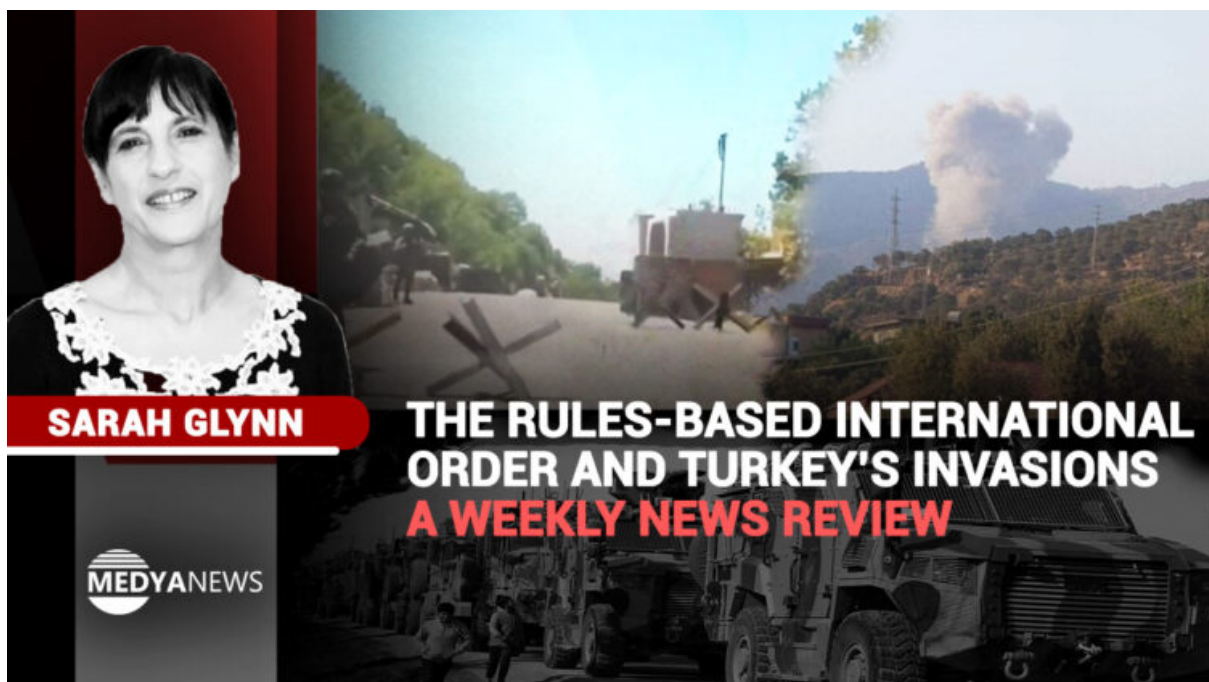


The Rules-Based International Order and Turkey's invasions – a weekly news review

What is the Rules-Based International Order, and how does it relate to international law? How does it affect international responses to Turkish aggression in Syria and Iraq, and to Iran? What is the role of the United States?

[12:26 pm 27/07/2024](#)



In a week in which the United States Congress gave a standing ovation to the leader of a country that is committing a genocide and that has just been found guilty by the International Court of Justice of illegal occupation and apartheid, it seems a good time to look at the much-discussed Rules-Based International Order – and, of course, what it means for the people of Kurdistan.

The problem is, that despite that authoritative sounding name, there is in reality no such order and there are no generally accepted rules. There is international law, but, as John Dugard makes clear in a recent article for the Leiden Journal of International Law, these are not the same thing. (If Dugard's name sounds familiar it may be because he was part of the South African legal team that prosecuted Israel for genocide at the International Court of Justice.) Dugard explains that since the end of the Cold War, the United States has increasingly talked about the Rules-Based International Order, using this in preference to international law, many of whose legal treaties they have not signed up to. It is an alternative in which America can use and reinforce their dominance, setting the rules in their own interest, and attempting to impose their own contested interpretations of key principles, such as claiming the admissibility of pre-emptive deterrence.

While the term "Rules-Based International Order" has been taken up by other Western nations outwith America, its use is not consistent, and it can tend to get confused with legally defined international law.

Although international law itself is not immune to power bias, the aim of equal treatment remains fundamental. However, the Rules-Based International Order is, in Dugard's words, "an alternative regime outside the discipline of international law which inevitably challenges and threatens [international law](#)."

The main charge levelled against the Rules-Based International Order is that its "rules" are applied differently to different states depending on their relationship to the USA. This has been pointed out many times in the different ways America and their Western friends have reacted to events in Ukraine and in Gaza. Israel has done everything that Russia is accused of doing, many times over, but while Russia is vilified, Israel is treated as a victim. The only similarity in their treatments is a failure to look beyond the most recent events and examine their historical context.

What are the "rules" for Turkey?

While the Ukraine/Gaza example has been well aired, similar biases impact reactions to Turkey. The United States and friends don't regard it as in their interest to antagonise Turkey by applying their "rules" – or even international law – to Turkish aggression, though this particular hypocrisy rarely gets reported or remarked upon.

International laws against unlawful use of force and the violation of territorial integrity are clear. Enacting and enforcing these laws is difficult; however, it is also clear that, at the very least, other nations have a duty not to facilitate such illegal actions by selling the perpetrators weapons or rewarding them with special privileges.

In Turkey's case, the "rules" are interpreted a little differently for Cyprus than for Syria and Iraq. Strategically placed Cyprus is a member of the European Union. It hosts a British airbase that includes US military, and Greek Cypriots have the support of mainland Greece. No country other than Turkey recognises the northern part of the

island, which Turkey invaded and occupied fifty years ago, as an independent “Turkish Republic”; and there are international demands for reunification, as stipulated by the United Nations. Not, though, that this has been allowed to impact much on other countries’ relations with Turkey. Turkey’s current approach to Cyprus is not compatible with membership of the European Union; however, there are many other obstacles to Turkey’s EU membership besides this, and the EU still gives Turkey the privileges of a customs union.

When it comes to Turkey’s invasions in Syria and Iraq, the guardians of the Rules-Based International Order generally don’t want to know. EU member states did suspend arms exports to Turkey in response to the Turkish ground invasion and occupation of northern Syria in 2019, but many restrictions [have since been dropped](#). American restrictions on Turkish access to advanced weapons were a response to Turkey buying weapons from Russia, not their breaking of international law, and the sale of F16 fighter jets has now been agreed. Turkey’s constant low-level attacks on the Autonomous Administration of North and East Syria, and even their holding back of vital river water, have hardly elicited a comment. Western powers have allowed Turkey, an occupying country, to veto the inclusion of representatives from the Autonomous Administration in international talks on Syria’s future, and Western politicians reproduce Turkish Government statements uncritically.

Turkey in Iraq

In Iraq, the uncritical adoption of Turkey’s narrative allows the United States to give a nod to Turkey’s attacks and regard them as part of the war against terrorism. America accepts Turkey’s claims that the Kurdistan Workers’ Party (PKK) is a terrorist organisation and that Turkey’s operations in the Kurdistan Region of Iraq are only about “neutralising” the PKK.

The terrorist listing of the PKK by almost all western countries has been a major achievement for Turkey, and a major setback for hopes of any genuine justice and peace. The Rules-Based International Order purports to be about maintaining peace, and although it concerns relations between nation states, it can, when circumstances suit, acknowledge the right to self-determination. However, like its other “rules”, that acknowledgement is entirely dependent on political circumstances. And no form of self-determination or autonomy for Kurds is deemed politically expedient. When the terrorism label was actually put to legal test, Belgium’s highest court found that it was not correct, and that the PKK should legally be understood as a non-state actor fighting a war. The PKK has repeatedly sought peace negotiations; but the terrorist listings ignore this and make the realisation of peace even harder to achieve.

As I have noted many times, Turkey’s operations in the Kurdistan Region of Iraq go well beyond an anti-terrorism operation, and this becomes clearer by the day. Ahmet Karamus, Co-chair of the Kurdistan National Congress (KNK), [argues](#) that Turkey’s current operation is of a different scale to previous ones and appears to be aimed at total occupation, from Iran in the east to Syria in the west – after which he expects Turkey to move on to attack North and East Syria.

Samir Daoud Hanoush, [writing in Al-Arab](#), describes Turkey's actions as "a covert occupation", and points to the almost total lack of action, even "indifference", from the Iraqi government, which recently took over control of the border from the Kurdistan Regional Government. He reminds us that "the head of the Popular Mobilisation Forces, Faleh al-Fayyadh, received the Turkish ambassador in Baghdad and handed him a strange honour in the form of the Popular Mobilisation Forces shield, at a time when Iraqi sovereignty is being violated by the Turkish army". This last is of especial significance as the Popular Mobilisation Forces – an officially recognised network of paramilitary groups – includes many groups with links to Iran, Turkey's regional rival.

Turkish troops and military vehicles are still arriving in Iraq, and the UK-based Syrian Observatory for Human Rights [reports](#) that Turkey is said to be recruiting fighters from the jihadi gangs that act as their mercenaries in Turkish-occupied Syria, and are known for their extreme brutality. They state that around 400 fighters are expected to be recruited from these groups, lured by salaries of 2,500 to 3,000 US dollars a month: a recognition of the effectiveness of the defence put up by the PKK guerrillas, but a dangerous development for the future of the region. (For comparison, the minimum wage in Turkey is currently worth about \$500.)

The US as world policeman

The Rules-Based International Order positions the United States as world policeman; but they have always been, and continue to be, a policeman whose duty is to protect US interests, as evidenced by their role in both Syria and Iraq.

After destabilising the region with their invasion of Iraq, and creating the conditions that enabled the emergence of ISIS, the US military returned to Iraq in 2014 to try and contain the forces they had unleashed. In Syria, they first tried to push regime change by giving large amounts of arms to the Islamist militias, until they realised that wasn't working. They then found themselves supporting the Kurds as the only forces able to take on ISIS. There are still some 900 US troops in Syria and 2,500 in Iraq.

This week saw [another round of talks](#) about US withdrawal from Iraq. The Iraqi government wants to see their departure start in September, but it's possible that many soldiers will remain under a different form of mandate. Iraq is under pressure from Iran to get the Americans out, and the Iraqi prime minister, Mohammed Shia al-Sudani, would welcome this as a popular win; however, the US wants to maintain a foothold in the country as a counter to Iran and to support their troops in Syria, which are also seen as part of their policy of Iranian containment. America's focus on defeating Iran makes them receptive to plans that would strengthen Turkey at Iran's expense.

A favourite tool of America as world policeman is economic sanctions. There can, occasionally, be a role for sanctions, if these are called for by the people of the country concerned, but most sanctions do not achieve their intended purpose and they can cause severe immiseration of whole populations. The [Washington Post](#) has just published an investigation into the staggering growth in America's use of sanctions,

which have become their standard response to everything that they don't approve of. It records that "1/3 of all nations on Earth now face some form of US sanctions" and "60% of all poor countries are under US sanctions of some kind". In looking at the "devastating effects on innocent civilians", it specifically observes that "Syria faces its greatest humanitarian crisis this year after a decade civil war & sanctions." Sanctions do not now officially apply to North and East Syria, but the region is also a part of the Syrian economy and uses the Syrian pound.

Iran

When it comes to Iran, Western nations are more ready to criticise. We can be sure that the United States will also be attempting to work with Iranian dissidents to promote regime change. Such external "help" can be a poisoned chalice, but we can be pretty confident that they won't choose to try and carry out their plans through supporters of the ideas developed by Abdullah Öcalan and the PKK, or through other Kurdish leftists – people who many of the dissidents in the Iranian diaspora have tried to marginalise.

As Afghanistan so cruelly demonstrated, issues such as women's rights provide a useful front for interfering and imposing the Rules-Based International Order, but it is US strategic interests that really count.

News reports from Iran, and especially from Rojhilat, the country's Kurdish region, consist of a seemingly endless stream of arrests, prison sentences, torture and executions. And so many of those killed are young people who should have had a lifetime ahead of them. On Tuesday, a death sentence was handed down to [Pakhshan Azizi](#), who was accused of membership of the Kurdistan Free Life Party (PJAK) – or, in her words "for being Kurdish and being a woman". She is a women's rights activist who worked with refugees in Iraq and Syria, and her lawyers stress there is no evidence of her taking part in any armed activities. Azizi sent a letter from prison in which she tells of five months solitary confinement, severe torture and staged executions, but also of her commitment to "democratising society" and "building an ethical-political society where people deliberate on social issues, make them their concerns, and find solutions".

The Rules-Based International Order has no time for such idealism, nor for the [fate of members of Kurdish political parties](#) who have taken refuge in the Kurdistan Region of Iraq but are now, under Iranian pressure, facing denied residence permits and possible extradition.

Blatant Western hypocrisy towards international law, which has been facilitated by the self-serving charade of the Rules-Based International Order, is ultimately self-defeating, as other countries, especially in the Global South, react by moving out from America's suffocating embrace. A redistribution of power is long overdue, but it is also making space for both Turkey and Iraq to make new alliances and build their own state power.

Authoritarian Turkey

The authoritarianism of the Turkish state was evident in a wide range of news stories this week:

Deputies from the ruling Justice and Development Party (AKP) [punched and kicked](#) a deputy from the pro-Kurdish DEM Party in parliament – and were afterwards congratulated by the president’s chief advisor.

Selahattin Demirtaş, former co-chair of the Peoples’ Democratic Party (HDP), predecessor of the Peoples’ Equality and Democracy (DEM) Party, has been given [yet another prison sentence](#) – two and a half years for “insulting state institutions” when speaking about state massacres.

A film director and cameraman were [detained by police](#) for six hours because of four T-shirts printed with Demirtaş’s image found in their car.

A human rights lawyer and DEM Party provincial co-chair was [taken into custody](#) and accused of propaganda for a terrorist organisation after he spoke out against Turkey’s ongoing invasion of the Kurdistan Region of Iraq.

A group of young men who had recorded themselves [dancing on the beach](#) to a Kurdish political song and chanting Kurdish slogans were arrested a month later. The police shared a video of them being taken to the police station and being forced to listen to an ultra-nationalist Turkish song in the police van.

The Head of the Turkish Delegation to the Parliamentary Assembly of the Council of Europe has [applied to visit](#) Turkish political prisoners to improve his diplomatic credentials – but notably not Demirtaş, although his release has been demanded by the European Court of Human Rights.

And in Şırnak, the Turkish military continues to [turn forested mountains into barren ground](#) dotted with military outposts, in an attempt to ensure that there is nowhere for PKK guerillas to hide. The army treats much of eastern Turkey/North Kurdistan as an occupied country, and that is what it effectively is.

Adbullah Öcalan

For Kurds, the epicentre of this discrimination and oppression is the imprisonment and gross mistreatment of the man whom millions look to as their leader, Abudullah Öcalan. Öcalan has now been denied all contact with the outside world for forty months, contrary to national and international law.

When we look at human rights, international law is very clear. By definition, human rights apply to everyone; but, of course, politics gets in the way here too. Politics within Turkey, and also the politics of international relations that refuses to apply the law equally.

The one organisation that does have the ability to visit Öcalan in İmralı Prison is the Council of Europe's [Committee for the Prevention of Torture \(CPT\)](#), and it is coming under growing pressure for not doing all it can to end this isolation.

A week ago, a former member of the CPT [called](#) for the organisation to make another visit to İmralı, and also – since Turkey is exercising their right to veto publication of the CPT's last report – to make a public statement about his conditions.

On Monday, the CPT was persuaded, after many requests, to [answer written questions](#) from Firat News Agency, but their answers gave no further information, and they didn't answer the question about the possibility of making a statement.

On Tuesday, one of Öcalan's lawyers [accused the CPT](#) of failing to initiate a procedure against Turkey's non-compliance with its recommendations, and of giving a misleading impression, in the Firat News interview, that there was no mistreatment in the prisons, when Öcalan and the other three prisoners are being held incommunicado. She also noted that Turkey is not on the agenda for the CPT's visits in 2025.

Kurdish activists have responded to this institutional blockage with protests, petitions and letter-writing campaigns. The [latest letters](#) are signed by 69 Nobel laureates from different fields. One letter was sent to Turkish President Recep Tayyip Erdoğan, appealing to him to again pursue a path of peace. The other is to the Council of Europe and its institutions, and the United Nations Human Rights Committee. It calls them out for their lack of action, and it asks, "who is the CPT protecting? The state itself or the people whose rights it is the CPT's duty to defend?"

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