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Resolution of Turkey's Kurdish Question

A Process in Crisis

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Table of Contents:

1. Introduction
2. State policy and the Kurdish question: a change in direction?
3. The General elections of 2015 and their Impact on the Solution Process
4. Regional Dynamics
5. Conclusion: A Way Forward?

Introduction

The approach of the AK Party government, first elected in 2002, to the Kurdish 'question' in Turkey has, in general, been notable for the contrast with that of its predecessors. When the then Prime Minister Erdoğan acknowledged in 2005 that Turkey had a Kurdish "problem", one that would be "solved through democracy," this signalled a clear shift from the militaristic language that characterised previous leaders' handling of the issue.¹ It also paved the way for a series of democratic reforms, prompted in part by Turkey's EU accession bid, which had the effect of improving the human rights of Turkey's Kurdish population, notably in areas such as language and cultural rights. The change in approach to the Kurdish issue under the AK Party government, it has been suggested, is partly explained by the shared experience of Islamist and Kurdish political parties under a strictly secular, unitary Turkey: "[h]istorical parallels in the State's treatment of Islamic and Kurdish political parties in Turkey are readily apparent. Political parties with a real or perceived "Islamist" agenda have, since the formation of the State, been viewed as a threat to the secular nature of the Turkish Republic, whereas Kurdish nationalist parties, or even those challenging the traditional State security narrative in addressing the Kurdish question (such as the Communist Party), have been seen as a threat to the unitary nature of the Turkish State. Thus both groups have a long history of their political representation being excised from the public sphere on the basis of militant democratic arguments[...]"² The recent 'resolution process' overseen by the AK Party government therefore, although not the first attempt by the State at engaging in dialogue with Kurdish representatives, has been

¹ 'Peace be unto you: The Turkish Prime Minister paves the way for a deal with the Kurds' *The Economist* 18 August 2005.

² K Cavanaugh and E Hughes 'A Democratic Opening? The AK Party and the Kurdish Left' (2015) 12.1 *Muslim World Journal of Human Rights*, 53-74, 59

seen as the most concerted effort at carving out a political rather than a military solution to the Kurdish question and it can certainly be seen as the most transparent of the endeavours to date given that previous negotiations were not disclosed to the public. The process, however, came to a violent end, or at least prolonged hiatus, in July 2015 during a tumultuous period in terms of both domestic and regional politics. Through focusing on the events of the latter half of 2015, the purpose of this report is to problematize the reasons for the current suspension of the process and assess the prospects for a return to dialogue.

State policy and the Kurdish question: a change in direction?

The past year, as Bayramoğlu has suggested, has witnessed both the zenith and nadir of the most recent phase of the process: “[a]t the beginning of 2015 the process of resolution had reached a height, while by the end of the year it has sunk to its lowest ebb.”³ In February 2015, in what was seen as significant progress, the HDP co-chairperson Selahattin Demirtaş outlined ten areas that the parties – consisting of two members of the government, then Deputy PM Yalçın Akdoğan and Interior Minister Efgân Ala, Public Order and Security undersecretary Muammer Dervişoğlu, who had been appointed as coordinator of the process of resolution, and three HDP MPs, Sırrı Süreyya Önder, İdris Baluken and Pervin Buldan – had agreed to discuss as part of the settlement talks. These included the following: 1) a debate on the definition and content of democratic politics; 2) the necessary components of the national and local dimensions of democratic settlement; 3) the legal and democratic assurances of free citizenship; 4) the relationship between democratic politics and the state and society and its institutionalization; 5) the socioeconomic dimensions of the settlement process; 6) the new security structure that the settlement process will lead to; 7) the solving of problems and the legal assurances pertaining to women's rights, culture and ecology; 8) the concept, definition and development of pluralist, democratic and equal mechanisms to acknowledge identity; 9) The definition of concepts of democratic state, common land and the nation by democratic means, their legal and constitutional rights

³ A Bayramoğlu ‘The Process of Resolution: From Politics to Arms’ (2015) *Democratic Progress Institute*, available at <http://www.democraticprogress.org/publications/the-process-of-resolution-from-politics-to-arms-4/> pg. 7

enshrined in the pluralist democratic system; and 10) a new constitution aiming to internalize all of the above democratic moves and transformations.⁴ In addition to the announcement of this ten-point plan at a meeting held in Dolmabahçe palace, the HDP also conveyed a message from the PKK leader Abdullah Öcalan, which called on the PKK to convene a congress in spring to discuss laying down its arms, a message which was reiterated in his *Newroz* address. Although outlined in what may be described as relatively vague terms, the plan appeared to provide a basis for future negotiations and was in fact presented as a ‘joint declaration’ – the ‘Dolmabahçe declaration’ – in some sections of the media, although it was clear that the impetus for the content was from the Kurdish side. It was deemed significant enough to attract accusations of ‘selling out’ and ‘treason’ directed against the government from the opposition party MHP⁵ but any optimism that the agreement would form the basis of a roadmap to finally resolving the Kurdish question in Turkey dissipated in its aftermath when (now President) Erdoğan was seen to publically distance himself from the proposals. On numerous occasions the president noted that he did not agree with the declaration and was cited as stating that “[a]n agreement cannot be made with those who lean their backs on the terrorist organization [PKK]”.⁶

The period prior to the most recent phase of the ‘peace process’ saw a de-securitization of the Kurdish question and a retreat from the classic State position of treating the Kurdish issue as a terrorist problem to be solved by military means alone. Moving on from decades of a securitization of the ethno-cultural demands of the Kurds, Serdaroğlu suggests, was a priority of the AK Party government: “[s]ince coming to power, the AK Party government’s ultimate objective has been to desecuritize the Kurdish question through non-military means. In this regard various reforms have been undertaken, including granting greater cultural and linguistic freedom for Turkey’s Kurdish population. The most crucial step, however, has been the AK Party’s acceptance to hold negotiations (if not yet taken place) with the PKK...and its jailed leader Öcalan, an important compromise that has ensured the existence of a ceasefire—albeit still

⁴ See ‘HDP’s Demirtaş reveals 10 articles for progression of settlement talks’ *Today’s Zaman* 26 February 2015.

⁵ See İ Çevik ‘Do not expect miracles from the gov’t or the Kurds’ *Daily Sabah* 4 March 2015.

⁶ ‘Erdoğan renounces Dolmabahçe declaration, says HDP should try its best for PKK’s disarmament’ *Daily Sabah*, 17 July 2015.

tentative—between the PKK and Turkish military forces since March 2013.”⁷ The de-securitisation of the Kurdish issue, it is argued was facilitated by a lessening in intensity of the conflict and, Todorova argues, “happened exclusively during periods of PKK ceasefire in 2002-2005, 2009-2011 and 2013-2015 through government initiatives such as Kurdish Opening, the Oslo Process and the Peace Process. It involved discussions of cultural-linguistic rights and political solutions and the results of public perception surveys proved the crucial importance of the Kurdish problem and growing expectation for the implementation of new methods, other than security-oriented approaches. Moreover, there has been a clear call to certain political parties and legitimate political arenas, such as the Grand National Assembly of Turkey, to take an active role in the process of resolving the Kurdish question.”⁸

With what was considered a clear shift in approach at State level then, hopes were consequently high that the most recent phase of the process would lead to a long-term political solution to the Kurdish question, which has hitherto proved elusive. However, the process has been subject to both internal and external pressure. The internal pressure can largely be attributed to a challenge to the electoral hegemony enjoyed by the AK Party since 2002 whereas the external pressure on the process came to a head, commentators suggest, with the attack by ISIS on the Syrian Kurdish city of Kobane in late 2014. This has been identified as perhaps the first major crisis to beset the peace process⁹ and its consequences have certainly been apparent in highlighting the now multi-dimensional nature of Turkey’s Kurdish question as it becomes ever more linked to the Kurdish populations on its borders. This new reality – one where “dynamics among international actors and regional developments play the most prominent role in Turkey’s Kurdish question, more than ever in its history, and they present a much higher complexity in solution, due to the increased number of parameters, actors and power relations in the Middle East Region”¹⁰ – is a major contributory factor to the

⁷ O Serdaroglu ‘Desecuritizing the Kurdish Question and Emerging Regional Dynamics’ (2014) Institute for Security and Development Policy, Policy Brief No. 145, 21 February 2014.

⁸ A Todorova ‘Turkish Security Discourses and Policies: The Kurdish Question’ (2015) 33.2 *Information and Security: An International Journal* 108-121, 111.

⁹ See, for example, G Yildiz ‘Turkey’s PKK peace process ‘at risk’ from Syria crisis’ *BBC News* 28 September 2014. Available at <http://www.bbc.co.uk/news/world-europe-29403550>

¹⁰ MC Unar and FM Harmanci ‘Turkey’s Struggle with the Kurdish Question: Roots, Evolution and Changing National, Regional, and International Contexts’ (2016) *Middle East Review of Public Administration* 1-30, 26.

marked change in approach to the Kurdish question evident at official level in the latter half of 2015.

The General elections of 2015 and their Impact on the Solution Process

Prior to the general election of 7th June 2015 it became clear that the continuation of the peace process was, in the minds of some senior AK Party figures, inextricably linked to the party retaining its overall majority in Parliament. President Erdoğan, in particular, was resolute about the nexus between a strong parliamentary majority for the AK Party (and thus presumably the ability to create a presidential system of governance) with the resolution of the Kurdish question, noting “[i]f you want the solution process to continue, you have to ensure that there are 400 lawmakers so that a strong party can come to power to realize it.”¹¹ This, Özpek suggests, highlighted two disquieting suppositions; first, the idea that President Erdoğan took his control over parliament for granted and assumed that even if 400 AK Party lawmakers were elected, they would approve the constitutional amendments necessary to enshrine a presidential system without question, and second, that President Erdoğan saw his enhanced role in a new style of presidency as a pre-condition for continuation of the solution process.¹²

The outcome of the June elections, although resulting in an effective ‘hung parliament’ with no party achieving a majority, also resulted in what has been described as “the most representative parliament in recent memory” with the HDP succeeding in passing the 10% threshold for the first time in its history but additionally a large number of Alevis within the Republican People’s Party (CHP) and HDP, as well as members of religious minorities, including Armenians, Assyrians, and Yazidis, also entering parliament.¹³ Widely seen as a defeat for the AK Party as well as a rejection of President Erdoğan’s bid for an executive style presidency, the outcome of the June elections and in particular the decrease in the share of the AK Party vote and concomitant increase in the HDP vote, precipitated a change in the previously quite amicable relations between

¹¹ Cited in BB Özpek ‘What are Erdoğan’s Real Intentions in the Kurdish “Solution Process?”’ 11 March 2015, Vol. 8.5 *Turkey Analyst*.

¹² BB Özpek ‘What are Erdoğan’s Real Intentions in the Kurdish “Solution Process?”’ 11 March 2015, Vol. 8.5 *Turkey Analyst*.

¹³ M Hakan Yavuz and NA Özcan ‘Turkish Democracy and the Kurdish Question’ (2015) 22.4 *Middle East Policy* 73- 87, 73.

HDP and the AK Party. As Paul and Seyrek have suggested, “Celebrations among Turkey's Kurdish community were short-lived. In the aftermath of the election, the HDP began to pay a hefty price for its success. The party was accused by the AK Party and Erdogan of supporting the PKK with Demirtas accused of having links to terrorist groups. Moreover, anti-HDP rhetoric has risen as a result of a strategy of targeting nationalist voters.”¹⁴ Although the reasons for the decrease in the share of the vote received by the AK Party – down 9% since the previous general election – are multifaceted and include the corruption scandals that have beset the party in recent years, the perceived increasing authoritarianism of the party leadership, a slowdown in democratic reforms, and the power struggle played out between the party and the Gülen movement, it has also been suggested that the AK Party “paid the price” of trying to resolve the Kurdish issue, evident both from its haemorrhaging of votes to the nationalist MHP in some areas as well as to the pro-Kurdish HDP on the basis of the lack of progress in the process, its response to the Kobane crisis, as well as the “return of Erdoğan and the AK Party to a security language reminiscent of the 1990s.”¹⁵

The failure to form a coalition government following the inconclusive results of the June elections led to fresh elections on November 1st, the campaign for which saw an even greater use of rhetoric and the language of polarization. This was presaged by the bombing in Suruç on 20th July 2015, in which a bomb, allegedly planted by ISIS/Daesh, killed 34 pro-Kurdish young socialists who had been en route to Kobane to provide humanitarian aid and solidarity. In retaliation for the perceived failure of the AK Party government to prevent the rise of ISIS in the region, the PKK killed two Turkish policemen and consequently the Turkish military not only began bombing ISIS targets across the Syrian border but also PKK bases in the Qandil mountains of northern Iraq, in turn leading to further killings by the PKK and a descent into the all too familiar cycle of violence in the region. In the period between the two elections, on October 10th, the deadliest terror attack in the history of modern Turkish republic took place in Ankara, when two explosions outside the city's main train station targeted a peace rally organised by trade unions and leftist groups to protest the intensifying conflict between

¹⁴ A Paul and DM Seyrek ‘Turkey’s new Election: War or Peace?’ *Al Jazeera* 30 October 2015. Available at <http://www.aljazeera.com/indepth/opinion/2015/10/turkey-election-war-peace-151028093829631.html>

¹⁵ See A Bayramoğlu ‘The Process of Resolution: From Politics to Arms’ (2015) *Democratic Progress Institute*, available at <http://www.democraticprogress.org/publications/the-process-of-resolution-from-politics-to-arms-4/> pg. 27-8.

the PKK and the military and left 102 people dead and more than 400 wounded. This pre-election violence, which had also been a feature of the run-up to the general election in June, as well as the tough military response to PKK violence, had the effect of radically shifting the political balance of power in favour of the AK Party. As Çarkoğlu and Yildirim note: “[a]s a result primarily of the terror attacks and military action against the PKK, the political agenda in the country dramatically shifted between June and November and this benefitted the AK Party considerably. More than half of the voting age respondents saw economic problems as the most important concern during the months going into the June election. Terror and national security figured most prominently for slightly less than one in ten respondents, and those who voiced the Kurdish question or peace process as the primary issue on Turkey’s agenda amounted to about one in twenty people. By early Fall 2015 however, the composition of the political agenda had been completely reshaped. Terror more than tripled its presence on the agenda. Together with the Kurdish question or peace process, terror came to occupy the forefront of the agenda for nearly one in every three respondents.”¹⁶

The election of November 2015 saw the AK Party increase its share of the votes by 8.6%. The HDP’s share of the vote decreased from 13% in June to 10.7% in November thereby managing to once again cross the 10% threshold necessary to take their seats in parliament and thus deny the AK party the ‘supermajority’ it would need to change the constitution unimpeded. Political analysts mainly attributed the change in AK Party fortunes to security concerns in the country, particularly in light of the attacks in Ankara just three weeks prior to polling day. But security concerns, it has been suggested, were coupled with “the waning importance of performance politics” so that “[r]ather than focusing on punishment for the incumbent party for worsening security and continuing economic uncertainty, voters appeared to be concerned about a more basic ontological issue: their personal safety and the public order. The AK Party appears to have been perceived as competent in these policy areas and it benefitted from the voters’ confidence in the party to solve Turkey’s security issues.”¹⁷

¹⁶ A Çarkoğlu and K Yildirim ‘Election Storm in Turkey: What do the Results of June and November 2015 Elections Tell Us?’ (2015) 17.4 *Insight Turkey* 57-79, 63.

¹⁷ *Ibid*, 76.

Regional Dynamics: The Conflict in Syria and its Impact

The six month period between June and December 2015, as well as witnessing a descent into the familiar cycle of PKK-State violence in the mainly Kurdish southeast of Turkey has also been punctuated by a number of serious attacks perpetrated by ISIS/Daesh both on the Turkish/Syrian border and in major population centres such as Ankara and Istanbul. As well as the broader regional geopolitical situation, the conflict in Syria and in particular the establishment of a *de facto* autonomous Kurdish region in Syria's majority Kurdish areas along Turkey's border, has emerged as an important factor in efforts to find a resolution to Turkey's Kurdish question. It has been suggested that Turkey's policy towards Syria's Kurds is in fact is framed within its overall policy on management of its own Kurdish conflict: "[th]e antagonistic state of Kurdish-Turkish relations, epitomized by the ongoing conflict between the PKK and Turkey, has meant that developments in Kurdish regions of Syria – especially the rise of the PYD and the speed and effectiveness with which it has organized Kurds militarily under the YPG – have been interpreted by Turkey as a threat to its national security. Turkey's main worry stems from the fact that the PYD, with its close ideological affiliation to the PKK, is playing a prominent role in the government of an autonomous region. Turkey fears that such a situation will increase the PKK's power as a regional actor and put more pressure on Turkey to grant political rights to its own Kurdish minority."¹⁸

Syria's *de facto* autonomous Kurdish region is clearly viewed as a challenge to Turkey's policy on Syria since conflict began in 2011, which has been to maintain its territorial integrity and to remove Bashar al-Assad from power. A perhaps even greater challenge has emerged in coping with the refugee and humanitarian crises that have been prompted by the continuing conflict, however, which prompted a much-criticised deal between Turkey and the EU in November 2015. As part of the arrangement, Turkey received €3bn and political concessions in return for securing its borders and stemming the flow of refugees from Turkey to mainland Europe. Additionally, agreement was reached on reviving negotiations on Turkey's accession to the European Union, as well as future provision of visa free travel for Turkish citizens between Turkey and Europe's Schengen zone (this has since been delayed). The then Prime Minister Ahmet Davutoğlu

¹⁸ C Gunes and R Lowe 'The Impact of the Syrian War on Kurdish Politics Across the Middle East' *Chatham House: The Royal Institute of International Affairs Research Paper*, July 2015, pg. 7.

hailed the agreement, stating it was an "historic day" in Turkey's relations with the EU.¹⁹ Commentators have suggested that the deal represents the EU acting entirely out of self-interest and it has even been suggested that the Commission delayed publication of its annual report on Turkey's progress towards accession because of concerns that EU criticism of Turkey on issues relating to media freedom and independence of the judiciary would complicate negotiations on an eventual deal to ensure Turkey helps the EU stem the flow of refugees and migrants into the continent.²⁰

Conclusion: A Way Forward?

The period under discussion in this report has undoubtedly been characterised by an increasing polarization in Turkey, making a return to the peace/solution process in the near future appear increasingly unlikely. This does not have to be the case, however. As DPI's analysis of international cases of conflict resolution highlights, obstacles such as renewed violence, spoilers, and other variable factors such as elections, have been overcome in comparative contexts.²¹ There is merit to Budak's argument for transitional justice to be part of the conflict resolution process in Turkey, suggesting that "[t]he adoption of a human rights-based approach does not only include recognition of political and cultural rights violations but also accountability for perpetrators, the right to know the truth, including the whereabouts of the disappeared, and the right to remedy. For this reason, the field of transitional justice is of particular importance in Turkey, and is central to any meaningful solution to the Kurdish issue. In that sense, transitional justice efforts in Turkey should be conceived as an integral part of conflict resolution and of establishing long-lasting peace."²²

The crucial question of what a peaceful resolution would look like in the Turkish context of course remains a challenging one. What is certain however, is that any meaningful attempts at resolution necessitate a move away from the nationalist

¹⁹ See 'Migrant crisis: Turkey and EU strike deal to limit refugee flow' *BBC News*, 29 November 2015. Available at <http://www.bbc.co.uk/news/world-europe-34957830>

²⁰ See E Zalan 'EU publishes delayed report on Turkey's sins' *EU Observer*, 10 November 2015. Available at <https://euobserver.com/political/131041>

²¹ See 'Getting a Process Back on Track' Roundtable Meeting, Ankara, 3 October 2015. Available at <http://www.democraticprogress.org/publications/dpi-roundtable-meeting-getting-a-process-back-on-track/>

²² See Y Budak 'Dealing with the Past: Transitional Justice, Ongoing Conflict and the Kurdish Issue in Turkey' (2015) 9 *International Journal of Transitional Justice* 219-238, 232.

discourse that has characterised the recent period of AK Party rule, particularly both preceding and following the general elections of 2015. The success of the pro-Kurdish HDP in the general election of June 2015 and again in November 2015, where its share of the vote decreased but it still managed to cross the vital 10 threshold, points to a concretization of the political nature of the Kurdish question – not one that can be discussed or resolved by approaching it as a military problem (terrorist threat) and certainly not one that relates solely to cultural rights. HDP's election success and the broadening of its electoral base to include not just those sympathetic to the Kurdish question but also those who see the party as providing a post Gezi platform for the LGBT community, women's groups, ecological groups etc. is also, it is suggested, partly the reason for the State's harsh response to the PKK violence that has flared up since July 2015. The idea that the Kurdish 'problem' has somehow been dealt with because of the recognition of certain fundamental language and cultural rights in recent years (and in a somewhat piecemeal fashion) has clearly turned out to be false. Resolution, it is suggested, may lie in a more rights-based approach and equal citizenship for all the peoples of Turkey, which like many other states, "may find that its long-term interests are best served by adopting new forms of cultural and political pluralism."²³

²³ Martin van Bruinessen, "Shifting National and Ethnic Identities: The Kurds in Turkey and Europe," in *Redefining the Nation, State and Citizen* (GG Ozdogan and G Tokay eds) Istanbul: Eren Yayinevi, 2000) p.108.