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Advisory Panel on the Question of the Kurdish Region

The question of the Kurdish Region





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Introduction

Very often during the process of border drawing, a minority ethnic or religious group is marginalized or disregarded. What often follows are growing desires for independence, sovereignty and their own state, often times leading to conflict. One such example is Sudan and South Sudan where the Arab majority's power over and marginalization of the Nilotic/Non-Arab southern, poorer minority - among other things - lead to the Second Sudanese Civil War. These problems are incredibly difficult to tackle as no country would be willing to lose land, resources and taxpayers to form a country for a minority group that - more often than not - is already marginalized or regarded poorly by the majority population. Negotiations between a country and a prospective state such as Sudan and South Sudan were and are extremely complicated and difficult due to ethnic tensions and general social hostility to the opposition. The involvement of more countries would only have complicated this further, and made the prospect of nation forming even more difficult.

This happens to be the case with the prospective nation of Kurdistan, a region where Turkey, Syria, Iraq, Iran and Armenia which includes land from all of those countries as well as parts of Azerbaijan. The Kurds are a prominent ethnic group in the Middle East, but were almost entirely disregarded when the borders and the division of land for the area were decided. The creation of the modern Middle East states and the exclusion of a Kurdish homeland or permanent state occurred after the fall of the Ottoman Empire.

The Empire's final stages of dissolution - from around 1915-1925 - were organized by foreign actors, mostly allied victors of World War One. Despite promises made to the Kurdish people in the 1920 Treaty of Sevres of a Kurdish homeland, 3 years later the boundaries of modern Turkey were drawn at the Treaty of Lausanne and no accommodation for a Kurdish state was included. The formation of new countries in this way often divided ethnically and culturally similar populations and inappropriately grouped vastly different peoples into the same countries.

In the century since. We have seen numerous revolutions and tragedies as a result of the



minority populations being mistreated in these countries such as the Bosnian Genocide of Bosnian Muslims in 1995 and the Lebanese civil war of 1975-1990 between the Maronite Christians and the mostly Muslim anti-establishment forces.

Kurdistan and the Kurdish people have been no exception. The Kurdish Workers Party (PKK) have been engaged in violent military action against primarily the Turkish government for the past few decades in a fight that was initially aimed at the foundation of a Kurdish homeland, but has now shifted its aims to achieve rights and freedom for the Kurdish as well as better democracy in Turkey.

However, the question of a Kurdish homeland is still a primary focus of many activist groups within the region and around the world and with the area being in the state it is, information on the predicament of the Kurdish people. Kurds are infamously mistreated, disregarded and marginalized in Turkey, Syria and Iran, and many of the PKK's demands are reasonable. It is the UN's responsibility to give the Kurds, if not a homeland, then a decision on their place in the international community, not least because of their position as a strong ally in the fight against IS.

Definition of Key Terms

Kurdistan and the Kurdish People

The Kurdish People are the people of an ethnic group known as the Kurds who occupy a region in the north Middle East. They share a culture, a race, a region and a language despite varying dialects. There are approximately 40 million Kurds living in the Mesopotamian plains and mountainous between Turkey, Iran, Syria, Iraq and Armenia, constituting the 4th largest ethnic group in the middle east and the largest to not have a permanent homeland state. They occupy a region which spans areas in Turkey, Syria, Iraq, Iran and small parts of Azerbaijan and Armenia. According to The Kurdish Project "Kurdistan is not a country, but the map of the Kurdish region includes the geographical region in the Middle East wherein the Kurdish people have historically established a prominent population and unified cultural identity."

Territorial Dispute

A territorial dispute is any dispute centered around the governance of a region. They can arise for a variety of reasons, but most often center around one group - ethnic, religious, political or cultural - claiming sovereignty over a region or autonomy from another governing body and another group not recognizing or refuting this claim. A major motivator for these claims can be the



economic value of the region. Much of Kurdistan is, unfortunately, rich in oil, which makes most of the countries whose land is claimed by the Kurds even more unwilling to relinquish the territory. The Kurdish people's claim is motivated more by ethno-politics. The Kurds want a homeland to provide an area which both has Kurdish interests and safety as its primary focus and offers a safe haven for Kurds facing oppression elsewhere. In addition, many Kurds believe that, as the 4th largest ethnic group in the Middle East it is their right to have a nation where they are a majority as the Turks have in Turkey, the Arabs in many countries including Saudi Arabia, Yemen, Oman, Iraq, and the Persians in Iran. It is important to note that although the Kurds to not have a region over which they have complete and direct sovereignty, the area of Iragi Kurdistan in Irag is relatively autonomous and under Kurdish Administration. However, the region is significantly smaller than the territory claims made by most Kurdish nationalist groups and is still under the control of Iraq.

PYD/Democratic Union Party and YPG/People's Protection Units

These three groups are a Syrian branch of the PKK movement discussed in the Major Parties section formed in 2003. Part of the Syrian constitution which outlaws the formation of political parties along religious or ethnic lines has made these groups officially illegal. A number of towns in Northern Syria are under these groups' control. The difference between the two is that the PYD is the political party whereas the YPG is the armed forces aligned with that party.

KDP/Kurdistan Democratic Party

The KDP is one of the parties involved in the administration of Iragi Kurdistan and happen to have strong historical ties to the Kurdish communities within Iran. Masoud Barzani, his family, and his associates have lead and run the party for many years, which, among other things, has led to allegations of corruption, nepotism and cronyism. Barzani is also the President of Unified Iraqi Kurdistan.

PUK/Patriotic Union of Kurdistan

The PUK is the other major political party within Iraqi Kurdistan and works closely with the KDP despite a variety of problems between the two parties' leadership. The PUK is partially lead by Jalal Talabani. The PUK has historically been viewed as the intellectual party, whereas the KDP's membership is seen as more traditional and tribal. Like the KDP, there have been widespread allegations from several international watchdog groups of corruption within the PUK.



Peshmerga

Though not a political party, the Peshmerga are a prominent group in the Kurdish people and the fight against ISIS as they are the military of Iraqi Kurdistan. Despite their apolitical nomenclature, they are still heavily influenced by political disputes in the region as most of their fighters are aligned with one of either the PUK or the KDP to the point where groups of Peshmerga fighters are separated by the party to whom they are known to be loyal.

It is important to note that not all of these groups promote nationalism or independence.

General Overview

Kurdish Involvement with ISIS

Much of recent Kurdish history has revolved mostly or entirely around their involvement and proximity to ISIS. They have become one of the most valuable local allies to western ISIS opposition. However, it was not until mid 2013, when ISIS turned its attention towards the northern border of its Syrian territory, namely towards three Kurdish areas along the border, that the Kurds became involved in the conflict. The Syrian YPG was able to repel repeated attacks on the area. Then, in June 2014, an attack on a region of northern Iraq saw ISIS take control of Mosul, capturing weapons and uprooting Iragi troops. This conflict in Irag motivated the mobilization of the local Kurdish population, forcing the semi-autonomous Kurdish region of northern Iraq to send the Peshmerga - their armed forces - to areas left deserted by retreating Iragi troops. For a few months, conflict between the Peshmerga and ISIS was limited. Until August 2014 there were only a few minor clashes, at which point, a surprise ISIS offensive caught the Peshmerga of guard, forcing a retreat which allowed the capture of many towns of religious minorities. Among these towns was Sinjar, where ISIS began to - as they have done throughout the region - publicly execute thousands of people belonging to the local ethnic minority - the Yazidis.

ISIS success in Northern Iraq prompted the US-led coalition to airstrike the region and to send tactical assistance to the Peshmerga. This coincided with the arrival of assistance from the PKK and YPG, which had previously been active in Turkey and northern Syria. In the process of being routed out of Iraq by this new coalition, ISIS continued their assault on northern Syria, focussing on Kobane and the surrounding area, causing tens of thousands to flee. Even though this fight was occurring just along the Turkish border, Turkey neglected to contribute to the fight against



the extremist group and even prevented Turkish Kurds from crossing the Turkey-Syria border to assist in the fight. This is motivated by the generally hostile Turkish attitude towards the Kurds which has resulted in them being marginalized and abused, both recently and historically. After decades of fighting between PKK and Turkish government, a ceasefire was signed in 2012. In July 2015, after a suicide bombing which was blamed on ISIS killed 33 Kurds, this ceasefire fell apart as the PKK began attacking Turkish police and military. At this point they were grouped with ISIS by the government when they were targeted for a "synchronised war on terror" which has been used to justify the killing of hundreds in clashes in the south east of Turkey and airstrikes on northern Iraqi PKK encampment. However, in October of 2015, the Turks were eventually convinced to permit Kurds to head to Kobane where, again, US led airstrikes halted ISIS advances as they had done in Northern Iraq. After 3 more months of fighting, come January of 2016, Kurdish forces regained control of Kobane, marking the beginning of a series of victories against ISIS.

The Kurdish military involvement has since been almost universally backed, both politically and physically, by the US led multinational coalition. After capturing Kobane 2 years ago, they have defeated ISIS a number of times, gaining 400km of the territory straddling the Turkish border and rapidly approaching the largest and one of the final ISIS strongholds in Syria - Raqqa - where, as of July, there are Kurdish troops and American advisors within the city limits preparing for a campaign to retake the city which may take months. However, the fight against ISIS remains fractured, with Turkey shelling the YPG in February 2016 in response to a suicide bomb attack in Ankara which they blamed on the Syrian Kurdish group and Recep Erdoğan's government in Turkey continues to direct blame towards the Kurds.

Major Parties Involved

Kurdistan Workers' Party (PKK)

The Kurdistan Workers' Party (PKK), also known as the Congress for Freedom and Democracy in Kurdistan, is a militant Kurdish nationalist organisation formed in the late 1970s. It was originally dedicated to the creation of an independent Kurdistan, however it now aims to call for more autonomy for the Kurds. It is listed as a terrorist organisation by Turkey, the European Union and the United States. The party's military leader, Cemil Bayik, said: "We want to live within the borders of Turkey on our own land freely... The struggle will continue until the Kurds' innate rights are accepted." There have been multiple Kurdistan Workers' Party attacks on Turkish security forces, mostly in the south-east, including a car bomb in Cizre in 2016 which lead to the death and injury of many. Over the years, hundreds of people have died in the Kurdish-majority area in Turkey. The Kurdistan Workers' Party launched an armed struggle against the Turkish government in 1984, and they insisted that there should be an independent Kurdish state within the borders of Turkey. Turkish air force regularly carries out airstrikes against Kurdistan Workers' Party bases in Iraq. The party is also largely involved in the turmoil in Iraq and Syria, along with multiple other pro-Kurdistan parties, such as the Kurdistan Democratic Party (KDP).

Syria

Syria, located in the Middle East, is a major country involved in the question of Kurdistan. The Kurds make up between 7% and 10% of the Syrian population. Mostly North-eastern Syria is involved in the conflicts. The Kurdish population in the country has been suppressed and denied Syrian citizenship and basic rights. 300,000 Kurds have been denied citizenship since the 1960s. Over the years, they have faced systematic discrimination, which lead to the 2004 Al-Qamishli uprising against President Bashar al-Assad. Many protests have occurred in Syria, lead by Kurdish parties. The government has confiscated Kurdish land and redistributed this to the Arabs, with the aim of Arabizing Kurdish regions. Syria has attempted to limit Kurdish demands for greater autonomy by enforcing regulations against protests and arresting political leaders. The Kurdistan National Council declared the creation of a democratic autonomous government in January, 2014, which lead to many conflicts and tensions between the Kurds and the Syrian government. The Democratic Union Party, a Kurdish democratic political party established in Syria, demanded that all political settlements to end the ongoing conflict in the country must include legal guarantees for Kurdish rights and the recognition of the Kurdish democratic autonomous government.

Turkey

20% of Turkey is Kurdish, and this percentage makes up 23% of Kurds globally. South-eastern Turkey is most engaged with the issue. Turkey has no solution to the Kurdish question yet and are clear in their efforts to squash any Kurdish movement for liberation. This is clear from the historical events that occurred, specific records, and current policies. The Kurdish liberation movement pushed western ideals and capitalism into the country, so Turkey forced Kurds to assimilate into the country's culture. They took extreme measures, and banned the speaking of Kurdish, along with education on the Kurdish language or culture. The Turkish government



prohibited many Kurds from entering or living in Turkey after the establishment of the Kurdish Workers' Party (PKK). 700,000 Kurds were removed from the country as part of the Turkification of Kurds. The country went as far as banning Kurdish literature and music throughout Turkey in the 80s. The Treaty of Lausanne, a final peace treaty concluding World War I, which set boundaries of Turkey, made no provision for a Kurdish state. This has left the Kurdish people with a minority status, and has caused any move by the Kurds to set up an independent state to have been suppressed. The PKK, Kurdish Workers' Party, was set up in 1978 in Turkey, which lead to an armed struggle and the death of more than 40,000, along with the displacement of hundreds of thousands of people. Over the years, there have been many Kurdish protests both within the country and in surrounding areas. Currently there is still a profound opposition between the Turkish state and Kurds within the country.

Iraq

Iraq, more specifically Northern Iraq, is very much involved in the question of Kurdistan, with Kurds making up 15% to 20% of Iraq's population. The Kurds have encountered systematic discrimination and repression under the Ba'ath regime, an Arab political party advocating the formation of a single Arab socialist nation. Saddam Hussein launched a campaign of punishment and vengeance on the Kurds. A large-scale chemical weapons attack was therefore carried out by the Iraqi government in 1988, whereby Iraqi warplanes flew over the Kurdish town of Halabja. This killed at least 5,000 people and up to 15,000 were injured. The Kurdistan Democratic Party was set up, who aimed to fight for the right of self-government. This lead to the 1958 revolution. A new constitution in Iraq recognised Kurdish nationality, however self rule and self-government was rejected by the government, after which an armed struggle was launched. Iraq has forcibly relocated Kurds and settled Arabs in areas with Kurdish majorities. Kurdish rebellion and violent suppression were extreme. Since 2003, the Kurdistan Democratic Party and the Patriotic Union of Kurdistan have participated in all national governments.

Timeline of Key Events

Date	Description of Event
1915-1925	Ottoman Empire's final stages of dissolution occurred.
1920	After the defeat of the Ottoman Empire and the first world war,
	promises of a Kurdish homeland, Kurdistan, were made to the

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	Kurdish people in the Treaty of Sevres.	
1937	50,000 to 80,000 Kurds were killed in Turkey.	
1958	The Kurdistan Democratic Party was set up, with the aim of gaining the right of self-government, which lead to the 1958 revolution.	
1960s	300,000 Kurds have been denied citizenship in Syria	
1978	Abdullah Ocalan established the PKK (Kurdistan Workers' Party), which lead to an armed struggle and the death of more than 40,000.	
1980s	Kurdish literature and music was banned in Turkey.	
1984	The Kurdistan Workers' Party launched an armed struggle against the Turkish government calling for an independent Kurdish state within Turkey.	
16-17 March 1988 Iraqi government airplanes, under the command of Saddam		
	Hussein, the president of Iraq at the time, dropped chemical weapons on Halabja, a town populated by many Kurds.	
1990s	Thousands of villages were destroyed in the Kurdish region of Turkey, causing the conflict to reach a peak and killing more than 40,000 Kurds.	
1999	The leader of the Kurdistan Workers' Party was arrested and jailed for treason; Abdullah Ocalan.	
2003	The Kurdistan Democratic Party and the Patriotic Union of Kurdistan began participating in all national governments in Iraq.	
2004	The Al-Qamishli massacre occurred, which was an uprising by the Syrian Kurds in the city of Qamishli.	
March 2013	Abdullah Ocalan, leader of the PKK, called a ceasefire with the Turkish government.	



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- January 2014 The Kurdistan National Council declared the creation of a democratic autonomous government, which lead to conflict between the Kurds and the Syrian government in Syria.
- July 2015 A two-year ceasefire between the Kurdistan Workers' Party and the Turkish government ended, causing fighting to commence.
- February 2016 The Turkish authorities blamed the Popular Protection Units, the armed wing of the Syrian Kurdish Democratic Unity Party, for a suicide bomb attack in Ankara, which killed many.
- August 2016 The Kurdistan Workers' Party attacked the Turkish security forces with a car bomb in Cizre, a town near the Syrian border.

UN Involvement, Relevant Resolutions, Treaties and Events

The United Nations has been involved in attempting to resolve the question of Kurdistan a number of times. They have created and released several documents in regards to the issue. One of these documents includes Article 140 in the Transitional Administrative Law (TAL), in which the United Nations hopes to reverse the ethnic policies implemented by Saddam Hussein, the former president of Iraq. It hopes to help displaced Kurds return to Kirkuk, a city in the Kurdish region of Iraq, by moving the Arab population back to their native areas in the country. All in all, Article 140 calls for equal rights for the Kurdish population in Iraq. The United Nations hoped to achieve a 'domino effect' by releasing this article, whereby Iraq's neighbouring countries would follow Iraq's lead regarding the Kurdish Question once the points mentioned in the article have been achieved. Besides Article 140, the United Nations has also released a report in June, 2008, regarding four districts in Irag which could possibly act as a place for the establishment of a 'national unity' for the Kurdish population.

Furthermore, the United Nations has also considered an entirely separate country for the large Kurdish population to resolve the issue. They have been taking the PKK into consideration as an extremist organisation, and a terrorist group, and have been taking measures to help Turkey eradicate them when they pose extreme dangers to others. They constituted that the PKK does not represent the Kurdish population, and are simply an extremist terrorist organisation within the population. The United Nations aims to achieve world peace, so one of the times the United Nations was involved in the situation was when the ceasefire was called. In general, the United



Nations has definitely had an input on the situation, however they have not yet found a sustainable solution and resolution in collaboration with the governments and organisations concerned.

- Bonn Declaration of Common Heritage, 2 April 2009
- Oriental Cultural Heritage Sites Protection Alliance, 2010
- Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, 14 May 1954 (No. 3511)
- Convention Concerning the Protection of the World Cultural and Natural Heritage, 16 November 1972

Previous Attempts to Resolve the Issue

Although there have been several previous attempts to resolve the issue on the question of Kurdistan, this problem is far from being solved. Previous attempts can, however, be developed upon to construct more effective, sustainable solutions for all major parties involved. In 1920, after the defeat of the Ottoman Empire and the First World War, promises were made to the Kurds in the Treaty of Sevres that they would have the right to a Turkish homeland, Kurdistan. The treaty was a pact between allied powers and the government of Ottoman Turkey, abolishing the Ottoman Empire. It stated that the Kurds would have the right to an autonomous Turkey, meaning that they would have the power of self-government. Article 64 of the Treaty states: 'If within one year from the coming into force of the present Treaty the Kurdish peoples within the areas defined in Article 62 shall address themselves to the Council of the League of Nations in such a manner as to show that a majority of the population of these areas desires independence from Turkey, and if the Council then considers that these peoples are capable of such independence and recommends that it should be granted to them, Turkey hereby agrees to execute such a recommendation, and to renounce all rights and title over these areas.' However, in 1923, under the leadership of Mustafa Kemal Ataturk, the treaty was renegotiated, after which another treaty was constructed; the Lausanne Treaty. In the articles listed in the Lausanne Treaty, the Kurds no longer had the opportunity and right to a homeland and self-government. If the Treaty of Sevres had been put in place entirely, the current question of Kurdistan would not have been an issue.

Another previous attempt to resolve the issue was initiated by the President of Turkey, Erdogan. When elected for the first time in 2002, the president and his Justice and Development Party (AKP) made several vital pledges, including one relating to the Kurdish problem. He set a goal to 'find a peaceful resolution with the Kurds.' Over the years, Turkey has tried to make peace by attempting to form military solutions, such as calling a cease fire between Turkey and the PKK, the Kurdistan Workers' Party, which occurred in 2013. Abdullah Ocalan, the leader of the Kurdistan Workers' Party (PKK) urged PKK forces to withdraw from Turkey, after he had been arrested due to treason. The ceasefire has since collapsed, in July 2015, when armed struggles, bombings and fighting continued. This attempt to resolve the issue was not fulfilled due to the Kurdistan Workers' Party movement and the conflict between the Turks and the Kurds.

It has been very difficult to find a solution, as the question of Kurdistan has become more extreme over the years. The Kurds make up large percentage of the populations of Turkey, Iraq, Iran and Syria, which increases the scale of the problem. A solution needs to be found which meets the demands, beliefs and values of both parties.

Possible Solutions

There are essentially two categories of solutions, state solutions, and non-state solutions, split on whether or not the Kurds get a nation as a result. In the state solutions category there are further divisions concerning the answers to questions such as: Which country must sacrifice land for Kurdistan? Which current Kurdish political party takes charge? What determines citizenship of Kurdistan? Location or ethnicity? How is ethnicity defined for Kurds outside of the area wishing to return to their new 'homeland'?

The non-state solutions are as varied, but would require less change and are probably more inviting to the non-Kurdish parties involved. Kurds could be permitted to move between the Kurdish regions of the various countries of which the region of Kurdistan is a part. In which case, how would one rigorously define the qualities that make someone Kurdish? Kurds could have their rights heavily backed by the UN so that countries where they are an oppressed minority such as in Turkey might receive consequences for their mistreatment of the Kurds. However, this raises the question of Turkish sovereignty and whether it is the place for the UN to involve itself.

It feels like a stable, unified Kurdish state is so far away in so many respects at the moment that it is difficult to imagine what it would look like, and the process towards any solution seems riddled with questions and problems. However, there are a number of issues which need to be resolved prior to its formation. Firstly, the many different Kurdish political and militant groups in Turkey, Iraq and Syria would need to form a consensus on what they want, as there is a large variance in the degree of nationalistic belief amongst these groups with some groups demanding a Kurdish

state, and others rejecting the idea completely. Second, a resolution of the tensions between Turkey and the PKK. So long as the Turks and the PKK are in armed conflict against each other, any resolution of the issues cannot be completed, thus an end to the current back and forth of bombing and aggression must be found. Thirdly, a decision by the international community on whether it supports a Kurdish state. Without a defined position on the issue of a Kurdish state, the UN will struggle to mediate negotiations of any kind or to facilitate a reduction of tensions in the area.

There are many, many, other things that would aid in finding any solution to the Kurdish struggle, not least among them, the elimination of ISIS and the end of the Syrian Civil War. However, steps can be taken towards improving the situation for the Kurds of the region and smoothing tensions between the Kurds and the states which they occupy.

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