THE KURDS IN IRAQ

The Past, Present and Future

KERIM YILDIZ
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Kerim Yildiz
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Foreword

With the demise of the rule of the Ba’ath party in Iraq, the country’s Kurdish population faces a new chapter in the political and regional development of its region. For over a century the Kurds have been subject to the grand schemes of other powers, denied autonomy, and have faced the onslaughts of military assaults, economic embargoes, and the destruction of their native regions.

This publication is intended to provide an outline of some of the issues affecting the Kurds in Iraq. It provides a brief exploration of the past’s effect on the present, and of how both the Kurds and the international community may avoid repeating previous mistakes, laying the foundations for an internationally recognised autonomous region committed to pluralistic democracy and human rights. Such a region would require a commitment to the rule of law and internationally recognised human rights standards.

In the intervening years between the First Gulf War and the 2003 US-led war against Saddam, the Kurds established a democratic administration, which has persevered despite a lack of assistance from the international community to facilitate its establishment or indeed any international recognition. Iraqi Kurdistan serves as a role model not only for Iraq but also for the rest of the Middle East, particularly with regard to adherence to human rights principles, including women’s rights and freedom of expression. The study proposes that the Kurds should continue to have full and equal participation in the reconstruction of Iraq. The study also details a range of human rights policies to the Occupying Powers, the international community and the Kurds themselves. The publication highlights the international initiatives possible to ensure the economic and social development of Iraqi Kurdistan, including equitable distribution of the revenues of oil and the Oil-for-Food Programme.

This publication provides a scholarly analysis of the urgent and as of yet unanswered question: what is to be the future of the Iraqi Kurdistan bearing in mind what was achieved after the First Gulf War in 1992? In BHRC’s view, unless the rule of law is quickly established throughout post-war Iraq, the future of the whole region remains bleak.
The research and writing of this publication was undertaken by Kerim Yildiz, Executive Director of the Kurdish Human Rights Project. The advice and assistance of KHRP staff members and other experts is gratefully acknowledged, including that of Tom Blass, freelance journalist and researcher, Clodaghmuire Callinan and Rochelle Harris. This publication was made possible by the financial support of the Sigrid Rausing Trust.

Mark Muller
Vice President,
Bar Human Rights Committee of England and Wales
Map of the area inhabited by Kurds
Introduction

Since the downfall of Saddam Hussein’s regime in 2003, the Kurds of Iraqi Kurdistan have made significant achievements in securing their rights, perhaps signalling a milestone towards a new culture of human rights in the Middle East. Nonetheless, the Kurds have faced enduring hardship over the past century, including military attacks, economic embargoes, human rights violations and the destruction of their native regions.

Some of the landmarks in the history of Iraqi Kurdistan – perhaps most notably the chemical and gas attacks at Halabja, the 1991 uprising and the subsequent flight of over 2 million refugees – have been so egregious as to have become imprinted on the consciousness, and sometimes conscience, of the outside world. Other events are less well known and less well understood: such as US and Iranian involvement in Iraqi Kurdistan in the 1970s, Turkish intervention, the nascent democracy of the autonomous area and the double embargo effect of Saddam Hussein’s economic siege and United Nations (UN) sanctions. This publication is intended to provide an outline of some of the issues affecting the Kurds in Iraq. It provides a brief exploration of past history’s effect on the present, and of how both the Kurds and the international community may avoid repeating previous mistakes, laying the foundations for an autonomous region committed to a pluralistic democracy and human rights.

There are no exact ethnological or linguistic criteria by which the Kurds can be defined. There are a number of Kurdish dialects. There is no single religion that binds them, and they are to be found in numerous countries. Paraphrasing Benedict Anderson, one might say that Kurds are those that believe themselves to be so.1 Kurdish identity, however, is not monolithic. While some Kurds believe passionately in the existence of a pan-Kurdish nation, others are bound more closely to other identities; tribal, national or religious.

Standing at the crossroads of so many powerful nations, the Kurds have always, inadvertently or otherwise, been subject to or caught up in the vicissitudes of their allegiances and altercations. This publication looks at the ways in which the Kurds in Iraqi Kurdistan have been subjected to sustained violence and oppression by several Iraqi regimes. This is not unique to Iraq. In Turkey, as in Iran, Syria
and the former Soviet Union, Kurds have been the victims of village
destructions and evacuations, killings, torture, rape in custody,
arbitrary detentions, censorship and other human rights violations.
On several occasions, governments – the outlooks of which are
otherwise opposed – have sought to collaborate in their efforts to
suppress the Kurds.

Behind the pattern of victimisation lies the fear of the Kurds
breaking away from the states in which they live to create their own
nation. The dream of an independent Kurdistan is not universally
perceived in the same way. Some regard it as a dream, perhaps
realisable in generations to come, but unfeasible for the moment.
Others regard the right to self-determination as a fundamental right
 guaranteed *inter alia* by the UN Charter. It is little surprise that anti-
secessionist measures taken by some states have had a tendency to
alienate Kurds, fuelling a radicalism which might not otherwise carry
itself with such fervour.

This publication was written with the purpose of introducing the
Kurds to a readership in some cases newly wakened to their existence
by media reports arising out of the US-led invasion of Iraq. Much of
the research was undertaken in London.

In August 2003, a KHRP fact-finding mission to Iraqi Kurdistan
arrived soon after the bombing of the UN building in Baghdad,
which had severely dented the morale of international agencies
and non-governmental organisations (NGOs).

Many expatriate
staff were leaving or had left Iraq. Still others were arriving in the
comparatively safe north from the nation’s capital. The sense of post-
liberation jubilation was muted. The Kurds living above the ‘green
line’ separating ‘Saddam’ Iraq from ‘Kurdish’ Iraq had been ‘free’,
with all the qualifications and hardships that that entailed for over
ten years. The end of the war had brought new forms of relief. Many
were visiting family members in Mosul and Kirkuk for the first time
in years. As one man in Erbil described, ‘For twelve years we’ve lived
with Saddam’s guns trained on us just across the border; just knowing
they’ve gone means we can breathe more easily.’

The end of Saddam’s rule also brought with it disappointments.
Many families still clung to the hope that when the Ba’athists
fell, mothers, fathers, children and siblings that had disappeared
years before would reappear. With the passage of time and the
continuing discovery of mass graves around the country, those
hopes are fading and some are grieving for the second time. Others,
living in impoverished conditions and without access to the wealth
and luxuries visible in bazaars and shops, decry the inability of the international community and of their own government to improve their condition overnight.

The political climate, and its tensions created by the rights or wrongs of the war, has constituted an interesting backdrop against which to write about the Kurds in Iraq. The question as to whether war was ‘justified’ created unlikely allies and unlikely foes. The arguments for and against seemed to be at odds with any clearly definable ideological lines. The new front created in the battle for ideas concerns the respective roles of the UN and the US-led administration. In all these issues, the Iraqi Kurds sided more closely with the hawks of the US than the doves of ‘Old Europe’ or the UN. Their perspective did not necessarily vindicate the decision to go to war. Only time will tell what effect the end of Ba’athism has had on Iraq. Many Kurds are disenchanted with the provisions of multilateralism, being better disposed toward any potential ally promising action over deliberation. Kurds will admit that circumstance has often forced them into choosing their friends before fully considering the wisdom of having done so. For the first time in their history, however, the Kurds may have backed the winning horse.
Part I
The Past
The Kurds

‘KURDS’ AND ‘KURDISTAN’

The Kurds are native inhabitants of their land and as such there are no strict ‘beginnings’ for Kurdish history and origins. In modern times, Kurds as an ethnic group are the end product of thousands of years of evolution stemming from tribes such as the Guti, Kurti, Mede, Mard, Carduchi, Gordyene, Adianbene, Zila and Khaldi, and the migration of Indo-European tribes to the Zagros mountain region some 4,000 years ago. The Kurds are similar to the Highland Scots in that they have a clan history, with over 800 tribes in Kurdistan.

At the time of the Arab conquest of Mesopotamia in the seventh century AD, the name ‘Kurd’ was used to describe these nomadic people who lived in this region.

The term ‘Kurdistan’, meaning ‘the land of the Kurds’, first appeared in the twelfth century when the Turkish Seljuk prince Saandjar created a province with that name. This province roughly coincides with the area of Kurdistan (Kordestan) situated in modern Iran. It was not until the sixteenth century, however, that the phrase ‘Kurdistan’ came into common usage to denote a system of Kurdish fiefs generally, and not just the Saandjar-created province. The range of land which Kurdistan encompasses has fluctuated historically, but it was and remains predominantly the geographical region that spreads across the mountainous area where the borders of Iraq, Iran, Syria and Turkey meet. Claims as to the exact dimensions of Kurdistan vary but its backbone is the Taurus and Zagros mountain chains, and it stretches down to the Mesopotamian plain in the south and, in the north and north-east, up to the steppes and plateaus of what was Armenian Anatolia. The small Kurdish-populated areas just inside the Armenian and Azerbaijani borders with Turkey and Iran respectively are sometimes included as part of Kurdistan depending on the commentator. These areas have, however, been known as ‘Red Kurdistan’. Smaller minority communities, including Christians, Turcomans, Assyrians and Armenians, also inhabit Kurdistan as a whole.

Although Kurdistan has appeared on some maps since the sixteenth century, it is clear that it should be more than a geographical term as
it also refers to a human culture, which exists in that land. Kurdistan has no fixed borders, and claims to the territory that it comprises vary between different organisations, groups and individuals. No map of Kurdistan can be drawn without contention as, for all practical purposes, Turkey has always denied Kurdistan's existence, while Iran and Iraq remain reluctant to acknowledge that it is as extensive as many Kurds purport, and Syria denies that it extends into its territory.

LANGUAGE

The Kurds do not have a single common language but speak a number of different dialects. The biggest group, as regards the number of people who speak it, is called 'Kurmanji'. This dialect is spoken by Kurds living in Turkey, Syria and the former USSR; it is also spoken by Kurds living in the northern part of Iran and down to the Greater Zab river in Iraq. The other chief dialect is Sorani (or Kurdi), which is spoken by Iraqi Kurds living south of the Greater Zab and by Iranian Kurds living in the Kordestan province. A speaker of one of these dialects can usually understand a speaker of the other, although someone from a remote area may find it difficult. Sub-dialects include Kirmanshahi, Leki, Gurani and Zaza. Some of these sub-dialects are not easily learnt or understood by fellow Kurds. As is the case with the Irish language and most minority languages, the official languages spoken around Kurds influence Kurdish modern dialects. Thus, Kurdish in Turkey contains a large number of Turkish words and Kurdish in Iraq contains an overlay of Arabic words.

RELIGION

The Kurds are not homogeneous religiously. The majority of Kurds are Sunni Muslims, who were converted between the twelfth and sixteenth centuries, and adhere to the Shafi'i school rather than the Hanafi school which was the official religion of the Ottoman Empire. There are a number of other different religious affiliations among the Kurds, however, and they include Jews; Christians; Alevis, who follow an unorthodox form of Shi‘ism; adherents to the ‘established’ faith of Iran – Ithna‘asheri Shi‘i Islam; the Ahl-i Haqq (People of Truth), a small sect found in the south and south-east of Kurdistan; and Yazidis.
POPULATION

There are no official population figures for Kurds but it is accepted that they are the largest ethnic group without a state in the world. Estimated figures indicate that the highest numbers of Kurds are to be found in Turkey, but it is in Iraq where they constitute the largest proportion of the overall population. There are believed to be over 15 million Kurds in Turkey (20 per cent of the population); 4 million in Iraq (25 per cent of the population); 7 million in Iran (15 per cent of the population); over 1 million in Syria (9 per cent of the population); 75,000 in Armenia (1.8 per cent of the population); and 200,000 in Azerbaijan (2.8 per cent of the population). These estimates are conservative but indicate that the Kurds are currently the fourth largest ethnic group in the Middle East.

The absence of reliable figures is in part due to the lack of censuses in Syria, Turkey, Iraq and Iran that recognise ethnic identity as a legitimate category of registration. It has suited the countries inhabited by the Kurds to manipulate and downplay the size of their Kurdish communities in order to prevent them from becoming politically powerful.

TOPOGRAPHY OF KURDISTAN

The precipitation in Kurdistan has meant that the area is agriculturally rich and many Kurds are engaged in livestock farming and agricultural production. Tobacco is the main cash crop, as well as cotton and grain in some areas. Other products, such as fruit and vegetables, are mainly for domestic consumption. Once richly forested, the area has suffered from widespread deforestation, which has devastated timber production and caused environmental damage. Oil is also concentrated in the Kurdish regions. There have been regular disputes over its exploitation and revenues from oil have been one of the major causes of conflict between the Kurds and the ruling governments in the region. Other minerals found in the area include chrome, copper, iron, coal and lignite. Water is yet another element that is rich in Kurdistan, with both the Euphrates and Tigris rivers running through it. However, the Kurds do not control the flow of the rivers. There has been little effort made towards industrial development in the Kurdish areas, as economic underdevelopment is a convenient method for the governments in the region of keeping the Kurds under control.
The Treaty of Sèvres and the Creation of Iraq

Historically, the Kurds have enjoyed a considerable degree of semi-autonomy under the various regional powers seeking to exercise territorial control over the lands inhabited by Kurdish tribes. Indeed from the sixteenth century the Persian and Ottoman Empires allowed Kurdish autonomy in order to maintain peace on their open borders.

The first opportunity for the Kurds to establish an independent state came with the collapse of the Ottoman Empire and the end of the First World War. In the aftermath of the First World War there was a new preoccupation with the situation of minority groups – albeit driven primarily by strategic political considerations rather than concern for individual and group protection. In his Fourteen Point Programme for World Peace, President Wilson included the statement that the non-Turkish minorities of the Ottoman Empire should be 'assured of an absolute unmolested opportunity of autonomous development'.

This sentiment had champions within each of the great powers – Britain, France and the US – as it did within those ‘nationalities’ themselves. But there were other aspects to consider, such as the break-up of the Ottoman Empire, the threat posed by the nascent Soviet Union, the status of the Catholic Armenian population, and Britain’s desire to preserve stability in and around its colonial possessions. The Kurds’ right to self-determination was understood by the British, but qualified by the unsubstantiated belief that a Kurdish leader could not be found that would sacrifice either his own or tribal interest for the greater purpose of the Kurdish nation. Indeed Britain was not even sure that a widespread and cohesive Kurdish identity transcending tribal or other loyalties even existed. Turkey, fearful of further dismantlement of its empire, played on British fears.

Notwithstanding these reservations, the Treaty of Sèvres, signed by the Allied Powers and the Ottoman government in 1920, envisaged an independent Kurdish state. Article 62 of the Treaty provided that a Commission appointed by the French, Italians and British