

Turkey: selective amnesty for PKK members

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On 10 August, Turkey's parliament passed a law establishing a legal mechanism enabling former Kurdistan Workers' Party (PKK) militants to return to civilian life. The legislation was backed by the governing camp, the pro-Kurdish Peoples' Equality and Democracy Party (DEM) and part of the opposition. Once the National Security Council (MGK) confirms that the PKK has ceased its activities and that both the organisation and its affiliates have laid down their arms, their members will be eligible for a partial amnesty. This will cover those convicted of collaborating with the PKK, raising funds for the organisation or engaging in propaganda on its behalf. Those convicted of murder, as well as some prisoners serving life sentences, will not be eligible for release. The law also allows militants currently living abroad to return to Turkey. The entire process will be overseen and coordinated by a body chaired by the vice-president and comprising, among others, the ministers of justice, defence, the interior and foreign affairs, as well as the head of the intelligence service.

The adoption of the law marks an important step in the Turkish-Kurdish peace process, which is intended to end a conflict that has lasted for more than 40 years. It does not, however, address key Kurdish concerns, including language rights and the appointment of government trustees to replace elected local authorities. Progress in the talks is nevertheless important for the governing camp, which needs the support of part of the Kurdish opposition to call a snap election that would allow Recep Tayyip Erdoğan to seek a third presidential term.

Commentary

- **The adoption of the law marks a breakthrough in the peace negotiations, as it is the first time that political declarations have been translated into a legal mechanism.** In February 2025, imprisoned PKK leader Abdullah Öcalan called on the organisation to lay down its arms and disband. The PKK complied in May last year, announcing its decision to cease operations. Despite these steps, the process reached an impasse (see '[One step forward, one step back – a year of the Turkish-Kurdish peace process](#)'), with the terms under which former PKK militants could return to civilian life remaining one of the main points of contention. The demand for an amnesty for PKK militants remains highly unpopular among the families of the organisation's victims and nationalist sections of Turkish society. The measures adopted, including the exclusion from the amnesty of those responsible for killings, allow the government to limit the political cost of the legislation among these groups.

- **Öcalan, the PKK leader who has been held in a high-security prison since 1999, is not eligible for the amnesty.** His prison conditions may, however, be eased at a later stage of the peace process, as this is one of the key demands of the Kurdish movement in Turkey. Many other Kurdish political prisoners could benefit from the new legislation. They include Selahattin Demirtaş, who has been imprisoned since 2016. A former co-chair of the pro-Kurdish Peoples' Democratic Party (HDP), the predecessor of DEM, he is also one of the most prominent figures in the civilian Kurdish political movement. However, any such release would not be automatic. The courts are likely to determine whether the new legislation applies to the cases against him, while Turkey's judiciary remains politicised.
- **The law does not address the Kurdish movement's key political demands and does not guarantee the success of the peace process.** A key concern for the Kurdish community is that the legislation does not provide for broader Kurdish language rights, including the right to education in Kurdish, or for changes to anti-terrorism laws, which continue to allow the authorities to prosecute Kurdish politicians and activists on charges of supporting the PKK. Nor does the law resolve the issue of government-appointed trustees, a practice whereby Ankara removes elected mayors, most often from DEM, over alleged links to the PKK and replaces them with state-appointed officials. DEM is therefore likely to regard the law as a first step towards normalisation and to press for a further expansion of Kurdish rights and freedoms.
- **The peace process also has an important electoral dimension for the governing camp.** The coalition of President Erdoğan's Justice and Development Party (AKP) and the ultranationalist Nationalist Movement Party (MHP) has been struggling with declining public support, partly as a result of the country's economic difficulties. It therefore hopes that progress on the Kurdish issue could reduce hostility towards the government among Kurdish voters. This is particularly important in the context of a snap election, as a parliamentary decision to call one would allow Erdoğan to stand for president again. Such a decision would, however, require at least 360 votes in the 600-seat parliament. The AKP and MHP together hold 323 seats, meaning that the governing camp must secure the support of the Kurdish opposition if it wants to bring the election forward. DEM's vote in favour of the law increases the prospects for its limited cooperation with the government on this issue.