

LUISS Guido Carli
PREMIO TESI D'ECCELLENZA

**Influence of ethnic conflicts
on foreign policy:
the Kurdish minority**

Sara Chiaretti

4
2017-2018

LUISS Guido Carli / Premio tesi d'eccellenza
Working paper n. 4/2017-2018
Publication date: december 2019
Influence of ethnic conflicts on foreign policy: the Kurdish minority
© 2019 Sara Chiaretti
ISBN 978-88-6105-491-2

This working paper is distributed for purposes of comment and discussion only. It may not be reproduced without permission of the copyright holder.

LUISS Academy is an imprint of
LUISS University Press – Pola Srl
Viale Pola 12, 00198 Roma
Tel. 06 85225485
e-mail lup@luiss.it
www.luissuniversitypress.it

Editorial Committee:

Leonardo Morlino (chair)
Paolo Boccardelli
Matteo Caroli
Giovanni Fiori
Daniele Gallo
Nicola Lupo
Stefano Manzocchi
Giuseppe Melis
Marcello Messori
Gianfranco Pellegrino
Giovanni Piccirilli
Arlo Poletti
Andrea Prencipe
Pietro Reichlin

Influence of ethnic conflicts on foreign policy: the Kurdish minority

Sara Chiaretti

Abstract

This working paper is devoted to the analysis of current influences and future possible challenges which may arise from the presence of ethnic minorities within States' borders. The presence of ethnic minorities, as well as their influence on the behaviour of States, both on internal politics as in foreign policy, is a multidimensional issue and requires a multidisciplinary approach. However, even defining what is an ethnic minority may result in tricky outcomes. Therefore, the best practice is to analyse the issue from different perspectives and using more than one theoretical approach. Minorities are a specific concern since they can strongly influence State-State relations and require special international attention because they can easily become a cause of civil and interstate conflicts. Moreover, these kinds of conflicts easily internationalize. Minorities, are a political issue but also a subject for International Law: their search for recognition and self-determination are of great attention because of the potential multidimensional implications as the risk of secession. In a broader sense, minorities are also an interesting focal point for political philosophy which has investigated the issue of multiculturalism and "social agonism". Moreover, many of these ethnic minorities are cross-borders minorities which is, as a matter of facts, a great question to deal with for governments and for supranational organizations which may risk to interfere with the domestic domain of States. Even if the issue of ethnic minorities influence on States behaviour in foreign policy is not largely included in recent academic literature, it is regaining prestige because of the resurgent crisis caused by ethnic polarization as for the Kurdish minority in Turkey, Iraq, Syria and Iran. Kurds will be the case study analysed in this working paper along with the Turkish reaction toward the Iraqi referendum for regional autonomy and Kurdish support in Syria against ISIS.

Introduction

The influence of ethnic conflicts of foreign policy is a new theme for international studies, not often approached in literature. For the most part, studies have been sectorial – anthropological, historical, strategic – but only rarely they have been combined to produce a complete picture. The aim of this dissertation is precisely to combine factors of different nature in order to advance an understanding of how ethnic conflicts, which represent internal issues for countries, affect final strategies in foreign policy, and as a case-study, how the Kurdish ethnic conflict influences regional and Turkish foreign policy.

The research object can be identified in the Kurdish ethnic conflict whereof I will analyse the causes, the development and the implications, while the research subject is related to the influence which the Kurdish ethnic conflict has on Turkish strategies in foreign policy. The issue of the influence of ethnic conflicts on foreign policy is of practical importance since those are the most common contemporary kind of conflicts which are affecting the international community. Understanding their implication, would be possible to stabilize restless regions of the World like Middle East, and prevent further conflicts between States. In the specific case of Turkey, would be possible to understand its current behaviour in foreign policy, for example during the Astana negotiations or its reaction after the Iraqi referendum. It could also help to predict whether Turkey will become more proactive in foreign actions and if it will be ever accepted in the European Union. Turkey is a member of NATO and a neighbour of Russia, therefore its activities may have a serious impact on these actors: being able to set a model to predict what requests or interest will enhance, could be of crucial importance to be prepared and promptly respond. This dissertation therefore will be of practical value not only for researchers but also for policy makers.

The theoretical base of this paper can be found in international law studies on minorities protection and support of self-determination right. It also based on the analysis of Carolyn C. James and Özgür Özdamar in their “Modelling Foreign Policy and Ethnic Conflict: Turkey's Policies Towards Syria” (Oxford Journal, Volume 5, Issue 1, 1 January 2009) and Peter F. Trumbore “Victims or Aggressors? Ethno-Political Rebellion and Use of Force in Militarized Interstate Disputes” (International Studies Quarterly Vol. 47, No. 2, Jun., 2003) which are the two main works of reference on the argument.

The methods which will be employed are data analysis (statistics and modelling) for statistical-quantitative method; case studies among the qualitative methods and archival research, content analysis and comparative-historical method among the possible mixed approaches.

The research questions I am proposing to answer to are two: “do ethnic conflicts, which are a matter of internal politics, influence State’s foreign policy and its international relations with other States?” and “are ethnic conflict making States affected by them more aggressive in foreign policy?”.

1. Minorities and ethnic conflicts

1 The concept of Minority and its protection in international law

Many international treaties and conventions entail the concept of ‘minority’, even if is still vague and airy since it has sensitive political implications for States.

To date “*there is no binding and universally recognized legal definition of the concept of minority*”¹, however this word call to mind the idea of a group of people who share common ethnicity, beliefs, history and language, which differ from the majority, on a certain territory, in a position of non-dominance. This idea has been brought back to the top by the definition included in the report of the UN Sub-Commission on the Prevention of Discrimination and the Protection of Minorities released in 1985², and by the work of the UN *Special Rapporteur* Capotorti in his explicative report³ on art. 27 of the International Covenant on Civil and Political Rights (ICCPR). This definition⁴ may seem comprehensive, defining five objective criteria to identify a minority, but, at a careful analysis, it presents some unresolved questions: first, what does “non-dominant position” mean and how and who can assess it with impartiality; second, how much the so called “other-definition” has an impact on the recognition of a minority. For what concerns the first point, there are not objective criteria to decide whether the members of a minority group are in a non-dominant position⁵, neither exists a specific international body in charge to judge if the non-dominant position occurs, nor a list of minorities which deserve international protection or recognition⁶. Obviously, if civil and political rights are denied to the members of the minority, a condition of non-dominance exists, however in some cases is much more difficult to decide since some rights are guaranteed while others not, or the minority group enjoys a better economic status than the majority. Regarding the second point, the issue is complex: while the members of a minority perceive themselves as part of a peculiar group of people (self-awareness and self-definition), the State where they live may not recognize them as a whole. In this case, the States may decide to not apply the protection guaranteed to the rights of minorities. Following this reasoning we can affirm that a minority has not necessarily to be other-defined to exist, but has to be other-defined – at least implicitly – in order to be entitled to the rights of minorities. States are in any case obliged to recognize the presence of a minority on their territory, which means that they may not respect minorities’ rights even if the minority, in practice, exists. Even if some scholars pretended that positive action should come before the issue of a shared definition has been solved⁷, there have been other definitions of minority which have acquired a certain importance during the evolution of thought of the scientific and academic doctrine.

The evolution started after the first World War with the League of Nations⁸. The League of Nations Covenant did not contain any article on Minorities however it provided for a specific petition

¹ Francesco Cianci, *Sulla problematica assenza di una definizione giuridica vincolante e universalmente riconosciuta di minoranza e sulle sue annesso implicazioni in diritto internazionale*, Ricerche Sociali, 17, 2010, p. 10 [in Italian]

² UN Doc. E/CN.4/Sub.2/1985/31.para.181

³ Francesco Capotorti, *Etude des droits des personnes appartenant aux minorités ethniques, religieuses et linguistiques*, New York, United Nations, 1979, p. 102 [in French]

⁴ As written by Capotorti: “[a minority is] *A group numerically inferior to the rest of the population of a State, in a non-dominant position, whose members - being nationals of the State possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language.*”

⁵ F. Ermacora, *The Protection of Minorities before the United Nations*, 182 RCADI 1983-IV, p. 286 - 288, where he supports that “...human rights standards demand a definition of minorities”.

⁶ K. Koch, *The International Community and forms of Intervention in the field of Minority Rights Protection*, in I.M. Cuthbertson and J. Leibowitz (Eds.), *The new Europe's old issue*, Institute for EastWest studies, Prague, 1993, p.267

⁷ Hannum tries to neglect the issue of a common definition of minority by accepting that a “common sense” definition would be sufficient, in H. Hannum, *Contemporary Developments in the International Protection of the Rights of Minorities*, 66 Notre Dame LR 1431 , 1991.

⁸ Howard B. Calderwood, *The Proposed Generalization of the Minorities Regime*, 26 AM. POL. Sc. Rev. 1088 (1934)

method before the Council by individuals and by representatives of minority groups⁹. The Permanent Court of International Justice (PCIJ) of the League of Nations issued that a minority is “*by tradition a group of persons living in a given country or locality having a race, religion, language and traditions of their own and united by this identity of race, religion, language and traditions in a sentiment of solidarity, with a view to preserving their traditions, maintaining their form of worship, ensuring the instruction and upbringing of their children in accordance with the spirit and traditions of their race and rendering mutual assistance to each other*”¹⁰. This definition represents the first official effort to identify the concept of minority. For long time it has remained one of the most authoritative perspectives on the issue.

After the second World War with the creation of the United Nations, the issue of minorities’ protection has been demanded to the Sub-Commission on the Prevention of Discrimination and Protection of Minorities within the Commission on Human Rights. While the Sub-Commission tried to put together a shared definition, the Commission often refused to deal with the problem, trying to postpone it. Even the memorandum by the Secretary-General of the UN, issued in 1950, titled “Definition and classification of minorities”, had no influence in fostering the process¹¹.

Only with the ICCPR something seemed to change and, in particular, *special rapporteur* Capotorti’s definition gave fresh impetus to provide a definition. His research put together not only academic opinions but also governmental points of view on a such delicate issue. Still, Capotorti’s definition is not accepted as the official one to refer to, but it is taken into account just in the framework of the interpretation of the ICCPR. However it represents a milestone in the defining process. Jules Deschnes, on the request of the Sub-Commission, proposed his own definition stating that one of the most important features of a minority is that it wants to achieve “*equality with the majority in fact and in law*”¹². What remarks here is that a simple ethnic, religious or linguistic group become a minority when it consciously and actively chase a certain behaviour in order to achieve equality both in practice and in law. Finally, the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities, avoided to deal with the issue of definition, resulting in a general omission by the UN¹³.

Other organizations than the UN take charge of the issue: for example the Council of Europe expressed a definition in article I of the Draft Additional Protocol on the rights of minorities to the European Convention of Human Rights, as proposed by the Parliamentary Assembly¹⁴. Some specific criteria to be a national minority are identified: a) residence on the territory of a certain State, having the citizenship thereof, b) maintain long standing, firm and lasting ties with that State, c) displaying distinctive ethnic, cultural, religious or linguistic characteristics, d) being sufficiently representative, although smaller in number than the rest of the population of that State, e) being motivated by a concern to preserve culture, traditions, religion or language”. In the same pattern we find the definition proposed by the European Commission for Democracy through Law – a non-governmental consultative body of the Council of Europe – published for the European Convention

⁹ G. Sacerdoti. *New Developments in Group Consciousness and the International Protection of the Rights of Minorities*, 13 Israel YHR 116 (1983), p.117

¹⁰ *Greco-Bulgarian Communities case*, PCIJ, Ser. B, No 17, 1930, p. 21

¹¹ M. Shaw, *The Definition of Minorities in International Law*, in Y. Dinstein (Ed.): *The Protection of Minorities and Human Rights* (Martinus Nijhoff, 1992), p.11

¹² UN Doc. E/CN.4/Sub.2/1985/3 1, para. 181

¹³ V. Grammatikas, *The Definition of Minorities in International Law: A Problem Still Looking For A Solution*, Democritus, University, of Thrace, RHDI 52: 321 (1999) p.330

¹⁴ CoE A Doc. 6742 (19 January 1993)

for the protection of Minorities¹⁵. These attempts have been little more successful than those of the UN, however recent instruments regarding minorities protection¹⁶ still tend to avoid the issue of definition to guarantee less objections and a wider applicability. Unfortunately, in this way, applicability is still a matter of interpretation. States have always tried to keep the question of the protection of minorities within the so-called “reserved domain”. Article 2 of the Charter of the United Nations affirms that the UN cannot interfere in any matter which the States do not want to submit to the international regulation. The Charter does not specify what matters are of States exclusive competence, however, the jurisprudence of the International Court of Justice and post-World War II policies, led to an evolution “in a liberal sense (of the concept), i.e. in favour of the UN's competence¹⁷”. About the question of reserved domain the PCIJ had ruled that all matters in which the State has assumed international obligations are subtracted from the reserved domain. Opinion then confirmed by the IGC in 1950, and never denied until now¹⁸. In the Advisory Opinion on the *German settlers in Poland*¹⁹ and in the Advisory Opinion on the *acquisition of Polish nationality*²⁰, the Court ruled in favour of a broad as possible interpretation: it was not necessary to belong to a minority State in order to request the protection of the League of Nations. In another Opinion²¹ the PCIJ established that existed a division between “minorities in a broad sense” that were fully placed under the protection of the League of Nations, and “minorities in a strict sense” that, instead, having the citizenship of a particular State, had the right, within the boundaries of this State, to also take advantage of the equality of civil and political rights. On April 26, 1928 the Court issued a judgement on the rights of minorities in Upper Silesia (minority schools)²², in which it was finally sanctioned that minority rights and equality expressed in the treaties could be asserted by anyone *de facto* belonging to a minority. In the UN framework²³, Covenants and Declarations on minority protection have been adopted but the main issue remains the lack of effective enforcement and monitoring mechanisms, or the uncertainty of interpretation. This is the case of the International Convention on the Elimination of all Forms of Racial Discrimination (announced in 1965 and entered into force in 1969), of art. 27 ICCPR of 1966, and of the accompanying UN International Covenant on Economic, Social and Cultural Rights. The idea was to balance the need for protection of minority rights, intended as rights of individuals belonging to a particular community, and the desire of States to maintain the concept of State sovereignty undisputed and untouched. This compromise was inappropriate to guarantee effective protection²⁴. Even the Authoritative General Comment on Article 27 adopted by the UN in 1994 could not resolve this shortcoming. Same unsatisfactory formulation in the UN General Assembly Declaration on the

¹⁵ Art. 2 para. I CoE, CDL-MIN (93) 6 (22 February 1993)

¹⁶ For example the concluding Document of the Copenhagen Meeting of the Conference on the Human Dimension of CSCE

¹⁷ Benedetto Conforti, *Le Nazioni Unite*, Padova, 1986, p.146 [in Italian]

¹⁸ T Koivurova, *'The International Court of Justice and Peoples'*, 9 *International Community Law Review* (2007) p. 157 et seq

¹⁹ CPJI, Publications, *Colons allemands en Pologne* n° 6 du 10/09/1923 [in French]

²⁰ CPJI, Publications, *Acquisition de la nationalité polonaise* n° 7 du 15/09/1923 [in French]

²¹ CPJI, Publications, A/B n.44, *Traitement des nationaux polonais et des autres personnes d'origine ou de langue polonaise dans le territoire de Dantzig du 1932* [in French]

²² CPJI, Publications, A, n. 15, *Droits de minorités en Haute-Silésie (écoles minoritaires)*, du 26/04/1928

²³ Peter Hilpold, *UN Standard-Setting in the Field of Minority Rights*, 14 *International J. Minority & Group Rts.* 181, 183 (2007)

²⁴ P. Thornberry, *International Law and the Rights of Minorities*, Oxford : Clarendon, 1991, p. 173

Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities²⁵ (December 1992) which enhance the protection of the existence and the promotion of identity of minorities²⁶. Documents issued by CSCE/OSCE are, as the UN ones, referring more to political principles and ethical commitments instead of being legally binding for States part. Protection of minorities is considered essential to secure democracy and peace in Europe. The aim is to support States that, while presenting a multicultural and pluralistic population, must, in any case, ensure equal rights for all social segments of their population. In the Concluding Document of the Vienna meeting (Para. XVIII and XIX) is remarked that cultural diversity enriches Europe and that the legal status of minorities' members must be strictly equal to that of the majority members²⁷. In addition, the same document has opened the doors to the so-called Human Dimension Mechanism, which, with the end of the Cold War, had the chance to focus the attention on minorities. Specifically, the meeting of June 1990 in Copenhagen explicitly enumerated the rights of "persons belonging to national minorities". In Art. 3 subsection 5, is even mention a certain right to establish "local or autonomous administrations". There will be references to this Document in the Charter of Paris (1990) and in the final document of the follow-up summit in Helsinki (July 1992). It is with the Helsinki meeting of 1992 that the High Commissioner for National Minorities is established, under the leadership of the Senior Officials Committee and in cooperation with the Office for Democratic Institutions and Human Rights (ODIHR). Its fundamental task is to initiate an "early warning" procedure in the case of a suspected violation of human and minority rights, as well as to ensure a "timely action" or "early action" that at its sole discretion judgment could cause conflicts in a certain area of OSCE competence. The Moscow conference on the CSCE Human Dimension (October 1991) deepened the Vienna mechanism, providing a set of procedures which allow much more control over member states compliance minorities protection. Three possibilities were mentioned: a) a member state could invite a commission of three rapporteurs to investigate any violation; b) a mission could be sent on the territory of a participant state upon the request of six countries; c) in case of emergency ten states can call for a mission of three rapporteurs to 'establish facts' in any CSCE state. Seems that if any OSCE state refuse to accept the mission on its territory its OSCE membership could be suspended²⁸.

The major advantage in minorities protection has been taken by the CSCE Meeting of Experts on National Minorities in Geneva (1991) which stated that "*national minorities [...] are matters of legitimate international concern and consequently do not constitute exclusively an internal affair of the respective state.*"²⁹ Worth to note that are mentioned only national minorities in the tradition of Helsinki Final Act of 1975. The Council of Europe has always been concerned with minorities protection and minorities rights enhancement. In particular, the Council of Europe's European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) art. 14 notices

²⁵ UN GA Res. 47/135, 18 Dec. 1992.

²⁶ Other UN instruments which enhance minority rights protection, even if less specifically, include the Convention on the Prevention and Punishment of the Crime of Genocide, Jan. 12, 1951, 78 U.N.T.S. 277; UNESCO Convention Against Discrimination in Education, Dec. 14, 1960, 429 U.N.T.S. 93; Convention on the Rights of the Child, 20 Nov. 1989, 1577 U.N.T.S. 43. and The Vienna Declaration and Programme of Action, U.N. Doc. A/CONF.157/23 (Jul 12, 1993).

²⁷ Ronzitti, *Le minoranze nel quadro della Conferenza sulla Sicurezza e la Cooperazione in Europa*, Padova, 1991, p. 43 e ss. [in Italian]

²⁸ *Document of the Moscow meeting on the Conference on the Human Dimension of the CSCE*, Moscow, 10 Sep.-4 Oct., 1991, para. 1-16

²⁹ *Report of the CSCE Meeting of Experts on National Minorities*, Geneva, 19th July 1991, Section 2

that the enjoyment of minority rights has to 'be secured without discrimination'³⁰. Alleged violations of the Convention may be brought before the European Court of Human Rights in Strasbourg, whose rulings are binding. The Court can decide appropriate remedies for the State which violated the Convention, and if the State fails to conform to the pronouncement, it can be expelled from the Council of Europe. The Council has tried to obtain another major success in the field of making conventions binding for member states: in 1995, it opened to signatures the Framework Convention for the Protection of National Minorities, in order to make all CSCE/OCSE instruments binding to the largest extent³¹. It was the first European instrument, truly multilateral, meant to be legally-binding, however it still cannot be enforced since it fails in defining what is a minority³².

Finally, we can consider other instruments in international law which deal with the issue of minorities. The most important one is the Charter of Algiers also known as the Universal Declaration of the Rights of Peoples (1976). It is a non-governmental, not binding instrument, and it has been written in a very informal context by experts and politicians to provide a synthesis of what was produced until that moment on minority issue.

In many of the legal documents mentioned above there is a precise catalogue of rights reserved to minorities. In defining these rights there are two prevailing approaches: first, the individualistic protection, and second, States have to maintain both a negative (refrain from doing something) and a positive (actively doing something) conduct.

For what concerns the first approach, one assumption is that minority rights are in contrast with the aspiration of the international human rights law to safeguard universal human features. Being part of a minority group is something few people share³³ so, minority rights which deserve legal protection are only those related with the common features of a universal human identity³⁴. These rights are namely freedom of expression, freedom of association, freedom of participation, and equality before the law. Other rights such as the right to enjoy their own culture, to practice their own religious spiritual exercises, and to use their own shared language are protected because of universal value³⁵. In Levy's opinion, international law estimates minority protection, and is concerned about it, not just because of universal value but especially because it mitigates "*dangers of violence, cruelty, and political humiliation [that] so often accompany ethnic pluralism and ethnic politics*".³⁶ This idea has been much more successful in the European perspective. But it is crucial even in NATO perspective: respect for people belonging to a minority is³⁷ one of the criteria for NATO membership. In any case, the formulation in official documents is always that of 'persons belonging to a minority', which means that the enjoyment of the rights is primarily interpreted with an individualistic approach. Fact which suggests a greater interest in individual, instead of collective, dimension. This way of thinking creates an issue since some rights, as the right to speak the minority language, can be enjoyed only collectively. There would therefore be a compromise

³⁰ *European Convention for the Protection of Human Rights and Fundamental Freedoms*, 4th Nov. 1950, in *Collection of International Instruments*, pp. 274-290

³¹ Di Stasi, A., *La Convenzione-quadro sulla protezione delle minoranze nazionali tra sistema universale e sistema regionale*, in *Rivista Internazionale dei Diritti dell'Uomo*, 2000

³² Rainer Hoffman, *Protecting the Rights of National Minorities in Europe*, 44 *Ger. Yrbk. Int'l L.* 23 7 (2001)

³³ J. Donnelly, *Universal Human Rights in Theory and Practice* 10 (2d ed., Cornell Univ. Press 2003)

³⁴ Patrick Macklem, *Minority rights in international law*, 6 *Int'l J. Const. L.* n°.3-4 Oxford University Press and New York University School of Law., pp. 531-552, (2008) p.534

³⁵ Will Kymlicka, *Multicultural Citizenship: A Liberal Theory Of Minority Rights* (Oxford Univ. Press 1995)

³⁶ Jacob T. Levy, *The Multiculturalism Of Fear* 12 (Oxford Univ. Press 2000)

³⁷ *NATO Transformed*, NATO Public Diplomacy Division. Jun. 2004, at 21, available at www.nato.int/docu/nato-trans/nato-trans-eng.pdf

between the individual ownership and the collective exercise of the rights mentioned in the documents. As Kelsen pointed out, minority rights protection is not just connected with universal values but with the very idea of a just distribution of power and sovereignty in this world³⁸, therefore, minority rights can be considered as a tool to mitigate injustice³⁹.

The other issue concerns the effective measures a state has to take in favour of minorities in order to prevent discrimination and positively avoid a certain kind of assimilation⁴⁰. The negative phrasing of article 27 ICCPR, which states that members of a minority "shall not be denied the right" is accompanied by positive actions art. 27 imposes upon states⁴¹. Moreover, The UN Sub-Commission requested another study on "peaceful and constructive solutions to situations involving minorities", which highlighted the need for a comprehensive approach to positive enhancing of minority rights, promoting participation in political life and encouraging pluralism. Other positive measures to ensure protection of minorities are equal treatment and administrative decentralization to better guarantee an equal status with the majority⁴², reject the idea of forced assimilation and promote non-discriminatory behaviour⁴³. Technically, from a procedural point of view, international instruments only set limits to State intervention in forcing assimilation of ethnic, religious or linguistic minorities; however, in the logic of the evolving jurisprudence, norms in favour of people belonging to minorities have to be re-interpreted toward more 'positive' actions⁴⁴: States are responsible for life conditions, right to embrace key claims to identity, economic self-sufficiency and even environmental protection for minorities⁴⁵. In the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities, approved by acclamation, it is stated, in the Preamble, that the protection and promotion of cultural differences of minorities has not only the purpose to establish peaceful relations between States and within them, but above all to contribute to the development of the international society as a whole, thanks to a cultural enrichment. States should undertake any measure to protect the different minority identities (Article 1) and to guarantee them the use of the mother tongue (art.2) and the effective participation in political, economic and social life, both at central and regional level, allowing members of a minority spread over several territories of different States, to establish contacts and relations with the citizens of other States with whom they share cultural, ethnic or religious bonds (Article 2 paragraphs 3, 4, and 5). Article. 8 finally states clearly that any measures in favor of minority groups do not constitute a violation of the equality enshrined in the Universal Declaration of Human Rights because equality cannot be defined as such if it is not also substantial (so-called positive discrimination).

³⁸ Hans Kelsen, *On the Essence and Value of Democracy*, in Weimar: A Jurisprudence Of Crisis 84,100 (Arthur J. Jacobson & Bernard Schlink Eds., Univ. Cal. Press 2000)

³⁹ Will Kymlicka, *The Internationalization of Minority Rights*, 6 Int'l J. Const. L. (I.CON) 1 (2008)

⁴⁰ Martin Scheinin, *The Right to Enjoy a Distinct Culture: Indigenous and Competing Uses of Land*, in *The Jurisprudence Of Human Rights Law: A Comparative Interpretive Approach* 159-222 (Theodore S. Odin, Allan Rosas & Martin Scheinin Eds., Institute for Human Rights, Abo Akademi Univ. 2000)

⁴¹ Ryszard Cholewinski, *State Duty towards Ethnic Minorities: Positive or Negative?* 10 Hum. RTS. Q. 344 (1988)

⁴² Astrid Eide, *Study on Peaceful and Constructive Solutions to Situations Involving Minorities*, U.N. Doc. E/CN.4/Sub.2/1993/34, Add. 1-4

⁴³ Tom Hadden, *The United Nations Working Group on Minorities*, 14 Int'l J. Minority & Group Rts. 285-97 (2007)

⁴⁴ R.G. Wirsing, *Dimensions of minority protection*, in R.G. Wirsing (Ed.) *Protection of ethnic minorities: comparative perspectives*, New York and Oxford: Pergamon (1981) p. 9 and P.L. van der Berghe, *Protection of ethnic minorities: a critical appraisal*, in R.G. Wirsing (Ed.) op. cit., pp. 343-355

⁴⁵ G. Pentassuglia, *Evolving Protection of Minority Groups: Global Challenges and the Role of International Jurisprudence*, International Community Law Review 11 (2009) 185-218, p.206

2 The issue of Self-Determination

Art. 1 of the ICCPR, as art. 1 para. 1 and art. 55 and 56 of the Charter of the United Nations, state that ‘peoples’ are entitled with the right to self-determination⁴⁶. Many other charters have been written on the basis of this famous principle⁴⁷ which has been recognized in the post-colonial period practically in every official document related to minorities, indigenous peoples and ex-colonies. However, if we stick to the words used to define the principle, only ‘peoples’, and not minorities, are entitled to it. Cristescu, one of the special rapporteurs to the Sub-Commission tries to define the idea of ‘people’ in the following way: a people is a) a social entity which possess a clear identity and characteristics; b) being a people implies a relationship with a specific territory, without considering if the people is currently living in another place, has been wrongfully expelled or has been substituted with other populations⁴⁸. The discriminant element between minorities and peoples is then the idea of territory⁴⁹. In this sense, the prevalent interpretation has been the one which offered the right to self-determination to peoples inhabiting independent States⁵⁰, to avoid the difficult issue of secession and giving credit to the interpretation which combines self-determination with territorial integrity⁵¹. Even the ICJ concluded that the right to self-determination is consequence of the *uti possidetis*⁵². But, as Franck points out, the concept is inapplicable outside the “decolonization agenda” and completely useless to assess other similar cases (see the case of Kurds)⁵³. Another definition of ‘people’ has been given by Dinstein who emphasizes two elements: the objective element given by the presence of a homogeneous ethnic group that shares a common history; and the subjective element that pertains to the common vision of their identity that individuals belonging to the aforementioned group share⁵⁴. For what concerns the objective element, the concepts of people and minority are overlapping, however the distinctive element is the subjective one which refers to a shared political project for the future of the people⁵⁵. Following this suggestion, the characteristic feature of a people is its right to freely determine its political status under any circumstances. Elaborating on the reasoning, Brownlie explains that recognition of minority rights is the practical and internal state-level working of the concept of self-determination⁵⁶. So, the transition from minority to people takes place when the minority group matures the awareness of representing an autonomous entity, not subordinated to the majority and

⁴⁶ K. Doehring, *Self-Determination*, in B. Simma (Ed.): *The Charter of the United Nations: A Commentary* (Oxford University Press, 1995), pp. 57-72

⁴⁷ See for example the *African Charter on Human Rights and Rights of Peoples* which underlines the principle in article 20 para. 1

⁴⁸ A. Cristescu, *The Right to Self Determination: Historical and Current Development on the Basis of UN Instruments*, UN Doc. E/CN.4/Sub.2/404/Rev. 1, para. 279

⁴⁹ C. Saladin, *Self-Determination. Minority Rights and Constitutional Accommodation: The Example of the Czech and Slovak Federal Republic*, 13 Michigan JIL 175 (1991), pp. 175-176

⁵⁰ R. Millerson, *International Law, Rights and Politics: Developments in Eastern Europe and the CIS* (LSE & Routledge. London & New York. 1994) pp. 74-75

⁵¹ Prevalent opinion in the decolonization context as pointed out in M.N. Shaw. *International Law* (3rd ed., Grotius. Cambridge. 1991) pp. 177-178

⁵² *Frontier Land case*, ICJ Reports 1986, p. 566

⁵³ Franck, *Fairness in International Law and Institutions* (Clarendon Press. Oxlord. 1995) pp. 149-169, especially pp. 158-159

⁵⁴ Dinstein, *Collective Human Rights of People and Minorities*, in *International and Comparative Law Quarterly*, 1976, p. 104

⁵⁵ G. Conetti, *Sulla libertà e volontarietà di appartenere ad una minoranza*, in *Rivista internazionale dei diritti dell'uomo*, 1, 1992, pp. 169-170 and G. Conetti, *Studio sulle minoranze nel diritto internazionale*, Salvadè, Parma, 2004, p.16 [both in Italian]

⁵⁶ I. Brownlie, *The Rights of Peoples in Modern International Law*, in J. Crawford (Ed.). *The Rights of Peoples* (Clarendon Press, Oxford. 1988), p.6

with a well-defined socio-cultural organization, having a precise political project aimed at the affirmation of the right self-determination; this group also is aware of the link existing with the territory in which it resides and has the ability to use its resources⁵⁷. In this regard, the right to exploit its own resources is guaranteed to peoples in art. 1 para. 2 of the ICCPR, while the right to existence is stated in the Convention for the prevention and suppression of the crime of genocide.

Given that peoples are the subjects of the right to Self-Determination, we can now discuss what self-determination is. Halperin sustains that self-determination is “*entitling a people to choose its political allegiance, to influence the political order under which it lies, and to preserve its cultural, ethnic, historical or territorial identity*.”⁵⁸

A large number of means can be used by peoples to secure their self-determination: classical is the distinction between ‘internal self-determination’ and ‘external self-determination’. The first one refers generally to internal affairs of a state, concerning the realization of a more democratic and representative form of government. The ‘external self-determination’ refers to the relationship between the people and the rest of the world. Does not matter if the people constitutes a nation or it is a minority, this kind of self-determination regulates the interactions between the people and other states, international organizations or other peoples residing in neighbouring countries⁵⁹. Moreover, some other kind of self-determination can be identify: ‘sub-State self-determination’ occurs when a people within a pre-existing state tempts to break away and form a new State or to annex to another state; ‘trans-state self-determination’ happens when a people split on the territory of more than one state tries to establish an independent states out of two or more hosting states – this is the case of Kurdistan – and obviously is much more difficult as the number of states involved increases; then ‘anti-colonial’ and ‘indigenous people self-determination’ when peoples obtain independence from colonial ruling; and finally, ‘representative self-determination’ when the people wants to remain a part of the existing State but demands more representation in governing institutions.⁶⁰

Another question concerns the ‘status’ of self-determination, if it is a principle, a right, or *Ius Cogens*. Since the principle of self-determination is considered to be the foundation of peaceful relations between states, it can be considered to be assumed under general international law. From this it follows that rightly, the prevailing doctrine considers it as the object of a norm of *ius cogens*, and therefore able to establish obligations *erga omnes*, simultaneous for all members of the International Community⁶¹. If we assume that self-determination is a principle of *ius cogens*, its violation consists in an international illicit. As stated in art. 19 para. 3 of the Draft Articles on the Responsibility of States for Internationally Wrongful Acts (“Draft Articles”), and beyond the colonial domination, the article does not exclude that also other types of violation of the principle of self-determination can qualify as serious violations. This also includes widespread and continuous violations of rights of minority peoples. This wider interpretation of art. 19 was also reaffirmed by the International Law Commission which worked on the Draft. The Declaration on the Establishment of a New International Economic Order⁶² and the Charter of Economic Rights and

⁵⁷ G. Damiani, *Il diritto delle minoranze tra individuo e comunità*, in *Quaderni di Biblos*, Palermo, 1999, pp. 83-86 [in Italian]

⁵⁸ M. H. Halperin, D. J. Scheffer, with P. Small, *Self-Determination in the New World Order*, (Washington DC: Carnegie Endowment for International Peace, 1992), p. 47

⁵⁹ K. S. Shehadi, *Ethnic Self-Determination and the Breakup of the State*, (London: IISS, Adelphi Paper 283, 1993), p. 4

⁶⁰ M. H. Halperin *et al.* (Eds.), *op. cit.*, pp. 49-52

⁶¹ M. Akehurst, *A Modern Introduction to International Law*, (London: Allen & Unwin, 1987), p.41

⁶² RES/S-6/3201 (S-VI), 1st May 1974

Duties of States⁶³, have focused instead on the economic and social inequalities that some peoples, to whom internal self-determination is denied, must undergo. According to the two instruments, these disparities are detrimental to the progress of the whole international community and therefore the first must be eliminated⁶⁴. It seems that the right to self-determination finds its most recent protection in the so-called rights of third generation.

The issue of self-determination brings us to the issue of recognition of group's nationhood and their possible right to statehood. For what concerns recognition of minority peoples whose right to self-determination has been acknowledged, there are four possible positions adopted by States⁶⁵: 1) constitutional recognition: which gives members constitutional protection and the enjoyment of a special regime, aimed at the development collective of the minority community; 2) partial recognition with specific *ad hoc* tools; 3) implicit recognition: implemented with laws and regulations or with a policy of 'not-doing' as not to hinder the development of the minority; 4) non-recognition: there is no judicial protection of minority rights and assimilation policies are practiced. The question of recognition of nationhood is very problematic but of great political importance. Minority peoples often aspire to create and reinforce their common past in order to give a legitimate base to their sense of nationality⁶⁶. This process generally called 'Nation-building' is the base on which statehood is engrafted.

"*Nation-building* is the most common form of a process of collective identity formation with a view to legitimizing public power within a given territory.⁶⁷" Given that any nation needs its own 'ethnic core' to flourish and prosper⁶⁸, the question is whether distinct ethnic cores – one majoritarian and the other minoritarian – are able to survive together on the same territory. Answers can be both 'yes' or 'no'. If 'minority nations' have the chance to enjoy cultural rights, political representation, or even a certain degree of home rule, generally they are able to co-exist with the majority; on the other side, if policies of denial, assimilation, planned destruction of minority identity, until the physical elimination of the members, are put in place, then the minority may want to secede in order to obtain its own State. In fact, a minority might be not willing to achieve its own statehood, but it always aims to protect its very existence and interests. To rephrase Smith's words, nationalism – intended as the will to preserve national identity when in danger – gives a political direction to the choices of ethnic minorities⁶⁹. An effective nation-building process may materialize in the foundation of a state structure. State structure, to be created or re-created, capable to deliver public services and goods, on a specific territory, is the primarily thing to have to initiate the process of State-building⁷⁰. State-building becomes concrete when the monopoly of the use of force is completely detained by the State structure which does not need to use coercion to enforce collective

⁶³ GA Res. 3281(xxix), UN GAOR, 29th Sess., Supp. No. 31 (1974) 50

⁶⁴ Bunn, Isabella D. "The Right to Development: Implications for International Economic Law." American University International Law Review 15, no. 6 (2000): 1425-1467, p.1443

⁶⁵ Fabrizio del Passo, *Storia e Diritti delle Minoranze* in "Semestrare di studi e ricerche di Geografia", Abilgraf, Roma 2005

⁶⁶ A. D. Smith, *The Nation: Invented, Imagined, Reconstructed?*, Millennium: Journal of international studies, 20, 3, (Winter 1991), pp. 353-368

⁶⁷ A. von Bogdandy, S. Häußler, F. Hanschmann, R. Utz, *State-Building, Nation-Building, and Constitutional Politics in Post-Conflict Situations: Conceptual Clarifications and an Appraisal of Different Approaches*, A. von Bogdandy and R. Wolfrum, (Eds.), Max Planck Yearbook of United Nations Law, Volume 9, 2005, p. 579-613, p. 586

⁶⁸ A. D. Smith, *The Ethnic Origins of Nations*, (New York and Oxford: Blackwell, 1986) pp. 212 and 216

⁶⁹ A.D. Smith, *The Ethnic Revival in the Modern World*, (Cambridge: Cambridge University Press, 1981), p.20

⁷⁰ A. von Bogdandy, S. Häußler, F. Hanschmann, R. Utz, *State-Building, Nation-Building, and Constitutional Politics in Post-Conflict Situations: Conceptual Clarifications and an Appraisal of Different Approaches*, A. von Bogdandy and R. Wolfrum, (Eds.), Max Planck Yearbook of United Nations Law, Volume 9, 2005, p. 579-613, p. 583-84

power⁷¹. Today, however, the very legitimacy of power is “the people” which is the liaison between the government and the population, sharing together the sense of being a ‘nation’. Is in this way that the process of nation-building is preceding and, at the same time, complementary to the State-building process⁷². Rarely, State-building process could be successful if Nation-building has not been completed⁷³.

Three main advantages derive from this way of action: first of all, it is possible to maintain a certain correlation with old traditions existing on the territory and to work with traditional laws, minimizing minorities’ resentment; secondly, the process will involve all the social components both in constructing and keeping peace as structural actors and ultimate beneficiaries; thirdly, especially in divided countries, where there is a strong presence of minority groups or tribal units, this scheme would guarantee a minimum degree of constitutional politics expressed in the form of collective rights and federal administrations, where any group has its competencies, its right to vote and an effective worth in taking decisions⁷⁴. In Kymlicka’s opinion, minorities are entitled of special representation rights and self-government rights to protect their existence and to enjoy equality with the majority⁷⁵. In a nutshell, Kymlicka proposes to ensure ‘external protection’ for minority rights and to reduce ‘internal restrictions’ in accessing relevant political positions. Social unity, in fact, is a necessity achievable only through minimal demands which include special minority rights. Taylor focuses his analysis on the concept of “due recognition” which any minority deserves to survive. Since the survival of a specific endangered culture is a priority, equal treatment and fairness take the form of special rights enjoyed by minority groups⁷⁶. Finally, Barry relies on the idea of “disadvantaged position” of minority groups which, in this case, have to be protected granting them special temporary rights. What is indispensable, is that these special temporary rights have to be negotiated within liberal-democratic institutions⁷⁷. In order to promote a strong process of Nation-building, three main concepts need to be shared between the majority and the minority: they have to share the same idea of ‘common good’; each other interests have to enjoy same level of protection; minority members should have the chance to expose their opinion. Together, these criteria represent the base of the so-called “civic nationality”⁷⁸.

3 When protection fails: ethnic conflicts in International Relations

We have already mentioned the legal framework around the issue of Self-determination and minority protection and we have also presented how the same legal framework is at the very base of Nation-building and State-building processes. The question is now what happens when this legal framework remains unattended and who, and may be why, is entitled to the use of force in

⁷¹ M. Canovan, *Sleeping Dogs, Prowling Cats, and Soaring Doves: Three Paradoxes of Nationhood*, in: M. Seymour (Ed.), *The Fate of the Nation-State*, 2004, p. 19 et seq

⁷² D. Beetham, *The Legitimation of Power*, 1991, (1st ed., Palgrave: Macmillan Education UK), pp. 64-99

⁷³ G. A. Almond and B. G. Powell, *Comparative Politics: a Developmental Approach*, (Boston, MA: Little, Brown, 1966), pp. 35-36

⁷⁴ M. Seymour, *Collective Rights in Multi-Nation States: From Ethical Individualism to the Law of Peoples*, in: M. Seymour (Ed.), *The Fate of the Nation-State*, (McGill-Queen’s University, 2004), pp. 105 et seq

⁷⁵ W. Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights*. (New York: Oxford University Press, 1995), pp. 108-120

⁷⁶ C. Taylor, *The Politics of Recognition*. In: Amy Gutmann (Ed.), *Multiculturalism: Examining the Politics of Recognition*, pp. 25-73. (Princeton: Princeton University Press, 1994), p. 61

⁷⁷ B. Barry, *Second Thoughts—and Some First Thoughts Revived*. In: Paul Kelly (Ed.) *Multiculturalism Reconsidered: Culture and Equality and its Critics*, (Cambridge: Polity Press., 2002)

⁷⁸ B. Barry, *Culture & Equality: An Egalitarian Critique of Multiculturalism*, (Massachusetts: Harvard University Press., 2001), p. 80

defending its own position. Moreover international actors, for the sake of international peace and order, perceive themselves as authorized to intervene in those situations where there is no clear State-power or where “illegal” armed groups have taken the stage. The rising of non-state actors complicates the scenario.

First of all we necessitate to reach a common understanding of what is an ethnic conflict.

Unfortunately there is not a unique or approved by all scholars definition of ethnic conflict, and there is not a categorization of the various forms of ethnic conflicts based on an exhaustive list of features⁷⁹. We assume as right the definition given by Brown: “*By internal conflict, we mean violent or potentially violent political disputes whose origin can be traced primarily to domestic rather than systemic factors and where armed violence takes place or threatens to take place primarily within the borders of a single state. Examples include violent power struggles involving civilian or military leaders; armed ethnic conflicts and secessionist campaigns; challenges by criminal organizations to state sovereignty; armed ideological struggles and revolutions*”⁸⁰. Armed ethnic conflicts and secessionist campaigns are therefore a sub-group of the macro-theme of internal conflicts. Also, “*ethnic conflict means any form of civil confrontation on the domestic and intra-state levels in which at least one of the parties is organized on an ethnic basis or acts on behalf of an ethnic group*”⁸¹. To further restrict the field of analysis, we concentrate on the situation when one of the two different ethnic sides is the legitimate government⁸², there is effective resistance on both sides and the number of casualties is at least 1000 (some scholars specify per year of conflict).

In this case it is possible to talk about civil ethnic conflicts. But the category of civil ethnic conflicts is still heterogeneous and needs a further classification. Civil ethnic conflicts are “*dynamically changing socio-political situations, generated by the rejection of the previously established status quo.*”⁸³ Many scholars attribute the cause of internal ethnic conflicts to ‘ancient ethnic hatreds’, ‘grievances’ and ‘age-old animosities’⁸⁴. However, this kind of explanation cannot be sufficient to address why some ethnic conflicts are more violent or longer than others, or why some ethnic minorities are more prone to conflict while others never employed violence⁸⁵.

The general assumption is that minorities are more conflict prone when they perceive unfair impositions of the national interests on them. The widespread approach to conflict causes is materialistic in the essence. Causes are defined as ‘objective’ in all fields – economic, cultural, ideological, – and explanations derived from socio-structural relations are quite rare⁸⁶.

Brown reassumes four main clusters which can trigger a conflict⁸⁷: weakness of States is manifested when they are unable to provide essential services and good to all social groups on their territory. Ethnic geography refers to the fact that the presence of geographically concentrated ethnic

⁷⁹ Errol A. Henderson, *Culture or Contiguity: Ethnic Conflict, the Similarity of States, and the Onset of War, 1820-1989*, *The Journal of Conflict Resolution*, Vol. 41, No. 5 (Oct., 1997), pp. 649-668, p. 654

⁸⁰ M. E. Brown, *The International Dimensions of Internal Conflict*, (Cambridge, MA: MIT Press, 1996), p. 1

⁸¹ Тишков В. А. *Очерки теории и политики этничности в России.*, (М.: Русский мир, 1997), с. 309

⁸² Ann Hironaka, *Neverending Wars: The International Community, Weak States, and the Perpetuation of Civil War*, (Harvard University Press: Cambridge, Mass., 2005), p. 3

⁸³ Ямсков А.Н., *Этнический конфликт: проблемы дефиниции и типологии // Идентичность и конфликт в постсоветских государствах.* Ред.: Олкотт М., Тишков В., Малашенко А.М., (Московский Центр Карнеги, 1997), с. 205-224, с. 206

⁸⁴ President J.W.Bush quoted in J. Snyder, *Nationalism and the Crises of Post-Soviet State*, in M. E. Brown (Eds.), *Ethnic Conflict and International Security*, (Princeton N.J.: Princeton University Press, 1993), pp. 79-101, p. 79

⁸⁵ S. Hoerber Rudolph and L. I. Rudolph, *Modern Hate*, *New Republic*, 22nd March 1993, pp. 24-29

⁸⁶ Александр Осипов, *Конструирование Этнического Конфликта Расистский Дискурс*, Правозащитный центр «Мемориал», (Москва) с. 4

⁸⁷ M. E. Brown, *The International Dimensions of Internal Conflict*, (Cambridge, MA: MIT Press, 1996), p.5

minorities may lead to more ethnic violence⁸⁸ since mobilization measures are much more evident and the fronts are easy to determine⁸⁹. Political factors are pretty much self-explanatory: discrimination, nationalism and political exclusion are always a cause of tensions even in non-ethnic contexts. Political exclusion is particularly dangerous since it violates the nationalist foundation of the modern State which entails people to self-rule themselves⁹⁰. However inter-group politics and elites activities in the form of ethnic bashing and scapegoating are specific causes of ethnic violence and they can certainly aggravate pre-existing inter-community hatreds⁹¹. For what concerns cultural factors, the first one is about ‘cultural violence’ which can be employed to justify other forms of violence⁹². Assimilation processes are just an example of how the dominant part may decide to completely eliminate any reference to minority culture. The turbulent history on the other side, is the explanation popularized by Kaplan and known with the appellation of “ancient hatreds”. In this case, everything is highly symbolized and charged with massive amount of emotion: myth and narrative become more important than reality itself and grievances came back to light⁹³.

To conclude, socio-economic factors are related with economic issues such as inflation, unemployment and resources competition especially when the level of modernization and productivity of the economy is not high enough to sustain the whole population⁹⁴. Moreover, even if the overall performance of the economy improves, but the iniquities among groups increase, social tensions may arise. When the more disadvantaged group coincides with an ethnic minority then the cleavages tend to aggravate. Sometimes the government may decide to expropriate particular groups residing on a naturally rich portion of territory or to neglect them the usage of their own natural resources: both are examples of discriminatory economic policies.

Generally, when we speak about conflict, we refer to groups pursuing different and incompatible goals⁹⁵. These goals of ethnic minority are often related with political discourse in different fields (ethnopolitics)⁹⁶, which can be divided in three main branches: economic requests, cultural requests and territorial requests. Additionally, the request for more power, influence or resources is often guided by elites which intend the negotiation as a zero-sum game⁹⁷. Inevitably, compromise becomes difficult to be achieved⁹⁸.

Given the complexity of the actors involved, the heterogeneity of the scopes, and of the determinant causes, ethnic conflicts are generally ‘intense’ and ‘permeative’⁹⁹ which means that the longer they

⁸⁸ S. Van Evera, *Hypotheses on Nationalism and War*, International Security, vol. 18, n° 4, (MIT Press: Spring 1994)

⁸⁹ Kaufmann Chaim, *Possible and Impossible Solutions to Ethnic Civil Wars*, International Security, Vol. 20, N° 4 (Spring, 1996) p.148

⁹⁰ E. Gellner, *Nations and Nationalism*, (2nd ed.), Ithaca, NY: Cornell University Press, (2009), ch. 1

⁹¹ V. P. Gagnon Jr., *Ethnic Nationalism and International Conflict: the case of Serbia*, International Security Vol. 19, N° 3, (Winter 1994/95) pp. 130-166

⁹² J. Galtung, *Cultural Violence*, Journal of Peace Research, Vol. 27, No 3, (1990), p. 291

⁹³ Kaufman S. J, *Modern Hatreds: The Symbolic Politics Of Ethnic War*, (Cornell University Press, New York, 1st ed. 2001)

⁹⁴ A. Samarasinghe and R. Coughlan, *Economic dimension of Ethnic Conflict*, (London, Pinter Publisher: 1991)

⁹⁵ Miall H., Ramsbotham O., Woodhouse T. *Contemporary Conflict Resolution*, (Oxford, Malden, MA: Polity Press & Blackwell Publishers Ltd., 1999), pp. 19–20

⁹⁶ Котанджан Г. С., *Введение в этнополитологию консенсуса-конфликта. Теоретико-методологические проблемы цивилизационного анализа.*, (М.: Луч, 1992.), с. 16

⁹⁷ D. L. Horowitz, *Ethnic conflict management for Policymakers*, in J.V. Montville (Ed.), *Conflict and Peacemaking in Multiethnic Societies*, (Lexington MA and Toronto: Lexington Books and D. C. Heath, 1991), p. 115

⁹⁸ J. W. Burton, *Conflict Resolution as a Political Philosophy*, in D. J. D. Sandole and H. van der Merwe (Eds.), *Conflict resolution theory and practice: Integration and Application*, (New York and Manchester: Manchester University Press, 1993), p. 55

⁹⁹ D. L. Horowitz, *Ethnic groups in conflict*, (Berkeley, Los Angeles and London: University of California Press, 1985), pp. 53-54

last the harder they become. Violence during ethnic conflicts can assume many forms: from genocides, ethnic cleansing and pogroms, to the rising of terroristic attacks. These are obviously hard forms of fighting, but they can be accompanied by less organized and less violent kinds of practices which are forms of ethnic violence as well¹⁰⁰. In scholar studies political violence, or violence more in general, has almost always be considered as a degree of conflict instead of a separate issue¹⁰¹. Political violence may come from the government in the form of harassment, surveillance/spying, bans, arrests, torture, and mass killing¹⁰² and may be perpetrated by both military and civil agents of the State. While minorities recur to violence with the scope of survival, rulers become willing to accept the expensive costs of violence employment when they perceive the situation being threatening and dangerous for their staying in power¹⁰³. In the long run, political violence may end up with greater mobilization¹⁰⁴ especially if it involves pacific protesters and it is indiscriminately affecting a whole community instead of violent dissidents¹⁰⁵.

According to the principles of International Law, it is forbidden for a government to resort to force to frustrate the aspirations of a fighting people for self-determination. From the effective recognition, by the Community of States, of the right to self-determination, descends, in fact, that there is a general commitment of the International Community to not prevent people to achieve self-determination¹⁰⁶. In practice, norms about the prohibition of the use of force, especially after 9/11, are applied on a case-by-case base, and not always in the same way. The issue has seen a proliferation of 'emergency laws' and 'special laws' which are repressive in nature and difficult to dismantle since they are part of the internal legislation of a State¹⁰⁷.

The United Nations, on the one hand have always condemned the use of force, but on the other hand have tried to legitimize the recourse to it by the people victim of serious oppression. In any case, the use of force by a people is justified only in cases of extreme necessity (exempt of the unlawful act per se), and only if it is used as a last resort, i.e. if it proves that any other way to self-determination has been foreclosed. The use of force by the people has been called "resistance". The denomination of resistance has been used for the first time in the Declaration on friendly relations between States at the beginning of V par. 5: "*In their actions against, and resistance to, such forcible action which deprives people of their right to self-determination in pursuit of the exercise of their right to self-determination, such people are entitled to seek and receive support in accordance with the purposes and principles of the Charter*". Unfortunately, if the people is not

¹⁰⁰ W. Bergmann and R. D. Crutchfield, *Racial and Ethnic Conflict and Violence*, International Journal of Conflict and Violence, Vol. 3, n°2, (2009), pp. 146 – 153, p. 146

¹⁰¹ R. Brubaker and D.D. Laitin, *Ethnic and Nationalist Violence*, Annual Review of Sociology, (1998), n°24, pp. 423-452, p. 425

¹⁰² C. Davenport, *State Repression and Political Order*, Annual Review of Political Science, Vol. 10, (June 2007), pp.1-23, p. 1

¹⁰³ B. Bueno de Mesquita (*et al.*), *The logic of political survival*, Cambridge, Mass: MIT Press, (2003)

¹⁰⁴ David Hess and Brian Martin, *Repression, backfire, and the theory of transformative events*, Mobilization, Vol. 11, No. 1, (June 2006), pp. 249-267

¹⁰⁵ Maria J. Stephan and Erica Chenoweth, Why Civil Resistance Works: The Strategic Logic of Nonviolent Conflict, International Security, Vol. 33, N°. 1 (Summer 2008), pp. 7–44, p.11; Anika Locke Binnendijk and Ivan Marovic, *Power and Persuasion: Nonviolent Strategies to Influence State Security Forces in Serbia (2000) and Ukraine (2004)*, Communist and Post-Communist Studies, Vol. 39, N°. 3 (Sept. 2006), p. 416

¹⁰⁶ N. Ronzitti, *Resort to Force in Wars of National Liberation*, in Cassese (Ed.) *Current Legal Problems of International Law and the Law of Armed Conflict*, Dott. A. Guiffre, Milan, 1975, p. 321

¹⁰⁷ Wilson, Heather A., *International Law and the Use of Force by National Liberation Movements*, (Clarendon Press: Oxford, 1988), p. 179

able to express a legitimate group of peoples organized in a Movement of National Liberation, international law may not recognize to it the right to use force.

International law qualifies the self-determination struggles as liberation wars, excluding them from the exclusive competences of the State. Although the art.1 par. 4 of the Additional Protocol to the Geneva Convention of 1949 explicitly lists among the legitimate reasons for recourse to the use of force by the people only colonial domination and foreign domination, following the logic of a more general interpretation of the principle of self-determination, it seems right to add, among the reasons for the use of force by the minority group, the oppression operated by the government of its own state¹⁰⁸. Therefore, since the struggles for self-determination is compared to those of national liberation, the third states are no longer bound to neutrality towards the people in struggle, but they can intervene to help them. Any assistance requested and provided by third States to a people fighting for self-determination can never be substantiated in armed intervention. States can help with measures of a political and economic nature, but cannot go beyond the limit of direct or indirect use of armed force against the State that does not respect the right of self-determination. Today this concept has evolved thank to the R2P – responsibility to protect – doctrine. The fact is that humanitarian intervention was designed to protect minorities while giving them some power¹⁰⁹, however, the effect has been that of a normal insurance: minorities developed perverse incentives to use violence and take higher risks trying to trigger the international intervention¹¹⁰. Moreover States tend to put under the umbrella of the humanitarian intervention many military and violent operations, defined as chances to bring support to people oppressed, which have little or nothing to do with real minority protection. Third parties often intervenes not because they are seriously concerned about minority security, they do it because the minority can be used as an ally against a common enemy¹¹¹.

The last issue we want to examine in the context of framing is the internationalization of ethnic conflicts. Ethnic conflicts, when the ethnic minority under analysis is not confined within the border of a single State, are generally internationalized. That for two reasons: the first one is because endangered minority may seek support from people of the same community leaving beyond the borders of neighbouring states; the second one is because international actors may pretend to intervene. In the first case is possible to talk about ‘trans-state’ ethnic conflicts¹¹². These conflicts have always a regional impact since the spill-over process is quite inevitable¹¹³. While in the past decades ethnic conflicts were primarily seen as domestic issues, today is clear that their international dimension has to be taken into account¹¹⁴. They have become naturally interconnected with foreign intervention and regional approaches and is also evident that the action of a single actor may affect the behaviour of all the other States involved in the crisis.

¹⁰⁸ Ronzitti, N., *War of National Liberation – a legal definition*, in *IYIL* (1975), pp.192-205

¹⁰⁹ Arman Grigoryan, *International Studies Quarterly*, Vol. 54, N°. 4 (December 2010), pp. 1143-1174, p. 1145

¹¹⁰ Alan J. Kuperman, *Suicidal rebellions and the moral hazard of humanitarian intervention*, *Journal Ethnopolitics*, Formerly *Global Review of Ethnopolitics*, Vol. 4, (2005), Issue 2: Moral Hazard and Intervention, pp. 149-173, p. 158; Alan J. Kuperman, *The Moral Hazard of Humanitarian Intervention: Lessons from the Balkans*, *International Studies Quarterly*, Vol. 52, Issue1, (March 2008), pp. 49-80

¹¹¹ Arman Grigoryan, *Third-Party Intervention and the Escalation of State-Minority Conflicts*, *International Studies Quarterly*, Vol. 54, No. 4 (December 2010), pp. 1143-1174, p. 1149

¹¹² Kemal Kirişçi and Gareth M. Winrow, *The Kurdish question and Turkey: an example of trans-state ethnic conflict*, Routledge Curzon, (1998), pp. 18-19

¹¹³ T. R. Gurr, *Minorities at risk: a Global View of Ethnopolitical Conflicts*, (Washington DC: US Institute of Peace, 1993), p. 113

¹¹⁴ M. Brecher, J. Wilkenfeld, *A Study of Crises*, University of Michigan Press, (Jun 2000), p. 127

Internationalization of ethnic conflicts happens when States are not compliant with the international system of minority treatment¹¹⁵ therefore minorities seek support from external actors. Internationalization may be horizontal, involving linked ethnic community residing in different countries, or vertical, culminating in an interstate war¹¹⁶. Horizontal internationalization occurs when an ethnic change in a State directly affects the ethnic balance of power in neighbouring States i.e. through ethnic diasporas or massive flow of refugees. It also may occur through information flows broadcasted by transnational ethnic media, pushing people in a country to make stronger demands to the government¹¹⁷. This ‘demonstration effect’ may be achieved also through international *fora* to shape international attention on the issue and contextually mine the reputation of the territorial State. The same for the creation of ethnic leadership pools in third countries, not even in the region¹¹⁸. While horizontal escalation might be spontaneous, vertical transmission is a consequence of a set of deliberate actions from the State. We are referring not just to military activities but also to a wide range of state-to-state actions in economic and political fields.

Vertical transmission is a dynamic process which can be divided in phases: 1) there is no open conflict but the issue of ethnicity becomes relevant; 2) a “triggering cause” generates the condition for conflict; 3) there is a peak-point conducing to a full-scale crisis among states; 4) a de-escalation phase and 5) the conclusion of the conflict which can result in a transformation of the crisis or in a final resolution¹¹⁹. This kind of escalation is characterized by a periodical fluctuation of violence with periods of outbreak alternate to periods of relative peace¹²⁰. During periods of peace, parties may try to reduce the conflict to low-intensity, enhancing diplomatic efforts¹²¹.

When internationalization occurs, State elites seek to maximize their compliance with domestic requests, while minimizing international reverberation¹²². Unfortunately, this is not always possible: the larger is the number of actors involved, the faster the conflict will expand, becoming more difficult to manage¹²³.

To make the theoretical framework presented in this chapter more concrete, we will analyze the internationalization of the ethnic conflict involving the Kurds and the implications that it has in recent international relations between the countries of the region and specifically on the development of current Turkish foreign policy.

¹¹⁵ Raimo Väyrynen, *New Directions in Conflict Theory: Conflict Resolution and Conflict Transformation*, Newbury Park, CA: Sage, Ed. (1991)

¹¹⁶ D. A. Lake and D. Rothchild, *The International Spread of Ethnic Conflict Fear, Diffusion, and Escalation*, Lake & Rothchild editions, Princeton University Press, Princeton, New Jersey, (1998)

¹¹⁷ D. Davis, Keith Jagers, and Will Moore, *Ethnicity, Minorities and International Conflict Patterns*. In *Wars in the Midst of Peace: The International Politics of Ethnic Conflict*, edited by D. Carment and P. James, (Pittsburgh, PA: University of Pittsburgh Press, 1997)

¹¹⁸ Davis, David, and Will Moore, *Ethnicity Matters: Transnational Ethnic Alliances and Foreign Policy Behavior*, *International Studies Quarterly*, Vol. 41, n° 1, (1997), pp. 171–184

¹¹⁹ Kriesberg L., *Preventing and Resolving Destructive Communal Conflicts*. In *Wars in the Midst of Peace: The International Politics of Ethnic Conflict*, edited by D. Carment and P. James. (Pittsburgh, PA: University of Pittsburgh Press, 1997), pp. 232–251

¹²⁰ Bercovitch, Jacob, and Paul F. Diehl, *Conflict Management of Enduring Rivalries: Frequency, Timing and Short-Term impact of Mediation*, *International Interaction, Empirical and Theoretical Research in International Relations*, Vol. 22, Issue 4: Conflict Management and Termination in International Rivalry, (1997), pp.299–320

¹²¹ Alexis Heraclides, *The Self-Determination of Minorities in International Politics*, (Routledge, 1991), p. 48

¹²² Tsebelis, George, *Nested Games: Rational Choice in Comparative Politics*, (Berkeley, CA: University of California Press, 1990), p. 167

¹²³ Zartman, I. W., *Internationalization of Communal Strife: Temptations and Opportunities of Triangulation*. In *The Internationalization of Communal Strife*, edited by M.I. Midlarsky, (London: Routledge, 1991)

2. Implications of ethnic conflicts on foreign policy: the case of Kurds.

The relevance which the Kurdish issue has had – and it is still having – on the foreign policy of States hosting Kurdish minorities cannot be denied. From centuries, since the Kurdish question is born, it is complexly affecting the way States relate one with the other in an already very difficult region, such as the Middle East. Is therefore relevant to reconstruct how the Kurdish question has internationalized becoming a trans-state ethnic conflict.

2.1 Internationalization of ethnic conflicts: the Kurdish issue as a trans-state ethnic conflict

Today, Kurds are numbered around 24-27 million people living in the whole region of the Middle East¹²⁴. However there are not precise censuses. The majority of Kurdish people lives in Turkey where they constitute around the 23% of the population and inhabits around the 35% of the national territory¹²⁵. Kurds live also in Iraq, Iran, Syria – mainly along the Turkish frontier –, in the ex-Soviet Republic, such as Armenia and Azerbaijan, and small communities are diffused even in Europe. Since the beginning, Kurds always struggled with the owners of the lands they inhabited. From the Ottomans to modern rulers, every government tried to achieve control over their territory. However Kurds never abandoned the idea to fight in order to make their ancestral land a modern, fully recognized, state. Unfortunately, Kurds acquired the sense of being a unified community only recently although they never abandoned their tribal origin and division¹²⁶. Tribal confederations or clans still exist and constitute a structural part of the Kurdish society. After 1918 this tribal structure became less rigid in favour of a more modern conception of statehood. However tribes survived in peripheral zones where States have not been able to obtain the full control.

Solidarity exists between members of the Kurdish community even if Kurds speak different dialect written in different alphabets (Cyrillic in ex-Soviet countries, Latin in Turkey, Persian in Iraq and Iran and Arabic in Syria) and practice different religions, form the Sunni Islam – shared by the most – to the Alevi cult which can be positioned on the extreme edge of Shia Islam. Without forgetting Yazidis and Zoroastrians who moved to Russia to avoid Islamic persecution.

The largest majority of Kurdish people, untouched by modernity, still lives on the mountain with which they perceive a mystical bound. The territory which is theoretically part of “Kurdistan” is very rich in raw materials, precious gems, hydrocarbons and water. Moreover it is very productive for agriculture and widely used for stockbreeding. The term “Kurdistan” was used for the first time to design a geographic area by the Saljuqs. Then this concept grew as the Kurds started moving in the outwards. In ancient times until the end of the First World War, Kurdistan borders were not a crucial matter of discussion; then, with the constantly growing need for oil, gas and water, no governments were willing to renounce to such a rich territory. Therefore frontiers have become a major issue for the Kurds only recently, with the new consciousness of Kurdish people that they have the right to exploit their own natural resources to become a fully-fledged State¹²⁷.

¹²⁴ M. Van Bruinessen, *Agha, Shaikh and State: the social and political structures of Kurdistan*, Zed Books (1992), p.15

¹²⁵ P. A. Andrews, (Ed.), *Ethnic groups in the Republic of Turkey*, Wiesbaden, (Dr. Ludwig Reichert Verlag, 1989)

¹²⁶ M. Sykes, *The Kurdish tribes of the Ottoman Empire*, Journal of the Anthropological Institute, n° 38, (London, 1908)

¹²⁷ G. R. Driver, *Studies in Kurdish history*, Bulletin of the School of Oriental Studies, University of London, Vol. 2, No. 3 (1922), pp. 491-511

2.2 The Kurdish issue and regional foreign policy response

After the partition of Ottoman Empire the destiny of Kurds depended on the place where they were located. Of course Turkey represented the centre of gravity of all Kurdish requests and therefore the true protagonist of all regional and international policies on the matter.

2.3 The Kurdish issue and the International foreign policy response

The Kurdish has not affected just regional players, but it has been a serious lever to cause States hosting a Kurdish minority do what another State wants. None in fact can take not seriously the menace of a civil war and therefore Turkey, Iraq, Iran and Syria have been prone to external intervention more than other actors in the region. The most involved foreign interventionists have been the United States, Russia and the European Union, especially for Turkey.

The United States never get really interested in Kurds until recently. The US was convinced that “saving” Kurds from atrocities perpetrated by hosting States would have been too expensive for American resources in comparison with the gains. However was undeniable that Kurds were a fundamental pawn in the Middle East game¹²⁸.

Self-determination of Kurds has never been a priority for the US: even if the US has been in some way the paladin of the right to self-determination for all peoples in third-World, their foreign policy has been guided exclusively by the concept of “self-interest” and therefore causes to pursue and rights to guarantee have been chosen following this criteria¹²⁹. US intervention in Iraqi-Kurdish war was made within this scheme, aiming at influencing Iraqi foreign and domestic politics than protecting self-determination right¹³⁰; moreover the US felt also the necessity to counter Soviet appeal over Middle Eastern minorities such as Kurds and Armenians¹³¹. Recently, US foreign policy has been characterized by the same disillusioned pragmatism: according to Fuad Hussein opinion, the US did not realized immediately which was Kurdish potential in countering ISIS¹³² but it has suddenly understood that they could be exploited. While the US was deeply involved in Iraq and Syria they took advantage of the support provided by Kurds but never actively took side to protect Kurdish interests: instead, the US sacrificed them since Kurds represented for the US just a prolonged issue from the times of Cold War¹³³. The US forgot that Kurds, who were fighting against ISIS so strongly and efficiently but a high rate of losses, might ask something in return. Independence for Kurds will be the only acceptable payment. Meanwhile, the US support for Syrian Kurds has destabilized its relationship with Turkey, cracking the good functioning of NATO activities in Syria. Moreover the US would have risked direct confrontation with Turkey if had continued to support YPG in Syria.

¹²⁸ Henry A. Kissinger, *Tragedy of the Kurds*, in *Years of Renewal* (New York: Simon and Schuster, 1999), pp. 576-596

¹²⁹ Hans J. Morgenthau, *Another ‘Great Debate’: The National Interest of the United States*, *The American Political Science Review* 46 (December 1952), p. 985., Cited in Thomas W. Robinson, *National Interests*, in *International Politics and Foreign Policy: A Reader in Research and Theory*, edited by James N. Rosenau (New York: The Free Press, 1969), p. 186.

¹³⁰ Morton H. Halperin and David J. Scheffer, with Patricia L. Small, *Self-Determination in the New World Order*, (Washington, DC: Carnegie Endowment for International Peace, 1992), pp. 10-11.

¹³¹ Philip L. Groisser and Seymour P. Lachman, *The United States and the Middle East*, (Albany, NY: State University of New York Press, 1982)

¹³² David L. Phillips, *The Kurdish Spring: a new Map of the Middle East*, (Transactional Publishers: New Brunswick and London, 2016), p. 201

¹³³ Douglas Little, *The United States and the Kurds: A Cold War Story*, *Cold War Studies*, Vol. 12, Iss. 4, the MIT Press Journals, (fall 2010), pp. 63-98

What is more likely to happen is that the US will find in their hands a “new Israel-like” situation, unmanageable and disruptive¹³⁴.

From the partition of Ottoman Empire and even before – as expressed in the previous chapters –, Russia has maintained a dual position toward Kurds: on one side she provided for help and support, while on the other never hesitated to abandon them when they were no more useful for the pursued cause¹³⁵. In recent times, when Turkey shot down a Russian airplane in November 2015, Russia used the presence of Kurds against Turkey. Russia opened a representative office of the Kurdish militia (PYD) in Moscow and started to demonstrate a growing interest for Kurdish aspiration in Northern Syria¹³⁶. However, once relations between the two countries were normalized, Moscow corrected its position to help the Turkish side eliminate the threat of Kurdish militias on its southern border. Russia ideologically supported the expansion of the political, economic, social and administrative powers of the Kurds, in the form of federalism, as reflected in the draft constitution prepared by Russia for Syria and in other initiatives, such as the holding of the "Congress of the Peoples of Syria". However, this did not prevent Russia from not only threatening the "Syrian Democratic Forces", which include the vast majority of Kurdish militias (YPG), but even sometimes bomb them. The referendum for independence in Iraqi Kurdistan showed with more clarity the duality of Russia's position: Moscow made a statement supporting the territorial integrity of Iraq, but at the same time stressed the importance of respecting the national aspirations of the Kurdish people. Russian Minister of Foreign Affairs Sergei Lavrov called on the Kurds to cooperate with the central government, but stated that he understands the aspirations of the Kurdish people with regard to strengthening their identity and self-awareness¹³⁷. He also refused to close the Russian consulate in Erbil or to slacken Russia's economic relations with the Iraqi Kurdistan.

With the decline of the United States in the Middle East and the growing role of Russia in recent times, relations with minorities are of particular importance in Russian foreign policy. Moscow seeks to use Kurds in the light of the struggle for the influence in Iraq and Syria. In this regard, the relations between Russia and the Kurds are not limited to political aspects but are also strong in the economic and development fields, especially for what concerns energetic aspect. Of course the security issue remains a priority, and in this light Kurds can be used as a Trojan horse by Russia to become part of the negotiations in Middle East and shape the sorts of the region¹³⁸.

Approach of the European Union toward Kurds is no exception: while condemning on one side every abuse suffered by Kurds, on the other the EU is not a champion of their rights. When the necessity to control flow of refugees from Middle East become urgent, the EU signed the deal with Turkey, closing both eyes on human rights violations and the living conditions of Kurds in the south-east¹³⁹. EU also used the issue of Kurds to slow down Turkey's accession process when it

¹³⁴ Behnam Ben Taleblu and Merve Tahiroglu, *Kurd Your Enthusiasm: The U.S. Needs to Talk About Its Favorite Allies*, (November 8, 2017), Foreign Affairs, <https://www.foreignaffairs.com/articles/syria/2017-11-08/kurd-your-enthusiasm> (access 3/04/18)

¹³⁵ Игорь Деланоз, *Курды: вектор российского влияния на Ближнем Востоке?*, Центр Россия/ННГ, в сотрудничестве с Программой Турция, *Russie.Nei.Visions* n° 85, (Июнь 2015)

¹³⁶ Али Хусейн Бакир, *Как Россия использует курдскую карту?*, Россия сегодня, (01/11/2017), <https://inosmi.ru/politic/20171101/240660534.html> (access 12/04/18)

¹³⁷ Лавров выразил надежду, что референдума в Иракском Курдистане пройдет мирно, РИА Новости, (24.07.2017), <https://ria.ru/world/20170724/1499080480.html> (access 21/05/18)

¹³⁸ РСМД, *Время для «курдской политики» Москвы в Ираке?*, (28 сент. 2017), <http://russiancouncil.ru/analytics-and-comments/analytics/vremya-dlya-kurds koy-politiki-moskvy-v-irake/> (access 6/06/18)

¹³⁹ Ebubekir Isik, *The EU-Turkey refugee deal and the Kurdish issue*, Al-Jazeera Opinion/War & Conflict, (5 Mar. 2016), <https://www.aljazeera.com/indepth/opinion/2016/03/eu-turkey-refugee-deal-kurdish-issue-160302113254551.html> (access 3/06/18)

had no other means, *de facto* manipulating the sufferings of a people. Despite the constitutional opening operated by the AKP, in Turkey there is still the New Anti-Terrorism Law (TMY) which allows torture and heavy restriction over Kurds arbitrarily accused of terrorism¹⁴⁰. Obviously, to maintain a certain dignity, the EU cannot accept a country where human rights are so endangered¹⁴¹.

When the president of Iraqi Kurdistan announced the independence referendum in September, the EU was very cautious: it admitted the importance of Kurds for the good functioning of the whole country, for the fighting against ISIS and for the support given to the internally displaced people in Iraq, but also strongly reaffirmed the necessity for cooperation and unity of the State¹⁴².

If it never openly opposed the referendum, Europe was concerned for the stability of the region and possible new tensions in neighbouring countries where Kurds may have decided to violently enhance their rights. Unfortunately, Europe is still victim of its internal divisions: for this reason it has never had a single foreign policy approach toward Kurds (and toward any other issue), but has been held hostage of the foreign policy approach of each member State. This of course has not permitted to Europe to play a decisive role in addressing the Kurdish issue.

For what concerns the United Nations, they have been absolutely ineffective in preventing humanitarian crisis and sufferings; instead they have only showed the capacity to assess the existence of a Kurdish issue in official documents. Kurds have no status within the Organization since the States where they live have always kept them away¹⁴³. The UN started to seriously worry about Kurds after 1991. The first resolution issued was the number 620 (26th August 1988) to condemn the use of chemical weapons by Iraqi government. Then resolution 688 – much more famous – issued after the massacre caused by Anfal campaign was used by the US to justify their presence in Northern Iraq. Other resolutions were aiming at improving Kurds' living conditions in the north but never explicitly recognized their right to self-determination and statehood. In 2011 the UN officially recognized the crime of genocide against Kurds according to Genocide Convention of 1948¹⁴⁴. Finally, when Kurdish referendum happened, the UN took a neutral position¹⁴⁵.

3. Kurdish minority and Turkish foreign policy

Until now we have explained what is an ethnic conflict, why the Kurdish issue may be considered as a trans-state ethnic conflict and how it has affected the relations between regional and international players. Now we want to focus on a specific regional actor – Turkey – since its role is increasingly determinant on the global stage. Moreover the Kurdish presence has conditioned Turkish internal and foreign policy more than any other country and therefore represents a valuable

¹⁴⁰ Kemal Kirişçi, *The Kurdish Issue in Turkey: Limits of European Union Reform*, South European Society and Politics, Vol. 16, Iss. 2, (2011), pp. 335-349

¹⁴¹ Michael M. Gunter, Turkey's Floundering EU Candidacy And Its Kurdish Problem, Middle East Policy Council, Vol. 14, Iss. 1, (Spring 2007), <https://www.mepec.org/journal/turkeys-floundering-eu-candidacy-and-its-kurdish-problem> (access 21/05/18)

¹⁴² Delegation of the European Union to Iraq, *Local EU statement on the referendum announced by the President of the Kurdistan Region of Iraq*, (Bruxelles, 25/07/2017 - 12:09), UNIQUE ID: 170725_12, https://eeas.europa.eu/delegations/iraq_en/30359/Local%20EU%20statement%20on%20the%20referendum%20announced%20by%20the%20President%20of%20the%20Kurdistan%20Region%20of%20Iraq (access 11/04/18)

¹⁴³ Gunter *et al.*, *The United Nations and the Kurds*, UKH Journal of Social Sciences, Vol. 1, Iss. 1, (2017), pp. 46-47

¹⁴⁴ *Ibid.*

¹⁴⁵ UN News, *UN chief voices concern over 'potentially destabilizing effects' of Kurdish referendum*, (25 September 2017), <https://news.un.org/en/story/2017/09/567012-un-chief-voices-concern-over-potentially-destabilizing-effects-kurdish> (access 21/03/18)

example of the influence of ethnic conflicts in shaping State's policies. In the case of Turkey, conflict with Kurds become a significant component of Turkish foreign policy, influencing issues from EU membership or economic revenues to oil transportation in the Caspian region. Is therefore necessary to analyse Turkish foreign policy in details to understand the real influence that the Kurdish issue has had, and is having, on it.

3.1 Turkey's foreign relations with neighbouring countries hosting Kurdish minorities

During AKP leadership, Turkish foreign policy has been characterized by two main concepts: the prioritization of maximum integration with international partners and maximum cooperation with regional neighbours¹⁴⁶.

In the changing global context, Turkey proposed in 2006 its new foreign policy concept under the name of "Strategic depth¹⁴⁷". Davutoğlu presented Turkey as the natural descendant of the Ottoman Empire with such strong connections in the Middle East, Caucasus and the Balkans which would be inevitable for Turkey to be the main player even if it is just a middle-power¹⁴⁸. The idea of maintaining regional balance to counterweight Western presence was at the fundamental.

The Zero Problem Policy (ZPP) is of these times. That kind of approach completely overwrote the past Kemalist tradition in favour of more dynamism and flexibility. Multidimensional diplomacy – which connects politics, economy, energy security and defence – has been the centre of the new Turkish strategy¹⁴⁹. In this context the choice of Turkey to host NATO and US facilities within the "extended deterrence" system, have somehow weakened Turkish bilateral agreements with its neighbours¹⁵⁰. When the US entered Iraq in 2003, Turkey distanced itself from US interventionism and pursued the idea of "strategic autonomy" to detach its relations with regional actors from mainstream western policy¹⁵¹. An example has been the critic against Israel position on Iranian nuclear program as well as the new partnership with the Middle East instead that with the West.

Finally Turkey tried to deepen its ties with the Arab world inaugurating a period of "regional integration" in order to collectively manage each main issue.

Arab spring in 2011 occurred in an environment characterized by dual perceptions: on a side Turkey welcomed them and tried to pose itself as the model to aspire to¹⁵², on the other these revolutions completely destabilized Turkish surroundings and cracked its order constructed with difficulty. The situation caused a serious change in Turkish relations with Iran, Iraq and Syria at regional level, but also with the US and Russia at the international¹⁵³.

Turkey has understood that to obtain security and peace issue has to be discussed regionally. The first example of this approach is Turkish involvement in peace talks to conclude the bloody Syrian

¹⁴⁶ Alexander Murinson, *The Strategic Depth Doctrine of Turkish Foreign Policy*, Middle Eastern Studies, Vol. 42, Iss. 6, (November 2006)

¹⁴⁷ Ahmet Davutoğlu, *Strategik Derinlik, Türkiye'nin Uluslararası Konumu* (Strategic Depth, Turkey's International Position), (Istanbul: Kure Yayinlari, 2001)

¹⁴⁸ Ahmet Davutoğlu, *The Clash of Interests: An Explanation of the World (Dis)Order*, Perceptions, Vol. 2, Iss. 4, (December 1997-February 1998)

¹⁴⁹ Ahmet Davutoğlu, Turkey's Foreign Policy Vision: An Assessment of 2007, Insight Turkey, Vol. 10, No. 1, (2008), pp. 77-96

¹⁵⁰ Mustafa Kibaroglu, *The Future of Extended Deterrence: The Case of Turkey*, Perspectives On Extended Deterrence, Researches & Documents, N° 03, (2010)

¹⁵¹ Murat Yeşiltaş, *Soft Balancing in Turkish Foreign Policy: The Case of the 2003 Iraq War*, Perception: Journal of International Affairs, (Spring-Summer 2009), pp. 25-51

¹⁵² Şaban Kardaş, *From Zero Problems to Leading the Change: Making Sense of Transformation in Turkey's Regional Policy*, (5th Edition), Turkey Policy Brief Series, (2012)

¹⁵³ Ziya Öniş, *Turkey and Arab Spring: Between Ethics and Self-Interest*, Insight Turkey, Insight Turkey Vol. 14, No. 3, (2012), pp. 45-63

civil war. The same could be said for the regional approach proposed to solve Kurdish issue, a strategy which consented a rapprochement with Iraq¹⁵⁴. At the same time Turkey was encouraged to take democratic openings and constitutional reforms by the European Union which had promised the accession in return.

AKP has an instrumentalist approach to the Kurdish issue: it assessed that the Kurdish issue, especially in the form of PKK struggle, has always been a constant factor shaping Turkish foreign policy¹⁵⁵. As a result of the hard-line decided to counter PKK actions in 1999, Turkish foreign policy in the region become more assertive: the first focus was Northern Iraq. Turkey conducted more than one massive military operation in Northern region of Iraq to dismantle PKK militias which had found a safe haven there. Of course this activity crushed with US intentions to organize a strong armed opposition against Saddam Hussein. At the same time Turkey was offering its territory to set NATO basis hosting mainly British and American soldiers involved in operation Provide Comfort. Relations with Iran and Syria suffered for the same reason: Turkey in fact accused both of them to support and supply PKK militants harboured there. Obviously the two countries rejected the accuses. A little improvement happened with the formation of the “Neighbourhood Forum” wanted by Turkish government¹⁵⁶. With the European Union the situation was also confused. Even if Europe condemned violence of the PKK it used the Kurdish rights’ violation operated by Turkey as an excuse to procrastinate Turkey’s accession¹⁵⁷. Moreover the European Parliament and the Commission issued reports where they were recognizing Kurds’ right to self-determination¹⁵⁸.

The relation with the US was less ambiguous: they precisely distinguished between PKK, listed among terrorist organizations, and Kurdish civilians. The US strongly condemned Turkish use of violence against Kurdish civilians and for this reason retarded to provide new arms to Turkish army¹⁵⁹. However US to priority was to maintain Turkish orientation pro-West and therefore rarely contradicted Turkish actions¹⁶⁰. Despite its interest in the Caucasus, Turkey also feared that Russia could use the Kurdish issue against Turkey, if Turkey would have taken position over the Chechen struggle. For this reason Turkey defined the Chechen issue as an internal one for Russia and never intervened¹⁶¹.

154 Murat Yeşiltaş and Ismail Numan Telci, *Turkish Foreign Policy under Regional Transformations*, Al Jazeera Centre for Studies, (15 December 2013)

155 Ayşegül Aydın and Cem Emrence, *Two Routes to an Impasse: Understanding Turkey’s Kurdish Policy*, Turkey Project Policy Paper, N° 10, (December 2016)

156 Kemal Kirişçi, *Turkey and the Muslim Middle East*, in Sabri Sayari and Alan Makovsky (Eds.) *Turkey’s New World: Changing Dynamics in Turkish Foreign Policy*, (Washington D.C.: Washington Institute for Near East Policy, 2000), pp. 51–52

157 Kemal Kirişçi, *Turkey: Foreign Policy Making and the Mediterranean*, in Theodore A. Couloumbis, et al. (Eds.) *The Foreign Policies of the European Union’s Mediterranean States and Applicant Countries in the 1990s: A Comparative Analysis*, (London: Macmillan, 1999), pp. 25–60

158 Gündüz Aktan, *The European Parliament and Turkey*, *Perceptions: Journal of International Affairs*, Vol. 3, n°. 4 (December 1998–February 1999)

159 Strobe Talbott, *U.S.-Turkish Relations in an Age of Interdependence*, Washington Institute for Near East Policy, (October 14th, 1998)

160 Stephen J. Blank, et al., *Turkey’s Strategic Position at the Crossroads of World Affairs*, (Carlisle Barracks, Pa.: Strategic Studies Institute, U.S. Army War College, 1993)

161 Robert W. Olson, *Turkish and Russian Foreign Policies, 1991–1997: The Kurdish and Chechnya Questions*, *Journal of Muslim Minority Affairs* (Abingdon, U.K.), Vol. 18, No. 2 (October 1998), pp. 209–228

3.2 The current Turkish foreign policy and the war in Syria.

Despite the continued presence of the Kurdish issue in the foreign policy agenda of Turkey, is with the escalation of the civil war in Syria that Kurds become a real priority in Turkish foreign action. Turkish felt endangered by Syrian Kurds gaining momentum and therefore took action to restore Turkish interests. The peace process with the PKK broke when PYD successes in Syria started to encourage PKK to take stronger actions to achieve autonomy¹⁶². Turkey's military intervention against ISIS in Syria on August 24th, 2016 with the Operation Euphrates Shield worsened the relation between the AKP and Syrian Kurds¹⁶³ and with the US.

AKP in fact moved its forces to overthrow the Assad regime, but the Kurds refused to fight against him¹⁶⁴ since they were strongly pressured by ISIS forces. When Russia decided in 2015 to enter the conflict, Turkey had realized that there were no more room for regime change and therefore revolved its attention on Kurds, who meanwhile, were competing with the other groups involved in Syrian civil conflict for territories conquered to ISIS. Erdoğan was worried that Syrian Kurds request for an independent canton would have cause a resurrection of the Kurdish quest for autonomy inside Turkey. AKP refused to help desperate Syrian Kurds isolated and surrounded by ISIS in the city of Kobani so, as a consequence, Turkish Kurds organized the larger Kurdish protest in the history of modern Turkey¹⁶⁵. The intervention of Russia backing Assad forces, helped the regular army to re-conquer territories and push back ISIS, giving the chance to the government to contest the Kurdish possession of Aleppo. Syrian Kurds turned to the US which was already considering them as allies and part of the Syrian Democratic Forces (SDF). Given the numerous successes on the battlefield, Kurds tried to concretize immediately the recent territorial acquisitions and in March 2016 declared the birth of the Autonomous Federation of Rojava with a founding constitution and a governing body¹⁶⁶. The US implicitly allowed this state-building action. In October, the situation turned upside-down with Turkey conducting major strikes on Kurdish territories within Syrian borders to avoid power consolidation.

Syrian civil war has been a great opportunity for Syrian Kurds to start practicing self-government and enhancing their right to self-determination. ISIS acted as a catalyst which allowed Kurds to put aside their internal differences and propose a coordinated action¹⁶⁷. However, since everything came at a cost, the cost of their success has been paid by Turkish Kurds. Syria is also the main stage for confrontation between Turkey and Russia: Russia is practically allied with all Turkish neighbours, Cyprus included. In order to avoid an escalation, Turkey maintained a low-profile in the post-Soviet space to not disturb Russian interest while intensifying its efforts in the Middle East

¹⁶² Michael Chittenden, *Turkey and the Kurds: Conflict with the Kurdistan Workers' Party and Implications for Turkey-United States Relations*, Global Security Studies, Vol. 7, Iss. 3, (Summer 2016), pp. 31-40

¹⁶³ Ayşegül Aydın and Cem Emrence, *Two Routes to an Impasse: Understanding Turkey's Kurdish Policy*, Turkey Project Policy Paper, N° 10, (December 2016)

¹⁶⁴ *Syrian Kurds Refuse To Fight Assad Army: Kurdish Leader*, Sputnik, (October 13, 2014), <https://sputniknews.com/world/20141013194037601Syrian-Kurds-Refuse-To-Fight-Assad-ArmyKurdish-Leader/> (access 2/06/18)

¹⁶⁵ *Protests and Deaths Around Turkey Over Handling of Kobani*, Deutsche Welle, (October 10, 2014), <http://www.dw.com/en/protests-anddeaths-around-turkey-over-handling-of-kobani/a-17986274> (access 3/06/18)

¹⁶⁶ Michael Knapp, Anja Flasch and Ercan Ayboga, *Revolution in Rojava*, (Chicago: University of Chicago Press, 2016)

¹⁶⁷ Ofra Bengio, *The Islamic State: A Catalyst for Kurdish Nation-Building*, Tel Aviv Notes, Vol. 8, n° 18, (October 7th, 2014)

to gain international space¹⁶⁸. Hardening of relations between Turkey and Russia has been visible also in political rhetoric from Turkish side in official meetings¹⁶⁹.

3.3 Focus: Iraqi referendum and Turkish reactions

On September 25th, 2017 Iraqi Kurds held a referendum for independence with almost 93% of consensus. Turkey strongly reacted, as well as the US and Iran fearing that this would have caused a geopolitical revolution for all neighbouring countries. US Secretary of State Rex Tillerson condemned loudly this unilateral operation of Kurds¹⁷⁰. Turkey assumed that the referendum was a clear menace to its own national security and therefore deployed massive amount of forces along the border with Iraq to deter any contact between Iraqi Kurds and Turkish Kurds¹⁷¹. Moreover Turkey assessed that this referendum was not legitimate nor legal since it happened without the consensus of Iraqi government¹⁷². As deterrence, Turkey's Parliament approved an enlargement of the national army and especially of the deployable troops along Iraqi and Syrian borders¹⁷³. Then, jointly with Iraqi forces, those troops conducted military exercises in a such manner to send an unequivocal message to Kurds. Turkey took same action to further demonstrate its hostility for this unilateral Kurdish act: flights to and from Erbil have been suspended¹⁷⁴ and also Turkey menaced to close the frontier with Iraq. This would cause a great loss for Iraqi Kurdistan since 85% of its oil production passes through Turkey¹⁷⁵. Even if this referendum has not been recognized as valid by the majority of the international community, of course it has shown a strong desire for change from the Kurdish minority which will be no more ignorable. What will happen from now on depends on how Turkey will decide to manage Kurdish issue both from a foreign policy perspective – in Iraq and Syria – and from the internal policy approach.

Conclusion

In this work I have tried to highlight how an internal factor such as the presence of Kurdish minority may affect international foreign policy behaviour of a country as Turkey.

My reasoning started highlighting the importance of minorities existence and the necessity to protect their rights to maintain a peaceful environment. Minorities are very diffused and represent one of the main issues for countries hosting them. If minorities' rights are not adequately warded, ethnic conflict may occur causing difficulties to States. One of the most dangerous characteristics of

¹⁶⁸ Adam Balcer, *Between Appeasement and Rivalry: Turkey and Russia and their Neighbourhoods*, Global Turkey in Europe, Commentary 22, (May 2015)

¹⁶⁹ Аватков В.А., *Внешинополитический дискурс Турции в отношении России: из 2015 г. в 2016г.*, Филология: научные исследования, n° 2, (2017), с.70-76

¹⁷⁰ Osama Golpy, *Abadi wins ISIS war, Maliki wins elections: Time for US to shift policy on Kurdistan*, RUDAW, (October 2, 2017), <http://www.rudaw.net/english/kurdistan/02102017> (access 6/06/18)

¹⁷¹ News Desk, *Iraqi Kurdistan vote poses direct threat to Turkish national security: Turkey*, Press TV, (September 23rd, 2017), <http://www.presstv.ir/Detail/2017/09/23/536162/Turkey-National-Security-Council-Iraq-Kurdistanreferendum-national-security-threat> (access 2/06/18)

¹⁷² *Turkish MP Slams Kurdish Referendum as 'Neither Constitutional, Nor Legitimate'*, Sputnik News (September 27th, 2017), <https://sputniknews.com/analysis/201709271057759463-turkish-mp-kurdish-referendum-illegitimate/> (access 3/06/18)

¹⁷³ *Turkey votes to extend mandate for troops in Iraq and Syria*, Euronews, (September 9, 2017), www.euronews.com/2017/09/23/turkey-votes-to-extend-mandate-for-troops-in-iraq-and-syria (access 3/06/18)

¹⁷⁴ Abdullah Ayasun, *Turkey to Suspend Flights to Iraqi Kurdistan after Referendum Vote*, GlobePost, (September 27th, 2017), www.theglobepost.com/2017/09/27/turkey-flights-kurdistan/ (access 2/06/18)

¹⁷⁵ *Turkish Threat to Block Kurdistan Oil Exports Drive Prices to 2-Year High*, Rudaw, (September 27th, 2017), www.rudaw.net/english/business/26092017 (access 2/06/18)

ethnic conflicts is that they easily internationalize becoming unmanageable and really difficult to solve.

The Kurdish question is a perfect example of an internationalized ethnic conflict: starting from the Ottoman period, Kurds have represented a major concern for Turkey, Iraq, Syria and Iran. Until today, internal and foreign policy approaches of these countries have been negatively affected by Kurdish presence. Even the relations with international actors have been characterized by great uncertainty and cyclical crisis because of the complexity of the Kurdish issue and its involvement in any major event happened in the region, included the current civil war in Syria. The main finding of this research are represented by the verification of the thesis presented by Peter F. Trumbore in his *Victims or Aggressors? Ethno-Political Rebellion and Use of Force in Militarized Interstate Disputes*: Turkey, and the other States hosting a Kurdish minority, have effectively assumed an aggressive international posture, especially against neighbours, because of the fears generated by the internal ethno-political situation driven by Kurdish forces. Moreover, these countries' behaviour also verifies the hypothesis that States affected by internal ethnic disputes are more prone to use force and violence, instead of diplomatic means, in their international relations. At the same time those countries become the "victims" of the international system, which may exploit their internal weakness to undermine their status in international arena as, for example, the European Union has done with Turkey.

In conclusion, internal factors do play a crucial role in shaping the aggressiveness of a country's foreign policy¹⁷⁶. Specifically talking about Turkey, to avoid further escalation of violence against Kurds and the deterioration of its relations with Russia and the West, it is possible to highlight some actions to take: first of all it is necessary that Turkey engages other international actors in a win-win dialogue over the Kurdish issue. In this sense, since the Kurdish question become internationalized and trans-state, the only way to manage it correctly is in concert with all involved actors, namely Syria, Iraq and also Iran, even if there the Kurdish issue is still less urgent than in the other countries. Secondly, it is necessary to reach a mutual understanding over the necessity to prioritize fighting against ISIS-minded terrorist groups. A lack of security cooperation between Turkey, regional actors, Russia, the US and Europe may represent a serious danger for everyone.

¹⁷⁶ Carolyn C. James and Ozgür Ozdamar, *Modeling Foreign Policy and Ethnic Conflict: Turkey's Policies Towards Syria*, Foreign Policy Analysis, n°5, (2009), pp. 17–36

BIBLIOGRAPHY

Books, Monographs and Scientific Articles

Abrahamian, E., *Iran Between Two Revolutions*, Princeton Studies on the Near East (Princeton, NJ: Princeton University Press, 1982)

Ahmad, K. M., *Kurdistan During the First World War*, (London, England: Saqi Books, 1994)

Akehurst, M., *A Modern Introduction to International Law*, (London, England: Allen & Unwin, 1987)

Aktan, G., *The European Parliament and Turkey*, *Perceptions: Journal of International Affairs*, Vol. 3, n° 4, (December 1998–February 1999) p. 84

Allen, W.E.D., and Muratoff, P., *Caucasian Battlefields: A History of the Wars on the Turco-Caucasian Border 1828-1921*, (Nashville, TENN: Battery Press, 1999)

Almond G. A., and Powell, B. G., *Comparative Politics: a Developmental Approach*, (Boston, MA: Little, Brown, 1966)

Andrews, P. A., *Ethnic groups in the Republic of Turkey*, (Wiesbaden, Germany: Dr. Ludwig Reichert Verlag, 1989)

Aydin, A., and Emrence, C., *Two Routes to an Impasse: Understanding Turkey's Kurdish Policy*, Turkey Project Policy Paper, N° 10, (December 2016)

Bache, C., *Mutual Economic Interdependence or Economic Imbalance: Turkish Private Sector Presence in the Kurdistan Region of Iraq*, *Middle East Critique*, Vol. 27, Iss.1, (2018), pp. 61-75

Balcer, A., *Between Appeasement and Rivalry: Turkey and Russia and their Neighbourhoods*, *Global Turkey in Europe*, *Commentary* 22, (May 2015)

Barkey, H. J., *Turkey's Kurdish dilemma*, *Survival, Global Politics and Strategy*, Vol. 35, Iss. 4, (1993), pp. 51-70

Barry, B., *Culture & Equality: An Egalitarian Critique of Multiculturalism*, (Cambridge, MA: Harvard University Press, 2001)

Barry, B., *Second Thoughts—and Some First Thoughts Revived*, in: Paul Kelly (Ed.) *Multiculturalism Reconsidered: Culture and Equality and its Critics*, (Cambridge, MA: Polity Press, 2002)

Baum, M. A., *The Iraq Coalition of the Willing and (Politically) Able: Party Systems, the Press, and Public Influence on Foreign Policy*, *American Journal of Political Science*, Vol. 57, Iss. 2, (April 2013), pp. 442-458

Beck, L., *Tribes and the State in Nineteenth- and Twentieth-century Iran*, in P. Khoury and J. Kostiner, (Eds.), (Berkeley, CA: University of California Press, 1990)

Beck, P. J., *A tedious and perilous controversy: Britain and the settlement of the Mosul dispute, 1918–1926*, *Journal of Middle Eastern Studies*, Vol. 17, Iss. 2, (1981), pp. 256-276

Beetham, *The Legitimation of Power*, (1st ed., London, England: Palgrave Macmillan Education, 1991)

Bengio, O., *The challenge to the territorial integrity of Iraq*, *Survival*, Vol. 37, Iss. 2, (2008), pp.74-94,

Bengio, O., *The Islamic State: A Catalyst for Kurdish Nation-Building*, *Tel Aviv Notes*, Vol. 8, n° 18, (October 7th, 2014), pp. 1-5

Bercovitch, Jacob, and Paul F. Diehl, *Conflict Management of Enduring Rivalries: Frequency, Timing and Short-Term impact of Mediation*, *International Interaction, Empirical and Theoretical Research in International Relations*, Vol. 22, Iss. 4: *Conflict Management and Termination in International Rivalry*, (1997), pp. 299–320

Bergmann W. and Crutchfield R. D., *Racial and Ethnic Conflict and Violence*, *International Journal of Conflict and Violence*, Vol. 3, n° 2, (2009), pp. 146–153

- Blank, S. J., Pelletiere S. C. and Johnsen W. T., *Turkey's Strategic Position at the Crossroads of World Affairs*, (Carlisle Barracks, PA.: Strategic Studies Institute, U.S. Army War College, 1993)
- Bordieu, P., *Outline of a Theory of Practice*, (Cambridge, England: Cambridge University Press, 1977)
- Bozarslan, H., *La Question Kurde: États et minorités au Moyen-Orient*, (Paris, France: Presses de Science Po, 1997)
- Brant, *Notes of a journey through part of Kurdistan in the summer of 1838*, Geographical Journal, n° 10, (London, 1841)
- Brecher, M., and Wilkenfeld, J., *A Study of Crises*, (Ann Arbor, MI: University of Michigan Press, 2000)
- Brown, M. E., *The International Dimensions of Internal Conflict*, (Cambridge, MA: MIT Press, 1996)
- Brownlie, I., *Principles of International Law*, (3rd ed., Oxford, England: Clarendon Press, 1979)
- Brownlie, I., *The Rights of Peoples in Modern International Law*, in J. Crawford (Ed.). *The Rights of Peoples* (Oxford, England: Clarendon Press, 1988)
- Brubaker, R., and Laitin, D.D., *Ethnic and Nationalist Violence*, Annual Review of Sociology, n° 24, (1998), pp. 423-452
- Brubaker, R., *Ethnicity without groups*, Archives of European Sociology, Vol. XLIII, n° 2, (2002), pp. 163-189
- Bunn, I. D. "The Right to Development: Implications for International Economic Law." American University International Law Review Vol. 15, n° 6, (2000), pp. 1425-1467
- Burton, J. W., *Conflict Resolution as a Political Philosophy*, in D. J. D. Sandole and H. van der Merwe (Eds.), *Conflict resolution theory and practice: Integration and Application*, (New York and Manchester: Manchester University Press, 1993)
- Busch, B. C., *Mudros to Lausanne: Briton's Frontier in West Asia, 1918–1923* (Albany, NY: State University of New York Press, 1976)
- Çağaptay, S., *Reconfiguring the Turkish nation in the 1930s*, Nationalism and Ethnic Politics, Vol. 8, Iss. 2, (2002), pp. 67-82
- Cahen, C., *Pre-Ottoman Turkey: A General Survey of the Material and Spiritual Culture and History c.1071-1330*, (ACLS History E-Book Project, 2008)
- Calderwood, H. B., *The Proposed Generalization of the Minorities Regime*, The American Political Science Review Vol. 28, n° 6, (December 1934), pp. 1088-1098
- Canovan, M., *Sleeping Dogs, Prowling Cats, and Soaring Doves: Three Paradoxes of Nationhood*, in: M. Seymour (Ed.), *The Fate of the Nation-State*, (Montreal and London: McGill-Queen's University Press, 2004)
- Capotorti F., *Etude des droits des personnes appartenant aux minorités ethniques, religieuses et linguistiques*, New York, Nations Unies, 1979
- Carment, D., Rowlands, D., *Three's Company: Evaluating Third-Party Intervention in Intrastate Conflict*, Journal of conflict resolution, Vol. 42, Iss. 5, (October 1998), pp. 572-599
- Çelebi, E., van Bruinessen, and M., Boeschoten, H., *Evliya Çelebi in Diyarbekir: the relevant section of The seyahatname*, (Leiden, Nederland: Brill 1988)
- Chirguh, B., *La Question Kurde: ses origines et ses causes*, (Le Caire, France: Impimerie Paul Barbey, 1930)
- Chittenden, M., *Turkey and the Kurds: Conflict with the Kurdistan Workers' Party and Implications for Turkey-United States Relations*, Global Security Studies, Vol. 7, Iss. 3, (Summer 2016), pp. 31-40
- Cholewinski, R., *State Duty towards Ethnic Minorities: Positive or Negative?*, Human Rights Quarterly, Vol. 10, n° 3 (August 1988), pp. 344-371

Cianci F., *Sulla problematica assenza di una definizione giuridica vincolante e universalmente riconosciuta di minoranza e sulle sue annesse implicazioni in diritto internazionale*, Ricerche Sociali, n° 17, (2010), pp. 7-38

Coakley J., *Introduction: The Territorial Management of Ethnic Conflict*, in J. Coakley (Ed.), *The Territorial Management of Ethnic Conflicts*, (London, England: Frank Cass & Co.Ltd., 1993)

Conetti, G., *Sulla libertà e volontarietà di appartenere ad una minoranza*, Rivista internazionale dei diritti dell'uomo, Vol.1, (1992), pp. 169-170

Conetti, G., *Studio sulle minoranze nel diritto internazionale*, (Parma, Italy: Salvadè, 2004)

Conforti, B., *Le Nazioni Unite*, (Padova, Italy: CEDAM, 1986)

Cunningham, A. B., *The early correspondence of Richard Wood, 1831-1841*, (London, England: The Society, 1966)

Damiani, G., *Il diritto delle minoranze tra individuo e comunità*, in *Quaderni di Biblos*, (Palermo, Italy: Comune di Piana degli Albanesi, 1999)

Davenport, C., *State Repression and Political Order*, Annual Review of Political Science, Vol. 10, (June 2007), pp.1-23

Davis, D., and Moore, W., *Ethnicity Matters: Transnational Ethnic Alliances and Foreign Policy Behavior*, International Studies Quarterly, Vol. 41, n° 1, (1997), pp. 171-184

Davis, D., Jagers, K., and Moore, W., *Ethnicity, Minorities and International Conflict Patterns*, In *Wars in the Midst of Peace: The International Politics of Ethnic Conflict*, edited by D. Carment and P. James, (Pittsburgh, PA: University of Pittsburgh Press, 1997)

Davison, R. H., *Turkish diplomacy from Mudros to Lausanne* in Gordon Alexander Craig, Felix Gilbert and Mazal Holocaust Collection , *The diplomats, 1919-1939*, (Princeton NJ: Princeton University Press, 1953)

Davutoğlu, A., *Strategik Derinlik, Türkiye'nin Uluslararası Konumu* (Strategic Depth, Turkey's International Position), (Istanbul: Kure Yayinlari, 2001)

Davutoğlu, A., *The Clash of Interests: An Explanation of the World (Dis)Order*, Perceptions: Journal of International Affairs, Vol. 2, Iss. 4, (December 1997-February 1998).

Davutoğlu, A., *Turkey's Foreign Policy Vision: An Assessment of 2007*, Insight Turkey, Vol. 10, n° 1, (2008), pp. 77-96.

Di Stasi, A., *La Convenzione-quadro sulla protezione delle minoranze nazionali tra sistema universale e sistema regionale*, Rivista Internazionale dei Diritti dell'Uomo, Vol. 2, (2000), pp.456-482

Dinstein, *Collective Human Rights of People and Minorities*, International and Comparative Law Quarterly, Vol. 25, Iss. 1 (1976), pp. 102-120

Doehring, K., *Self-Determination*, in B. Simma (Ed.): *The Charter of the United Nations: A Commentary* (Oxford, England: Oxford University Press, 1995)

Doğu Ergil, *Suicide terrorism in Turkey*, Civil Wars, Vol. 3, Iss. 1, (2007), pp. 37-54

Donnelly, J., *Universal Human Rights in Theory and Practice* 10 (2nd ed., Ithaca, NY: Cornell University Press, 2003)

Driver, G. R., *Studies in Kurdish history*, Bulletin of the School of Oriental Studies, University of London, Vol. 2, n° 3 (1922), pp. 491-511

Duguid, S., *The politics of unity: Hamidian policy in Eastern Anatolia*, Journal of Middle Eastern Studies, Vol. 9, Iss. 2, (1973), pp. 139-155

Eide, A., *Study on Peaceful and Constructive Solutions to Situations Involving Minorities*, U.N. Doc. E/CN.4/Sub.2/1993/34, Add. 1-4.

Eller, J. D., *Culture to Ethnicity to Conflict: An Anthropological Perspective on International Ethnic Conflict*, (Ann Arbor, MI: University Michigan Press, 2002)

- Ellingsen, T., *Colorful Community or Ethnic Witches' Brew? Multi-ethnicity and Domestic Conflict During And After The Cold War*, *The Journal Of Conflict Resolution*, Vol. 44, n° 2, (April, 2000), pp. 228-249
- Emerson, M., *Has Turkey fulfilled the Copenhagen Political Criteria?*, Centre For European Policy Studies, Ceps Policy Brief N° 48, (April, 2004)
- Emin, Y. A., *Turkey in the World War*, (New Haven, CT: Yale University Press, 1930)
- Entessar, N., *Kurdish Ethnonationalism*, (Boulder, CO, Lynne Rienner Publishers, 1992)
- Entessar, N., *Kurdish Politics in the Middle East*, (Lanham, MD: Lexington, 2010)
- Ercan, Y. M., *Intra-State Conflict in the Post-Cold Era*, *International Journal On World Peace*, Vol. 24, n° 4, (December 2007), p. 12
- Ermacora, F., *The Protection of Minorities before the United Nations*, 182 RCADI 1983-IV.
- Fearon, J. D. and Laitin, D., *Ethnicity, Insurgency and Civil War*, *The American Political Science Review*, Vol. 97, n° 1, (February, 2003), pp. 75-90
- Franck, T., *Fairness in International Law and Institutions* (Oxford, England: Clarendon Press, 1995)
- Gagnon V. P. Jr., *Ethnic Nationalism and International Conflict: the case of Serbia*, *International Security*, Vol. 19, n° 3, (Winter 1994/95) pp. 130-166
- Galtung, J., *Cultural Violence*, *Journal of Peace Research*, Vol. 27, n° 3, (1990), pp. 291-305
- Gellner, E., *Nations and Nationalism*, (2nd ed., Ithaca, NY: Cornell University Press, 2009)
- Grammatikas, V., *The Definition of Minorities in International Law: A Problem Still Looking For A Solution*, *Democritus, University, of Thrace, RHDI* Vol. 52, Iss. 321 (1999), pp. 333-336
- Gray, C., *International Law and the Use of Force*, (2nd ed., Oxford, England: Oxford University Press, 2004)
- Grigoryan, A., *Third-Party Intervention and the Escalation of State-Minority Conflicts*, *International Studies Quarterly*, Vol. 54, n° 4, (December 2010), pp. 1143-1174
- Groisser, P. L., and Lachman, S. P., *The United States and the Middle East*, (Albany, NY: State University of New York Press, 1982)
- Gunter, M.M, *The United Nations and the Kurds*, *UKH Journal of Social Sciences*, Vol. 1, Iss. 1, (2017), pp. 46-47
- Gunter, *Turkey's Floundering EU Candidacy And Its Kurdish Problem*, *Middle East Policy Council*, Vol. 14, Iss. 1, (Spring 2007), pp. 117-123
- Gurr, T. R., *Minorities at risk: a Global View of Ethnopolitical Conflicts*, (Washington D.C., MD: United State Institute of Peace, 1993)
- Gurses, M., *Kurdish Issues: Essays in Honor of Robert W. Olson*, (Costa Mesa, CA: Mazda Publishers, 2016)
- Hadden, T., *The United Nations Working Group on Minorities*, 14 Int'l J. Minority & Group Rts. 285-97 (2007)
- Halperin, M. H., Scheffer, D. J., and Small, P., *Self-Determination in the New World Order*, (Washington D.C., MD: Carnegie Endowment for International Peace, 1992)
- Hannum H., *Contemporary Developments in the International Protection of the Rights of Minorities*, 66 *Notre Dame LR* 1431 (1991)
- Hannum, H., *Autonomy, Sovereignty, and Self-Determination: The Accommodation of Conflicting Rights*, (Revised ed., Philadelphia, PA: University of Pennsylvania Press, 1996)
- Henderson, E. A., *Culture or Contiguity: Ethnic Conflict, the Similarity of States, and the Onset of War, 1820-1989*, *The Journal of Conflict Resolution*, Vol. 41, n° 5, (October, 1997), pp. 649-668
- Heraclides, A., *The Self-Determination of Minorities in International Politics*, (London, England: Routledge, 1991)
- Hess, D., and Martin, B., *Repression, backfire, and the theory of transformative events, Mobilization*, Vol. 11, n° 1, (June 2006), pp. 249-267

- Hilpold, P., *UN Standard-Setting in the Field of Minority Rights*, International Journal Minority & Group Rights, Vol. 14, (2007), pp. 181-205
- Hironaka, A., *Neverending Wars: The International Community, Weak States, and the Perpetuation of Civil War*, (Cambridge, MA: Harvard University Press, 2005)
- Hoerber Rudolph, S. and Rudolph, L.I., *Modern Hate*, New Republic, (22nd March 1993)
- Hoffman, R., *Protecting the Rights of National Minorities in Europe. First Experience with the Council of Europe Framework Convention for the Protection of National Minorities*. German Yearbook of International Law, Vol. 44 (2001), pp. 237-269
- Horowitz, D. L., *Ethnic conflict management for Policymakers*, in J.V. Montville (Ed.), *Conflict and Peacemaking in Multiethnic Societies*, (Lexington MA and Toronto: Lexington Books and D. C. Heath, 1991)
- Horowitz, D. L., *Ethnic groups in conflict*, (Berkeley, Los Angeles and London: University of California Press, 1985)
- Hovannisian, R. G., *Armenia on the Road to Independence, 1918*, (Berkeley and Los Angeles: University of California Press, 1967)
- James, C. J., and Ozdamar, O., *Modeling Foreign Policy and Ethnic Conflict: Turkey's Policies Towards Syria*, Foreign Policy Analysis, n° 5, (2009), pp. 17–36
- Janowsky, O. I., *Nationalities and national minorities*, (New York, NY: Macmillan, 1945)
- Jongerden, Joost, and Ahmet Hamdi Akkaya, *The Kurdistan Workers Party and a New Left in Turkey: Analysis of the revolutionary movement in Turkey through the PKK's memorial text on Haki Karer*, European Journal of Turkish Studies. Social Sciences on Contemporary Turkey, Vol. 14, (2012), pp. 1-20
- Jwaideh, W., *The Kurdish Nationalist Movement: Its Origins and Development*, part. 1, Armenian Research Centre Collection, (New York, NY: Syracuse University Press, 1960)
- Kampelman, *Secession and the Right of Self-Determination: an Urgent Need to Harmonize Principle with Pragmatism*, Washington Quarterly, Vol. 16, Iss. 3, (Summer 1993), pp. 5-12
- Kardaş, Ş., *From Zero Problems to Leading the Change: Making Sense of Transformation in Turkey's Regional Policy*, (5th ed., Turkey Policy Brief Series, 2012)
- Kaufman S. J., *Modern Hatreds: The Symbolic Politics Of Ethnic War*, (1st ed. New York, NY: Cornell University Press, 2001)
- Kaufmann C., *Possible and Impossible Solutions to Ethnic Civil Wars*, International Security, Vol. 20, n° 4, (Spring, 1996), pp. 136-175
- Keddi, N., *The Iranian Power Structure and Social Change 1800-1969: An Overview*, International Journal of Middle East Studies, Vol. IV (1973), pp. 3-20
- Kelsen, H., *On the Essence and Value of Democracy*, in A.J. Jacobson and B. Schlink (Eds.), *Weimar: A Jurisprudence Of Crisis*, (Berkeley, CA: University of California Press, 2000)
- Kendal, N., *The Kurds under the Ottoman Empire*, in Gérard Chaliand (Ed.), *A people without a country : the Kurds and Kurdistan*, (New York, NY: Olive Branch Press, 1993)
- Kınacıoğlu, M., and Gürze, A. G., *Turkey's Contribution to NATO's Role in Post-Cold War Security Governance: The Use of Force and Security Identity Formation*, Global Governance, Vol. 19, (2013), pp. 589–610
- Kibaroglu, M., *The Future of Extended Deterrence: The Case of Turkey*, Perspectives On Extended Deterrence, Researches & Documents n° 03, (2010), pp. 85-93
- Kirişci, K., and Winrow, G. M., *The Kurdish question and Turkey: an example of trans-state ethnic conflict*, (London, England: Routledge 1998)
- Kirişci, K., *The Kurdish Issue in Turkey: Limits of European Union Reform*, South European Society and Politics, Vol. 16, Iss. 2, (2011), pp. 335-349

Kirişci, K., *Turkey and the Muslim Middle East*, in S. Sayari and A. Makovsky, (Eds.), *Turkey's New World: Changing Dynamics in Turkish Foreign Policy*, (Washington D.C., MD: Washington Institute for Near East Policy, 2000)

Kirişci, K., *Turkey: Foreign Policy Making and the Mediterranean*, in T. Coulombis, S. Stavridis, T. Veremis, and N. Waites (Eds.), *The Foreign Policies of the European Union's Mediterranean States and Applicant Countries in the 1990s: A Comparative Analysis*, (London, England: Macmillan, 1999).

Kissinger, H. A., *Tragedy of the Kurds*, in *Years of Renewal*, (New York, NY: Simon and Schuster, 1999)

Knapp, M., Flasch, A., and Ayboga, E., *Revolution in Rojava*, (Chicago, IL: University of Chicago Press, 2016)

Koch, K., *The International Community and forms of Intervention in the field of Minority Rights Protection*, in Cuthbertson I. M. and Leibowitz J., (Eds.), *The new Europe's old issue*, (Prague, Czech Republic, Institute for East West studies, 1993)

Koivurova, T., *The International Court of Justice and Peoples*, 9 *International Community Law Review* (2007)

Kolars J., and Mitchell, W., *The Euphrates and the South-East Anatolia Development Project*, (Carbondale, IL: Southern Illinois Press, 1991)

Kolsto, P., *Minority Rights Regime in Post-Communist Societies*, in: Kymlicka, W. and Magda Opalski (Eds.), *Can Liberal Pluralism be Exported? Western Political Theory and Ethnic Relations in Eastern Europe*, (Oxford, England: Oxford University Press, 2002)

Kriesberg L., *Preventing and Resolving Destructive Communal Conflicts*, in D. Carment and P. James (Eds.), *Wars in the Midst of Peace: The International Politics of Ethnic Conflict*, (Pittsburgh, PA: University of Pittsburgh Press, 1997)

Kuperman, A. J., *Suicidal rebellions and the moral hazard of humanitarian intervention*, *Journal Ethnopolitics*, Formerly *Global Review of Ethnopolitics*, Vol. 4, Iss. 2: *Moral Hazard and Intervention*, (2005), pp. 149-173

Kuperman, A. J., *The Moral Hazard of Humanitarian Intervention: Lessons from the Balkans*, *International Studies Quarterly*, Vol. 52, Iss.1, (March 2008), pp. 49-80

Kutschera, C., *Le mouvement national kurde*, (Paris, France: Editions Flammarion, 1979)

Kymlicka, W., *Multicultural Citizenship: A Liberal Theory Of Minority Rights* (Oxford, England: Oxford University Press, 1995)

Kymlicka, W., *The Internationalization of Minority Rights*, *International Journal of Constitutional Law*, Vol. 6, Iss. 1, (2008), pp. 1–32

Lake D. A., and Rothchild, D., *The International Spread of Ethnic Conflict Fear, Diffusion, and Escalation*, (Princeton, NJ: Princeton University Press, Princeton, 1998)

Lake, D. A., and Rothchild, D., *Containing Fear: The Origins and Management of Ethnic Conflict*, *International Security*, Vol. 21, n° 2, (Autumn, 1996), pp. 41-75

Lawrence, Q., *Invisible Nation: how the Kurds' quest for statehood is shaping Iraq and the middle East*, (New York, NY: Walker, 2008)

Levy, J. T., *The Multiculturalism Of Fear*, (Oxford, England: Oxford University Press, 2000)

Little, D., *The United States and the Kurds: A Cold War Story*, *Cold War Studies*, Vol. 12, Iss. 4, *the MIT Press Journals*, (Autumn, 2010), pp. 63-98

Locke Binnendijk, A. and Marovic, I., *Power and Persuasion: Nonviolent Strategies to Influence State Security Forces in Serbia (2000) and Ukraine (2004)*, *Communist and Post-Communist Studies*, Vol. 39, n° 3, (September, 2006), pp. 411-429

Loong, T. S., *Diversity in Post-Conflict Societies: Dealing with minorities in a fair way in the context of a lack of social cohesion and the need for reconciliation*, *The Western Balkans Policy Review* Vol. 2, Iss. 1, (Winter/Spring 2012), pp. 1-20

- Macartney, C.A., *National States and National Minorities*, (Oxford, England: Oxford University Press under the auspices of the Royal Institute of International Affairs, 1934)
- Macklem, P., *Minority rights in international law*, *International Journal of Constitutional Law*, Vol. 6, n° 3-4, (2008), pp. 531-552
- Mardin, Ş., *Religion and Social Change in Modern Turkey: The Case of Bediüzzaman Said Nursi*, SUNY Series in Near Eastern Studies, (Albany, NY: State University of New York, 1989)
- Martin, V., *Islam and Modernism: The Iranian Revolution of 1906*, (London and New York, I.B. Tauris, 1989)
- Mayall, J., *Nationalism and International Society*, (Cambridge, England: Cambridge University Press, 1990)
- McDowall, *A Modern History of the Kurds*, (London and New York, I.B. Tauris, 1996)
- McGarry J., and O'Leary, B., *Introduction: The macro-political regulation of ethnic conflict, The Politics of Ethnic Conflict Regulation: Case Studies of Protracted Ethnic Conflicts*, (London, England: Routledge, 1993)
- McWhinney, E., *Self-Determination of Peoples and Plural-ethnic States in Contemporary International Law*, (Boston, MA: Brill Nijhoff, 2002)
- Metz, H. C., *Turkey: A Country Study*. (Washington D.C., MD: GPO for the Library of Congress, 1995)
- Miall H., Ramsbotham O., and Woodhouse T. *Contemporary Conflict Resolution*, (Oxford, Malden, MA: Polity Press & Blackwell Publishers Ltd., 1999),
- Millerson, R., *International Law, Rights and Politics: Developments in Eastern Europe and the CIS* (London and New York, LSE & Routledge, 1994)
- Morgenthau, H. J., *Another 'Great Debate': The National Interest of the United States*, *The American Political Science Review*, n° 46, (December 1952), p. 985, cited in T. W. Robinson, *National Interests*, in *International Politics and Foreign Policy: A Reader in Research and Theory*, edited by J. N. Rosenau (New York, NY: The Free Press, 1969), p. 186.
- Murinson, A., *The Strategic Depth Doctrine of Turkish Foreign Policy*, *Middle Eastern Studies*, Vol. 42, Iss. 6, (November 2006), pp. 945-964
- Natali, D., *The Kurds and the State: evolving national identity in Iraq, Turkey and Iran*, (Syracuse, CA: Syracuse University Press, 2005)
- Neznansky, *The Prosecution of Economic Crimes in the USSR, 1954-1984*, (1985), pp. 32-37, cited in: R. Sharlet, *Citizen and State under Gorbachev and Yeltsin*, in: S. White et al., *Developments in Russian and Post-Soviet Politics*, (1994)
- Olson, R. W., *Turkish and Russian Foreign Policies, 1991-1997: The Kurdish and Chechnya Questions*, *Journal of Muslim Minority Affairs*, Vol. 18, n° 2, (October 1998), pp. 209-228
- Olson, R., *The Emergence of Kurdish Nationalism and the Sheikh Said Rebellion, 1880-1925*, (Austin, TX: University of Texas Press, 1989)
- Olson, R., *The Kurdish Question and Turkish-Iranian Relations: From World War I to 1998*, *Kurdish Studies Series*, No. 1 (Costa Mesa, CA: Mazda Publishers, 1998)
- Öniş, Z., *Turkey and Arab Spring: Between Ethics and Self-Interest*, *Insight Turkey*, Vol. 14, n° 3, (2012), pp. 45-63
- Othman, A., *British policy and the Kurdish question in 'Iraq 1918-1932*, (Ottawa, Canada: National Library of Canada, 1995)
- Özlem Kayhan Pusane, *Turkey's Kurdish Opening: Long Awaited Achievements and Failed Expectations*, *Turkish Studies*, Vol. 15, Iss.1, (2014), pp. 81-99
- Paris, R., *At War's End. Building Peace After Civil Conflict*, (Cambridge, England: Cambridge University Press, 2004)
- Roe P., *The Intra-state Security Dilemma: Ethnic Conflict as a 'Tragedy'*, *Journal Of Peace Research*, Vol. 36, n° 2, (March, 1999), pp. 183-202

- Pentassuglia, G., *Evolving Protection of Minority Groups: Global Challenges and the Role of International Jurisprudence*, *International Community Law Review*, Vol. 11 (2009), pp. 185-218.
- Phillips, D. L., *The Kurdish Spring: a new Map of the Middle East*, (New Brunswick and London, Transactional Publishers, 2016),
- Radu, M., *The rise and fall of the PKK*, *Orbis*, Vol. 45, Iss. 1, (Winter 2001), pp. 47-63
- Rawls, J., *The Law of Peoples*, (Cambridge, MA: Harvard University Press, 1999)
- Rigo Sureda, A., *The Evolution of the Right of Self-Determination: a Study of the United Nations Practice*, (Leyden, Netherlands: Sijthoff, 1973)
- Ronzitti, N., *Le minoranze nel quadro della Conferenza sulla Sicurezza e la Cooperazione in Europa*, (Padova, Italia: CEDAM , 1991)
- Ronzitti, N., *Resort to Force in Wars of National Liberation*, in Cassese A. (Ed.) *Current Legal Problems of International Law and the Law of Armed Conflict*, (Milano, Italia: Dott. A. Giuffrè, 1975)
- Ronzitti, N., *War of National Liberation – a legal definition*, *The Italian Yearbook of International Law*, Vol.1, Iss. 1, (1975), pp.192-205
- Sacerdoti G., *New Developments in Group Consciousness and the International Protection of the Rights of Minorities*, *Israel Yearbook on Human Rights*, Vol. 13, Iss. 116, (1983), pp. 116-146
- Safran, W., *Diasporas in Modern Societies: Myths of Homeland and Return*, *A Journal of Transnational Studies*, Vol. 1, n° 1, (Spring 1991), pp. 83-99
- Saladin, C., *Self-Determination. Minority Rights and Constitutional Accommodation: The Example of the Czech and Slovak Federal Republic*, *Michigan Journal of International Law*, Vol. 13, Iss. 175 (1991), pp. 172-217
- Samarasinghe, A. and Coughlan, R., *Economic dimension of Ethnic Conflict*, (London, England: Pinter Publisher, 1991)
- Schaap, A., *Political Reconciliation Through A Struggle For Recognition?*, *Social and Legal Studies* 13, n° 4, (2004), pp. 523–540
- Scheinin, M., *The Right to Enjoy a Distinct Culture: Indigenous and Competing Uses of Land*, in T. S. Odin, A. Rosas and M. Scheinin (Eds.), *The Jurisprudence Of Human Rights Law: A Comparative Interpretive Approach* (Abo Akademi, Finland: Institute for Human Rights, Abo Akademi University, 2000)
- Scherrer, P. C., *Towards a Comprehensive Analysis of Ethnicity and Mass Violence: Types Dynamics Characteristics and Trends*, in H. Wiberg and P. C., Scherrer (Eds.), *Ethnicity and Intra-state Conflict, Types, Causes and Peace Strategies*, (Ashgate, England: Asgate, 1999)
- Seymour, M., *Collective Rights in Multi-Nation States: From Ethical Individualism to the Law of Peoples* , in: M. Seymour (Ed.), *The Fate of the Nation-State*, (Montreal and London: McGill-Queen’s University, 2004)
- Shaw, M. N, *The Definition of Minorities in International Law*, in Y. Dinstein (Ed.), *The Protection of Minorities and Human Rights* (Leyden, Netherlands: Martinus Nijhoff Publisher, 1992)
- Shaw, S. J. and Shaw, E. K., *History of the Ottoman Empire and Modern Turkey: Volume 1, Empire of the Gazis: The Rise and Decline of the Ottoman Empire 1280-1808*, (Cambridge, England: Cambridge University Press, 1976)
- Shaw. M. N., *International Law* (3rd ed., Cambridge, England: Grotius, 1991)
- Shehadi, K.S., *Ethnic Self-Determination and the Breakup of the State*, *Adelphi Paper* Vol. 33, n° 283, (1993), pp. 3-10
- Sluglett, P., *The Kurdish Problem and the Mosul Boundary: 1918-1925*, in P. Sluglett (Ed.), *Britain in Iraq: 1914-1932*, (London, England: Ithaca Press, 1976)
- Smith, A. D., *The Ethnic Origins of Nations*, (New York and Oxford: Blackwell, 1986)

- Smith, A. D., *The Ethnic Revival in the Modern World*, (Cambridge, England: Cambridge University Press, 1981)
- Smith, A. D., *The Nation: Invented, Imagined, Reconstructed?*, *Millennium: Journal of international studies*, Vol. 20, n° 3, (Winter 1991), pp. 353-368.
- Snyder, J., *Nationalism and the Crises of Post-Soviet State*, in M. E. Brown (Ed.), *Ethnic Conflict and International Security*, (Princeton NJ: Princeton University Press, 1993)
- Stephan, M. J., and Chenoweth, E., *Why Civil Resistance Works: The Strategic Logic of Nonviolent Conflict*, *International Security*, Vol. 33, n° 1, (Summer 2008), pp. 7–44
- Suny, R. G., *The Baku Commune, 1917–1918: Class and Nationality in the Russian Revolution*, (Princeton, NJ: Princeton University Press, 1972)
- Sykes, M., *The Kurdish tribes of the Ottoman Empire*, *Journal of the Anthropological Institute*, n° 38, (July – December, 1908), pp. 451-486
- Talbott, S., *U.S.-Turkish Relations in an Age of Interdependence*, Washington Institute for Near East Policy, (October 14th, 1998)
- Taylor, C., *The Politics of Recognition*, in A. Gutmann (Ed.), *Multiculturalism: Examining the Politics of Recognition*, (Princeton N J: Princeton University Press, 1994)
- Tejel, J., *Syria's Kurds: History, Politics and Society*, (London, England: Routledge, 2009)
- Thornberry, P., *International Law and the Rights of Minorities*, (Oxford, England: Clarendon, 1991)
- Tripp, C., *A History of Iraq*, (Cambridge, England: Cambridge University Press: 2007),
- Trumbore, P. F., *Victims or Aggressors? Ethno-Political Rebellion and Use of Force in Militarized Interstate Disputes*, *International Studies Quarterly*, Vol. 47, n° 2, (June, 2003), pp. 183-201
- Tsebelis, G., *Nested Games: Rational Choice in Comparative Politics*, (Berkeley, CA: University of California Press, 1990)
- Van Bruinessen, M., *Agha, Shaikh and State: the social and political structures of Kurdistan*, (London, England: Zed Books, 1992)
- Van Bruinessen, M., *Kurdish tribes and the state of Iran: the case of Simko's Revolt*, in Richard Tapper (Ed.), *The conflict of tribe and state in Iran and Afghanistan*, (London and Canberra: Croom Helm; New York: St. Martin's Press, 1983)
- Van Bruinessen, M., *Kurdistan in the 16th and 17th centuries, as reflected in Evliya Çelebi's Seyahatname*, *The Journal of Kurdish Studies*, n°3, (2000), pp. 1-11
- Van der Berghe, P. L., *Protection of ethnic minorities: a critical appraisal*, in R.G. Wirsing (Ed.), *Protection of ethnic minorities: comparative perspectives*, (New York and Oxford: Pergamon, 1981)
- Van Evera, S., *Hypotheses on Nationalism and War*, *International security*, Vol. 18, n° 4, (Spring 1994), pp. 5-39
- Väyrynen, R., *New Directions in Conflict Theory: Conflict Resolution and Conflict Transformation*, (Newbury Park, CA: Sage Edition, 1991)
- Vinogradov, A., *The 1920 Revolt in Iraq reconsidered: the Role of Tribes in National Politics*, *International Journal of Middle East Studies*, Vol. 3, Iss. 2, (April 1972), pp. 123-139
- Von Bogdandy, A., Häußler, S., Hanschmann, F., Utz, R., *State-Building, Nation-Building, and Constitutional Politics in Post-Conflict Situations: Conceptual Clarifications and an Appraisal of Different Approaches*, in A. von Bogdandy and R. Wolfrum, (Eds.), *Max Planck Yearbook of United Nations Law*, Vol. 9, (2005)
- Wellhausen, J., Graham Weir, M., *The Arab Kingdom and its fall*, (6th rpt, Khayats, Beirut, 1963)
- Wilson, H. A., *International Law and the Use of Force by National Liberation Movements*, (Oxford, England: Clarendon Press, 1988)

Wirsing, R. G., *Dimensions of minority protection*, in R.G. Wirsing (Ed.), *Protection of ethnic minorities: comparative perspectives*, (New York and Oxford: Pergamon, 1981)

Yeşiltaş, M., and Numan Telci, I., *Turkish Foreign Policy under Regional Transformations*, Al Jazeera Centre for Studies, (15 December 2013)

Yeşiltaş, M., *Soft Balancing in Turkish Foreign Policy: The Case of the 2003 Iraq War*, *Perception: Journal of International Affairs*, (Spring-Summer 2009), pp. 25-51

Yılmaz, Kamil, *Disengaging From Terrorism : Lessons From the Turkish Penitents*, (London, England: Routledge, 2014)

Zaki, M. A., *Khulasat Ta'rikh al-Kurd wa Kurdistan Min Aqdam al-Usur Hatta al-An. A Brief History of the Kurds and Kurdistan from the Most Ancient Times until the Present*, (Cairo, Egypt: as-Sa'da Press, 1939)

Zartman, W. I., *Internationalization of Communal Strife: Temptations and Opportunities of Triangulation*, in M.I. Midlarsky (Ed.), *The Internationalization of Communal Strife*, (London England: Routledge, 1991)

Zartman, W. I., *Introduction: posing the problem of State collapse*, in W.I. Zartman (Ed.), *Collapsed States: the disintegration and restoration of legitimate authority*, (Boulder, Colo: Lynne Rienner Publishers, 1995)

Bibliography in Russian

Аватков В.А., *Внешнеполитический дискурс Турции в отношении России: из 2015 г. в 2016г*, *Филология: научные исследования*, n° 2, (2017), с.70-76

Бакир, А. Х., *Как Россия использует курдскую карту?*, *Россия сегодня*, (01/11/2017), <https://inosmi.ru/politic/20171101/240660534.html> (access 12/04/18)

Вертяев К.В., Жигалина О.И., Иванов С. М., *Политические процессы в курдских ареалах стран Западной Азии (Ираке, Турции, Сирии, Иране)*, (М.: Институт востоковедения РАН, 2013)

Гайковна, В. Э., *Курдская проблема в период Первой мировой войны и в первые послевоенные годы в контексте национальной безопасности России и позиций Англии и Германии*, *Историческая и социально-образовательная мысль*, , vol. 8, no. 1-2,(2016), pp. 13-20.

Гурьев А.А., *Иракский разлом в турецко-американских отношениях*, *Институт Ближнего Востока* (23 февраля, 2005), <http://www.iimes.ru/?p=3492> (access 12/06/18)

Деланоэ, И., *Курды: вектор российского влияния на Ближнем Востоке?*, *Центр Россия/ННГ, в сотрудничестве с Программой Турция, Russie.Nei.Visions n° 85*, (Июнь 2015)

Котанджан Г. С., *Введение в этнополитологию консенсуса-конфликта. Теоретико-методологические проблемы цивилизационного анализа.*, (М.: Луч, 1992.)

Лавров выразил надежду, что референдума в Иракском Курдистане пройдет мирно, *РИА Новости*, (24.07.2017), <https://ria.ru/world/20170724/1499080480.html> (access 21/05/18)

Лазарев, М. С., *Курдистан и курдский вопрос (1923—1945)*, М., Издательская фирма «Восточная литература», (РАН, 2005)

Мирзаян, Г., *Ближневосточный покер. Новый раунд Большой Игры*, Серия: Россия vs. Запад. Вчера, сегодня, завтра, (2016)

Михайлов В. В., *Политика России и Британии в решении курдского вопроса в период первой мировой войны*, Серия 2. История, no. 1 (*Вестник Санкт-Петербургского университета*, 2007)

Осипов А., *Конструирование Этнического Конфликта и Расистский Дискурс*, *Правозащитный центр «Мемориал»*, (Москва)

РСМД , *Время для «курдской политики» Москвы в Ираке?*, (28 сент. 2017), <http://russiancouncil.ru/analytics-and-comments/analytics/vremya-dlya-kurds koy-politiki-moskvy-y-irake/> (access 6/06/18)

Тишков В. А., *Очерки теории и политики этничности в России.*, (М.: Русский мир, 1997.)

Ямсков А.Н., *Этнический конфликт: проблемы дефиниции и типологии // Идентичность и конфликт в постсоветских государствах*. Ред.: Олкотт М., Тишков В., Малащенко А. М., (Московский Центр Карнеги, 1997), с. 205-224

Official documents

A/RES/S-6/3201 (S-VI) , 1st May 1974

O.A.U. Doc. CAB/LEG/67/3 Rev. 5, *African Charter on Human and People's Rights, Agreement Between the United States of America and the Republic of Iraq On the Withdrawal of United States Forces from Iraq and the Organization of Their Activities during Their Temporary Presence in Iraq*, (Baghdad on this 17th November, 2008), (accessed 21/05/18)

O.A.S.T.S., N°36 p. 1, O.A.S. Off Rec., OEA/Ser.L/V/II.23, doc. 21, rev. 6, *American Convention of Human Rights*,

Amnesty International, Iran: *Human rights abuses against the Kurdish minority*, (30 July 2008), Index number: MDE 13/088/2008, available online <https://www.amnesty.org/download/Documents/MDE130882008ENGLISH.pdf> (accessed 21/05/18)

Bonsey, N., *What's at Stake in the Syrian Peace Talks in Astana?*, Commentary / Middle East & North Africa, (24 January 2017), International Crisis Group, <https://www.crisisgroup.org/middle-east-north-africa/eastern-mediterranean/syria/what-stake-syrian-peace-talks-astana> (accessed 21/05/18)

CoE A Doc. 6742 (19 January 1993)

CoE, CDL-MIN (93) 6 (22 February 1993).

CPIJ, Publications, A, n. 15, *Droits de minorités en Haute-Silésie (écoles minoritaires)*, du 26/04/1928

CPJI, Publications, A/B n.44, *Traitement des nationaux polonais et des autres personnes d'origine ou de langue polonaise dans le territoire de Dantzig du 1932*

CPJI, Publications, *Acquisition de la nationalité polonaise n° 7 du 15/09/1923*

CPJI, Publications, *Colons allemands en Pologne n° 6 du 10/09/1923*

CPJI, Publications, *Greco-Bulgarian Communities case*, Ser. B, No 17, 1930

UN Doc. E/CN.4/Sub.2/404/Rev. 1, para. 279: Cristescu, A., *The Right to Self Determination: Historical and Current Development on the Basis of UN Instruments*,

Curzon, G. N., *Lausanne Conference on Near Eastern Affairs 1922-1923. Records of Proceedings and Draft Terms of Peace*, (Gale, Making of Modern Law, September 2013)

Delegation of the European Union to Iraq, *Local EU statement on the referendum announced by the President of the Kurdistan Region of Iraq*, (Bruxelles, 25/07/2017 - 12:09), UNIQUE ID: 170725_12,

https://eeas.europa.eu/delegations/iraq_en/30359/Local%20EU%20statement%20on%20the%20referendum%20announced%20by%20the%20President%20of%20the%20Kurdistan%20Region%20of%20Iraq (accessed 11/04/18)

Document of the Moscow meeting on the Conference on the Human Dimension of the CSCE, Moscow, 10 Sep.-4 Oct., 1991.

European Convention for the Protection of Human Rights and Fundamental Freedoms, 312 U. N. T. S. 222

European Convention for the Protection of Human Rights and Fundamental Freedoms, 4th Nov. 1950, in *Collection of International Instruments*, pp. 274-290.

GA Res. 3281(xxix), UN GAOR, 29th Sess., Supp. No. 31 (1974) 50

Great Britain, office of the Civil Commissioner, *Précis of Affairs in Southern Kurdistan during the Great War*, (Baghdad, 1919)

Human Rights Watch, *Genocide In Iraq: The Anfal Campaign Against the Kurds - A Middle East Watch Report*, (July 1993), <https://www.hrw.org/legacy/reports/1993/iraqanfal/> (accessed 12/05/18)

Human Rights Watch, *Group Denial: Repression of Kurdish Political and Cultural Rights in Syria*, (New York, November 2009), available online: https://www.hrw.org/sites/default/files/reports/syria1109webwcover_0.pdf (accessed 4/06/18)

Minority Rights Group International, *World Directory of Minorities and Indigenous People: Syria-Kurds*, Updated March 2018, <http://minorityrights.org/minorities/kurds-5/> (accessed 1/06/18)

NATO - The North Atlantic Treaty, Washington D.C. - 4 April 1949, https://www.nato.int/cps/ic/natohq/official_texts_17120.htm (accessed 11/06/18)

Report of the CSCE Meeting of Experts on National Minorities, Geneva, 19th July 1991.

SEC (2005) N° 1426, *Turkey 2005 Progress Report*, European Commission, Brussels, (9 November 2005)

UN Doc. E/CN.4/Sub.2/1985/31

UN GA Res. 47/135, 18th Dec. 1992

UN GA/Res. 1514, 15 UN GAOR, Supp. N° 16, UN Doc. A/4684 (1960)

UN GA/Res. 2625 (xxv), 24th Oct. 1970

UNPO (Unrepresented Nations and People Organization), *Iranian Kurdistan*, (Nov. 3rd 2017), <http://unpo.org/members/7882> (accessed 11/06/18)

Online resources

Ayasun, A., *Turkey to Suspend Flights to Iraqi Kurdistan after Referendum Vote*, GlobePost, (September 27th, 2017), www.theglobepost.com/2017/09/27/turkey-flights-kurdistan/ (access 02/06/18)

Chulov, M., *More than 92% of voters in Iraqi Kurdistan back independence*, The Guardian, (Thu 28th Sep 2017), <https://www.theguardian.com/world/2017/sep/27/over-92-of-iraqs-kurds-vote-for-independence> (access 04/12/17)

Clawson, P., *What is the Purpose of the U.S. Foreign Terrorist Organizations List?*, Policy Analysis, Policy Watch n°1643, The Washington Institute for Near East Policy, (March 18, 2010), <http://www.washingtoninstitute.org/policy-analysis/view/what-is-the-purpose-of-the-u.s.-foreign-terrorist-organizations-list> (accessed 11/06/18)

Cooper H., and Gordon, M. R., *Iraqi Kurds Expand Autonomy as ISIS Reorders the Landscape*, The New York Times, (Aug. 29, 2014), <https://www.nytimes.com/2014/08/30/world/middleeast/iraqi-kurds-expand-autonomy-as-isis-reorders-the-landscape.html> (accessed 05/21/18)

Filkins, D., *Threats and Responses: Ankara; Turkish Deputies Refuse To Accept American Troops*, The New York Times, (March, 2nd 2003), <https://www.nytimes.com/2003/03/02/world/threats-and-responses-ankara-turkish-deputies-refuse-to-accept-american-troops.html> (accessed 12/06/18)

Golpy, O., *Abadi wins ISIS war, Maliki wins elections: Time for US to shift policy on Kurdistan*, RUDAW, (October 2, 2017), <http://www.rudaw.net/english/kurdistan/02102017> (accessed 6/06/18)

Iraqi Kurdistan 'opens' official crude oil trade route via Iran, (August, 7th 2013), Hürriyet Daily News, <http://www.hurriyetsdailynews.com/iraqi-kurdistan-opens-official-crude-oil-trade-route-via-iran-52179> (accessed 05/05/18)

Isik, E., *The EU-Turkey refugee deal and the Kurdish issue*, Al-Jazeera Opinion/War & Conflict, (5 Mar. 2016), <https://www.aljazeera.com/indepth/opinion/2016/03/eu-turkey-refugee-deal-kurdish-issue-160302113254551.html> (accessed 03/06/18)

Kadivar, D., *Persian Realm, Diplomatic History: Shah and Saddam Sign 1975 Algiers Agreement*, (January 3, 2009), <https://iranian.com/2009/01/03/diplomatic-history-shah-and-saddam-sign-1975-algiers-agreement/> (accessed 06/06/18)

Lt. Gen. Ethem Erdagi, *The ISAF Mission and Turkey's Role in Rebuilding the Afghan State*, Policy Analysis, Policy Watch n°1052, The Washington Institute for Near East Policy, (November 18, 2005), <http://www.washingtoninstitute.org/policy-analysis/view/the-isaf-mission-and-turkeys-role-in-rebuilding-the-afghan-state> (accessed 11/06/18)

MFA – a report on PKK and Terrorism, <https://fas.org/irp/world/para/docs/mfa-t-pkk.htm> (accessed 11/06/18)

NATO Transformed, NATO Public Diplomacy Division. Jun. 2004, p. 21, available at www.nato.int/docu/nato-trans/nato-trans-eng.pdf (accessed 04/06/18)

NATO Watch, *NATO meets under Article 4 to discuss Turkey-Syria crisis*, (26 June 2012), http://www.natowatch.org/sites/default/files/nato_watch_article_4_briefing_on_syria-turkey.pdf (accessed 04/06/18)

News Desk, *Iraqi Kurdistan vote poses direct threat to Turkish national security: Turkey*, Press TV, (September 23rd, 2017), <http://www.presstv.ir/Detail/2017/09/23/536162/Turkey-National-Security-Council-Iraq-Kurdistanreferendum-national-security-threat> (accessed 02/06/18)

Protests and Deaths Around Turkey Over Handling of Kobani, Deutsche Welle, (October 10, 2014), <http://www.dw.com/en/protests-anddeaths-around-turkey-over-handling-of-kobani/a-17986274> (accessed 03/06/18)

Renard, T., *PJAK in Northern Iraq: Tangled Interests and Proxy Wars*, The Jamestown Foundation, Terrorism Monitor, Vol. 6, Iss.10, (2008), <https://jamestown.org/program/pjak-in-northern-iraq-tangled-interests-and-proxy-wars/> (accessed 11/06/18)

Syrian Kurds Refuse To Fight Assad Army: Kurdish Leader, Sputnik, (October 13, 2014), <https://sputniknews.com/world/20141013194037601Syrian-Kurds-Refuse-To-Fight-Assad-ArmyKurdish-Leader/> (accessed 2/06/18)

Taleblu, B. B., and Tahiroglu, M., *Kurd Your Enthusiasm: The U.S. Needs to Talk About Its Favorite Allies*, (November 8, 2017), Foreign Affairs, <https://www.foreignaffairs.com/articles/syria/2017-11-08/kurd-your-enthusiasm> (access 03/04/18)

Turkish MP Slams Kurdish Referendum as 'Neither Constitutional, Nor Legitimate', Sputnik News (September 27th, 2017), <https://sputniknews.com/analysis/201709271057759463-turkish-mp-kurdish-referendum-illegitimate/> (accessed 03/06/18)

Turkish Threat to Block Kurdistan Oil Exports Drive Prices to 2-Year High, Rudaw, (September 27th, 2017), www.rudaw.net/english/business/26092017 (accessed 02/06/18)

UN News, *UN chief voices concern over 'potentially destabilizing effects' of Kurdish referendum*, (25 September 2017), <https://news.un.org/en/story/2017/09/567012-un-chief-voices-concern-over-potentially-destabilizing-effects-kurdish> (accessed 21/03/18)