

System of Group of Communities in Kurdistan (KCK): An Assessment of State, Federalism, KCK Practices and International Developments

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Abstract. KCK is a pyramidal sovereignty structure which ultimate goal seceded from Turkey to establish an independent Kurdish state. KCK argues that, its system based on only self-governance, but as seen KCK Contract describes new type 'internal and external' sovereignty, it can not be reconciled with federalism and/or confederalism. In this context, if KCK Contract examined; KCK system compared with examples of the federal governments and KCK practices analyzed in southern part of Turkey, KCK's targets can be seen more clearly. In this study KCK system and strategies are discussed.

Keywords: PKK, KCK, Kurdish Separatism, Terrorism.

Introduction

Group of Communities in Kurdistan, KCK, (Koma Civakên Kurdistan) is an umbrella organization comprising Kurdistan Workers' Party (PKK), Party of Free Life of Kurdistan (PJAK), Democratic Union Party (PYD) and Kurdistan Democratic Solution Party (PÇDK). The Group was established with the acceptance of the KCK Contract on 25 May 2010. In fact, KCK is a more comprehensive and systematic model than KKK^[1] (Koma Komalen Kurdistan) that was already projected by Abdullah Ocalan in 2005.

The KCK Contract shows the actual aim of the Group is different from self-governance. The KCK system was first designed to function via regional governments. However, it has later become a 'New State Project' that aims to incorporate state authorities into 'external sovereignty'.

The aim of this study is to examine and assess the PKK-KCK relationship over the state-sovereignty concept, federative system^[2], and recent developments

in Syria and KCK policies. First, the author will deal the state-sovereignty concept. Second, the articles of the KCK Contract will be analyzed. Third, KCK activities in Turkey will be given. Fourth, the author will assess how the recent developments in Northern Syria have affected KCK's practices and policies. Last, the author will indicate KCK's real aims and objectives.

Methodologically, the design of the study is comparative and built on the exhibition of KCK's practices and policies. Thus, footnotes show the comparison of international, domestic and legal equivalents of the concepts in and objectives of the KCK Contract. Furthermore, the study examines the link between the KCK Contract and some policy-makers and municipalities of Democratic Regions Party (BDP) and local non-governmental organization.

1. State and Sovereignty

The definition of the state is necessarily supposed to include three elements: Human, territory and sovereignty^[3]. These elements are also known as 'premises'^[4]. Furthermore, the definition is expected to involve organizational property, continuity and legal embodiment of the state. Carl Schmitt defines the state as the power that envelopes the entire country. The state is the only mechanism to be able to remove all social separation and tension.^[5]

Sovereignty is the superior capability of ruling that the state achieves by the total use of the authority over people and territory via legal, political and bureaucratic bodies. Furthermore, it may affect and interact autonomously with other states and actors in the international arena.^[6]

The definitions show to what extent the concepts of state and sovereignty mingle with each other. Sovereignty is a sine qua non for the emergence of the state. The separation of sovereignty is associated with the concept of federalism. Federalism is the distribution of state power between the federal state and federated states in a constitutional system.^[7] However, federalism is useful only when applied functionally within well-determined borders. The likelihood of success of ethnicity-based federations has decreased gradually in the post-1990 period.^[8]

2. Analysis of KCK Contract

KCK is a byzantine structure comprising PKK and other relevant terrorist and political organizations. Based on armed militant force, the terrorist unit of the structure aims to gain land domination within and outside the Turkish borders.^[9] KCK was organized after Ocalan was arrested in 1999 and it is a part of the strategy for politicizing the terrorist organizations. The primary objective is to use local political power in Eastern and Southeastern Anatolia. The secondary aim is to gain full dominance in these regions by the way of the interaction with local Kurdish entities.

The principles of the 16-section KCK Contract are as follows:

- i. Political dimension: Principles on the establishment, self-determination and representation of Kurdistan government,
- ii. Sovereignty dimension: Legislative, executive and judicial powers, taxation and diplomatic representation,
- iii. Legal dimension: Jurisdiction and civil rights and freedoms,
- iv. Social dimension: Social structuring,
- v. Military dimension: Self-defense forces and locations of PKK and HPG (People's Defense Force),
- vi. Economic/Financial dimension: Structure of economy and finance and taxation.

Article 6 of the preface of the KCK Contract^[10] states:

“For the self-determination of Kurdistan, this movement aims not to establish a nationalist state but to establish its own democracy that will be grounded on no political borders. All Kurds will come together for establishing their own federation and unite for confederation in case of the emergence of a Kurdish structure in Turkey, Iran, and Syria and even in Iraq.”

Article 6 seems to have no aim of establishing a new state and concentrate upon internal self-determination^[11] only. However, as is understood from the

context, the Kurds living in the existing borders will establish their own federation and these points clearly to the aim of changing the state's structure.

Changing the state's structure, transition to a federation or confederation, is possible only within the constitutional process or through an external intervention due to armed struggles and/or only in case of the recognition a separated unit.^[12] The KCK Contract states that a country-wide referendum or a new and conclusive constitution is necessary for the transition of the state's structure to a federation or confederation.^[13] Furthermore, the concept of 'confederal unification of federations' is an undefinable statement in the KCK Contract. In federal states, federated units are given no authorities to be in foreign affairs with other states. Internal sovereignty is distributed among the units that are supposed to recognize single sovereignty in 'external affairs.'^[14] Confederal unification of federations is actually an indication of the separation of the country and establishment of a new state.

“...From now on, three types of law will be valid in Kurdistan: EU law, unitary state law and democratic confederal law. Kurdistan will recognize the law of Turkey, Iran, Syria and Iraq so long as these unitary states recognize that of Kurdish people and Kurdish people will enter into settlements on this basis.”^[15]

As mentioned above, Article 7 of the preface explains the target legal system and structure. This article indicates legal system can be portioned among regions. The separation of legal system is a common practice in federations. The limits of authority-sharing are very important in legal decentralization. The expression of 'Kurdish people' shows the target is an ethnicity-based legal separation. A constitutional amendment is necessary for the federalization of legal structuring countrywide. Legal decentralization practices are very common in societies organized with various ethnicity- and/or religion-based communities. Such practices, especially partially traditional regulations in the religious community's field of interest, are possible within the scope of customary law in limited areas of law.^[16]

Furthermore, legal decentralization is also common in the countries with ethnic problems due to external interventions.

Other than the determination of the content of ‘Kurdish people’, there is no value that is different from those of Turkish society including Kurds as well and that Kurds can consider within the context of customary law. Furthermore, Turkey can never be considered to be among the states that may undergo an external intervention. The objective of the article is to unite the legal systems of Kurdish regions. Thus, they can implement the KCK law independent of Turkish legal system in Kurdish regions.

“KCK is a democratic, political and socialist confederal system. ... This is a non-state, horizontal and pyramid organization. Communities exhibit public will in communes, hearths, assemblies and congresses. Furthermore, they are self-governed by elected and controllable democratic governments. ...KCK is based on democratic nation in domestic affairs and nation superiority in foreign affairs.”^[17]

This section of the KCK Contract has an obvious contradiction in terms, mentioning a non-state structure and a horizontal and pyramid organization. However, locating the ‘leadership’ at the top of the pyramid will be a one-man government. Article 11 of the KCK Contract emphasizes that Ocalan represents all Kurds and he is the final decision-making authority^[18], referring clearly to a one-man hierarchy. Furthermore, decentralization, self-governance and nation superiority show KCK is beyond an urban structure^[19] and it is actually a transregional management model.

Article 5 on ‘Citizenship of System: Free Citizenship’ and Article 6 on ‘Citizenship and Denaturalization’ should be examined carefully.

Article 5:

“Any person that was born and lives in Kurdistan or that is dependent on the KCK system is a citizen. ...

He possesses the predetermined rights and freedoms and performs the obligations determined by this contract.”

Article 6:

- a) “KCK citizens can acquire other citizenship.
- b) Other nationals asking for KCK citizenship must submit necessary informative documents to the highest executive body of their regions. They acquire KCK citizenship upon the relevant body’s decision and approval of regional assembly.
- c) He who betrays KCK’s principles and objectives is denaturalized upon the decision of Supreme Court of Justice and the approval of Kongra Gel.
- d) The demand to cease to be a KCK citizen is determined upon the approval of regional assembly and Kongra Gel.
- e) All decisions on and procedures for naturalization and denaturalization can be appealed.”

The two articles seem to include no new definitions of citizenship^[20]. Article 5 shows the right of being a KCK citizen is given upon the ‘jus soli’ principle and on condition of recognizing the KCK system. Article 6 details the procedures for naturalization, denaturalization and the demand to cease to be a KCK citizen. Citizenship is a legal status that is dependent on the conditions and cases accepted by internal law on the acquisition and loss of citizenship.^[21] At this point, the KCK Contract presents a legal definition. Thus, the KCK system aims obviously to establish a ‘national law’ that can go beyond the national borders. Permission for other citizenship in Article 6 cl. (a) shows that KCK-defined citizenship is different from the citizenship duality between federated state and federal center. Under normal conditions, the acquisition of more than one nationality is dependent on the

internal law of unitary and/or federal states.^[22] Federated states are unauthorized to decide on the acquisition of other citizenship.^[23] As is seen, KCK declares a new state independent of Turkey's sovereignty.

Article 10 on 'Fundamental Duties' cl. (c) defines obligatory military service whereas cl. (i) explains that every citizen is a 'taxpayer'.^[24] However, the determination of military service comes within the authority of the central state. Furthermore, federated states are granted no authorities to establish their own armies even in flexibly-structured federations. Armed forces and assurance of external security are dependent completely on the central authority.^[25] In this sense, KCK aims to function as an independent state.

Taxation must be based on constitutional law since it is the part of a mutual relationship between the state and citizens. In Turkey, general tax management pertains to Turkish Grand National Assembly (TGNA) and the government (Council of Ministers) in both general and local taxation. Local governments are more implementers than decisions-makers in taxation.^[26] In the KCK Contract, unrestricted taxation authority means the transfer of direct central authority to the local government. By this way, the KCK management will become a governmental system beyond a local government.

Article 12 defines the status of Kurdish People's Assembly (Kongra Gelê Kurdistan):

“...Kurdish People's Assembly is the highest decision-making (legislative) body of KCK. It functions upon an internal regulation based on the terms in the KCK Contract.

... h) Kongra Gel makes decisions about the ratification of the agreements with other states and international organizations and various communities on behalf of KCK.”

The article shows an assembly function is attributed to Kongra Gel and it is authorized to confirm international agreements. Clearly, such authorities of an

assembly cannot be considered within the context of federal state and self-governance. Furthermore, Article 14 s.2 cl. (d) on 'Foreign Affairs' mentions the diplomatic relation development mechanism. This indicates the authority to use external sovereignty belongs to KCK.

Making international agreements, diplomatic representation and establishment of diplomatic relations are reserved within the authority of central management in all kinds of states since sub-state units are devoid of international legal personality under normal circumstances. However, the Belgium sample is an exception because the sub-state unit can sign agreements only in limited cases within the scope of its authority. However, the permitted cases are esteemed *numerus clausus* in the constitution.^[27]

“Province-regions are established by separating the country according to ethnic-cultural features and involved in the system of democratic social confederalism on this basis...”

Article 20 mentions the province-region structure and explains that the system of democratic confederalism will be established by the ethno-cultural and geographical separation of the country. However, what 'the country' refers to is unclear: Turkey as a whole or Kurdistan? Dividing the country into states points to the establishment of a new independent state.

Article 27 and 30 focus on the legal system.

“Judicial independence is the essence of democratic people's justice and represents public decency and conscience. The legal system is three-legged: Supreme Court of Justice for defending people's dignity and freedoms, Administrative Courts for securing the order of discipline and duties and People's Courts for solving public problems. Supreme Military Tribunals are in charge of the military cases.”^[28]

The excerpt above show the aim is to establish a legal system beyond that of a federated state. In federal states such as USA, all judicial authorities that are *not* granted to the federal government belong to provinces. However, provinces are given few authorities due to the broad interpretation of federal authorities.^[29]

Examining the KCK Contract in the context of state, sovereignty and federalism, we can notice that a new dependent state sovereignty is described clearly. The establishment of a new state is projected from the legislature, law system and terms of citizenship to the aim of developing diplomatic relations. The KCK structure is in no way connected to decentralization and self-determination. The concepts are mingled^[30] and ambiguous for concealing the actual aims and intentions. However, the actual aim is to divide Turkey.

Figure 1: Member Organizations of KCK^[31]

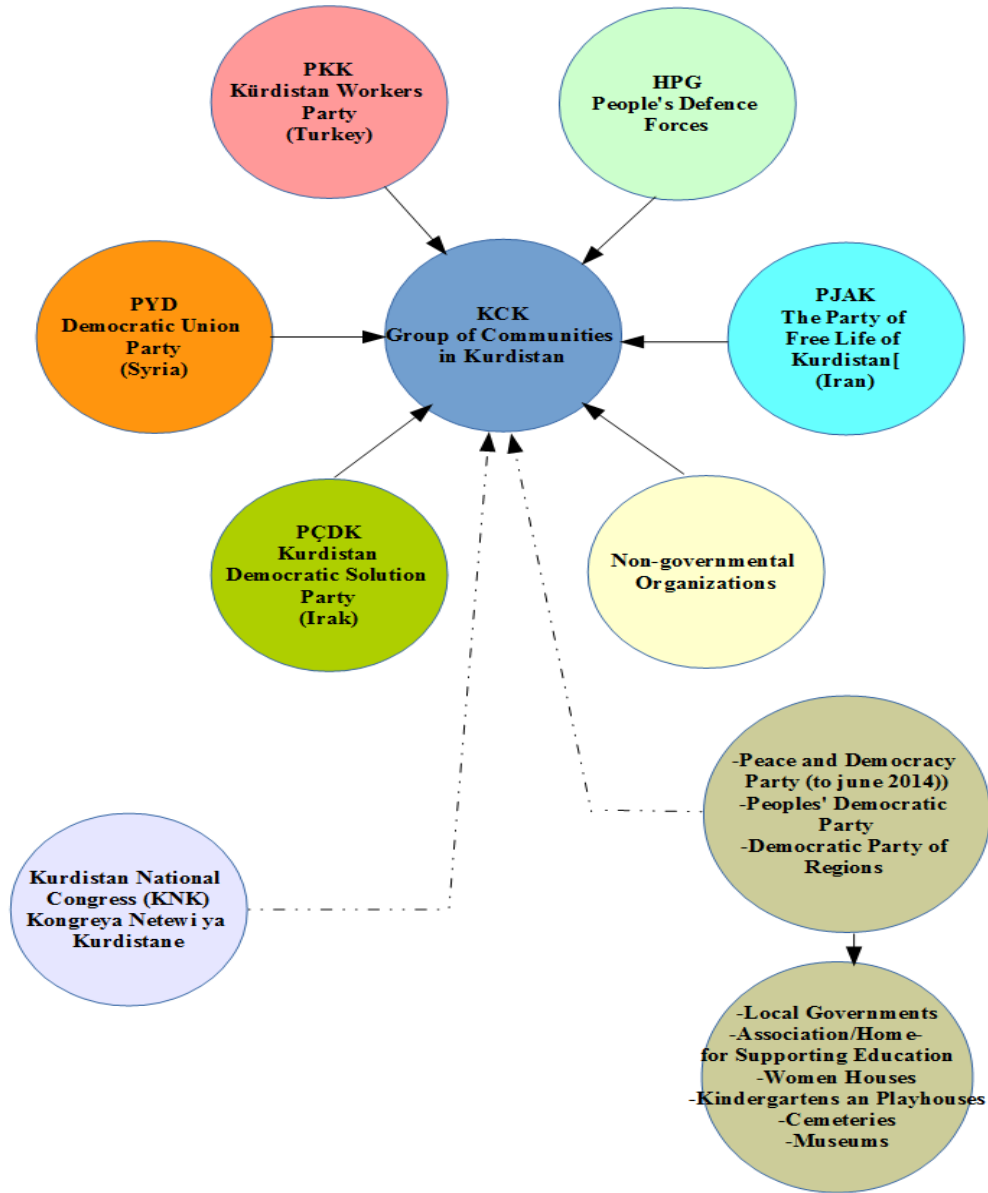
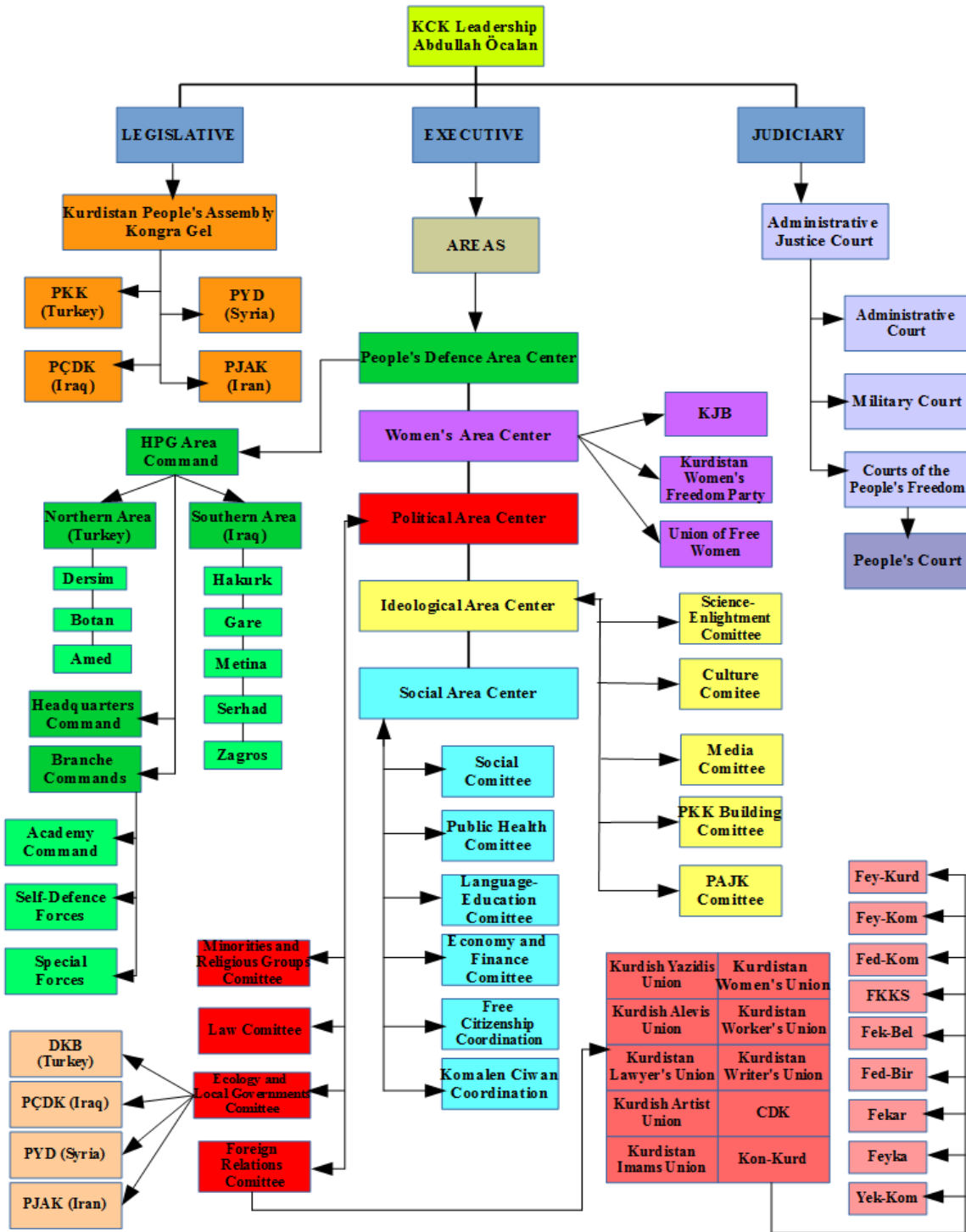


Figure 2: Organizational Structure of KCK^[32]



3. KCK Practices

The local press show KCK practices more clearly and focus on the organic relationship between the PKK-KCK-BDP triangle and some local non-governmental organizations. Practice strategies of KCK are divided into three as follows:

- i. Practices performed directly by KCK,
- ii. Practices performed over BDP municipalities and,
- iii. Practices performed over local foundations and non-governmental organizations.

KCK is a city-based structure in direct charge of city centers and neighborhoods. BDP municipalities can control the relevant city centers and neighborhoods easily by means of various non-governmental organizations. The BDP-KCK relationship is clearly apparent in BDP's "Declaration of 2014 Local Elections" and "Women's Declaration of 2014 Local Elections". The Democratic Autonomy Section of the Declaration of Local Elections states as follow:

"The recognition of the region where Kurds live as Kurdistan is critical in democratic autonomy. The acceptance of democratic autonomy will set a ground for the agreement with the dominant nation-state. Democratic autonomy is the minimum condition to live together with the dominant nation-state. Democratic autonomy will concretize Democratic Autonomous Kurdistan in which the existence of Kurds is recognized. This is both a historical and a current reality.

Kurds will actualize their own social freedoms in all fields of life from internal security to sports without any need for the central state. They will establish their internal security by means of the actualization of political, social, economic and cultural organization.

Thus, the central government will never be expected to accept these conditions.”^[33]

Prepared in accordance with the KCK Contract, the declaration focuses firstly on the conditions of common life with Turkey. The intrastate region description is for concretizing “Geography of Kurdistan”. Later, the declaration places emphasis on the establishment of state-independent political, social and military forces. All these items are the indicators of the external self-determination and of the aim of establishing a new state.

Women’s Declaration of Local Elections mentions the same point as follow:

“The central state and AKP government have launched a series of operations against KCK shortly after the 2009 Local Elections with the aim of attacking the paradigmatic level of success that Democratic Modernity powers achieved in Kurdistan. The primary objectives of these operations are to liquidate the success and progress of the Kurdish Freedom Movement in the field of local government and to exterminate the democratic autonomy model developed by the Movement.”^[34]

Women’s Declaration gives the electorate the message that focuses on the regional organizational success of KCK. Furthermore, the Declaration seems to have determined the KCK System as the template of freedom and “democratic autonomy”.

KCK is apparently well-structured in its sphere of activity and has established effectiveness on people. For example, Article 4 of the 8-article proclamation released by the KCK Supreme Court of Justice in 24 July 2010 states as follow:

“Those who collaborate with the Turkish government and AKP on the policies being implemented in Kurdistan commit the offense of treason. Trying to

exterminate the existence of a people for individual and familial benefits is a serious crime against humanity. Those who are the unconscious instruments to these policies should criticize themselves and abandon these policies immediately. HPG will be in charge of exposing sanctions against those who are the active parts of the Turkish government's special war policies as long as people extermination policies are being implemented explicitly in Kurdistan."^[35]

According to the statement above, Kurds that repudiate KCK are coconspirators and involve in a serious crime. Furthermore, it is clearly declared that these Kurds can be assaulted by HPG. The objective is to preserve the steadiness of the control over the people and intimidate those unwilling to participate in the KCK system.

KCK's strategy for regional domination is based on;

- i. exercising armed control over locals,
- ii. seizing the control of the region for establishing the ground for structuring the administrative body of KCK,
- iii. establishing alternative institution to the state through BDP municipalities and non-governmental local organizations and,
- iv. infusing and politicizing locals into the PKK's ideology via alternative institutions and non-governmental organizations and consolidating the social ground by this way.

KCK has exercised armed control in the region in accordance with this strategy. Thus, KCK has made local shopkeepers shut down their shops several times.^[36]

The KCK/PKK organization has performed joint practices with BDP provincial municipalities and built PKK/Guerilla martyrs' cemeteries in the region.^[37] The organization collects money from local business people and villagers

under the name of “revolution task” for creating fund.^[38] Furthermore, they withhold “customs duty” from the smuggled goods into Turkey.^[39] KCK Courts are in charge of solving the enmities between persons.^[40] These courts try any kind of cases, especially those over money. The organization receives considerable shares from the solution of the cases over money.^[41] Furthermore, sources close to KCK have reported KCK judges people kidnapped during spot-checks and Kurdish-origin people that have rejected collaboration.^[42]

Image 1-2: PKK’s Cemetery and Cemetery’s Gate - Lice^[43]



The KCK/PKK organization attaches special importance to education^[44] and aims to purge young Kurds of the sense of belonging to Turkey by the calls for boycott of national education^[45] and boycott of national days^[46]. Thus, the organization attempts to annihilate national education^[47] and format Kurdish children and youngsters in line with the objectives and targets of the KCK/PKK.

Image 3-4: Children in Boycott of Education^[48]



In the interview published in *Azadiya Welat*, Cemil Bayik has implied that KCK will exercise control over every Kurdish citizen especially in the field of education. The following passage is excerpted from the relevant interview.

“All Kurds must comprehend well what these schools are for. The meaning and objectives of these schools must be revealed clearly. Those who school their children with education in Turkish language will experience Kurdish people’s pressure more deeply. In such a climate, no citizen will let their children go to the Turkish-teaching schools. So to say, they will suffer from neighborhood pressure. Now it is time to develop such a social attitude and empty the schools.”^[49]

BDP municipalities have recently enhanced social, cultural and educational activities in line with KCK’s strategies.^[50] “Diyarbakir seems to have made remarkable progress on alternative education while Ankara has still been discussing over education in the mother-tongue.”^[51] stated Can Dündar. Nurseries^[52] and preschools^[53] that provide education in Kurdish language have been established as alternatives to those of the Ministry of National Education of Turkey (MEB). The following passage is excerpted from the speech by the mayor of Cizre Municipality during the inauguration of the nursery, ‘Nubahar Biçûkan’^[54], showing clearly that these nurseries are for political purpose.

“We are putting the nursery project into practice so that our 3-5-year-old children can get accustomed to their mother-tongue. We are opening nurseries and preschools to say no to the assimilation policies that have been implemented for many years.”^[55]

KURDI-DER (Kurdish Language Research and Development Foundation) has prepared elementary school course books in Kurmanji and Zazaki dialects.^[56] As is understood from the statements of the president of the foundation, Geography

course book focuses on ‘Geography of Kurdistan’ consisting of the Kurdish regions in Turkey, Iraq, Iran and Syria whereas History course book mentions mainly about the Kurdish history.^[57]

EDEVs^[58] (Association –Home- for Supporting Education) have been established as alternatives to the schools and cram schools dependent on MEB. There is no legal barrier to opening EDEVs. EDEVs and reading rooms are established by the local council decision.^[59] The objectives of EDEV are mentioned in *Yeni Özgür Politika*, a local newspaper, as follow:

“EDEVs have a special place in the Democratic Autonomy Project. Kurdish people will actualize the rights of education in mother-tongue and subcultural education that the central government abstains insistently from granting. In addition to other lessons, Kurdish language and Turkish History are taught at EDEVs and the objective is to establish the framework of education in mother-tongue and put this aim into practice without the government’s approval.”^[60]

Image 5. Course books in Kurdish^[61]



EDEVs’ syllabus^[62] is a matter of debate that has even been put on the National Assembly’s agenda. A parliamentary question submitted by Oktay Ekşi,

Istanbul deputy of Republican People's Party (CHP), to the Prime Minister asked for the information about the number and syllabus of EDEVs.^[63] Ecology^[64] has become a compulsory lesson at EDEV of Baglar Municipality of Diyarbakir.^[65] Some recent developments in EDEVs have signified these institutions are enculturation and politicization centers. For example, the employees and students of EDEV of Akdeniz Municipality of Mersin that supported the Freedom for Ocalan Signature Campaign^[66] point to an unusual situation.

The following passage from the speech of BDP's co-mayoral candidate for Baglar Municipality of Diyarbakir, Birsen Kaya Akat^[67], addressing the EDEV students during the Nowruz celebrations in Diyarbakir is a clear example of the aim of child politicization.

“We are today struggling severely so that our children can live freely with dignity in an independent country. We will escalate the struggle because our children are our future. We intend to bequeath freedom to them. There were Dehaks^[68] some centuries ago. Today, the prime minister and his junta play the same role.”^[69]

BDP municipalities have established Association for Supporting Women and Women's Houses^[70] as alternatives to Provincial Directorate of Social Services and Public Education Center with the aim of offering alternatives to the central government's social programs. The attempt to implement KCK's policies over non-governmental organizations is another part of the separatist strategy. Non-governmental organizations are in charge of performing the practices that may pose problems when implemented directly by local governments. Some local governments' attempts to establish 'PKK Museums' via non-governmental organizations can be considered within this direction. For example, in Savur, a district of Mardin, Mesopotamia Association of Assistance and Solidarity for Families with Lost Relatives^[71] (MEYA-DER) has attempted to recondition the houses where 33 PKK militants were captured dead and convert the houses into a

museum with the contribution of BDP's Savur Municipality^[72]. Organizing commemorative^[73] activities for PKK militants is another important function of these associations and non-governmental organizations.^[74] Thus, civil society movements function as political mobilization.

Image 6. A commemoration notice shared in the social media account of the Dicle-Firat Culture and Arts Center^[75]



Image 7-8: An activity organized in BDP Building by MEYA-DER Regional Representation of Yuksekova^[76]



Because of the ideological differences; KCK/PKK, tries to overcome the difficulties in addressing religious people, via non-governmental organizations and associations. Thus, the Party's tactic of introducing its own religious functionaries can be considered to be the first step in establishing an alternative institution to Turkish Directorate of Religious Affairs (DIYANET). The activities organized by the Religious Men Aiding and Solidarity Union (DIAYDER) under the name of 'Civil Friday Prayer'^[77] can be considered in this direction.^[78] The Union aims to reach

the target group over religion and politicize people with ethnic nationalism. Furthermore, DIAYDER tries to connect religious people with PKK/KCK by rendering religious memorial services (Mawlid) for the deceased PKK militants.^[79] The following passage is excerpted from the pre-election statements of Altan Tan, a deputy candidate of the Labor, Democracy and Freedom Bloc, suggesting that the region be purged from the mosques filled with the imams of DIYANET.

“The Prime Minister must comprehend it well that this square is a symbol of the revolt against Kemalism. Prime Minister! Sheikh Said’s grandchildren are different from the converted around you. Kurds never ask for more rights than Allah has already granted them. We will take over mosques from the imams who lick Kemalism’s and the government’s boots.”^[80]

The strategy for establishing an alternative institution to DIYANET can be seen clearly in this context. In the following passage Demir Çelik, Muş deputy and vice chairman in charge of BDP’s local governments, summarizes the strategies KCK will follow after the 30 March Local Elections.

“We propose 4 primary fields in the political dimension of democratic autonomy: 1) Regional government must have a symbol, a flag. However, the central government today never recognizes it. We will discuss this question in negotiations; 2) we need a recognized regional parliament. We have already established the council (DTK–Democratic Society Congress) that will function as the regional parliament. All peoples from every identity express themselves freely in this council; 3) regional government must have a capital and 4) we will establish decentralized governmental bodies such as

village communes, neighborhood councils and provincial councils by which people will actualize self-governance.

... First of all, we will establish nurseries and preschools that give education in mother-tongue. Do *not* let your children learn Turkish at the age of 3 if they have *not* learnt Kurdish well enough from their mothers.

... When we have established democratic autonomy, the regional government may establish its own police department as a part of self-defense.

... It is nonsense to be afraid of a piece of fabric. Turkish flag is the flag of each of us. We may be allergic to it probably because we were compelled to recognize it in the past. However, all peoples of Turkey represent a 90-year alliance of values. Supposing that the country will be separated into 25 regions, let each region's own flag and Turkish flag fly side by side. This will make us feel honored. On the other hand, the 'You have to recognize my flag only!' attitude denies our existence and it is unacceptable."^[81]

4. Developments in Syria and KCK Practices

Recent developments in Syria can be regarded as the turning point in PKK/KCK's 'new state project'. PYD has followed a pragmatic policy during the Syrian Civil War and preferred being on good terms with Assad. PYD has given no support to Syrian separatists and suppressed anti-Assad Kurds.^[82] Thus, PYD has become stronger in the regions with high Kurdish population.^[83]

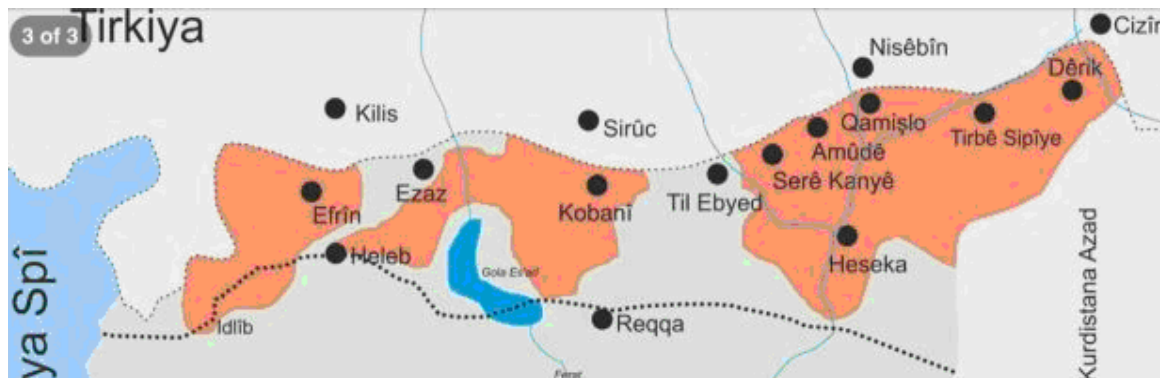
PYD has become the sole authority in Northern Syria since the central Syrian government retreated^[84] from the northern regions of Syria. PYD is organized in governmental agencies and equipped with the weapons already supplied by the central government or other sources.^[85] PKK militants that were once positioned in Turkey and Iraq have recently moved to the northern part of Syria.^[86] PYD has declared autonomy in Afrin, Jazira and Kobane and attempted to establish a new constitution and determine managing bodies.^[87] 'Rojava^[88] Social Contract' has been accepted as the framework constitution.^[89] The Contract seems to have gone beyond its purpose of establishing an autonomous state. The legislature is given the authorities to ratify international agreements and treaties, declare war or peace and determine general budget.^[90] The specified authorities are valid within the regional government's territory although the government appears to recognize Syria's territorial integrity. These developments in Syria have enabled PKK/KCK to establish territorial dominance in the region. PKK has put the independence process into action via PYD.^[91] Thus, KCK has declared the democratic autonomy system being implemented^[92] in Syria will be put into practice through BDP^[93] municipalities in Turkey.^[94] Murat Karayilan has also stated the democratic autonomy system in Rojava will be actualized in Turkey as well.^[95] Bese Hozat, the co-chair of the KCK Executive Council, has defined the 30 March Local Elections as the referendum on democratic autonomy and freedom for the leader.^[96] BDP's executives and mayoral candidates have stated clearly that they will implement democratic autonomy via their institutions after the elections^[97] and will establish a common economic zone^[98] including Turkey, Syria and Iraq through democratic autonomy. In the following passage, Esra Güler Aslan, co-mayoral candidate for Sanliurfa's Ceylanpinar District, states they will attempt to practice the autonomous system in Syria directly in Turkey.

“By favor of democratic autonomy in Rojava, people having suffered from oppression for many years have today become capable of establishing self-governance

via their own institutions. Our primary target is to establish a similar system here in Turkey.”^[99]

The “de-facto” situation in Northern Syria has encouraged PKK/KCK to put a similar system into action in the eastern and southeastern parts of Turkey.

Image 8: Syrian Territory with declared democratic autonomy^[100]



Conclusion

We have examined the KCK structure in terms of federalism and confederalism with an assessment of KCK’s domestic practices and strategies with regard to recent foreign developments. The general results we have obtained are as follows: -

- a- KCK is a cross-border structure that aims to separate Turkey into regions.
- b- The regions that KCK has incorporated into its span of authority must be considered within the scope of state sovereignty. The authorities such as legislation, execution and jurisdiction, ratification of international agreements, citizenship description and possession of military forces are far beyond the intention to transform the unitary state structure into federated states in terms of self-governance.
- c- KCK is a ‘new state project’ that is organized via the armed PKK forces and BDP municipalities.
- d- KCK aims to govern the region without the control of the central government by establishing ethnicity-based institution as alternative

to those of the central government and separating education and social services. In the long-run, this process will result in miscommunication between people from a certain region and others.

- e- Non-governmental organizations are for politicizing the target people and used for infusing them into the PKK/KCK ideology.
- f- The de-facto situation in Northern Syria and Turkey's indecisive attitudes have strengthened PKK/KCK in establishing regional dominance and attempting to build the KCK system in Turkey as well.
- g- Regional municipal practices are directly related to the establishment of 'democratic autonomy/democratic confederalism' in line with the KCK system.
- h- The KCK system is for establishing a new independent state via territorial dominance and internal and external sovereignty.

In conclusion, KCK is an ethnicity-based separation project aiming to establish dominance in the eastern and southeastern parts of Turkey in the medium or long term. KCK is an authoritative-totalitarian system based on PKK's armed forces and it can never be regarded as a democratic structure in favor of self-governance.

References

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- [1] For the KKK Contract see: “Koma Komalên Kürdistan Sözleşmesi”, *Serxwebun*, (June 2005), 18-20, accessed October 22, 2014, <http://www.serxwebun.org/arsiv/282/#/18/>; <http://www.serxwebun.org/arsiv/282/#/20/>.
- [2] Kurdish policy-makers have been using an extensive jargon for the solution of the Kurdish question. For example, they frequently use the concepts of democratic autonomy, federalism and confederalism. In the sense, the author uses the academic definitions of these concepts for indicating the actual objectives of the Contract.
- [3] Georg Jellinek was the first to state the necessity of the three elements. See also, Roland Portman, *Legal Personality in International Law*, (New York: Cambridge University Press, 2010), 58; footnote 77; Anthony Aust, *Handbook of International Law*, (New York: Cambridge University Press, 2005), 16; Malcolm N. Shaw, *International Law*, (UK: Cambridge University Press, 2004), 177-178; Michael, Akehurst, *A Modern Introduction to International Law*, (Great Britain: George Allen and Unwin, 1977), 57; D.W. Greig, *International Law*, (London: Butterworths, 1976), 93.
- [4] Selçuk Özçelik, *Esas Teşkilat Hukuku Dersleri*, (İstanbul: İstanbul Üniversitesi Hukuk Fakültesi Yayınları, 1974), 20.
- [5] Bünyamin Bezci, *Carl Schmitt'in Politik Felsefesi: Modern Devletin Müdafaası*, (İstanbul: Paradigma Yayıncılık, 2006), 152–190.
- [6] For the definition, see: Kemal Gözler, *Devletin Genel Teorisi*, (Bursa: Ekin Kitabevi, 2007), 151-188; Aydoğan Özman, “Devletlerin Egemenliği ve Milletlerarası Teşekküller”, *Ankara Üniversitesi Hukuk Fakültesi Dergisi*, 21:1-4 (1964):53-121, accessed October 22, 2014, <http://dergiler.ankara.edu.tr/dergiler/38/338/3469.pdf>; Seha L. Meray, *Devletler Hukukuna Giriş v. 1*, (Ankara: Siyasal Bilgiler Fakültesi Yayınları, 1968), 299; Raymond F. Hopkins and Richard W. Mansbach, *Structure and Process in International Politics*, (New York: Harper and Row, 1973), 4.; Stephen D. Krasner, *Sovereignty: Organized Hypocrisy*, (New Jersey: Princeton University Press, 1999), 23-43; 184-219.
- [7] See: Michael Burgess, *Comparative Federalism*, (London: Routledge, 2006), 9-49; 135-161; 192-208; (ed.) Emilian Kavalski and Magdalena Zolkos, edit., *Defunct Federalisms Critical Perspectives on Federal Failure*, (Hampshire: Ashgate Publishing Limited, 2008).
- [8] For discussions see (ed.) Michael Burgess and John Pinder, *Multinational Federations*, (New York: Routledge, 2007.)
- [9] İhsan Bal, “PKK Terör Örgütü Tarihsel Süreç ve 28 Mart Diyarbakır Olayları Analizi”, *Uluslararası Hukuk ve Politika Dergisi*, 2-8, (2006): 76-79.

[10] For the full text KCK Contract see; “Koma Civaken Kürdistan Contract”, accessed October 22, 2014, <http://rojbas1.files.wordpress.com/2011/10/koma-civak3aan-kurdistan.pdf>

[11] The concept of internal self-determination is defined as the autonomy of an ethnic and/or religious group within the borders of an existing country. Internal self-determination is given to the whole community rather than individual citizens. However, there is still no binding or determined legal format or status for internal self-determination. Government is supposed to represent public will. On the other hand, who will determine their own destiny and what will be determined are still open questions in international law. See; Antonio Cassese, “Political Self-Determination: Old Concepts and New Developments”, in *UN Law/Fundamental Rights: Two Topics in International Law* ed. Antonio Cassese, (Alphen aan den Rijn: Sijthoff & Noordhoff, 1979): 137–166; Allan Rosas, “Internal Self Determination”, in *Modern Law and Self-Determination*, ed. Christian Tomuschat, (Dordrecht: Martinus Nijhoff Publishers, 1993): 225-252.

[12] To the Charter of United Nations, countries’ territorial integrity is inviolable. However, external interventions have changed the international borders since the early 1990s.

[13] A new constitution was prepared in the post-occupation period in Iraq and it determined the legal structure of the newly-established Iraqi federative system via a referendum. Similarly, Belgium made a conclusive constitution that legalized the federal system during the transition to federation. The Quebec sample shows how complicated the federalism-sovereignty relationship may become. With reference to the ‘absolute majority’ criterion, Superior Court decided that external sovereignty can be used only in consequence of self-determination. The decision shows that the separated unit can use external sovereignty and the right of separation is acceptable only in the event of a countrywide constitutional amendment and a referendum that will be conducted by the above-mentioned criterion. See; Supreme Courts, *Reference re Secession of Quebec*, 2 S.C.R. 217, File No: 25506, (Canada: 1998): 2, accessed October 22, 2014, <http://scc-csc.lexum.com/scc-csc/scc-csc/en/item/1643/index.do>

[14] Gözler, *ibid.*, 159.

[15] *The KCK Contract* accessed October 22, 2014, <http://rojbas1.files.wordpress.com/2011/10/koma-civak3aan-kurdistan.pdf>.

[16] For example, the 1999 Nigerian Constitution structured sharia courts for Muslims. 9 federated regions implement sharia law along with criminal law and 3 regions implement sharia law for the cases concerning law of persons. Furthermore, there is a Sharia Court of Appeal in federated states and federal center. There are courts implementing customary law in other regions. See; *Constitution of the Federal Republic of Nigeria [1999]*, Art.260-284, accessed October 22, 2014, <http://www.nigeria-law.org/ConstitutionOfTheFederalRepublicOfNigeria.htm#ShariaCourtOfAppealOfFCTAbuja;>

Abdulmumini A. Oba, “Religious and Customary Laws in Nigeria”, *Emory International Law Review*, 25 (2011): 886-894. In Bosnia and Herzegovina, there are various legal structures and legal systems of the Federation of Bosnia and Herzegovina, the entities of the Republika Srpska and Brčko District. At federal state level, there are Constitutional Court, Commission of Human Rights and state court and war crimes tribunal. The legal system of Bosnia and Herzegovina is divided directly among the entities that examine federal war crimes and constitutional cases. See, Lilian A. Barria; Steven D. Roper, “Judicial Capacity Building in Bosnia and Herzegovina: Understanding Legal Reform Beyond the Completion Strategy of the ICTY”, *Human Rights Review*, 9 (2008): 321 and (317–330); Jasenka Ferizović, *The Court System in Bosnia and Herzegovina*, 1-22, accessed October 22, 2014, http://www.bosnianbonesspanishghosts.com/bbsg_userfiles/file/Working%20Papers/The%20%20court%20system%20in%20Bosnia%20and%20Herzegovina.pdf.

[17] *KCK Contract*, Article 2, accessed October 22, 2014,

<http://rojbas1.files.wordpress.com/2011/10/koma-civakc3aan-kurdistan.pdf>

[18] However, Article 22 of the KCK Contract states that all decisions made by communes must comply with the decisions by Kongra Gel and People’s Assembly. Furthermore, Ocalan is the final decision-making body.

[19] Stratejik Düşünce Enstitüsü, “KCK Örgütlenme Modeli ve Amacı”, *SDE Analiz*, (July 2011): 11.

[20] By the widely-accepted view, states determine citizenship conditions independently. Citizenship question is included both in internal law and law of nations. Citizenship signifies a person’s tie with his state. In the international arena, the state provides citizens with security and bestows the right of protection by extending its territorial authority to abroad. This is regarded as a fundamental ‘state right’ that derives from state sovereignty.

[21] Ergin Nomer, *Vatandaşlık Hukuku*, (İstanbul: Filiz Kitabevi, 1999), 19.

[22] In federations, the federated state citizenship is regarded as sub-nationality. Sub-nationality is valid only in the federated state with predetermined borders. The federated state citizenship provides advantages—such as tax, residence, commerce, etc. – for citizens within the predetermined borders.

[23] In defining citizenship acquisition and loss, the citizenship law of the Republika Srpska limits citizenship acquisition to the citizenship of any entity within the country, regulating the acquisition of foreign citizenship with reference to the citizenship law of Bosnia and Herzegovina.

[24] *KCK Contract* accessed October 22, 2014, <http://rojbas1.files.wordpress.com/2011/10/koma-civakc3aan-kurdistan.pdf>.

[25] There is peshmerga army in the Regional Government in Iraqi Kurdistan. However, no constitutional regulation is available for the status of peshmerga. Article 9-1/a of the Iraqi Constitution states that “Armed Forces and Security Forces of Iraq are established without any

discrimination against the communities composing Iraqi nation. These forces are affiliated to the command of civil authority and play no role in management change.” See; World Intellectual Property Organisation, *Iraqi Constitution*, accessed October 22, 2014, <http://www.wipo.int/edocs/lexdocs/laws/en/iq/iq004en.pdf>

[26] Birgül Ayman Güler, *Yerel Yönetimlerde Mali Desantralizasyondan Mali Federalizme Geçiş Hükümleri*, 3, accessed October 22, 2014,

<http://80.251.40.59/politics.ankara.edu.tr/bguler/pdf/anayasa.pdf>

[27] Belgian Constitution, Article 167/1: “The King directs international relations, notwithstanding the competence of Communities and Regions to regulate international cooperation, including the concluding of treaties, for those matters that fall within their competences in pursuance of or by virtue of the Constitution.” Article 167/3: “The Community and Regional Governments described in Article 121 conclude each one in so far as it is concerned, treaties regarding matters that fall within the competence of their Parliament. These treaties take effect only after they have received the approval of the Parliament.” See; *Belgian Constitution* [May 2014], accessed October 22, 2014, https://www.dekamer.be/ev/vcr/pdf_sections/publications/constitution/GrondwetUK.pdf

Republika Srpska is allowed to enter into international agreements independent of Bosnia and Herzegovina government. However, the agreements will become valid only by the approval of the central government. See, *Constitution of Republika Srpska*, Article 68/15, accessed October 22, 2014, <http://www.vijecenarodars.net/materijali/constitution.pdf>; *Bosnia and Herzegovina State Constitution*, article 3/2-d, accessed October 22, 2014,

http://www.ccbh.ba/public/down/USTAV_BOSNE_I_HERCEGOVINE_engl.pdf

[28] See; *KCK Contract*, accessed October 22, 2014, <http://rojbas1.files.wordpress.com/2011/10/koma-civakc3aan-kurdistan.pdf>

[29] Bradford R. Clark, “The Supremacy Clause as a Constraint on Federal Power”, *GW Law Faculty Publications & Other Works*, 4-37, accessed, October 22, 2014,

http://scholarship.law.gwu.edu/cgi/viewcontent.cgi?article=1474&context=faculty_publications;

Cicek Zorgolu Emed et al., *Amerika Birleşik Devletlerinde Federal Yargılama Sistemi ve Bu Sistem İçinde Cezai Yargının Yeri ve İşleyişi*, 13, accessed October 22, 2014,

http://photos.state.gov/libraries/turkey/231771/PDFs/federal_yargi.pdf.

[30] For the KCK’s usages of terms and concepts see; Tayfun Sezer, “Manifeto’dan KCK Sözleşmesi’ne PKK/KCK’da Söylem”, *Uluslararası Güvenlik ve Terörizm Dergisi*, 3-1 (2012): 41-65.

[31] Adapted from; Rodi Hevian, “The Main Kurdish Political Parties in Iran, Iraq, Syria, and Turkey: A Research Guide”, *Middle East Review of International Affairs*, 17-2 (Summer 2013): 107.

[32] Adapted from; *KCK Indictment*, 2012/123 case numbered” accepted by special authorized Istanbul 15th High Criminal Court, 71, accessed October 22, 2014,

http://www.ankarastrateji.org/_files/03042012214520-XZD99_o.docx; Atilla Sandıklı, “KCK Terör Örgütünün Yapısı ve Faaliyetleri”, *Bilgesam*, accessed October 22, 2014, <http://www.bilgesam.org/incele/1214/-kck-teror-orgutunun-yapisi-ve-faaliyetleri/#.VEeZ-msWFU>; *KCK Şeması*, accessed October 22, 2014, <http://medya.zaman.com.tr/2009/04/14/yapilanma2.jpg>.

Abbreviations: DKB–Union of Democratic Liberation, KJB–Kurdish Women’s Freedom Movement; CDK–Democratic People’s Coordination of Kurdistan; KON-KURD– Confederation of Kurdish Associations in Europe; YEK-KOM– Federation of Kurdish Associations in Germany; FEYKA– Federation of Kurdish Associations in France; FED-BIR– Federation of Kurdish Associations in Britain; FEY-KOM– Federation of Kurdish Associations in Austria; FEKAR– Federation of Kurdish Associations in Switzerland; FEK-BEL– Federation of Kurdish Associations in Belgium; FED-KOM– Federation of Kurdish Associations in Nederland; FEY-KURD– Federation of Kurdish Associations in Denmark; FKKS– Federation of Kurdish Associations in Sweden.

[33] *Democratic Regions Party’s Declaration for 2014 Local Elections*, 12-13, accessed April 30, 2014, http://www.bdp.org.tr/tr/wp-content/uploads/2014/01/BDP_Yerel_Secim_Beyannamesi_2014.pdf.

After establishing Peoples’ Democracy Party, Peace and Democracy Party changed her name to Party of Demoratic Regions because of this term, Peace and Democracy Party’s web site is suspended by ".tr" Domain Name Administration. For this declaration please contact with the author.

[34] *Democratic Regions Party’s Women Declaration for 2014 Local Elections*, 5, accessed April 30, 2014, http://www.bdp.org.tr/tr/wp-content/uploads/2014/01/BDP_Kadin-_meclisi_Secim_beyannamesi1.pdf.

After establishing Peoples’ Democracy Party, Peace and Democracy Party changed her name to Party of Demoratic Regions because of this term Peace and Democracy Party’s web site is suspended by ".tr" Domain Name Administration. For this declaration please contact with the author.

[35] “KCK Yüksek Adalet Divanı’ndan 8 maddelik açıklama”, *Strategic Research Center of Kurdistan*, July 24, 2010, accessed, October 22, 2014, <http://lekolin.org/haber-843-KCK-Yukse-Adalet-Divanindan-8-maddelik-aciklama.html>.

[36] KCK has made shut-down decisions via ‘city council’. For shut-downs, see; “Mersin’de PKK/BDP’liler Kepenk Kapattırdı”, *Tarsus Medya*, February 16, 2014, accessed October 22, 2014, <http://www.tarsusmedya.com/mersin-de-pkkbdpliler-tehditle-kepenk-kapattirdi/>; İbrahim Çelik, “KCK Sुरुç’ta Kepenk Kapattırdı”, *Cihan Haber Ajansı*, February 15, 2014; “Öcalan İçin Kepenkler kapatıldı”, *Etkin Haber Ajansı*, October 09, 2013, accessed October 22, 2014, <http://www.etha.com.tr/Haber/2013/10/09/guncel/ocalan-icin-kepenkler-kapatildi/>; “Kepenک kapatma Esnafı da vatandasi da magdur Etti”, *İlke Haber Ajansı*, October 09, 2012, accessed October 22, 2014, <http://www.ilkehaberajansi.com.tr/haber/kepenk-kapatma-vatandasi-da-esnafı-da-magdur-etti.html>.

- [37] "Lice'de PKK sehitligi actilar", *Akşam*, July 14, 2013; "PKK sehitligi acildi", *Diyarbakır Söz*, October 05, 2013, accessed October 22, 2014, <http://www.diyarbakirsoz.com/haber-92777-PKK-sehitligi-acildi.html>, "EGM'den çarpıcı rapor: PKK 7 ilde 'sehitlik' kurdu", *Bugün*, January 25, 2014. Martyrs' Cemetery contributes remarkably to the nation-building process since it creates historical consciousness. People visiting these cemeteries can develop strong feelings of historical continuity and patriotism. See, Susan-Mary Grant, "Raising the Dead: War, Memory and American National Identity", *Nations and Nationalism*, 11-4 (2005), 512; Benedict Anderson, *Imagined Communities*, Revised Edition, (London: Verso, 2006): 9-11.
- [38] "PKK'dan Şok Vergi Tahsilâtı", *Sabah*, November 21, 2011; "PKK'dan Kürt İşadamlarına Vergi", *Bugün*, November 21, 2011; Tolga Şardan, "Hayvan Vergisi'yle TV Kanalı Açılacak", *Milliyet*, September 17, 2013.
- [39] The price list mentioned in the report is as follows: 65 USD per 1 kg processed drugs; 3000 USD per 1 kg cocaine; 3 USD per one mule of diesel fuel, 5 USD for sugar, 7 USD for tea and cigarettes smuggled from Iran to Turkey; 7 USD per one mule of clothes and cosmetics smuggled from Turkey to Iran. See, "İşte PKK vergisinin makbuzları", *Hürriyet*, November 25, 2011, accessed October 22, 2014, <http://www.hurriyet.com.tr/gundem/19323120.asp>.
- [40] Haşim Söylemez, "KCK'nın temyiz mahkemesi: Kato Dağı", *Aksiyon*, December 27, 2010.
- [41] İsmail AVCI, "BDP binasında 'KCK Mahkemesi'nin tutanağı çıktı", *Zaman*, November 25, 2011.
- [42] Maxime AZADİ, "Kürdistan'da KCK hukuku mu?", *Fırat Haber Ajansı*, May 29, 2012, accessed October 22, 2014, <http://www.firatnews.com/news/guncel/kurdistan-da-kck-hukuku-mu.htm>.
- [43] Accessed October 22, 2014, <http://www.sondakika.com/galeri/lice-de-pkk-mezarligi-actilar/resim-2/>
- [44] Ali Aydın Akbaş, "PKK'nın Kontrolündeki Diyarbakır", *21 Yüzyıl Türkiye Enstitüsü*, Special Report-17, September, 2013, 4, accessed October 22, 2014, http://www.21yyte.org/assets/uploads/files/21-yy-rapor-17-pdf_29092013.pdf.
- [45] "KCK'dan Boykot Çağrısı", *Taraf*, September 12, 2013; "KCK: Çocuklarınızı Bir Hafta Okula Göndermeyin", *t24 İnternet Gazetesi*, September 11, 2013, accessed October 22, 2014, <http://t24.com.tr/haber/kckden-boykot-cagrasi-bir-hafta-okula-gitmeyin/239256>; "KCK'den Okul Boykotu Çağrısı", *Basnews*, September 11, 2013, accessed October 22, 2014, <http://basnews.com/tr/News/Details/KCK-den-okul-boykotu-cagrasi/1562>.
- [46] "KCK'den 23 Nisan'ı Boykot Çağrısı", *Fırat Haber Ajansı*, April 22, 2012, accessed October 22, 2014, <http://firatnews.biz/news/guncel/kck-den-23-nisan-y-boykot-cadrysy.htm>. BDP mayors' calls for boycott show they exhibit an attitude complying with the KCK Contract. See: "BDP'den 23 Nisan'a Protesto ve Boykot", *Radikal*, April 23, 2013; accessed October 22, 2014, http://www.radikal.com.tr/turkiye/bdpden_23_nisana_protesto_ve_boykot-1130765, (accessed

22.10.2014); “BDP’li Belediyelerin 19 Mayıs Boykotu”, *Cumhuriyet*, May 19, 2011, accessed October 22, 2014,

http://www.cumhuriyet.com.tr/haber/diger/250102/BDP_li_belediyelerin_19_Mayis_boykotu.html.

[47] “KCK: Okulları Boykotla Yetinilmemeli, Tümünden Reddedilmeli”, *Kürdistan Stratejik Araştırmalar Merkezi-Lekolin*, August 31, 2012, accessed October 22, 2014, <http://lekolin.org/haber-2908-KCK-Okullari-Boykotla-Yetinilmemeli-Tumden-Reddedilmeli.html>; “KCK: Türk Eğitime Hayır”, *Kürdistan Stratejik Araştırmalar Merkezi- Lekolin*, August 28,2012, accessed October 22, 2014, <http://lekolin.org/haber-2892-KCK-Turk-Egitimine-Hayir.html>.

[48] “KCK’den Çağrı: Çocuklarınızı Bir Hafta Okula Göndermeyin”, *Kürdistan Stratejik Araştırmalar Merkezi - Lekolin*, Sepetmber 11, 2013, accessed October 22, 2014, <http://lekolin.org/haber-3690-KCKden-Cagri-Cocuklarinizi-Bir-Hafta-Okula-Gondermeyin.html>;

“Tatil Bitti Boykot Başladı” *Özgür Gündem*, September 20, 2011.

[49] “Bayık: Okulların İçini Boşaltma Zamanı Geldi”, *Fırat Haber Ajansı*, September 16, 2013, accessed October 22, 2014, <http://www.firatajans.com/news/guncel/bayik-okullarin-icini-bosaltma-zamani-geldi.htm>.

[50] Akbaş, *ibid.*, 4.

[51] Can Dündar, “Diyarbakır Rönensansı 3”, *Cumhuriyet*, November 21, 2013, accessed October 22, 2014, http://www.cumhuriyet.com.tr/koseyazisi/11655/Diyarbakir_Ronesansi_3.html.

[52] These nurseries/preschools were opened prior to the code no. 6529. e.g. Sur District Municipality of Diyarbakır opened a Kurdish-teaching nursery in May 2012. “Amed’de Kürtçe Kreş Açıldı”, *Yüksekova Haber*, March 12, 2011, accessed October 22, 2014, <http://www.yuksekovahaber.com/haber/amedde-kurtce-kres-acildi-47738.htm>;

“Diyarbakır Belediyesi’nden Kürtçe Kreş”, *Radikal*, March 04, 2012, accessed October 22, 2014, http://www.radikal.com.tr/turkiye/diyarbakir_belediyesinden_kurtce_kres-1080655; “İkinci Kürtçe Kreş Hizmet Vermeye Başladı”, Diyarbakır Sur Belediyesi, accessed October 22, 2014, <http://sur.bel.tr/kurmanci/?p=4325> “Kreşte Eğitim Dili Kürtçe”, *Özgür Gündem*, January 15, 2014.

The democratization package enacted *the Law no. 6529 on Regulating Various Codes for Improving Basic Rights and Freedoms* in 02.03.2014, implying that Turkish people can open private schools that will provide education in living languages and dialects. See, accessed October 22, 2014, <http://www.resmigazete.gov.tr/eskiler/2014/03/20140313-15.htm>. However, the relevant law allows education in Kurdish at preschools only. Preschools are dependent on Ministry of Education’s (Milli Eğitim Bakanlığı-MEB) authority whereas nurseries are on Ministry of Family and Social Policies. No sentence in the relevant law refers to the permission for opening nurseries that will provide education in any foreign language and/or local languages and dialects being spoken in Turkey. See, “Özel Kreş ve Gündüz Bakımevleri İle Özel Çocuk Kulüpleri Kuruluş ve İşleyiş Esasları Hakkında

- Yönetmelik”, *Resmî Gazete*, 22781 (October 08 1996), accessed October 22, 2014, <http://www.mevzuat.gov.tr/Metin.Aspx?MevzuatKod=7.5.4428&MevzuatIliski=0&sourceXmlSearch=>
- [53] “Solin Çocuk Oyun Evi ve Yüzme Havuzu Törenle Açıldı”, Bağlar Belediyesi, March 11, 2014, accessed October 22, 2014, <http://www.baglar.bel.tr/bilgi1374-Solin-Cocuk-Oyun-Evi-ve-Yuzme-Havuzu-torenl-acildi.baglarbelediyesi>.
- [54] Nubahar Biçûkan (Spring of Children) is an Arabian-Kurdish dictionary written by Ahmede Hani in 1683 (?). See, *Ehmedê Xanî Külliyyatı 1: Nûbehara Biçûkan*, (İstanbul: Avesta Yayınları, 2008); Zana Farqini, Nûbara Biçûkan”, *Özgür Gündem*, June 29, 2013.
- [55] “Cizre’de ‘Nubahar Biçûkan’ Kresî Açılıyor”, Cizre Postası, February 25, 2014, accessed October 22, 2014, <http://www.cizrepostasi.com/cizrede-nubahar-bicukan-kresi-aciliyor-17977h.htm>.
- [56] Burhan Ekinci, “Kürtçe Ders Kitapları Hazır”, *Al Jazeera Türk*, April 21, 2014, accessed October 22, 2014, <http://www.aljazeera.com.tr/al-jazeera-ozel/kurtce-ders-kitaplari-hazir>,
- [57] Ekinci, loc cit.
- [58] Önder Aytaç, “PKK Devletinin Alternatif Eğitimi”, *Rota Haber*, October 03, 2012, accessed October 22 2014, http://haber.rotahaber.com/pkk-devletinin-alternatif-egitimi_310999.html; Gültekin Avcı, “PKK Dershane Sonrası Döneme Hazırlanırken”, *Bugün*, 26 Kasım 2013; Aytaç, loc cit.
- [59] In metropolitan cities, these courses are based legally on Article 7 cl. (n) and (v) of the Law no. 5216 on Metropolitan Municipalities. See, Bkz: *Düştur*, order: 5 vol:43, 8903-8904. In non-metropolitan regions, they are based on Article 14 and 15 of the Law no. 5393 on Municipalities. See, Bkz: *Düştur*, order: 5 vol: 44, 9473-9474. Municipalities make regulations for EDEVs based on these laws. See, *Diyarbakır Bağlar İlk Kademe Belediyesi Kültür ve Sosyal İşler Müdürlüğü’ne Bağlı Eğitim Destek Evleri Yönetmeliği* (Regulation of EDEV based on the Directorate of Cultural and Social Affairs of Bağlar District First Tier Municipality of Diyarbakır), accessed October 22, 2014, <http://www.baglar.bel.tr/bilgi42-egitim-destek-evi-yonetmelik.htm>.
- [60] “Ortakların Hedefindeki Eğitim”, *Yeni Özgür Politika*, January 02, 2014, accessed October 22, 2014, <http://yeniozgurpolitika.org/index.php?rupel=nuce&id=27113>.
- [61] “Kürtçe Ders Kitapları Hazır”, *Al Jaazera Türk*, accessed October 22, 2014, <http://www.aljazeera.com.tr/al-jazeera-ozel/kurtce-ders-kitaplari-hazir>.
- [62] Regulation of EDEVs describes the objectives of the association as supporting students for high-school and university entrance examinations, helping them consolidate what they have learnt at schools and providing education to children working in the streets.
- [63] Oktay Ekşi, *Written Questions Proposal to Prime Minister*, November 29, 2013, accessed October 22, 2014, <http://www2.tbmm.gov.tr/d24/7/7-35151s.pdf>.

[64] Abdullah Ocalan and other senior managers of the Party have frequently used the concepts of 'ecology' and 'ecological society'. In fact, these terms are closely associated to the Party's strategy change and were added to the vocabulary of the Party after Ocalan was arrested in 1999. Ocalan has borrowed the concepts of 'libertarian municipalism', 'ecological society' and 'democratic confederalism' from Murray Bookchin. For concepts, See, Murray Bookchin, *The Meaning of Confederalism*, (The Anarchist Library, 1990), accessed October 22, 2014, <http://theanarchistlibrary.org/library/murray-bookchin-the-meaning-of-confederalism>. Thinking that the direct separatism strategy has already collapsed, Ocalan and the Party now aim to establish a confederal organization via self-governed municipalities. However, Ocalan and the Party ignore Bookchin's attitude that rejects any kind of hierarchy. In fact, Ocalan has replaced Bookchin's system aiming to demolish the state's hierarchy with 'leadership/party hierarchy'.

[65] "Ekoloji Dersleri Zorunlu Oldu", *Özgür Gündem*, 25.12.2013; "Bağlar Eğitim Destek Evlerinde Kürtçe'ye Yoğun İlgi", accessed October 22, 2014, *Haber Diyarbakır*, accessed <http://www.haberdiyarbakir.com/baglar-egitim-destek-evlerinde-kurtceye-yogun-ilgi-61599h/>

[66] "Eğitim Destek Evi 'Öcalan'a Özgürlük' İstedi.", *Besta Nuçe*, March 11, 2014, accessed, October 22, 2014, <http://www.bestanuce1.com/haber/89737/egitim-destek-evi-ocalan-a-ozgurluk-istedi&dil=tr>

[67] Elected as the co-mayor of Bağlar District Municipality in the 2014 Local Elections.

[68] Dehak/Dahhak/Zahhak is a cruel, wounded king in the Legend of Kevah the Blacksmith, a mythical figure in Iranian mythology. He gets young people killed and applies their brains to his wound as an ointment. When the turn comes to Kevah's children, Kevah rises against him. See, "Iran Myths and Legends IV", *Encyclopaedia Iran*, accessed October 22, 2014, <http://www.iranicaonline.org/articles/iran-iv-myths-and-legends>.

[69] "Destek Evi Çocukları Newrozu Kutladı", *haberler.com*, March 19, 2014, accessed October 22, 2014, <http://www.haberler.com/destek-evi-cocuklari-newroz-u-kutladi-5805320-haberi/>.

[70] Akbaş, loc cit., 4.

[71] Batman Public Prosecutor's Office sued the Association for functioning as a unit of the PKK/KCK organization and for its managers participating in KCK's practices. The case was postponed for the expert's report until 30 May 2014. See, Bilal Güldem, "MEYA-DER ve DA-DER'e Kapatma Davası Yarın Görülecek", *Besta Nuçe*, January 21, 2014, accessed October 22, 2014, <http://www.bestanuce1.com/haber/80116/meya-der-ve-da-der-e-kapatma-davasi-yarin-gorulecek>, (accessed 22.10.2014); MEYA-DER ve DA-DER için bilirkişi raporu", *Özgür Gündem*, January 23, 2014. The ideological and operational link between the Association and the PKK/KCK is understood clearly from the hall decorated with the PKK flags where the Association's 3th regular general assembly was held. See, "MEYA-DER'è 3'emîn Kongreya Xwe Li Dar Xist", *Firat News Agency*,

February 24, 2013, accessed October 22, 2014, <http://ku.firatajans.com/news/cihan/meya-der-e-3-emin-kongreya-xwe-li-dar-xist.htm>.

[72] “PKK müzesi inşaatına durdurma”, *Hürriyet*, 08.10.2013; “TSK: PKK müze yapıyor”, *Hürriyet*, 08.10.2013.

[73] Keeping memories fresh by organizing memorial days is as important to the creation of historical awareness as building the ‘martyrdom myth’. See, “Partimizin Enternasyonalist Dayanışmasının Sembolü Olan Direniş Şehitlerini Saygı ile Anıyoruz”, *Serxwebun*, Special Issue, (June 1984): 2-3, accessed October 22, 2014, <http://www.serxwebun.org/arsiv/6ozelsaiyhaziran/>; “Şehitler Yaşam Kaynağımızdır” *Serxwebun*, (March 2010): 34, accessed October 22, 2014, <http://www.serxwebun.org/arsiv/339/>.

[74] “Xerzan’da yaşamını yitiren 15 HPG’li kadın anıldı”, *Gazete Bitlis*, March 24, 2014, accessed October 22, 2014, <http://www.gazetebitlis.com/xerzanda-yasamini-yitiren-15-hpgli-kadin-anildi/>; “10 HPG’li anıldı”, *Yeni Özgür Politika*, January 02, 2014, accessed October 22, 2014, <http://www.yeniozgurpolitika.org/index.php?rupel=nuce&id=27101>; “PKK’li Biçecek ve Tezel anıldı”, *Diyarbakır Yenigün*, December 30, 2013, accessed October 22, 2014, <http://www.diyarbakiryenigun.com/pkkli-bicecek-ve-tezel-anildi.html>, “Amed de 3 Kürt Kadın Siyasetçi Anıldı”, *diyarbakirhaber.gen.tr*, January 11, 2014, accessed October 22, 2014, <http://www.diyarbakirhaber.gen.tr/diyarbakir-haber/amed-de-3-kurt-kadin-siyasetci-anildi-h1210.html>; “13 PKK’li Savur’da Anıldı”, *Besta Nuçe*, March 13, 2014, accessed October 22, 2014, <http://www.bestanuce1.com/haber/90418/13-pkk-li-savur-da-anildi>; “HPG’li Soylu Kitlesele Yürüyüşle Anıldı”, *diyarbakirhaber.gen.tr*, October 20, 2013, accessed October 22, 2014, <http://www.diyarbakirhaber.gen.tr/diyarbakir-haber/hpgli-soylu-kitlesele-yuruyusle-anildi-h247.html>, (accessed 22.10.2014); “Ronahi Şehitliğinde Nöbet eylemi”, *Sterk*, October 21, 2013, http://tr.sterk.tv/5534-ronahi-ehitliinde-nobet-eilemi.html#.Uzvbh_1_uao, (accessed 22.10.2014); “PKK’li Doğma, Aydın ve Akçin’in Tazieleri Kabul Ediliyor”, *Yüksekova Haber*, November 20, 2013, accessed October 22, 2014, <http://www.yuksekovahaber.com/haber/pkkli-dogma-aydin-ve-akcinin-tazieleri-kabul-ediliyor-116855.htm>; “Batman ve Diyarbakır’da anma”, *Besta Nuçe*, October 25, 2013, accessed October 22, 2014, <http://www.bestanuce1.com/haber/66184/batman-ve-diyarbakir-da-anma>; “Ceren ve Muzaffer Amed’te anıldı”, *Sterk*, May 31, 2013, accessed October 22, 2014, http://www.sterk.tv/tr/3986-ceren-ve-muzaffer-amedte-anld.html#.UzvfCv1_uao; “Gerillalar Anıldı”, *Yeni Özgür Politika*, October 25, 2013, accessed October 22, 2014, <http://www.yeniozgurpolitika.com/index.php?rupel=nuce&id=25241>.

[75] *Facebook Page of Dicle-Firat Culture and Arts Center*, January 09, 2014, accessed October 22, 2014, <https://tr->

tr.facebook.com/photo.php?fbid=10153780593670131&set=a.10153485412415131.1073741831.335343810130&type=1&theater

[76] “Geliye Tiyarê Şehitleri Anılıyor”, *Fırat News Agency*, October 24, 2013, accessed October 22, 2014, <http://firatajans.com/gallery/geliye-tiyare-sehitleri-aniliyor/geliye-tiyare-sehitleri-aniliyor-1382624474>

[77] Civil Friday Prayer was organized as a reaction to the sermons preached in Turkish and ended by PM Erdogan’s permission for the sermons in Kurdish. “Sivil Cuma Namazlarına Son Verildi”, *Bugün*, 05.07.2013; “Erdoğan: Camilerde Kürtçe Vaaz Verilebilmeli”, *t24 İnternet Gazetesi*, 18.02.2013, <https://t24.com.tr/haber/erdogan-camilerde-kurtce-vaaz-verilebilmeli/223984>, (accessed 22.10.2014).

[78] Kumru Başer, “Diyarbakır'da Sivil Cuma”, *BBC Türkçe*, June 03, 2013, accessed October 22, 2014, http://www.bbc.co.uk/turkce/haberler/2011/06/110603_election_baser_blogs10.shtml; “Sivil Cuma İçin Saf Tuttular”, *Batman Medya*, June 18, 2011, accessed October 22, 2014, http://www.batmanmedya.com/haber-2219-Sivil-Cuma-Icin-saf-tuttular.html#.U0Kkdvl_uao; “Binler sivil Cuma için saf tuttu”, *Fırat News Agency*, April 26, 2013, accessed October 22, 2014, <http://firatnews.com/news/guncel/binler-sivil-cuma-icin-saf-tuttu-1.htm>.

[79] “Amed'de 5 Gerilla için Mevlit Verildi”, *Sterk*, May 03, 2013, accessed October 22, 2014, http://tr.sterk.tv/3712-amedde-5-gerilla-icin-mevlit-verildi.html#.U0PJgPl_uao; “Bingöl'de Yaşamını Yitiren 7 HPG gerillası anıldı”, *Besta Nuçe*, November 22, 2013, accessed October 22, 2014, <http://www.bestanuce1.com/haber/70496/bingolde-yasamini-yitiren-7-hpg-gerillasi-anildi>.

[80] “DİAYDER'den 'Başbakan'ı Protesto Edin' Çağrısı”, *Etkin Haber Ajansı*, May 27, 2011, <http://www.etha.com.tr/Haber/2011/05/27/guncel/diayderden-basbakani-protesto-edin-cagrisi/>

[81] Tuğba Tekerek, “Demir Çelik: Bayrağımız ve polisimiz olsun”, *Taraf*, 28.04.2014.

[82] Serhat Erkmen, “Suriye’de Kürt Hareketleri”, *Orsam*, Report, 107 (August 2012): 32; Kurdish organizations in Syria can be divided into two primary groups as one supported by PYD and the regional government of Iraqi Kurdistan and the parties included in ENKS–National Assembly of Syrian Kurds.

[83] “Batı Kürdistan’da Özerklik Yasaları”, *Fırat News Agency*, December 29, 2012, accessed October 22, 2014, <http://www.firatnews.com/news/guncel/baty-kurdistan-da-ozerklik-yasalary.htm>.

[84] “Esad Kuzeyden Çekildi Kontrol PKK’ya Geçti”, *Vatan*, July 21, 2012; “Esad Çekildi, Kontrol PKK’da” *Cumhuriyet*, June 22, 2012.

[85] Erkmen, *Ibid*, 34.

[86] Re-deployment of PKK militants in Northern Syria can be attributed to Ocalan’s letter that was read during the Nowruz celebrations in Diyarbakir in 21 March 2013. The PKK/KCK chanced to strengthen PYD that already established dominance in Northern Syria. Güney Yıldız, “Salih Müslim:

Türkiye'de PKK ile Görüşmeler PYD'nin Önünü Açıyor”, *BBC Türkçe*, May 07, 2013, accessed October 22, 2014, http://www.bbc.co.uk/turkce/haberler/2013/05/130506_salih_muslim.shtml, ;Bayram Kaya, “Terör örgütü PKK, Suriye’de 1.000 kişilik tabur kurdu”, *Zaman*, September 13, 2013; “Suriye’de 3 bin PKK’lı Savaşıyor”, *Türkiye*, September 10, 2013; Oral Çalışlar, “Çekilen 3 Bin PKK’lı Rojava’da, *Radikal*, September 07, 2013; “Sırıberk ARSLAN, “Son Bir Ayda Binden Fazla PKK’lı Suriye’ye geçti”, *Sabah*, October 27, 2012.

[87] “Rojava: Suriye'nin Kuzeyinde 'Özerk Kanton’”, *BBC Türkçe*, January 21, 2014, accessed October 22, 2014, http://www.bbc.co.uk/turkce/haberler/2014/01/140121_cizire_ozerklik_ilan.shtml; “PYD, ‘Demokratik Özerklik’ İlan Etti”, *Zaman*, January 22, 2014; “Rojava'nın Cizire Kantonunda 'Demokratik Özerklik' İlanı”, *Hürriyet*, January 21.2014; “PKK Devleti kuruldu, PYD Resmi Ordu Oldu”, *Samanyolu Haber*, January 22 2014, accessed October 22, 2014, <http://www.samanyoluhaber.com/gundem/Kurt-Devleti-kuruldu-PYD-resmi-ordu-oldu/1039516/>; “Meclîsa Zagonsaz a Efrînê Rêveberîya Xwe Îlan Dike, *ANHA*, January 29, 2014, accessed October 22, 2014, http://www.hawarnews.com/kurdi/index.php?option=com_content&view=article&id=7755:meclisa-zagonsaz-a-efrine-reveberiya-xwe-ilan-dike&catid=39:manet

[88] In PKK’s geographical terminology, Rojava is used as Western Kurdistan for the northern part of Syria. “Rojava Nedir, Ne Değildir, Orada Neler Oluyor?” *Fırat News Agency*, accessed October 22, 2014, <http://www.ajansafir.net/gallery/rojava-nedir-ne-degildir-orada-neler-oluyor>.

[89] For the full text, See, “Toplumların Sözleşmesi-I” trans. Ersin Çaksu, *Özgür Gündem*, January 19, 2014 and “Toplumların Sözleşmesi-II”, trans. Ersin Çaksu, *Özgür Gündem*, January 20, 2014.

[90] Toplumların Sözleşmesi-II.

[91] Ümit Özdağ, “AKP Barzani’yi Ağrlarken PKK Suriye’de Devlet Kuruyor”, *21. Yüzyıl Türkiye Enstitüsü*, November 15, 2013, accessed October 22, 2014, <http://www.21yyte.org/tr/arastirma/terorizm-ve-terorizmle-mucadele/2013/11/15/7297/akp-barzaniyi-agirlarken-pkk-suriyede-devlet-kuruyor>.

[92] “Rojava Devrimi Damgasını Vurdu”, *Özgür Gündem*, December 31, 2013.

[93] BDP Regulation, Article 3, cl. (c) and (k) states that BDP adopts democratic autonomy. See, *Democratic Regions Party Regulation*, accessed March 27, 2013, <http://www.bdp.org.tr/devam/16-bdp-tuzuk.aspx>. After establishing Peoples’ Democracy Party, Peace and Democracy Party changed her name to Party of Demoratic Regions because of this term Peace and Democracy Party’s web site is suspended by ".tr" Domain Name Administration. For this declaration please contact with the author.

- [94] “KCK: 2014 Newrozı Demokratik Özerklik Referandumudur”, *Sterk*, March 20, 2014, accessed October 22, 2014, http://sterk.tv/tr/7849-kck-halki-amed-newrozuna-cairdi.html#.VFN-l_msWao; “Batman 30 Mart'ta hamle yapmalı”, *Özgür Gündem*, 25.03.2014.
- [95] “Karayılan: Sîstema Rojava ji bo hemû Kurdistanê mînak e”, *ANHA*, March 17, 2014, accessed October 22, 2014, http://www.hawarnews.com/kurdi/index.php?option=com_content&view=article&id=9258:karayilan-sistema-rojava-ji-bo-hemu-kurdistan-minak-e&catid=39:manet&Itemid=1.
- [96] “Besê Hozat: 30 Mart Özerkliğin Referandumudur”, *Yeni Özgür Politika*, March 26, 2014, accessed October 22, 2014, <http://www.yeniozgurpolitika.org/index.php?rupel=nuce&id=29323>; Free Woman Party of Kurdistan (PAJK) have made similar statements about the local elections in Turkey. See: ” PAJK: Seçimler Newroz Ruhunu Gerçekleştirme Olanağını Açığa Çıkaracak”, *Özgür Gündem*, 19.03.2014.
- [97] There is a broad archive of this issue. See; “Hedefimiz Demokratik Özerkliği Yaşamsal Kılmaktır”, *Democratic Regions Party*, January 16, 2014, accessed March 27, 2014, <http://www.bdp.org.tr/tr/?p=1420>. After establishing Peoples’ Democracy Party, Peace and Democracy Party changed her name to Party of Demoratic Regions because of this term Peace and Democracy Party’s web site is suspended by ".tr" Domain Name Administration. For this declaration please contact with the author. “Demirtaş: Demokratik Özerkliği İnşa Edeceğiz”, *Milliyet*, March 08, 2014; “Seçimler Özerklik Referandumudur”, *Democratic Regions Party*, 01.03.2014, accessed March 26, 2014, <http://www.bdp.org.tr/tr/?p=5879>; “Özerklik Tescillenecek”, *Özgür Gündem*, 18.02.2014; “BDP Kızıltepe Adayları: Özerklik Modelini Uygulayacağız”, *Besta Nuçe*, February 04, 2014, accessed October 22, 2014, <http://www.bestanuce1.com/haber/82521/bdp-kiziltepe-adaylari-ozerklik-modelini-uygulayacagiz>; “30 Mart'ta Özerklik Tescillenecek”, *Zaman*, April 20, 2014; Mahmut Bozarlan, “Kışanak: Özerklikte Sıra İnşada”, *Aljazeera Türk*, March 24 2014, accessed October 22, 2014, <http://www.aljazeera.com.tr/al-jazeera-ozel/kisanak-ozerklikte-sira-insada>; Ali Bulaç, “Diyarbakır, 'Özerklik Referandumu' için Sandığa Gidiyor”, *Zaman*, March 22, 2014; “Demokratik Özerklik Aşamasındayız”, *Al Jaazera Türk*, February 12, 2014, accessed October 22, 2014, <http://www.aljazeera.com.tr/haber/demokratik-ozerklik-asamasindayiz>.
- [98] “Demirtaş: Hedef Rojava’ya Uzanan Kürt Pazarı”, *Taraf*, 26.03.2014.
- [99] “Ceylanpınar İlhamını Rojava’dan alıyor”, *Democratic Regions Party*, March 14, 2014, accessed March 27, 2014, www.bdp.org.tr/tr/?p=7729. After establishing Peoples’ Democracy Party, Peace and Democracy Party changed her name to Party of Demoratic Regions because of this term Peace and Democracy Party’s web site is suspended by ".tr" Domain Name Administration. For this declaration please contact with the author.

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[100] “Rojava Nedir, Ne Değildir, Orada Neler Oluyor?”, *Fırat Haber Ajansı*, accessed October 22, 2014, <http://www.ajansafirat.net/gallery/rojava-nedir-ne-değildir-orada-neler-oluyor>.