



The Lesser of Many Evils: The Kurdish Question and the Syrian Civil War

A Case Study by

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Introduction:

In the fall of 2014, the besieged Syrian city of Kobani was likely to fall to ISIS fighters in days if not hours. At least, that's what a cursory glance at the evening news and may be a recent Rand McNally map might tell you. Kobani sits astride the border with Turkey and is the largest city in the center of three Syrian Cantons governed by Kurds and referred to as the Rojava. The Rojava is defended by militia known as the People's Protection Units or YPG and the Women's Protection Units or YPJ. The Rojava Kurds and the militias fall under the governance of the "Partiya Yekita Demokrat" or PYD which is closely tied to the Kurdistan Workers Party (PKK) and their imprisoned leader, Abdullah Ocalan.

Ocalan's 1999 capture was the result of a complex bit of intrigue that began with Turkey pressuring Syria to lift Ocalan's sanctuary status or face military action. Ocalan found himself on the run, first in Moscow and then in Rome where he was detained by the Italians, but not extradited. He managed to escape from Italy and again stayed briefly in Russia before seeking sanctuary in Greece—a move that ultimately found him ensconced in the Greek Embassy in Kenya. With CIA support, the Turks launched an operation to lure Ocalan into the open with a ruse of sanctuary in the Netherlands. Unfortunately for him, the flight to the "Netherlands" was a private aircraft manned by Turkish Intelligence operatives and Commandos.¹

By capturing Kobani, ISIS would split the remaining Kurdish Cantons. Katherine Wilkins of the Carnegie Middle East Center noted the significance of the Kobani battle writing, "Kobani's fall could therefore set off a domino effect of Kurdish reversals."² ISIS would also gain access to the Turkish border and the lucrative oil reserves in the area. A study cited by the online news service Heavy projected that in addition to Syria's proven oil reserves, there are 315 billion barrels of undiscovered oil reserves, mostly in the areas currently controlled by Rojava Kurds and under attack from ISIS.³

Turkey, with a multi-decade history of fighting the PKK as insurgents and terrorists, restricted material aid or reinforcements from crossing into Kobani, although it had allowed approximately 180,000 refugees to cross into Turkey. In a press release in October 2014, Secretary of State John Kerry stated, "As horrific as it is to watch in real time what is happening in Kobani, you have to step back and understand the strategic objective . . . Kobani is not of strategic importance."⁴ All the while, as leader of the coalition fighting against ISIS, the U.S. was keenly interested in seeing the Kurds defeat ISIS while staying in step with Turkey's national interests and domestic security concerns. Brett H. McGurk, President Obama's envoy to the coalition fighting the Islamic State, said, "We fully respect our ally Turkey's right to self-defense."⁵

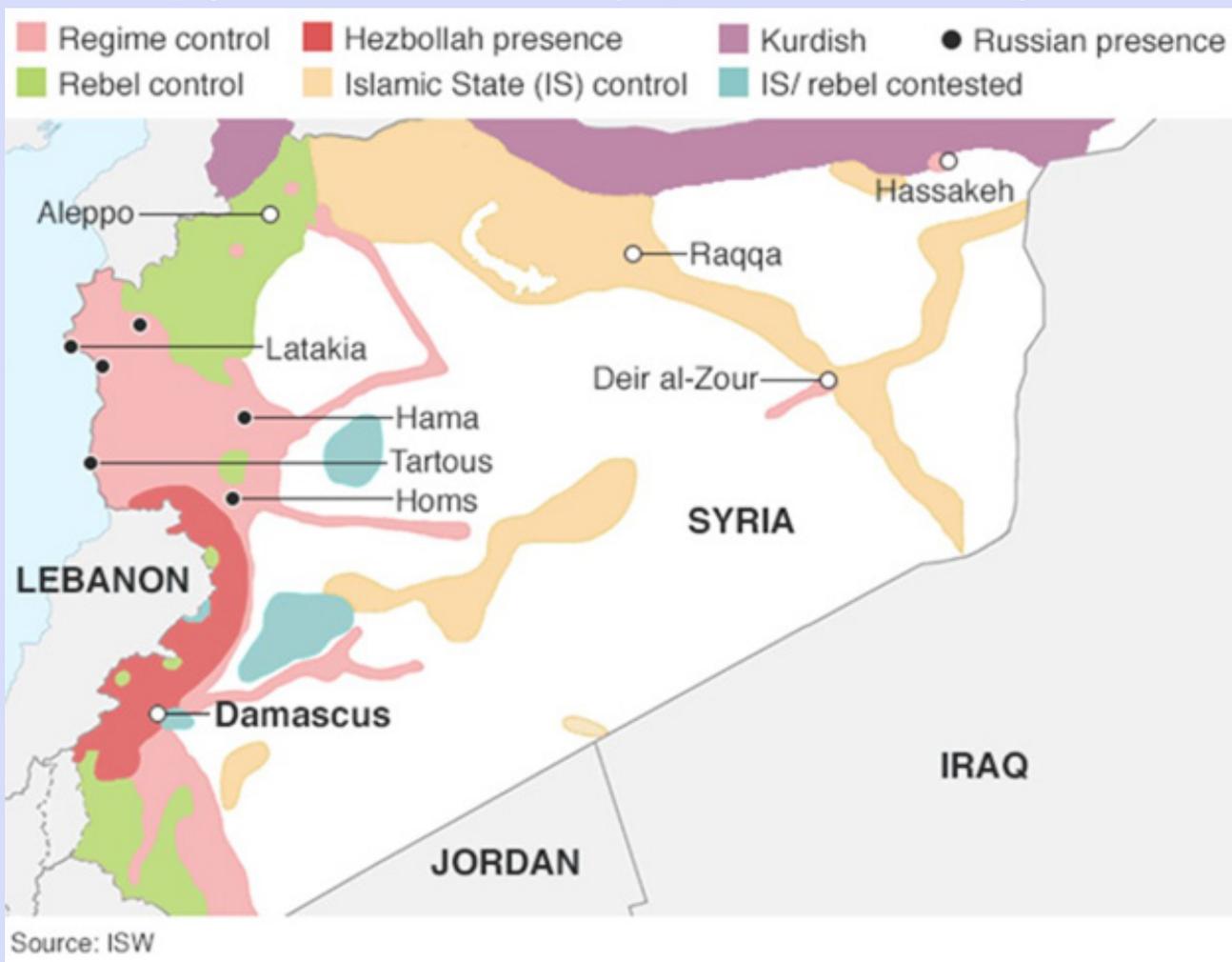
For the U.S.-led coalition the impact of Kobani was portrayed as insignificant. For the Kurds, it had become a question of Stalingrad or Masada. A great victory snatched from the jaws of disaster, or a heroic defeat that would further cement the legend of Kurdish martial virtue and provide another instance of victimization at the hands of the west. Perhaps the first dilemma is understanding who among the actors in this case, had a better appreciation for the strategic environment.

Background and Regional Context

Since 2011, the Syrian regime of Bashar Al Assad has fought a civil war that grew from civil unrest and demonstrations that coincided with the broader "Arab Spring" into a full conflict within a matter of months. Communities

quickly evolved from demonstrations to armed self-defense to forming brigades to actively oppose and eject Assad forces.⁶ Initially seen as a pro-democracy movement, the conflict quickly evolved to include sectarian battle lines pitting the majority Sunni population into various camps opposing the Shia Alawite dominated regime. Stefan de Mistura, U.N. Special Envoy to Syria estimated in April 2016 that the death toll was more than 400,000.⁷

The contest now includes Syrian Kurds, Lebanese Hezbollah fighters, an Al Qaeda off-shoot known as the Al Nusra Front, the U.S.-led coalition and Russians providing air support for various proxies, and the Islamic State (ISIS). Although a late arrival onto the scene, ISIS has seized significant territory in Syria and Iraq and imposed a harsh brand of Sharia law that somehow blends public beheadings with strategic communications savvy. The launch of the “#AlleyesonISIS” twitter campaign coincided with the fall of the Iraqi city of Mosul and established a digital front in the war.⁸



Other actors in the operational space include the Iranians, who have shrugged off the bad feelings of their eight-year war with Iraq and are supporting both the Iraqis and Assad in recouping territory and retaining power respectively. In October 2016, Iranian-backed Houthi Rebels in Yemen engaged both Emirati and U.S. ships with radar guided missiles, and the U.S. retaliated by destroying the radar and launch sites. The Iranians have sortied naval forces to the area. In an unattributed analysis published in Globalsecurity.org, Iranian Rear Admiral Habibollah Sayyari discounts the move as anything other than routine security operations: “The fleet will provide security to sea ways for Iranian vessels and protect Iran’s interests on the high seas.” The U.S. has several thousand troops in Iraq in advisory roles and others, not so secretly, in Syria assisting some of the anti-Assad factions. The Russians have also committed troops into Syria in support of Assad. And both the U.S and Russia are conducting air strikes against various belligerents. In a September 2015 speech in the Tajik Capital of Dushanbe, Russian President Vladimir Putin made his intentions clear by stating, “Our

efforts must unite everyone who is prepared to make, or is already making, an input into fighting terrorism, just as Iraq and Syria's armed forces are doing today. We support the Syrian government—I want to say this—in countering terrorist aggression.”⁹

Cambridge historian Richard J. Evans sees distinct parallels between the current Mideast situation and pre-World War I Europe: “rival Islamic factions standing proxy for the rivalry between Shia Iran and Sunni Saudi Arabia, while an additional element of danger is provided by Israel, with its nuclear arsenal, and again Iran, with its persistent attempts to build one. China and Russia are lining up behind one side while NATO and the US line up behind the other.”¹⁰

The first section of this case explores the history of the relationship of the modern Turkish State with its own internal Kurdish minority and Kurds in neighboring states. The next section, explores some of the international and domestic issues that influence Turkey's long-standing and ongoing negotiation to join the European Union as well as its status as a member of NATO to illustrate the tension between foreign and domestic policy. Finally, the case discusses the Rojava Kurds and their post-conflict efforts to achieve self-determination and the dilemmas this presents with respect to the policy positions of neighboring states.

Modern Turkey and the Kurds

Starting in 1984, the decades-long armed insurgency between Turkish Kurds under the PKK and the Turkish Government has left somewhere between 30,000 and 40,000 dead on both sides (including civilians).¹¹ These numbers cannot be considered highly accurate. As identified by Noah Aromand, a Columbia University researcher, , there is significant disparity between official reports that show fluctuations of up to 7,000 total killed in reports issued over a 13-year span.”¹²

The Turkish parliament, targeting the Kurds as an ethnic group, enacted a series of restrictive laws and regulations. Among these, the 1983 law No. 2932, “The Law Concerning Publications and Broadcasts in Languages Other Than Turkish,” mandates that “The mother tongue of all Turkish citizens is Turkish.” It further prohibits the use of any language but Turkish “as a mother tongue” and prohibits publishing in Kurdish.¹³ Author Meredith Tax describes the sensitivity surrounding Kurdish language and the flare-up that occurred when Kurdish Parliamentarian Leyla Zana followed her formal oath with a brief statement in Kurdish: “The deputies yelled out comments like: ‘we have a terrorist in the parliament.’ ‘Dirty Kurd’ and ‘get out, this is not your place.’”¹⁴

Similarly, Article 312 of the Turkish Penal Code makes verbal or written support for Kurdish rights the equivalent of “provoking hatred or animosity between groups of different race, religion, region or social class.” In 1995 enforcement of this act garnered international attention when Aliza Marcus, a Reuters correspondent and U.S. citizen, was indicted for violating the article.¹⁵ Marcus had recently reported on the Turkish Military forcing the evacuation of Kurdish villages. Although charges against her were ultimately dropped, Marcus stated, “I believe international pressure made a big difference in my case, but Turkish journalists don't get the same level of international support.”¹⁶

Legal sanctions were not the only form of Turkish governmental influence controlling Kurdish behavior. In the 1990s during the height of Kurdish militant activity in Southeastern Turkey, Turkish counter-insurgency operations resulted in the burning of 4,000 Kurdish villages and the displacement of their inhabitants.¹⁷ The 1996 Human Right Watch Report indicates that “most of the depopulation has been the result of a government counterinsurgency campaign intended to deprive the PKK of logistical support.”¹⁸

The restrictive Turkish legislation has ebbed and flowed since the 1980s, for both domestic and international political reasons, which are discussed in the next section. In general, speaking, writing, or broadcasting the Kurdish language is criminalized; Kurdish or pro-Kurdish politicians are routinely arrested; and political parties are outlawed. Welat Zeydanlioglu from the University of Upsalla provides important foundational context for the Turkish legislative restrictions—the father of Modern Turkey “Mustafa Kemal Atatürk himself was convinced that the weakness and ultimate demise of the Ottoman Empire was due to its multicultural nature and the Ottoman acceptance of this diversity had made it vulnerable.” Zeydanlioglu continues, “According to Atatürk, Turks could only reach ‘contemporary level of civilization’ by becoming a secular and homogenous nation-state of Turkish speakers.”¹⁹ This sentiment has modern support in Turkey as Minority Rights Group International reports that as recently as February of 2007, “the president and 12 members of a pro-Kurdish party received sentences ranging from 6 to 12 months for hold-ing their party congress in the Kurdish language.”²⁰

Over the years, the PKK adopted extreme tactics, including assassinations, bombings, and the murder of suspected collaborators. Activist and feminist author Meredith Tax details how, following the third congress in 1986, the PKK implemented policies of forced conscription of peasants and tax collection. In response to the Turkish “Village Guard” program which recruited local Kurds to defend their own villages, the PKK began targeting both the guards and their families for assassination.²¹ There were also internal purges that ranged beyond the borders of Turkey and even the Middle-East. For example, Tax documents at least a dozen PKK defectors or former high level leaders that were assassinated in Europe or at camps in Iraq between 1983 and 1985.²²

Extreme tactics and extrajudicial killings are not the exclusive tactic of either side in the PKK-Turkey conflict. In January 2014, Sakine Cansiz, a founding member of the PKK was assassinated in Paris along with two other Kurdish activists. The three women were shot “execution style” in the offices of the Kurdish Cultural Center. A July 2015 report by Reuters correspondent Charles Platiau indicates that French authorities determined the Turkish Secret Services (MIT) were complicit in the killings. A leaked copy of the report states, “Numerous elements allow us to suspect the implication of the MIT in the instigation and preparation of the murders.”²³

Turkey, NATO and the EU

Turkey, a member of NATO since 1952, has long sought membership in the European Union. A Gerhard Schroder-led government in Germany, championed Turkish inclusion in EU expansion and led to their official candidacy in December of 1999.²⁴ Turkey faces several challenges meeting the EU accession criteria, commonly referred to as the “Copenhagen criteria,” including the following, classified by sectors:

- Political criteria: stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- Economic criteria: a functioning market economy and the capacity to cope with competition and market forces;
- Administrative and institutional capacity: ability to effectively implement the *acquis* (accumulated legislation, legal acts and court decisions) and assume the obligations of membership.²⁵

Having achieved candidate status, Turkey has implemented several policies that indicate it is serious about achieving the Copenhagen criteria and convincing the EU it should be a member. As reported in 2002 in *Cultural Survival Quarterly*, the Turkish parliament “reversed several longstanding policies: the death penalty was abolished in peacetime, non-Muslim religious groups were given the right to purchase property, and Kurdish-language private schools, television, and radio broadcasts were legalized.”²⁶ These legislative reforms occurred in distinct contrast to the number of extrajudicial killings occurring during the same period with 98.3 killings per annum from 1991 to 2008, including a high of 283 in 2002 and a low of 37 in 2001.²⁷

EU member nations routinely challenge Turkey's quest to achieve full EU membership, citing Turkey's internal actions. The British Guardian newspaper noted in June 2016, "The European parliament recently expressed concern about 'serious backsliding' in Turkey over rights and press freedom, part of a perceived anti-democratic trend under Erdoğan's presidency." The same article goes on to say, "Erdoğan's unchallenged control over the armed forces, purged through a series of trials of alleged coup plotters, his control of state media, his manipulation of the judiciary, and his recent sacking of Ahmet Davutoğlu, the moderate AKP prime minister who was critical of the proposed constitutional changes."²⁸

The negotiations over EU admission came to what many perceived to be a final breaking point following the Kobani battle. In a December 2014 speech responding to EU criticism of the arrest and detention of journalists critical of Turkish policies, Turkish President Erdogan stated, "And when we take such a step, we do not think about 'what will the European Union say?' or 'will the EU accept us [as a member]?' We do not have such concerns. We will pull ourselves up by our own bootstraps. Please keep your intellect to yourselves."²⁹

Tensions in the relationship with NATO resurfaced following a failed July 2016 coup attempt. The coup, led by a group of senior military officers and allegedly inspired by exiled, opposition religious leader Fethullah Gulen, left over 300 dead in just over 24 hours. In the aftermath, over 6,000 alleged coup plotters and supporters were detained.³⁰ This number includes a disproportionately high number of officers with past NATO postings and many in President Erdogan's camp have implied that both NATO and the U.S. secretly supported the coup. To further compound tensions, a senior Turkish Officer, Admiral Mustafa Zeki Ugurlu, requested asylum in the United States or another NATO country and went into hiding—despite a Turkish arrest warrant and demand for his return.³¹

NATO members have expressed their own concerns with Turkey's reported purge of coup plotters across the military, police, and civil services. U.S. Secretary of State John Kerry asserted that "NATO will be scrutinizing whether Turkey keeps meeting the alliance's requirements for democracy and rule of law in the days after the failed coup attempt."³²

Despite the tensions and rhetoric, Turkey remains the second largest force contributor to NATO and is strategically situated, sharing borders with Syria, Iraq, Iran, Armenia, and Georgia.³³ In April 2016, just months prior to the coup attempt, the official NATO web site highlighted the visit of NATO Secretary General Jens Stoltenberg to Turkey where he personally thanked President Erdogan for Turkey's important contributions to the alliance. The page quotes Mr. Stoltenberg commenting, "We stand united in the fight against terrorism. There can be no justification for the horrific attacks we have seen here in Ankara, in Istanbul, and elsewhere in Turkey."³⁴

Turkey's political position and role continue to evolve. In April 2017, Turkey's President Erdogan consolidated power in an electoral move that significantly increased the power of the presidency and diminished the ability of the Turkish Parliament to act as a counter-balance. This move prompted significant reactions. For example, Politico's opinion piece headline read "Erdogan's Power Grab Follows Authoritarian Script" and goes on to paint the referendum as a "historic fraud."³⁵ In contrast, Soner Cagaptay, a Turkey expert at the Washington Institute for Near East Policy, characterizes Erdogan's narrow referendum victory as a good outcome with the narrowness of the victory likely to temper Erdogan's authoritarian tendencies.³⁶ A further development in the U.S. and Turkish relationship, coming on the heels of Erdogan's referendum victory, was the Trump administration's decision to arm and support the Syrian Kurds openly over Turkey's strong objections. On May 8, 2017, Dana White, the Chief Pentagon spokeswoman announced, "Yesterday, the president authorized the Department of Defense to equip Kurdish elements of the Syrian Democratic Forces as necessary to ensure a clear victory over ISIS in Raqqa, Syria."³⁷

The Rojava

The Rojava Kurds declared autonomy on January 29, 2014. The basis for their declared self-governance is a constitution that draws substance from multiple internationally recognized human rights conventions. Referred to as the Rojava

Charter, or simply, “the Charter,” this founding document has content that is unique to Mideast governments. Among the most compelling articles:

Article 27: Women have the right to exercise political, social, economic, cultural and all areas of life.

Article 28: Women have the right to organize themselves, and eliminate all forms of discrimination on grounds of gender.

Article 29: This contract ensures the right of children, prevents child labor, prohibits marrying children at a young age, and forbids child exploitation and torture, both psychologically and physically

Article 30: This contract guarantees every citizen: 1- The right to security, safety and stability.

2- Free and compulsory education at the elementary level.

3- The right to work and adequate housing, social security and health.

4- The protection of motherhood and childhood.

5- Ensuring the health and social care for disabled people, the elderly and people with special needs.

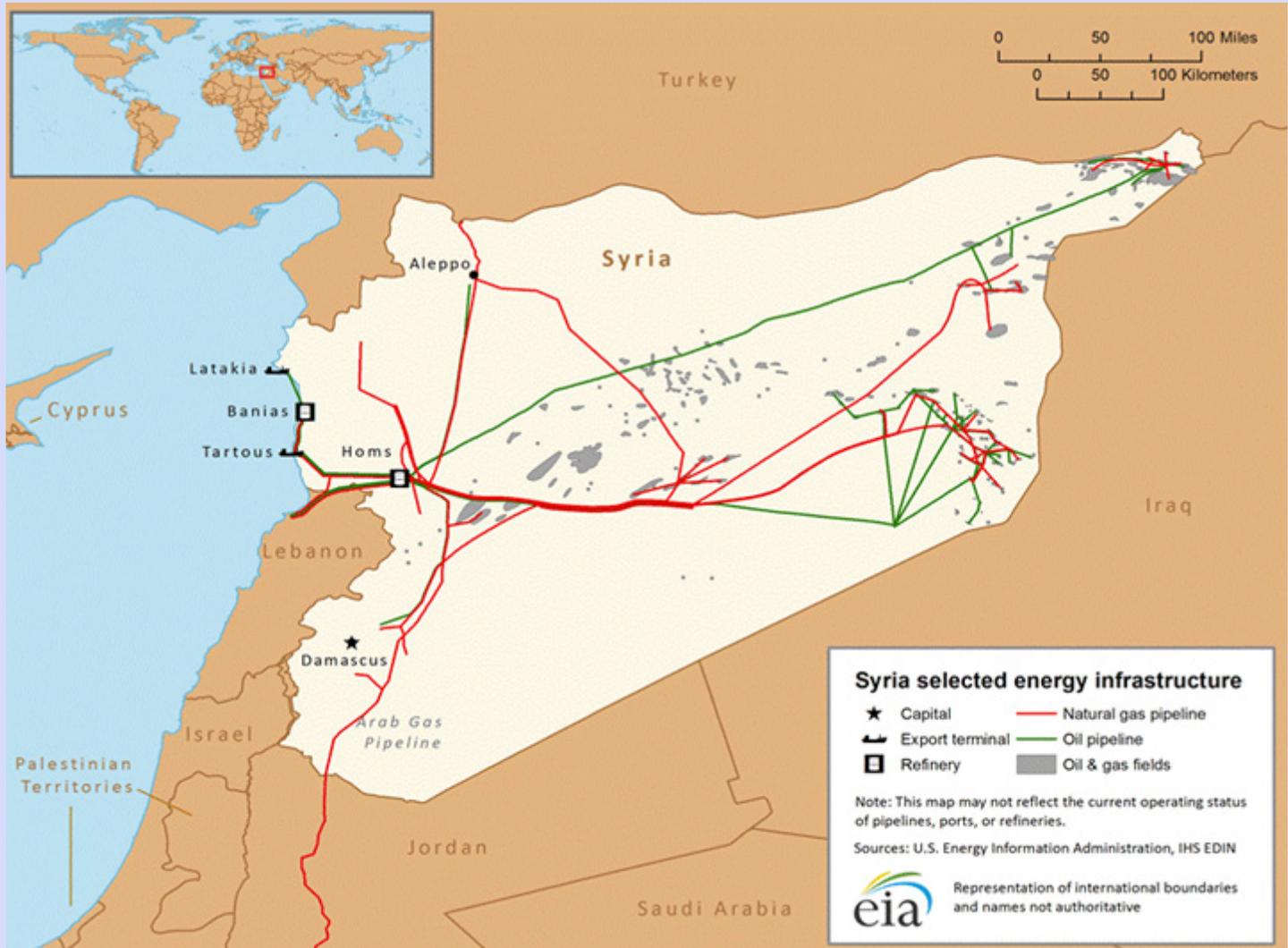
Article 31: All citizens have free religion and belief, and should not be politicized and used as a tool to instigate and sow discord.³⁸

Touting a form of government called “democratic confederalism” and somewhat overlooked among all the regional and superpower activity happening around them, the Rojava Kurds have formally cast their lot for self-determination. Their approach to governance is derived from Ocalan’s philosophy that the state should be anchored by a constitution, and the central government’s role should be to look outward towards other states, while allowing the people to self-govern as communities. The strong influence of Abdullah Ocalan, albeit from a Turkish prison, is felt throughout the Rojava. Salih Muslim, co-chair of the PYD said, “There is a reason that we apply Apo’s (Kurdish for ‘uncle’—one of Ocalan’s nicknames) philosophy and ideology to Syria, it offers the best solution to Kurdish problems.” Hediye Yusuf, another Rojava leader speaking about Ocalan, said, “We love him and follow his philosophies, put quite simply, because they are correct.”³⁹

In practice, the Kurdish desire to establish a socialist utopia anchored in Ocalan’s philosophy presents challenges in implementation for the PYD. The Wall Street Journal reported, “Rojava Kurdish leaders have arrested and beaten dissenters and shut down rival party headquarters. Rojava officials also banned two independent media outlets from operating freely.”⁴⁰ Additionally, push-back exists from other Kurdish political organizations: “Anything that has the hint of not working for their benefit, they ban it,” says Imaad Omar Yusuf, general coordinator for the opposition Kurd Youth Movement.⁴¹

Despite internal frictions and an environment full of competing belligerents, the territory under Rojava Kurd control has increased dramatically (ca. 15,000 km²) and includes significant oil reserves. Oil wells in Cizire Canton are an asset for Rojava; before the war, the oil fields at al-Malikiyah and al-Shadadi produced around one-third of Syria’s 300,000+ barrels per day of crude oil.⁴²

In the Mideast, oil and water have a history of being sources of friction and outright conflict between neighbors. Oil reserves in both Syria and Turkey are heavily concentrated in Kurdish areas. The Rojava Cantons could potentially control 60 percent of Syrian oil. Across the border, the traditional Kurdish homeland, concentrated in the southeast of the country, provides 99 percent of the crude oil extracted from Turkey.⁴³



With oil revenue on the table, the Rojava declaration for self-governance and a Kurdish Autonomous region have elicited responses from other stakeholders. Al Jazeera news reported that “the Syrian foreign ministry issued a warning to ‘anyone who dares to undermine the unity of the land and the people of Syria under any title.’ The Ministry statement continued, ‘Creating a union or a federal system . . . contradicts the Syrian constitution and all the national concepts and international resolutions.’”⁴⁴

Turkey’s history of pushing back on any Kurdish nationalism that might encourage its own Kurdish population’s aspirations comes to the forefront in this context. As Steven Cook reported in Foreign Affairs, “The emergence of Western Kurdistan, or ‘Rojava,’ is a development that Turkish leaders insist Ankara cannot countenance.”⁴⁵

Recent Turkish overtures or “resets” to normalize relations with the Assad regime in Syria are significant. The British Guardian quotes Turkish Prime Minister, Binali Yıldırım as saying in July 2016, “I am sure that we will return our ties with Syria to normal. We need it. We normalized our relations with Israel and Russia. I’m sure we will go back to normal relations with Syria as well.”⁴⁶ Writing as part of a group of Turkey “experts” invited by the Carnegie Middle East Cen-

ter to opine on Turkey's possible motivations, Sinan Ulgen, a former Turkish diplomat offers, "The calculus in Ankara has shifted and the priority has moved away from regime change in Damascus and toward the containment of the PYD [the Syrian Kurds]."⁴⁷ This opinion is in general agreement with all of the Carnegie Center experts who recognize Turkey's latest diplomatic actions may be setting conditions for a favorable outcome vis-à-vis the Rojava Kurds.

Aaron Stein, an expert on Turkey and resident senior fellow at the Atlantic Council's Rafik Hariri Center for the Middle East said, "The consensus is that Turkey is reevaluating its approach to Assad, in order to prevent [Kurdish] PYD independence, or democratic autonomy."⁴⁸

On August 25, 2016, Turkish Military Forces crossed into Syria with the stated objective of supporting Free Syrian Army efforts to clear ISIS fighters away from the border area. As the New York Times reported, the objective was "to clear Islamic State militants from their remaining border stronghold, and roll back recent advances by Syrian Kurdish militias that Turkey considers an equal or greater threat because of their links to its own domestic Kurdish insurgents."⁴⁹ The Washington Post similarly reports that "many observers say one of Turkey's main objectives in the offensive, code-named 'Euphrates Shield,' is to stop the Kurds from gaining territory in Syria. The Turkish government has long confronted a restive Kurdish minority within its borders, and it sees efforts by Kurds in nearby countries to increase their reach as a security threat." Notably, the location of the Turkish incursion places their forces directly in the path of any Kurdish efforts to link the last of the territories they consider part of the Rojava.

Notes:

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