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KADEK Update 8-20 January 2004

~~(S)~~ The Kurdistan Socialist Democratic Party (KDSP), which is a front for PKK / KADEK activity and political objectives, attempted to obtain permission from 101st elements to hold a conference in Mosul sometime in January 2004. Because of its ties to a state-department listed terrorist organization, 101st elements denied the KDSP permission to hold their conference. We assess that KDSP intended to expand its activities in Northern Iraq, legitimize itself as a political entity, and increase its constituency in the country in anticipation of future elections. The manner in which PKK / KADEK was treated by 101st personnel did not indicate US intent to address PKK / KADEK lethally, but, at a minimum, revealed US failure to acknowledge the PKK / KADEK and its affiliates as political rather than terrorist organization.

~~(S)~~ We continue to receive reporting about divides and conflicts amongst the KHK / KONGRA leadership. Specifically, Zubair Aydar, the current leader of KONGRA, is attempting to exert his authority, while members of the PKK / KADEK "old guard" like Osman Ocalan circumvent his authority. Aydar and Ocalan both want to pursue a political offensive, though via different means, while militants like Cemil Bayik support military action and / or violent demonstrations in support of PKK / KADEK objectives as well as PUK / KDP self-governance in Iraq. Abdullah Ocalan himself is reportedly frustrated with leadership conflicts and is advocating a PKK / KADEK conference this spring in which the leadership must decide on "war or peace" with

1.4b

~~(S)~~ Rumors of a prospective PKK / KADEK alliance with various Iraqi, Turkish, and international Islamic terrorist groups persist, though most of the reporting is from questionable Turkish sources. We assess that PKK / KADEK would be reluctant to solidify any such alliances until it was attacked in Northern Iraq since the organization is still attempting to legitimize itself politically in the region.

1.4b, 1.4d

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1.4b, 1.4d

~~(S)~~ The US State Department approached Ministers of Finance and Foreign Affairs in 1.4b 1.4b this week with a complete list of PKK / KADEK aliases and requested that those countries add PKK / KADEK to their tracked terrorist financiers.

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While all countries approached thus far acknowledged the organizations' several names, they made no commitment to target PKK / KADEK for terrorist financing. We expect this trend to continue as [1.4b] countries are approached about the subject.

(S) Finally, the UNHCR is scheduled to meet with GOT, US, and IGC officials 20-21 January in Ankara to discuss Makhmur repatriation among other things. However, the UNHCR "plan" for Makhmur as yet contains no specifics, and it does not appear that the delegation will be able to convince [1.4b] to extend its amnesty period for repatriation purposes. If [1.4b] truly wished for a democratic resolution, they would be more amenable to assisting the repatriations process; their stubbornness on a weak, inefficient, and ultimately ineffective amnesty law is very telling of their true intent and motivations. As a counter-proposal, we should perhaps consider a program repatriating Makhmur camp residents as Iraqi in order to leave options for at least a partial diplomatic resolution open.

Reporting on PKK / KADEK in Northern Iraq

1.4b, 1.4d

[1.4b, 1.4d] 101st Comment: Currently US forces do not recognize the DSP as a legitimate Iraqi political party. Further information regarding possible dates and times for this conference is still being collected. Additionally, more information will be provided after the meeting is held to

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discover if the former PKK actually elected new leaders or is using this as an attempt to recruit and/or spread anti-Coalition propaganda. We are awaiting guidance from our higher headquarters and / or CPA about how to address this conference if we are able to determine the location and date prior to the conference taking place. In the absence of guidance, we recommend either covertly surveilling the conference or having the Ninawah government prevent the conference from happening. (b)(6) the 2BCT Commander, already informed the KDSP leaders responsible for the conference that they are prohibited from holding their conference in Mosul.

2) ~~(C//REL AUS, CAN, and GBR)~~ According to the PUK and KDP, the KDSP is a front for PKK / KADEK activity and there are two main offices of that organization in Mosul. There are also some Syrian members of PKK / KADEK in Mosul as well. The PKK is attempting to hold a large (400 or more people) conference in Mosul and, through the KDP, asked the coalition for protection. PKK / KADEK expects attendees from all over the world and there are rumors that (b)(6) will attend the meeting. Both the PUK and KDP complained that the policy on PKK / KADEK is unclear, and emphasized a need for action sooner rather than later. (Counterterrorism North Conference, 19 January 2004) 101st Comment: We have other intelligence corroborating the statements made about the KDSP. In mid-November 2003, 101st elements raided one of the KDSP offices and, among other things, discovered Syrian members of the PKK amongst the 48 or so detainees. The detainees were questioned and later released. Again, we have no guidance from our higher headquarters or CPA about how to approach the prospective PKK / KADEK conference in Mosul. If (b)(6) does attend and the Turks find out, they will press the issue of detention / extradition. The KDP / PUK comments about US policy on PKK / KADEK were probably designed to probe the US forces present at the meeting concerning the possibility for lethal / diplomatic action against PKK / KADEK.

3) ~~(C//NF)~~ PKK / KADEK is importing C-4 type explosives from Iraq. The C-4 has been prepositioned at locations throughout Turkey and will be utilized in the event US or Turkish forces conduct military attacks against PKK elements located in Northern Iraq. The explosives will also be used in the event PKK's leader Abdullah Ocalan is harmed. The order for the import of the explosives was given by Ocalan's brother, (b)(6) AFOSI Det 521 Ankara, IIR 1 663 1363 04, 091023ZJAN04) 101st Comment: The source of this information is Turkish officials, and they often exaggerate reporting on PKK / KADEK. However, open source and other intelligence since late November 2003 identified several other PKK / KADEK residences searched in Turkey in which C4 explosives and attack plans were discovered. Other reporting still defines Iraq as the base of operations where PKK / KADEK obtains their supplies, trains their fighters, and otherwise prepares for attacks in Turkey.

4) ~~(S)~~ On 5 January 2004, a mainstream Turkish newspaper article claimed that PKK in Northern Iraq was selling its weapons to local villagers as it got rid of its weapons and worked to legitimize itself as a political entity in Iraq. RO asked source if the article was true. Source answered that Turkey had intelligence that agreed with the article in that the PKK was selling old weapons to people in the villages surrounding PKK camps. However, source added that the Turkish Special Forces also had intelligence that claimed that, at the same time the PKK was selling old weapons, it was also buying newer ones along with a great deal of explosive materials. RO asked source what kinds of weapons the PKK was selling to the villagers and

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source responded that PKK was selling standard AK-47 assault rifles as well as Russian machine guns. Source was more concerned about the reports that the PKK was stockpiling explosive material. Source asked RO to try to verify or determine the reliability of the Turkish reports through US contacts in the area. Source wondered if the explosive material that the PKK was obtaining was going to be used by AI operatives or if the PKK was going to use it themselves. Source alleged that AI and the PKK were working together and that he had received some reports that this might be true. Source also mentioned information that he had provided about the possible existence of a large quantity of TNT explosive material somewhere in Mosul.

(USDAO Ankara, [REDACTED] 1.4c) 101st Comment: Again, we observed many other previous reports about PKK / KADEK procuring weapons and explosives in Iraq for transport to Turkey. We also saw some reporting about PKK and AI potentially forming an alliance in the event PKK is attacked in Iraq but have seen no specific intelligence from non-Turkish sources about the alliance actually happening.

Continued Reporting of PKK / KADEK Alliances

1) (S//NF) According to an unvetted source, between 15-17 January 2004, terrorist operatives affiliated with Al Qaida and KADEK were planning to travel from [REDACTED] 1.4b where they were planning to meet with Hizbollah operatives intending to travel to [REDACTED] 1.4b on the same dates. The terrorist operatives from [REDACTED] 1.4b would then meet in the Caspian Sea resort area of Nabran near the Azerbaijani border with Dagestan together with members of the Chechen and Arab Mujahedin network in Azerbaijan and other terrorist operatives from Chechnya. Following this meeting, some of the terrorist operatives would immediately deploy to carry out planned terrorist attacks in either Turkey or Russia. [REDACTED] 1.4c
[REDACTED] 1.4c 101st Comment: Last month's reporting suggested that PKK / KADEK was attempting to ally themselves with Islamic terrorist groups operating in Turkey, of which Al Qaida and Hizbollah are two. It is possible that these alliances are already formed in anticipation of a PKK / KADEK "serhildan" this Spring, but, again, we've seen no specific intelligence about the formation of the alliance or its origins.

2) (S) On 5 January 2004, a [REDACTED] 1.4b relayed intelligence gathered on 24 December 2004 supporting earlier information they received about Ansar al Islam cooperating with the PKK in Northeastern Iraq. Source claimed that, according to his source, 15 total individuals belonging to both PKK and Ansar al Islam met in the Dokan region of Northeastern Iraq. Source said that two of the members of PKK were codenamed "Merivan" and "Ginar," and that two of the members of AI were [REDACTED] (b)(6). The source said that the purpose of the meeting was to work on possible future operations against US or Turkish forces in the region. He said that they also wanted to determine how best to gather support from the local population. When RO said that he found it very unlikely that the PKK would take a chance that the US would find out that they were working with AI, source replied that the PKK knew there were no guarantees for their future. He posited that the PKK was probably looking at all of their options in the event the US did try to remove them from Iraq. (USDAO Ankara, 000146, [REDACTED] 1.4c
[REDACTED] 1.4c) 101st Comment: We concur with RO's comments about the AI / PKK alliance and do not believe such an alliance would solidify unless coalition forces attacked PKK / KADEK in Northern Iraq.

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3) ~~(S)~~ KADEK was providing assistance in early January 2004 to a scientist who had been associated with the former Iraqi Regime. At the same time, KADEK officials in possibly Bulgaria were under pressure because of Turkey's relationship with the government there. Meanwhile, a new party in Syria formed under the aegis of KADEK. 1.4c

1.4c

Potential Disputes Among PKK / KADEK Leadership

1) ~~(S)~~ KONGRA-Gel officials were upset that Osman Ocalan and Nizamettin Tas had been interfering in KONGRA-Gel affairs in mid-January 2004. Chief among their complaints was that the two had exerted their influence to cause Abdullah Ocalan to order KONGRA-Gel officials to resolve their differences. In addition, these two had never over-stepped their authority and appointed local mayors and had sent at least one individual from Turkey to Northern Iraq without consulting local KONGRA-Gel authorities. 1.4c

1.4c

101st Comment: The new KHK / KONGRA leader, Zubair Aydar, has taken a much more aggressive stance as leader than some of the PKK / KADEK "old guard" (b)(6) (b)(6) to name a few) anticipated. He specifically expects all activity in Iraq and the surrounding areas to go through him, which isn't always the case. Moreover, there is some conflict between (b)(6) the head of the People's Defense Force (HPG) and (b)(6) (b)(6) is pressing for more militant action while (b)(6) is trying to promote a more aggressive political campaign. These divides may widen in time if given the appropriate space and chain of events.

2) ~~(S)~~ Imprisoned former PKK leader Abdullah Ocalan called for an extraordinary session of KADEK in late December. The goal of the congress, which would be held in April, was to decide the issue of war and peace with Turkey. Angry about rifts among the leadership of the congress, he directed that congress officials resolve their differences quickly. 1.4c

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101st Comment: This report reinforces other reporting about evolving rifts amongst the PKK / KADEK leadership. The issue of "war or peace" probably references the Serhildan discussed in much of the open-source PKK rhetoric.

3) ~~(S//REL FIVE EYES)~~ Guerrillas from PKK / KADEK were rejecting the new organization's orientation towards political activity and were reported to be heading to Europe to swell the ranks of hard-line Kurdish militants, according to early January 2004 information. 1.4c

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101st Comment: Europe contains several PKK / KADEK organizations or elements affiliated with PKK / KADEK (many of them youth organizations) that could initiate violent actions or demonstrations at a minimum if triggered. Current divides in the PKK leadership are primarily between those in favor of diplomacy and those in favor of military action.

Continued Unrest and Arrests in Turkey

1) ~~(C//NF)~~ Approximately two months ago, 14 KADEK youth organization supporters were arrested in Ankara, Turkey. Turkish National Police (TNP) did not find any weapons in the course of the raid. The members were arrested for meeting and conspiring against the Republic

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of Turkey. Twelve of the fourteen arrested remain in jail. (AFOSI Det 521 Ankara, [REDACTED])

[REDACTED] 1.4c

[REDACTED] 1.4c

2) ~~(C//NF)~~ On 11 January 2004, a demonstration consisting of approximately 150 participants, nearly all of whom were adolescent males, convened on Sali Pazari street in Adana, Turkey. They joined in chanting slogans in favor of Abdullah Ocalan and against F-type prisons. They chanted "a tooth for a tooth and blood for blood, we are with you Ocalan." During the chanting, participants started to burn tires and move down the street. Turkish National Police (TNP) intervened and participants escalated the violence by throwing rocks and Molotov cocktails at the TNP. The TNP formed a line and attempted to disperse the crowd with pressurized water, which had little effect on the participants. Several TNP members fired weapons into the air, which caused the majority of the participants to disperse. Some members of the demonstration threw rocks and debris from the street through windows of facilities in the area. Several young males were detained but later released. Source assessed the incident was a result of a few individuals inciting many others, predominately adolescents, to chant and join in escalating the violence. The demonstration was planned but not well organized. TNP usually prefer not to fire their weapons but the on-scene commander at the time decided it would further deter violence and scare the youth that were present. The demonstrators made no references to or against the US. (AFOSI Det 522 Incirlik, [REDACTED]) *101st Comment: This is the second reported demonstration against F-Type prisons in Turkey that turned violent in the space of a month. Neither demonstrated started violently; both gained momentum. There is some disparity in the reporting on what actually happened during the demonstration (see report below).*

[REDACTED] 1.4c

3) (U) A group consisting of women, young people, and children gathered yesterday on Cuma Pazari street in the Gulbache neighborhood in Adana protesting the fact that Ocalan has not been allowed to meet with his family and his attorneys. They called for him to be set free. The group, which unfurled a KADEK flag and then began to march, called out slogans. Police then attacked the group, which was marching along the street. In a clash that ensued when the group responded by throwing stones, the police first fired their weapons into the air and then towards the young people. When the demonstrators continued to throw stones, the police departed the scene of the action. When the police left the area of action, the activists attached the KADEK flag onto an electricity pole in the street and then dispersed into side streets. Yet another demonstration in Adana took place in the Ova neighborhood, also in the Seyhan district. A group of approximately 200, comprised of young people and children, gathered in Sali Pazari street and staged a march. The group, which during the march, called out slogans, was attacked by police with armored personnel carriers and pressurized water. The group, which responded to the police intervention with stones, clashed for a while with police. When the demonstrators ended their clash, the police cordoned off the neighborhood and broke the windows of houses on those streets. Meanwhile, in Izmir, young people from DEHAP, gathered together in front of the old Sumer bank at Konak, blew whistles, and called out slogans. DEHAP member [REDACTED] (b)(6) who made a statement, drew attention to the conditions in which Ocalan is being held and called for a democratic solution to the Kurdish issue. Approximately 200 people from DEHAP's youth and women's auxiliary organizations gathered in front of the Antep courthouse and protested the transfer of prisoners into F and D-type prisons, as well as the isolation policies applied to Ocalan. Meanwhile, a group that held a demonstration the evening before in Antep, continued to call out

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slogans. The group, after marching for a time within the neighborhood, ended their action when police arrived on the scene. The police conducted identity checks in the neighborhood after the action and took one resident into custody. (FBIS, GMP20040112000028, 121510ZJAN04)

101st Comment: This is the same demonstration referenced in the previous report, but the article discusses concurrent demonstrations in other locations on or around the same date. These demonstrations will likely become more volatile as Turkey nears its election period and the "amnesty" term expires.

4) (~~S//REL FIVE EYES~~) A team of 4-5 KADEK guerillas was reportedly planning to go to the Turkish city of Diyarbakir to carry out terrorist acts, according to mid-December information. The team is said to be part of a 15-person KADEK group that is being specifically trained to conduct terrorist actions in Turkish cities. [REDACTED] 101st

Comment: It is possible this report reflects some Turkish paranoia about prospective PKK / KADEK actions; however, recent intelligence and discoveries of materials and plans in PKK / KADEK safe houses lends some credibility to this reporting.

5) (U) A total of 11 persons were detained in Istanbul for reportedly recruiting personnel for PKK / KADEK and for sending supplies to the rural areas. A statement issued by the counterterrorism regional department said that the 11 suspects, three of them women, were detained as a result of an operation conducted with the participation of the intelligence regional directorate. The suspects reportedly sent supplies to the terrorist organization members active in the rural region and recruited personnel to receive military training in the camps in a neighboring country. The statement noted that together with the suspects, the security forces seized seven mobile telephones, nine sim cards, 21 jackets, six sweaters, four sleeping bags, 10 packets of medicine, hand-written organizational documents pertaining to the production of explosives, and banned publications. The statement further noted that some of the suspects took part in throwing explosives at a bank in Eminonu on 19 October 2003 and posting placards, and staging illegal demonstration in the same district one day later. Police officials remarked that the suspects, who reportedly tried to persuade members of a political party to join the organization and earlier sent many people to the organization's camps to receive training, have been referred to the Istanbul DGM chief public prosecutor's office. (FBIS, GMP20040111000192, 111909ZJAN04) 101st
Comment: It is unclear from the report where the supplies were obtained from, but no mention of Northern Iraq is in the article. The "rural regions," however, likely include Turkey's SE provinces and part of Northern Iraq.

6) (~~C//NF~~) Turkish security forces arrested and seized C-4 explosives from the residence of a known Turkish terrorist group member. Following the arrest and interrogation of [REDACTED] (b)(6) [REDACTED] (b)(6) a known PKK member, TNP conducted a search of his residence. TNP seized 16 kilograms of C-4 type explosives and five electrical fuses hidden within a 21-inch television. The explosives were individually wrapped and contained separate lot numbers and manufacture dates of 1983-1984. [REDACTED] (b)(6) interrogation also provided information leading to the arrest of two individuals believed to be associated with the incident. The arrests were made in Savur, Turkey, close to the Turkey-Syria border. Moreover, [REDACTED] (b)(6) informed the TNP during his interrogation the television was sent to him for repairs ten days prior to his arrest from Hakkari Turkey via Household Goods Moving Company, a private cargo company. (AFOSI Det 521 Ankara [REDACTED] 1.4c) 101st *Comment: Like Iraq, parts of Syria are used*

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as a base of operations for PKK / KADEK personnel in Turkey. This is also one of many locations at which TNP officials recently discovered explosives in Turkey.

7) (U) On 17 January 2004, there was a pro-PKK / KADEK demonstration in which the demonstrators hid their faces with scarves and masks and shouted slogans in favor of the terrorist organization and Abdullah Ocalan. They threw a Molotov cocktail into the street and fled before police came. They also threw Molotov cocktails in the streets they passed through. Police arrested four persons for participating in an unlicensed demonstration. Another group staged a similar demonstration in front of the new mosque in Eminonu and hurled Molotov cocktails into the street. These demonstrators, too, fled before the police came to the site of the incident. (FBIS, GMP20040118000189, 182005ZJAN04)

Regional Political Activities for Turkey / PKK

1) (~~S//NF~~) In late December 2003, an Iranian foreign ministry official characterized Iran's relationship with Turkey as very good. As a result of Iranian ambassador Firuz Dowlatabadi's efforts, the Iranian foreign ministry and embassy in Ankara enjoyed excellent access to senior Turkish government officials. Iranian contacts in Ankara were now at a high level where Iranian officials, both from the Iranian Embassy and from ministries in Tehran, enjoyed excellent access. Turkish prime minister Erdogan also wanted to increase cooperation between the TGS and the Iranian military. Iran was willing to cooperate with Turkey against KADEK and turn over KADEK militants immediately upon receiving Turkish proof of their terrorist activity. The Iranian officials admitted that the presence of KADEK guerillas in Western Iran had been a traditional point of contention between Iran and Turkey. Iran was also searching for conspirators who had fled to Iran following the November 2003 Istanbul bombings and planned to turn them over if caught. In addition, Iran and Turkey were coordinating their policies related to Iraq and its political future. Iran also enjoyed excellent economic relations with Turkey, particularly in the energy field. [REDACTED] 101st Comment: We continue to receive conflicting reporting on Iran's relationship with Turkey, particularly concerning the PKK / KADEK issue. The "proof of terrorist activity" will probably be a point of contention between the countries eventually because Iran has not expressed desire or intent to target PKK / KADEK within its borders unless it sees a specific economic or diplomatic advantage for itself.

2) (U) Defining the relations between [REDACTED] as relations that aim to maintain the status quo, KADEK Chairman Zubair Aydar has called upon the Kurds in East Kurdistan (Iran) to boycott the Parliamentary elections that will be held on 20 February 2004. Also referring to the elections in Turkey, Aydar drew attention to the importance of the alliance of democratic forces. Assessing that the status quo in the relations between Turkey, Syria, and Iran, KADEK Chairman Aydar stressed that the intervention with the candidates who will participate in the election in Iran is unacceptable. Stressing that the leader of Syria (al Asad) also takes pride in the fact that he handed Kurdish politicians over to Turkey, Aydar recalled that the TGS thanked Syria for this. Aydar emphasized that this shows how Bashar al Asad has changed since the death of his father. (FBIS, GMP20040113000036, 141411ZJAN04) 101st Comment: The "new" KADEK organization (KHK or Kongra) is having more difficulty than it anticipated maintaining historic "alliances" with Syria and Iran, plus Turkey has been exerting diplomatic

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on Syria and Iran to address PKK / KADEK since July-August 2003. Boycotting elections will probably not improve relations with Iran, but the Kurdish population in the country is significant enough to where Iran will not be willing to respond unilaterally.

3) (U) (b)(6) Chairman of Kongra-gel Science, Art, and Literature committee has called upon all the Kurds to make united efforts for the establishment of a democratic federation in Iraq. Recalling that Kirkuk is part of Kurdistan, Bayik stressed that it is necessary to insist on this fact. Bayik called on the Kurds to put forward their demands for a democratic federation by holding protest demonstrations and marches. Stating that Kirkuk is part of South Kurdistan and that it is necessary to insist on this fact, Bayik claimed that the Kurds in the south should put the time that is left until the summer into good use. Otherwise, efforts will be made to prevent the Kurds from taking the steps. The efforts that will be made here and their results are, therefore, of vital importance. (FBIS, GMP20040112000170, 121711ZJAN04) 101st Comment: Cemil Bayik is actually the head of the PKK / KADEK People's Defense Force (HPG), the militants from within the organization. In addition, (b)(6) is currently arguing with some of the other senior PKK / KADEK leaders about taking a more aggressive stance as an organization and accelerating military campaigns in Turkey and Iraq as needed. Both the PUK and KDP are dissatisfied with the now poor prospective for Kurdish autonomy in an Iraqi state, and may welcome outsiders' influence on their problems. (b)(6) is playing on these concerns with rhetoric like that stated above.

Terrorist Finance Designation

1) (U) In a 14 January meeting, AMEMBASSY Beijing representatives provided the Chinese Ministry of Foreign Affairs aliases for the PKK, which were added to the existing foreign terrorist organizations and EO 13224 designations of this entity. The MFA promised to pass the information immediately to his superiors. (AMEMBASSY Beijing, 000691, 140922ZJAN04)

2) (SBU) On 13 January 2003, the AMEMBASSY Seoul economics officer notified the South Korean MFA and trade and Ministry of Finance of the amended US EO 13224 designation of PKK to include all of its known aliases. Director General Chung Rea-Kwon in the international economic affairs bureau at Mofat assured the Economics Officer that his ministry would notify the appropriate South Korean government offices and law enforcement agencies of the change. (b)(6) 101st Comment: US diplomats also passed information to the MoF in Kyrgyzstan and Bahrain as well, and will likely continue to press the issue with other countries, particularly the EU. While all countries approached thus far acknowledged the organizations' several names, they made no commitment to target PKK / KADEK for terrorist financing.

Amnesty Law, Returns, and UNHCR Repatriation "Plan"

1) (U) Turkish Hakkari governor said that Iranian officials handed over two PKK / KADEK terrorists to Gendarme command teams at Esendere border gate. The governor noted that one woman member of PKK / KADEK surrendered to the Gendarme command teams in Cukurca town to benefit from the rehabilitation law. According to Turkish open source, 64 personnel applied in Hakkari to benefit from the law so far, and 55 of them have been released so far.

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Interrogation of nice persons continues. (FBIS, GMP2004011400010, 140602ZJAN04) 101st Comment: *These numbers are much, much lower than Turkey anticipated, but not unexpected from the rest of the international community. Turkey failed to enact programs to successfully repatriate large numbers of refugees and made little or no effort to promote the legislation amongst the PKK / KADEK population and Kurdish refugees in Iraq.*

2) (C) The Turkish Government is likely to redraft some major elements of the proposed action plan for facilitating the return to Turkey of ethnic Kurdish refugees from Iraq's Makhmur camp, according to the UNHCR. It may take energetic pre-negotiations to ensure that a tripartite (UNHCR, Turkey, and Iraq / CPA) agreement can be signed at the 20-21 January 2003 meetings in Ankara attended by Bureau of Population, Refugees, and Migration (PRM) assistant secretary Arthur Dewey. UNHCR officials have redlines but say they are inclined to be flexible on the text; their primary concern is strong protections for the returnees in the implementation phase. 101st Comment: *It is unrealistic to expect the US military will not play a role in this process or in its implementation. Nor have we seen specifics on UNHCR's plan or proposal for repatriation – it is a mixture of loosely tied rhetoric with even more ambiguous timelines and provisions. In the absence of specificity for implementation or execution, the UNHCR "plan" will fail.*

a) (C) UNHCR has not yet heard back formally from the GOT concerning the draft memorandum of understanding on the repatriation of refugees at Makhmur. The GOT said it would respond with a rewritten MOU between 12-14 January 2003. In response to prodding on the importance of obtaining a signed agreement at the Ankara meetings, Europe representative Hall said he can see two "failure" scenarios: either the inability to conclude a tripartite agreement at Ankara or concluding an agreement that the parties do not implement. Hall, however, agreed that the Ankara meeting presented a "critical window of opportunity" and committed himself and his staff to making every effort to come out of Ankara with a signed document. 101st Comment: *The text of this MOU is either unavailable or it has not been written yet. The latter "failure" scenario is the more likely of the two since neither the GOT nor the UNHCR appears committed to implementing a repatriation plan anytime in the near future.*

b) (C) UNHCR understands that the GOT has numerous objections to the first draft of the MOU and expects the GOT to present substantial alterations. Most importantly, the GOT is expected to reject UNHCR's request that it extend its reintegration law past 6 February or otherwise offer some form of blanked amnesty to refugees who renounce membership in the PKK. 101st Comment: *It is unfortunate that pressure from an outside agency will be insufficient to convince Turkey to extend its amnesty legislation, but not unexpected. If Turkey truly wished for a democratic resolution, they would be more amenable to assisting the repatriations process; their stubbornness on a weak, inefficient, and ultimately ineffective amnesty law is very telling of their true intent and motivations. As a counter-proposal, we should perhaps consider a program repatriating Makhmur camp residents as Iraqi citizens in order to leave options other than lethal actions or permanent refugee status.*

c) (C) The GOT is also expected to delete references in the UNHCR draft to exemptions or postponements of military service for eligible returnees. Hall said the GOT has allowed some returnees in the past to avoid immediate induction if they were sole breadwinners, but is not confident the UNHCR will win the argument for a more comprehensive decision. Other

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problematic sections for the GOT are presumed to include: 1) Provisions for visits by refugees to investigate and report back to Makhmur on resettlement areas (although the GOT reportedly would allow trips to Makhmur by ethnic Kurds from resettlement areas in SE Turkey to provide positive reports to the refugees); 2) Procedures to allow returnees to return with livestock (because of inoculation issues), and 3) the presumption of a right to return to areas from which refugees fled (GOT may be unwilling to guarantee return to summer livestock camps high in the mountains historically used by the PKK). *101st Comment: It seems like the more the issue is explored the more negative the incentives for returning to Turkey become. A key issue will be land redistribution for returning refugees in Turkey.*

d) ~~(C)~~ The GOT also wants to send a delegation to Makhmur. UNHCR agrees in principle that such a visit would be useful once it has prepared the refugee community but will tell the GOT to go slow for now. UNHCR is assembling extensive information packets aimed at the Makhmur population, which would provide legal and practical information about the repatriation program. 1.4c *101st elements have suggested that GOT representatives visit the Makhmur camp long before now, and the GOT representatives declined because they contended that the Makhmur camp is full of "terrorists" and they refused to meet with said terrorists. The GOT may just be telling the UNHCR they wish to visit as a gesture since we haven't seen any indication that Turkey is preparing to send a delegation to Makhmur prior to the expiration of the amnesty law on 6 February 2003.*

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