



PERMANENT MISSION OF THE REPUBLIC OF TÜRKİYE
TO THE UNITED NATIONS OFFICE IN GENEVA

Z-2022/62441669/34848234 -

The Permanent Mission of the Republic of Türkiye to the United Nations Office in Geneva and other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights and with reference to the Joint Communication from Special Procedures dated 20 July 2022 (AL TUR 5/2022), has the honour to enclose herewith the observations provided by relevant Turkish authorities.

The Permanent Mission of the Republic of Türkiye avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 26 August 2022

Encl: As stated.

Office of the High Commissioner for Human Rights
Palais des Nations
1211 Geneva 10



**INFORMATION NOTE IN REPLY TO THE JOINT COMMUNICATION FROM THE
SPECIAL PROCEDURES**

(Reference: AL TUR 5/2022)

1. With reference to the Joint Communication from the Special Procedures, signed by the Special Rapporteur on extrajudicial, summary or arbitrary executions, Morris Tidball-Binz; Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Tlaleng Mofokeng; Special Rapporteur on minority issues, Fernand de Varennes; and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Fionnuala Ní Aoláin; dated 20 July 2022, the Government of the Republic of Türkiye would like to submit its observations herein below.
2. PKK is designated as a terrorist organization by the USA, the UK and many other countries as well as the EU and the NATO. Over the past forty years, PKK has been responsible for the death of more than 40 thousand people in Türkiye.
3. Counter-terrorism operations cannot and should not be perceived as armed conflicts. Likewise, terrorist organizations and terrorists cannot and should not be perceived as the parts or sides of an armed conflict.
4. PKK has extensions in neighboring regions of Türkiye. PYD/YPG and PJAK, which are the organic extensions and affiliations of PKK, must naturally be considered as terrorist organizations. In the same vein, as mentioned in the Communication No. AL TUR 5/2022, PJAK is an extension of PKK and is designated as a terrorist organization.
5. During the operations carried out by the Turkish Armed Forces, utmost care is taken to protect the civilians. Likewise, all necessary measures are taken to ensure that the civilian infrastructure, historical structures, cultural assets and the environment are not damaged. The Government of the Republic of Türkiye categorically rejects all claims contrary to this reality.
6. In 2021, PKK carried out 383 attacks from Iraqi territory targeting Türkiye. Only during the first half of 2022, 339 attacks were carried out by PKK.
7. Article 7 of the Consitution of Iraq stipulates that no organization in Iraq, which poses a threat to neighboring countries, will be tolerated or will be allowed to do so. However, unless the Iraqi authorities demonstrates their will to fight against the PKK's presence in Iraq and PKK's attacks targeting our country, Türkiye will continue to take necessary measures to protect its national security within the framework of the international law, particularly Article 51 of the UN Charter.
8. Officials of Iraqi Government and the KRG expressed their distress about the presence of PKK and attacks carried out by PKK in Iraq.

In the statement by the KRG Anti-Terrorism Unit on 26 May 2022, it was announced that PKK members launched two rockets at a village in Dohuk and stated that *“PKK terrorists launched two rockets at Ardena village in Bamarne sub-district of Dohuk’s Amedi district. According to the first findings, two of our citizens were martyred and two were injured as the result of this attack”*. Governor of Dohuk, Ali Tatar also said in his statement about this attack that *“We condemn with the strongest terms these actions of PKK, which have nothing to do with Kurdishness”*. He also stated that *“PKK carried out attacks against citizens and villages of KRG in order to cover up its political and military defeat”*. Prime Minister of KRG, Masrour Barzani, in an event he participated in the United Kingdom on 20 April 2022 expressed that *“the statements that Türkiye bombed Makhmur should be corrected as Türkiye is fighting against PKK terrorist organization in Iraq; PKK members who could not survive in Türkiye invaded northern Iraq and threatened Türkiye from there; that PKK also disregarded the authority of KRG; that Türkiye is conducting a cross-border operation and fighting against PKK; nearly 800 villages in the KRG could not be reconstructed due to the cross-border operations triggered by the presence of PKK in the region; therefore PKK should leave Iraq”*. KRG Spokesperson, Cutyar Adil, stated on 2 February

2022 that *“the reason for Türkiye’s operation in the region is the PKK terrorist organization; PKK’s aim is to weaken the KRG; otherwise, PKK would not have any business in Sinjar or Qandil”*. In a statement made by the Office of the Prime Minister of Iraq on 10 May 2021, it was expressed that Prime Minister Al-Kadhimi said *“It is not acceptable that PKK not only threatens people living in the KRG, but also threatens a neighboring country”*. On 6 February 2022, Undersecretary of National Security of Iraq, Qasim Araci said that *“PKK’s presence in Iraq was neither legitimate nor legal, and the Government was determined to end this situation”*.

9. After DAESH terrorist organization took control over Mosul in 2014, PKK increased its power and influence in Makhmur with a so-called claim of guarding the region against DAESH. The camp in Makhmur is neither a “Kurdish refugee camp” nor “a UN camp”. The camp in Makhmur has lost its feature of being a humanitarian camp a long time ago. This situation has also been confirmed by the relevant Iraqi and UN organs. The ones residing in the camp do not meet the criteria for obtaining refugee status. This camp has turned into a logistics and recruitment center of PKK. On 17 July 2019, a Turkish diplomat who worked at the Consulate General of the Republic of Türkiye in Erbil was martyred in an attack carried out by PKK members who visited the camp regularly.

10. With the “Sinjar Agreement” signed between the Iraqi Government and the KRG under the supervision of UNAMI on 9 October 2020, it was decided that the security of Sinjar District would be ensured by the people to be selected among the local population and that all illegal armed groups including PKK would leave Sinjar. However, PKK did not leave Sinjar District and prevented the implementation of the Agreement. The Iraqi Government, KRG, the UN and the international community have supported the termination of PKK’s existence in Sinjar and the full implementation of the Sinjar Agreement. There have been several calls and statements in this regard. Due to the PKK’s presence in Sinjar, Yazidis who had to flee the region cannot return to their home.

On 5 July 2021, Sinjar “District Governor” Mahma Halil stated that PKK kidnapped thousands of Yazidi children and these children were forcibly given weapon training in several camps.

On 9 May 2022, President of Dohuk Provincial Council Fehim Abdullah stated that 380 villages were evacuated due to the presence of PKK in Dohuk; more than 10.000 people were displaced in Sinjar due to the clashes between PKK and the Iraqi army and these people were located in camps; 70% of the population of Sinjar District resides in Dohuk; and it is necessary to solve the crisis in Sinjar.

In May 2022, the representatives of the Yazidi community in Iraq, Herman Mirza Beg and Mahma Halil stated that the IDPs can return their home only if PKK and other illegal groups leave Sinjar immediately; the presence of PKK in Sinjar is contrary to the interests of Yazidi people; PKK has been trying to draw Yazidis into a new war since 2014; an international conference needs to be convened to resolve the ambiguity in Sinjar; the implementation of the Sinjar Agreement signed by Baghdad and Erbil is essential; and PKK is an obstacle to the implementation of the Iraqi constitution.

11. PKK terrorist organization and its affiliated associations in different countries are spreading baseless allegations to manipulate public opinion and sow hatred against the Turkish people.

12. The Government of the Republic of Türkiye fully complies with its obligations under national and international law when carrying out counter-terrorism operations. During the operations carried out by the Turkish Armed Forces, all necessary measures are taken to protect the civilians, civilian infrastructure, historical structures, cultural assets and the environment. The allegations in the joint communication are baseless and reflect the disinformation disseminated by a terrorist organization. The Government categorically rejects these allegations and reiterates its call on the Special Procedures not to allow terrorist organizations to spread their propaganda through this platform.