



WHY DELISTING THE KURDISTAN WORKERS' PARTY (PKK) AS A TERRORIST ORGANISATION NEEDS TO BE CONSIDERED BY THE PARLIAMENTARY JOINT COMMITTEE ON INTELLIGENCE AND SECURITY

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ACRONYMS

AKP	Justice and Development Party (Turkey)
HDP	Peoples’ Democratic Party (Turkey)
HTS	Hayat Tahrir al-Sham (coalition led by Jabhat Fatah al-Sham)
ISIS	Islamic State of Iraq and Syria
KDP/PDK	Kurdistan Democratic Party (Iraq)
KRG	Kurdistan Regional Government (Iraq)
KRI	Kurdistan Region of Iraq
MHP	Nationalist Movement Party (Turkey)
MIT	National Intelligence Agency (Turkey)
PJCIS	Parliamentary Joint Committee on Intelligence and Security
PKK	Kurdistan Workers Party (Turkey)
PUK	Patriotic Union of Kurdistan (Iraq)
SDF	Syrian Democratic Forces
TAK	Kurdistan Freedom Falcons (Turkey)
UN	United Nations
YPG	Peoples’ Protection Units (Syria)
YPJ	Women’s Protection Units (Syria)

ABOUT KURDISH LOBBY AUSTRALIA

Kurdish Lobby Australia (KLA) is a not-for-profit incorporated association that was registered in NSW in 2015. It does not receive funding from any government, non-government or commercial entity. Its members are volunteer, non-partisan Australians from Kurdish and non-Kurdish backgrounds who wish to advocate for peace, prosperity and democracy in Turkey, Syria, Iraq and Iran, with a particular focus on the Kurdistan regions.



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**WHY THE LISTING OF THE KURDISTAN WORKERS' PARTY (PKK)
AS A TERRORIST ORGANISATION NEEDS TO BE RECONSIDERED
BY THE PARLIAMENTARY JOINT COMMITTEE ON INTELLIGENCE AND SECURITY**

By Dr. Gina Lennox
5 February 2020

SUMMARY

Kurdish Lobby Australia submits that the Australian government's proscription of the Kurdistan Workers' Party (PKK) as a terrorist organisation does not take into account the UN Charter that gives people the right for political and cultural self-determination. We suggest the definition/s and criteria used as a basis of the decision are insufficient, especially as terrorism is a contested concept prone to misuse, for instance, by the Turkish state. Given the Turkish state's propensity for propaganda and false flag attacks, KLA recommends that evidence used to assess PKK's actions needs to be gathered from independent sources and rigorously tested. KLA argues there is ample verifiable evidence that the Turkish state commits ongoing physical and cultural genocide, including military offensives involving war crimes and crimes against humanity, on Kurds in Turkey and Syria, and, to a less extent, Kurds in Iraq. KLA further submits that PKK has not systematically targeted civilians in Turkey, and regularly calls for negotiations, which before 2013 and after 2015 the Turkish state has rejected. Nor has PKK targeted Australians, Australia's allies or Australian interests. In contrast, Turkey's aggression in Turkey, Syria, Iraq, the eastern Mediterranean, Libya and elsewhere, its support for militant Islamist extremists and intention to set up a Islamist belt in northern Syria directly threatens Australians, Australia's allies and interests. Turkey's actions put military and humanitarian workers in danger, and are providing opportunities for ISIS and other Islamist extremists to regroup, fanning war in which Australians and our allies are involved. We further argue that classifying PKK as a terrorist organisation makes Australia unwittingly complicit to the Turkish state's ongoing military, political and cultural aggression towards Kurds, in that the proscription of PKK provides a level of legitimacy for Turkey's actions. Turkey's treatment of and misinformation about Kurds, and the armed conflict between the state and PKK, highlight an urgent need for an international justice system that caters for non-state actors, and the necessity for independent investigations into PKK and Turkish state activities. To assess whether an organisation should be proscribed as terrorist, KLA urges the Australian government to adopt a more comprehensive definition of terrorism that distinguishes between contexts, targets and intentions; a more rigorous testing of evidence that is collected from independent sources and address all criteria in making a final assessment. Based on the evidence we present in this submission alone, we propose that the government delist PKK to send a strong message that it is time for the Turkish state to embark on political negotiations with Kurds in Turkey and Syria. This would help all people, but especially minorities, and contribute to regional stabilisation.



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BASIC PRINCIPLES

1. People have the right to oppose tyranny. A lack of legal means for non-state actors increases the likelihood that people will support an armed struggle.

In the social contract between a state and its people a state is obliged to protect its citizens in exchange for its citizens submitting to the laws and institutions of the state. When a state fails to protect the right to life, livelihood, and [language](#), and instead denies that a people exist, and/or kills and imprisons them and destroys their homes, communities and culture because of their race, ethnicity, culture, religion and/or political views, then the social contract is broken. When there are no legal means to seek justice some people will more likely support an armed struggle.

For nearly a century the Turkish state has been the harshest of all four nation states where there is a large Kurdish minority. This is because a series of broken promises and lies contributed to the founding of modern Turkey. Before the signing of the Treaty of Lausanne in 1923, Mustafa Kemal Atatürk promised Kurds autonomy in a new nation state (Shi, 2018). At the conference of Lausanne Atatürk claimed that Turks and Kurds would be equal partners in governing the new state, and that only religious minorities needed constitutional [protection](#). Once established, the state demanded a uniform nationalist identity that denied Kurds existed. Kurds were called 'mountain Turks' and were imprisoned, tortured or killed for [speaking Kurdish](#), or for saying or writing 'Kurd' or '[Kurdistan](#)'. Incidents of Kurds being imprisoned or killed for speaking [Kurdish](#), claiming to be [Kurdish](#) or saying '[Kurdistan](#)' continue to this day.

In the 1960s, the state gave all Kurdish named towns and villages Turkish [names](#). For a child to be registered s/he required a Turkish name. Southeast Turkey remained militarised, poverty stricken and underdeveloped. In the late 1980s Kurdish villages remained without tap water, electricity or telephones. Following the 1980 military coup many thousands of Kurds were imprisoned and tortured, sometimes to death, for being members of banned organisations. In these extreme conditions the Kurdistan Workers' Party (PKK) was founded in 1978, and officially launched an armed struggle in 1984, as their forefathers had done in 1925, 1927 – 1930 and 1937 – 1938. PKK's armed struggle is the longest in Turkey's 97-year history.

The state responded militarily. Even when President Recep Tayyip Erdoğan's Justice and Development Party (AKP) began addressing Kurdish rights between 2009 and 2015, by 2013, 40,000 people had been arrested for having links to a 'terrorist organisation'. In 2013, at the start of the first bilateral ceasefire between the AKP and PKK, the PKK withdrew from Turkey in the hope that AKP would keep its promises of political concessions (see [Gurcan, 2015](#)). Instead, the village guard system was strengthened ([Gurcan, 2015](#)) pitting Kurd against Kurd (Belge, 2016), and 130 new military posts were constructed in areas PKK vacated inside Turkey (Sentas, 2018), while new military posts were established in northern Iraq. Today, pro-Kurdish organisations continue to be banned and Kurdish populations continue to be subjected to sieges, military [operations](#) and [displacement](#).



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Back in the 1990s the state dismissed and imprisoned democratically elected Kurdish parliamentarians like [Leyla Zana](#). History is being repeated. In the June 2015 national elections the Kurdish-led multi-ethnic People's Democratic Party (HDP) won 80 parliamentary seats to become the first Kurdish-led party to pass the 10 percent threshold for a party to be represented in parliament. The success of non-AKP parties meant that AKP failed to win a parliamentary majority. One month later, Erdogan declared an end to the bilateral ceasefire with PKK. A state of emergency was declared. Curfews and sieges on Kurdish-majority urban neighbourhoods and villages were accompanied by air and ground offensives in southeast Turkey and northern Iraq. In response, Kurdish youth barricaded neighbourhoods and declared self-rule. Their stance was militarily squashed at much cost to life and infrastructure. In this state of war, Erdogan ordered a re-run of the [elections](#). Against all odds, in November 2015, 60 HDP candidates were elected to parliament.

In 2016, the Turkish parliament voted in favour of dropping a parliamentarian's immunity from prosecution. The state began dismissing and imprisoning elected Kurdish parliamentarians, mayors and municipal councillors. In January 2020, ten former HDP parliamentarians remained in prison, including former HDP co-chairs, Selahattin Demirtaş, who has twice run for president, and Figen Yüksekdağ. Despite several Turkish courts and the European Court of Human Rights ordering Demirtaş's release, Demirtaş remains in prison awaiting trial for terrorist charges related to speeches he made before 2016.

Between September 2016 and February 2018, 100 elected pro-Kurdish mayors in 94 municipal councils were dismissed and replaced with state-appointed [trustees](#). [Ninety-three dismissed mayors spent time in prison](#). In March 2019, [40 to 50](#) remained in prison. After the municipal elections at the end of March 2019, of the 97 HDP candidates who were elected mayor, 14 were refused office, each being replaced by the runner up candidate from AKP or [MHP](#). Of those who were allowed to take office, [31](#) had been removed by 20 December 2019, the majority for opposing Turkey's invasion of northeast Syria on 9 October 2019. Government-appointed [trustees](#) replaced them. At the end of November [2019](#), 29 of the recently elected HDP mayors had been detained, and 16 were in [prison](#). Another 43 elected HDP members of municipal councils had been denied their positions, 37 had been removed from their positions, and 51 had been either detained or imprisoned. Between 2015 and 2019, 16,500 HDP members were detained, 5,000 were [charged](#) and 3,500 [imprisoned](#). Arrests are [on going](#). All are assumed to have links with PKK. This is because the current Islamist and ultra-nationalist AKP-MHP coalition government accuses all pro-Kurdish parties of being political wings of PKK. In making these accusations, successive Turkish governments have relegated Kurdish issues to being 'separatist', a threat to national security and terrorist in nature.

Turkey's political leaders, media and many citizens repeatedly claim that Turkey has no problem with Kurds, only [PKK](#). In contrast, the [Permanent Peoples Tribunal](#), [OHCHR](#), the [UN](#), [Amnesty International](#), [Human Rights Watch](#) and [others](#) have



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documented and concluded that the Turkish state has committed systematic war crimes and crimes against humanity, including ethnic cleaning against Kurds in [southeast Turkey](#), Turkey-occupied Afrin and northeast Syria.

Given the state's political, cultural and military persecution of Kurds and others, people are forced to rely on the justice system. In Turkey, investigations can be cursory with 'the European Court [of Human Rights having] found repeated violations of Articles 2, 3, and 13 for lack of investigation and lack of remedy in Turkey ... point[ing] to a pattern of ineffective [investigation](#).' For instance, the state does not allow independent investigators, journalists or lawyers into militarised zones in southeast Turkey or into Turkey-occupied Syria. People are detained without charge because they belong to an ethnicity, organisation or profession, or have a political view. Grotesque tortures or other [coercions](#) elicit '[confessions](#)'. Witnesses can be [anonymous](#), coerced or defamed. Defence lawyers can be denied access to the prosecution's evidence and/or be severely limited in the time they have with their clients. In taking on a terrorist case, defence lawyers have received threats, or have been denied the ability to continue practicing law, and/or have ended up in [prison](#). By contrast, it is common for those suspected of being [ISIS](#) to not be detained or be released before appearing before a court.

In the absence of domestic justice, Kurds look to international institutions. Despite the UN Charter giving people rights for self-determination in Article 1 of the International Covenant on Civil and Political Rights (ICCPR) and Article 1 of the International Covenant on Economic, Social and Cultural Rights, the international justice system fails non-state actors. Turkey and Syria are not signatories to the Rome Statute of the International Criminal [Court](#), i.e. this court cannot hear cases involving Turkey. Turkey and Syria are signatories to the International Court of Justice (ICJ), but the ICJ only hears cases brought by nation states. Although Kurds could find a nation state willing to take on Turkey, the needs of a state take [precedence](#). The only other recourse, after citizens have exhausted all legal avenues inside Turkey, is the European Court of Human Rights (ECHR).

In 2018, [7,100 cases](#) against the Turkish state were filed in the ECHR. The ECHR rejected many cases for not having exhausted all domestic avenues, such as the case of [Orhan Tunc and Omer Elci](#), who were among 130 Kurds trapped in basements and killed by the Turkish military in Cizre between December 2015 and February 2016. By the end of 2018, another 33 cases related to Cizre were pending. Turkey settled 146 cases out of [court](#). In 2018, the ECHR ruled on three cases: the detentions of two journalists, Selahattin Demirtaş and Constitutional Court judge, Alparslan Altan. In each case the court ruled the detention was unlawful and the individual/s should be released. Despite Turkey having ratified the European Convention on Human Rights in 1954, and having accepted the compulsory jurisdiction of the ECHR in [1990](#), courts in Turkey rejected all three rulings. Having done so with impunity, Turkey continues to reject ECHR rulings, as it did for imprisoned philanthropist [Osman Kavala](#) in January 2020.



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Other options for justice require a non-state actor to have a state actor present their case to the UN Security Council, which then has to unanimously support the proposed action. Possible actions include establishing an International Criminal Tribunal, as what occurred after the Rwandan genocide, or enacting the [2005 'Responsibility to Protect' principle](#), or having the UN Security Council pass a special resolution.

The fight for justice is made more difficult when the non-state actor is designated a terrorist organisation. Presumably in full knowledge that the Turkish state denies Kurdish citizens their basic rights to express their Kurdishness, and that PKK changed its tactics, strategies and goals in the mid-1990s, the Australian government listed the PKK as a terrorist organisation in [2005](#). As Sentas (2018) notes: 'the legal designation of the PKK as a terrorist ... was integral to the criminalization of the Kurds' ... 'constituting them as a priori terrorists'.

This designation of PKK discounts people's right to life, and to political and cultural expression, and the failures of national and international justice systems to cater for non-state actors. The lack of legal avenues for non-state actors denies a world history that has been shaped by struggles against tyranny as much as struggles for power. It will be shown that this designation justifies the Turkish state's perpetuation of violence, and its rejection of political [solutions](#). It is therefore reasonable to assume that the militarisation of Kurdish issues and the Turkish state's blatant attacks on democratic processes and relentless propaganda serve to fuel Kurds' desire for equality before the law and some form of political representation and, for an unknown portion, support for an armed struggle. It is unlikely the struggle will end unless Kurds achieve these basic principles.

2. Terrorism is a contested and misused concept.

The PKK is classified as a terrorist organisation by national and international regulatory frameworks that lack coherency, especially as 'terrorism' is a [contested concept](#) that lacks a universally accepted definition or set of criteria. This leads to political and arbitrary [decisions](#) with one person's terrorist being another person's freedom fighter, prime examples being Nelson Mandela and the African National Congress (ANC).

The Turkish state defines terrorism as a form of violence that is [politically motivated](#). The definition includes verbal 'crimes' such as criticising the president, a branch of the state, or a state action, or claiming an identity that seeks to 'divide' or otherwise damage the state. A state prosecutor can then accuse the offending individual of being a member of a terrorist organisation without having to prove his or her membership, or without that person having committed any other 'crime'. The net is cast so wide that it includes any individual or organisation that makes a statement in support of human rights or [peace](#) in or outside Turkey. Not only does the Turkish state justify its operations against Kurds in Turkey, Syria and Iraq in this way, it is also trying to convince countries and [NATO](#) to similarly classify Syrian Kurdish groups like the People's Protection Units (YPG), Women's Protection Units (YPJ), the Syrian



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Democratic Forces (SDF), the Democratic Union Party (PYD), and the Autonomous Administration of North and East Syria as terrorist organisations. Turkey claims these groups are not just linked to PKK, they *are* PKK, but provides no evidence that there is a systematic exchange of commands, personnel, weapons, actions or ultimate goal.¹

Turkey has multiple reasons in pressuring countries to proscribe such entities. Fundamentally, Turkey fears the increase in military and administrative status of Syrian Kurds and their allies, and the possibility that they could establish an autonomous region in a federal Syria. This would fuel the aspirations of Kurds in Turkey. This is a reasonable assumption, except that KLA would argue that whatever happens in Syria, Turkey cannot realise its full potential until it embraces its ethnic, cultural and religious diversity.

Having these Syrian Kurdish-led organisations classified as PKK (related) terrorists would cement PKK's terrorist classification by fulfilling a criterion held by a number of UN treaties, resolutions and countries that a group have a [transnational element](#). For example, in Australia, one of six criteria used to proscribe an organisation is that the organisation has 'links to other terror groups'. Although this criterion is not enshrined in Australian law, and has yet to be applied to PKK, Turkey's attempt to incorporate this transnational element enhances the potential for this criterion to be used in the future. In addition, Turkey's classification of these groups as terrorists justifies Turkey's offensives and occupation of three regions in northern Syria; its use of ill disciplined mercenaries to commit war crimes, including ethnic cleansing, in these regions; its pressure on the US-led coalition to cut links with Syrian Kurdish political and military groups; its rejection of these groups participating in political negotiations, and its prevention of humanitarian aid entering regions administered by these groups.

In Australia, the criteria theoretically used to proscribe an organisation are:

- Engagement in 'terrorism' i.e. an act that causes or intends to cause harm to advance a [cause](#);
- Links to other terrorist groups;
- Links to Australia;
- Threats to Australian interests;
- Proscription by the UN or like-minded countries; and
- (Un)willingness to engage in peace/mediation [processes](#).

¹ What these Syrian Kurdish-led organisations share with PKK is a respect for Abdullah Öcalan, the intention to uphold women's rights, minority rights, ecological sustainability and democratic federalism, and the wish to resolve tensions with Turkey through internationally supported negotiations. These features do not make them terrorists or PKK, given these Syrian entities pursue different [alliances, strategies and goals](#) to the PKK, including a strong alliance with the US and the aspiration for autonomy within a federal Syria.



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The Australian Security and Intelligence Organisation ([ASIO](#)) and [Australian law](#) have incorporated the notion of political intent but make no reference to context (i.e. the reasons for the armed struggle), the structure of the organisation, or the nature of the violence or targets. Hence, the Australian government does not appear to distinguish between:

- A group that strictly follows a chain of command and international rules of engagement in an armed struggle, and ill-disciplined mercenaries, despite international rulings (e.g. in Belgium courts) that armed conflict falls outside laws pertaining to terrorism;
- A group that systematically targets non-combatants from one that systematically targets (state) arms of [oppression](#), unlike other jurisdictions that identify a terrorist act as one targeting non-combatants with the intent to shock and terrify in order to achieve a strategic outcome. This lack of distinction has a huge bearing on what is acceptable evidence; and
- A group that wants to liberate people and one that uses violence to oppress, as does ISIS.

Additional considerations suggested by Emerson (2006) are that the assessment should justify why the organisation should be singled out for criminalisation in ways that go beyond criminal law, and should take into account the proscription's likely impact on Australia and Australians.

PROCESS

3. In Australia, the process of proscribing PKK and other organisations is subject to a non-transparent political decision made by the Attorney General. Another mechanism may be more rigorous, credible and transparent.

When supplying reasons and evidence to relist PKK as a terrorist organisation, ASIO does not address every criterion, and does not supply verifiable evidence for criteria it does address. For instance, there is no evidence that PKK targets Australians or Australian national security or other interests (Lynch, McGarrity & Williams, 2009) or that PKK has links to other groups Australia classifies as terrorists. Meanwhile, there is abundant evidence that PKK regularly calls for international mediation and negotiations. It is the Turkish state that rejects serious multi-stakeholder negotiations, just as it is the Turkish state that provides 'evidence' that PKK has broken its numerous unilateral ceasefires, and one bilateral ceasefire. Nor is the PKK classified a terrorist organisation by significant others, including the UN, Israel, Norway, Switzerland and Russia. This means that the Attorney General's decision and the Parliamentary Joint Committee on Intelligence and Security (PJCIS) review process is not based on all six criteria, which KLA argues are already inadequate. The situation is particularly problematic given that the pre-emptive nature of the proscription impacts the grounds considered reasonable for an organisation to be proscribed, and



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there is no rigorous testing of evidence that is embedded in international understandings of what defines a terrorist organisation.

For these and other reasons, some argue that the executive proscription process threatens the [rule of law](#), as the process devolves too much discretion to the government of the day without adequate checks and balances. This contributes to decisions being arbitrary and politically expedient. Hence, political considerations behind the US proscribing PKK include that the PKK is in an armed conflict with a NATO ally and the US needs access to Turkey's military bases. Europe has the additional need for Turkey to stem the flow of refugees. Australia's political considerations are less acute but include Australia wanting access to Gallipoli for annual ANZAC commemorations, and needing Turkey's co-operation in tracing Australians who travel through Turkey to join [ISIS](#).

When it comes to relisting or delisting an organisation a fundamental flaw in Division 102 is that it does not specify what criteria the Attorney General must take into account. Nor does it specify the process or time frame. Even if a court was to declare a designation invalid, it remains within the discretion of the Attorney General to override the court's decision, given any judicial review is limited by restricted access to crucial information and ambiguities inherent in the definition of terrorism. For these and other reasons, no organisation has yet been de-listed as a terrorist organisation in Australia (Lynch et al., 2009).

This reticence to de-list an organisation also occurs in the US. For example, the main political parties in the Kurdistan Region of Iraq (KDP and PUK) remained on the US list of terrorist organisations until 2014, well after Iraqi Kurds proved staunch allies of the US-led coalition in 1990-1991 and 2003, and after these parties established an internationally recognised semi-autonomous regional government in 2005.²

The decision to relist PKK in review after review has yet to be tested in an Australian court of law, despite its impact on generally accepted liberties such as freedom of association and expression. To limit or eliminate the political and arbitrary discretionary powers of the Attorney General, one option would be to have a judicial review model, (which is also an alternative avenue to proscription) but this model has inherent problems of secrecy, confidentiality and difficulties in validating information independent of the source organisation (Lynch et al., 2009). Lynch, et al. (2009) argue a better option is to have an expanded and clearer set of criteria for proscription and review, that an organisation must be tested against all criteria, and that greater transparency and procedural fairness be achieved by establishing an independent body of retired judges and people experienced in security legislation, investigation and policing to collect information and present their findings and advice to the Attorney General and the public.

² In these cases, Australia did not follow the US and proscribe the Kurdistan Democratic Party (KDP) or the Patriotic Union of Kurdistan (PUK) as terrorist organisations.



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EVIDENCE USED TO PROSCRIBE PKK AS A TERRORIST ORGANISATION

4. In an armed conflict, innocent civilians are harmed, but the scale of crimes against civilians committed by the Turkish state far exceeds any harm to civilians caused by PKK, and unlike PKK's actions, the state's actions are intentional and systematic.

In an armed conflict no party is innocent of harming civilians, but there is a difference between systematic intention and a single act, collateral damage, a crime of passion and retribution. An oft-quoted figure is that 40,000 people have been killed in 36 years of armed conflict between PKK and the Turkish state. However, the Turkish state, many Turks [and international media repeatedly](#) make the false claim that PKK is responsible for killing those 40,000 people. The figure has remained static since 2010, after which the armed conflict has killed at least another 5,000 people, while the breakdown of who killed whom is hotly disputed, especially in regards to civilians. Meanwhile, the Turkish state and PKK tend to minimise their own casualties, and maximise the casualties of the 'other'. For an indication of the statistics, Table 1 sets out 'Deaths in the Armed Conflict between the Turkish State and PKK'.

Although the review process is meant to examine an organisation's actions since the last review, 'evidence' is often repeated from one Statement of Reasons to the next. Hence, this submission provides a brief history of the armed conflict.

After announcing an armed struggle in 1984, PKK's focus was on killing soldiers, gendarmerie, police, village guards and 'spies', with most actions occurring in rural areas. Kurdish village guards were controversial targets. The state established the village guard system in 1985 on the pretext of paying and arming people to protect Kurdish villages from PKK 'bandits', despite Turkey having the second largest army in NATO and well-resourced police and a gendarmerie. In two years the village guard system expanded from 800 guards in three provinces to 40,000 guards in nine provinces. By 1993 the system covered 22 provinces (Belge, 2016). By 2003 – 2005 there were 60,000 paid village guards and 25,000 voluntary guards ([Gurcan, 2015](#)).

Village guards were tasked to identify villagers that had PKK sympathies. Those identified were arrested, charged and imprisoned, or worse. Hence, PKK viewed village guards as traitors to their people and the cause, and therefore legitimate targets ([Gurcan, 2015](#)), especially as village guards often abused their positions of power. However, PKK was held responsible for not only killing village guards but also massacring their wives and children. PKK sympathisers insist that in most cases security forces or village guards would dress up as PKK and wreak havoc in order to tarnish the reputation of PKK. In fact, false flag attacks by Turkish state security forces, village guards and non-state and state-supported criminal gangs were common (as outlined in Appendix A), while there were and still are so many radical leftist, ultra-nationalist, Islamist and Kurdish groups in Turkey, that without independent investigations, in many cases there is no way of knowing the truth about what actually happened and who was responsible.



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Turkish Security deaths	PKK/SDF deaths	Civilian Deaths	Number displaced	Source
South East Turkey 1984 – 1996				
			2,685 to 3,400 villages destroyed; 2 to 4.5* million displaced.	Human Rights Watch *Gambetti & Jongerden, 2001 Belge, 2016
South East Turkey 1984 – 2013				
6,764	26,774	5,478		Unal, 2016
South East Turkey 1989 – 1999				
		3,438* killed by Turkish Security plus 20,000 civilians killed by state sponsored or unidentified individuals.		*Belge, 2016 Demirhan, 2007
		1,205* by PKK		
South East Turkey July 2015 – November 2019				
1,220	2,806	490 + 223 w. unknown affiliation	350,000 civilians	Crisis Group
	10,000+ 'neutralised'	killed by the State		Turkish state
Afrin, Syria January 20 – March 20, 2018				
71 soldiers & 318 – 2,541 proxies	1,500 – 4,458	289 – 621+	200,000	KLA
North East Syria October 9 – November 16, 2019				
11 Turkish soldiers; 327 Turkey's Proxy SNA	435	251* 490#	300,000 reduced to 100,000	Amnesty Reliefweb Syrian Observer *Rojava Information Centre # WKI 10 Dec.
North Iraq 2018				
???	500	20+	350 villages	KLA
North Iraq May 27 – October 4, 2019				
9	57 255 by July			Crisis Group

Table 1: Deaths in the Armed Conflict between the Turkish State and PKK in Turkey and Iraq, and between the Turkish state and the SDF in Syria.



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Yet even available statistics as shown in Table 1 indicates PKK has not systematically targeted civilians. If independent sources are correct, of the 5,000 civilians killed in 36 years of armed conflict, around 1,205 civilians were killed by PKK. Turkish National Police data claims PKK killed more civilians, but their statistics include 1,658 village guards ([Gurcan, 2015](#)). Claims that PKK killed many thousands of civilians are also incongruent with PKK's early emphasis on Maoist principles and its rapid gain in recruits and civilian support, PKK militants numbering [15,000](#) by 1996.

In contrast to the lack of independent evidence that PKK systematically terrorised Kurdish villagers, there is a plethora of evidence that the Turkish state systematically terrorised its Kurdish population with the implementation of emergency rule in southeast Turkey, the formation of the village guard system, and in ethnically cleansing Kurdish regions by evacuating and [destroying](#) up to [4,500](#) Kurdish villages and [neighbourhoods](#). In fact, in the 1990s, the implementation of emergency rule was more common in provinces that had larger Kurdish populations, as opposed to provinces where PKK attacks were more frequent (Belge, 2016). Emergency rule suspended the rule of law, where punishment is linked to individual guilt, and allowed mass arrests and torture, and the evacuation and destruction of villages, as well as [20,000 extrajudicial killings](#) and disappearances. This figure is in addition to the oft-cited 40,000 killed in the armed conflict. Thus:

... By early 1992 scores of people were being gunned down in the first of hundreds of street killings by small groups of assassins in the cities in the southeast. In most cases the killers were never identified but there is evidence that the security forces were orchestrating the killings by arming and paying the assassins. Most of the victims were ... people who worked for left wing or Kurdish nationalist publications, and people who had previously been detained or imprisoned on suspicion of membership of the PKK or other illegal Kurdish groups. (Norwegian Refugee Council/Global IDP Project, 2004, p. 39)

Extrajudicial killings targeted Kurdish lawyers, journalists, human rights activists, protesters and villagers. As emphasised by [Human Rights Watch](#):

“The killings committed by state perpetrators in the early 1990s should not be treated as individual cases of murder. Instead, accompanying a pattern of enforced disappearances, they were part of a planned and systematic policy and therefore must be counted as crimes against humanity, a crime of universal jurisdiction, which is now also a crime under Turkish law.” ... “The judgments against Turkey by the European Court of Human Rights provide the strongest grounds for arguing that the statute of limitations should not be counted as applicable for cases of murders allegedly perpetrated by state actors in the southeast and eastern provinces of Turkey in the early 1990s.”

In the mayhem, the village guard system served to divide tribes, clans, villages, and families into those willing to become village guards or have village guards in their



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villages, and those who refused. Some village guards became notorious for abusing their power, whether this was to 'resolve' family, land, livestock or other disputes, rob, kidnap or kill. Between 1992 and 2009 village guards were responsible for 52 village burnings, 183 murders, and 562 incidents of torture (Belge, 2016). An extended family could join the guard system and fuel a local conflict, leading to a massacre, and another party (possibly PKK) could administer a form of summary 'justice'. [Gurcan \(2015\)](#) notes that some village guards conducted false flag attacks dressed up as PKK, and from 1991, that many were being used by security forces in military offensives against PKK. Despite the government assuming a village that refused the system was pro-PKK, resulting in the state destroying these [villages](#), Belge (2016) found that in emergency zones, villages with a higher number of village guards experienced more coercion and displacement than those with no guards. This suggests that the actions of village guards and/or PKK's response to them were causing the displacement.

Between 1984 and [2004](#) the state evacuated, burned and/or bombed between 2,685 and 4,500 Kurdish villages causing the displacement of up to 4.5 million Kurds. The state claims that during this time 'only' 362,000 to 560,000 people were forced out of their villages and assigned to a city in western Turkey. Even where there was little or no PKK violence, where civilians voted for a Kurdish political candidate their villages were more likely to be evacuated and destroyed (Belge, 2016). The following is an account of what was happening in the 1990s:

Helicopters, armored vehicles, troops and village guards surrounded village after village. They burned stored produce, agricultural equipment, crops, orchards, forests and livestock. They set fire to houses, often giving the inhabitants no opportunity to retrieve their possessions. During the course of such operations, security forces frequently abused and humiliated villagers, stole their property and cash, and ill-treated or tortured them before herding them onto the roads and away from their former homes. There were many 'disappearances' and extrajudicial executions. By 1994, more than 3,000 villages had been virtually wiped from the map and more than a quarter of a million peasants had been made homeless. (Extract from a Human Rights Watch report, 30 October, 2002, featured in Norwegian Refugee Council/Global IDP Project, 2004, p. 38)

The state did not provide alternative housing for evacuated civilians. Most displaced people would erect a slum on the edge of town that had no access to water, electricity or sewerage. Sixty percent of displaced women could not speak Turkish. Most suffered discrimination in getting employment. The state's right-of-return options were resettlement programs in new towns surrounded by tight security far from the villagers' agricultural lands. Those who were allowed to settle in the new towns 'were forced to sign a document stating that they fled their homes due to PKK terrorism and not to government actions, and attest that they would not seek Government assistance to return' ... to their original village (Norwegian Refugee Council/Global IDP Project, 2004, p. 130). This prompts the question: how many of



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these signed declarations have wrongfully incriminated the PKK?

Returning to one's original village was not allowed by the state-appointed governor, or was made dangerous by the state having laid land mines around the village, or the local gendarmerie would declare the village a prohibited zone, or village guards could block the return having taken over the evacuated [houses](#). If a family was fortunate to navigate the hurdles and be given the right of return, they then needed permission to leave the village for any reason, even to pasture their livestock. It was common for people working for an organisation that helped displaced villagers to be arrested for 'aiding and abetting an illegal organisation', i.e. PKK.

Fast forward to 2015, when the Turkish state again militarised Kurds' historic homelands, and began bombing and burning more than 330 urban neighbourhoods and villages and displacing at least 350,000 Kurds in eastern Turkey, and from 2016, invading and Turkifying Kurd-majority regions in northern Syria, displacing another 500,000 Kurds in Afrin, other parts of northern Aleppo, Tel Abyad (Kurdish: Gire Spi) and Ras al-Ain (Kurdish: Sari Kani), all in the name of fighting PKK.

5. The 2018 Statement of Reasons for relisting the PKK as a terrorist organisation repeats unsubstantiated information, and lacks accurate, verifiable evidence for the criteria it does address. This is unacceptable given that the Turkish state regularly holds PKK responsible for acts committed by other parties.

In Australia, the US and most other countries, evidence used to justify the proscription of the PKK as a terrorist organisation has not been tested in a court of law. The standard of evidence reflects this. Even the PJCIS has noted that the evidence does not necessarily substantiate a claim against PKK, despite ASIO claiming it fact checks the claims with open source and/or classified intelligence and only passes on information that has been corroborated. The PJCIS must take ASIO's word on this, given the PJCIS does not have the resources to conduct its own rigorous review (Lynch et al., 2009).

This lack of scrutiny leads to unsubstantiated information being included in a review and even repeated from one review to the next, indicating past allegations can influence a current relisting. For instance, the 2018 Statement of Reasons repeated an unsubstantiated claim from the 2015 Statement of Reasons that PKK kidnapped 300 children between December 2013 and May 2014. Another questionable claim in the 2018 Statement of Reasons is that the Kurdistan Freedom Falcons/Hawks (TAK) is another name for PKK. This claim is highly [controversial](#). A commonly held understanding is that people left the PKK and formed TAK in 2004 accusing the PKK of becoming too moderate in relinquishing armed struggle and striving for regional autonomy inside Turkey instead of an independent Kurdistan. In 2006, TAK conducted three attacks in western cities of Turkey, and in 2015 and 2016 claimed responsibility for acts that killed civilians and security forces. PKK vehemently denied responsibility for any of these acts and TAK claims it does not follow PKK orders. Independent investigations are needed into TAK's reasons for not claiming responsibility for a



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terrorist act since March 2016. Whatever the relationship, verifiable evidence, preferably from non-Turkish sources, is required for the Australian government to categorically claim PKK and TAK are the same organisation, or that PKK orders or supports actions claimed by TAK.

Such allegations could be examples of ASIO attributing credibility to unverifiable information passed on by MIT (Turkey's National Intelligence Organisation). Even if ASIO's resources were unlimited, it would be difficult to check the veracity of many claims because Turkish authorities do not permit entry into the heavily militarised zones of eastern Turkey and Turkey-occupied Syria, and have not permitted any independent investigation into the atrocities for which the Turkish authorities claim PKK is responsible. One would think that if the state were certain that PKK was responsible, it would be keen for this to be confirmed by independent investigations.

There are good reasons for Turkey to reject international scrutiny. Turkish state security forces, including the air force, soldiers, police, gendarmerie, the notorious [JİTEM](#) (*Jandarma İstihbarat ve Terörle Mücadele* or Gendarmerie Intelligence and Counter-Terrorism), and government-armed village guards have been responsible for a number of civilian massacres attributed to PKK. Years later, a whistle blower, a Human Rights organisation, or even the European Court of Human Rights rules that evidence points to one of these forces having been responsible, as shown in Appendices A, B and C. The Turkish state has even admitted to conducting false flag attacks in Greece in 1955 and in Cyprus in the [1970s](#).

Then there are people who are sympathetic with PKK but are not members of PKK, and who may or may not be responsible for an act Turkey blames on PKK. A prime example is the assassination of a Turkish 'diplomat', Osman Kose, at an Erbil restaurant on July 17, 2019. MIT claimed PKK was responsible. The Kurdistan Regional Government arrested Mazlum Dag from Diyarbakir (whose brother is an HDP parliamentarian) and two others, none of who were members of PKK. Days later, Turkey killed the alleged [instigator](#), Erdogan Unal, and two others allegedly involved in the assassination. The 'diplomats' assassination occurred after a Turkish F-16 targeted and killed one of seven members of the PKK's central committee, Diyar Gharib Muhammad, in [Sinjar](#), when he was travelling in a vehicle on [June 27](#). Diyar Gharib Muhammad was responsible for overseeing PKK in Sinjar and logistical connections between PKK in Rojava and the Kurdistan Region of Iraq. The assassinated 'diplomat' was said to have been the MIT officer who supplied the intelligence leading to the death of Diyar Gharib Muhammad. Yet PKK rejected all responsibility for the [assassination](#). In another incident – the bombing of a riot police bus in Adana on September 25, 2019, that wounded five [people](#) – news outlets, even [Turkish ones](#), did not assign blame.

Into this mix of ambiguous culpability is the Turkish state's unrelenting smear campaign against PKK and any individual or entity it chooses to link with PKK. Examples include calling PKK 'baby killers' on a daily basis in the media, or accusing the PKK of financing activities through drug trafficking, despite Europol Director



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Patrick Byrne stating that there was no independently verifiable evidence that the PKK has trafficked drugs (Sentas, 2018). The Turkish government goes to elaborate lengths to provide 'evidence' to support media propaganda and justify the arrest and imprisonment of HDP politicians at the national and municipal level. In 2019, coinciding with AKP's purge of HDP mayors and municipal council members based on the unsubstantiated claim that HDP is a front for PKK, Turkish media widely publicised Kurdish mothers claiming that HDP had tricked or kidnapped their children into joining the PKK and [YPG](#). For months, there were daily reports of multiple mothers pleading for the HDP to return their sons and daughters 'from the mountains'. The timing of these demonstrations, the images of these women comfortably seated at tables and in tents protesting outside government buildings, and that they were fettered by media rather than brutalised by police (as is usual for Kurdish demonstrators) made many observers highly suspicious that the AKP-MHP government was orchestrating these demonstrations, which are ongoing.

The Turkish state does not limit the spread misinformation about Kurds to those in Turkey. After Turkey's invasion of northeast Syria on October 9, 2019, Turkey's leaders intensified their vilification of the SDF and its Commander-in-Chief, Mazloum Abdi [Kobane](#). On October 29, after the SDF helped the US locate Abu Bakr al-Baghdadi in Idlib, only five kilometres from the border with Turkey, *The Daily Sabah* headline claimed that "Al-Baghdadi's death exposes YPG-Daesh [ISIS] [ties](#)." Turkey's propaganda defies logic. Why would a secular YPG that has lost thousands of fighters in the war against ISIS, liaise with ISIS for the benefit of ISIS? Turkish authorities regularly fabricate videos and news reports claiming that the SDF committed this or that atrocity. These fabrications are spread on social and mainstream media, and are believed by large numbers of people in Turkey, if not elsewhere. For instance, Turkey accuses the [SDF](#) of being behind every IED bomb in the Turkey-occupied Syrian towns of Tel Abyad and Ras al- Ain in north east Syria, even after [ISIS](#) or one or more of Turkey's [proxy mercenaries](#) are found to be responsible. Nor is the misinformation limited to Turkey and Syria. Back in 2007 – 2008, Turkey's political leaders repeatedly called Iraqi President Jalal Talabani and President of the Kurdistan Region of Iraq, Massoud Barzani, 'terrorists'.

The daily barrage of misinformation generated by the Turkish state and Turkish media highlights the need for ASIO, the Attorney General, the PJCS and Department of Foreign Affairs and Trade to treat any information supplied by MIT, other Turkish authorities and media with extreme caution. Internationally supported independent enquiries are essential to ascertain who is responsible for attacks, particularly on civilians, and the statistics of who killed and injured whom in the long running civil war in Turkey, that has now spread to Syria. Until investigations are mounted and the outcomes disseminated, at the very least, it is imperative that assessors cross check evidence supplied by Turkish authorities with truly independent sources.

Such requests are supported by the rulings of a number of organisations and courts that have examined the armed conflict between the Turkish state and PKK. In 2017, the United Nations High Commissioner for Human Rights released a report



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condemning [the brutality and human rights abuses of the Turkish military against Kurdish citizens](#) in operations conducted in southeast Turkey in 2015 – 2016. Other assessments have concluded that PKK is not a terrorist organisation, but rather is engaged in a protracted armed conflict with the Turkish state with the aim of gaining cultural, political and economic self-determination for Kurds and other minorities in Turkey. In May 2018, the [Permanent People's Tribunal](#) ruled that the Turkish military had committed war crimes against the Kurds in 2015 – 2016, and that PKK complied with the Geneva Convention in a legitimate armed struggle. In November 2018, the Court of Justice of the European Union (CJEU) determined that, on grounds of procedural fairness, it was wrong for the Council of Europe to have listed the PKK as a terrorist organisation between 2014 and 2017. In [January 2020](#), in line with three previous rulings of two other Belgium courts – a 2016 ruling of the Court of First Instance, the 2017 ruling of the Chamber of Indictments, and the March 2019 ruling of the [Chamber of Indictments of the Court of Appeal of Brussels](#) (also called the [Court of Last Resort](#)) – the Court of Cassation went against its first ruling of February 13, 2018, and found that the PKK is a 'party to an armed conflict' inside Turkey and not a 'terrorist organisation', and therefore that PKK should come under international humanitarian law rather than terrorism laws. After a ten-year battle in the courts, the ruling means that terrorism laws could no longer be used against Kurds and companies in Belgium simply for supporting or advocating for PKK. These rulings are the first serious judicial testing of the evidence. As such, they call into question the continued classification of PKK as a terrorist organisation by [Australia, the US and other countries](#) like the UK, Canada, Germany, Spain and Iran.

KLA argues that given the dire need for political solutions for Turkey, Syria, Iraq and Iran, it is time to review the status quo. PKK is vital to a lasting peace in Turkey. Internationally mediated negotiations between multiple stakeholders could end Turkey's military offensives in three countries. Early in the process, mediators and observers could conditionally declassify PKK, if they have not already done so. KLA would go further. Whether or not Turkey agrees to negotiations, if the Australian government supports political solutions then it should seriously reconsider any relisting of PKK as a terrorist organisation.

6. The classification of PKK as a terrorist organisation discounts the significant changes in tactics, strategies and goals that the PKK has undergone since 1994. These changes have made the PKK qualitatively different from its earlier self and other organisations classified as terrorist organisations.

PKK began as a Marxist-Kurdish nationalist movement in 1978 with the aim of attaining an independent nation state called [Kurdistan](#) in the Kurdish-majority regions of Turkey, Iraq, Syria and Iran. Relying on sympathetic villagers for food, money and information, PKK embarked on an armed struggle in 1984. Before and after its announcement PKK committed some highly controversial actions, but by 1993, PKK realised it could not reclaim territory by defeating Turkish security forces and village guards, and announced it was open to a political solution.



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Since 1993, PKK has implemented several unilateral ceasefires, which, according to PKK sympathisers, only ended with acts of extreme provocation by the Turkish state. In March 1994, PKK's co-founder and symbolic leader, Abdullah Öcalan, promised to stop all armed activity if the government embarked on negotiating a political [solution](#). In August 1994, PKK committed to abiding by Common Article 3 of the 1949 Geneva Convention that stipulates non-combatants be treated humanely. The incidents of PKK killing civilians, even those considered 'traitors', fell [dramatically](#). That PKK was the most organised entity defending Kurdish rights in Turkey, and that its goal (if not its secular nature and/or armed struggle), had become popular was demonstrated in a 1994 academic survey of Kurds in southeast Turkey. Seventy-five percent of those surveyed supported federalism, autonomy or an independent [Kurdistan](#).

In 1995, a pragmatic Öcalan changed PKK's goal of establishing a nation state to achieving regional autonomy in Turkey. In 1999 the captured, imprisoned Öcalan renounced armed struggle. All PKK militants were to leave Turkey for the Qandil Mountains of northern Iraq. For five years [30,000](#) PKK militants attempted to uphold a unilateral ceasefire. In [2003](#) PKK officially endorsed non-violent tactics, although it reserved the right of self-defence, but the Turkish state refused to grant PKK amnesty (Marcus, 2008). It was after this that TAK split from PKK. Others describe a 'limited war' between 2004 and 2013 (Plakoudas, 2018), by which time PKK realised it needed to focus on influencing urban populations ([Gurcan, 2015](#)). During this period the AKP government made a number of cultural concessions to Kurds and in 2013 negotiated a bilateral ceasefire with Abdullah Öcalan. This lasted until July 2015, one month after the national elections, when Turkey launched military operations against 'PKK' in southeast Turkey and northern Iraq. Since 2015, PKK has suffered significant losses, but continues to launch attacks on military and police targets in Turkey and Iraq. If PKK has inadvertently killed civilians, far from seeing collateral damage as acceptable, the PKK has publicly taken responsibility and [apologised](#) for the loss of life.

Since its establishment, PKK has actively supported women's rights, minority rights, cultural rights and religious freedom. From the mid-1990s, PKK has supported democracy, international law, and from 2002, ecological sustainability and democratic federalism. Since 2014, PKK has co-operated with the US-led coalition in the fight against ISIS in Iraq. One remarkable achievement was PKK's rescue of ISIS besieged Yezidis on Mount Sinjar in August 2014. In the lead up to Turkey's national elections in June 2015, November 2015 and June 2018, and in the constitutional referendum in April 2017 and the municipal elections in March 2019, the PKK has refrained from military actions in support of democratic processes. This is significant given one basis for relisting the PKK was that the PKK aims to 'monopolise Kurdish political power, including by attacking the interests of rival Kurdish political [parties](#).' Unlike other proscribed organisations, the PKK has not conducted any terrorist attacks on civilians outside Turkey, (unless one includes defending themselves against Turkish soldiers in Iraq, this point being why getting to the bottom of the assassination of the Turkish diplomat in Erbil is so important) and has not systematically or deliberately targeted innocent civilians inside Turkey. These features set PKK apart from others listed as terrorist organisations.



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7. PKK has not targeted Australians or Australia's national security.

The 2018 Statement of Reasons claims PKK endangers Australians, for example tourists in Turkey, but so do car accidents and earthquakes. The Statement of Reasons also noted that there was an on-going court case for the one and only individual in Australia charged with being a member of PKK – Renas Lelikan, and that his presence may have endangered Australia or Australians. In May 2019, Renas Lelikan pleaded guilty to being an informal member of PKK between April 2011 and August 2013. Justice Lucy McCallum found that Lelikan was not a militant or a propagator of radical ideology, and that he had spent this time searching for the remains of his dead brother and writing about life with PKK. For this she gave Lelikan a three-year community correction order involving 500 hours of community service, i.e. she found him [no threat to the community](#). Until now, PKK has not posed a threat on Australian soil and has not targeted Australians anywhere in the world, unless that citizen was a member of ISIS in Sinjar (Iraq), Baghouz (Syria) or elsewhere.

8. PKK's proscription is problematic for residents of Australia who support PKK's aims, if not its armed struggle.

Despite PKK not being a threat to Australia or Australians, its proscription as a terrorist organisation reinforces tensions between ethnic communities and within the 15 to [20,000 strong](#) Australian Kurdish community. KLA has first hand experience of both. An example of discrimination from the Turkish community was when an imam refused to talk to members of KLA because KLA 'appeared to be sympathetic with PKK' based on KLA advocating human rights and democracy in Turkey, and opposing military offensives and ethnic cleansing in Turkey and Syria. A spate of police raids against Australian-Kurdish community group offices and individuals in [Sydney, Melbourne and Perth in 2010](#) frightened many Australian Kurds. Before and after, Turkey-influenced tensions between PKK and KDP, and between PYD and KDP, have inhibited the Australian Kurdish community from commemorating Newroz together, or uniting to advocate on behalf of Kurds in Turkey, or on behalf of all Kurds as an oppressed and stateless people (Sentas, 2018).

In Australia, an individual accused of being a member of a terrorist organisation has a higher legal burden to prove their innocence, faces more severe penalties if found guilty, and the offences are more wide ranging compared to those of an individual accused of supporting a non-terrorist illegal organisation. Offences for a member of a terrorist organisation can include 'advocacy', 'providing support' or 'associating with a member of a terrorist organisation' and this includes an 'informal' member, such as a person who attends a meeting, distributes literature or talks to a member. Even humanitarian engagement may constitute a criminal offence in terms of 'material support' (Lynch, et al., 2009), and in the USA, the criminal offence of humanitarian engagement with a terrorist organisation is 'extraterritorial', i.e. it applies whether the defendant is a US citizen or not (Sentas, 2018). Such conditions inhibit the Kurdish diaspora combining resources to provide humanitarian aid to those affected by military offensives in Sur, Cizre and Nusbayin in Turkey; Afrin, Tel Rifaat, Tel Abyad,



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Ras al-Ain, Qamishli and Kobani in Syria; and Kurdish refugees from Turkey, Syria and Iran living in the Kurdistan Region of Iraq.

9. Turkey's direct and indirect threats to Australians and Australia's national security are expanding.

Since 2011, Turkey's actions in and outside Turkey have prolonged the war against ISIS, the Syrian civil war and the Libyan civil war, and thus increased the likelihood of more terrorism and war, including in the eastern Mediterranean, and decreased the likelihood that Syria and/or Libya will become more democratic, or that the region will become stable. Turkey is endangering the security of Australian military personnel, humanitarian workers and Australian citizens visiting family etc., as well as Australian national interests, and the citizens and interests of Australia's allies:

- By permitting 40,000 ISIS fighters, including [230 Australian citizens](#), to cross into [Syria and Iraq](#);
- In allowing ISIS [cells](#) and ISIS money exchange [enterprises](#) to exist in Turkey;
- In MIT providing [weapons and members of Erdogan's family and others providing medical care](#) to ISIS in Turkey;
- In making deals with and protecting [Hayat Tahrir al-Sham \(HTS\)](#) and its administrations in Idlib;
- In training, paying and supplying weapons to Islamist extremists, including former [ISIS fighters](#) in the Turkey-backed Syrian 'National' Army;
- In resettling [Islamist extremists and their families](#) in a Kurdish populated belt across northern Syria;
- In conducting air and ground offensives and opening up new war fronts in [Syria](#) with the intention to squash Syrian Kurds' aspirations for a multi-ethnic democratic autonomous region. These actions have forced the SDF to defend towns and villages, which has allowed ISIS prisoners to escape and ISIS fighters to regroup;
- In transporting Syrian mercenaries (including ISIS) to Libya, from where more than 40 escaped to [Europe](#) over one 48-hour period in January;
- In supporting the Muslim Brotherhood, Hamas and other groups;
- Invading northern [Iraq](#) to conduct air and ground offensives against PKK; and
- Because at any time, Turkey-backed Syrian mercenaries that are being directed to fight Kurds in Syria and General Khalifa Haftar's Libyan National Army in Libya could seek revenge on Turkey, Europe, the US or Australia for having been misled and betrayed by Turkey steering them away from their original intention of overthrowing Bashar al-Assad and establishing an Islamic State in Syria; and
- Because Turkey's destabilising policies in the Middle East, the Mediterranean and north Africa could lead to war in which Australia will likely play a part, at considerable cost to Australian taxpayers, families, individuals, government and trade.



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COST/BENEFITS

10. The proscription of PKK as a terrorist organisation makes countries like Australia unwittingly complicit in Turkey's military, political, social and cultural oppression of Kurds in Turkey, Iraq and Syria. Declassifying PKK sends a strong message that it's time for Turkey to embark on non-military solutions.

Labelling the 'other' as a 'terrorist' is a powerful political tool that generates a self-perpetuating cycle of violence ([Barrinha, 2010](#)). By labelling the PKK as a terrorist organisation, and having influenced so many countries to do likewise, and by expanding the label to include Syrian Kurdish political parties, administrations and security forces, Turkey has granted itself a licence to defy international law, treaties and alliances, create new war fronts and undermine Kurds' efforts to achieve cultural and political self-determination inside Turkey (Sentas, 2018), [Iraq](#) and Syria. By demonising all Kurds that support cultural and political self-determination, the Turkish state is further destabilising three countries, and is diverting attention away from its unwillingness to consider non-military solutions to systemic problems.

Having destroyed Kurdish-majority towns and villages and displaced hundreds of thousands of people in eastern Turkey with impunity since mid [2015](#), Turkey expanded its military operations in Iraq and Syria. In northern Iraq, Turkey's air and ground offensives, the latter including ground operations from at least [nine military bases](#), have killed more than 20 Iraqi Kurdish civilians, burned crops and livestock, and caused the evacuation of 350 villages. In Syria, Turkey has used Syrian Islamist mercenaries to kill, kidnap, arrest and displace [Kurdish](#), Assyrians and Arabs [civilians](#) and [prisoners in](#) the [Euphrates Shield Triangle](#), [Afrin](#) and [northeast Syria](#), bomb hospitals and ambulances, and [loot](#), burn and confiscate homes, [businesses](#) and farms in zones Turkey was meant to [make 'safe'](#). Since November 2019, the presence of Russian, Syrian and US troops in northeast Syria has not stopped convoys of Turkey-backed Islamist mercenaries and their families arriving to settle in Tel Abyad and Ras al-Ain, whose original populations were forcibly displaced. Having Turkified Azaz, Jarablus, al-Bab, and Afrin, Turkey has now replaced local administrations, appointed mayors, rewritten the school curriculum and banned the Kurdish language in schools and on street [signs](#) in [Tel Abyad](#) and Ras al-Ain. The administrations that Turkey has dismantled, and others Turkey intends to dismantle, introduced relative stability to 30 percent of Syrian territory. The security forces that Turkey intends to kill or capture helped the US-led coalition defeat the ISIS caliphate, track down the 'caliph' and detain ISIS fighters and their families. It is Turkey that refuses to negotiate with these groups because Turkey, like the current Syrian regime, rejects the dilution of power that comes with truly representative democratic decentralised governance.

The lack of strong international responses to Turkey's activities against Kurds in Turkey, Iraq and Syria has emboldened Erdogan. He is determined to settle up to 3.5 million Syrian refugees living in Turkey, and Turkey's mercenaries and their families displaced from Idlib, in Turkey-occupied Syrian territory, particularly northeast Syria to change the demography of the region. In November 2019, the UN Secretary



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General Secretary Antonio Guterres agreed to 'consider' Turkey building new towns for refugees in Turkey's northeast 'safe' zone at the expense of the [international community](#), providing the refugees went voluntarily. In January 2020, German Chancellor Angela Merkel told Erdogan Germany would consider funding the resettlement of internally displaced people from Idlib in Turkey's northeast 'safe' zone. In contrast, Putin has repeatedly maintained that Syrian refugees should return to their original places of [residence](#).

In classifying PKK as a terrorist organisation, coupled with not sufficiently objecting to Turkey's actions against Kurds and their allies, countries become unwittingly complicit to Turkey's aggression in three countries, and serve to decrease the likelihood of Turkey embarking on non-military solutions. Declassifying the PKK as a terrorist organisation is one way in which countries could send a clear message to Turkish leaders that oppressing its large Kurdish minority, conducting military operations in northern Iraq, and invading and occupying northern Syria are unacceptable, and that it is time for non-military solutions.

11. The classification of PKK as a terrorist organisation limits opportunities for Kurdish issues to be resolved in all four regions of Kurdistan for the benefit of everyone.

The Australian government needs to weigh up the costs and benefits of keeping PKK on the list of terrorist organisations. KLA argues that there are multiple benefits in declassifying the PKK as a terrorist organisation, and very little cost, especially if coordinated with other countries. The main benefits rest on the fact that the label 'terrorism' and 'terrorist organisation' stymies initiatives to address the root causes of conflict (Lynch, et al., 2009) in four countries and reduces the international community's ability to influence PKK, for example, in becoming more accommodating of other Kurdish parties. If countries were to consider relisting PKK as a terrorist organisation only if independent investigations conclusively proved it was violently coercing non-combatants into a course of action, this may convince Turkey to allow independent investigations, or be more careful with the facts. If countries felt that declassification was warranted they would be in a stronger position to argue that Turkey needs to review its justice system and in particular its terrorism laws and drop terrorism charges for peacefully expressing a point of [view](#). Such countries would be in a better position to monitor multi-stakeholder negotiations that could have internationally supported outcomes in Turkey and Syria, with the potential for expanding democratic processes in Turkey and Syria, for example, by recognising the administrative and security structures of north and east Syria enabling these structures to contribute to a more democratic future. Before delisting the PKK, countries could point out the mutually beneficial economic and social benefits for Turkey in making peace with Kurds, as demonstrated by the economic benefits in improved relations between Turkey and the KRG between 2009 and 2017. Even after the KRG held a referendum on independence in 2017, unlike Iraq and Iran, Turkey did not completely block its border with the Kurdistan Region because that would be too damaging to the Turkish economy. The declassification of PKK would also influence



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the politics of Iranian Kurds and potentially Iran as a whole, given a vital ingredient for Iran to become more democratic is for minorities to network with each other and Persian groups, and Kurds are deeply divided between PKK and KDP orientated groups.

There are other benefits. Declassification would significantly relieve those sympathetic with PKK's aspirations in the diaspora of fear of being prosecuted for advocacy, or for sending humanitarian relief in support of Kurdish individuals and humanitarian organisations. It would also benefit the Australian government in arguing for justice if an Australian citizen working in Turkey, Syria or Iraq was killed or injured by a Turkish state or non-state force or proxy that was fighting alleged PKK terrorists.

Declassification could be conditional, for example, on the PKK leadership unilaterally agreeing to cease all armed activities for a specified period, during which time other matters could be worked on. Turkish leaders often claim they do not negotiate with terrorists, but between 2009 and 2015 members of the AKP negotiated with Abdullah Öcalan, although AKP refused to involve other stakeholders, parties or institutions to avoid giving the negotiations [legitimacy](#). In other ways these negotiations fell short of a genuine effort to arrive at a lasting [peace](#). Then in 2019, prior to the election rerun for Mayor of Istanbul, members of AKP again negotiated with Öcalan about making a statement in support of voting for the AKP candidate in the election.

What makes the refusal to negotiate with alleged 'terrorists' more hypocritical is the well documented evidence that MIT, other security forces, the Ministry of Interior, Directorate of Religion, provincial governors and even Erdogan's own family have collaborated with known terrorists, including [ISIS](#), [Hayat Tahir al-Sham \(HTS\)](#) and a host of Turkey's Islamist proxies in the [Syrian National Army](#), including [ex-ISIS](#), and ex-al-Qaida in Azaz, Jarablus and Al-Bab, [Afrin](#), Tel Abyad and [Ras al-Ain](#).

Having deployed blackmail and war as political tools, Erdogan will resist embarking on negotiations with the PKK. Yet, if the Turkish economy and military adventures face increased obstacles, Erdogan may be more willing to adopt another path.

CONCLUSION

To understand why the Turkish state feels so threatened by Kurds, one must examine the history of how modern Turkey rose from the ashes of the Ottoman Empire. In employing a fierce form of nationalism to replace Islam as the nation's glue, Mustafa Kemal Atatürk set the stage for any unassimilated Kurd to be seen a threat to the new nation state i.e. The actual threat may be that Kurds exist at all, given that Kurds currently comprise 15 to 25 percent of the population, and Kurdish-majority provinces cover 30 percent of the [territory](#), while the awareness of what it means to be a Kurd is growing stronger over time. What is particularly threatening for the Turkish state is the increased military and political status of Kurds, and their growing



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sense of confidence, hence, the indefinite imprisonment of Selahattin Demirtaş. The paradox is that if Turkey continues down a path of denial and persecution, its greatest fear may be realised: that Kurds will demand an independent nation state that will cover eastern Turkey, northern Syria and Iraq, and western Iran. Whatever outcome eventuates, a political rather than military pathway is preferred.

KLA suggests that one of the first steps to reconciliation between the Turkish state and PKK is to acknowledge that the PKK has been involved in a legitimate armed struggle against a repressive state. As such, KLA requests ASIO, the Attorney General and PJCIS to consider declassifying the PKK, if necessary after:

- Re-evaluating and improving the definition and assessment criteria used to proscribe an organisation to include context, intention, the nature of the violence and its targets, and the impacts of proscription on Australian law and Australians;
- A rigorous testing of evidence, distinguishing that which is verifiable from that which is not, and attaching no weight to what is not verifiable by non-Turkish sources; and
- An assessment of the benefits and costs of delisting the PKK including that it would withdraw any perceived or actual complicity in Turkey's licence to marginalise, attack and ethnically cleanse Kurds in and outside Turkey; highlight the importance of finding non-violent solutions; and enable the Australian Kurdish community to provide support for organisations that work for democratisation, human rights and distribute humanitarian aid in their communities of origin, a right available to most other diaspora communities in Australia.



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BIBLIOGRAPHY

(Excluding Hyperlinks)

Belge, Ceren (2016). Civilian victimisation and the politics of information in the Kurdish Conflict in Turkey. *World Politics*, 67 (2): 275 – 306.

Emerton, Patrick. Submission 18 to PJCIS, Parliament of Australia, *Review of the Listing of the Kurdistan Workers' Party (PKK)*, 2006, 6–7.

Gambetti, Z. & Jongerden, J, (2001) *The Kurdish Issue in Turkey: A Spatial Perspective*. Routledge

Metin Gurcan (2015) Arming civilians as a counterterror strategy: The case of the village guard system in Turkey, *Dynamics of Asymmetric Conflict*, 8:1, 1-22.

Lynch, A. McGarrity, N., & Williams, G. (2009) The proscription of Terrorist Organisations in Australia, *Federal Law Review*, 37:1, 1 – 40.

Marcus, Aliza (2008). Lessons from Contemporary Insurgency: The PKK's Enduring Fight, *University of Military Intelligence*. Retrieved from <https://www.hsdl.org> > view

Norwegian Refugee Council/Global IDP Project (2004). Profile of internal displacement : Turkey. Compilation of the information available in the *Global IDP Database of the Norwegian Refugee Council* as of 5 April, 2004.

Plakoudas, Spyridon (2018). *Insurgency and Counterinsurgency in Turkey*. Palgrave Pivot.

Sentas, V. (2018) Terrorist Organization Proscription as Counterinsurgency in the Kurdish Conflict, *Terrorism and Political Violence*, 30:2, 298 – 317

Shi, Shengpeng. (2018) Can a Kurd be a Turk: Clashing national identities in Anatolia. *Advances in Social Science, Education and Humanities Research*, Volume 215.



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APPENDICES

Appendix A: Massacres Attributed to PKK found to be conducted by Turkish state security forces

In an armed conflict, innocent civilians are harmed yet the scale of harm caused by the Turkish state is exponentially higher than any caused by PKK, the latter being unverified and in some cases, unverifiable. This is because there is sufficient evidence to be sceptical of the exceedingly long list of claims made by the Turkish state in regards the terrorist actions attributed to the PKK. It is beyond the capacity of KLA to examine each case, but in the following cases a whistle blower, Amnesty International or a Turkish or European court has absolved PKK of responsibility. Most of the massacres listed below occurred before 1996, by which time the militarisation of southeast Turkey had reached 300,000 security force [personnel](#) despite the PKK having made significant changes to its ideology, tactics and aims, and having withdrawn to the Qandil Mountains of northern Iraq. There are many other cases of massacres and targeted assassinations not included in this list for which former JITEM and MIT operatives such as [Abdülkadir Aygan](#) and [Tuncay Güney](#) have offered incriminating testimonies against JITEM, and in some cases a court has found JITEM [responsible](#). It must be noted that JITEM has been very active since the end of the bilateral ceasefire in mid-[2015](#).

Case 1: On 20 June 1987, 30 Kurdish civilians were killed in the village of Pınarcık, in the Omerli district of Mardin province. Among the dead were eight village guards, eight women and 16 children. PKK was held responsible. A PKK publication allegedly claimed responsibility, claiming that village guards and their families were targeted as traitors to warn others not to become state collaborators (Belge, 2016). The attack came a day after the European Parliament passed a resolution condemning Turkey's ongoing repression of Kurds (and Turkey's refusal to recognise the Armenian genocide). In 2011, ex-Turkish Special Forces soldier, Ayhan Çarkin, who investigated the crime scene immediately after the attack, claimed that the massacre was an act of provocation conducted by JITEM.

Between Case 1 and Case 2 Turkey conducted a major military crackdown on the Kurdish population in southeast Turkey. On 10 June 1990, 27 civilians were killed, including [eight people](#) employed by the government, 12 children and seven women, in the village of Cevrimli, near Güclükonak, in the province of Sirnak. The Turkish state blamed PKK. In the [area](#) at the time there were intense clashes between Turkish security forces and PKK so it is not possible to assign responsibility without a thorough investigation.

In April 1991 the Turkish parliament passed President Turgut Ozal's request for people to have the right to speak the Kurdish language in private. At the end of 1991, President Ozal (himself part Kurdish) offered to discuss cultural rights and a federation with PKK. In response, Abdullah Öcalan declared an intention to negotiate. But these conciliatory moves were blown up at the Newroz celebrations in March



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1992, when state security forces killed 91 people celebrating in Cizre, Sirnak and Nusbayin, and on [June 10](#) when state security forces killed 27 women and children in the village of Gere, near Sirnak. Then, on 18 August 1992, in the city of Sirnak, a three-day state security force [operation](#) killed 54 people, causing another 25,000 people to flee the city. The state claimed that PKK had tried to take over the [city](#) but at the end of the operation not a single corpse of a PKK member was found. Around the same time, the state executed Diyarbakir Chairman, Vedat Aydin, and at his funeral opened fire and killed six people, wounding another 119. Finally, in the 1992 - [1993](#) period the state assassinated or imprisoned, tortured and killed more than 30 Kurdish journalists, writers and cultural activists as well as 48 elected politicians.

This list of actions is the tip of the iceberg yet on March 20, 1993, PKK declared a unilateral ceasefire. In April 1993, President Ozal died in mysterious circumstances. In May 1993, the European Parliament passed a resolution that Turkey recognise the political, social and cultural rights of [Kurds](#). It was not to be.

Case 2: PKK was immediately blamed, 20 people were arrested and two were found guilty for burning down the village of [Başbağlar](#) 220 kilometres from [Erzincan](#), on 5 July 1993, causing the deaths of 33 Turkish civilians. Later, ex-Special Forces soldier, Ayhan Çarkin, claimed the Turkish deep state (i.e. JITEM) was behind the massacre.

Case 3: On October 3, 1993, a house was burned down in the village of Vartinis near the town of Mus, causing the deaths of nine members of the Ogut family: Mehmet Ogut, his pregnant wife and seven children. It became known as the Vartinis massacre. The State immediately held PKK responsible. In 2013, Kurdish lawyers, led by Tahir Elci, re-opened the case. People in the [village](#), including the only surviving member of the family, bore witness in court that Turkish soldiers burnt down the family home, blocking all exits and thus killing all inside. After the state put up a series of obstacles, including moving the case to another [province](#), in 2015 a court sentenced three gendarmerie officers, a member of the Special Forces and nine soldiers to life imprisonment for this and other crimes committed at the [time](#).

Case 4: PKK was immediately blamed and subsequently found guilty in a Turkish court for the deaths of 38 Kurdish people – mostly women, children and the elderly – killed in the villages of Koçağılı and Kuşkonar on 23/26 March 1994. Villagers appealed and the European Court of Human Rights (ECHR) finally heard the case. The ECHR found that a heavy artillery bombardment by the Turkish armed forces was responsible for the 38 [deaths](#). (See Appendix B for the link to the European Court of Human Rights 2014 Ruling on the Koçağılı - Kuşkonar massacre.)

Case 5: On 14 December 1995 the PKK declared a unilateral ceasefire. The Turkish state accused the PKK of breaking the ceasefire on 15 January 1996 when a minibus came under fire and 10 Kurdish men and the driver of the minibus were killed and the bus burnt. This became known as the Güclükonak massacre. Journalists were flown in and briefed but were not allowed to talk to villagers. Later it was revealed six of the murdered people had been in custody at the Taskonak Gendarmerie Battalion



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Headquarters for having refused to become a village guards. They were suspected of being members of PKK. According to the daughter of one of these prisoners, the six men were killed inside the Gendarmerie Headquarters. A gendarmere rung for a minibus and four village guards and a driver came to take the detainees away. After the village guards expressed horror at the sight of the dead prisoners they were immediately killed. The driver was ordered to take the minibus full of dead bodies to the nearby Tigris River but before he got there a helicopter came, soldiers alighted and burned the minibus (Gambetti & Jongerden, 2001.) The driver was killed outside the bus. Three people launched an independent investigation of the case but were imprisoned for insulting the armed forces under Article 159 of the Turkish Penal code. In 2009 the case was reopened when former State Minister [Adnan Ekmen](#) alleged that the unofficial state security unit known as JITEM committed the massacre. Appendix C has the link to Amnesty International's Account of the Güclükonak massacre.

Case 6: The Turkish state held PKK responsible for a massacre of 12 Kurdish people travelling in a minibus in Sirnak on 29 September 2007, when eye witness accounts, including accounts by village guards, as well as evidence collected by NGOs corroborate allegations that the massacre was committed by [JITEM](#).

Case 7: On 28 December 2011, the [Roboski](#) massacre, also known as the Sirnak massacre, took place when Turkish airstrikes killed 34 civilian smugglers crossing from Iraq into Turkey with cigarettes, diesel etc. to sell in the local markets. Most were teenagers. The Turkish state claimed [PKK](#) was responsible. In January 2014, the Military Prosecutors Office declined to initiate prosecutions against those responsible (Sentas, 2018). Kurdish sources say Erdogan ordered the attack in case a PKK militant was among the smugglers. To this day, no-one has been held [accountable](#). A speech made by Gultan Kisanak about this massacre can be found on: https://www.youtube.com/watch?v=kaJ3J_O0NWo

Appendix B: European Court of Human Rights 2014 Ruling on the Koçağılı - Kuşkonar massacre.

Link retrieved 26 January 2020: Copy and Paste:

[FINAL 24/03/2014 - HUDOC - Council of Europe](#)

Appendix C: Amnesty International's Account of the Güclükonak massacre.

<https://www.amnesty.org/download/Documents/152000/eur440241998en.pdf>