

# The Human Cost of the PKK Conflict in Turkey: The Case of Sur

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## I. Overview

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The breakdown of negotiations between the Turkish state and the Kurdistan Workers' Party (PKK), reignition of hostilities in July 2015 and subsequent spiral of violence underscore the urgent need for a new peace process. Since December, however, confrontations between Turkish security forces and the PKK – listed internationally as a terrorist organisation – have entered an unprecedented stage. The state imposed urban curfews to “restore public order” in towns where PKK-backed youth militias were resorting to barricades and trenches to claim control. Those curfews, lasting for days or weeks at a time, have resulted in months-long battles in towns and city districts throughout the south east. More than 350,000 civilians are estimated to have been displaced and at least 250 killed as security forces deploy tanks and other heavy weaponry to urban centres and the PKK engages in asymmetric urban warfare to prevent the government from retaking full control.

Though some curfews have been lifted in the last few weeks, the human cost of conflict continues to rise sharply: of the 350 Turkish police and soldiers killed in eight months of fighting, 140 died in the first two months of 2016, according to Crisis Group's open-source casualty tally. The conflict has also struck the capital, Ankara, twice in two months: on 17 February, a car bomb near the parliament killed 25 military personnel and four civilians, while on 13 March a suicide bomber at a bus stop during rush hour killed 37 civilians.

Both attacks have been claimed by the Kurdistan Freedom Falcons (TAK), an offshoot of the PKK. Nationalist anger was heightened when the pro-Kurdish Peoples' Democratic Party (HDP) decided not to sign the parliamentary condemnation of the first attack, arguing that Islamic State (IS) attacks in Suruç, Ankara and Sultanahmet and civilian losses during the curfews should be condemned in the same declaration. Three days later, an HDP member of parliament attended a condolence ceremony for the individual who exploded the bomb. While HDP condemned the second attack, it again did not join the statement issued by the other parliamentary parties. These developments fed the increasing public perception and the government's steadfast conviction that the HDP, a legal political party, cannot distance itself sufficiently from the PKK.

Domestic political discourse is polarised and hardening, while the space for dissent on the Kurdish issue or other contentious ones such as democratic reform is shrinking, as Ankara adopts an increasingly defensive, often heavy-handed line. The effort of the ruling Justice and Development Party (AKP) to lift parliamentary immunity from five HDP deputies, including its co-chairs, for supporting terrorism threatens to dismantle a significant legal outlet for millions of predominately Kurdish voters. It also supports the PKK's argument that "self-defence" is needed as political options for solving the conflict are narrowed by the rupture of talks with the PKK's imprisoned leader, Abdullah Öcalan, and arrest of local HDP political representatives.

The densely-populated south-eastern cities and towns are set to remain on the front line, despite the drawdown of the last weeks. With winter's end and emboldened by the role of its Kurdish affiliates in Syria, the PKK is readying for more pushback against the government, while the prospect of further attacks in the west of Turkey by radical Kurdish groups has risen significantly. Newroz – a festival traditionally celebrated by Kurds in Turkey around the March equinox – risks inflaming further unrest.

Ankara has promised to rebuild shattered towns and districts, but also to beef up the security forces with larger police stations and more checkpoints in the most restive communities. This is unlikely to remain unchallenged by the PKK and its sympathisers. Meanwhile, its plan to sideline the HDP will limit the potential of the government's initiatives to be embraced by the HDP's significant constituency in the region. And Ankara's room for manoeuvre is limited until Kurdish movement representatives condemn violence and refrain from treating armed resistance as a legitimate form of dissent against the state.

The only way toward a durable solution is peace talks with the PKK accompanied, on a separate track, by ensuring further democratic rights for Turkey's Kurdish population, including full mother tongue education, further decentralisation, a lower electoral threshold for parties to enter parliament and an ethnically neutral constitution. But the immediate priority is to manage the situation to prevent more casualties and displacement. In the short term, Ankara should create a solid legal basis for further curfews, focusing on practices that limit civilian casualties and human rights abuses, and holding security forces accountable for breaches. It must ensure that human rights violations are addressed by due process, reconstruction does not disenfranchise property owners and tenants displaced by fighting, and those who wish to can return to their homes.

Both Ankara and the PKK say the psychological fault lines of the conflict and the loyalties of the predominantly Kurdish citizens in the south east have shifted decisively in their favour. The state argues that the PKK's shift to urban warfare has enraged once sympathetic residents. The PKK argues that the use of heavy weapons in towns and cities provokes a region-wide backlash against Ankara. Crisis Group research in Diyarbakır, the largest city in Turkey's majority Kurdish heartland, shows, however, that neither side has markedly shifted civilian sentiments over the three-decade-old conflict. This briefing presents a snapshot of that research. Reflecting perspectives of officials, NGOs, municipality representatives, lawyers and displaced individuals, most of whom were not willing to be identified, it aims to draw attention to the increasing human costs of the confrontation by analysing recent conflict dynamics in the Sur district.

## **II. What is a Curfew, Who is a Civilian?**

Fought between PKK militants and PKK-linked youth militia who deepened their presence in south-eastern cities while a ceasefire was underway between March 2013 and June 2015, and state security forces, which have deployed heavy weapons to enforce months-long curfews, urban warfare has ravaged towns and city districts throughout the region. Turkish security forces have imposed 59 curfews in eighteen south-eastern towns and districts between August 2015 and mid-March 2016 to ensure full government control over areas where Kurdish politicians declared autonomy, and where Kurdish militant presence has grown significantly.<sup>1</sup> While most urban curfews have been short and accompanied by limited fighting, some transformed into battlegrounds of a conflict that no longer is restricted to the mountains and rural areas of the south east.

By mid-March, military operations had ended in the south-eastern districts of Silopi, Cizre, İdil and Diyarbakır's historic Sur district. A curfew remains in parts of Sur, as security forces comb the area. A second curfew was recently declared in Bağlar district, next to Sur. The curfew is around-the-clock in İdil, only after dark in Silopi and Cizre, but military operations are underway in Yüksekova, a town in the far south east (Hakkari province), and in the towns of Şırnak, the centre of Şırnak province, and Nusaybin, along the Syrian border (Mardin province).

The human costs are high, though they vary widely among districts. According to government sources, 355,000 civilians have left their homes due to spiralling violence in their neighbourhoods.<sup>2</sup> Since July 2015, a Crisis Group open-source casualty database confirms the deaths of at least 254 civilians; another 163 men and women between sixteen and 35 who died cannot be readily identified as militants or civilians from press reports or social media postings.

There have been two confirmed civilian deaths in Sur, a historic district in the predominately Kurdish city of Diyarbakır, since military operations began there on 2 December; seven more civilians died in anti-curfew protests throughout Diyarbakır in the same period, according to the Crisis Group tally.<sup>3</sup> In Cizre, a town of 120,000 between Turkey's borders with Syria and Iraq, HDP officials have released the names of 169 residents allegedly killed during a more than three-month curfew and say the overwhelming majority were civilians.<sup>4</sup> Ankara has refrained from providing its own estimates of civilian casualties and says more than 660 militants were killed during the curfew.<sup>5</sup>

The lack of clear identification of individuals as civilians or militants has itself become a political issue, directly linked to Ankara's and the Kurdish movement's competing narratives over the conflict. The lack of trust and communication between

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<sup>1</sup> Between August 2015 and 15 March 2016, curfews have been declared in the neighbourhoods of Sur and Yenişehir in Diyarbakır city and the towns of Lice, Silvan, Hazro, Hani, Dicle and Bismil in Diyarbakır province. They have also been declared in the towns of Cizre, Silopi, and İdil in Şırnak province, and of Nusaybin, Dargeçit and Derik in Mardin province, Yüksekova in Hakkari province, Arıcak in Elazığ province, Sason in Batman province and Varto in Muş province (see Map, Appendix A).

<sup>2</sup> "Müezzinoğlu: Terör yüzünden 355 bin kişi göç etti" ["355 thousand migrated because of terrorism"], Doğan News Agency, 27 February 2016.

<sup>3</sup> See fn. 26 below.

<sup>4</sup> HDP Information Note, 13 March 2016.

<sup>5</sup> "1220 terrorists killed in Turkish security operations", Anadolu Agency, 10 March 2016.

central and centrally-appointed structures on the one hand, and locally-elected bodies on the other hand, has left residents particularly vulnerable.

In curfew zones throughout the south east, alleged rights violations by security forces have added to the psychological toll. The Kurdish movement claims that police violence targeting civilians on the streets and in prisons is rising steeply.<sup>6</sup> Photos widely shared on social media and said to be from the area, show dead and captured militants, male and female, stripped of their clothing. The proliferation of threatening, ultra-nationalist graffiti in neighbourhoods visited by security forces has stirred resentment of locals. A draft law recently prepared by the defence ministry, requiring approval by both the prime minister and defence minister for investigation of soldiers accused of torture or ill-treatment, could make it harder for abuses to be uncovered.<sup>7</sup>

Media access to curfew zones has been severely limited, stifling independent reporting on civilian deaths and conditions. Photos of funerals posted on social media remain one of the few ways to tally lives lost, though confirming affiliations is difficult. The distinction between civilians and militants has been chiefly complicated by emergence of the Patriotic Revolutionary Youth Movement (YDG-H), an informal, pro-PKK youth militia whose members do not wear the loose-fitting, olive fatigues traditionally favoured by the insurgency. Starting on 27 December, YDG-H militias across the south east were restricted as Civil Protection Units (YPS), a shift accompanied by widening participation in the urban war of seasoned, rural PKK militants, known to the security forces from previous escalation cycles. Security-force casualties from snipers and improvised explosive devices (IEDs) in curfew zones have increased markedly and are likely to increase further as spring conditions allow easier passage of PKK fighters from the Qandil Mountains.

Across the south east, affected residents complain that curfews are often imposed indiscriminately and with little advance warning, forcing locals to flee their homes hurriedly, without knowing if they can return for days or months. A middle-aged man who had to leave his home in the Sur district told Crisis Group: “You never know when it is going to end. When it does, and you leave the area, you don’t know where to get help”.<sup>8</sup>

Kurdish political movement representatives say the curfews have no legal basis. Prior to summer 2015, there was no practice of imposing them except under emergency rule (OHAL).<sup>9</sup> In recent months, governors have cited the eleventh chapter of the Provincial Administration Law, which says governors and district governors “... take necessary decisions and measures to safeguard peace and security within provincial borders”.<sup>10</sup> The clause includes no definition of a curfew or rules on imposition and duration. In coordination with security forces, provincial chiefs use their discretion in declaring curfews, a practice that leads to legal arbitrariness and adds to the ambiguity of the measure. It is not defined, for instance, which institutions should be

<sup>6</sup> “Erzurum H Tipi Cezaevinde İhlaller Artıyor” [“Rights Violations Increasing in Erzurum H Type Prison”], Dicle News Agency, 15 March 2016.

<sup>7</sup> “Askere terör zırhı” [“Terror shield for the military”], *Hürriyet*, 28 February 2016.

<sup>8</sup> Crisis Group interview, middle-aged man displaced from Sur, Diyarbakır, January 2016.

<sup>9</sup> The state of emergency, known as OHAL (abbreviation of the Turkish Olağanüstü Hal), was used to enforce military rule in the south east between 1994 and 2002. Though emergency rule is subject to parliamentary approval and oversight, its imposition in the south east is synonymous for many with state killings and forced disappearances.

<sup>10</sup> Provincial and district governors are authorised to take such security measures per Articles 11/C and 32/Ç of Law 5442 on Provincial Administration.

activated in a curfew and what measures should be taken to protect civilians before, during and after one.

In order to win hearts and minds of civilians, the government should actively dissipate their sense that curfews are arbitrary and unpredictable. When it sees a legitimate need to impose curfews, it needs to better define them within existing legal structures and better ensure humanitarian protection of and provision for civilians. This could include a clearer distribution of duties between gendarmerie, police and military units; more adequate support activities in health care, education and social services to be undertaken by local representatives of ministries in and around curfew zones; and a clearer definition of how to coordinate aid/support activities for civilians leaving curfew areas.

### **III. The Sur Case Close-up**

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In July 2015, the majority Kurdish city of Diyarbakır secured UNESCO world heritage status for its historic Sur district, an ancient quarter of cobbled streets, craftsmen's stalls and hustling bazaars. Encompassing the Selçuk-era citadel, 6km of black basalt embattlements and ancient gardens that run between the city and the Tigris River, the UNESCO designation capped years of effort to restore and promote one of the Middle East's best-preserved walled cities. Underscoring local confidence in negotiations between the state and PKK, scores of expensive hotels opened along Sur's tourist thoroughfares over the last decade. Ottoman-era mansions in the basalt citadel, once an infamous prison complex, were reopened as an archaeological museum in early 2015. The thirteenth-century St. Giragos church, one of the largest in the Middle East, was restored to its splendour in 2011, revitalising memories of Diyarbakır's prosperous ethnic-Armenian community after a century of silence.

Sur, however, also remained a focal point of poverty and resentment against the state. Many residents had lived through the Turkish military's wholesale destruction of Kurdish villages in the 1990s, and first arrived in the district's narrow, winding backstreets after losing their ancestral homes at the height of the conflict. Despite a tourism boom in Sur, city-wide youth unemployment was estimated at twice the national average, while urban redevelopment programs threatened to displace the residents who crowded Sur's many low-income apartment buildings.<sup>11</sup>

Sur district's former mayor, Abdullah Demirbaş, who was arrested and removed from office on charges of funnelling city funds to the PKK in August 2015, and whose son joined that organisation seven years ago, explained the motivations of the young fighters:

They are saying "the state has deceived us". For them, the state strung along the Kurds during negotiations with Öcalan, the state gained time, and Erdoğan wanted to become president in a presidential system by winning elections for which the state tried to use the Kurds. This is why they rose up.... They also told me they have lost any belief in democratic politics.... When I was in prison I tried to convince one of them that this is not the right way to go. He replied: "We don't believe in democratic politics in Turkey; don't try to fool us". ... These young people are

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<sup>11</sup> "Diyarbakır'ın kalbi tekliyor" ["Diyarbakır's heart is stammering"], Deutsche Welle Türkçe, 29 February 2016.

blaming us for engaging in democratic politics. They are saying that our struggle in the political arena is in vein. In 2009, before joining the PKK, my son told me the same. ... They think they will make the state take steps only if they showcase their armed force.<sup>12</sup>

A well-known Kurdish political movement figure and co-chair of the Democratic People's Congress (DTK), Hatip Dicle, agreed that youth radicalisation goes back to the peace process time:

The strategy of digging trenches and setting up barricades actually already started in 2014, when young groups dug a trench between Lice and Bingöl. Youth groups who were doing this when the peace process was still ongoing were telling us that they were not happy about the state's actions and the building up of military outposts. They said they did this to hinder security forces entering their towns and arresting them.<sup>13</sup>

Ankara, on the other hand, sees such local efforts as a direct challenge to its ability to control the area. This became an immediate concern in summer 2015, when YDG-H members began digging trenches, erecting street barricades and conducting armed night patrols in Sur. In August, scores of officials belonging to the Democratic Regions Party (DBP), a local HDP affiliate, declared "self rule" in fifteen south-eastern towns and urban districts.

In response, in Diyarbakır province, police have arrested seventeen municipal officials, including ten co-mayors and three local council members, mainly on charges of PKK membership and autonomy declarations, since the end of the ceasefire. Between August and November 2015, Sur was the scene of four curfews and dozens of deadly confrontations between security forces and members of the YDG-H. On 28 November, unknown gunmen killed prominent Kurdish rights activist and Diyarbakır Bar Association head Tahir Elçi during an armed clash in the centre of the district.<sup>14</sup>

On 2 December, Turkish authorities announced a curfew in Sur's easternmost neighbourhoods. It has extended some 100 days, during which more than 60 security officials have been killed in heavy fighting with militants. Hundreds of buildings have been destroyed or damaged. The sixteenth-century Fatih Paşa Mosque has been repeatedly gutted by fires, while heavy weaponry has destroyed the steeple and one wall of the century-old Armenian Catholic Church.

Authorities point out that the rights of citizens to access public services was violated by the PKK, not the state. According to Diyarbakır's provincial governor, a security crackdown was needed to restore daily life, since residents' access to school, work, hospitals and places of prayer was already obstructed by the militants' barricades and trenches. "We were not able to clear the trenches and barricades, which had explosives built into them, with non-military means", the governor said. "Whenever we gave a break to military operations and lifted the curfew, the PKK streamed in and increased its presence in these neighbourhoods".<sup>15</sup>

But human rights activists in Diyarbakır are highly critical of the security strategy the state has employed: "The legal basis of curfews declared is questionable. It would

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<sup>12</sup> Crisis Group interview, Istanbul, February 2016.

<sup>13</sup> Crisis Group interview, Hatip Dicle, DTK co-chair, Diyarbakır, January 2016.

<sup>14</sup> "Questions linger as thousands mourn slain lawyer Tahir Elçi", *Daily Sabah*, 29 November 2015.

<sup>15</sup> Crisis Group interview, January 2016.

even be better for the state to declare OHAL, as that measure at least has a legal basis, and you can invoke action against human rights violations during implementation”, one said. “Curfews are nothing but collective punishment for all living in the district”.<sup>16</sup>

#### *A. Life under Curfews*

According to official figures, 23,000 of 25,000 residents fled their homes during the long curfew in six of Sur’s most restive neighbourhoods. In other curfew zones in the region, fewer residents left, despite the military operations, because districts such as Cizre, Silopi and Nusaybin are more secluded, thus not conducive for their populations’ relocation to safer neighbouring districts. State authorities say those in curfew zones were given food aid.<sup>17</sup> Access to health services, though, was limited, as ambulances could not enter curfew areas, mainly due to PKK obstruction. Schools in curfew areas were not accessible either, causing massive disruption in education.

People left without taking their belongings, seeking refuge mostly with extended relatives,<sup>18</sup> or joining neighbours to rent apartments in safer districts. A 56-year-old man who owned a house in the Sur district explained his frustration over the lack of public warning preceding curfews: “Once operations start, there is no way out for you. You don’t know when the curfew will be lifted. It could be a day, but it also could be three months. This is why at the earliest opportunity people leave their homes”.<sup>19</sup> As noted by the governorate in a written interview, the curfew was temporarily lifted four times to enable remaining residents to leave. At other times, residents could call the 155 hotline and request emergency/rescue teams to help them to evacuate or buy food/water from markets. Those who had not left by late January were estimated to be around 2,000 and considered to be aiding the militants – cooking food, serving as human shields – either voluntarily or at gunpoint. By 8 March, the authorities stated, no civilians remained in the curfew zone.<sup>20</sup>

Crisis Group research shows that the families left Sur hoping to return once security operations and curfews ended. A father of a family that had to leave after the 2 December curfew was lifted for seventeen hours on 10 December explained:

The curfew in Sur was horrible. We were not able to go out; we were running out of food and water. Then, when the curfew was lifted for a short period, we decided to leave just like that without taking anything with us. We thought the curfews would be over at some point, and we would be able to return. But the curfew is still going on. Then we decided to rent a flat with four brothers of mine and their families, who were also in a really bad situation. Now we are 39 in this three-room flat, nearly twenty of us are children. We were told by our old neighbours who stayed that our houses had been burnt together with all our belongings.<sup>21</sup>

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<sup>16</sup> Crisis Group interview, Diyarbakır, January 2016.

<sup>17</sup> Crisis Group interview, governor of Diyarbakır, Diyarbakır, January 2015.

<sup>18</sup> As of January 2016, according to a Crisis Group interview with the metropolitan mayors, half the displaced had settled with extended families in neighbouring districts.

<sup>19</sup> Crisis Group interview, displaced person from Sur, Diyarbakır, January 2016.

<sup>20</sup> Email answers provided by the governor’s office to Crisis Group, 9 March 2016.

<sup>21</sup> Crisis Group interviews, displaced civilians from Sur, Diyarbakır, January 2016.

## **B. *The Information War***

The conflict narratives have clashed for decades. The same history is presented by the PKK as thwarted self-determination and state oppression, and by the state as hegemonic aspirations pursued by terrorism. The conflict and the mutual recriminations over the devastation have widened an increasingly confrontational AKP-HDP relationship. The legal, pro-Kurdish political party has 59 deputies in the parliament (out of 550), but the government and parts of the opposition accuse it of links to the PKK, something the HDP denies, though on occasions some members have admitted their constituencies overlap significantly.

Both Ankara and the Kurdish movement have argued that the privations of urban warfare have pushed residents into their camp. Ankara says civilians blame the PKK for bringing the conflict to city centres; HDP politicians argue that the vast majority of Kurds see security operations as collective punishment and a way to undermine democratic Kurdish politics. Kurdish movement representatives repeatedly allude to raging anger against the state. Hatip Dicle explained:

There is deep anger. ... As time goes by, and no shimmer of light at the end of the tunnel is seen, this anger swells. Yes, people might have been angry at the PKK in the beginning [when trenches were dug and barricades erected], but time is to the state's disadvantage. The longer the operations take, the harsher the reactions against the state become.<sup>22</sup>

The district governor of Sur, Memduh Tura, puts the state's perspective in a nutshell: "These people were made victims by the PKK; therefore, our task is to manage the crisis well and clear away the victimhood inflicted upon them".<sup>23</sup> Government-aligned NGOs allege that for the first time people in the region are turning against the PKK and asking the state to conduct military operations to cleanse the area of militants. A member of an Islamist human rights NGO giving aid to displaced persons said:

I have been involved with the Kurdish issue throughout my entire career and for the first time ... I am blaming the PKK. I had always been blaming the state before. ... Today people have turned against the PKK; they are asking for the state to conduct operations in the districts where PKK militants have tried to establish control. ... We have actually seen people who hugged police officers when they were rescued from their homes. ... The public is currently squeezed between the PKK and the state. The state needs to show its citizens that it is present and ready to help. It needs to intervene, and it does. We are not going through the awful 1990s again, thank God.<sup>24</sup>

The propaganda war waged by both sides extends to basic figures, including the civilian death toll in Sur – a prime example of how human security issues are instrumentalised for politics. While Turkish officials allege that hundreds of PKK militants and only one civilian have died during the curfew there, HDP members allege that at least 26 civilians have died during the curfew declared on 2 December.<sup>25</sup> According to the Crisis Group open-source tally, nine civilian deaths have been verified in that period.

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<sup>22</sup> Crisis Group interview, DTK co-chair, Diyarbakır, January 2016.

<sup>23</sup> Crisis Group interview, January 2016.

<sup>24</sup> Crisis Group interview, Diyarbakır, January 2016.

<sup>25</sup> HDP Information Note, 13 March 2016.



A member of another Islamist NGO argued that diverging casualty tallies are rooted in a fierce battle over the propaganda value of funerals throughout the south east. “The PKK constantly tries to ignite a funeral crisis. Every day civilians are being killed, and a propaganda war on these civilian deaths is raging”, he said. “The PKK alleges the state does not want to deliver the dead bodies to their families and whenever possible tries to stage a humanitarian crisis to nurture anti-state sentiments”.<sup>26</sup> The flip-side is that the deaths of security force members have been depicted on national TV stations with long funeral scenes, stoking fury against the PKK across the country. While authorities have largely shied away from confronting allegations of civilian deaths in curfew zones, the HDP says that these have increased rapidly in recent months – that, for instance, there have been over 169 in Cizre since a curfew was imposed there in early December.<sup>27</sup>

The state also accuses the HDP and HDP-run municipalities of supporting the PKK’s urban warfare strategy. Muhammed Akar, AKP provincial head in Diyarbakır, said, “I always thought the municipality is unwilling to cooperate with the government because they want to garner more votes, but actually now we know that they were preparing for the urban warfare dictated to them by Qandil [short hand for the PKK leadership]”.<sup>28</sup> The allegations by government representatives reach as far as accusing the municipality of helping young militants to dig trenches with its earth-movers.<sup>29</sup> Gültan Kışanak, mayor of the HDP-run Diyarbakır metropolitan municipality, countered:

We always have some people here at the municipality from the central government who are auditing our activities and our finances. Do you think we would still be in office if they had even the slightest proof that we actually supported the [PKK] in any way? ... There are now even people in Ankara who want to cut our state budget allocations. This is unacceptable. We would all be in jail today if they had found that even one Turkish Lira was transferred to the PKK.<sup>30</sup>

Crisis Group interviews with displaced individuals and families showed that neither side’s claims are the full picture. While the interviewees criticise the PKK for its urban warfare strategy, digging trenches and erecting barricades in urban areas, it still enjoys significant legitimacy among Kurds in the region. A middle-aged man displaced from Sur said, “of course we had wished those trenches not be dug in front of our doorsteps. But how can we be angry at the organisation [the PKK]? We the people are the organisation; our sons our brothers and sisters are the organisation”.<sup>31</sup> No one interviewed expressed satisfaction with the security operations, though there was general appreciation of the state’s support for the displaced and its more positive

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<sup>26</sup> Crisis Group interview, Islamic NGO representative, Diyarbakır, January 2016.

<sup>27</sup> HDP Information Note, 13 March 2016.

<sup>28</sup> Crisis Group interview, January 2016.

<sup>29</sup> An investigation into these allegations was initiated against the six HDP-run Diyarbakır district municipalities on 9 January: Dicle, Silvan, Sur, Kulp, Bismil and Lice. Six employees were detained. “Diyarbakır’da ‘PKK’ya yardım’ gerekçesiyle 6 belediyenin iş makinelerine el konuldu” [“Earthmovers belonging to 6 municipalities in Diyarbakır were seized on grounds of aiding PKK”], T24, 9 January 2016.

<sup>30</sup> Crisis Group interview, Diyarbakır, January 2016.

<sup>31</sup> Crisis Group interview, Diyarbakır, January 2016.

attitude compared to the 1990s.<sup>32</sup> Sweeping conclusions about changed sentiments appear to be unsubstantiated.

### *C. Remedying Loss of Home, Public Services, and Businesses*

Since 1 January 2016, the state has introduced compensation measures to aid the displaced, such as rent-support.<sup>33</sup> Diyarbakır's governor told Crisis Group during a visit to the province: "[As of late January] we have spent 3,857 million TL [around \$1.34 billion] in cash. Each family is getting 1,000 TL [some \$350] per month since November. They apply for support through the district governors. ... There is a Prime Ministry Emergency Support Fund that can be used in the framework of the anti-terror law".<sup>34</sup> Displaced Sur residents largely verified state assistance claims, though as of late January many were unaware the support was readily available or had increased from 300 TL to 1,000 TL (\$105 to \$350).

A twenty-year-old mother of a two-year-old boy whose husband had been arrested as a YDG-H member and who had to flee Sur to take refuge at her father's house explained: "I received 300 TL [some \$105 USD] in cash from the Sur district governorate once and also got medical support for my son's vaccines free-of-charge. But neither the municipality nor any other institution helped me".<sup>35</sup> An Islamic aid NGO representative explained: "The state is actually providing support to those in need, but there is a lack of access to information for the people who had to leave Sur. They don't know how and where to apply to get support".<sup>36</sup>

By the end of January, the governorate had placed some 400 people, mostly families fleeing from Sur, in hotels and state institutions' dormitories.<sup>37</sup> To address interruption of education and health access of the displaced families, the state enabled these services to be provided wherever families moved. Though the government provided remedial courses in theory, access remained limited. Crisis Group interviews with displaced families showed some remained unaware the state was providing remedial courses in other districts and did not know where they needed to apply to sign up their children. A prominent Diyarbakır human rights lawyer elaborated:

In order to sign up their children for remedial courses in schools located in other districts, the authorities told families to transfer their postal address registration to the new districts, as this was what the regulation foresaw. Since many feared that, if they transfer their addresses, it will not be possible to claim rights for their damaged homes/belongings in Sur anymore, they did not make this change and thus could not send their children to schools for remedial courses.<sup>38</sup>

For the 2,000 residents who remained in Sur, access to humanitarian aid was a challenge, not least because their status as civilians or militants' accomplices was contested. The governorate explained that bread and water were delivered to them regularly

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<sup>32</sup> Crisis Group interviews, displaced civilians from Sur, Diyarbakır, January 2016.

<sup>33</sup> "Sur'da göç edenlere valilikten yardım" ["Aid to the ones migrating in Sur"], *TİMETURK*, 2 January 2016.

<sup>34</sup> Crisis Group interview, Hüseyin Aksoy, January 2016.

<sup>35</sup> Crisis Group interview, Diyarbakır, January 2016.

<sup>36</sup> Crisis Group Interview, Serdar Bülent, Diyarbakır, January 2016.

<sup>37</sup> Crisis Group interviews, Diyarbakır Governor Hüseyin Aksoy, Diyarbakır Metropolitan Mayor Co-Chair Gültan Kışanak, Diyarbakır, January 2016.

<sup>38</sup> Crisis Group telephone interview, 11 March 2016.

by security forces. The governor said that in the first two months of the clashes it distributed 7,000 loaves of bread and 1,900 food boxes to civilians left in Sur through the neighbourhood heads (*muhtar*). While the governorate announced that as of 25 January around 2,000 civilians were still in the six Sur neighbourhoods, it wrote Crisis Group that none were left as of 8 March.

Many businesses and NGOs have pledged to aid the displaced, including the Diyarbakır Chamber of Industry and Commerce, businessmen, HDP-run municipalities, HDP-aligned NGOs, including the Rojova Association, and Islamic charities, including Diyanet-Sen, Memur-Sen, Ay-Der, Özgür-Der and IHH. Most told Crisis Group they focus on bedding and subsistence food packages.

Due to political and ideological differences, however, these institutions have relied on their own databases to track the displaced families, rather than consolidating the piecemeal information they can gather. The HDP metropolitan co-mayors point out that a political vacuum has increased the human cost of the operations. “Our ability to talk to the governor has decreased”, one said. “With HDP representatives removed from office or arrested, or unable to take their place of work, they have not been able to be effective. The political vacuum is inevitably filled by others”, implying the PKK. The possibility to meet the governor has gone down significantly, he added.<sup>39</sup>

The sides should work together to provide aid and other support to civilians. The HDP-run municipality asserts that its field workers have reached out to all displaced by fighting.<sup>40</sup> Individuals who receive financial support from the district governorate of Sur are registered in a database. However, due to the administrative and political disjoint between the two, there is no unified registry combining information collected by both sides. While state-appointed governorates have the ability to pressure the central government for more funds and resources, municipalities have broad outreach among needy constituencies. A joint emergency support desk could help pool capacities of these two main actors and, with local NGOs, help make aid services more systematic and targeted.

Loss of work has been another issue. The Sur district has traditionally been the area of Diyarbakır’s small businesses – goldsmiths, drapers, shoemakers, and other shopping outlets. A human rights activist pointed out: “Around 400,000 to 500,000 people used to visit Sur daily for business or shopping, when there was peace in the city. It is the heart of Diyarbakır’s economy”.<sup>41</sup> The Diyarbakır Chamber of Industry and Commerce estimated that some 3,000 registered small businesses/shopkeepers and 6,000 non-registered small businesses/shopkeepers of the Sur district have been affected by the conflict.<sup>42</sup>

While the curfew area includes fewer businesses, adjacent neighbourhoods were also affected, as people kept a distance from the general area. Around 10,000 jobs were estimated to have been lost. The chamber head said:

In the last six months in which curfews were intermittently imposed in Sur, there was an estimated total loss of one billion TL in turnover [some \$350 million] In one year, there was a contraction in exports of nearly 20 per cent in Diyarbakır ....

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<sup>39</sup> Crisis Group interview, Fırat Anlı, Diyarbakır, January 2016.

<sup>40</sup> Crisis Group interviews, Diyarbakır, January 2016.

<sup>41</sup> Crisis Group interview, Diyarbakır, January 2016.

<sup>42</sup> Crisis Group interview, Ahmet Sayar, businessman and head, Diyarbakır Chamber of Industry and Commerce, Diyarbakır, January 2016.

One-fourth of the employment in Diyarbakır is in the construction sector. That sector is also going down right now, so the conflict is affecting a broader segment of people in the province but also in neighbouring provinces. Bankruptcy applications have also gone up considerably.<sup>43</sup>

To remedy the impact on small businesses, the state postponed the social security payment requirements of small shopkeepers for three months. It also gave 3,000 TL [around \$1,000] cash support for small registered businesses whose yearly turnover is below 120,000 TL [around \$42,000].<sup>44</sup> The president of the Human Rights Association (IHD), Raci Bilici, however, criticised the government's support to shop owners: "The daily net turnover of each shop owner is around 10,000-15,000 TL [around \$3,500 to \$5,200] and the state provides them a one-time payment of 3,000 TL [around \$1,050]. This is clearly insufficient".<sup>45</sup>

#### **IV. New Solutions to Familiar Challenges?**

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A ten-point counter-terrorism action plan unveiled by Prime Minister Ahmet Davutoğlu on 5 February called for addressing the human cost of the recent escalation and promised comprehensive democratic reform.<sup>46</sup> The plan includes measures such as establishment of a Family Social Support Program, compensation for economic and financial losses, reconstruction and rebuilding of demolished south-eastern districts, an efficient public communications system and consultation councils of NGOs and opinion leaders. It also includes broader measures, such as bridging the gap between people and state, a new constitution and expanding the authorities of local administrations. Davutoğlu said:

We will heal all the wounds caused by terror incidents. Do you think that we, the ones who have not caused the victimhood of other aggrieved peoples [implying Syrian refugees] can leave our own citizens going out of Sur and Cizre to the mercy of these [implying PKK and PKK-close groups]?... We will satisfy all their needs. All our brothers and sisters affected will get regular rent allowance. We will make sure our students get education in the best possible circumstances. We will provide remedial education.<sup>47</sup>

Davutoğlu also stressed rebuilding and reconstruction plans, with special emphasis on Sur, owing to its historic nature.<sup>48</sup> The government presented its proposed way forward more concretely on 5 March, after operations ended in Şırnak's Silopi district. According to the assessment prepared by the environment ministry, 6,694

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<sup>43</sup> Ibid.

<sup>44</sup> The Diyarbakır governorate informed Crisis Group that as of 8 March, 3,222,500 TL (some \$1.12 million) in cash support was given to 1,160 small businesses. This was a one-time payment, only for registered businesses. Besides that, 395 non-registered business owners were supported with 395,000 TL (some \$137,000). Crisis Group email communication, Diyarbakır Governorate, 9 March 2016.

<sup>45</sup> Crisis Group interview, Diyarbakır, January 2016.

<sup>46</sup> "PM Davutoğlu reveals comprehensive counterterrorism master plan", *Daily Sabah*, 5 February 2016.

<sup>47</sup> "Davutoğlu 'Terörle Mücaele Eylem Planı'nı Açıkladı' ["Davutoğlu announces Counter-terrorism Action Plan"], *Bianet*, 5 February 2016.

<sup>48</sup> Ibid.

buildings were damaged and 27 demolished in eight months of fighting.<sup>49</sup> The government promised financial support for families whose homes had been damaged and initiated a wide-ranging city planning and reconstruction process, including infrastructure, road construction and compensation for businesses. It also promised psychological support to 5,000 directly-affected Silopi families and children.<sup>50</sup>

These announced measures indicate that the state is ready to remedy certain aspects of the conflict's human cost. However, equating reconciliation with reconstruction risks ignoring the deeper traumas of prolonged urban conflict, especially if it diverts attention from the need for a political strategy that includes a broad spectrum of actors and aims at a durable solution.

Ankara must also meaningfully investigate allegations of ill conduct by security forces. At a time when it intends to boost its permanent security presence in the south east's most restive towns and city districts, failure to address perceptions of impunity would undermine its efforts to build confidence in the region. Furthermore, Law 5233, on which reconstruction is based, covers material damages but not immaterial losses. A prominent Diyarbakır human rights lawyer stressed:

In this law, there are no provisions with regard to compensation for immaterial damages the conflict caused. For that you need to apply separately to administrative courts, and it ... usually ends up in the ECHR [European Court of Human Rights] and takes many years.... The immaterial aspect of the whole process should also be included; you cannot amend things by just focusing on the material damage.<sup>51</sup>

The Kurdish political movement reacted negatively to the prime minister's plan. HDP Co-Chair Selahattin Demirtaş said:

... the Kurdish people are deemed to be sick individuals who need to be rehabilitated .... This seems to be part of the plan. What needs to be rehabilitated is [the government's] mentality.... Since they were not able to win them in elections, they are trying to take over municipalities with a coup, by appointing trustees through the governorates and district governorates.<sup>52</sup>

Demirtaş added four days later that similar plans had been tried by previous governments but failed to produce a lasting solution to Turkey's Kurdish issue.<sup>53</sup>

The state and Kurdish movement also are bitterly divided over Sur's post-conflict fate. HDP leaders denounced a Davutoğlu pledge to rebuild Sur "like Spain's Toledo".<sup>54</sup> A metropolitan co-mayor said:

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<sup>49</sup> Damage report on Silopi published by the environment and city planning ministry, 6 March 2016.

<sup>50</sup> "Terör saldırılarının Silopi'ye maliyeti belli oldu" ["Cost of terror attacks in Silopi determined"], *Hürriyet*, 6 March 2016.

<sup>51</sup> Crisis Group telephone interview, 1 March 2016.

<sup>52</sup> "Demirtaş'tan master plana yanıt: Seçimle alamadıklarını kayyumla almaya çalışıyorlar, zavalılık" ["Reaction by Demirtaş to the master plan: What they were unable to take with elections they are trying to take with state appointed trustees, helplessness", *T24*, 5 February 2016.

<sup>53</sup> "Demirtaş: O belgede barış yok, insanlık yok" ["There is no peace, no humanity in that document"], *Milliyet*, 9 February 2016.

<sup>54</sup> "Diyarbakır's ruined Sur to be rebuilt 'like Spain's Toledo', vows Turkish PM", *Hürriyet Daily News*, 1 February 2016.

That area is under the protection of UNESCO. There are 550 officially certified buildings under historical protection. You cannot rebuild an area that is a world cultural heritage with TOKİ [Housing Development Administration of Turkey]. ... You cannot enter this protected area with heavy weapons, artillery and tanks. ... They also want to turn these areas into high security zones with new police and military outposts built right in the centre. This is unacceptable.<sup>55</sup>

State officials argue that Ankara and local politicians had agreed on extensive redevelopment plans before the ceasefire collapsed. The governor of Diyarbakır province elaborated:

A plan for urban transformation had been prepared in 2012 in cooperation with municipality, TOKİ and the governorship. It was on the table of the municipality, and they had to demolish some of the structures in the district. They started but at some point stopped.... [Now] these urban transformation plans will be accelerated. They are objecting to this saying that TOKİ will build huge buildings there, but this will not be the case. The environment ministry will never allow huge buildings to be built in the historic district of Sur.<sup>56</sup>

HDP officials, however, accuse AKP-affiliated investors of seeking to profit from redevelopment in Sur.<sup>57</sup>

With areas under curfew more or less demolished, it appears unlikely the people who left will be able to return to their homes. For the governor, the reconstruction plan seems straightforward: “Rather than paying people for their damages, we plan, in order to ensure that urban transformation is completed, to compensate people’s loss of homes in Sur with new homes built by TOKİ in other places”.<sup>58</sup> For most displaced Kurds, however, Sur means more than just a dwelling space they can abandon. The government plan for its transformation into a commercial centre where people would not reside does not take account of the residents’ will. A 72-year-old man born and raised in a village close to Diyarbakır and forced out in the 1990s, his family relocating to Sur, said, “we have been victims of this conflict for so long. ... I want to return to my house .... I am emotionally connected to that place; that is my home, where all our belongings, memories are. ... I would rather sleep in a tent in Sur than be relocated somewhere to the outskirts of Diyarbakır”.<sup>59</sup>

The Kurdish political movement also alleges that families whose property was demolished will most likely be compensated by the state through a method it calls “mediation”, within the framework of the Counter Terrorism Law, thus preventing them from invoking legal action against the state for damages and losses at the ECHR. The metropolitan co-mayor of Diyarbakır explained:

They know that the ECHR is going to award the people much higher compensation than the state offers in the mediation procedure. But of course these people are living in poor conditions, and they need the money now. An ECHR judgement

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<sup>55</sup> Crisis Group interview, Diyarbakır, January 2016.

<sup>56</sup> Crisis Group interview, Hüseyin Aksoy, Diyarbakır, January 2016.

<sup>57</sup> Crisis Group interview, HDP official, Istanbul, February 2016.

<sup>58</sup> Crisis Group interview, Diyarbakır governor, Diyarbakır, January 2016.

<sup>59</sup> Crisis Group interview, displaced person from Sur, Diyarbakır, January 2016.

takes years. This is why the people currently face a dilemma. They don't know whether they should accept [the state's compensation] or wait.<sup>60</sup>

Bottom-up restoration and rebuilding that takes into account the needs and choices of people who lost homes rather than a purely securitised process would be a first crucial step to build back trust with the predominantly Kurdish population in the south east and show that the state has abandoned the "dictating" practices of the 1990s. Collaboration with elected HDP-run municipalities is needed to make the process sustainable.

The government plan goes in the right direction but does not tackle the root causes of the conflict. Given the long-running grievances, the broad sociological base of the PKK and decades of mistrust, reconciliation is bound to be a long process that requires a broad consensus and cannot be done without reaching out to the Kurdish movement's constituency. For some in the south east, a source explained, it is very hard to draw the lines: one person's terrorist is another's freedom fighter – and his neighbour's son.

## **V. Conclusion**

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Barricades and trenches made it inevitable for the state to develop a strategy oriented at reestablishing public order. The recent devastating bombings in the capital have further entrenched the government's primarily security-driven stance. However, without a broader, inclusive, political process, this strategy and a reinforced police presence in sensitive areas are likely to increase the perception of a siege, which, justified or not, is felt by a significant segment of the population in provinces such as Diyarbakır, Şırnak, Mardin, and Hakkari.

With both the PKK and government trying to capitalise on the growing angst among their constituencies, prospects of overcoming the divide are shrinking. It is essential to open dialogue channels between the Kurdish movement – particularly the HDP, which has a legitimate and legal political mandate – and the government. The Sur operations show there is a large humanitarian cost if HDP and AKP local representatives and affiliated NGOs cannot sit at the same table, even if only to co-ordinate assistance to displaced people. Though the state is reaching out to compensate civilian losses, its efforts will be more effective and better perceived if the sides talk to each other instead of escalating their hostile narratives.

Unless they are genuinely inclusive and transparent, Ankara's reconstruction plans may well increase polarisation. At the same time, local actors and parties linked to the Kurdish movement should recognise that acts undermining Ankara's basic authority over the region make it politically unviable for the government to work with their representatives. Kurdish political representatives, therefore, need to refrain from treating armed resistance as legitimate dissent against the state. While Selahattin Demirtaş has said this occasionally, the HDP needs to more consistently oppose the use of force to achieve autonomy. Ultimately, solutions to the problems on the ground rest in Ankara and Qandil, not with the authorities and political representatives of the districts where the violence occurs.

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<sup>60</sup> Crisis Group interview, Diyarbakır, January 2016.

Arresting politicians for mere statements is against democratic norms and principles; it is also politically counterproductive both internationally and nationally. In particular, the selective lifting of the immunity of HDP deputies so as to criminalise them for support of terror would play into the PKK's hands.

The same goes for the broader public debate. In January 2016, academics who signed a petition accusing the state of a "massacre" and calling for an end to the crack-down and resumption of the peace process were labelled traitors by government officials and pro-government media. Around 30 were dismissed and 33 briefly detained; on 16 March, four others were arrested, and a UK citizen deported. Many are still under investigation for "spreading terrorist propaganda" and "insulting the state".<sup>61</sup> Stifling free speech, labelling critics enemies of the state and opening investigations against citizens who carry out non-violent activities will increase polarisation at a time when broad national consensus is necessary to achieve peace.

Without a clear roadmap to address longstanding Kurdish rights demands, from mother-tongue education to decentralisation, and a peace deal with the PKK, the districts "cleansed" today may not remain conflict free in the future, and new districts may be drawn into the negative spiral witnessed in Sur. Meanwhile, the PKK needs to understand that trying to establish control in mainly Kurdish-speaking south-eastern districts is unrealistic and counterproductive to the rights and well-being of the region's Kurds.

**Diyarbakır/Istanbul/Brussels, 17 March 2016**

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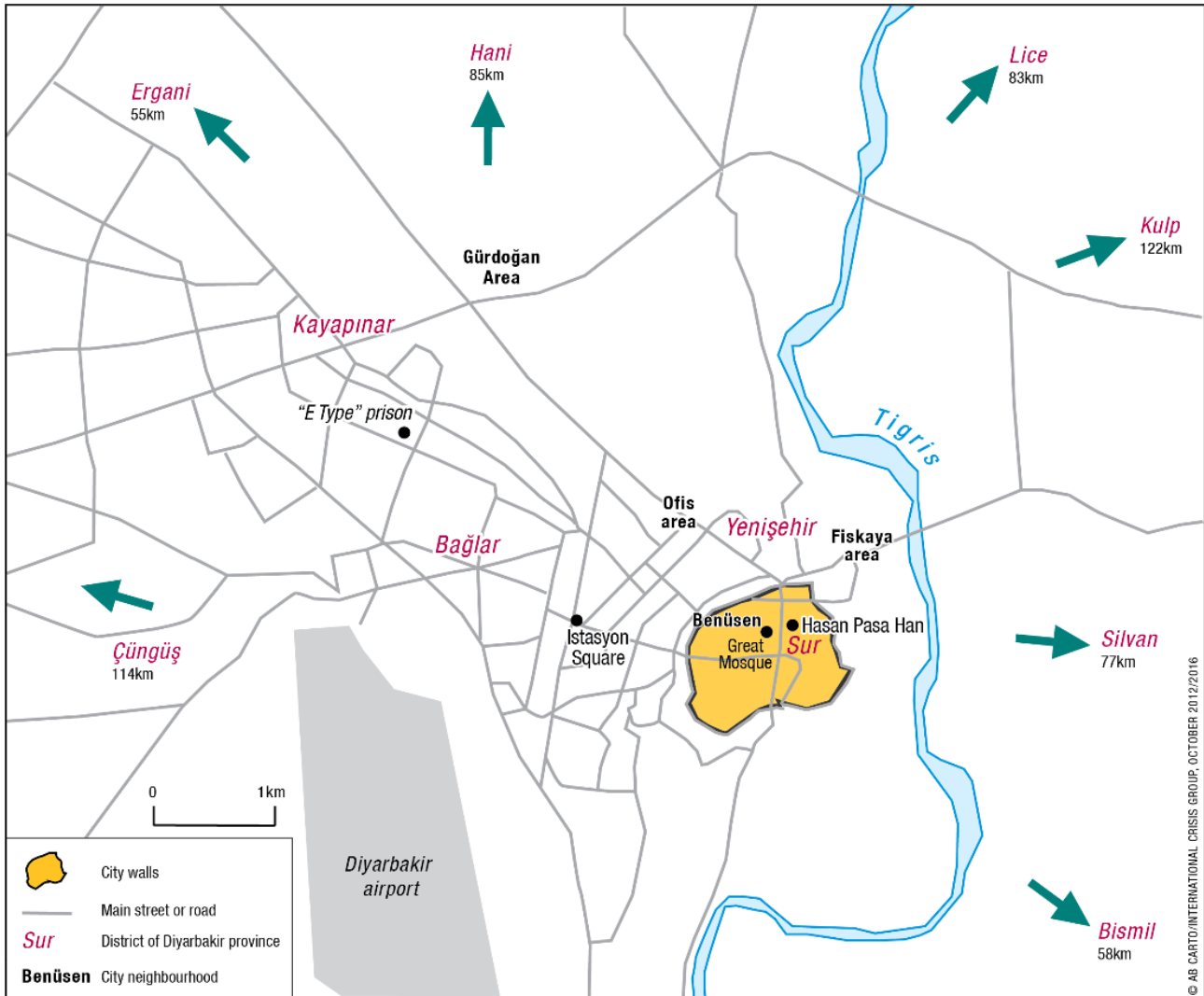
<sup>61</sup> "Bildirinin Ardından Bir Hafta: 109 soruşturma, 33 gözaltı, 2 bin 200 imza" ["One week after the declaration: 109 investigations, 33 detentions and 2.200 signatures"], *Bianet*, 18 January 2016.



## Appendix A: Map of Turkey's South East



Appendix B: Map of Diyarbakır City



Appendix C: Satellite Picture of Diyarbakır's Sur District



Imagery ©2016 DigitalGlobe, MapData ©2016 Google

**Vertical lines:** Temporary curfew zones

**Horizontal lines:** Main curfew zones

## Appendix D: Curfews in Sur

<b>Date and Duration of Curfew</b>	<b>Neighbourhoods</b>	<b>Casualties and Number Displaced</b>
6-7 September 2015 (two days)	Fifteen neighbourhoods throughout Sur district.	Two police killed, eight police and three civilians wounded.
13-14 September 2015 (two days)	Fifteen neighbourhoods in Sur's eastern and western districts.	6,000 residents flee Sur in anticipation of fighting. Thirteen police, one soldier and fourteen civilians wounded during street battles.
9-13 October 2015 (five days)	Seven neighbourhoods in eastern half of Sur and two in Yenişehir, a district adjacent to Sur.	One police officer and a twelve-year-old girl killed during fighting. Six civilians reportedly injured.
28-30 November 2015 (three days)	Six neighbourhoods in eastern half of Sur.	Kurdish rights advocate and Diyarbakır Bar Association Chairman Tahir Elçi killed by unknown gunmen. Two police officers killed.
2 December 2015-ongoing	Six neighbourhoods in eastern half of Sur. An additional five neighbourhoods in western Sur were added on 27 January 2016. Curfew reduced to four neighbourhoods in eastern Sur on 3 February.	60 Turkish security officials killed in clashes with PKK militants. Kurdish politicians say up to 26 civilian deaths in curfew zone. Turkish authorities say only one civilian death and 240 militant deaths. 20,000 residents estimated to have been displaced shortly after declaration of the curfew. Expanded curfew on 27 January in district's western quarters temporarily displaced up to 23,000 residents.



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## Appendix E: Glossary of Terms

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AKP	Adalet ve Kalkınma Partisi (Justice and Development Party): Turkey's ruling party, currently led by Prime Minister Ahmet Davutoğlu.
CHP	Cumhuriyet Halk Partisi (Republican People's Party): Turkey's main opposition party.
DTK	Demokratik Toplum Kongresi (Democratic People's Congress): A legal platform of mainly Kurdish political parties, non-governmental organisations, associations and prominent individuals.
DBP	Demokratik Bölgeler Partisi (Democratic Regions Party): Legal political party aligned with the Kurdish movement whose activities are restricted to the local governance level.
ECHR	European Court of Human Rights.
HDP	Halkların Demokratik Partisi (Peoples' Democratic Party): The main legal party representing the Kurdish national movement in Turkey.
IS	Islamic State, formerly Islamic State of Iraq and the Levant: The best known of the jihadist militant opposition groups fighting in Syria and Iraq, it generates strong criticism for its authoritarian tactics, public executions, ideological extremism and vicious sectarianism.
OHAL	Olağanüstü Hal, state of emergency.
PKK	Partiya Karkerên Kurdistanê (Kurdistan Workers' Party): Co-founded in 1978 by Abdullah Öcalan, it started an armed insurgency in Turkey in 1984. It is banned as a terrorist and drug-smuggling organisation by Turkey, the EU, the U.S. and a number of other countries.
PYD	Partiya Yekîtiya Demokrat (Democratic Union Party): The Syrian Kurdish affiliate of the PKK/KCK, founded in 2003.
TAK	Teyrêbazên Azadiya Kurdistan (Kurdistan Freedom Falcons: Formed as a breakaway faction of the PKK in August 2004, the group is designated a terrorist organisation linked to the PKK by the Turkish state; the U.S. designated it as a separate terrorist organisation in 2008.
TOKİ	Housing Development Administration of Turkey.
YDG-H	Yurtsever Devrimci Gençlik Hareket (Patriotic Revolutionary Youth Movement): Created as a pro-PKK urban youth group in February 2013, it founded armed branches in cities throughout the south east of Turkey in 2013-2014.
YPS	Yekîneyên Parastina Sivîl (Civil Protection Units): A PKK-affiliated urban militia group consisting of PKK youth militia and rural PKK militants fighting against Turkish security forces in predominantly Kurdish-speaking urban areas in Turkey's south east. The group was formed by the PKK in late December 2015 with the stated aim to better organise the Patriotic Revolutionary Youth Movement (YDG-H).