are so overlapping. They have to find jobs for all their people, it's a growing movement!", Crisis Group interview, Sezgin Tanrıku, CHP deputy chairman, Ankara, July 2012. "The KCK is an umbrella political structure, a transnational entity. But the U.S., for instance, hasn't moved to designate it [as a terrorist group]. It's a problematic organisation, and it's a gray zone on ground level. I suspect that some [KCK people] can be very far removed [from the PKK]. In a political cause, the people themselves may be non-violent, but if you trace up the lines [you find the armed group]". Crisis Group interview, Western diplomat, Ankara, July 2012.

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<sup>61</sup> "After raiding these offices in March 2010, security services became convinced that this is all one organisation". Crisis Group interview, European diplomat, Ankara, July 2012.

<sup>62</sup> Kongra Gel has a membership of 300 leading personalities chosen in elections every two years from Kurdish communities, associations and business groups in the four main countries where Kurds are native and the diaspora. Crisis Group interview, Remzi Kartal, exiled Kurdish movement leader, Brussels, June 2012.

<sup>63</sup> For a detailed overview from a Turkish perspective, see Atilla Sandıklı, "KCK Terör Örgütünün Yapısı ve Faaliyetleri [The KCK Terror Organisation's Structure and Activities]", Wise Men Centre for Strategic Studies (BILGESAM), 15 December 2012, <http://bit.ly/Ns4UiM>.

<sup>64</sup> "Theoretically they are civilians, not directly involved in armed struggle. They are not necessarily sent from the mountain. There were hundreds, thousands of PKK released from jail after Öcalan's capture in 1999. They wanted to stay involved, but bringing them to the mountains wasn't practical, and anyway, the rebel war was suspended at that time. Öcalan and the Qandil leadership came up with the idea of having these people go to the cities and get involved in legal activities. This way, the PKK kept these supporters engaged and had a new way to maintain influence over non-violent Kurdish activism". Crisis Group interview, Aliza Marcus, expert on the PKK, Istanbul, May 2012.

<sup>65</sup> Crisis Group interview, Remzi Kartal, exiled Kurdish movement leader, Brussels, June 2012.

One other significant group – in theory autonomous – is the Brussels-based KNK (Kurdistan National Congress), a lobbying group of exiles, the PKK and pro-PKK parties in all Kurdish-populated regions of the Middle East. Headed by Tahir Kemalzadeh, an Iranian Kurd, it aims to unite Kurds and focus international attention on human rights violations against them. Its ambition is for the Kurdish movement to become the equivalent of South Africa's African National Congress (ANC), which moved from terrorism to government.<sup>66</sup> The KNK tries to balance its membership: 60 per cent independent figures, 40 per cent political parties; and roughly 30 per cent Turkish Kurds, 25 per cent Iraqi Kurds, 20 per cent Iranian Kurds, 15 per cent Syrian Kurds and 10 per cent diaspora Kurds.<sup>67</sup> Nevertheless, the rhetoric of the supposedly separate KNK is hard to distinguish from that of PKK/KCK groups.<sup>68</sup>

## B. THE LEADERSHIP

Öcalan built the PKK into a resilient group through armed insurgency, ideological fervour, terrorist attacks on civilians and liquidation of its internal dissidents.<sup>69</sup> In the organisation's literature, and even when Öcalan writes about himself, his name often metamorphoses into the word

“Leadership”. He remains the object of extraordinary devotion to his followers, despite a lingering culture of fear.<sup>70</sup> In June 2012, one burned himself to death on a hilltop looking out towards his prison island of İmralı, and at least six others have killed themselves in similar fashion demanding his freedom. One of the only messages he has sent from prison in the past year is to his supporters not to kill themselves or conduct hunger strikes to win his freedom.<sup>71</sup>

Öcalan certainly views the negotiations with the government as an opportunity to end his imprisonment.<sup>72</sup> Still, thirteen years of jail and the 1,300 books that have been delivered to the small cell where he is alone 23 hours a day appear to have softened his approach.<sup>73</sup> His dense philosophical style survives in recent writings – a typical chapter discusses “Ideological identity and time-space conditions of the new development in civilisation” – but a European supporter says:

His language reflects strongly the rich historic and cultural heritage of the Kurds and the power of their language .... It was quite amazing to hear him [in the early 1990s] speaking often two-three hours straight and with thousands of Kurds listening to him. Öcalan and the Kurdish movement have turned against the narrow-minded concept of nationalism and the nation state and

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<sup>66</sup> An ANC activist, Judge Essa Moosa, attending a Kurdish movement meeting in the European Parliament in December 2011, spoke of comparisons between the causes, noting that a South African solution became possible when the former government unilaterally unbanned the ANC, and called on the Turkish government to “cross the Rubicon”. “The KNK is like the ANC in the past; the ANC attends our congresses, and a KNK delegation from KNK went to South Africa with BDP”. Crisis Group interview, pro-PKK Kurdish exile from Turkey, London, June 2012.

<sup>67</sup> Crisis Group interview, pro-PKK activist, Brussels, December 2011.

<sup>68</sup> KNK President Tahir Kemalzadeh told pro-PKK Roj TV that “Kurdistan is one country, and the people of Kurdistan are one nation and they must reunite ... if in north [Turkish] Kurdistan there is progress and it can achieve its freedom, this freedom will be extended to all parts of Kurdistan. But if the Kurds are defeated there, then it is like separating the head from the body, and the Kurds will be defeated and paralysed in the other parts”. “Kurdish National Congress chairman interviewed on pan-Kurdish strategy”, BBC Monitoring International Reports, 14 June 2010.

<sup>69</sup> A reporter who interviewed Öcalan in the early 1990s said he was paranoid and reminded him of Stalin, “[a man who] made clear that months and months of indoctrination were far more important than learning basic guerrilla-warfare tactics ... [saying] we can afford to lose 70 per cent of PKK recruits on the battlefield within a year .... This son of a despised and failed peasant father shared the single-minded, blinkered devotion to violence I'd learned to identify over the years as a Middle Eastern cancer”. Jonathan C. Randal, *After Such Knowledge, What Forgiveness? My encounters with Kurdistan* (Boulder, 1998), p. 238.

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<sup>70</sup> “I worked alongside him for one year. Öcalan woke us up, united the Kurds .... The PKK is not an organisation. It became a people”. Crisis Group interview, former PKK insurgent, Brussels, June 2012. “Whether you agree with him or not, he has a huge influence over Kurds from Turkey. If he called people to Trafalgar Square, not one would stay at home”. Crisis Group interview, former leader of the UK's Turkish-origin Kurdish community, London, June 2012. “Internal political opposition is almost non-existent. There's a feeling that ‘He’ is watching .... If you are criticised by the PKK, that means your life is under threat. People keep quiet ... before the PKK starts talking about democracy, democratic autonomy, etc., they should apply it to themselves”. Crisis Group interview, Ümit Fırat, Turkish Kurd intellectual, Istanbul, May 2012.

<sup>71</sup> Another seven tried to burn themselves to death and survived. Crisis Group interview, Öcalan lawyer, June 2012.

<sup>72</sup> “My own position is of strategic importance. [A settlement] has a limited chance of implementation without Öcalan ... it is necessary that I be released on the basis of a defence presented by me to [my proposed] Truth and Reconciliation Commission. I must be enabled to [communicate with and] prepare all circles linked to the Kurds, especially the PKK, for the democratic solution .... There should be support to meet various needs, including and especially that of [my future place of residence]”. Öcalan, *Prison Writings III*, op. cit., p. 104.

<sup>73</sup> According to Cevat Oneş, former deputy undersecretary of Turkey's National Intelligence Organisation, “he reads nonstop, mostly philosophy but also other subjects. He has developed an almost utopian outlook”. Cited in Marc Champion and Ayla Albayrak, “Jailed Kurd Leader at Conflict's Core”, *Wall Street Journal*, 20 October 2011.

are looking for ... a democratic Middle East in which the Kurds are able to freely articulate their own cultural and political identity .... Debates in the national and international media are largely dominated by PKK "terrorism" and not by what Öcalan and the Kurdish movement may be able to contribute to a just political and constructive solution to the long-standing, unresolved Kurdish question.<sup>74</sup>

Öcalan was a key player in the 2005-2011 Oslo Process, and his supporters claim he is still the man who can make a peace deal work.<sup>75</sup> If he should die in prison, it would likely be much harder to make any future deal stick.<sup>76</sup> During the talks, he canvassed the various constituencies: the diaspora, PKK fighters and jailed PKK members in Turkey.<sup>77</sup> He authorised the last draft deal in May 2011, known as the "three protocols". He appears to have the loyalty of Karayılan, the KCK president.<sup>78</sup> The legal BDP's leader, Selahettin Demirtaş, believes that Öcalan should be the negotiator with the state and allowed full communication with the PKK, in other words to reestablish his authority over the organisation.<sup>79</sup>

But Öcalan's grip on his group appears to be slipping. On at least three recent occasions, hard-to-explain PKK violence and mutual misjudgements have tripped up the gov-

ernment's and Öcalan's apparent moves towards a settlement.<sup>80</sup> Even Kurdish movement figures question whether Öcalan can convince the PKK fighting machine to lay down its arms.<sup>81</sup> A major movement commentator believes hardliners have seized full control of the PKK.<sup>82</sup> According to a European counter-terrorism official, "Öcalan is instrumentalised. In the PKK these days there's not much interest in Öcalan beyond the symbol he represents".<sup>83</sup> Turkey suspects outside powers control parts of the organisation's international network.<sup>84</sup> The leading AKP deputy from Diyarbakır, Galip Ensarioğlu, says the PKK hardliners deliberately undermined hopes of a settlement with the past year of attacks:

[The PKK leaders all said] the chief negotiator must be Öcalan. But it was them that sabotaged it. Öcalan is now angry with his own organisation. They ruined things for a government that took a political risk to start the process .... The government doesn't trust [the PKK] any more .... I call on the organisation: who is your representative? [Öcalan in] İmralı, the BDP or [the insurgents in] Qandil? You must decide.<sup>85</sup>

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<sup>74</sup> Crisis Group interview, Estella Schmid, Peace in Kurdistan Campaign activist, London, April 2012.

<sup>75</sup> "Öcalan is the last chance for Turkey. He has power over the movement and people. He can persuade them". Crisis Group interview, Remzi Kartal, exiled Kurdish movement leader, Brussels, June 2012.

<sup>76</sup> "If Öcalan dies in jail, people are going to say it was deliberate, and it will lead to an explosion in the south east, also in the [Kurdish communities] in the west. It's a danger, it will be a very violent time". Crisis Group interview, Aliza Marcus, expert on the PKK, Istanbul, May 2012.

<sup>77</sup> PKK leader Murat Karayılan says 6,000 PKK members are serving sentences in Turkish jails. Letter to *Taraf*, 10 October 2011.

<sup>78</sup> "There is one PKK, but two important voices, Öcalan and Karayılan. While Öcalan is in jail, Karayılan calls the shots". Crisis Group interview, Aliza Marcus, expert on the PKK, Istanbul, May 2012.

<sup>79</sup> "If the isolation in İmralı [prison island] is lifted, and the negotiations and dialogue begin again, the PKK can end its armed actions .... There has to be healthy communication between the PKK and Öcalan, not through lawyers ... this can't work on İmralı". "Oslo süreci yeniden başlasın [Let the Oslo Process begin again]", interview with *Taraf*, 25 June 2012. "Öcalan is not a normal person; he is the most important person in Turkey's no. 1 problem. Öcalan wants to play a role. It can't be done one hour a week through lawyers. He wants health, safety and space to move freely. As he says himself, 'it's like they want me to swim in an empty pool'. Continuation of his isolation will only make matters worse, cause more clashes". Crisis Group interview, Öcalan lawyer, Istanbul, June 2012.

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<sup>80</sup> The three cases most commentators point to are the bungled attempted amnesty at Habur in 2009, an unexpected upsurge in PKK attacks – and Turkish army operations – in early 2011 including the Silvan incident that killed thirteen soldiers, and a major PKK attack on the Daglica border post in June 2012. "A power inside the PKK itself delegitimises PKK leaders when they start speaking about peace, destroys their credibility and pushes them outside the negotiations". Ahmet Altan, "Barış der demez [As soon as one says peace]", *Taraf*, 20 June 2012.

<sup>81</sup> "The PKK will never change, and Öcalan will say anything to suit his circumstances. The PKK's goal is not to do something for the Kurds but to get power for themselves. The PKK will never come down from the mountains completely". Crisis Group interview, Ümit Fırat, Turkish Kurd intellectual, Istanbul, May 2012.

<sup>82</sup> "If anyone can create an earthquake in the Kurdish movement, that is Öcalan. But he is also silent, because he worries that what he has to say [about peace] might not win a response from the PKK .... The PKK [hardliners'] strategy is to keep Öcalan eternally in İmralı, and it is not possible that Öcalan doesn't understand this. They [the real PKK] make it look like they really want him moved to house arrest; but none of them want him [back in charge]". Orhan Miroğlu, "PKK gerçeği ve Öcalan [Öcalan and the PKK reality]", *Taraf*, 25 June 2012.

<sup>83</sup> Crisis Group interview, Brussels, June 2012.

<sup>84</sup> "Öcalan has been turned into a mythological figure and has influential power. It is not easy for anyone to grab his role ... but if the [PKK] actors lack good will, sincerity and vision, and if they are incapable, have different intentions or are controlled by others, then your task will be difficult .... Rather than focusing on the results and expecting their benefits, they seek power by exploiting the process". Interview, Yalçın Akdoğan, *Star*, op. cit.

<sup>85</sup> Interview with *Taraf*, 13 July 2012.

### C. COMPETING LEADERSHIP FACTIONS

After Öcalan, authority officially rests with KCK Executive Committee President Murat Karayılan, the ultimate commander of the PKK's forces in the field. But his position may rely more on Öcalan's trust in him than real control over all insurgents. Just days after Karayılan promised in a major interview that there would be no more attacks on remote army border outpost, a large force of PKK insurgents hit one.<sup>86</sup>

Increasingly, power on the ground seems to be shifting to more hardline KCK executive committee leaders like Cemil Bayık, Bahoz Erdal, Duran Kalkan and Mustafa Karasu, who are closely associated with armed insurgent units.<sup>87</sup> Their rhetoric has been tougher than usual. Bayık stressed that "it's a basic right to defend oneself from annihilation ... the time for armed struggle hasn't passed in today's world".<sup>88</sup> Erdal put out a statement saying, "while there are attacks aimed at eliminating [the PKK] who can talk of a ceasefire or laying down arms?". Kalkan explained: "We're not on the way to a political solution; we're on the way to a military solution. A year or two ago we took the decision that AKP wouldn't solve the Kurdish problem, so we decided to start active struggle to deal them a political defeat .... The Kurds should set up their own democratic self-rule".<sup>89</sup>

This hardline group has been consolidating since a rival faction was ousted in a major split in 2004, five years after Öcalan's capture.<sup>90</sup> The tone of PKK/KCK propaganda has also become more bitter and uncompromising over the past year, partly because of anger at the government's blocking of Öcalan's access to his lawyers and partly be-

cause of real disappointment that the Oslo Process failed.<sup>91</sup> But one of Prime Minister's Erdoğan main advisers on Kurdish issues, Yalçın Akdoğan, does not believe they were ever sincere:

During the Oslo talks, people like Öcalan and Karayılan supported the idea of "tactical" terror, while people like [Bahoz Erdal], Cemil Bayık [and] Duran Kalkan employed terror to reach their organisation's utopia. Öcalan and Karayılan never said "don't use terror attacks" during the process. They saw it as a tool to impose [their solution]. The others saw [the whole negotiation] as a hoax. As a result the Oslo Process was buried, Öcalan was buried, and hopes of a settlement were buried.<sup>92</sup>

Other hardline factions may be only partially under central control. A group calling itself the Kurdistan Freedom Falcons, for instance, has staged terrorist attacks against Western tourist targets since 2006 and issued statements under its own name.<sup>93</sup> Other young Kurdish militants have staged suicide bombings or actions, like a November 2011 Istanbul sea bus hijack, that can appear individual and amateur.<sup>94</sup> The PKK/KCK leadership rarely disassociates itself, prizing unity and, in public at least, strong organisational discipline, with little self-criticism.<sup>95</sup> Still, it does sometimes talk of individual actions by local units and punishments.<sup>96</sup> For Turkish officials, however, such actions are part and parcel of the PKK. Even Kurdish opinion-makers can be biting about the blind default to violence of the PKK's fighting wing.<sup>97</sup>

<sup>86</sup> Murat Karayılan, deputy PKK leader, interview with Avni Özgürel, op. cit.

<sup>87</sup> "This is the 'Ankara group' of early PKK founders, the faction of the PKK that won't stop fighting. [One] is a plain murderer. We know he has killed 30 people – seventeen wounded in a cave shot by him as they retreated, so they couldn't give away intelligence, thirteen more for treason on Qandil. Such people can't change". Crisis Group interview, Turkish Kurd intellectual, Istanbul, May 2012.

<sup>88</sup> Cited in Günay Aslan, "PKK silah bırakır mı? [Will the PKK lay down its weapons?]", *Yeni Özgür Politika*, 11 July 2012.

<sup>89</sup> Statement to Fırat News Agency, cited in *Taraf*, 20 June 2012; statement to Fırat News Agency, 1 July 2012.

<sup>90</sup> 1,800 PKK fighters and a group of leaders including an Öcalan brother left the organisation; at least two were killed in mysterious circumstances. "Those that truly wanted peace were liquidated. 2004 was an important year for the PKK". Crisis Group interview, Ümit Fırat, Turkish Kurd intellectual, Istanbul, May 2012. "The group's hard-line militant wing took control and renounced the self-imposed ceasefire of the previous five years". "Country Reports on Terrorism 2010", U.S. State Department.

<sup>91</sup> Crisis Group telephone interview, Gareth Jenkins, expert on Turkish security matters, August 2012.

<sup>92</sup> "Terör, süreci nasıl etkiler? [How will terrorism affect the process?]", *Star*, 22 June 2012.

<sup>93</sup> "TAK [Teyrêbazên Azadiya Kurdistan – Kurdistan Freedom Falcons] listens to Öcalan, is not punished for what it does, but may not be completely under PKK control". Crisis Group interview, Ümit Fırat, Turkish Kurd intellectual, Istanbul, May 2012.

<sup>94</sup> "Suspected Kurd militants hijack ferry in Turkey", Reuters, 11 November 2011.

<sup>95</sup> "There are no hawks, no doves. They have a mechanism, and everyone has a role. If you don't agree, you'll be eliminated, not necessarily physically, but sometimes". Crisis Group interview, Mazhar Bağlı, AKP Central Executive Committee, Istanbul, May 2012.

<sup>96</sup> For instance, see "KCK warns TAK", Fırat News Agency, 24 September 2011.

<sup>97</sup> "Up there they are all [ideological robots], feminist women guerrillas and so on ... when I went there I wanted to talk to [a real person], but when they refused I closed my notebook and refused to continue with the interviews". Crisis Group interview, Zeynel Abidin Kızılyaprak, Turkish Kurd intellectual, Istanbul, April 2012.

This feeds concerns that the PKK is merely posing when it professes moderation, trying to win time.<sup>98</sup> A pro-Kurdish movement commentator warned that the hardline insurgents' faction still believes armed action can win it an autonomous fiefdom somewhere, preferably in Turkey but possibly in another Kurdish region of the Middle East.<sup>99</sup> Another expert blamed ideological calcification:

The PKK is a pre-industrial nationalist movement. The people who founded the PKK are still in charge. Using violence, they are controlling all activity. [Irish and Basque groups that used terrorism] had generational transfers, they changed. It's a disadvantage not to have done that; the PKK is still working as a Marxist-Leninist structure.<sup>100</sup>

#### D. THE INSURGENT FORCES

Estimates vary regarding the numbers the PKK has under arms, mostly split between Turkey and northern Iraq. The U.S. says it is between 4,000 and 5,000, with 3,000 to 3,500 of these in northern Iraq.<sup>101</sup> The Turkish military typically puts total strength at 5,000. A recent visitor to the Qandil headquarters, however, thought that 3,000 were in Turkey and 5,000 in northern Iraq.<sup>102</sup> More than half, mainly young, rural recruits, come from provinces of Turkey on the Iraqi border.<sup>103</sup> Karayılan drew attention to the

sheer size of the organisation by noting that 20,000 insurgents had died in the conflict:

We have a guerrilla organisation, and ... this is thousands of people. This is a fundamental reality of the Kurdish problem. We have always been open to a new organisation for the guerrillas .... There is a very close connection between the solution to the Kurdish problem and the guerrillas .... This force has gone to the mountains for freedom, has not been defeated, a force that has succeeded in making millions embrace its cause. In such a situation you can't expect such a force to disband itself.<sup>104</sup>

There is no sign of collapse in morale. A trickle of insurgents applies to surrender under the current repentance laws.<sup>105</sup> A BDP district mayor in Diyarbakır estimated that increased tensions and anger after mass arrests of legal activists since 2009 have led to 2,000 or more young people "going up to the mountains" to join the PKK.<sup>106</sup> In a south-east rural area, a visitor who met PKK insurgents spoke of them being accorded much local respect – in one instance coming to an evening meeting by car, in uniform, just 200 metres from a gendarmerie outpost.<sup>107</sup> An ex-PKK insurgent from a Syrian village close to Turkey summed up her five years in the field:

When we went to independent villages, we either paid for food or they gave it. They felt proud .... We know the old [Kurdish] view of girls. That one of us should be up in the mountains, in those circumstances, impresses people. I was born on the plain, there's practically no snow, so the mountains were tough for me. We didn't just fight TC [the Republic of Turkey] but nature. It tested your will. If you believe, you have to go on. You started feeling proud of yourself. You are surrounded by people like yourself .... The reason that TC couldn't get rid of us is our readiness to die ... when someone died, it made you stronger, it remains strong inside me.<sup>108</sup>

<sup>98</sup> "My opinion is that they are unable to accept deactivating terrorist methods because their purpose and goal are not attainable within democracy". Interview, Yalçın Akdoğan, *Star*, op. cit.

<sup>99</sup> "The hardline group in the PKK believes no compromise is possible ... they cannot develop a solution that Turkey can accept. They think that 'force of arms can either make them accept our solution or overturn the government' .... They want to take over the whole of the south east, and northern Iraq ... they think they are stronger than Barzani .... Don't underestimate this tendency, which reflects that frustration and hopelessness of a small group of insurgents in the mountains, because this group, just as it has taken hostage the whole Kurdish political movement, can also put [Öcalan] under pressure". Kurtulmuş Tayiz, "The fight over who can solve the Kurdish problem", *Taraf*, 17 July 2012.

<sup>100</sup> Crisis Group interview, Nihat Ali Özcan, counter-terrorism analyst, Economic Policy Research Foundation of Turkey (TEPAV), Ankara, May 2012.

<sup>101</sup> "Country Reports on Terrorism 2011", U.S. Department of State, August 2012.

<sup>102</sup> Interview with Avni Özgürel, "Türkiye barışa hızla yaklaşıyor [Turkey is quickly approaching peace]", *Taraf*, 18 June 2012. A mainstream Kurdish rights activist reckons the PKK has 6,000-7,000 fighters, 2,000-3,000 of whom are in Turkey at any one time. Crisis Group interview, Sezgin Tanrıku, CHP deputy chairman, Ankara, July 2012.

<sup>103</sup> Extract of security officials' report, "2007-2011 yılları arasında öldürülen-ölen toplam 790 PKK-KCK'lı terörist üzerine [On the deaths/killings of 790 PKK/KCK terrorists between

2007-2011]", "PKK araştırmasındaki dikkat çekici detaylar [Arresting details of research into the PKK]", *Sabah*, 15 July 2012.

<sup>104</sup> Letter to *Taraf*, 10 October 2011.

<sup>105</sup> Seven successive "repentance laws" since the first was tried in 1985 had by 2009 attracted just 2,600 people affiliated with the PKK, an average of less than ten per month. Of these, only 735 were released without punishment. See "Repentance laws didn't work in the past", *Today's Zaman*, 20 October 2009.

<sup>106</sup> Crisis Group interview, Abdullah Demirbaş, Diyarbakır, May 2012.

<sup>107</sup> Crisis Group interview, Istanbul, May 2012.

<sup>108</sup> Crisis Group interview, Brussels, June 2012.



## E. FINANCING

The Kurds of Turkey are the PKK's main base of support, thanks to a long-standing system including gifts from businesses and individuals, in-kind supplies and extortion. The PKK appears to have few problems raising money to finance its insurgency.<sup>109</sup> Turkey tells European police that the highly organised network still raises an annual €15 million-20 million from the diaspora alone.<sup>110</sup> European diplomats and Turkish analysts believe the main source of money and support is in Turkey itself.<sup>111</sup> A PKK/KCK leader insisted that Ankara was on the wrong track:

The Turkish state has a tradition: in order not to accept the reality of what we are, it always tries to connect us to foreign forces .... It says that Europe supports the PKK: I ask you, does Europe support the PKK? Europe has unjustly put the PKK on the terror list, and banned its activities.<sup>112</sup>

EU governments are doing more to block the PKK and its agents.<sup>113</sup> Much money raised in Europe comes from social events and individual donations, but Kurdish groups have many legal communal activities; it is hard to prove links between their fundraising and the PKK, or, for instance, that advertisements paid for on the pro-PKK television station are a kind of protection money. A European counter-terrorism official said, "the total amount is unknown, and how it goes to [Iraq] is unknown. That's because of close family links, their tight and broken-up cells.

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<sup>109</sup> "The PKK makes money from the local administration [taking a cut from contracts awarded by BDP municipalities]". Crisis Group interview, Sezgin Tanrikulu, CHP deputy chairman, Ankara, July 2012. "The PKK doesn't have a money problem. A militiaman is a cheap soldier. [Keeping one in the field] costs them about 35 TL [\$20] per month". Crisis Group interview, Nihat Ali Özcan, counter-terrorism analyst, TEPAV, Ankara, May 2012. "The PKK has strong resources, from smuggling, border trade, from fundraising in Germany and Europe, from taking its cut of state contracts. Also, the PKK doesn't need so much money. It's pretty cheap to run a guerrilla war". Crisis Group interview, Aliza Marcus, expert on the PKK, Istanbul, May 2012.

<sup>110</sup> The UK thinks that stricter policing has reduced PKK income there from £2 million to half a million. Crisis Group interview, British official, Ankara, May 2012. A Turkish official confirmed the PKK's European revenue as at least €15 million. Crisis Group interview, July 2012.

<sup>111</sup> Crisis Group interviews, Ankara, May and July 2012.

<sup>112</sup> Sabri Ok, PKK/KCK leader, written interview with Crisis Group, 24 November 2011.

<sup>113</sup> "In 2011, 32 alleged members of the Kurdish Workers Party (PKK) were arrested in France. Among these were three 'major leaders of the PKK in France' who were arrested on June 4 and held on suspicion of extortion to fund terrorist activity". "Country Reports on Terrorism 2011", U.S. Department of State.

They are well-organised. Making a link between an amount of money and terrorism is really hard".<sup>114</sup>

European police report that "separatist terrorist groups such as the PKK/KONGRA-GEL ... are involved in the trafficking of drugs and human beings to raise funds for their terrorism activities [and] the facilitation of illegal immigration, credit card skimming, money laundering, and fraud .... 'Donations' and 'membership fees' ... are in fact extortion and illegal taxation".<sup>115</sup> Allegations that the PKK shares in longstanding heroin-refining operations in eastern Turkey and smuggling routes to Europe underpin the 2008 listing of the organisation in the U.S. Foreign Narcotics Kingpin Designation Act. A European counter-terrorism official commented: "It is not fair to say that the PKK is just a criminal or terrorist organisation. But it is fair to ask, 'how do they raise so much money?' And if so, to worry if they will just end up having commercial interests, like FARC [in Colombia]".<sup>116</sup>

The PKK has not had any crippling financial limitations. For instance, €6 million were quickly found to pay a 2009 tax fine for a pro-PKK television station in Belgium. But it is having to be more careful. The Belgian authorities reportedly told U.S. officials in connection with that incident that:

The PKK had access to large sums of money, though the organisation was having difficulty paying the fine with 'clean' money .... The PKK is skilled at raising and extorting money and maintaining cash flow and hires the best lawyers to handle cases .... [Turkish officials were] not satisfied with what [they] perceived as little success in ending PKK activities in Belgium [and] claimed the PKK had too many sympathizers in Belgium.<sup>117</sup>

## F. IDEOLOGY

The Kurdish movement is technically "nationalist", since its major focus is on ethnic national rights. It rejects the epithet, however, partly because Turkish "nationalists" have been the principal enemies of Kurdish ethnic rights, and partly because nationalism in Turkey is seen as right-wing, while Öcalan founded the PKK in 1978 on a Marxist, if not Stalinist, model. The PKK removed the hammer

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<sup>114</sup> Crisis Group interview, Brussels, June 2012.

<sup>115</sup> "EU Terrorism Situation and Trend Report 2011", European Police Office (Europol).

<sup>116</sup> Crisis Group interview, Brussels, June 2012.

<sup>117</sup> U.S. Brussels embassy cable, 30 June 2009, made public by WikiLeaks. A major trial is due in 2012 in Belgium in connection with March 2010 raids on 200 premises suspected of PKK links. Crisis Group interview, European diplomat, Ankara, July 2012.

and sickle from its flag in 1991; it now prefers to call itself the Kurdish Freedom Movement. Above all, it says it is not nationalist because it no longer aims for a nation-state.<sup>118</sup>

The sanctity of armed struggle remains central to the PKK identity.<sup>119</sup> This is partly because it emerged when there was an absolute ban, dating to the 1920s, on all legal expression of Kurdishness. The crucible that shaped the armed struggle, including terrorist attacks, was the force with which the Turkish state implemented this ban, most cruelly during the 1980-1983 period of military rule, but also during mass village clearances, legal harassment and death squad killings of Kurdish figures in the 1990s.<sup>120</sup> The Kurdish movement is not alone in believing that it was the PKK's use of violence that forced the government to change its policies and start granting Kurdish rights.<sup>121</sup>

Harsh past government practices cannot legitimise the PKK's continued killing of innocent people.<sup>122</sup> Its violence makes the Kurdish movement as a whole look like an unreliable partner for the government and sometimes even angers its own supporters.<sup>123</sup> The Kurdish movement in Turkey, and to some extent in Europe, has paid a great price, not least in jail terms, because Turkey has plausibly been able to accuse anyone close to the PKK of terrorism.

There has long been an explicitly non-violent alternative to the PKK led by respected, veteran socialist activist Kemal Burkay; but even though he was welcomed back from exile by the government in 2011, he remains a marginal presence. The Kurdish movement's link to violence is not just a cause of the problem but also a symptom that the government must treat with full, real reforms. As a PKK expert pointed out:

The PKK ... is popular because it fought for so long .... The PKK's fight tied people to the party and gained it Kurdish respect. Now, Kurds in Turkey are loath to turn against it, because this smacks too much of betraying their dreams .... The PKK's fight, whether one thinks it is good or bad ... helped Kurds define themselves as Kurds. It gave them a sense of honour.<sup>124</sup>

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<sup>118</sup> An AKP and Erdoğan adviser disagrees: "It's not the Kurdish movement. It's the Öcalan movement". Yalçın Akdoğan, "Terör, süreci nasıl etkiler? [How does terrorism affect the process?]", *Star*, 22 June 2012. "We are not aiming at a nation-state, therefore we can't be nationalist". Crisis Group interview, Remzi Kartal, exiled Kurdish movement leader, Brussels, June 2012.  
<sup>119</sup> "Öcalan's rhetoric implied the sort of commitment to armed struggle that was lacking in other groups .... The aggressiveness of Öcalan's approach was the nascent group's primary strength ... promoting violence to the exclusion of any other avenue for change". Aliza Marcus, *Blood and Belief: The PKK and the Kurdish Fight for Independence* (New York, 2007), p. 39.

<sup>120</sup> While a former minister, Fikri Sağlar, once cited a figure of 17,000 "unknown perpetrator killings", about 2,000 of these are alleged to be killings of Kurdish movement figures by death squads or an apparently state-tolerated militia called Hezbollah. Crisis Group interview, Ümit Fırat, Turkish Kurd intellectual, Istanbul, May 2012. A Diyarbakır Human Rights Association study found 3,500 such killings and 450 disappearances. Emma Sinclair-Webb, "Time For Justice", op. cit., p. 11. Sezgin Tanrıku, vice president, CHP, and former president of the Diyarbakır bar, believes the figure could be 5,000 killed. Crisis Group interview, Ankara, May 2012.

<sup>121</sup> "Those 5,000 people in the mountain are the PKK's social legitimacy. The popular view is that 'if it wasn't for the PKK, we would never have got this much'". Crisis Group interview, Vahap Coşkun, assistant professor, Dicle University, Diyarbakır, May 2012. "The Kurds made the Kurdish existence acceptable in this country through force of arms, that is a reality". Ahmet Altan, "The Problem and the Solution", *Taraf*, 21 June 2012. "The [Kurdish movement] is unlike anyone else in the Middle East. They have an extraordinary history of suppression. It's amazing they still exist. I never met an African or Latin American who said, 'I don't dare speak my language'. The Kurds would send a letter to Amnesty, and just not get a reply". Crisis Group interview, international Kurdish rights activist, London, May 2012. "I had a lot of trouble accepting my true Kurdish identity", Apo [Öcalan] told me. 'To say I was a Kurd was to prepare myself for the worst difficulties in the world, to see doors close in my face'. Jonathan C. Randal, *After Such Knowledge*, op. cit., p. 238.

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<sup>122</sup> "If defending our people and our rights is terrorism, then that's what I do. [Whatever we do] they will call us terrorists". Crisis Group interview, former PKK insurgent, Brussels, June 2012.

<sup>123</sup> "Taking that British tourist hostage [in June] made me angry. [Iraqi Kurdish leader] Barzani is trying to say the period of violence is over. Even the PKK is not in love with weapons. If it came to a good level [on Kurdish reforms] the war would stop. We lost our loved ones as well, we can't stop for nothing. But I'm really worried. Nobody thinks that [the peace talks] will work, and people can blow themselves up". Crisis Group interview, pro-PKK Kurdish exile from Turkey, London, June 2012.

<sup>124</sup> Aliza Marcus, *Blood and Belief*, op. cit., p. 305.

### III. THE PKK OUTSIDE TURKEY

#### A. THE PKK IN THE MIDDLE EAST

As Turkey's profile rose among its Middle Eastern neighbours in the last decade, it had an unusual window of opportunity to squeeze the PKK into making a deal. Especially after jailing Öcalan in 1999, it made big strides in improving relations with Syria, Iraq and Iran, winning rare cooperation against the insurgency from three neighbours that had earlier provided it various degrees of safe haven and support. To counter this, the PKK had already founded sister organisations for Iraq in 2002 (the Kurdistan Democratic Solution Party), Syria in 2003 (the Democratic Union Party, *Partiya Yekîtiya Demokrat*, PYD) and Iran in 2004 (the Party of Free Life for Kurdistan, *Partiya Jiyana Azad a Kurdistanê*, PJAK).

Tumult in the Middle East is now changing regional dynamics, and the PKK is fully aware that this is in its favour:

There was a Turkey-Iran-Syria alliance against our movement. As a result of the alliance of these states, hundreds of our militants were handed over to Turkey and are still languishing in jail. Hundreds of our militants were made martyrs. But as a result of the new developments in the region, contradictions arose between Turkey and these states, and the alliance against us broke up.<sup>125</sup>

The PKK looks intent to exploit the new Middle East. Tensions since 2011 between Ankara and Tehran, Baghdad and Damascus, open the way for it to renew its links to these capitals.<sup>126</sup>

#### B. SYRIA

The PYD, which has deep bonds with the PKK, is the best organised of a dozen groups active among Syria's 10 per cent Kurdish minority. It has become prominent enough that Iraqi Kurdish leader Massoud Barzani brokered a co-

operation agreement between it and other Syrian Kurdish groups in Erbil in July 2011. This caused alarm among Barzani's new Turkish government allies.<sup>127</sup> Nevertheless, the PYD carved out a potentially more independent line from the PKK with the Erbil agreement and began to legitimise its position with other Syrian Kurdish groups – who, in turn, hoped for some leverage over their powerful rival.<sup>128</sup>

When Syria began politically fragmenting after March 2011, the PKK and PYD initially hedged their bets, appearing to avoid direct conflict with the Damascus regime. Soon after Damascus began to lose control of the periphery, the PYD leadership moved from its common base with the PKK in Qandil, northern Iraq, to Syria; 1,000 or more PKK fighters were transferred to Syria to begin "political work" with the PYD.<sup>129</sup> Mirroring PKK/KCK structures, the PYD established its own assembly or council for Syria in December.<sup>130</sup> PYD-organised local defence councils started manning checkpoints to secure some Kurdish settlements, and PYD local councils now carry out municipal work. The PYD council in Afrin even sought to project an image of civic responsibility, saying it launched a campaign to uproot local hashish growing.<sup>131</sup>

Popular backing for the PYD is substantial in one major Kurdish area, the north-western edge of the Syrian-Turkish border in towns like Kobane and Afrin, but less in the Kurdish north-eastern region known as the Jazeera, between the Tigris and Euphrates next to Turkey and northern Iraq.<sup>132</sup> Some analysts believe that pro-PYD agents have even carried out assassinations of Syrian Kurdish leaders aligned with the Turkish-hosted Syrian National Council opposition, which the PYD denies.<sup>133</sup>

<sup>125</sup> Sabri Ok, PKK/KCK leader, written interview with Crisis Group, 24 November 2011.

<sup>126</sup> "One of the reasons that the PKK aligned itself with the Syria-Iran axis is that it is hard pressed in Qandil, the Turks were attacking and containing them, and they've had a large number of raids and killed a larger number of leaders. They're desperate for resources. They're getting arms and money and ammunition and foodstuffs from Iran, so instead of being contained and encircled by both Iranians and Turks, now their back is free vis-à-vis Iran. Secondly, they're getting support in reestablishing themselves in Syria ... [this] will rejuvenate the very weakened position that PKK has found itself in in the last year". Crisis Group telephone interview, Syrian Kurdish analyst, January 2012.

<sup>127</sup> "This kind of initiative will never be worth as much as Turkey's friendship ... creating a new place for the PKK to base itself and spread its influence will create an unacceptable situation". Yalçın Akdoğan, AKP deputy and Erdoğan adviser, "Yeni Kandil'lere izin verilemez [No permission will be given to new Qandils]", *Star*, 27 July 2012.

<sup>128</sup> "The PKK [is] not convinced that the regime will change. They're one of the most pragmatic political movements in the world. As pragmatists, if this analysis changes, the PYD would quickly shift their position on the regime, but not to the degree that they'd be full-fledged strong members of the opposition [Turkish-hosted Syrian National Council]". Crisis Group telephone interview, Syrian Kurd analyst, January 2012.

<sup>129</sup> Crisis Group interview, source close to the PKK, January 2012.

<sup>130</sup> A quarter of a million Syrian Kurds voted in elections for the PYD's main 320-person Peoples Congress. Crisis Group interview, Alan Semo, PYD foreign affairs chief, June 2012.

<sup>131</sup> For picture, see <http://on.fb.me/LOIMjk>.

<sup>132</sup> Crisis Group telephone interview, Syrian Kurd analyst, January 2012.

<sup>133</sup> Crisis Group interview, Syrian Kurdish analysts, Beirut and Berlin, November 2011 and March 2012.

Turkish officials accuse the Bashar Assad regime of handing border areas over to the PYD; the latter denies any deal, saying it acted to keep war from the region.<sup>134</sup> Still, the PYD's local power, activism and experience helped make it powerful enough to be first to raise its flags in Kobane and Afrin when the regime's authority collapsed there in July 2012.<sup>135</sup> Its advances are clear advances for the PKK. The border town of Amuda renamed its central square after a PKK insurgent who self-immolated there in 1999 to protest the death sentence a Turkish court handed down against Öcalan, whose picture is typically carried in PYD rallies. Nevertheless, PYD militants insist they are first and foremost the local-born protectors of their communities.<sup>136</sup>

Turkey is concerned that the PYD's goal is self-rule for Syrian Kurds and that this could also promote separatist Kurdish sentiment in Turkey.<sup>137</sup> According to a Turkish analyst, "up until the early months of the revolution, the PYD had nothing to do with Syria. Its agenda was Turkey".<sup>138</sup> Policymakers have bitter memories of how PKK attacks escalated after a breakdown of control along the northern Iraqi border in 1991. Prime Minister Erdoğan warned "we can never tolerate that terrorist formation and cooperation between PKK and PYD. We know that these events are directed towards us, and we will definitely respond to that".<sup>139</sup> In the wake of increased PKK violence

in summer 2012, some Turkish commentators claim that it is obtaining support from the Syrian government, via the PYD, putting it in no mood for moderation now.<sup>140</sup>

However, a senior Turkish official pointed out that there is little in common between Iraq 1991 and Syria today. There is no homogenous Syrian Kurdish region, the flat Syrian-Turkish border is more easily controlled, and Kurdish-populated areas are dispersed.<sup>141</sup> The PYD, he said, would be given a chance to prove its Syrian credentials and distance itself from the PKK; it should not overreach by trying to create an autonomous Syrian Kurdish region:

This is an opportunity for the Syrian Kurds. If they use it well, it will help their position in Syria .... Taking the wrong track will involve fights with Arabs and Turks .... The PYD have cooperated with the regime ... they were the agent of the regime .... [But now] they can choose to cooperate with the opposition. The PYD can transform themselves. They can go to the right corner as well.<sup>142</sup>

The PYD has tried to reassure Ankara, saying it wants liberated Kurdish areas to be a "safe haven and start point for liberating all of Syria .... The Kurds are not separatist ... our goal is to democratically self-govern our regions within the geopolitical borders of the Syrian Republic".<sup>143</sup> It is also possible, according to one expert, that although "the PYD grew out of the remnants of the PKK's former organisation structure inside Syria [before Öcalan's expulsion in 1998] ... the involvement of the PKK, or its supporters, in Syrian Kurdish politics is more of a challenge to the PKK than to Turkey. After all, the PKK isn't known for tolerating dissidents or rivals – at one point ... it regularly assassinated them – but now its supporters in Syria have committed to working with other Kurdish parties".<sup>144</sup>

But Ankara's fears are understandable. About one third of the PKK's rank and file is of Syrian origin, and thousands

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<sup>134</sup> According to Hussein Kochar, the PYD representative in Iraqi Kurdistan, "if [reports of PYD-regime collaboration] were true, why are members of our defense units being killed? Why do our protesters die? .... Our strategy from the beginning has been for the least amount of sacrifices and the most gains. Our project is to become an alternative to the Assad regime ... and at the same time implement national unity among Kurds". "PYD official: Kurdish unity will not be undermined by Turkey", *Rudaw* (Iraqi Kurdistan), 30 July 2012.

<sup>135</sup> Mohammed Ballout, "Syrian Kurds Trade Armed Opposition for Autonomy", *al-Safir* (Lebanon), 20 June 2012.

<sup>136</sup> They [PYD] are not the ones who decide; it's [the PKK in] Qandil who decides". Crisis Group telephone interview, Syrian Kurd analyst, January 2012. See photo essay on Al-Monitor, <http://bit.ly/NltheU>. PYD's new Christian mayor of Derik wears a shirt with Öcalan's picture. Rozh Ahmed, "After 50 Years, a Kurd Becomes the Mayor of Derek", *Rudaw* (Iraqi Kurdistan), 6 August 2012. See Rozh Ahmed, "A rare glimpse into Kurdish armed forces in Syria", *Rudaw*, 5 August 2012.

<sup>137</sup> The PYD copies the PKK's goal of "democratic autonomy", a definition vague enough to include both togetherness for all Kurds of the Middle East and respect for existing borders.

<sup>138</sup> Crisis Group interview, Ufuk Ulutaş, Foundation for Political, Economic and Social Research (SETA), Ankara, March 2012.

<sup>139</sup> "If one of the outcomes of the Syrian crisis will be 'Kurdish autonomy', then that region will indeed turn into a second 'northern Iraq' from Turkey's angle ... military operations from Turkey to Syria's Kurdish region will draw the attention of the world to Turkey's own Kurdish issue at a level unprecedented in recent years. The more Turkey avoids solving its own

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Kurdish problem, the more inevitable [will be] internationalisation of the issue". Kadri Gürsel, "Is Syria becoming a 'second northern Iraq'?", 17 April 2012. Erdoğan interview, TV24 (Turkish television), 26 July 2012.

<sup>140</sup> Suat Kınıklioğlu, "We are at war with Syria", *Today's Zaman*, 22 August 2012. "PKK Cumhuriyeti kuruldu, hayırlı olsun [The PKK Republic has been founded, isn't that great]", Emre Uslu, *Taraf*, 25 July 2012.

<sup>141</sup> "The [Iraqi Kurds'] history is not easy to duplicate in Syria. People tend to ask for more than they can achieve". Crisis Group interview, senior Turkish official, July 2012.

<sup>142</sup> Ibid.

<sup>143</sup> Statement, PYD Foreign Affairs Office, 2 August 2012.

<sup>144</sup> Aliza Marcus, "Kurds in the new Middle East", *The National Interest*, 22 August 2012.

of Syrian Kurd PKK have been killed fighting.<sup>145</sup> Deep linkages are hardly surprising, as the border was drawn by Turkey and Western powers in 1923 through Kurdish districts that were all part of the Ottoman Empire for four centuries. Indeed, many Syrian Kurds are descendants from those who fled Turkey after the suppression of a major rebellion in the 1920s. If trust existed between Turkey and the Kurds, these links could be positive; the PYD's leader, Salih Muslim, studied chemical engineering in Istanbul and speaks fluent Turkish.

### C. IRAQ AND IRAN

The PKK's most important base in northern Iraq, Qandil, is spread over a broad expanse of inaccessible mountains 80km from Turkey near the Iranian border. Other PKK bases dot the Turkish border. The PKK first arrived there in the early 1980s as a guest of Iraqi Kurds and exploited the power vacuum that opened up with the 1991 collapse of Baghdad government control. Since 2007, however, Turkey has developed a close relationship with Kurdistan Regional Government (KRG) President Massoud Barzani. The KRG has closed the offices of the PKK proxy Kurdistan Democratic Solution Party, but it maintains an office on the edge of KRG territory in Kirkuk.<sup>146</sup> Some in Ankara hope Barzani will put pressure on and even evict the PKK entirely in return for Turkish support for oil and gas development and in disputes with Baghdad. Others think Barzani cannot fix what is essentially an internal Turkish problem.<sup>147</sup> In 2011, after Iranian shelling and Turkish air attacks on Iraqi Kurdish border areas, the Iraqi

Kurdish parliament made statements calling for the PKK and PJAK to move operations away from its territory.<sup>148</sup>

Many ordinary Iraqi Kurds and some major political forces would oppose any decisive move against the PKK. Barzani was unable to beat the PKK in fighting in the 1990s. The veteran guerrilla leader gave voice to his dilemma:

We are in a difficult situation because there are two countries [Iran and Turkey] telling us to control our borders so there will be no problems [but] we are afraid to send forces to the borders for fear of a Kurdish-Kurdish war. The PKK and the PJAK are not taking the situation of [Iraqi Kurdistan] into their considerations. I call on the two sides to stop the idea of getting their rights through military means.<sup>149</sup>

Meanwhile, Ankara-Baghdad relations are deteriorating on several fronts. The Iraqi government warned Turkey in July 2012 to cease violating its airspace and territory, a clear reference to attacks on the PKK.<sup>150</sup>

In Iran, the up to 3,000-strong PJAK appears to draw heavily on PKK resources, ideology and personnel. It has Öcalan as its leader and is based in 100 stone huts that stud mountainsides alongside the PKK's Qandil bases.<sup>151</sup> Fierce fighting in September 2011 with Iran's Revolutionary

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<sup>145</sup> A source close to the PKK put the number at 3,500. Crisis Group interview, January 2012.

<sup>146</sup> Crisis Group Report, *Turkey and Iraqi Kurds*, op. cit. Crisis Group email correspondence, Iraqi Kurdish reporter, August 2012. In 2009, some members of the Kurdistan Democratic Solution Party tried to field candidates under a coalition, the Hewa List, that was closed under Turkish pressure. "Erbil: Candidates and Coalitions for Kurdistan Region Parliamentary Elections", U.S. Baghdad embassy cable, 7 June 2009, as published by WikiLeaks. The party's leader, Diyar Garib, said "a vision is developed that [the] Kurdish question is one issue, not four separate ones. PKK has been [the] vanguard in promoting this vision .... The majority of the [party's] founders ... have been members of PKK before, and we worked as PKK cadres". Interview with *Hawlati*, 2 July 2008.

<sup>147</sup> "There are discussions between Barzani and the PKK that go as far as [the PKK] stopping fighting and disarming in Turkey". Turkish Deputy Prime Minister Beşir Atalay, CNN Türk, 9 June 2012. "If you're drowning in the sea, you'll even hug a snake. Barzani is the snake". Crisis Group interview, retired Turkish general, Ankara, July 2012.

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<sup>148</sup> "Since 1999, Iran has also cooperated in a limited fashion with Turkey against the PKK". "Country Reports on Terrorism 2011", op. cit. "Iraqi Kurdistan parliament to ask PKK and PJAK rebels [to] move operations out region", ekurd.net, 5 September 2011.

<sup>149</sup> Statement to Erbil meeting with Kurdistan representatives based abroad, "Iraqi Kurdistan caught between rebels, Iran and Turkey", ekurd.net, 7 September 2011.

<sup>150</sup> Crisis Group Middle East Report N°120, *Iraq and the Kurds: The High-Stakes Hydrocarbons Gambit*, 19 April 2012. "The Iraqi government condemns these violations to Iraq's airspace and sovereignty, warns Turkey against any violations of Iraq's airspace and territory". Ali al-Dabbagh, Iraq government spokesman, cited in "Turkish planes stranded in Arbil as Iraq warns against 'violations'", *Today's Zaman*, 18 July 2012.

<sup>151</sup> For instance, PKK statements show Kurds from Iran are often killed fighting with the PKK in Turkey and Kurds from Turkey with PJAK in Iran. "PJAK was created in 2004 as a splinter group of the PKK to appeal to Iranian Kurds. Operating in the border region between Iraq and Iran, PJAK is controlled by the leadership of the PKK and receives orders and personnel from the main organisation". "Country Reports on Terrorism 2009", op. cit. "The two groups appear to a large extent to be one and the same, and share the same goal: fighting campaigns to win new autonomy and rights for Kurds in Iran and Turkey. They share leadership, logistics and allegiance to Abdullah Öcalan, the PKK leader imprisoned in Turkey". Richard A. Opiel, "In Iraq, conflict simmers on a 2nd Kurdish front", *The New York Times*, 23 October 2007. James Calderwood, "Dreaming and fighting, the Kurdish guerillas who say 'to be free you must accept suffering'", *The National* (Abu Dhabi), 24 June 2011.

Guards ended with an agreement that, for now, has put a cap on most PJAK attacks inside Iran.<sup>152</sup> But Turkey is suspicious that Tehran may have reached understandings with PJAK and the PKK that could be used against it.<sup>153</sup>

#### D. THE DIASPORA

One to 1.5 million Kurds originally from Turkey live in Europe. By far the biggest community is in Germany, with 800,000, of whom 13,000 are said to be “stable core PKK members”, though the organisation has been illegal since 1993. The 44-member Federation of Kurdish Associations in Germany, is also considered to be in “close contact” with the PKK.<sup>154</sup> Sizeable communities also live in the UK, France, the Netherlands and Belgium. Diaspora communities have played a key part in preserving national language and identity during the long decades that Turkey denied it. According to Remzi Kartal, the Brussels-based head of Kongra Gel, the KCK legislature, about half of Turkey’s Kurdish diaspora participate in movement activities or vote in Kongra Gel elections.<sup>155</sup>

The diaspora does not hide its links to the PKK and insurgency. In the Kurdish Community Centre in Haringey, London, the main meeting hall is dominated by a giant picture of Öcalan. On the back wall, a painting portrays guerrillas climbing a rocky mountain ridge. A martyrs’ memorial displays pictures of nearly a dozen young people from the British Kurdish community who fought and died in south-eastern Turkey. On the wall the pro-PKK satellite television station broadcasting from Denmark plays non-stop. As a community leader put it:

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<sup>152</sup> According to Iran, PJAK promised to withdraw more than 1km from the Iranian border and not to recruit Iranian nationals. “PJAK surrenders, accepts Iranian terms”, PressTV (Iran), 30 September 2011.

<sup>153</sup> “Turkey has good intelligence cooperation with Iran on the PKK, but whenever there are sinister moves, it’s always Iran behind it .... Iran could use the PKK to undermine our strategy”. Crisis Group interview, Turkish official, January 2012. After heavy fighting between Turkish forces and the PKK near the Iranian border in July-August 2012, Deputy Prime Minister Bülent Arınç said, “we have received information that [PKK] terrorists infiltrated from the Iranian side of the border”. “Turkey says it will do ‘whatever is required’ against Iran”, *Today’s Zaman*, 10 August 2012.

<sup>154</sup> “Protection of the Constitution Report 2010”, Berlin, op. cit, pp. 286-292.

<sup>155</sup> “The Kurmanjî dialect was almost dead in Turkey, but had a chance to revive again in the diaspora”. Interview, Khalid Khayati, Sweden-based researcher on the Kurdish diaspora, *Rudaw* (Iraqi Kurdistan), 5 March 2012. Crisis Group interview, Brussels, June 2012.

Every Kurd gives money to the PKK. If the PKK didn’t get youth and money, how could it survive? I helped the PKK for the past 25 years. I don’t want to kill anyone, but [Turkish leaders] don’t give us any other choice. I’ve got no organic relation with the PKK, but emotionally I am PKK.<sup>156</sup>

Turkey’s Kurdish diaspora in Europe might still, nevertheless, play a role in reconciliation, since it is dominated by first-generation emigrants who remember life in Turkey and are ready to make some compromises to be able to return. Young, second-generation militants are much angrier, have never been to the country, and often put the most uncompromising questions from the floor at international meetings on Turkey’s Kurdish problem. This generation is gradually rising through the ranks in European politics.<sup>157</sup>

As Turkey has persuaded EU states to list the PKK as a terrorist organisation, the diaspora leaders are hardly comfortable.<sup>158</sup> A respectably suited, official political refugee like Remzi Kartal is a trained dentist who turned to full-time politics more than two decades ago, including a spell in the Turkish parliament; today he works in an openly-identified downtown Brussels mansion whose sombre Art Deco architecture contrasts with functional Turkey-style office furniture. But as head of the KCK’s Kongra Gel legislature, Kartal is since April 2011 now also a U.S.-designated “significant narcotics trafficker” in the same league as Latin American cartel members. Thanks to

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<sup>156</sup> Crisis Group interview, leader of the UK Kurdish community from Turkey, London, June 2012.

<sup>157</sup> “We have six elected town councillors already. We think we have enough votes to swing the election of a parliamentarian in one London constituency. We’ll get an MP one day!” Crisis Group interview, pro-PKK Kurdish exile from Turkey, London, June 2012. “[First generation immigrants] were poor and less educated. They had kebab shops and so on; now they’ve become rich, their children teachers, lawyers. I think they will be good lobbyists one day. We worried they would abandon the Kurdish movement, but it’s quite the reverse. They use social media, join demonstrations, and something we were unable to do, they can really reach the mainstream media. They will push things onto the agenda. We will have more of an impact on the Turkish leadership that way”. Crisis Group interview, Kurdish Community Centre worker, London, June 2012.

<sup>158</sup> Banned exiles were greatly disappointed when plans for them to return with formal visas evaporated after Turkey and the PKK failed to manage successfully a first partial amnesty and repatriation of PKK insurgents and exiles in October 2009. “When I enter the UK, I’m often stopped for hours, me a mother with two sons who went to British universities. They ask me about the PKK”. Crisis Group interview, former leader of the UK’s Turkish-origin Kurdish community, London, June 2012. “For 22 years I’ve been unable to go home. I can’t say how much I miss it. I dream about it”. Crisis Group interview, pro-PKK Kurdish exile from Turkey, June 2012.

Turkey's red-bulletin Interpol listing of him as a "terrorist", he was arrested and detained for weeks in Germany in 2005, Spain in 2009 and Belgium in 2010, before being released for lack of evidence. Prominent figures among Turkey's Kurds often visit, but Kartal cannot name a European notable who has knocked on his door.

Nevertheless, terrorists, extortionists and drug-traffickers and hard-core PKK/KCK agents are likely limited in number – for instance, they must obey a narrow ideological code and are not usually allowed to marry.<sup>159</sup> Turkey and its international friends should try to engage with the major diaspora leaders who say they want to make peace. Kartal, for instance, did not choose exile; he was forced to flee in 1994, when Turkey closed his legal Kurdish party and jailed his fellow deputies for ten years. His fellow exiled deputy from that time, Zubeyir Aydar, is another political refugee in Brussels; as a KCK executive committee member, he took part in the Oslo Process meetings.

In the past year, pro-PKK militants have attacked offices of Turkey's *Zaman* newspaper group in several European cities, apparently an extension of the struggle in south-eastern Turkey between the PKK and the Islamic Fethullah Gülen movement. But no bombings or killings have been reported, and the diaspora leadership's determination to go legal is shown by a great reduction of the angry PKK-orchestrated, pan-European Kurdish demonstrations common in the 1990s.<sup>160</sup> A European counter-terrorism official said:

Brussels is now the place to show up; it's the easiest for demonstrators; they receive feedback from the EU, they need it, they don't dare to break this. Buses come from as far away as Hamburg. [Pro-PKK demonstrations are] forbidden in Germany. The ones [in Brussels] are very polite; they respect Belgian law. Using violence has no use for them here. Before 2007, there was big pressure, 20,000-30,000 in one demonstration, but now it's rarely bigger than 2,000.... The PKK is trying to

give itself the best possible image .... They are desperate to make themselves look like non-terrorists.<sup>161</sup>

All-out pressure to have European states close the pro-PKK satellite television station Roj TV, based in Europe for nearly twenty years, has exposed multiple links to the PKK.<sup>162</sup> But court action has not succeeded in Denmark, and if it does, the station will likely find a new home. Meanwhile, bans and harassment have helped make pro-PKK satellite TV from Europe the most popular in Turkey's Kurdish-speaking community.<sup>163</sup> Draconian official censorship of pro-PKK internet news sites in Europe faces similar failure, as anyone can access them by proxy servers.

Since the PKK has been proscribed as a terrorist organisation in Europe, European police have arrested financiers, watched for recruitment and raided apparent training camps. Yet some in Turkey, especially on the right wing of the political spectrum, continue to see the PKK as a tool of foreign powers. A nationalist politician reflected a common view when he said that "internationally, the PKK is being used as an instrument. Barzani uses the PKK for legitimacy, the EU uses the PKK to 'solve' the Kurdish issue. But outsiders shouldn't use ethnicity".<sup>164</sup>

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<sup>159</sup>"They have no life. They are married to the PKK. In Britain there may be five cadres, that's it. And about ten injured veterans". Crisis Group interview, pro-PKK Kurdish exile from Turkey, London, June 2012.

<sup>160</sup>"PKK supporters attack *Zaman* offices in France, Germany", *Today's Zaman*, 16 February 2012. "No execution of attacks in the EU show the PKK/KONGRA-GEL's double strategy of armed struggle in Turkey while at the same time seeking to gain a greater degree of legitimacy abroad .... However the large number of PKK/KONGRA-GEL militants living in the EU and the continuing support activities in the EU, like large demonstrations organised in the past, show that the PKK/KONGRA-GEL is in a position to mobilise its constituency at any time and ... maintains the capability to execute attacks in the EU". "EU Terrorism Situation", op. cit.

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<sup>161</sup> Crisis Group interview, European counter-terrorism agent, Brussels, June 2012.

<sup>162</sup> Evidence included orders sent to Roj TV by PKK figures and photos of Roj TV executives visiting PKK bases. "Danish prosecutors say Roj TV, voice of PKK, should be banned", *Today's Zaman*, 8 December 2011.

<sup>163</sup> Kurd1, a highbrow Kurdish movement Paris station, and the state's own TRT6 probably follow. "Nobody watches Turkish national TV; it has lost all its credibility". Crisis Group interview, Association for the Human Rights and Solidarity with the Oppressed (Mazlum-der) activist, Diyarbakır, May 2012.

<sup>164</sup> Crisis Group interview, Oktay Vural, MHP parliamentary group deputy chairman, Ankara, July 2012.

## IV. THE BDP: A POLITICAL ALTERNATIVE?

### A. AN UPHILL STRUGGLE FOR RECOGNITION

Since Turkey's first legal Kurdish party was formed in 1990, the space for open political activity has inched wider. The Kurdish movement's spectrum of views has developed beyond the PKK. Nevertheless, constraints hem in the BDP, which currently represents the pro-Kurdish movement in party politics after its six predecessors were closed by the government for PKK links. It faces massive pressure as the government struggles to stamp out the PKK/KCK; at the same time it has to deal with PKK hardliners, who often use violence to crush dissent.<sup>165</sup> The government and the PKK thus are both blocking the development of fully legitimate Kurdish institutions that might be able to bring a fully informed Turkish mainstream to agreement on a political middle ground and a peaceful way forward. As a leading BDP politician, Diyarbakır Mayor Osman Baydemir, put it:

This is not a problem about an organisation, it's a problem about freedom. The PKK is the result, not the cause. If they want to solve it, they have to tackle this. Neither side should use violence, otherwise neither the PKK nor the government will reach their goal. There's no [moral] difference between the two; one justifies itself with the law, the other with its right to freedom .... We have to look for an all-encompassing solution.<sup>166</sup>

The BDP has unquestionable popular legitimacy. At least one third of all ethnic Kurdish votes have consistently gone to it and its predecessor, pro-Kurdish movement parties. In the twelve provinces of the south east, where Kurdish speakers are a majority, 50.4 per cent of voters chose independents representing the BDP in the June 2011 election. Often, the BDP is a single-issue, Kurdish movement party, but it has tried hard to break new ground.<sup>167</sup> It includes in its parliamentary group an ethnically Turkish leftist radical Ertuğrul Kürkçü; the veteran representative of an independent Kurdish political current, Şerafettin Elçi; the first Christian to enter the parliament since the

1960s, Erol Dora, a Syriac from Mardin; and a popular film director and actor, Sırrı Süreyya Önder of Istanbul. As a European diplomat said, "it's by far the most progressive party on women's rights, and on Turkey's EU accession BDP is a real force for good. And at a big recent LGBT [Lesbian, Gay, Bisexual and Transgender community] reception in Ankara, they were the only political party represented".<sup>168</sup>

BDP is also the driving force behind the Democratic Society Congress (Demokratik Toplum Kongresi, DTK), a broad platform of civil society organisations, mostly active in Kurdish-speaking areas. DTK meetings are held in its buildings, and its politicians often read out DTK declarations. The individuals, unions, businessmen, farmers, and associations in DTK often represent the middle ground and give practical substance to Kurdish movement thinking. For instance, a May 2012 DTK meeting helped define the "democratic autonomy" which the Kurdish movement claims as a main aim (see Section V.C below).<sup>169</sup>

### B. THE COMPETITION FOR THE KURDISH VOTE

More than half of Turkey's Kurds usually vote for non-Kurdish movement political parties, especially Prime Minister Erdoğan's AKP, attractive thanks to his policies of commercial development and infrastructure investment, his pious Muslim, conservative image, and, in the past, his willingness to support EU accession. In the June 2011 election, AKP won 37 per cent of the vote in the twelve mainly ethnically Kurdish provinces, and it has at least 70 ethnically Kurdish deputies in parliament. In 2007-2011 there were slightly more Kurdish AKP deputies, but Erdoğan changed many of them during the 2011 campaign, one reason the BDP did well. AKP Kurdish deputies often privately raise Kurdish grievances or even defend talks with the PKK, raising hopes in the Kurdish movement that they can push reforms up the ruling party's agenda.<sup>170</sup> A Kurdish movement leader said:

<sup>165</sup> For a fuller discussion of political restrictions on the BDP, see Crisis Group Report, *Turkey: Ending the PKK Insurgency*, op. cit., pp. 18-24. For details of the PKK's murderous campaigns against internal and external rivals, see Aliza Marcus, *Blood and Belief*, op. cit., pp. 40-42, 89-96, 134-140.

<sup>166</sup> Crisis Group interview, May 2012.

<sup>167</sup> Pro-BDP independents won 6.7 per cent of the vote nationwide, taking 2.8 million voters from an assumed total Kurdish-speaking population of 12-15 million. "There's no clear-cut overall political strategy that they are jointly pursuing. They are a single-issue party, with all the weaknesses that entails". Crisis Group interview, European diplomat, Ankara, July 2012.

<sup>168</sup> Crisis Group interview, Ankara, July 2012.

<sup>169</sup> Democratic autonomy was divided into nine sub-headings (political, social, diplomatic, economic, cultural, ecological, legal, self-defence and women). Great importance was attached to women's role, via assemblies, communes, cooperatives, congresses, conferences, "free women academies", "gender equality boards", etc. "Demokratik Özerklik Çalıştayı Sunumlar [Presentations from the Democratic Autonomy Workshop]", DTK, Diyarbakır, 12-13 May 2012.

<sup>170</sup> "Any plan that doesn't include the PKK will not completely solve the Kurdish problem ... we have to remove the causes and results of the Kurdish problem at the same time. And the PKK is one of the results of the problem ... ignoring them only makes



AKP Kurdish deputies are Kurdish in feeling, not Kurdish in thought. The BDP ones are Kurdish in thought, not in feeling. ... The BDP talks positively behind closed doors, but in front of the cameras talks in the language of tension to the Kurds. The AKP ones know what it is to be a Kurd but look at things from a mercantile perspective. As people who know the region, they should inform their leader and administration much more sincerely and openly.<sup>171</sup>

The main opposition party, the Republican People's Party (Cumhuriyetçi Halk Partisi, CHP), has since 2011 tried a series of promising initiatives to attract more Kurds.<sup>172</sup> Its leader talked of Kurdish reforms during the 2011 campaign and promoted to party vice chairman the former head of the Diyarbakır bar, Sezgin Tanrikulu, a respected Kurdish rights activist. But AKP justly accuses CHP of undermining the first stages of its Democratic Opening, and the party's organisational structure remains thin in Kurdish-speaking areas. CHP is also engaged in an internal struggle between modernists seeking electability and an old guard defending Turkish nationalist ideology.

The Turkish Nationalist Action Party (Milliyetçi Hareket Partisi, MHP) has almost no presence in Kurdish-speaking areas due to its hostility to ethnic Kurdish causes. It refuses any talk of Kurdish community rights, arguing that Kurds are an ethnic group like many others who make up the Turkish nation:

We are a family. There are some ethnic groups but here [Turkish] is the name of my civilisation, by definition ... if we make ethnicity the core of the discussion [the western Turkish mainstream] will want their own zone of security. If they feel a competition in identity, they will start discrimination. Turkey has never been a racist nation. We don't want that kind of problem. We don't want [the Kurds and others to become] minority nations.<sup>173</sup>

While the conflict continues, however, the Turkish-Kurdish middle ground is increasingly at risk. In parliament, polarisation has damaged the easy way in which people from all Turkey's regions and ethnicities once interacted.<sup>174</sup>

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it worse". Galip Ensarioğlu, leading AKP Diyarbakır deputy, interview with *Taraf*, 13 July 2012.

<sup>171</sup> Leyla Zana, interview, "İnanıyorum bu işi Erdoğan çözer [I believe Erdoğan will solve this business]", *Hürriyet*, 14 June 2012.

<sup>172</sup> CHP won just 3.95 per cent of the vote in the twelve eastern provinces in the June 2011 parliamentary elections.

<sup>173</sup> Crisis Group interview, Oktay Vural, MHP parliamentary group deputy chairman, Ankara, July 2012.

<sup>174</sup> "The atmosphere is terrible". Crisis Group interview, senior leader, Turkey's Kurdish movement, Brussels, December 2011.

Worries are growing that the average Turkish view of Kurdish separatism is becoming a self-fulfilling prophecy:

We're living the period when the desire to live together, mutual confidence, is at a new low point. There's been one thing after other ... [The 34 civilians killed by air force bombing near] Uludere was the 9/11 of the Kurds, made worse the feeling of not wanting to live together. It's not a dominant feeling, but around dinner tables that's what people are talking about.<sup>175</sup>

## C. THE CURSE OF THE TERRORIST LABEL

AKP leaders say they will no longer discuss a settlement with the PKK until it has laid down its arms and sometimes declare readiness to talk with the BDP and its more than 30 parliamentary deputies.<sup>176</sup> However, they frequently condition talks with the BDP on demands that it "condemn terrorism". Turkey's European partners often say the same.<sup>177</sup> But this is difficult to do as long as Turkey maintains a very vague legal definition of terrorism and arrests thousands.<sup>178</sup> Loose use of the word "terrorist" implies to the Turkish majority that no compromise can be made with anything the Kurdish movement touches – be it the PKK, their millions of sympathisers or Turkey's Kurds as a whole. If it seriously seeks a non-military solution to its Kurdish problem, the government should start

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<sup>175</sup> Crisis Group interview, Şahismail Bedirhanoğlu, president, South-eastern Businessmen's and Industrialists' Association (GÜNSİAD), Diyarbakır, May 2012.

<sup>176</sup> "We are ready to do political negotiations. The counterpart is the BDP. What will transpire is unknown. We shouldn't just dismiss [talking with BDP]". Prime Minister Erdoğan, comments to reporters, cited in "There remains a thread connecting between [us and the BDP]", *Taraf*, 22 May 2012.

<sup>177</sup> "The political struggle must be in a democratic framework. The Turkish government is determined to fight terrorists. It's up to Kurdish institutions to make up their mind. They should draw a line between themselves and terrorist methods". Crisis Group interview, senior Turkish official, Ankara, July 2012. "The BDP is participating in PKK funerals. This is natural if you're from there. But I'm disappointed in the BDP. They always shy away from condemning violence. They articulate formulas that can go some way towards that. But it's not satisfactory." Crisis Group interview, European diplomat, Ankara, July 2012.

<sup>178</sup> In the amended Anti-Terrorism Law of 2006, Article 1 sets out the following definition: "Terrorism is any kind of criminal act undertaken by a person or persons belonging to an organisation using force, fear, coercion, intimidation, or threat; trying to change the political, legal, social, secular and economic order attributed to the Republic in the constitution; damaging the indivisible unity of the State and nation; endangering the existence of the Turkish State and Republic; weakening, destroying or seizing the authority of the State; destroying basic rights and freedoms; or breaking the internal or external authority of the State, public order or public health".

by separating in its own and the public's minds the non-violent and the violent actors in the Kurdish movement.

Turkey's definition of terrorism became a chronic problem after changes to the Anti-Terrorism Law in 2006 and became more serious after a higher court ruled in 2008 that anyone who appears to be acting in a PKK-inspired manner can be convicted as a member of a terrorist organisation.<sup>179</sup> This means that publicly defending anything in the KCK charter – a long document that goes beyond Kurdish confederalism to declarations of rights to sporting activities, gender equality and ecological awareness – can trigger arrest. The judicial system uses the rationale to hold BDP activists and others for years in pre-trial detention.<sup>180</sup>

More than 2,100 persons linked to BDP, including 274 elected officials, are currently in detention on charges of belonging to a terrorist organisation while another 5,000 may be held for propagating the ideas of such an organisation or attending a meeting.<sup>181</sup> More than 90 journalists and other media workers and hundreds of students, the majority of whom are Kurds, are under arrest on similar charges.<sup>182</sup> Some wait years in jail for their first day in court.

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<sup>179</sup> See Crisis Group Report, *Turkey: Ending the PKK Insurgency*, op. cit., pp. 31-32, and Emma Sinclair-Webb, "Protesting as a Terrorist Offense: The Arbitrary Use of Terrorism Laws to Prosecute and Incarcerate Demonstrators in Turkey", Human Rights Watch, 1 November 2010.

<sup>180</sup> What looks even more illegitimate to the Kurdish movement is that the campaign of arrests started in April 2009 – just weeks after local elections in which BDP doubled the municipalities under its control to about 100. Remzi Kartal, exiled Kurdish movement leader, called the mass wave of BDP arrests "a political operation to do with the judicial system what they couldn't do at the ballot box .... It's making even apolitical people ask their conscience". Crisis Group interview, Brussels, June 2012.

<sup>181</sup> Official figures given by Justice Minister Sadullah Ergin in response to a BDP parliamentary question, cited in "KCK Bilançosu [The KCK Statement of Account]", *Radikal*, 4 August 2012. BDP says 7,000 have been arrested on KCK-related charges, and the difference in numbers is because the government only includes those specifically charged with KCK membership. Tweet by @bdpdiplomacy, 4 August 2012.

<sup>182</sup> Figures from "EU statement on freedom of the media in Turkey", EU Representative on Freedom of the Media, 19 April 2012. Nilay Vardar, "771 Öğrenci Tutuklu! [771 students under arrest!]", *Bianet*, 27 June 2012; and "Justice Minister Ergin says over 2,800 students in Turkey's jails", *Today's Zaman*, 8 August 2012. The minister stated that 609 were held pending trial as members of a terrorist organisation and 178 were already convicted on that charge. All are not necessarily affiliated to the Kurdish movement but may be tied to extreme left groups, for example. The justice ministry later published a study that noted the "students" were those who were following open university courses; of the 771 named in the Initiative for Solidarity with Arrested Students, only 275 were truly students; and, for instance, 33 names had been written twice, 124 had already

Often suspicion is based on participation in meetings and speeches.<sup>183</sup> The atmosphere of trials can be surreal, a mix of vague charges, snatched family reunions and a sense of individual rights being trampled by politics and injustice.<sup>184</sup> A PKK/KCK leader said less than 15 per cent of those arrested are members of his group.<sup>185</sup> Western diplomats do not understand the logic of the campaign.<sup>186</sup> If the government's objective is to create a civilian Kurdish party that can be more independent of the PKK, a mainstream Kurdish rights activist says, the arrests are counter-productive:

[The Kurdish legal parties] were actually more independent from the PKK leadership before the arrests, because [ex-PKK] cadres were inside them. They didn't have to ask the PKK what to do. Someone like Nurettin Demirtaş [elder brother of the BDP leader and a former legal Kurdish party leader] was in jail more than ten years [for PKK membership .... PKK leaders outside the country] can't order around someone like that. I don't know what the government is worried about. 90 per cent of the politics that the BDP does is in the open, and they are listening to their phones all the time, so they know all about the other 10 per cent too.<sup>187</sup>

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been released and 119 were not registered in the prison system. Statement in Turkish at <http://bit.ly/NAi8Ys>.

<sup>183</sup> "Many of those arrested attended KCK [local] meetings, even though they are not members, and were very loudly and blatantly against the government in these meetings, because they wanted to be put on the election list by the KCK .... The police track those meetings very carefully". Crisis Group interview, Emre Uslu, expert on PKK affairs, August 2012.

<sup>184</sup> "The arrests are going in a negative direction. These are problematic arrests, you don't really know why. They're now arresting medical students, civil service executives; lawyers are being examined for statements in court". Crisis Group interview, Western diplomat, Ankara, July 2012. For accounts of the KCK trials, see Didem A. Collinsworth, "Lawyers feel the heat inside Istanbul's Palace of Justice", <http://bit.ly/Mqc5ZD>, and Frédérique Geerdink, "The KCK case theatre", <http://bit.ly/Idv4Gb>.

<sup>185</sup> "[PKK deputy leader Karayılan:] I'm the head of the KCK. There are 8,000 people in jail. Only 1,000 of these are PKK. I don't know the rest. They're not PKK, just ordinary Kurds. They tell us, come down from the mountains, lay down your weapons and enter politics. But they are throwing people in jail who haven't even touched a gun". Interview with Avni Özgürel, *Taraf*, op. cit. "The government tells a big lie ... these people [BDP activists being arrested] are not KCK. There is no document saying that they are KCK. There can't be, because there is no such thing". Murat Karayılan, senior PKK leader, letter to *Taraf*, 10 October 2011.

<sup>186</sup> "When you arrest everybody, you destroy the balances". Crisis Group interview, European diplomat, Ankara, July 2012.

<sup>187</sup> Crisis Group interview, Sezgin Tanrikulu, CHP deputy chairman, Ankara, July 2012.

Loose accusations of terrorism cramp policy debates and delegitimise efforts to address Kurdish grievances peacefully.<sup>188</sup> AKP leaders should scrupulously avoid abuse of the terrorism term, for instance when the prime minister refers to part of south-eastern Turkey as a “terror region”, or Interior Minister İdris Naim Şahin talks of finding terrorism “on the canvas, sometimes in a poem, in daily articles, in jokes”.<sup>189</sup> As long as state officials and much of the public carelessly equate Kurds with terror, the Kurdish movement is unlikely to condemn terrorism. As Emin Aktar, president of the Diyarbakır bar, put it:

I’m being beaten down for my identity, my language. This leaves legitimate scope for violence .... What’s needed is a proper ceasefire on both sides, a peace delegation to work out peace steps and run it through parliament, and an end to all these arrests. Without these, nobody will say to the PKK, “you have to lay down your arms”. It’s not a Kurdish problem, it’s a Turkish problem.<sup>190</sup>

Major restrictions on public demonstrations also persist, for instance leading to a standoff in July 2012 in which police broke the leg of a BDP woman deputy.<sup>191</sup> Even calling PKK insurgents “guerrillas” can sometimes justify court action.<sup>192</sup> A government committed to allow Kurdish politics in the mainstream should end policies seen as harassment and discriminatory and stop its regular practice of closing legal Kurdish parties, also on charges of terrorism, thus undermining Kurds’ trust in politics and preventing them from becoming stable political partners.

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<sup>188</sup> Evidence portraying one academic as a “leading figure” apparently included foreign travel and the most innocuous telephone calls. Büşra Eranlı, “The aggravated torment of advanced democracy”, *Hürriyet Daily News*, 25 June 2012.

<sup>189</sup> “This is not a place where people live. It’s a terror region”, prime minister’s comments to reporters while in Pakistan, IMC TV website, 22 May 2012. “Interior Minister defines terror in Turkey”, *Hürriyet Daily News*, 26 December 2011.

<sup>190</sup> Crisis Group interview, Diyarbakır, May 2012.

<sup>191</sup> For an account of the banned but attempted demonstration in Diyarbakır on 14 July in favour of freedom for Öcalan that the police crushed, see “Clashes erupt over banned meeting in SE Turkey”, *Hürriyet Daily News*, 14 July 2012.

<sup>192</sup> Turkey’s Council of State (Danıştay, the highest court for government actions) ruled: “The word, in general, ‘guerrilla’ is used to refer to insurgents who are fighting for a legitimate purpose. The use of this word for PKK members would legitimise the terrorists and the terrorism”. “Council of State’s verdict is a limitation to press freedom”, *Bianet*, 23 May 2012. However, the Supreme Court of Appeals (Yargıtay) ruled the same month that based on freedom of expression clauses in the European Convention on Human Rights and the Turkish Constitution, one could no longer be charged for using “Mr” when referring to Öcalan and “guerrilla” for PKK members. “Sayın Öcalan ve ‘gerilla’ demek artık suç değil [It’s no longer a crime to say ‘Mr Öcalan’ and ‘guerrilla’]”, *Taraf*, 21 May 2012.

As the conflict and domestic tension rise again, the blanket use of “terrorism” to describe the whole spectrum of Kurdish movement responses has undermined the government’s credibility not just domestically, but also internationally. The U.S. has made muted public comments. New criticism is flowing from the European Commission, Ankara’s most committed ally in a mostly Turkey-sceptic and distracted Europe. On 19 April 2012, it voiced concern about the “increasing number of imprisoned journalists. [The EU] strongly condemns terrorism and continues to support Turkey’s efforts to fight against it. Nonetheless, this must not provide a pretext to constrain freedom of expression”.<sup>193</sup> An EU counter-terrorist adviser pointed out that Turkey’s expansive definition of terrorism will have to be adapted to the narrower EU definition if it wants to ever join the EU.<sup>194</sup> Extradition requests are becoming more problematic, and European counter-terrorism officers, even if broadly sympathetic to the struggle against the PKK, are becoming less cooperative.<sup>195</sup>

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<sup>193</sup> “The penal code and anti-terror law retain multiple articles that restrict press freedom and public speech on politically and culturally sensitive topics. The arrest and prosecution of journalists, writers, and Kurdish intellectuals and political activists, coupled with condemnatory speeches by political leaders, had a chilling effect on freedom of expression”. “2011 Country Reports on Human Rights Practices”, op. cit. A Western diplomat in Ankara said, “it’s delicate. We’re worried about freedom of speech. This judicial matter has been turned into a terrorist activity .... We’re being very cautious not to say anything about Turkey’s record [because of the strategic relationship]”. Crisis Group interview, May 2012. “EU statement on freedom of the media in Turkey”, 19 April 2012. European Commissioner Ştefan Füle said “a distinction should be made between freedom of expression and inciting violence. But in order to make that distinction certain amendments are required in the penal codes and anti-terror laws”. Interview, BBC, 15 June 2012.

<sup>194</sup> Crisis Group interview, Brussels, June 2012. According to a group of French and Turkish-origin academics in France, “the modification to the Anti-Terrorism Law in 2006 has made the definition of terrorism so banal that it covers half the crimes in the penal code .... The result is a new definition of terrorism, carried out without arms and without intent”. Hamit Bozarslan, Yves Déloye, Vincent Duclert, etc., “Le grand enfermement des libertés en Turquie”, *Le Monde*, 4 July 2012. The definition applicable to EU countries demands both an “objective element” of actual “serious criminal conduct” and a “subjective element” of “seriously intimidating [or] destabilising” a people, state or international organisation. In the absence of a terrorist offence, countries must criminalise “public provocation to commit a terrorist offence”, recruitment and training for terrorism, and “aggravated theft, extortion and falsification of official documents with the aim of committing a terrorist offence”. See EU framework decision 2002/475/JHA, as amended by 2008/919/JHA, available at <http://bit.ly/M9KtWW>.

<sup>195</sup> Another problem for Turkey is that it bases extradition requests on simple allegations of links to the PKK, triggering complex courtroom debates about the Kurdish struggle for self-

## D. THE BDP'S DILEMMAS

Large-scale arrests of its parliamentary deputies, elected mayors, provincial party chiefs and ordinary activists have undermined the BDP's capacities, challenging its ability to engage on an equal footing with the government on talks to end the conflict. An international sympathiser pointed out: "When does BDP have time to do politics? They are swamped. Half of them are in prison, the other half are trying to get the others out. How can AKP talk to the BDP if they don't give them the political space to work?"<sup>196</sup> If the government is serious about talking to the BDP, it must change the Anti-Terror Law and Penal Code articles. Harassment and the constant threat of closure means the party has given up actively recruiting members in Diyarbakır, the chief ethnic Kurdish city.<sup>197</sup> Its policy development is especially weak in economic matters.<sup>198</sup>

However, the BDP presents dilemmas that cause some Turks to question its independence and commitment to democratic politics. It is legal and has few ex-insurgents in its ranks, but has multiple overlaps with the banned PKK and some deputies have proudly fraternised with the insurgents.<sup>199</sup> The BDP and PKK laud the same leader, proudly share the same constituency, and there appears to be a PKK/KCK role in some BDP municipal functions.<sup>200</sup> Few doubt

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rule. Instead "they should be concentrating on drugs, racketeering, people smuggling; that way you can portray the PKK as criminal". Crisis Group interview, European counter-terrorism official, Brussels, June 2012.

<sup>196</sup> Crisis Group interview, Estella Schmid, Peace in Kurdistan Campaign activist, London, April 2012.

<sup>197</sup> "With all these party closures, we don't put much emphasis on membership. We don't worry because at DEHAP [one of the Kurdish movement's former parties] we got 100,000 in a month when we did a membership drive. Instead we started to say everyone is a natural member". Crisis Group interview, Zübeyde Zümrüt, BDP co-chair, Diyarbakır, May 2012.

<sup>198</sup> "It's hard for them to be unifying .... They have a romantic socialist perspective. They are like young academics, well informed, but not with their feet on the ground". Crisis Group interview, Mehmet Aslan, general secretary, Diyarbakır Chamber of Commerce, Diyarbakır, May 2012.

<sup>199</sup> "You'll find very few former [PKK] rebels in the BDP". Crisis Group interview, Aliza Marcus, expert on the PKK, Istanbul, May 2012. However, in August 2012 television film showed several leading BDP deputies hugging and kissing PKK militants they met on a remote road in south-eastern Turkey. See <http://bit.ly/RqbyPD>.

<sup>200</sup> "Computer evidence [found in Europe] shows that BDP is an integral part of the organisation". Crisis Group interview, European diplomat, Ankara, July 2012. "Any search for a political solution without Öcalan is pointless ... [he is] the biggest actor in a settlement ... the Kurdish people's leader .... We won't take a step backwards until Mr Öcalan is free". Selahattin Demirtaş, BDP leader, speech cited by Firat News Agency, 9 July 2012. "The legal Kurdish movement also accepts the path set

that Öcalan or his representatives vet the BDP's lists for parliament and other political offices.<sup>201</sup> The PKK is the dominant power in the Kurdish movement of which the BDP is a part, and the party insists that the government first talk about resolving all issues with Öcalan, not itself. An Erdoğan aide voiced frustration in his newspaper column:

They are belittling dialogue in the political arena, and pushing forward actors from outside politics. By doing politics for Öcalan and not for the Kurds, by indexing their whole political struggle on Öcalan, the BDP is diminishing and voiding its mission.<sup>202</sup>

The Kurdish movement needs a route out of its current dead end, and a reasonable one would be for its leaders to urge the PKK to allow the BDP to become a convincing and legitimate voice of the Kurdish movement. To make this work, the movement should persuade the PKK/KCK to withdraw any commissars from BDP local administrations and encourage ex-insurgents to join the party. Furthermore, the PKK's apparent project to turn the KCK into a parallel state system in Turkey damages public faith in the BDP and will never lead to a settlement. The Kurdish movement should tell the PKK to abandon this course. The movement should also be modest, as long as it represents at most half the ethnically Kurdish voters. A Kurdish academic commented:

The KCK is totalitarian, a one-man cult, fascistic, anti-capitalist, very unrealistic. Basically the PKK is saying, "give me Kurdistan and let us turn it into North Korea". The Kurds won't accept this. They fought Kemalist dictatorship and don't want Apoist [PKK] dictatorship. You have DTK [the Democratic Society Congress, an NGO platform] and BDP as legal vehicles; why do you need the KCK? Why do we need KCK as a bridge? We have BDP, if we want to have a solution to the Kurdish problem. The BDP can talk to everyone. The PKK

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by the same Leadership ... even though it has no organisational link". Murat Karayılan, letter to *Taraf*, 10 October 2011. Crisis Group Report, *Turkey: Ending the PKK Insurgency*, op. cit., p. 29.

<sup>201</sup> "The BDP didn't win those elections. It's the PKK. There is no such organisation as the BDP, and the BDP knows that best of all. There is one PKK representative who chooses all the candidates. If you join the party, there's one condition: you have to become the PKK's parrot. You have to pay back your debt". Crisis Group interview, Zeynel Abidin Kızılyaprak, Turkish Kurd intellectual and former Kurdish movement party official, Istanbul, April 2012. "The BDP is working as [the PKK's] front organisation". Crisis Group interview, Nihat Ali Özcan, counter-terrorism analyst, TEPAV, Ankara, May 2012.

<sup>202</sup> Yalçın Akdoğan, "Demokratik çözümü Öcalan'a endekslemek [Indexing the democratic solution to Öcalan]", *Star*, 11 July 2012.

should strengthen the BDP. Instead, it wants to keep control itself.<sup>203</sup>

## E. YOUTH RADICALISATION

While the BDP is weak and feels under constant threat, Kurdish youth is radicalising. This is a long-term dynamic; the PKK's very origins can be seen as a rebellion against the previous generation's willingness to work under the umbrella of Turkish left-wing parties. But there are signs that further delay in addressing Kurdish grievances will be punished by an angrier, less compromising generation.<sup>204</sup>

I tried to persuade a young man not to join [the PKK]. He was a university student, didn't have a job. I [explained that I thought the PKK was ideologically bankrupt] and asked him, "what is there to die for?" He said, "that's not the point. I'm not comfortable in my skin as a Kurd any more". [Young people] are in an emotional world. The PKK talks from his point of view, and it's not rational. He was ready to die; that's the trouble: the Kurds are ready to die, and the PKK puts all those university types on the front line. So he went. He felt free in the mountains. And he died.<sup>205</sup>

The same phenomenon can be observed in the diaspora, even if some second-generation immigrants are less eager to support the PKK.<sup>206</sup> In London, the day after Turkish warplanes killed the 34 civilian smugglers in December 2011, three women in their twenties threw four bottles filled with gasoline into a Turkish coffee shop, injuring nobody badly but landing themselves six-year prison sentences.<sup>207</sup> On another occasion, a London Kurdish com-

munity leader said, she was called by the police to deal with a Hyde Park youth demonstration but had trouble controlling the protestors:

The gap has widened between the old generation and the young. The young generation find that we hold too far back, that we are "reformist". If we didn't control them, tens of them would go to the mountain. If [Turkish leaders] don't find a solution with us, the next generation will be much tougher.<sup>208</sup>

Similarly, in Belgium, counter-terrorism officers say that when Kurdish youth protesters from Turkey chained themselves to EU buildings, they called their usual contacts in the diaspora leadership, but "the old members of the PKK are more moderate ... they didn't know about it. They had to come and ask, what are you doing?"<sup>209</sup>

In Turkey, the wave of arrests is adding to a problem that has been growing since wildcat demonstrations in Diyarbakır in 2006.<sup>210</sup> The families of those arrested are radicalised, and the BDP is deprived of leadership ability, according to a human rights activist in Diyarbakır: "The political cadres are being emptied. The new ones are less intellectual, more excitable. They don't take decisions very calmly. If a demonstration gets out of control, they can't or won't stop it".<sup>211</sup>

Police and court action that appears discriminatory adds fuel to the problem. In one, a 22-year-old engineering student was kept in jail for two years, then given an eleven-year sentence for being part of a pro-Kurdish demonstration that turned violent. Evidence linking him to it appeared weak, and a national Turkish campaign, including family and teachers, supported his claim that he was caught in a police dragnet because he happened to be at a bus stop nearby wearing a Kurdish-style "poshu" headdress.<sup>212</sup> Reports

<sup>203</sup> Crisis Group interview, Diyarbakır, May 2012.

<sup>204</sup> "The older generation were the ones who were looking for a deal, really believed they had taken up arms to start a conversation [with the Turkish government]. But now when they talk about doing a deal with the Turkish state, some among the young Kurdish generation just laugh at their naiveté". Crisis Group interview, U.S. researcher on Kurdish language and politics, Istanbul, May 2012.

<sup>205</sup> Crisis Group interview, Zeynel Abidin Kızılyaprak, Turkish Kurd intellectual, Istanbul, April 2012.

<sup>206</sup> "The PKK keeps up pressure on youngsters. The Germans think that the PKK is tight and motivated. But it's an open question whether they get the same support as in the past. In [a Belgian town], we know that they went from person to person to ask for money, and some refused. They brought new cadres to make them pay, to put pressure on families, particularly through their parents". Crisis Group interview, European counter-terrorism agent, Brussels, June 2012.

<sup>207</sup> "Those girls were acting on their own ... Roboski brought people out onto the streets. There are dangers of Turkish-Kurdish frictions; we are right next to the Turkish area". Crisis Group interview, Kurdish Community Centre worker, London, June 2012. See also "Three Kurdish women who firebombed

Turkish club in Stoke Newington jailed", *Hackney Gazette*, 31 May 2012.

<sup>208</sup> Crisis Group interview, former leader of the UK's Turkish-origin Kurdish community, London, June 2012.

<sup>209</sup> Crisis Group interview, Brussels, June 2012.

<sup>210</sup> In March 2006, police killed ten demonstrators and onlookers, including four children; two years later, 34 investigations into widespread allegations of torture of detainees had still not produced a single prosecution. "Turkey: Respect the rights and safety of demonstrators", Amnesty International, 30 April 2008. "The [born-in-the] 1990s generation doesn't listen – we could convince their parents, but the March 2006 events showed what could happen. They went wild, they are developing their own leadership". Crisis Group interview, Sezgin Tanrıku, CHP deputy chairman, Ankara, July 2012.

<sup>211</sup> Crisis Group interview, Mazlum-der human rights group, Diyarbakır, May 2012.

<sup>212</sup> "Kırmızıgül'e şok ceza [Shocking Penalty for Kırmızıgül]", *Radikal*, 11 May 2012. "Media's 'poshu trial' postponed to March", *Hürriyet Daily News*, 10 December 2011.

of sexual abuse of juveniles held in Adana's Pozantı prison, many on charges of being at Kurdish movement protests, made for searing headlines in the Kurdish press.<sup>213</sup> In June several Istanbul police were filmed beating a man who later said they accused him of being a "terrorist" for speaking Kurdish on the phone to his brother as he tried to take a pregnant relative to hospital.<sup>214</sup> That month, fire in a prison with Kurdish movement suspects killed thirteen of eighteen inmates in a cell designed for three, and riots spread to other south-eastern jails, prompting outcries over appalling conditions.<sup>215</sup>

With a steady drumbeat of such stories, Kurdish youth is increasingly angry, and even a sober, conservative, middle-aged businessman can speak in distressed terms:

You feel some things are a direct attack on your basic identity – the Pozantı [jail abuse] affair is the denigration of a people. It polarises you, makes you feel that you can't go on living together. Roboski<sup>216</sup> is the same, and then the blocking of the parliamentary investigation into it. This is not about prayers and crying; it's political, too, just like the *poshu* [student headscarf] case .... Turkey must deal with this.<sup>217</sup>

The old policy of denial and oppression played a major part in creating today's Kurdish movement and PKK. Indeed, many in Turkey now recognise that the PKK got a major recruiting boost from the torture in Diyarbakır jail and other prisons in the south east during the 1980s military-rule years. The government must remain on guard against policies that will create symbols for radical youth protest and the PKK of tomorrow.

## V. KURDISH GRIEVANCES AND DEMANDS

The Kurdish movement, be it violent factions in the PKK or peaceful BDP deputies, shares the same grievances and political goals. When a pro-Kurdish movement group in the south east commissioned a poll, it found broad public backing for reforms relating to language, equal status, greater autonomy and political representation.<sup>218</sup> Even Kurds who have no connection to the movement or are against it tend to share its calls for reform of laws and the political system.<sup>219</sup> The government should thus engage with these demands without returning to talks with the PKK.

Important figures in Turkish politics, the media and the Ankara bureaucracy now acknowledge many of the grievances underlying these demands.<sup>220</sup> However, they worry about the vagueness of the latter and do not agree on how to address them.<sup>221</sup> The PKK's lack of clarity, critics say, disguises the hardliners' intention to secure these reforms first but ultimately to seek at least a small patch of territory where they can reign supreme.<sup>222</sup> Mazhar Bağlı, a Kurdish

<sup>213</sup> See "Alleged Sexual Abuse of Children in Pozantı Prison", *Bianet*, 27 February 2012; "The Plight of Kurdish Children in Turkish Prisons", *Rudaw* (Iraqi Kurdistan), 1 April 2012.

<sup>214</sup> See Sezin Öney, "Turkey's Rodney King", *Taraf*, 21 June 2012.

<sup>215</sup> For a report by Ertuğrul Kürkçü, a BDP deputy in the parliamentary delegation that visited three of the jails, see "Human Rights Situation in Turkey under the light of recent prison fires", 27 June 2012, <http://scr.bi/Lzedii>.

<sup>216</sup> The air force killing of 34 smugglers in Uludere in December 2011.

<sup>217</sup> Crisis Group interview, Mehmet Aslan, general secretary, Diyarbakır Chamber of Commerce, Diyarbakır, May 2012.

<sup>218</sup> "Toplumsal Sorunlar & Yeni Anayasa: algı, beklenti ve talepler [Communal Problems and the New Constitution: Perception, Expectation and Demands]", Political and Social Research Centre (Siyasal Sosyal Araştırmalar Merkezi, SAMER), Diyarbakır, March 2012. Of 755 respondents in eleven eastern provinces, 82.3 per cent described themselves as ethnically Kurdish, 9.1 per cent as Turkish and 7.3 per cent as Arab. "They say that the Kurds don't know what they want. Our brochure is the answer". Crisis Group interview, Emin Aktar, president, Diyarbakır bar, Diyarbakır, May 2012.

<sup>219</sup> For instance, Hüseyin Yılmaz, a sworn enemy of the PKK and Diyarbakır head of the former Mustazaf-der Islamist group, listed similar demands: "In the new constitution, the framework can be unitary or federal, but they either have to recognise the Kurds or any talk of ethnicity, the language has to be neutral. They have to give mother language rights, or at least recognise Kurdish as a second language". Crisis Group interview, Diyarbakır, May 2012.

<sup>220</sup> For instance, the opposition party CHP now holds that: "A peaceful climate can be created by political steps like the lowering of the election threshold, mother-language education, uncovering the unknown-perpetrator crimes ..." "Demokrasi ve Özgürlük Bildirisi [Democracy and Freedom Statement]", CHP 2012 Party Congress, <http://bit.ly/NS7HBY>.

<sup>221</sup> "The civilians now control the military .... The AKP took some steps to extend rights to the Kurds and keeps saying that it needs to do more: on the constitutional process (citizenship), the mother tongue question, and decentralisation of authority. Even then, there will be many questions: where is the limit? 70 per cent of the population accepts that there will be such a process. The problem is the radical Turkish and Kurdish nationalists". Crisis Group interview, Turkish official, January 2012.

<sup>222</sup> "Independent Kurdistan is not realistic. But they want to found a *derebeylik* [traditional Kurdish lord's realm beyond the

academic in AKP's Central Executive Committee, put it this way:

There's nothing wrong with PKK demands. But the Turkish government constantly worries, will the PKK demands stop there? I too am pessimistic that they will stop .... All organisations have a goal. When they reach it, they disband. But the PKK deliberately don't define their goals .... As we say in Kurdish, 'you can never satisfy someone who likes seeking pretexts'. The government certainly doesn't know what the PKK [really] wants.<sup>223</sup>

The frustration is on both sides, however. A pro-PKK leader complained: "Turkey is 'us' too ... but the Turks have fear in their genes that 'if we give the Kurds anything, we won't be able to stop them'".<sup>224</sup> Most of Turkey's Kurds still believe, as the PKK's ideology states, that shared history, cultural reference points, religion and economic interests mean that Turks and Kurds should live together.<sup>225</sup> The trouble is that years of PKK violence, military casualties, Turkish media misrepresentation and nationalist education mean that many Turks believe Kurds will only be satisfied when they carve a separate state out of Turkey – and are more ready to say so now that partial reforms make it possible to say the word "Kurds" out loud.

Addressing Kurdish grievances would doubtless be smoother if there were a full truce, if the BDP disavowed violence and was not being harassed and was able to communicate freely, including, through his lawyers, with Öcalan.<sup>226</sup> It would also be helpful if Ankara encouraged a more open study of the problem. Partly for fear of legal consequences, for instance, there are very few full academic studies of the PKK in Turkey.<sup>227</sup> A long-time Kurdish movement activist in the diaspora said:

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reach of central authority]". Crisis Group interview, Mazhar Bağlı, AKP Central Executive Committee, Istanbul, May 2012.

<sup>223</sup> Crisis Group interview, Istanbul, May 2012.

<sup>224</sup> Crisis Group interview, Remzi Kartal, exiled Kurdish movement leader, Brussels, June 2012.

<sup>225</sup> "The foundation of the republic [in 1923] was done together ... it goes back further [to the Turkish conquests of Anatolia in the eleventh century and the Middle East in the sixteenth century]. There's a Turkish-Kurdish friendship and togetherness since then". Murat Karayılan, interview with Avni Özgürel, Birlesikbasin.com, op. cit.

<sup>226</sup> "Kurds are always forced to choose between two ways, surrender or resistance. This has kept them far from civilization". Leyla Zana, speech to EU-Turkey Civic Commission conference, Brussels, December 2011.

<sup>227</sup> "There are just two doctoral theses [about the PKK] I know of". Crisis Group interview, Mazhar Bağlı, AKP Central Executive Committee, Istanbul, May 2012. Most Turkish books on the subject are collections of journalists' articles, but some are based on research, like Necati Alkan, *PKK'da Semboller, Ak-*

There's a wall of fear that doesn't allow you to discuss things. The Kurdish movement is an illegal movement. You can't expect an illegal movement to analyse all the issues. If you discuss these things with the PKK, [you worry] does everyone go to jail?<sup>228</sup>

## A. FULL LANGUAGE RIGHTS FOR KURDISH

The principal slogan of Turkey's Kurdish movement is "mother-language education", and it is a popular one.<sup>229</sup> However, neither the PKK nor the BDP have said if they want a parallel education system or a multilingual one, how they would go about achieving it, how much real demand there would be for Kurdish teaching or what resources would be needed. A respected Diyarbakır think-tank has engaged with the subject, but more clarity is needed to determine how Kurds want their two main languages (Kurmancî and Zazaki) to be taught in school.<sup>230</sup>

In June 2012, Prime Minister Erdoğan said Turkish schools would begin to offer Kurdish electives where there was sufficient demand.<sup>231</sup> This is a step beyond allowing private language courses to open in 2004 and, since 2010, permitting a number of south-eastern universities to offer Kurdish degrees. AKP has also dropped from its constitutional proposals the previous rule that only Turkish could be used in education. But eventually the Kurdish movement wants full Kurdish education. This is a right the government needs to work towards, studying existing international experience of Kurdish teaching, allowing Kurdish to be

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*törler, Kadınlar [Symbols, Actors, Women in the PKK]* (Istanbul, 2012).

<sup>228</sup> Crisis Group interview, Kerim Yıldız, writer and director of the Democratic Progress Institute, London, April 2012.

<sup>229</sup> A regional study showed that more than 90 per cent of south-eastern residents wanted a change – 35.2 per cent wanting full mother-language education at all levels, 35.1 per cent Turkish as the main language, with others optional, and 21 per cent Turkish-Kurdish bilingual education with others optional. "Toplumsal Sorunlar & Yeni Anayasa", SAMER, op. cit., p. 32.

<sup>230</sup> Vahap Coşkun, M. Şerif Derince and Nesrin Uçarlar, "Scar of Tongue: Consequences of the ban on the use of mother tongue in education and experiences of Kurdish students in Turkey", Diyarbakır Institute for Political and Social Research, March 2011. "Optional classes for native language speakers is mad. [Turkish leaders] present it as a kindness, but native language education is a right, we can't accept it like this. Already our children are the lowest performance of all foreign children, because their native language is so weak". Crisis Group interview, Kurdish Community Centre worker, London, June 2012.

<sup>231</sup> "Our students will have the opportunity to learn local languages and dialects, under the heading of existing languages and dialects, within the scope of the law on instruction in different languages and dialects. For instance, when enough students are gathered, the Kurdish language could be taught as an elective course". Speech to parliamentary group, 12 June 2012.

used in bilingual education from kindergarten onward and starting a program of state support for teacher-training in Kurdish languages.<sup>232</sup>

As part of its Democratic Opening, AKP allowed use of Kurdish during prison visits and widened space for its use in music and public life. These steps broke taboos against a language that was completely banned a generation ago and showed that apparent public resistance to change can be overcome. A human rights activist observed: “TRT6 [the all-Kurdish state channel started in 2009] showed that the state won’t fall apart if you allow people to speak Kurdish”.<sup>233</sup> Whereas diaspora members of the Kurdish movement in Sweden once lived frustrated and alone in a kind of hothouse they created to preserve their linguistic culture, an exile now flies in weekly to co-chair a TRT6 show. But the government should open up fully if it wants to reduce the appeal of pro-PKK television from the diaspora. As a student of Kurdish culture said:

In a way, TRT6 was brilliant. It has taken away the main uniting idea behind the old Kurdish intellectuals, that their language was completely banned. At the same time, TRT6 blocked the participation of the people involved for so long, like linguists, novelists, poets, translators, singers and actors. Many of those people felt deliberately excluded, and for most, this was proof that the move was disingenuous [However the current setup can only be transitional since TRT6 programming is] deathly boring, with a lot of religious programs. The Kurdish is noticeably riddled with mistakes and borrowings of vocabulary and/or syntax from Turkish, typical of bilingual speakers whose primary competence is in Turkish.<sup>234</sup>

For the time being, however, the Turkish constitution prohibits Kurdish in education or official business. There remains considerable resistance to change among Turkish

nationalists.<sup>235</sup> But the Kurdish movement does not seek removal of Turkish as the official language; nor has it consistently asked for Kurdish to become a countrywide official vernacular. It wants to free the use of Kurdish in all aspects of public life in Kurdish-speaking areas, and the government should plan ways for it to find its place in schools, municipalities, courts and business life.

## B. AN END TO DISCRIMINATION IN THE CONSTITUTION AND LAWS

The Kurdish movement supports the drafting of a new constitution, a process now well under way in parliamentary committee. All Kurdish tendencies want the removal of any article that could be seen as discriminating on the basis of ethnicity, mainly due to the way the word “Turkish” can mean both “citizen of Turkey” and “someone of Turkish racial ethnicity”.<sup>236</sup> It will be hard to secure a positive mention of Kurds as well as Turks,<sup>237</sup> but Turkey’s Kurds will not settle for less than equality.<sup>238</sup> So far discussion of controversial articles has usually been postponed, with positions noted in brackets, and the other parties have resisted AKP’s efforts to have the constitution writ-

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<sup>235</sup> “Education needs [to be homogenous] for vertical mobility, to improve human capital. We are working for nationalisation, not localisation. That will decrease [the mobility] of my people, which is very important for democracy. They can learn Kurdish. But language is also creating a nation. [If you allow it to be taught], the state should give them the chance to do [their government business] in Kurdish as well. But the state’s role should not be to divide the country. They have the right to individual courses. [More] Kurdish education will lead [to separatism]”. Crisis Group interview, Oktay Vural, MHP parliamentary group deputy chairman, Ankara, July 2012.

<sup>236</sup> In a regional study, 87 per cent of BDP voters and 68 per cent of AKP voters reportedly said the most important reason for a new constitution is to solve the Kurdish problem. 62 per cent want no reference to ethnicity, and 33 per cent want Turks, Kurds and all other ethnic groups mentioned. To replace the current constitution’s reference to inhabitants of the country as “Turks” or the “Turkish nation”, 42 per cent prefer “all citizens”, 32 per cent “Turkey’s peoples”, and 13 per cent “citizen of Turkey”. “Toplumsal Sorunlar & Yeni Anayasa”, SAMER, op. cit., p. 15.

<sup>237</sup> “Defining rights according to collective ethnic rights is not what we want. [Just because] some people want Sharia [Islamic law], should we give it to them? ... [The new constitution] will not create a new republic, or a new nation, or a new language. It will be a constitution based on realities. It should work for all of Turkey. We need [a functional] media, checks and balances. We should have a working democracy”. Crisis Group interview, Oktay Vural, MHP parliamentary group deputy chairman, Ankara, July 2012.

<sup>238</sup> “Assimilation is a crime, yet they still make all schoolchildren say ‘I’m a Turk’, and Erdoğan is the one who is doing it”. Crisis Group interview, Osman Baydemir, BDP mayor of Diyarbakır, May 2012.

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<sup>232</sup> “The prime minister talks about ‘my Kurdish-origin citizens’. How would he feel if I called him ‘the Turkish-origin prime minister’? ... The prime minister and ministers can take optional Kurdish lessons. We’d be happy ... But ‘taking optional lessons in our own mother language’ is assimilation. [Mother-language education] is just the return of a stolen right”. Gültan Kışanak, speech quoted in *Güneydoğu Olay*, 13 June 2012. The Netherlands and Sweden teach Kurdish in their national systems; though there are differences in dialect and script, so do schools in northern Iraq’s Kurdistan Regional Government, including those attached to Turkey’s Gülen Movement. See Cengiz Aktar, “Inclusion of Kurdish language in education system”, *Today’s Zaman*, 27 June 2012.

<sup>233</sup> Crisis Group interview, Mazlum-der human rights activist, Diyarbakır, May 2012.

<sup>234</sup> Crisis Group interview, U.S. researcher on Kurdish language and politics, Istanbul, May 2012.



ten in bland, general terms.<sup>239</sup> Even so, AKP may eventually take whatever text has been agreed, fill in the blanks, push it through parliament and try to defend it at referendum.<sup>240</sup> If it chooses this path, it should at the very least omit articles that could be seen as discriminatory, since another chance to fix this core driver of alienation and resentment will not come again soon.

Turkey's Kurds also want changes in laws that predominantly affect ethnic Kurds. These include the Anti-Terrorism Law, several Penal Code articles and the Basic Law on National Education, as well as the ban on Kurdish in most courts and areas of official life if plaintiffs know Turkish.<sup>241</sup> Many Kurdish activists in pre-trial detention under the Anti-Terrorism Law could not benefit from a round of judicial reforms in July 2012, because terrorism charges carry penalties well above the cut-off point of a five-year sentence.<sup>242</sup> Deputy Prime Minister Bülent Arınç said it was "not acceptable to the public conscience" that Kurdish parliamentary deputies still received more than ten-year jail sentences just for speeches, and the Penal Code and Anti-Terror Law should be changed "to a standard acceptable to the European Court of Human Rights".<sup>243</sup>

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<sup>239</sup> "Constitutional commission to seek reconciliation over controversial articles", *Today's Zaman*, 6 August 2012. Instead of the current constitutional definition: "Every one is a Turk who has Turkish citizenship and has the bond of citizenship with the Turkish state. The child of a Turkish father or a Turkish mother is a Turk", AKP had reportedly suggested the text: "Citizenship is a basic right, and citizenship can be gained according to the principles defined by law". "AK Parti'den vatandaşlığa çerçeve tanım [A framework definition for citizenship from AKP]", *Hürriyet*, 27 July 2012.

<sup>240</sup> "There will be no consensus in the committee. The AKP will probably calibrate constitutional changes to what can get 51 per cent. [It] could just leave out educational language and have a neutral phrase about nationality. AKP has a brilliant judgment of political climate". Crisis Group interview, European diplomat, Ankara, May 2012.

<sup>241</sup> For instance, just on the basis of twelve speeches, BDP's Van Deputy Aysel Tuğluk was sentenced in June to more than fourteen years in jail under Article 7/2 of the Anti-Terrorism Law for "making propaganda for a terrorist organisation" and Article 314/3 of the Turkish Penal Code (TCK) for "engaging in crimes on behalf of a terrorist organisation". "Kurdish deputy sentenced to 14.5 years in prison", *Today's Zaman*, 12 June 2012.

<sup>242</sup> "8,600 prisoners released under 3rd judicial reform package", Anatolian Agency, 25 July 2012. "[The] changes fail to reform terrorism laws widely misused against journalists and pro-Kurdish activists". "Turkey: Draft Reform Law Falls Short", Human Rights Watch, 13 February 2012.

<sup>243</sup> "Silah bırakıp", AHAber, op. cit.

### C. GREATER SELF-GOVERNMENT, NOT INDEPENDENCE

The original PKK goal was an independent state for all the Kurds divided between Turkey, Iran, Iraq and Syria. It planned to achieve this by force. However it dropped independence in 1993, when Öcalan had high hopes of a settlement with the late President Turgut Özal.<sup>244</sup> Since July 2011, the PKK officially seeks "democratic autonomy":

We don't have a goal of a united, independent Kurdish state. We started out with this, but we changed a lot. We've seen what a disaster the nation state has been for the region. Now we want decentralisation and the democratic rights of Kurds where they live, even if maybe the Iraqi Kurds want a nation-state.<sup>245</sup>

Great vagueness surrounds the term "democratic autonomy", however, and even leaders who espouse it admit they do not know what it means.<sup>246</sup> Öcalan talks of it as something between a nation and a state and seems sincere in wishing for Turks and Kurds to live intermingled, if the Kurds have communal rights. But while he insists that his proposals accept "the institutions and present borders of the Republic of Turkey as legitimate", he seems to want to rub out such borders with "a European Union-type of union ... a flexible confederation ... for Turkey, Syria and Iraq. This model can then expand throughout the Middle East".<sup>247</sup>

The result is that in Turkey people do not believe that the PKK has really changed its main goal. They are not alone in their confusion. A European counter-terrorism agent noted: "We know that a big majority of the PKK is against independence, yet our internal [police] documents refer to it as separatist".<sup>248</sup> A mainstream politician said that continued injustice towards Kurds explains the residual appeal of an independent state.<sup>249</sup> Polls suggest a more open

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<sup>244</sup> "We saw that this crown [of a nation-state] was not all that necessary". Öcalan, *Prison Writings III*, op. cit., p. 79.

<sup>245</sup> Crisis Group interview, Remzi Kartal, exiled Kurdish movement leader, Brussels, June 2012.

<sup>246</sup> "When I speak to crowds, and talk about it, they don't react". Crisis Group interview, senior leader of Turkey's Kurdish movement, Brussels, December 2012.

<sup>247</sup> "The Turks and the Kurds were the fundamental nucleus of the [Ottoman] empire. These two societies had grown to resemble each other .... For Kurds, the question is not separation but overcoming the process of extermination [denial of Kurdish rights in Turkey's twentieth century republic] and once again attaining the historic position of strategic friend, partner and confrère". Öcalan, *Prison Writings III*, op. cit., pp. 52, 69. "Protection of the Constitution Report 2010", Berlin, op. cit.

<sup>248</sup> Crisis Group interview, Brussels, June 2012.

<sup>249</sup> "The Kurds will always want an independent state. The only way to treat this urge is to make them believe that the current

debate would help clarify the meaning of “democratic autonomy” and its compatibility with Turkey’s territorial integrity. One suggested less than one fifth of south-eastern residents demand politically difficult options like independence or a federal disposition for Turkey’s Kurds,<sup>250</sup> another that only 6.2 per cent had separatist ideas.<sup>251</sup>

Regional or federal approaches are unrealistic in Turkey, due to the fact that it has no clear internal geographic, ethnic or even political boundaries. Even in substantially Kurdish provinces like Tunceli, Bingöl and Siirt, non-Kurdish movement parties won in the June 2011 elections. There is a wide overlap between the Turkish-speaking, Kurdish-speaking and even Arabic-speaking areas, and as many Kurds live in western Turkish cities as in the south east. Ethnic Kurds and Turks mostly adhere to the same branches of Sunni Islam and often intermarry; hardliners on both sides frequently base their arguments on a sense of joint destiny and history. On the other hand, while Kurdish idealists claim to be part of the world’s biggest stateless nation, with 25-30 million people split between Turkey, Iraq, Iran and Syria, these regions speak different, often mutually incomprehensible dialects of Kurdish, and their religious beliefs differ. There has never been a united Kurdish state, and academics increasingly question how much underlying political unity there really is between Kurds.<sup>252</sup>

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set-up is fair. That’s why we need to start a process”. Crisis Group interview, Sezgin Tanrikulu, CHP deputy chairman, Ankara, July 2012.

<sup>250</sup> In terms of administrative mechanisms, 36 per cent of respondents wanted strengthened local government, 24 per cent the creation of regional administrations and 12 per cent a federation. As for Kurds’ status, and reflecting the confusion of definitions that plagues Turkey’s Kurdish debates, 41 per cent wanted “democratic autonomy” (including 27 per cent of AKP voters, even though this is theoretically a confederal proposal), 19.3 per cent independence, 11.7 per cent a federal government, 9.3 per cent stronger municipalities and 9.1 per cent no special status. “Toplumsal Sorunlar & Yeni Anayasa”, SAMER, op. cit., pp. 27-29.

<sup>251</sup> Ankara Sosyal Araştırmalar Merkezi (ANAR) did the poll. “Poll: Kurds want to live together peacefully with Turks in Turkey”, *Today’s Zaman*, 29 June 2012.

<sup>252</sup> The Kurds of Turkey alone are divided between a majority of Kurmancî and minority Zazaki speakers, and religiously between Sunnis of the Shafei or Hanefi schools, and Alevis, an eclectic faith with elements of Shia beliefs. “There is remarkably little measurable solidarity that translates into political action between the four main Kurdish regions”. Crisis Group interview, Johannes Artens, author of “Performing Ethnicity, Enacting Sovereignty: The Kurdistan Region of Iraq between Group Solidarity and De Facto State Building” (unpublished University of Exeter PhD thesis), Istanbul, May 2012.

## D. POLITICAL REPRESENTATION

The Kurdish movement has long sought the reduction or removal of the 10 per cent electoral threshold required for a party to enter parliament. Any government sincerely seeking to move Kurdish activism away from armed struggle and into legal politics should bring the bar down to at most 5 per cent, since the legal Kurdish movement is this restriction’s primary victim.<sup>253</sup> Another grievance is that state support for national parties only goes to those that achieve over 7 per cent of the national vote.<sup>254</sup> This should also be lowered to 5 per cent.

Turkey’s Kurdish movement believes full rights would necessarily bring the BDP more votes.<sup>255</sup> But Kurdish intellectual Ümit Firat points out that peace and a level playing field might actually limit its appeal:

Support for the PKK is more than one third, less than one half of the Kurdish population. It’s higher in the east, lower in the big cities in the west. If everything was legal, if the BDP got TV time and treasury support, I don’t think they’d get more votes. Currently they use their oppressed status to make themselves look good, and a lot of the support is due to the deaths of the PKK militants ... Only as long as the war continues will people feel they have to support the PKK.<sup>256</sup>

## E. DEMOBILISATION FOR INSURGENTS, SECURITY FOR VILLAGERS

Beyond the issue of rights for Turkey’s Kurds – which can and should be resolved before any negotiations with the PKK insurgents – comes the question that will be the hardest to negotiate successfully: what will happen to the thousands of PKK members if and when they agree to lay down their arms, leave jail or return from exile abroad?

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<sup>253</sup> A study by the think-tank Economic Policy Research Foundation of Turkey said a 4 per cent threshold would be ideal. “TEPAV: ‘Optimal Election Threshold for Turkey is 4 Percent’”, 21 March 2011, <http://bit.ly/MrwlZh>. In the south east, 77 per cent of residents want an electoral threshold of 5 per cent or less in the new constitution. “Toplumsal Sorunlar & Yeni Anayasa”, SAMER, op. cit.

<sup>254</sup> Three parties shared about \$250 million in such support between 2007 and 2011. Cem Toker, “Why is Turkey Bogged Down?”, *Turkish Policy Quarterly*, vol. 7, no. 1, spring 2008.

<sup>255</sup> “The PKK is realistic. It doesn’t claim to have the support of all Kurds .... But someone who votes for the BDP knows that the prices could be jail, detention, arrest, economic pressure”. Crisis Group written interview, Sabri Ok, PKK/KCK leader, 24 November 2011.

<sup>256</sup> Crisis Group interview, Istanbul, May 2012.

Kurdish movement demands start with more access to their leader, insisting that only Öcalan would be able to bless an eventual settlement and thus should be able to communicate more easily. Deputy Prime Minister Arınc's airing of the possibility of moving him to house arrest after peace is achieved elicited no obvious harsh public reaction.<sup>257</sup> Öcalan himself has added the idea of a Truth and Reconciliation Commission, which he believes could be a stage in his removal from incarceration. At the very least, Turkey should allow him the right to see his lawyers.<sup>258</sup>

The fate of other PKK members was part of the 2005-2011 Oslo Process. Parameters discussed included that senior leaders would be offered asylum, perhaps in Europe; that members without a criminal record would be able to return to Turkey; that members with a Turkish criminal record would have to go through some fast-tracked judicial process; and that those who wished to remain in northern Iraq could do so, perhaps being enrolled in military forces there. Öcalan foresees an eventual withdrawal of PKK "extra-legal structures" from Turkey, and Karayılan accepts the idea that he and "top leaders" would stay in northern Iraq or elsewhere abroad.<sup>259</sup>

A problem for the PKK is Turkey's legal concept of an amnesty: a repentance law that requires any surrendering insurgent to prove regret by actively working with the government, and an assumption that ex-insurgents will return to their villages and not enter active politics. Its rejection of these conditions was one reason (along with mutual lack of political preparation) why a promising attempt to arrange a demobilisation through the Iraq border post at Habur failed in October 2009.

Öcalan wants PKK members to be allowed to act as local government militia or "self-defence forces". This demand is not often repeated by the legal Kurdish movement in Turkey and is a non-starter for the government.<sup>260</sup> Still, it

relates to a problem that needs thinking through: how normal security would be maintained after a settlement. More than 50,000 pro-government Kurdish villagers are currently armed and paid by the state as "village guards"; they have often seized land from many hundreds of thousands pro-Kurdish movement Kurds and presumably cannot suddenly be disbanded. The government will have to make fuller provisions for security or compensation for the many Kurdish ex-villagers who will want to return or recover property.<sup>261</sup>

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<sup>257</sup> "Silah bırakıp", A Haber, op. cit.

<sup>258</sup> The ban on lawyers' access is "both wrong and a gift [to PKK propaganda]". Crisis Group telephone interview, Gareth Jenkins, expert on Turkish security matters, August 2012.

<sup>259</sup> Cengiz Çandar, "Dağdan iniş – PKK Nasıl Silah Bırakır: Kürt sorunu'nun şiddetten arındırılması [Coming Down from the Mountain – How the PKK Can Disarm: the de-violencing of the Kurdish problem]", Turkish Economic and Social Studies Foundation (TESEV), June 2011. Öcalan, *Prison Writings III*, op. cit., p. 104. Interview, Avni Özgürel, *Taraf*, op. cit.

<sup>260</sup> "[Until there is a radical transformation of today's Turkish security forces], the KCK will have to have its own defence forces ... they may be included in the army and other security forces ... for local security". Öcalan, *Prison Writings III*, op. cit., p. 97. "The issue is not about the reforms for the rights and freedoms of the Kurds. The BDP assumes just the one goal of saving Öcalan and legitimising the PKK ... to preserve their privilege and status .... Their solution is to have the region un-

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der their administration. That is what they call the self-defence force. They try to include the PKK as-is, as an actor into the normal system. This is unacceptable. We cannot abandon any of our citizens to the initiative of such a fascist structure". Interview, Yalçın Akdoğan, *Star*, op. cit.

<sup>261</sup> Such a program has already started, and a certain percentage of victims have won compensation and the chance to return. But the Kurdish movement's figure of three million villagers displaced is ten times higher than the official government figure, so the issue is not closed. Crisis Group Report, *Turkey: Ending the PKK Insurgency*, op. cit., p. 33; "The Problem of Internal Displacement in Turkey: Assessment and Policy Proposals", TESEV, October 2005.

## VI. A TWO-STAGE PROCESS

Cynics have usually won the argument about whether a Kurdish settlement is likely. They claim that the problem can continue indefinitely, because both political leaderships find it easier to continue a medium-level conflict than to make the difficult political adjustments required for a real settlement. The casualties are painful, but nobody believes they are unbearable.<sup>262</sup>

Violence and confrontation have become routine, part of daily life and in fact, the meaning of life. Without a Kurdish question, for example, the Kurdish leadership team, the Turkish security forces and the nationalist bloc is not sure how they can justify their existence. ... The current state of the Kurdish question will not cost [AKP] an election .... I do not think that the PKK is ready to risk a solution, either. It is an organisation designed to wage guerrilla warfare with an outdated ideology ... not a "normal" political party that can adapt itself to the conditions of "normal politics" after a solution.<sup>263</sup>

Governments have long tried to achieve a military victory without devising a comprehensive step-by-step conflict resolution policy. Yet the past year's casualties are the worst since Öcalan's capture thirteen years ago; the July-August fighting is some of the longest on Turkish soil since the conflict started in 1984, with the government deploying warplanes, helicopter gunships and thousands of troops. The Turkish military is shaken and its operational capacity possibly weakened by AKP's determination to root out coup plotters and strengthen civilian control.<sup>264</sup>

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<sup>262</sup> "These latest operations are really hitting the organisation. But the PKK doesn't mind losing five, ten, twenty fighters, any more than the army does". Crisis Group interview, Şahismail Bedirhanoglu, president, South-eastern Businessmen's and Industrialists' Association (GÜNSİAD), Diyarbakır, May 2012. "Turkish people can ignore this problem very easily. 500 soldiers could die [in a year], it would be absorbed". Crisis Group interview, Nihat Ali Özcan, counter-terrorism analyst, TEPAV, Ankara, May 2012.

<sup>263</sup> İhsan Dağı, "Who can solve the Kurdish question?", *Today's Zaman*, 8 July 2012.

<sup>264</sup> "There are more admirals in jail than serving in the navy. The commander who should be head of the air force is in jail, and the three in line after him are also in jail. About 500 officers are in jail, one third of them serving officers. It does affect operational capability. There's a feeling that, 'whatever they do it won't make a difference. They've given up'. [The Uludere killing of 34 civilians, the loss of a reconnaissance plane near Syria] are evidence that capabilities have been undermined so much that mistakes are happening .... [In the fights with the PKK], control is moving to the interior ministry, from the gendarmerie to the police. It's a mixed system, it has become so complicated. Officers are too scared [of legal consequences] to

At the same time, the deteriorating situation on the regional borders is dramatically increasing risks for Ankara and emboldening the PKK.

AKP has gone further than any predecessor toward tackling underlying Kurdish grievances but has lacked the foresight to think through the domestic ramifications of its plans and the political courage to go all the way in carrying them out. Prime Minister Erdoğan needs pro-actively to embrace and complete the constitutional, language and legal reforms of the past decade that have gone part way to giving Turkish Kurds equal rights and recognising their identity.<sup>265</sup> For this, the government should work harder at home to distinguish friend from foe within the Kurdish movement, win allies within it and marginalise advocates of armed struggle by addressing the grievances many Turkish Kurds share. A strategy that includes a mutual truce in the fighting would obviously greatly help the political process, but making it a condition for reform only hands leverage to the PKK.

### A. THE PRIME MINISTER'S CRUCIAL ROLE

Prime Minister Erdoğan has considerable political capital at his disposal with which to regain Turkish Kurds' trust, if he chooses to use it.<sup>266</sup> Yalçın Akdoğan, an AKP deputy and one of his leading advisers on the Kurdish question, explains the steps needed well: "If there is injustice, it must be corrected. Rights and freedoms are for all. The state has to do it regardless of whether there is a terror organisation or not .... The fact that the government is already realising these democratic reforms on its own has upset the organisation's equilibrium".<sup>267</sup> Erdoğan retains some credibility among Turkey's Kurds because, despite the wave of arrests over the past three years, he has done more for them than any previous Turkish leader and is clearly effective when he is convinced of a policy. But he also needs to convince his electorate that the time is right to push through more

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take initiatives or risks". Crisis Group interview, retired Turkish general, Ankara, July 2012.

<sup>265</sup> See Crisis Group Report, *Turkey: Ending the PKK Insurgency*, op. cit.

<sup>266</sup> "In the past two years we haven't seen Erdoğan do one thing that would cost him any popularity ... [his] political courage is the real missing ingredient". Crisis Group interview, Western diplomat, Ankara, June 2012.

<sup>267</sup> Interview, *Star*, op. cit. "The state has to lead a change of rhetoric, soften things ... put in a better legal foundation that the people can trust, that is, justice ... [and] compensate the Kurds for what they went through, and not just economically. They need to allow the people in the region to let off steam, lift pressure of the state on people, even if it is psychological as much as material". Crisis Group interview, Mazhar Bağlı, AKP Central Executive Committee, Istanbul, May 2012.

reforms.<sup>268</sup> According to an AKP official from Diyarbakır, he might go back to talks if convinced he could seal a deal:

Erdoğan could convince the central Anatolians [the Turkish mainstream]. They see him as one of them, that he won't betray the state. And Erdoğan really wants to solve this. He wants to be the big actor of the region, and he knows that this issue, unresolved, will tie him down.<sup>269</sup>

The prime minister may worry that he would look weak proposing reforms seen as satisfying Kurdish grievances when PKK violence is at its height. This could lose him nationalist votes in the 2014 presidential election, but the time for action is now, with the election still two years away.<sup>270</sup> What a broad cross-section of Turkey's Kurds wants is clear, the players are well-established and known, and Turkey would do well to secure internal security before the regional insecurity becomes an even greater problem. Erdoğan has nearly full executive authority already and as president would be in no better position to solve the Kurdish problem. In general, there is public support for a new compact with Kurds.<sup>271</sup> And, not least, there might be votes in satisfying the public desire for resolution of a conflict that has been an open, bleeding wound for so long.<sup>272</sup>

## B. SEPARATING THE PKK PROBLEM FROM THE KURDISH PROBLEM

Turkey's best strategy would, therefore, be to separate the Kurdish problem from the PKK problem. First it should address Kurdish grievances to the satisfaction of the great majority of Turkey's Kurds. This could most pragmatically be done separately from and before any deal with the PKK for disarmament, although several leading Turkish commentators believe the two tracks should run in parallel.<sup>273</sup> Parliament is the right place to finalise the political side, using a smart mix of the current Constitutional Commission, judicial reform packages and a version of the CHP's proposal for an interparty Communal Reconciliation Commission.

The prime minister should use the full potential of the constitutional reform process and insist that all discriminatory language be taken out of the new document. AKP cannot do everything on its own: it needs 367 deputies to pass a new constitution without a referendum or 330 (60 per cent majority) to take it to a referendum. If it cannot achieve consensus on constitutional language that would satisfy Kurdish grievances, it might have to pursue a second-best course of suggesting the most neutral language possible, pending secondary legislation. If the nationalist MHP is unable to join, the AKP should seek common ground with the CHP and BDP.<sup>274</sup>

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<sup>268</sup> "Erdoğan may not have seen through the Democratic Opening, but he did open the way to thinking about a non-military solution to the Kurdish problem ... and whatever you say about Erdoğan, he is effective. At the National Security Council meetings everyone else talks, then everyone, including the army officers, listen to him". Crisis Group interview, Turkish official, Istanbul, April 2012. "It's in the hands of the government. We have to make a big campaign, prepare Turkish public opinion. You can't do anything in the current climate, it's very polarised. The west of Turkey has to be prepared. You have to prepare Izmir as much as Diyarbakır. There will be no solution as long as the two basic constituencies are not brought closer together". Crisis Group interview, Mehmet Aslan, general secretary, Diyarbakır Chamber of Commerce, Diyarbakır, May 2012.

<sup>269</sup> Crisis Group interview, Mazhar Bağlı, AKP Central Executive Committee, Istanbul, May 2012.

<sup>270</sup> "Erdoğan wants to get 50 per cent in the first round. He thinks steps on the Kurds will be negative [for him in the polls], and he'll continue to see it as a risk until 2014. He sees no urgency until then. It's going to be an aggressive period". Crisis Group interview, Sezgin Tanrikulu, vice president, CHP, and former president of the Diyarbakır bar, Ankara, May 2012.

<sup>271</sup> When a Turkish poll asked who the government's counterpart in any such discussion should be, 44.6 per cent of respondents said "the Kurdish people", 9.3 per cent the BDP and 3.3 per cent the PKK. *Sabah*, 17 April 2012.

<sup>272</sup> "The mainstream no longer discusses what the problem is. What is debated is what the solution to this problem should be". Ahmet Altan, "The Problem and the Solution", *Taraf*, 21 June 2012.

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<sup>273</sup> "In order for a Turkish and Kurdish youth not to die any more, and for us to concentrate all our energy on development and civilizing efforts, on one hand we must speed up reforms to recognise the Kurdish identity, and on the other hand we must restart talks with the PKK on laying down weapons and leaving the road of violence. Abdullah Öcalan can play an important role in this". Şahin Alpay, "PKK'nın mesajı ne olabilir? [What can the PKK's message be?]", *Zaman*, 21 August 2012. "The sole means to defeat the rebels is to rob them of public support. This can best be achieved by rewriting Turkey's constitution in ways that satisfy the Kurds' long-running demands for greater cultural and political rights. Erdoğan continues to command the kind of popularity that makes this saleable. At the same time, the government will need to hold its nose and resume talks with imprisoned PKK leader Abdullah Öcalan. If Öcalan were to call on the PKK to lay down its arms, the majority of the rebels would obey ... Such steps might blunt Erdoğan's presidential ambitions, but they would also pull the country back from the abyss". Amberin Zaman, "Turkey's Syria Gamble: Enter the Kurds", German Marshall Fund of the United States, 24 August 2012.

<sup>274</sup> AKP has 326 seats, CHP 135, MHP 51, BDP 29 and the support of most of the seven independents. "AKP and CHP won't do anything unless [the nationalist MHP] is in, [which won't happen] ... so if the AKP wants to do something they [will probably have to] do it on their own". Crisis Group interview, Western diplomat, Ankara, July 2012. "If MHP doesn't want it, we'll do it between parties". Crisis Group interview, Sezgin Tanrikulu, CHP deputy chairman, Ankara, July 2012.

The government urgently needs to change laws and regulate the judiciary in order to undo the damage done by the arrests of thousands of BDP and other activists and their retention in pre-trial detention for years. This is a question not of ethnic Kurdish rights, but of delivering basic justice. It must implement the judicial reform packages winding their way through parliament and make sure that Turkey's definition of terrorism is in line with EU and other international norms. Allowing children starting this September to take electives in their mother tongue when the demand is sufficient would demonstrate good faith. Compared to such steps, calling for the PKK to disarm is merely a rhetorical gesture.<sup>275</sup> As Ümit Fırat, a leading Kurdish intellectual in Turkey, argued:

You will never solve the Kurdish problem fully. You can't get rid of the violent Kurdish movement entirely. You can only minimise the problem. The way to do it is to give mother language education, eliminate ethnic discrimination from the constitution, and then when you've done that, go to the PKK and say let's now discuss handing in weapons and demobilisation.<sup>276</sup>

The BDP can play an important role in promoting constitutional reform and other changes in the law. It should be allowed a reasonable chance to consult with all parts of the Kurdish movement, including Öcalan, even though his freedom cannot be an immediate aim.<sup>277</sup> The Kurdish movement needs to back the BDP clearly in this role, not undermine it. And the BDP must act as party that represents the whole of Turkey, with corresponding policies.<sup>278</sup>

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<sup>275</sup> "We want the organisation to disarm, too. But the way Erdoğan is asking, he's asking for something that's not going to happen". Crisis Group interview, Sezgin Tanrıku, CHP deputy chairman, May 2012.

<sup>276</sup> Crisis Group interview, Istanbul, May 2012.

<sup>277</sup> "It would be ok if they said BDP can talk to everyone. Otherwise, it condemns us to an inability to solve this". Crisis Group interview, Abdullah Demirbaş, BDP Suriçi district mayor, Diyarbakır, May 2012. "The problem with Öcalan is that whenever he voices a demand, the Turkish public is so angry with him that they reject it immediately". Crisis Group interview, Turkish official, January 2012. "[Öcalan's release] is impossible both legally and in terms of public acceptance. Öcalan does not lack information, but he lacks perception and mentality. Power has spoiled his character". Interview, Yalçın Akdoğan, *Star*, op. cit.

<sup>278</sup> When a mostly Kurdish audience reacted angrily to a speech in Brussels by İhsan Dağı pointing out that there had been improvements, he responded: "We have to get the 80 per cent of the country behind us. We can't deny that there have been changes. AKP and BDP are trying to destroy each other in the region. It's stopping the fact that they are actually possible partners for reform". EU Turkey Civic Commission conference, Brussels, December 2011. "The BDP's language is completely problematic. They speak with a tone of war. They regard us as the enemy not the competitor ... the BDP has the political style of focus-

## C. NEGOTIATE DEMOBILISATION AFTER REFORMS ARE COMPLETE

Once the necessary political reforms have been done, Ankara will have a much stronger hand with which to turn to the PKK's demobilisation and rehabilitation. Öcalan and Karayılan are the leaders who can most plausibly legitimise a deal among most of the PKK factions, and, given their ideology and politics, they probably still believe in cohabitation between Turks and Kurds.<sup>279</sup> Also, after nearly 30 years in the field, there are both leaders and fighters who want an end to the insurgency.<sup>280</sup> Others close to the Kurdish movement are actively seeking ways forward by studying how insurgencies ended in Ireland, Spain and South Africa.<sup>281</sup> Even in Qandil headquarters, a visitor said:

There's a sense that they really wanted to finish it and come down from mountains, and that's why they supported the Oslo Process. But they were disappointed, not defeated, they realised it wasn't going to happen and so they were gearing up to fight again. But they've been in the mountains so long they're in a kind of time warp. I asked one of them how they communicated with their men and asked them if they used Blackberry messaging. He looked blank, so I asked if they even had

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ing on one point only, and I must say that diminishing the constitution into the Kurdish issue would be the greatest mistake". Interview, Yalçın Akdoğan, *Star*, op. cit.

<sup>279</sup> "Öcalan can still do this". Crisis Group interview, Sezgin Tanrıku, CHP deputy chairman, Ankara, July 2012. "The [older, ex-PKK membership of] KCK is actually a chance for Turkey. These people actually know the Turks; they envisage living together; they grew up in Turkey. The new generation grew up with the PKK; it's all they know, it's a really big danger and can make making a deal that much more difficult". Crisis Group interview, Aliza Marcus, expert on the PKK, Istanbul, May 2012.

<sup>280</sup> "Who wants to live in the mountains? All would prefer to live in the towns. But how can we give up to Turkey for nothing? A child wouldn't do it. We want mother-tongue rights, villages to represent themselves, our identity recognised". Crisis Group interview, former PKK insurgent, Brussels, June 2012. "I saw Karayılan as someone who is looking for a new way to open the way to peace ... the PKK has become focused on peace ... [Karayılan complained] that the guerrillas were over-focused on the idea that there would be a political solution, didn't obey the rules and left open points that the security forces exploited .... In Qandil, people are still thinking ... when will we go home?" Interview with Avni Özgürel, *Taraf*, op. cit.

<sup>281</sup> A pro-PKK Kurdish exile from Turkey took a BDP deputy to Ireland to learn about how conflict was put on the road to a resolution there. Crisis Group interview, June 2012. Another exile, Kerim Yıldız, a writer and director of the Democratic Progress Institute, similarly arranged for opinion leaders from Turkey to visit the British isles and study how the UK, Ireland and northern Irish communities ended the conflict in Northern Ireland.

Blackberries. He then said, “yes, sure, we get lots of blackberries here, but it’s not the season”.<sup>282</sup>

If it truly aims to achieve better conditions for Kurds and an honourable demobilisation for its insurgents, the Kurdish movement must urge the PKK to be less aggressive, clearer and more reassuring about its goals.<sup>283</sup> It must make the PKK/KCK recognise that if it clings to the dream of military victory, it may lose whatever gains it has from its decades of armed struggle.<sup>284</sup> The grave casualties over the past year prove the cost of continued violence. If the goal is full rights for Turkey’s Kurds – which the PKK says it is – once this goal is reached, the Kurdish movement should urge it to lay down its arms, declare a cease-fire and negotiate an end to the conflict.

It is difficult to imagine the government sitting down again with the PKK while it is terrorising civilians, kidnapping officials, attacking military outposts, and more than 700 PKK fighters, soldiers and civilians have been killed over the course of a year. But both sides can still refer back to the hopes of the Democratic Opening and Oslo Process period. Some of the ideas and confidence of that time can return. A promising sign for future talks is that when the previous round became public, Turkish public opinion registered little obvious opposition to the idea of a peace deal that included at some point negotiations with an organisation that most have been educated to believe is a blood-thirsty monster. In the end, the PKK’s thousands of active members must be taken into account.<sup>285</sup> A neutral Kurdish observer said of the recent upsurge in violence:

In fact, the PKK is very close to the negotiating table. These clashes, roadside bombs, car bombs, these are wrong, but what they are saying is, “try as you like with Barzani, with Syria, and so on, you can’t leave us out of a settlement”.<sup>286</sup>

Just as importantly, both sides must prepare for and embrace the explosion of Kurdish joy that would certainly greet a real peace agreement after so many decades of oppression and war. This is what happened when the first PKK fighters returned during the Oslo Process amnesty in October 2009, but it was tragically misrepresented on Turkish television as only a “PKK victory celebration”. Next time, Turkish government leaders must be on every channel encouraging both sides to celebrate the coming peace.

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<sup>282</sup> Crisis Group interview, international newspaper reporter, Istanbul, June 2012.

<sup>283</sup> “The Kurds have always over-asked ... and the Kurds of Turkey are doing that right now”. Crisis Group interview, former European ambassador to Ankara and Damascus, Istanbul, May 2012.

<sup>284</sup> “The PKK won’t lose militarily. But secretly, they are trying for more [as evidenced by vague statements about the goal of ‘democratic autonomy’]. Yet it’s over. They have already lost politically .... [The deal] is only about cultural rights within Turkey”. Crisis Group interview, Zeynel Abidin Kızılyaprak, Turkish Kurd intellectual, Istanbul, April 2012.

<sup>285</sup> “I used to think you could just bypass the PKK, but no longer is that possible. In a real negotiation process, the PKK is of course going to have unacceptable demands. That’s the nature of negotiations. But the fact is the PKK wants a deal”. Crisis Group interview, Aliza Marcus, expert on the PKK, Istanbul, May 2012.

<sup>286</sup> Crisis Group interview, Mehmet Aslan, general secretary, Diyarbakır Chamber of Commerce, Diyarbakır, May 2012.

## VII. CONCLUSION

Many hopes from the last decade have faded: the Kurdish movement is sceptical that its demands will soon be taken into account; the PKK has escalated the use of force; mass arrests have crippled legal Kurdish politics; and the collapse of negotiations has left the two sides apparently far apart. The government side feels that it gave negotiations a chance, that it has offered reforms, that it is meeting the PKK's military challenge and that it is up to the Kurdish side to submit to its will. Yet the PKK/KCK remains unbeaten in the field, and the violence is increasing.

Stepping up the struggle to wipe out the insurgency by physical frontal assault, even if understandable, will never be enough to solve the conflict and will bring thousands of deaths that will push more Kurdish youths to take up arms. The organisation's resilience and its continued support from Turkey's Kurds may be partly due to its readiness to use force and fear. But just as important are the Turkish Kurds' view that the government has acted unjustly, has discriminated against Kurdish areas and is ignoring an increasingly broad demand for equal treatment and the right to full use of their own language.

The government, which under the AKP has already broken taboos and showed that compromise is possible, should also implement a comprehensive policy to address many of the causes of the conflict based on these grievances. It can use the momentum that exists behind the constitutional reform process, which, if it falters now, is likely to be impossible to revive for years. The main actors are in place and know each other well. Presidential elections are two years away. Regionally, Turkey still has a relatively strong position, thanks to friendship with Iraqi Kurdish leaders, and neither Syria nor Iran wants to pick a fight.

The six-year Oslo Process taught that there are no shortcuts. Prime Minister Erdoğan and his government must go much further in convincing Turkish public opinion that reforms aiming at equal treatment are justified on the basis of justice, fairness and a common history; and convincing Kurds that they will be fully implemented. They must explain that much of what the Kurdish movement seeks is essentially moderate, not separatist, involving equality and rights that must be adopted for everyone's benefit. This includes the right to education in a mother language spoken by many millions; an end to discriminatory laws and practices; a more decentralised government in a country where most provinces want the same thing; and a reform of the election law to anchor the legal Kurdish movement party in the Turkish system. Passing these reforms requires parliamentary discussion that promotes inclusion, but no negotiation with the PKK.

If Turkey is unable to embrace these basic rights, it will show that it has as much a Turkish problem as a Kurdish one. Turkey is still in a position of strength and can move forward and rectify the mistakes that caused the Democratic Opening to fall short and prevented the hoped-for end of the PKK insurgency in 2009 and 2011. But given rising tensions and restive youth, this window of opportunity may not be open for much longer.

**Istanbul, Brussels, 11 September 2012**



## APPENDIX A

### MAP OF TURKEY



Courtesy of the University at Austin

## APPENDIX B

### GLOSSARY OF ABBREVIATIONS

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**AKP** – (Adalet ve Kalkınma Partisi, Justice and Development Party), Turkey’s ruling party, led by Prime Minister Recep Tayyip Erdoğan, it enjoys a strong parliamentary majority and popular support; its ideology mixes conservatism, religious piety, populism and economic development. The party won 50 per cent of the vote and 327 of the 550 seats in parliament in June 2011 elections.

**BDP** – (Barış ve Demokrasi Partisi, Peace and Democracy Party), the main legal Kurdish movement party in Turkey. Its six predecessors were closed by courts for links to the PKK. Thousands of BDP activists are currently charged with, or jailed on suspicion of, links to terrorism and PKK/KCK membership, despite almost no charges of actual violent acts. BDP-affiliated “independents” won 6.5 per cent of the vote and 35 of 550 seats in parliament in June 2011 elections.

**CHP** – (Cumhuriyetçi Halk Partisi, Republican People’s Party), the main left-of-centre opposition party with a new interest in Kurdish reforms and a deep-rooted loyalty to the statist, nationalist heritage of republic and party founder Kemal Atatürk. The party won 26 per cent of the vote and 135 of the 550 seats in parliament in June 2011 elections.

**DTK** – (Demokratik Toplum Kongresi, Democratic Society Congress), a legal platform for Kurdish movement political parties in Turkey, non-governmental organisations, associations and prominent individuals; while broad-based, many of its decisions are strongly influenced by Kurdish movement politics.

**HPG** – (Hêzên Parastina Gel, People’s Defence Forces), the PKK/KCK’s name for its 3,000-5,000 insurgent forces.

**KCK** – (Koma Ciwakên Kürdistan, Union of Communities in Kurdistan), created by the PKK in 2005-2007, this is an umbrella organisation for all PKK affiliates in Kurdish communities in Turkey, Iran, Iraq, Syria and the diaspora. The Turkish chapter, for instance, is known as the KCK/TM (for Türkiye Meclisi, or Turkey Assembly).

**KNK** – (Kongra Netewiya Kurdistan, Kurdistan National Congress), a lobbying group of exiles, the PKK and pro-PKK parties from all Kurdish-populated regions of the Middle East. Headed by Tahir Kemalizadeh, an Iranian Kurd, it aims to unite Kurds and focus international attention on human rights violations against them. Its ambition is for the Kurdish movement to become the equivalent of South Africa’s African National Congress (ANC).

**MHP** – (Milliyetçi Hareket Partisi, Nationalist Action Party), Turkey’s main right-wing opposition party, won 13 per cent of the vote and 56 of the 550 seats in parliament in June 2011 elections.

**PKK** – (Partiya Karkerên Kurdistan, Kurdistan Workers’ Party), founded in 1978 by Abdullah Öcalan and started an armed insurgency in Turkey in 1984. The PKK has about 3,000-5,000 insurgents based in northern Iraq and in Turkey, has substantial minority support among Turkish Kurds and is banned as a terrorist and drug-smuggling organisation by Turkey, the EU, the U.S. and a number of other countries.

**PJAK** – (Partiya Jiyana Azad a Kurdistanê, the Party of Free Life for Kurdistan), PKK/KCK sister party founded in 2004 focused on Iran, may have up to 3,000 insurgents, mostly in northern Iraq. Few clashes have been reported after truce with Iran in September 2011.

**PYD** – (Partiya Yekîtiya Demokrat, Democratic Solution Party), PKK/KCK sister party founded in 2003 and which emerged in 2012 as best-organised force among Syria’s 10 per cent Kurdish community.

## APPENDIX C

### ABOUT THE INTERNATIONAL CRISIS GROUP

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The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 130 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and made available simultaneously on the website, [www.crisisgroup.org](http://www.crisisgroup.org). Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is chaired by former U.S. Undersecretary of State and Ambassador Thomas Pickering. Its President and Chief Executive since July 2009 has been Louise Arbour, former UN High Commissioner for Human Rights and Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and for Rwanda.

Crisis Group's international headquarters is in Brussels, and the organisation has offices or representation in 34 locations: Abuja, Bangkok, Beijing, Beirut, Bishkek, Bogotá, Bujumbura, Cairo, Dakar, Damascus, Dubai, Gaza, Guatemala City, Islamabad, Istanbul, Jakarta, Jerusalem, Johannesburg, Kabul, Kathmandu, London, Moscow, Nairobi, New York, Port-au-Prince, Pristina, Rabat, Sanaa, Sarajevo, Seoul, Tbilisi, Tripoli, Tunis and Washington DC. Crisis Group currently covers some 70 areas of actual or potential conflict across four continents. In Africa, this includes, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia, Guinea, Guinea-Bissau, Kenya, Liberia, Madagascar, Nigeria, Sierra Leone, Somalia, South Sudan, Sudan, Uganda and Zimbabwe; in Asia, Afghanistan, Burma/Myanmar, Indonesia, Kashmir, Kazakhstan, Kyrgyzstan, Malaysia, Nepal, North Korea, Pakistan, Philippines, Sri Lanka, Taiwan Strait, Tajikistan, Thailand, Timor-Leste, Turkmenistan and Uzbekistan; in

Europe, Armenia, Azerbaijan, Bosnia and Herzegovina, Cyprus, Georgia, Kosovo, Macedonia, North Caucasus, Serbia and Turkey; in the Middle East and North Africa, Algeria, Bahrain, Egypt, Iran, Iraq, Israel-Palestine, Jordan, Lebanon, Libya, Morocco, Syria, Tunisia, Western Sahara and Yemen; and in Latin America and the Caribbean, Colombia, Guatemala, Haiti and Venezuela.

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**September 2012**

## APPENDIX D

### CRISIS GROUP REPORTS AND BRIEFINGS ON EUROPE SINCE 2009

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## APPENDIX E

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