



ATTORNEY-GENERAL  
THE HON PHILIP RUDDOCK MP



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CONFIRMATION  
OF FAX 2/12/05  
AK

Mr David Jull  
Committee Chairman  
Parliamentary Joint Committee on ASIO, ASIS & DSD  
Parliament House  
CANBERRA ACT 2600

2 DEC 2005

Submission No:.....	1
Date Received:.....	7-12-05
Secretary:.....	<i>M. Jull</i>

Dear Mr Jull

I am writing to advise you that I have decided to list the Kurdistan Workers Party (PKK) as a terrorist organisation for the purposes of section 102.1 of the *Criminal Code Act 1995* (the Criminal Code).

I am satisfied on reasonable grounds that the PKK is an organisation directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act (whether or not the act has occurred or will occur). The listing of the PKK will ensure that the offence provisions under Division 102 of the Criminal Code will apply.

My decision to list the PKK was made following careful consideration of unclassified intelligence information provided by ASIO in relation to these organisations, as well as legal advice provided to me by the Australian Government Solicitor.

Section 102.1A of the Criminal Code provides that the Parliamentary Joint Committee on ASIO, ASIS and DSD may review the regulation as soon as possible after it has been made, and report the Committee's comments and recommendations to each House of the Parliament before the end of the applicable disallowance period for that House.

To assist the Committee, should it decide to review the regulation, I enclose a copy of the Statement of Reasons provided by ASIO, and endorsed by DFAT, in relation to the PKK upon which my decision to list the PKK as a terrorist organisations was based. Additional information detailing the procedure followed for the purposes of listing the PKK will be provided to you upon the registration of the regulation.

Yours sincerely

Philip Ruddock

### **Kurdistan Workers Party (PKK)**

**(Also known as: Peoples Congress of Kurdistan, Kongra Gel, Kongra Gele Kurdistan, Partiya Karkeren Kurdistan, New PKK, Freedom and Democratic Congress of Kurdistan, Kurdistan Freedom and Democracy Congress, KADEK, Kurdistan Halk Kongresi, KHK, Kurdistan Labor Party, Kurdistan Peoples Congress, Kurdish Freedom Falcons, Kurdish Liberation Hawks, Kurdistan Ozgurluk Sahinleri, Teyrbazên Azadiya Kurdistan, TAK.)**

The following information is based on publicly available details about the Kurdistan Workers Party (PKK). These details have been corroborated by material from intelligence investigations into the activities of the PKK and by official reporting. ASIO assesses that the details set out below are accurate and reliable.

The Kurdistan Workers Party (PKK) is listed as a proscribed terrorist organisation by the governments of the United Kingdom and Canada. The organisation is proscribed by the government of the United States under the name of Kongra Gel. The PKK is listed by the European Union for the purposes of its anti-terrorism measures.

#### ***Background***

The PKK is Kurdish separatist organisation founded in Turkey by Abdullah Ocalan in 1974. The organisation initially presented itself as part of the 'worldwide Marxist revolution'. During the 1980s and early 1990s, the PKK was responsible for numerous attacks on Turkish security forces and civilians accused by the PKK of collaborating with the state. After a crackdown by Turkish forces in 1989, the PKK shifted its focus to concentrate on military targets and urban terrorism, although civilians were still targeted. In the late 1980s, the PKK had difficulty mobilising support from the Kurdish community, in which religious sentiment is strong, and began to adopt Sunni Islamic beliefs. However, the organisation was founded on a Marxist-Leninist ideology and remains predominantly secular. Ocalan was arrested by Turkish authorities in February 1999 and announced a unilateral ceasefire in September 1999, directing members to refrain from violence. Despite this, the PKK's military wing, the Kurdistan Freedom Brigade (Hazen Rizgariya Kurdistan, HRK), was maintained and sporadic attacks continued.

The PKK changed its name to KADEK in April 2002, claiming the PKK had accomplished its mission. KADEK announced its dissolution in October 2003 and re-formed as Kongra Gel, a 'new' political organisation with the stated aim of pursuing Kurdish rights through negotiation with the Turkish Government rather than seeking independence. The armed wing of KADEK, known as the Peoples Defence Forces (HPG), remained active. In early 2004 Kongra Gel split, with militants taking control of the organisation when others broke away to form a new political party. Kongra Gel ended its unilateral ceasefire with the Turkish Government in June 2004, and warned foreigners against visiting or investing in Turkey.

Kongra Gel, and the front group Kurdish Freedom Falcons (TAK), carried out violent attacks in Turkey in late 2004 and early 2005 and members have vowed to defend the Kurdish liberation movement. In April 2005 Kongra Gel reverted to the name Kurdistan Workers Party (PKK) or the 'New' PKK. However, it is not clear if all elements of the organisation have reverted to the name PKK.

On 19 August 2005 the PKK unilaterally announced it would suspend attacks against Turkish security forces until 20 September, stating that it might permanently extend the ceasefire if the Turkish government met its conditions. While PKK initiated attacks decreased during the ceasefire period, continued clashes between Turkish security forces and the PKK, including attacks by the TAK, indicate the ceasefire was not recognised or adhered to by either side. The ceasefire was subsequently extended to 3 October 2005. However, in a statement faxed to the international media in early October 2005, the PKK announced it would resume its armed campaign against Turkish security forces because the Turkish government had not met their demands.

### ***Objectives***

The PKK's aims and objectives have evolved over time and have ranged from the separation of Kurdistan from Turkey, Syria, Iraq and Iran, and the creation of a Kurdish federation in the Middle East, to the establishment of an independent Kurdish state in south eastern Turkey. The organisation has now ostensibly abandoned the goal of a separate Kurdish state and instead seeks to promote and advance the rights of Kurds living in Turkey, specifically the right to maintain ethnic identity.

### ***Leadership and membership***

Abdullah Ocalan, although currently serving life imprisonment in Turkey, is still considered the leader and figure-head of the PKK. Although the organisation has undergone numerous name changes, there is a continuity of key PKK/KADEK/Kongra Gel leaders, including Abdullah Ocalan, Cemil Bayik (a member of the original PKK's Chairmanship Council and a senior member of the Kongra Gel Presidency Council) and Murat Karayilan (commander of the Peoples Defence Forces (HPG) and recently appointed general spokesman of the re-formed PKK Assembly).

PKK membership is estimated at approximately 5000, predominantly based in northern Iraq and south-eastern Turkey. There is also a large support base in Europe, particularly Germany. The PKK maintains camps in northern Iraq where training is provided in ideology, weaponry and guerrilla warfare. PKK funding is generated largely through criminal activity, including extortion and smuggling, and from the fundraising activities of the Kurdish diaspora worldwide (collected by both voluntary donation and through intimidation). Some money is also raised through the sale of publications.

### ***Terrorist activities***

Recent terrorist activities ascribed to the PKK, or for which it has claimed responsibility, include:

- July 2003 – Eight Iranian soldiers were killed in a raid on an outpost in Shinava, Iran.
- December 2003 – Five Turkish soldiers were killed in Turkey when their vehicle hit a land-mine planted by PKK/KADEK.
- June 2004 – Three Turkish security personnel were killed during an attack in Hatay Province, Turkey.

## Attachment A

- 11 Aug 2004 – Two hotels and a gas depot in Istanbul centre were bombed, resulting in the death of two foreign tourists and injuries to others.
- 27 Aug 2004 – Turkish security forces captured two PKK members who were planning bomb attacks in Istanbul and Ankara. Explosive materials were also found with the terrorists.
- 24 Oct 2004 – PKK members attacked a Turkish Oil Corporation pipeline in the south-eastern city of Batman, Turkey.
- 27 Oct 2004 – One security officer was killed and three wounded in an attack in the eastern city of Bingol, Turkey.
- 27 Jan 2005 – PKK members opened fire in the city of Mardin, Turkey, killing one soldier and injuring another.
- 2 July 2005 – A bomb attack against a passenger train in Bingol province was followed by a small arms attack on a second train sent to assist. Approximately six people were killed and 12 injured.
- 10 July 2005 – A bomb in Cesme injured at least 15 people. Responsibility was claimed by the Kurdish Freedom Falcons (TAK), considered to be a front for PKK.
- 16 July 2005 – An explosion on a bus in Kusadasi killed five people, including one British and one Irish citizen, and injured 13. Some media reported that the TAK had claimed responsibility. Turkish police attributed the attack to the PKK, although they denied responsibility.
- 27 July 2005 – The mayor of Yayladere in Bingol province was kidnapped by Kurdish separatists, and released five days later.
- 10 October 2005 – A policeman was abducted at a roadblock set up by the PKK near Idil in Sirnak Province.
- 15 October 2005 – A bomb detonated in a vehicle at a service station in Istanbul, injuring five people. The TAK claimed responsibility.

### **Conclusion**

ASIO assesses the PKK is continuing to prepare, plan and foster the commission of acts involving threats to human life and serious damage to property. This assessment is corroborated by information provided by reliable and credible intelligence sources.

In the course of pursuing its objective of promoting and advancing the rights of Kurds living in Turkey, the PKK is known to have engaged in actions that:

- are aimed at advancing the PKK's political causes;
- are intended to cause, or have caused, serious damage to property, the death of persons or endangerment of life; and
- are intended to cause, or have caused, serious risk to the safety of the public in Turkey and other persons visiting areas in which it operates.

In view of the above information, PKK is assessed to be preparing, planning, and fostering the conduct of terrorist acts. Such acts include actions which are to be done and threats of actions which are to be made with the intention of advancing a political, religious or ideological cause and with the intention of coercing, or influencing by

## **Attachment A**

intimidation the Government and people of Turkey and other countries. The actions or threatened actions which the PKK are assessed to be involved in would, if successfully completed, cause serious physical harm and death to persons and serious damage to property.