

**TURKEY'S POLICY IN NORTHERN IRAQ IN THE POST-GULF WAR
ERA; 1991-1998**

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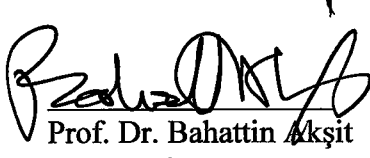
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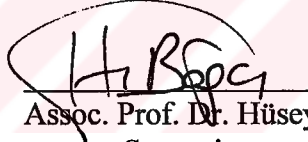
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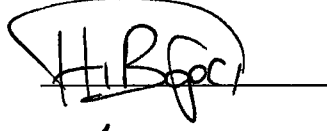

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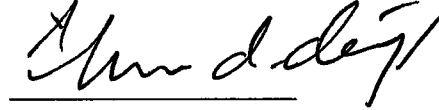

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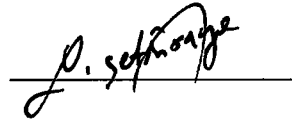
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ABSTRACT

TURKEY'S POLICY IN NORTHERN IRAQ IN THE POST-GULF WAR ERA; 1991-1998

Köse, Ertuğrul

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This thesis analyses Turkey's policy in northern Iraq in the post-Gulf War era in terms of its domestic and external determinants. In the first part of the thesis, the Gulf crisis and the decision-making process in Turkey, the legacy of the Gulf War on Turkey, the refugee crisis in northern Iraq and the Operation Provide Comfort are being discussed. Internationalisation of the Kurdish Question, policies of Turkey and the regional countries toward the Kurdish Question, Kurdish political parties in northern Iraq, the KDP- PUK conflict and Turkey's relations with the Kurdish political party leaders are the main topics of the second section of the study. The last part of the thesis mainly deals with Turkey's security concerns in northern Iraq, the PKK, Turkey's relations with Middle Eastern neighbours, Turkomans in northern Iraq and the recent developments in the region. The conclusion of the thesis is that Turkish foreign policy during and after the Gulf War is not a deviation from Turkey's traditional foreign policy of maintaining a balance between the requirements of Turkey's membership in the Western alliance and those of preserving good neighborly relations with its neighbours. As a whole, Turkey has realized its political and security objectives in northern Iraq within the context of its national interests. Nevertheless, the process is not yet completed and the Turkish national interests in northern Iraq will be probably new defined. But, it remains at the time being an open question what those new national interests could be.

Keywords: The Gulf Crisis, US-led Coalition, UN Security Council Resolutions on Iraq, the Gulf War, Kurdish Refugee Crisis, No-fly Zone, Northern Iraq, De facto State, the Operation Provide Comfort, International Community, Balanced Regional Foreign Policy, Kurdish Question, Kurdish Democratic Party (KDP), Patriotic Union of Kurdistan (PUK), Kurdish Workers' Party (PKK), American Initiative, Ankara Process, Tripartite Meetings, National Interests and Turkomans.

ÖZ

KÖRFEZ SAVAŞI SONRASI DÖNEMDE TÜRKİYE’NİN KUZEY IRAK POLİTİKASI: 1991-1998

Köse, Ertuğrul

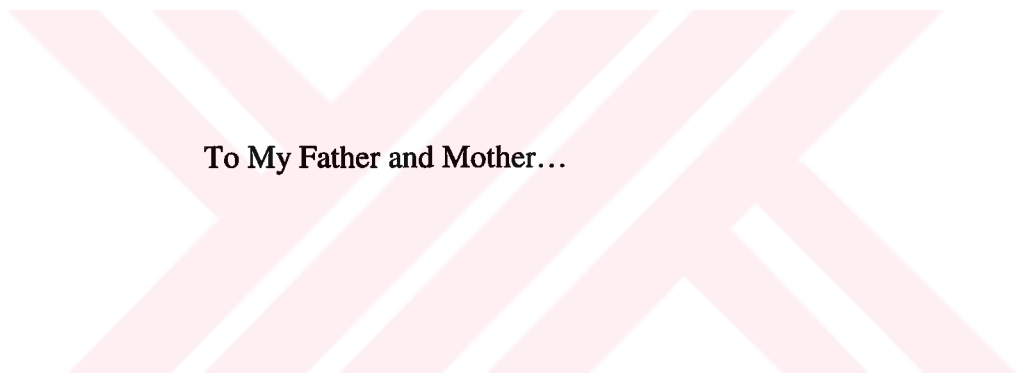
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Bu tez çalışmasında Körfez Savaşı sonrası Türkiye’nin Kuzey Irak politikasının iç ve dış belirleyiciler çerçevesinde bir analizi yapılmaktadır. Tezin birinci bölümünde, Körfez Krizi, Türkiyede karar alma süreci, Körfez Savaşının Türkiye’ye bıraktığı miras, Kuzey Irak’taki mülteci krizi ve Çekiç Güç Operasyonu konuları değerlendirilmektedir. Kürt sorununun uluslararası bir boyut kazanması, bölge ülkelerinin Kürt sorununa yönelik politikaları, Kuzey Irak’taki Kürt siyasi partileri, KDP- KYP anlaşmazlığı ve Türkiye’nin Kürt siyasi parti liderleri ile ilişkileri çalışmanın ikinci bölümünde tartışılan konular arasındadır. Tezin son bölümünde ise Türkiye’nin Kuzey Irak’taki güvenlik endişeleri, PKK, PKK konusunda Türkiye’nin Ortadoğu komşuları ile olan ilişkileri, Kuzey Irak’taki Türkmenler ve bölgedeki son gelişmelerin bir değerlendirmesi yapılmaktadır. Türkiye’nin Körfez Savaşı ve sonrasında izlediği dış politikanın Batı ittifakına üyeliğin gerekleri ve komşuları ile iyi ilişkiler geliştirmek arasındaki dengeyi korumayı hedefleyen geleneksel dış politikadan bir sapma olmadığı sonucuna varılmaktadır. Türkiye Kuzey Irak’taki politik ve güvenlik hedeflerine ulusal çıkarları çerçevesinde ulaşmıştır. Fakat, Kuzey Irak’ta yaşanan süreç henüz sona ermemiştir ve Türkiye’nin ulusal çıkarları yeniden şekillenebilir. Diğer taraftan, Türkiye’nin yeni ulusal çıkarlarının ne olacağı tartışmaya açık bir soru olarak kalmaktadır.

Anahtar Sözcükler: Körfez Krizi, ABD Liderliğindeki Koalisyon, Irak Konusunda BM Güvenlik Konseyi Kararları, Körfez Savaşı, Kürt Mülteci Krizi, Uçuşa Yasak Bölge, Kuzey Irak, Fiili Devlet, Çekiç Güç, Uluslararası Toplum, Dengeli Bölgesel Dış Politika, Kürt Sorunu, Kürdistan Demokrat Partisi (KDP), Kürdistan Yurtseverler Birliği (KYP), Kürdistan İşçi Partisi (PKK), Amerikan İnsiyatifi, Ankara Süreci, Üçlü Toplantılar, Ulusal Çıkarlar ve Türkmenler.



To My Father and Mother...

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I would like to express my appreciation to my supervisor Assoc. Prof. Dr. Hüseyin Bağcı for his guidance and insight throughout the research. I owe thanks too to the other members of International Relations Department, especially Assoc. Prof. Dr. İhsan D. Dağı, Assoc. Prof. Dr. Mahmut B. Aykan, Prof. Dr. Atila Eralp and Asst. Prof. Dr. Gökhan Çetinsaya for their encouragement, suggestions and helpful criticisms over the last two years. Finally, I owe thanks to Yusuf Acar and Seval Savaş for their help in correcting the drafts of this thesis.

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CHAPTER 1

INTRODUCTION

Holsti defines foreign policy as 'the actions of a state toward the external environment and the conditions under which these actions are formulated'.¹ *External/systemic* conditions and the nature of the domestic political context constitute the environments in which policy purposes and actions are formulated. Ideology, personality, economic considerations, religion, geographical location, security concerns, government's approach, public opinion, military, pressure groups, the constitutional and institutional structure of the state, the values, images and attitudes of decision-makers are *domestic factors* that influence the actions of the state toward the external environment. And the instruments varying from diplomacy to the use of force, the impact of those actions on the other actors in international system, the purposes and actions of other actors and international system are external factors that influence the actions of the state toward the external environment. These factors; *domestic* and *external* offer both opportunities and constraints on foreign policy of a state.

¹ Holsti, K.J, 'International Politics', p. 71.

This study aims to make an analysis of Turkey's policy in Northern Iraq in the post-Gulf War Era in terms of its domestic and external determinants. It will try to clarify the objectives behind the actions of Turkey in Northern Iraq and the means; i.e., instruments used, diplomacy, economic aid, statecraft, military force, etc., by which Turkey has tried to realize those objectives seem to have been accomplished and to evaluate reasons for success and/ or failure.

During and after the Gulf War, there have been arguments that Turkey has deviated from traditional Turkish foreign policy. Nur Batur, a journalist from *Milliyet*, and Sedat Ergin, a journalist from *Hürriyet*, argued that Turkey's cooperation with the West, more particularly with the United States of America, against Iraq during the Gulf War, a policy pursued under the 'single-handed leadership' of the Turkish President Turgut Özal.² Batur argued that by opening the Incirlik air base for the use of the US forces against Iraq, Turkey took a stance which was similar to the one that the Menderes government had adopted in 1950's.³ Both Batur and Ergin argued that this was a fundamental alteration of Turkey's traditional 'balanced' regional policy dating back to the 1960's, continued in the aftermath of the Gulf Crisis.

² *Milliyet*, 31 March 1991, p.19, *Hürriyet*, 25 March 1991, p.10; Sabri Sayari, 'Turkey: The Changing European Security Environment and the Gulf Crisis', *Middle East Journal*, Vol.46, No.1, Winter 1992, pp.13-17. And see also, Andrew Mango, 1994, "Turkey: The Challenge of a New Role", Washington: The Center for Strategic and International Studies, pp. 110-113; Andrew Mango, "Turkish Policy in the Middle East: Turning Danger to Profit" in Clement Dodd (ed), Turkish Foreign Policy: New Prospects, Cambridgeshire: The Eothen Press, 1992, p. 67.

³ *Milliyet*, 31 March 1991, p.19.

This study aims at addressing itself to these arguments more precisely, it aims at analysing Turkey's Northern Iraq policy both in theory and practice in the years between 1991- 1998.

In the first part of the thesis the Gulf Crisis, decision-making process in Turkey during the Gulf Crisis, the Gulf War, the legacy of the Gulf War on Turkey, the Kurdish Refugee Crisis of March 1991, efforts of international community for the solution of the refugee crisis in northern Iraq and the Operation Provide Comfort are being discussed.

The third chapter focuses on the origins of the Kurdish Question, the internationalisation of the Kurdish Question, policies of Turkey ,the regional countries and the Western countries toward the Kurdish Question.

The fourth chapter of this study deals with the Kurdish political parties in northern Iraq, establishment of a *de facto* Kurdish government, the KDP-PUK conflict in region and Turkey's relations with the political parties in northern Iraq.

In the fifth chapter of the thesis, Turkey's security concerns in northern Iraq, the Kurdish Workers' Party of Kurdistan (PKK), the relations between the PKK and the political parties in northern Iraq, Turkey's relations with Middle Eastern neighbors with regard to the PKK and Turkomans in northern Iraq are being discussed.

The sixth chapter of the study mainly deals with the Washington Accord, American and British air strikes towards Baghdad and the recent developments in northern Iraq.

The thesis concludes that Turkish foreign policy during and after the Gulf War is not a deviation from Turkey's traditional foreign policy of maintaining a balance between the requirements of Turkey's membership in the Western alliance and those of preserving good neighborly relations with its neighbors. As a whole, Turkey has realized its political and security objectives in northern Iraq within the context of its national interests. Nevertheless, the process is not yet completed and the Turkish national interests in northern Iraq will be probably new defined. But, it remains at the time being an open question what those new national interests could be.

CHAPTER 2

TURKEY AND THE GULF CRISIS

Iraq's invasion of Kuwait on August 2, 1990, introduced a new regional dimension to the balance of power in the Middle East and constituted the most serious threat to vital US and Western oil interests in the Persian Gulf since Iranian Revolution.¹ During this crisis the Western and non-Western countries of the region united their efforts, for the first time since 1979, to secure the withdrawal of the Iraqi occupation forces from Kuwait. This cooperation was based upon a perception of a clear-cut common threat, namely Iraq's occupation of Kuwait. This occupation threatened a specific regional common interest, that is, the protection of the regional status quo.² This was why all the Western and other states had the political will to coordinate their policies within the framework of the United Nations.

On the international front, the United Nations Security Council, with the US leadership and unprecedented cooperation among the five permanent members, passed a series of resolutions condemning the Iraqi invasion. These called for a restoration of Kuwait, imposed economic sanctions on Iraq, permitted the use of 'minimum force' to

¹ Bruce R. Kuniholm, "Turkey and the West", Foreign Affairs , Spring 1991, Vol.70, No.2, p. 36.

² Mahmut B, Aykan, "Turkey's Policy in Northern Iraq, 1991-1995", Middle Eastern Studies , Vol. 32, No.4, October 1996, p. 340.

enforce such sanctions, imposed an embargo on commercial air traffic, and paved the way for possible Iraqi reparations for damage to Kuwait.³

On the regional level, by the time of the crisis, a deep-seated sense of public frustration had arisen among many Arabs. And Arab countries divided over the question Iraq's occupation of Kuwait. PLO, Libya and Sudan sided with Iraq, on the other hand, Syria, Egypt, Saudi Arabia and Jordan sided with the UN against Iraq.

As a regional power, Turkey could not turn its back to the crisis. Turkey sided with the UN under the leadership of the United States of America. Thus, various commentators have suggested in the Turkish media that Turkey's exclusive cooperation with the West, particularly the US, against Iraq during the Kuwait Crisis, a policy pursued under the 'single-handed' leadership of the Turkish President Turgut Özal and representing a fundamental alteration of Turkey's traditional 'balanced' regional policy dating back to the 1960's, continued in the aftermath of the Gulf Crisis.⁴ Despite the common assumption, Turkish foreign policy during Kuwait Crisis, was not, in fact, a deviation from Turkey's traditional foreign policy of maintaining a balance between the requirements of Turkey's membership in the Western Alliance and those of preserving good neighborly relations with its neighbours.⁵ During this crisis Western and non-Western countries of the Middle East united their efforts in

³ Hermann Frederick Eilts, "The Persian Gulf Crisis: Perspectives and Prospects" Middle East Journal, Vol. 45, No.1, Winter 1991, pp. 35-38.

⁴ Milliyet, 31 March 1991, p. 19, Hürriyet, 25 March 1991, p.10.

⁵ Aykan, p. 34.

order to secure the withdrawal of the Iraqi occupation forces from Kuwait. Thus during the Kuwait Crisis Turkey did not cooperate with the West per se, but with the United Nations of which the West, particularly the United States of America, given its capability and readiness to head the anti-Iraqi international coalition, acted as the jointly accepted leader. Turkey's traditional Persian Gulf security policy had not excluded such a regional role for Turkey under the international circumstances, such as in the Kuwait Crisis, on the contrary, it had foreseen one.⁶

2.1.The Decision-Making Process in Turkey During the Gulf Crisis

The early response from Ankara may be described as a traditional policy, i.e., Turkey reacted with extreme caution, not to get involve in an intra-Arab dispute which beyond its borders. Turkish authorities regretted Iraq's occupation of Kuwait and described it as a threat to the maintenance of friendship in the area.⁷ At this time, the UN Security Council had condemned the invasion, demand immediate and unconditional withdrawal from Kuwait. Turkey was further given the cover of international legitimacy by Security Council Resolution 661, passed on 6 August 1990, which prescribed an economic embargo on Iraq, declaring that "all states shall prevent.....the import into their territories of all commodities and products originating in Iraq or Kuwait exported there from after the date of the resolution". This permitted

⁶ Mahmut B, Aykan, "Turkey's Persian Gulf Security Policy: 1979-1988" in Turkish , METU Studies in Development , 21, 1994, pp. 47-51.

⁷ Philip Robins, "Turkish Policy and Gulf Crisis: Adventurist or Dynamic?", in Clement H.Dodd, ed. Turkish Foreign Policy: New Perspectives, p. 70.

Turkey to stop all trade with and to end transit facilities for its oil exports without it being constructed as unilateral action.⁸

On the day after the Security Council Resolution 661 was adopted, President Özal chaired a meeting of the cabinet after which it was announced that the second oil pipeline would be closed. It was his decision, because Özal had dominated policy-making in Turkey in the Gulf Crisis. Although his initial request for broad war powers from the National Assembly, was denied, he shut down the pipeline transporting Iraqi oil through Turkish territory, allowed coalition planes to launch missions from bases in Turkey, massed troops along the Iraqi border and negotiated with foreign leaders all without consulting his diplomatic and military advisers, who advocated a more neutral policy.⁹ General Necip Torumtay, Chief of Staff of the Turkish Armed Forces during the crisis, wrote in his memoirs that he first learned of the decision to close the oil pipeline through the media, and then spent the following four months fending off pressure from Özal to adopt a more active military stance. Torumtay, particularly resented Özal's overstepping the limits of his duties as president: "The Chief of Staff, rather than dealing directly with the Prime Minister as called for by law, had to contend with the President's aggressively anti-Iraqi intentions and demands while failing to receive any instructions or even suggestions from the government which

⁸ Ibid., p.74.

⁹ Ramazan Gözen, "Turgut Özal and Turkish Foreign Policy: Style and Vision", *Foreign Policy*, Ankara: Dış Politika Enstitüsü, Vol. 20, No.3-4, 1996, pp.85-87; Malik Mufti, "Daring and Caution in Turkish Foreign Policy", *Middle East Journal*, Vol. 52, No.1, Winter 1998, p.15.

bears primary responsibility for such matters.¹⁰ Frustrated by Özal's behaviour, Torumtay resigned, as did consequently the Foreign Minister, Ali Bozer, and the Defense Minister, Safa Giray.

During the Gulf Crisis, President Özal decided to abandon Turkey's traditional policy of non-involvement in regional conflicts and take a hard-line position against Iraq. Özal's strategy of close cooperation with the Bush administration was primarily designed to reaffirm Ankara's commitment to US-Turkish bilateral relations and to highlight Turkey's importance to US strategic interests and concerns in the Middle East.¹¹

Özal thought that the crisis might lead to the disintegration of Iraq and that if Turkey wanted a say in the post-war disposition, it had to participate in the impending campaign. He argued that Iraq's oil-rich northern provinces fell within the borders envisaged by the Turkish republic's founding fathers, and maintained that circumstances called for a "practical" and "dynamic" approach rather than "bureaucratic and academic analyses".¹² There was certainly no doubt that it was the President who had effective control over policy-making in Turkey during the Gulf Crisis.

¹⁰ Necip Torumtay, 1994, "Orgeneral Torumtay'ın Anıları (The Memoirs of General Torumtay) , İstanbul: Milliyet Yayınları, p. 124.

¹¹ Sayari, "Turkey: The Changing European Security Environment and the Gulf Crisis", p. 14.

¹² Torumtay, pp. 114-115.

This was partly a consequence of his constitutional powers as commander in chief of the Turkish Armed Forces and partly due to the low profile kept by the Prime Minister Yıldırım Akbulut. But the President did not have “personal control”; when forced with resistance from the Army and the Foreign Ministry he was unable to have Turkey participate more actively in the international effort against Iraq by dispatching ships and troops.¹³

For the UN deadline for Iraq to withdraw from Kuwait of 15 January 1991 was fast approaching, it was inevitable that the war would ensue.

2.2. Turkish Policy and the Gulf War

The Gulf War began on 16/17 January, 1991, Turkey did not get involve directly in the Gulf War, but indirectly involvement of Turkey in the War took two forms. First, during the Operation Desert Storm, Ankara played a key role in the Coalition’s war effort by permitting US military aircraft access to the İncirlik military air base for the strikes into Iraq. Second, Turkey played a low-key, yet extremely important role in tying down a sizeable proportion of the Iraqi army.¹⁴ Turkey deployed 100.000 troops in the South East of the country in order to counteract the insurgency of the PKK. The magnitude of this force obliged the Iraqis to maintain an estimated eight divisions in the North. Baghdad did not attack Turkey presumably because it did not want to open a second land front.

¹³ FBIS, 23 January 1991, p. 64.

In return for his support for President George Bush in the Gulf War, President Özal anticipated that the United States would more readily fulfill some of Turkey's expectations: The expansion of trade relations between the two countries, especially greater access to US markets for Turkish exports; increased US military assistance for the modernization of the Turkish Armed Forces; and the development of a "new strategic relationship" between Turkey and the United States.¹⁵ Özal also hoped accomplish several secondary objectives. For example, he expected that Turkey's Western European NATO allies would be appreciative of the Turkish contribution to the war and consequently give a more favorable hearing to Ankara's application for admission to the European Community. Another objective in Özal's thinking was to undermine Saddam's personal power as well as that of his Baathist regime in Iraq.¹⁶ After the Iraqi invasion of Kuwait, Özal was convinced that Turkey's national security interests would be best served by the Iraqi leaders removal from power. The President's "best-case" scenario called for a quickwar and a decisive allied victory, followed by the replacement of Saddam Hussein's regime by a democratic system in Iraq.¹⁷ Like most Turkish observers and officials, Özal has opposed to the fragmentation of the Iraqi state after the war Turkish policy was that could lead to the emergence of an independent Kurdish state in Northern Iraq which, in turn would exacerbate Turkey's problems with its own restless Kurdish problem.

¹⁴ Philip Robins, "Turkish Policy and the Gulf Crisis", pp. 79-80.

¹⁵ FBIS-WES, 4 March 1991, pp. 53-54, FBIS-WES, 2 April 1991, p. 32 and see also FBIS-WES, 3 April 1991, p. 27.

¹⁶ Sayari, pp. 15-16.

¹⁷ Ibid., p. 18.

The Gulf war ended with the victory of the Allied Forces under the leadership of the USA after a short military operation. At the end of the War, Iraqi forces withdrew from Kuwait and independence of Kuwait was reestablished. The Gulf Crisis and the Gulf War had great impact on Turkey and consequently brought many unsolvable social, economic and political problems to Turkey.

2.2.1. The Legacy of the Gulf War on Turkey

The Gulf Crisis has acted as a reminder that the Middle East remains a potentially volatile and unpredictable region. It is still extremely difficult for Turkey to insulate itself from the influences and processes of change taking place beyond its Eastern border.¹⁸ It should be accepted that Turkey is an unavoidable actor in the Middle East subsystem of states. Indeed, it was so even before the Gulf Crisis because of issues as diverse as water, the Kurdish question and the spread of political Islam. The Gulf Crisis has served to reinforce these points. Furthermore, regardless of her own aspirations, Turkey will be perceived as a state with the stature of a regional power, and other states in the Middle East will relate to it as such.

Turkey's contribution to the anti-Iraqi coalition in the Gulf War obviously did not come without substantial costs. Turkish financial losses from the war are still difficult to calculate, but include lost trade with Iraq and Kuwait, lost tourism

¹⁸ Robins, pp. 84-85. And Mango, p. 111.

revenues, and fees from transit trade, suspension on repayment of Iraqi debts, lost fees for transit of Iraqi oil through the Kerkuk-Yumurtalık pipeline suspended construction contracts, lost remittances from Turkish workers in Iraq and Kuwait, and increased oil prices.¹⁹ To compensate for these losses and to reward Turkey's quick response to the crisis, President Bush, along with the EC, Japan, Saudi Arabia has sought to put together a multi-billion dollar assistance package to the so called front-line states. On strictly economic grounds, Turkey has lost commercial ties with Iraq, which was Ankara's second-biggest trading partner after Germany prior to the crisis. Turkey's losses arising from its participation in the UN embargo against Iraq have been put officially, in May 1994, at more than twenty billion US dollars. Worse still, in view of the fact that Iran, Jordan, some Western states and even the United States have pursued policies that have caused some relaxation of the embargo, this financial loss appears unjustified to the Turks.²⁰ Also the loss of border trade with Iraq has boosted unemployment in Turkey's troubled Southeast, the scene of a separatist uprising. Turkish companies did not take part in major projects to reconstruct Kuwait. And, Turkey did not get any closer to full membership of the European Union. It is not even mentioned in the list of countries seen as candidates to join the EU in the union's future expansion plans.

In addition to the economic losses, Turkey had to deal with the influx of Kurdish refugees in the aftermath of the Gulf War. More significantly, post-war developments in Iraq deviated sharply from President Özal's best-case scenario.

¹⁹ Kuniholm, "Turkey and the West", pp. 37-38.

The failure of the allied coalition to remove Saddam Hussein from power and dismantle his regime was particularly worrisome to Ankara. Not only did the Iraqi leader and his regime intact, but the Gulf War also vastly complicated Turkey's Kurdish problem.²¹ First, Ankara had to deal with the massive influx of Kurdish refugees following the collapse of the Kurdish revolt in Northern Iraq. Then in an attempt to prevent the flow of refugees into Turkey, Ankara supported the creation of a "de facto" Kurdish controlled zone near the Turkish-Iraqi border under the supervision of the allied forces. Then, the Turkish government, faced a growing problem in its attempts to control the PKK's violent campaign in southeastern Turkey. In addition, there were signs that Saddam Hussein had begun to arm and supply the PKK in apparent retaliation for Turkey's close cooperation with allied forces during the Gulf Crisis.²² After a brief outlook to the Kurdish problem let's evaluate the Kurdish refugee crisis in the aftermath of the Gulf War within the regional and international framework.

.The Refugee Crisis of March 1991

At the end of the Gulf War Iraqi forces withdrew from Kuwait, but another crisis emerged, the Kurdish refugee crisis. During the Gulf War, Kurds in northern Iraq and Shiites in southern Iraq rebelled against Baghdad. However, neither Kurds nor Shiites became successful in their targets and Iraqi forces suppressed rebellions in South and in North.

²⁰ Milliyet, 12 July 1994, p. 5 and Ibid., 1 September 1994, p. 20.

²¹ Sayari, pp. 19-21.

The wartime consensus between Turkey and the United States over the policies to be pursued towards Saddam Hussein-led Iraq collapsed with the liberation of Kuwait.²³ President Özal urged President Bush to support the ensuing Kurdish uprising in Iraq in order to overthrow the Saddam regime. President Bush was reluctant to make such an attempt because his concern was not to violate the territorial integrity and political unity of Iraq, something which, if it occurred following the overthrow of Saddam Hussein by the US, might destabilize the entire region. In accordance with this decision, the US pursued a policy of non-involvement in the ensuing fighting between Saddam Hussein and his domestic Kurdish opponents after the liberation of Kuwait. This lasted until the outbreak of the Kurdish refugee crisis in March-April 1991.

The location of the Iraqi Kurds and the sensitivity of the whole Kurdish question for Turkey made the crisis of immediate and far-reaching importance. For Turkey, the Iraqi Kurdish question was both a refugee problem and political problem.²⁴ After the collapse of the Kurdish rebellion against the Iraqi regime at the end of March 1991, much of the population fled their homes and moved to the Iraqi-Turkish border.²⁵ Ankara determined not to allow Iraqi Kurdish refugees across the border because of past experiences in 1988. However, the suffering experienced by the refugees engendered

²² *New York Times*, 20 October 1991, "Iraqis Are Arming the Rebel Kurds in Turkey's South", p.4.

²³ Turan, Yavuz, 1993, "ABD'nin Kürt Kartı (Kurdish Card of the US), İstanbul: Milliyet Yay. pp.17-19, 171. See also FBIS, 9 April 1991, pp.1-2, Kemal Kirişçi, "Turkey and Kurdish Security in Northern Iraq", *Avrasya Dosyası*, Spring 1996, Vol. 3, No. 1, pp. 8-10.

²⁴ Robins, "Turkish Policy and the Gulf Crisis", pp. 82-83.

by the severe climatic conditions and intense pressure led to the acceptance of 400.000 refugees. Then Turkey proposed a plan to establish “safe havens” for the Kurds in northern Iraq. This was adopted by the European Community. Bush was then persuaded to attempt a policy reversal upon the insistent arguments of the Turks, British and French in favour of establishing “safe havens” for the Kurds in northern Iraq, under the UN military protection, if necessary to keep out Saddam Hussein’s army.²⁶ It was thus possible to remove all the refugees from Turkish soil in a relatively short time thereby eliminating the possibility of a long and costly stay for the refugees in Turkey.

The issue of the Iraqi Kurdish refugees also possessed a strong political dimension. The Turkish authorities did not want a large influx of Iraqi Kurds who might remain semi-permanently because of the effect it could have on their own Kurdish population. Most importantly the influx of Iraqi Kurds could have been expected to have a radicalizing effect upon their Turkish Kurdish counterparts.²⁷ This stems from the fact that the Iraqi Kurds tend to have a strong sense of Kurdish self-consciousness due to the greater cultural and political rights that they have enjoyed. The presence of so many refugees would also have had security implications. Turkish statesmen, and particularly, the military, were irritated by the fact that unknown members of terrorists belonging to the PKK (Kurdish Workers Party) viewed by the

²⁵ Milliyet , 4 April 1991, p.1.

²⁶ The Economist , 13 April 1991, p. 53.

²⁷ FBIS , 3 April 1991, p. 3 and FBIS , 9 April 1991, p. 8.

Turks as a separatist terrorist Kurdish organization had been able to cross into Turkey without difficulty among these refugees.

2.3.1. Efforts of International Community For the Solution of the Kurdish Refugee Crisis in Northern Iraq

The United Nations was not ready to discuss the situation in northern Iraq despite the Turkish appeals for the creation of temporary settlements for the Iraqi Kurds under the UN military protection.²⁸ Aykan argued that there were two main reasons for this: First and foremost, permanent members of the United Nations Security Council, China and the USSR, had their own ethnic problems and therefore tended to oppose UN intervention in what they perceived to be the UN principle of non-interference in the domestic affairs of any country and there seemed to be, after the liberation of Kuwait, no legal justification for the UN to intervene militarily in Iraq in a manner which could be unanimously acknowledged by all the permanent members of the UN Security Council.²⁹ UN Security Council Resolution 688 of 5 April 1991 envisaged relief action for the Kurdish refugees and the dispatch of a UN fact-finding mission to the affected area. It fell short of including military intervention, which the Turkish officials believed to be necessary to deter Saddam Hussein.

In addition, this resolution came late and was reached even its non-military form, after major difficulties, i.e, China and India abstained from voting; and Cuba,

²⁸ FBIS , 3 April 1991, p. 3, Ibid , 9 April 1991, p. 8.

Yemen, and Zimbabwe voted against, on the grounds that the resolution constituted an interference in the internal affairs of Iraq.³⁰

As it mentioned earlier, UN Security Council Resolution 688 of April 1991 envisaged relief action for the Kurdish refugees in northern Iraq. There were political and legal niceties as how far this resolution empowered the multi-national coalition forces to proceed within Iraq and protect the Kurds if they were attacked by the forces of Saddam Hussein.³¹ It appears that the urgency of the refugee problem as perceived by all the permanent members of the UN Security Council, including the most reluctant members China and the USSR, and their understanding that the mission of the multi-national force was strictly limited to dealing with that problem had made it possible for the resolution to be adopted.³² However, with that mission successfully completed, the Soviet Union was openly expressing its opposition to the deployment of the Poised Hammer Force on the Turkish soil. The Soviets appeared particularly worried that given the enthusiasm of the United States to see Saddam Hussein removed from power, the force would remain in the region indefinitely until Hussein was overthrown through a domestic revolt or even worse still, that it would be used by the United States to strike at Saddam in order to bring about that desired result.

²⁹ Aykan, pp. 346-348.

³⁰ FBIS, 8 April 1991, pp. 2, 23, FBIS, 9 April 1991, p. 8. For the text of the Resolution No 688 and the Voting performances on it in the UN Security Council see UN Year Book, 1991, pp. 204-205.

³¹ Alfred B Prados, "The Kurds in Iraq: Status, Protection and Prospects", 12 May 1994, Congressional Research Service, p. 6.

2.4.The Operation Provide Comfort

As it mentioned above, the UN Security Council passed the Resolution 688 on 5 April 1991 and decided to provide relief action for the Kurdish refugees in northern Iraq. From Turkish perspective this resolution is important for two reasons: One was that the Kurdish refugee crisis was defined as a threat to the international peace and security. Second, it was accepted that there was to be a safe haven created for the refugees to ensure their security. Therefore, forces including the USA, Neitherlands, Spain, Italy, England and France were deployed in northern Iraq, near the Turkish-Iraqi border on 17 April 1991 on the invitation of Turkey. The Operation Provide Comfort was deployed in order to provide humanitarian aid to the Kurdish refugees and to prevent the aggression of the Iraqi forces on the Kurdish refugees in northern Iraq.³³ By the time, allied forces began withdrawing from northern Iraq on 12 July 1991, they had successfully moved tens of thousands of the refugees from mountain camps along the Turkish-Iraqi border, thereby satisfying Turkey's expectations of the Poised Hammer (Operation Provide Comfort). And Weller argued that the Poised Hammer had arrived in the region primarily for the sake of Turkey, not the Kurds.³⁴

The deployment of the Poised Hammer, and the subsequent extensions of the mandate of this force at six months intervals have not been easy decisions for the

³² FBIS , 6 August 1991, p. 48, FBIS , 24 July 1991, p. 39.

³³ Necip Torumtay, 1997, "Değişen Stratejilerin Odağında Türkiye" (Turkey: On the Focus of the Changing Strategies) İstanbul: Milliyet Yayınları, pp. 58-60 and James M. Prince, "A Kurdish State in Iraq?", Current History , January 1993, Vol. 92, No. 570, p. 17.

Turks to make and that neither have been made under the circumstances related solely to the personal initiative of President Özal.³⁵ Turkish government tried to keep the mission and activity of this force in accordance with the principles of Turkey's traditional foreign policy. The Turkish Foreign Ministry and the Turkish Armed Forces have been heavily involved in the processes by which the decisions in question have been made.³⁶

One of the main reasons for the Turkish uneasiness over the deployment of the Poised Hammer on Turkey's soil and in extending its mandate at six-month intervals was related with the collapse of international consensus over the policies to be pursued towards Iraq in the aftermath of the Gulf War. From the beginning of the deployment of the Poised Hammer both the Turkish Ministry of Foreign Affairs and the Army have been concerned about the possibility of that the Western states could be tried to use this force to intervene in any other crisis in the Middle East whether or not it involved Iraq.³⁷ Aykan maintained that this concern reflects Turkey's reluctance to appear to be siding with the West in the region in violation of its traditional foreign policy.³⁸

Another reason for the Turkish uneasiness for the deployment of the Poised Hammer force in Turkey was that the Turks' concern over the possibility that it might

³⁴ M. Weller, 1993, "Iraq and Kuwait: The Hostilities and their Aftermath", Cambridge: Grotious Publications, pp.714-720.

³⁵ Aykan, "Turkish Policy in Northern Iraq", p. 348.

³⁶ Ibid , p. 348.

³⁷ FBIS , 14 November 1991, p. 43.

not be possible for Turkey to exercise full control over the activities of this force. This concern was underlined by the Turkish Armed forces that this force might, even unintentionally help to the Kurdish separatists and that supplies might be reaching them accidentally.³⁹

There have been reports that allied coalition forces in Turkey have held contacts with the Kurds of northern Iraq without notifying Turkish authorities, that the helicopters which take off from İncirlik to conduct reconnaissance flights in northern Iraq, transport aircraft belonging to the allied forces have dropped aid supplies where PKK militants were known to be active, that arms have been transported from İncirlik to Armenia under the guise of medicine and medical equipment and so on.⁴⁰ On the other hand, the official reaction of the Turkish military authorities has generally been to deny these reports and stressing that “every activities of this force is determined by the Chief of the General Staff Office”. But there have been reports of an increasing unrest among Turkish civilian and military authorities and of the latter conveying their irritation to NATO.⁴¹

³⁸ Aykan, p. 349.

³⁹ FBIS , 6 December 1991, p. 43 and see Baskın Oran, 1996, “Kalkık Horoz—Çekiç Güç ve Kürt Devleti” (Poised Hammer and the Kurdish State), Ankara: Bilgi Yayınevi and Summary of this book in Avrasya Dosyası, Spring 1996, Vol. 3, No. 1, pp. 155-167.

⁴⁰ FBIS , 19 August 1991, p. 41; FBIS , 4 June 1992, pp. 42-43.

⁴¹ Milliyet , 13 November 1995, p. 13.

2.4.1. Turkey's Main Political and Security Concerns Over the Deployment of the Poised Hammer Force

The goal of the Poised Hammer Force was declared that not to topple Saddam Hussein or to interfere in Iraq's internal affairs. The allies were only seeking to ensure Iraqi compliance with the UN Resolution 688 and doing the same with regard to Yugoslavia. They hoped that some day Iraq will reach an agreement with the Kurds on autonomy. And Western statesmen assured their Turkish counterparts that they were opposed to an independent Kurdish state in northern Iraq.⁴²

These Western declarations coincided with the apparent Turkish understanding behind Turkey's extensions of the mandate of the Poised Hammer Force. Turkey expected this force could guarantee the continued security of the activities undertaken by the United Nations affiliated bodies in order to provide for the humanitarian needs of the regional population while at the same time, protecting Iraq's territorial integrity.⁴³

In spite of the fact that this common understanding of the objectives the existence of the Poised Hammer force was supposed to serve the Turkey, observing the way in which Western allies – especially the USA—preferred to cope with the challenge of Iraq come to be suspicious of the West's intentions concerning both post-Gulf War order in Iraq and the region and the world situation in general.

⁴² FBIS , 9 August 1992, p. 16; FBIS , 18 September 1992, p. 54.

The repeated extensions of the mandate of the Poised Hammer force appear to be the result of a rational calculation by Turkish statesmen of the benefits for Turkey of keeping this force on Turkish soil. There seems to have been a consensus among Turkish civilian and military leaders to effect that the benefits outweigh the disadvantages.⁴⁴

Various Iraqi actions between 1991 and 1993, ranging from the impositions of a blockade on the Iraqi Kurds to the deployment of SAM Missiles in northern Iraq have worried Turkish statesmen, who have concluded that Saddam could be preparing a military attack with the help of the reported 20 divisions deployed next to the 36th parallel, resulting in one million people on Turkey's border again.^{45 48} According to the Turkish statesmen, the function of the Poised Hammer force in this respect was to be twofold: It could deter Saddam Hussein from initiating such a move; and if this deterrence failed, Turkey would not be left to stand alone to cope with the consequences.

In this respect, certain moral considerations mingled with political concerns also characterized Turkey's desire to have the Poised Hammer, with its greater credibility, assume deterrent function in northern Iraq. Beside these, the Turkish Foreign Ministry has constantly argued in its reports to the National Security Council

⁴³ FBIS , 23 December 1992, p. 63.

⁴⁴ Aykan, p. 354.

⁴⁵ FBIS, 29 January 1993, pp. 50-51.

⁴⁶ FBIS , 24 June 1992, p. 55; FBIS , 13 October 1992, pp. 37-39.

(NSC) that the continuing instability in northern Iraq necessitates the extension of the mandate of the Poised Hammer force.⁴⁶

Another factor for the Turkish decision to extend the mandate of the Poised Hammer force is related to the perceived conformity of this decision to the rules of international solidarity and cooperation. Prime Minister Demirel argued that if Turkey refused the extension in question its image in the world would be gravely distorted for having permitted a removal of the suffering of the Kurdish people at a time when international efforts supported by Turkey were being made in Bosnia, Somalia and elsewhere.⁴⁷

Turkish authorities thought that after the removal of the Poised Hammer force from Turkish soil future Turkish military operations against the PKK in northern Iraqi territory would implicate Turkey in the violation of international law.⁴⁸ Furthermore, Turkish statesmen calculated that the removal of the Poised Hammer force would not eliminate the possibility of the establishment of an independent Kurdish state in northern Iraq. With the departure of this force, Turkey will deprive of an important bargaining chip in contacts made with both the northern Iraqi Kurdish leaders and the Western states with a view of discouraging the establishment of an independent Kurdish state in northern Iraq.⁴⁹ From Turkish perspective, the presence of the force in

⁴⁷ Prime Minister Demirel's Press Meeting on 24 December 1992 in XIII. Basın Toplantısı (Thirteenth Press Meeting) Ankara: Başbakanlık Basımevi , 1992, pp. 40-41.

⁴⁸ Ibid. , p. 41.

⁴⁹ Cumhuriyet , 12 November 1993, p. 6.

Turkey was “deadly important”, for the Iraqi Kurds as an assurance against Saddam’s attacks.

On the other hand, Turkish statesmen have acted carefully not to let the presence of the Poised Hammer force on Turkish soil to upset Turkey’s good neighbourly relations with Iraq any more than its territorial integrity. Therefore, in a statement made on 18 July 1991, Prime Minister Mesut Yılmaz declared that “ all the activities of the Poised Hammer force will remain within the rules determined by our authorities and will be subject to their consent.”⁵⁰ And the Ministry of Foreign Affairs announced that “ the force may not use Turkish territory and air space against Iraq without the Turkish governments’ permission.”⁵¹

Faced with some difficulties regarding the coordination of policies concerning the activities of the Provide Comfort II, Turkish government limited its mandate to three months instead of six months. This warning appeared to be linked to reported Turkish proposals for a change in the status of the operation so as to increase Turkey’s control over it and deter northern Iraqi Kurdish groups from declaring their independence from Baghdad.⁵²

⁵⁰ FBIS , 19 July 1991, pp. 42-43.

⁵¹ FBIS , 24 July 1991, p. 39.

⁵² Aykan, pp. 356-357.

CHAPTER 3

INTERNATIONALISATION OF THE KURDISH QUESTION

The Gulf War dramatically affected the Kurdish Question and the geopolitical and geostrategic role it plays in the Middle East. Iraq was the country most affected by the Gulf War. In spite of its great losses, the Iraqi government remained in power and was able to marshal sufficient forces to beat back advances that Kurdish nationalist forces had made during the war. By April 1991 the Iraqi Army was engaged in a fierce counterattack against the Kurds. By the end of April 1991, the Iraqi army had pushed with a few hundred yards of the 36th parallel; the line that the Allied coalition had drawn in the mountains behind which there was to be a “safe haven” for the Kurds.¹ It was, in fact, the creation of a de facto Kurdish mini state. These events brought the Kurdish question into regional and international agenda in the aftermath of the Kurdish refugee crisis.

This part of the thesis tries to analyze domestic, trans-national and international dimensions of the Kurdish question, policies of regional countries, especially Turkey and Western countries in the post-Gulf War era.

¹Mahmut B. Aykan, “Turkey’s Policy in Northern Iraq, 1991-1995”, Middle Eastern Studies , Vol. 32, No. 4, October 1996, p. 343.

3.1.The Origins of the Kurdish Question

The Kurds are estimated to number some 20 to 25 million people, living largely in four Middle Eastern countries: Turkey, which is estimated to have a population of 10 to 12 million; Iran with 5 to 6 million; Iraq with 3.5 million; and Syria with 1 million. Some seventy to eighty thousand Kurds also live in Armenia and in Azerbaijan. Recent reports suggest that between three hundred thousand and 1 million Kurds live within the Russian Federation.² The Kurds consider themselves to be direct descendants of the ancient Medes (although modern scholarship doubts this) who, because of military consequents, defeats and the collapse of empires, began to migrate around 2000 years ago to the mountains where they largely live today.

The Kurds were able to preserve their communities while at the same time participating in the great Armenian, Greek, Arab, Turkish and Ottoman Empires that dominated the region. The Kurds were promised the possibility of an independent state in articles 62 and 64 of the Treaty of Sevres, signed on August 10, 1920.³ There was no Kurdish state because the Turkish government did not allow the Kurds to establish a Kurdish state. There were 24 Kurdish revolts in Southeastern Anatolia between 1925 and 1938, but did not bring any results. The Kurdish movement in Iran

² Kemal Kirişçi, Gareth M Winrow, 1997, "The Kurdish Question and Turkey: An Example of Trans-State Ethnic Conflict" London: Frank Cass Publishers, p. 123. And see also, David McDowal, 1992, "The Nation Denied", London: Minority Rights Publications, p. 12.

³ Erol Kurubaş, 1997, "Kürt Sorununun Uluslararası Boyutu", Ankara: Ümit Yayınevi, pp. 102-105. And see also, M. Cemil Bilsel, 1998, "Lozan", İstanbul: Sosyal Yayınlar, pp. 312-316.

was also contained by a strong nationalist government. The one exception was the year in 1946, when the Kurds were able to establish a nationalist government in Mahabad nearly six months before it fell to the vicissitudes of the emerging Cold War. The Iraqi Kurds' situation was substantially different from that of the Kurds in Turkey or Iran because Britain which became the mandatory power in Iraq, in 1920, supported in varying degrees, Kurdish nationalist demands for cultural rights and local administrative autonomy.⁴ The British never advocated or supported an independent Kurdish state in Iraq during the period (1920-1932) when they were in control of the country. Ever since the British were expelled from Iraq in 1958 after the military coup d'état, the Kurds in the north and the Iraqi government have been intermittently at war.

It was only in the wake of the 1991 Gulf War that the Kurds in Iraq seemed to have gained an opportunity to establish an independent state or at least an autonomous entity federated with the rest of Iraq, as a result of allied (US and European) policies aimed at defeating Saddam Hussein.⁵ The Allied forces supported a Kurdish insurrection against Saddam Hussein. Then a *de facto* Kurdish state was created by the Operation Provide Comfort in the north of 36th parallel in northern Iraq.⁶ This development was opposed by regional countries which have Kurdish people and those countries supported territorial integrity of Iraq.

⁴ Robert Olson , "Turkey - Syria Relations since the Gulf War: Kurds and Water", Middle East Policy , Vol. 5, No. 2, May 1997, pp. 169-170.

⁵ Graham E Fuller, "The Fate of the Kurds", Foreign Affairs, Spring 1993, pp. 110-115.

⁶ James M Prince, "A Kurdish State in Iraq", Current History, Vol. 92, No. 570, p. 17.

3.2.Policies of Turkey and Regional Countries Towards The Kurdish Question

The presence of significant Kurdish populations in Turkey, Iraq, Syria and Iran has meant that since the early years of the contemporary state system in the Middle East, the Kurds have been a factor and periodically a significant in the inter-state relations of the region.⁷ For Turkey, this has complicated the Kurdish issue. At times when the Kurds have been used by Turkey's Middle Eastern neighbours to weaken it, the Kurdish question has blighted bilateral relations; at other times, the Kurdish issue has given Turkey and its neighbours, especially Iraq and Iran, shared interest when they have had little else in common. Nevertheless, Turkey, Syria and Iran are against the establishment of an independent Kurdish state in northern Iraq and declared that this would not only increase instability in the Middle East as a whole but also lead to the fragmentation of Iraq.⁸

Kurdish nationalism constitutes the most important threat to Turkey's national security, that is, to its territorial integrity and national unity. Once the Cold War was over, terrorism by the Kurdistan Worker's Party (PKK) had become a major destabilizing factor in Southeastern Anatolia and threatened Turkish national security. Turkey's response to PKK terrorism, both in Southeastern Turkey and in northern

⁷ Philip Robins, "The Overlord State: Turkish Policy and the Kurdish Issue", International Affairs, Vol. 69, No. 4, October 1993, pp. 670-671.

⁸ Ofra Bengio, "The Challenge to the Territorial Integrity of Iraq", Survival, Vol. 37, No. 2, Summer 1995, pp. 82-85.

⁹ Carol Migdalovitz, "Turkey's Military Offensive in Northern Iraq", Congressional Research Service, 3 April 1995, pp. 5-6.

Iraq, was consequently regarded by the United States, as well as by Ankara as a legitimate self-defense in accordance with international law.⁹ According to Turkish statesmen, there was no “Kurdish Question” in Turkey. The problem was simply one of PKK terrorism, which posed a threat to the unitary structure of the Turkish state and society.¹⁰ As for the solutions proposed by the US administration, the Turks believed that they would bring about the destruction of the state and the society.¹¹ Civilian and military leaders in Turkey understood the US concept of a “political non-military solution” to mean some sort of federation with, or autonomy for the Kurds.¹² That position, they argued, was the expression of the PKK and part of the psychological warfare successfully waged abroad by that terrorist organisation.¹³ Turkish leaders maintained that, since there were 26 different ethnic groups in Turkey, if one began to discuss the Kurdish question, these other ethnic groups would put forward their own demands which would ultimately lead to the disintegration of Turkey.¹⁴

The Kurdish problem can not be confined to the domestic factors, nor to the external factors alone. It is a transnational issue. The extra-territoriality of the Kurdish question means that Turkey is not able exclusively to determine the policy context in

¹⁰ Milliyet, 18 April 1995, p. 15; Milliyet, 20 April 1995, p. 17; Cumhuriyet, 3 May 1995, p. 3.

¹¹ Milliyet, 18 April 1995, p. 15; Milliyet, 20 April 1995, p. 17; Cumhuriyet, 3 May 1995, p. 3.

¹² FBIS-WES, 2 November 1994, p. 51.

¹³ Cumhuriyet, 20 April 1995, p. 6; Ibid., 8 April 1995, p. 17; and Milliyet, 30 April 1995, p. 15.

¹⁴ Cumhuriyet, 20 April 1995, p. 6; Ibid., 8 April 1995, p. 17; and Milliyet, 30 April 1995, p. 15.

the southeast.¹⁵ Ankara has to take into account developments regarding the Kurdish issue in neighbouring states. And Turkey has discovered that its Kurdish problem has benefited its neighbours with which it has had long-standing disputes by providing them with an opportunity to embarrass Ankara. The most obvious example is Syria, which has actively supported the PKK and specifically given shelter to its leader, Abdullah Öcalan. In 1990, the PKK was still able to use several camps in Syria as well as a major training camp in the Beqaa valley.¹⁶

On the other hand, Syrian relations with the Iraqi Kurds are also complicated. On the one hand, Syria has supported the Patriotic Union of Kurdistan (PUK) since 1975. As Talabani has stated: “We maintain a special relationship with Syria....(its) assistance has enabled us to achieve much.”¹⁷ However, Syria grew weary of the Kurds’ independent activities and it tried to contain them through the broader Iraqi opposition alliance headquartered in Syria, and by coordinating activities with Turkey and Iran. Syria remains suspicious of Kurdish attempts to secede from Iraq but unlike Iran, has not gone so far as to use military force.

As in Turkey, the Kurdish population in Iraq is significantly large as a population of the total, some 4 million Kurds representing around 20 percent of the population; and here too a significant proportion of the country’s Kurdish population

¹⁵ *Cumhuriyet*, 20 April 1995, p. 6; *Ibid.*, 8 April 1995, p. 17; and *Milliyet*, 30 April 1995, p. 15.

¹⁶ Süha Bölükbaşı, “Ankara, Damascus, Baghdad, and the Regionalization of Turkey’s Kurdish Secessionism”, *Journal of South Asian and Middle Eastern Studies*, Vol. 14, No. 4, Summer 1991, p. 36.

¹⁷ *FBIS*, 21 December 1993, p. 24.

lives in a discrete area, adjacent to the Turkish-Iraqi border. It is this convergence of interest that convinced the two countries, as well as others occasionally, to cooperate against the Kurdish terrorism. Thus, to confine Kurdish separatism and prevent the Kurdish insurgence in Iraq from spilling into Turkey, and vice versa, Turkey has been prone to favour good relations with regimes of all political lives in Baghdad that seek to the same.¹⁸ This political-military cooperation was repeatedly extended to bilateral cooperation under the so called 'hot pursuit' principle. In 1978, the two countries concluded a secret agreement; and a subsequent accord in 1984 allowed each side to pursue 'subversive elements' up to nine miles inside each country's territory.¹⁹ Then, more border operation was mounted within Iraq, in October 1984, in August 1986, and March 1987, under the same 'hot pursuit' agreement. It is appropriate to conclude that Turkey and Iraq had common interests in maintaining their national and territorial security by cooperating against the Kurdish groups in the area.

In the post-Gulf War era, Iraq became the number one security concern for Turkey. Although, Iraq is no position to threaten Turkey for a long time to come, the power vacuum in northern Iraq constitutes a safe haven for the PKK separatists and endangers Iraq's integrity which is considered by Turkey to be crucial for regional

¹⁸ Ramazan Gözen, "Turkish-Iraqi Relations: From Cooperation to Uncertainty", *Foreign Policy*, Vol. 19, No. 3-4, 1995, Ankara, pp. 64-67.

¹⁹ Dilip Hiro, 1990, *"The Longest War: The Iran-Iraqi Military Conflict"*, London: Paladin, p.13.

stability.²⁰ Prospects of disintegration and establishment of a Kurdish state in Iraq are most worrying for Turkey as these would upset the sub-regional balance and stability.

The policy of Iran towards the Kurdish question is also important from Turkey's perspective. In Iran, the Kurdish question is inextricably linked with the Azeri question. For this reason, neither Iran, nor Turkey deems it militarily or politically possible to subdue the Kurds in all of northern Iraq, both countries seem at the end of 1995, to have adopted a policy of carving out respective spheres of influence in Iraqi Kurdistan.²¹

Since the Gulf War, Turkish-Iranian relations have improved overall and that the geopolitical necessity of the two capitals to cooperate against the growth and spread of Kurdish nationalism has been an essential factor in their relations. The creation of an independent and internationally recognized state in northern Iraq is perceived by the two states as a potential disaster and a challenge to the two as presently constituted physically and ideologically. The national security concerns between Turkey and Iran over the Kurds were given prominence when President Demirel met with President Rafsanjani on views prior to the meeting, Rafsanjani, gave assurances that Iran was fully cooperating with Turkey against the PKK and he stated that the creation of a Kurdish state was "impossible".²²

²⁰ Robert Olson, "Turkish Policy and the Kurdish Question", Journal of South Asian and Middle Eastern Studies, Vol. 19, No. 1 Autumn 1995, pp. 42-43.

²¹ Ibid., p. 43.

²² Hürriyet, 22 July 1994, p. 2.

The Kurdish question has remained a major preoccupation of the Turkish state throughout the 70 years of its existence. It presents an existential challenge to the identity, composition and territorial integrity of the state. It also looms large in foreign policy-making, having been a critical variable in Turkey's relations with its immediate Middle Eastern neighbours, particularly Iraq. Over the past five years the importance of the Kurdish issue for Turkey has reached an unprecedented intensity in both domestic and foreign affairs.²³ Moreover, the Kurdish issue in one domain has an immediate and direct effect on the other. Post-Cold War developments from the containment of Iraq to the disintegration of states, have become even more pressing concern for Turkey. There seems every possibility that the Kurdish issue will remain the dominant domestic question in Turkey for sometime to come. The existence of the safe haven in northern Iraq will maintain the uneasy situation for Turkey.

The Kurdish issue has clearly emerged as a visible and controversial factor in relations between the EU and Turkey in the 1990's. For the smaller states of the European Parliament and a marginal institution such as the EP, it has also emerged as an issue of substance. For such actors, the Kurdish issue has increasingly been perceived as being synonymous with the issue of human rights.²⁴ Both the smaller states and the EP have repeatedly criticized the Turkish state for its actions towards the country's Kurds. In doing so, they have acted largely unfettered by wider interests

²³ Turkish Probe, 25 September 1996, p. 4

²⁴ Philip Robins, "More Apparent than Real? The Impact of the Kurdish Issue on Euro-Turkish Relations", in the Kurdish Nationalist Movement in the 1990's: Its Impact on Turkey and the Middle East, 1996, ed. By Robert Olson, London: The University Press of Kentucky, pp. 128-129.

and considerations. Ankara, in turn has been largely dismissive of such criticism, choosing instead to rely upon the larger states backed up by the Commission to determine the substance of EU policy toward Turkey.

3.3.Policies of Western Countries Towards the Kurdish Question

The Kurds' grave geopolitical constraints prompted them to search for Allies further afield in the international arena. Their most concentrated efforts were directed towards the international community, especially the three Western Allies—the United States, the UK and France.²⁵ The Allies, however, remained reserved about the political aspirations of the Kurds, continuing to regard their problems as primarily humanitarian. Indeed, the idea of a separate Kurdish state was more palatable to the West, the arbiter of the fate of the Kurds, than to the countries in the region. Concerned as they were about Saddam Hussein's schemes, including his continuous threats against Kuwait, the allies were just as worried about a possible partitioning of Iraq.²⁶

Such broad consensus against the modification of existing borders was motivated by fear of further chaos in the region, a change in the balance of power in Iran's favour, an unwillingness to antagonise other states in the region, and a general tendency to view the post-First World War settlement borders as sacred. All told, this broad consensus in favour of the territorial status quo is another major stumbling

²⁵ Ofra Bengio, "The Challenge to the Territorial Integrity of Iraq", *Survival*, Vol. 37, No. 2, Summer 1995, pp. 84-85.

²⁶ *Ibid.*, p. 86.

²⁷ Graham E Fuller, "The Fate of the Kurds", *Foreign Affairs*, Spring 1993, pp. 117-118.

block in the path towards a Kurdish state. Not one country or international body has extended recognition to the Kurdish government or established diplomatic relations with it. Moreover, the little economic and military support that the Kurds received from the Western allies was entirely a function of the Allies position *vis-a vis* Iraq. Were these relations to improve, the Kurds would probably be in peril of losing the international gains they have achieved. Similarly, were the umbrella provided by the safe-havens zone to be removed, the whole edifice of self-rule in northern Iraq would be likely to crumble instantly.²⁷



CHAPTER 4

KURDISH POLITICAL PARTIES IN NORTHERN IRAQ

4.1. Kurdish Democratic Party

The preeminent party in modern Iraqi Kurdish history, the Kurdish Democratic Party (KDP), was established in 1946 in response to the earlier creation of the Iranian KDP of the Mahabad Republic.¹ At its first congress in Baghdad, on 16 August 1946, Mulla Mustafa Barzani, probably the most famous Kurdish leader in the twentieth century, was elected president. The KDP's original program was vague. It addressed the Kurds' nationalist goals and desire to live in a state of their own. But it lacked any social or economic substance.

Back in the mid-1960s, the Kurdish question was largely confined to the exploits of Mulla Mustafa Barzani, who was able to run Iraqi army ragged in the mountains. Barzani's struggle arguably had more to do with tribalism than nationalism. He was able to make sure that the intellectuals of the movement were

¹ Michael M Gunter, "The KDP- PUK Conflict in Northern Iraq", Middle East Journal, Vol. 50, No. 2, Spring 1996, pp. 226-227.

denied any real power.² The intra-Kurdish rivalry between Barzani and Talabani faction had intensified in late 1969. Talabani group, in cooperation with the Ba'athists, challenged Barzani's leadership of the KDP and attempted to expand into his northern homeland. Ba'athists decided to abandon Talabani and negotiate with Barzani. The promise of the March 1970 manifesto on Kurdish autonomy, however, was not realized. Renewed fighting between the Kurds and Baghdad led to Barzani's final defeat and surrender in March 1975. After Barzani's collapse, his KDP broke into several factions. Thereafter non-tribal and urban leaders came to the fore and began to dominate the movement. Having no tribal connection, this intellectual leadership saw tribalism as the "internal enemy" of Kurdish nationalism. Tribalism declined in importance in the Iraqi KDP, under Mulla Mustafa's son, Massoud, although the Barzani dynasty continued to be revered for its leadership. It was Baghdad, rather than the KDP, which deliberately fostered tribalism by co-opting the chiefs to raise militia forces against the Kurdish national movement.

Massoud Barzani tends to view events through his father's eyes, particularly the exploitation of the Kurds and the false promises made by external powers. He remains essentially an unimposing traditional tribal leader who is uncomfortable electioneering or meeting the world leaders who abandoned his father. The KDP leader believes that the international spotlight on the Kurds will dim and that lines of

² David, McDowal, "The Struggle for Kurdistan", Middle East International, 14 April 1995, p.19.

communication must be kept open with the power to be dealt with: Iraqi President Saddam Hussein.³

4.2.Patriotic Union of Kurdistan

The second major political movement is the Patriotic Union of Kurdistan (PUK) led by Jalal Talabani, who in 1964 deserted Mulla Mustafa Barzani to form the PUK . Jalal Talabani's PUK represented what was to become the other major faction of the old KDP of Mulla Mustafa Barzani. Shortly after the Ba'athists crushed the old KDP in March 1975, Talabani canvassed Kurds who had been able to escape from Iraq and had gone to Damascus. In June 1975, he announced the formation of the PUK in Damascus. Although, the PUK adopted the same slogan as the old KDP, namely, "autonomy for Kurdistan, democracy for Iraq" , it advocated Marxist principles and denounced the Barzanis as "reactionary".

Then, in the fall of 1977, the PUK moved its headquarters from Damascus to Sorani-speaking areas of the Suleymaniyya region. After the Iranian Revolution, the new regime in Tehran, either did not want to, or could not, enforce the provisions of the Algiers Agreement of 1975 between Iraq and Iran on preventing cross-border Kurdish activities. Once again the KDP began to establish bases in Iran to challenge Baghdad, a situation that led to the Iran-Iraq War of 1980-88. Both Iran and Iraq endeavored to use the other's Kurds as fifth columns.⁴

³ James M Prince, "A Kurdish State in Iraq?", *Current History*, Vol. 92, No. 570, January 1993, p. 18.

⁴ M Gunter, pp. 229-31. And see also, David McDowal, 1992, "The Nation Denied", London: Minority Rights Publications, pp. 105-108.

Although some observers consider the PUK to be more left-wing than the KDP, both groups followed the same objective: the overthrow of the Ba'ath regime and the establishment of a democratic state with an autonomous Kurdistan. In addition, both called for a struggle against "imperialism, Zionism and reaction"⁵ Whereas the KDP was traditionally strong in the north, the PUK controlled most of Iraq's southern Kurdish territory, especially Suleymaniyya and its environs.

In the aftermath of Saddam Hussein's defeat in the Gulf War, Iraqi Kurds in northern Iraq along with their Iraqi Shiite counterparts in the south, rose up against Baghdad. Both rebellions were crushed by remnants of Iraqi army. The suppression of the Kurdish rebellion caused a massive outflow of refugees to the Iranian and Turkish borders. The misery inflicted on the Kurds ultimately prompted the United States and its allies to create a "safe haven" in a small part of northern Iraq and to declare the area north of the 36th parallel in Iraq a no-flight zone.⁶ And the Operation Provide under the leadership of the US protected the Kurds against the attacks of Iraqi army. Reinvigorated by these international moves, the Kurds established themselves in the north in a "*de facto*" autonomous zone.

⁵ FBIS-ME, July 18 1994, p.7.

⁶ Henri J Barkey, "Kurdish Geopolitics" Current History, Vol. 96 , No. 606, January 1997, p. 1.

4.3. Toward a Kurdish Government in Northern Iraq

For the Kurds of Iraq, the Gulf War and its aftermath was a crucial period in their turbulent history. It was marked by three major developments: the central government's loss of control over Iraqi Kurdistan; the crystallisation of Kurdish autonomous rule in the area; and the attainment by the Kurds of a degree of international recognition.⁷ These developments took place at one of the most difficult points in Kurdish history, namely in the wake of the suppression of their uprising in spring 1991, the flight of about two million Kurds to Turkey and Iran, and severe economic, social and political dislocations that resulted.

At first glance it might appear to have been precisely this catastrophe that served as a catalyst for the Kurds' more assertive stance. A closer analysis, however, must take into account the importance of changes in internal, regional, and international circumstances. On the international level, the change in the global political atmosphere that resulted from the break up of the Soviet Union created a more favourable environment for certain Kurdish demands in Iraq. This mood was reinforced by disclosures of a Ba'athist policy of genocide against the Kurds during the preceding decade, and by the continuous threat the Iraqi regime was seen to pose to the Kurds and to neighbouring countries alike, especially Kuwait. This international perception again elevated the Kurds, as often before, to the redoubtable status of an

⁷ Ofra Bengio, "The Challenge to the Territorial Integrity of Iraq", *Survival*, Vol. 37, No. 2, Summer 1995, p. 79.

⁸ *Ibid.*, p. 79.

effective tool against Iraqi designs. In addition, the Iraqi regime's miscalculated policies towards the Kurds in the aftermath of the Gulf War reinforced Kurdish determination to fight for self-rule.⁸

As the Kurds returned to their homes and began to rebuild their lives, the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK) – the two rival Kurdish parties that have struggled with each other since the mid-1960s – set up a joint administration in the city of Arbil.⁹

The most important expression of Kurdish self-rule was the relatively free legislative elections. On May 19, 1992, approximately 1 million Kurds waited in line for up to eight hours to cast their vote in the first free elections held in the state of Iraq. Thousands of armed guerrillas, or peshmerga, temporarily abandoned positions opposite the Iraqi army in order to join the estimated 90 percent of eligible voters who took part. The choice in the election was among four candidates to be the leader of Iraqi Kurdistan and seven lists for members of a 105-seat National Assembly put forward by the eight political parties and the few tribal leaders of the Iraqi Kurdistan Front (IKF).¹⁰ The Iraqi Kurdistan Front defines Kurdistan as the three governates of Suleymaniyya, Arbil and Dohuk, as well as the governate of Kirkuk and the cities of Sinjar, Khanakeen, Talafar, Jalawla, and Kifri.

⁹ Henri J. Barkey, p. 2.

¹⁰ James M Prince "A Kurdish State in Iraq?", Current History, January 1993, Vol. 92, No.570, p. 18.

In May 1988 eight major Kurdish parties formed the Iraqi Kurdistan Front to represent Kurdish interests. The movement was funded mainly by levies on trucks travelling between Mosul or Baghdad and Turkey. Although the leaders of the front's parties were not the original impetus behind the 1991 uprising, they acted quickly to exploit the spreading popular rebellion. The IKF moved in to fill the political and civil administrative vacuum created by the central government's withdrawal from northern Iraq, at the expense of the traditional leadership.¹¹

Three of the front's seven original parties – the Party of Socialism in Kurdistan (PASOK), the Kurdistan Popular Democratic Party (KPDP), and the Kurdistan Socialist Party – demand an independent state. The KDP and the PUK, which represent the vast majority of Iraqi Kurds, publicly support a “federated” Iraq and discount moves toward Kurdish independence.

For the Kurds, the elections were important on various levels: they conferred a measure of legitimacy on the Kurdish leadership (which the government in Baghdad did not have since the regime was not democratically elected); they eliminated minor Kurdish groupings, forcing them to merge into a single party; and they provided a basis for Kurdish administration. Another important development that stemmed from the elections was the realisation by the two major parties – Barzani's Kurdistan Democratic Party (KDP) and Talabani's Patriotic Union of Kurdistan (PUK) – that , as

¹¹ *Ibid.*, pp. 18-19.

¹² M Gunter, p. 231.

neither had achieved a clear cut victory, they should end the chronic struggle between them and share power.¹²

The PUK ultimately captured 43.8 percent of the vote in the election, only 1.7 percent less than the KDP. Negotiations afterward led to an agreement under which the KDP heads the executive, with a prime minister from the PUK and cabinet slots divided equally between the two parties. What emerged, however, was a dual leadership that lacked a clear division of power between the two groups, causing renewed friction and bloodshed.

The founder and current secretary general of the Kurdistan Popular Democratic Party, Mahmoud Sami Abdulrahman, was one of the first to call for a federated state system in Iraq, and for self-determination rather than autonomy.

The two socialist parties, the Kurdish Socialist Party (KSP) and the Party of Socialism in Kurdistan (PASOK), both of which call for an independent Kurdish state, ran on the same ticket in the 1992 elections, garnering 2.6 percent of the total vote; they did not win any seats in the parliament, since a party must receive 7 percent of the vote to be represented. A few months after the polling the parties merged with KPDP to form the Unity Party, under the leadership of Abdulrahman and Mahmoud Osman. In the summer of 1993, KUP – a recent alignment of three smaller parties that had

previously all been members of the Iraqi Kurdistan Front – joined the KDP. According to the KDP, this “changed the balance of Kurdish politics in favour of the KDP.”¹³

The Islamic Party of Kurdistan, which believes that Iraq should become an Islamic state, captured 5.1 percent of the vote in the elections, and also sent no members to parliament; the northern branch of the Kurdish Communist Party received 2.2 percent in the elections.

Iraq, of course, refused from beginning to accept the new reality in the north and did its best to continue to punish the Kurds for their seditious behavior. Saddam’s agents planted bombs in the north, his troops often stole part of the harvest, and he maintained the strict embargo on goods and fuel going to the safe haven in order to undermine the North’s economy.¹⁴

The combined impact of the UN’s and Saddam’s embargoes was to reduce the population of northern Iraq to an unhealthy dependency on food aid provided by the United States, the UN and the Non-Governmental relief organizations.

Establishment of a *de facto* Kurdish government in northern Iraq alarmed the Turkish authorities in Ankara. Officials in Ankara are mindful of the processes of “diffusion” and “contagion” in relation to Kurdish groups in Turkey and in northern Iraq. As regards diffusion, conflict in both Turkey and Iraq involving the Kurds has

¹³ KDP Research Department, “What Happened in Iraqi Kurdistan? May 1994”, June 1994, p. 7.

¹⁴ Henri J Barkey, p. 2.

directly affected policy-making in each. In effect, 'spillover' has worked in both directions. The PKK has found sanctuary in northern Iraq, and northern Iraqi Kurds have sought refuge in Turkey to the alarm of the authorities in Ankara. Turkish officials are also particularly concerned about a possible contagion effect where the activities of the northern Iraqi Kurds may provide inspiration and guidance for the PKK in Turkey.

Specifically, the Turkish government is apprehensive about the prospects of the possible establishing of an independent Kurdish state in northern Iraq or, owing to pressure from the northern Iraqi Kurds, the creation of a real federal structure in Iraq.¹⁵ Kurds in Turkey could then be encouraged to lobby more vigorously for independence or the formation of a federal system for Turkey. At most, Turkish officials are prepared to support real autonomy for the northern Iraqi Kurds within a unitary Iraqi state.¹⁶ However, even that arrangement would see a precedent. Some Kurds in Turkey may then press to emulate the northern Iraqi model of autonomy within Turkey itself.

4.4. The KDP- PUK Conflict in Northern Iraq

The Kurds in northern Iraq gained important achievements and the Kurdish Regional Government (KRG) was established after the elections. On the other hand, the KRG has been threatened by severe economic problems; internal conflicts in the

¹⁵ Kemal Kirişçi, Gareth M Winrow, 1997, "The Kurdish Question and Turkey: An Example of Trans-State Ethnic Conflict" London: Frank Cass Publishers, pp. 160-162.

¹⁶ Ibid., p. 163.

Iraqi Kurdish camp; cross-border tensions with the Turkish and Iranian Kurds; hostility of neighbouring countries; and the opposition of the international community to the emergence of a separate Kurdish entity and the fragmentation of the Iraqi state.¹⁷

One of the most pressing problems is economic. The internal, government-imposed embargo highlighted the economic vulnerability of landlocked Kurdish region and its total dependence on the goodwill of Baghdad or of neighbouring countries. Kurdish officials acknowledged that Iraqi Kurdistan's main problem is economic and that the regime in Baghdad knows only too well how to exacerbate it. The greatest danger to the Kurdish experiment, is internal conflict and warfare within the Kurdish Groups camp.

Barely a year and a half after the establishment of the Kurdish administration, serious problems began to surface between the KDP and the PUK. Old divisions can be very difficult to overcome. Fighting that ostensibly began as minor disputes, eventually escalated into a renewal of what was essentially the old dispute between the KDP and the PUK for ultimate control over the Kurdish population and territory.¹⁸

Under the strain of impossible economic conditions, the two Kurdish rivals began to fight over resources and, especially, money. In the absence of a viable

¹⁷ Ofra Bengio, p. 81.

¹⁸ M Gunter, p. 231.

economy, trade into and through northern Iraq, including smuggling, assumed a contentious dimension.

The KDP, by virtue of controlling the more lucrative border posts along the Turkish frontier, obtained the lion's share of customs revenues.

The differences between KDP leader Massoud Barzani and PUK head Jalal Talabani extend beyond the immediate scramble for resources. The two leaders differ significantly with respect to their origin, philosophy, base of support, and world view. Barzani, the son of the legendary Kurdish leader Mulla Mustafa Barzani, has always assumed that leadership of the Kurds is his birthright. Mulla Barzani managed to embrace Kurdish national aspirations without sacrificing the tribal nature of Kurdish society. His son has been true to his legacy. Massoud Barzani is, in the words of one observer, "unable to see the larger interest of Iraqi Kurds outside the parochial concerns of his tribal and family alliances."¹⁹ But Kurdish society has undergone significant changes since Mulla Barzani's days. While a segment still adheres to old tribal ways and loyalties, another growing segment has become urban and modern.

The two largest cities in northern Iraq, Arbil and Suleymaniyya, have about a million residents each. It is in these and other urban areas, and in the region's emerging middle class, that Talabani's support base is concentrated, although he too benefits from tribal support. This rural-urban split accounts for the PUK's nationalist,

¹⁹ Kanan Makiya, 1996, "The Politics of Betrayal", New York: Review Books, October 17 1996, p. 10. And, David McDowall, "The Struggle for Kurdistan", Middle East International, 28 April 1995, pp.17-18.

progressive orientation and Talabani's unrelenting ambition to internationalize the Kurdish issue.

But there are cultural affiliations involved as well. The two leaders' spheres of influence roughly coincide with the boundary lines created by the two main Kurdish dialects spoken in the north: KDP followers tend to be Kurmanji speakers, while the PUK is stronger in the Sorani-speaking regions of southern Kurdistan.

Both seek ascendancy. The only way in which autonomous Iraqi Kurdistan is big enough for both of them is by partitioning the area. Psychologically this has already happened, between the northern (KDP) Kurmanji-speaking culture and southern (PUK) Sorani-speaking culture. They compete for the disputed marshlands, the territory of Arbil.

The increasing rivalry of the two ruling parties, the KDP and the PUK, finally broke out in open fighting in May 1994. Since then there has been repeated clashes, the most serious so far being in September 1995. There are both superficial and underlying causes for this apparently insoluble conflict.²⁰

The superficial causes are well known: quarrels over customs revenue on the Turkish border and the use of governments funds in Arbil; land disputes that have polarized into tests of testosterone; shifts of client groups from one party to another; a

²⁰ *Ibid.*, p. 18.

personality clash between the straightforward but less intelligent Massoud Barzani and the clever but mercurial Jalal Talabani; long-standing mutual prejudice between KDP and PUK rank- and- file; and above all the rival and extensive patronage networks operated by both parties.²¹

Turkish officials were apprehensive about the conflict between the KDP and PUK as it provided an opportunity for the PKK to extend its influence in northern Iraq. By the beginning of June, there were more than 600 civilian and military casualties as a result of the fighting throughout much of the region including the cities. In late May, PUK forces seized the Kurdish parliament building in Arbil. Each side accused the other of making secret deals with Iran, Turkey and Iraq. Furthermore, the fighting threatened the continuation of the much- needed international aid.

Since the summer of 1996, fratricidal fighting between the KDP and the PUK has brought about the collapse of all authority in the region, a development that has encouraged foreign interference, especially by Iran and Turkey, and the reinforcement of the PKK.

4.4.1. International Efforts to End the KDP- PUK Conflict in Northern Iraq

Several attempts to arrange a cease-fire failed. On 21 May 1994, a so called “Operation Room” was formed to attempt to supervise a cease-fire, disengage the forces, and normalize the situation. Its members included Massed Bargain, Corset

²¹ Henri J Barkey, pp. 2-3.

Rascal, Ahead Shelby and Haas Nap of the opposition Iraqi National Congress (INC), and Abdal Khaliq Zangana of the IKF. Although all parties paid credit to the INC's role in attempting to normalize the situation, a permanent end to the fighting remained elusive.²²

The warring parties also met, at the invitation of the Turkish authorities, in Silopi, Turkey, on 30 May 1994. Turkey feared that the KDP-PUK conflict would create a power vacuum in northern Iraq and would lead to increase attacks by the Kurdish Workers Party (PKK) on Turkey. Barzani and Talabani met in Silopi, and then in Arbil. Nevertheless, sporadic clashes continued.

From 16-22 July 1994, representatives of the two belligerent parties met in Paris under the auspices of the French government and the Paris-based Kurdish Institute headed by Kendal Nezan. Observers from the US and British embassies in Paris were also present. A major tenet of the Paris Agreement was that "Iraqi Kurdistan shall be administered by a democratic system that will guarantee pluralism, respect for human rights and the rights of the national and religious minorities."²³ More specifically, the agreement listed measures to enhance the authority of the KRG and eliminate party intervention in governmental affairs. The two parties reached agreement on a wide-ranging program of administrative and financial reforms for the region, as well as on a series of measures to reorganize and restructure the armed forces.

²² M Gunter, p. 233.

The Turkish officials perceived that the territorial integrity of Iraq was being threatened. In reaction, the then newly- appointed Foreign Minister Mümtaz Soysal announced new principles to restrict access from Turkey to northern Iraq for Western non-governmental organizations.²⁴ The Turkish government suspected that many of these organizations were engaged in activities which put into question the territorial integrity of Iraq. Together with the French government, Ankara also intervened to prevent the northern Iraqi from holding a second Paris-type meeting.²⁵ Turkish officials regarded the Iraqi Kurds' efforts to seal the decision adopted at the previous meeting in July as an attempt to form 'the embryo of an independent Kurdish state.'²⁶

It would seem that Turkish officials were in favour of continued tensions between the KDP and the PUK in order for the Kurdish parliament and administration in northern Iraq to remain paralysed. However, at the same time Ankara did not want the conflict between the KDP and the PUK to escalate to a level which the PKK in northern Iraq could then exploit.

There was a lull in the KDP-PUK fighting during the autumn of 1994. On 21 November 1994, a Strategic Agreement was reached which basically ratified the Paris Agreement of the previous July. This new agreement, once again, prohibited the use of

²³ Ibid., p.234.

²⁴ Turkish Daily News, 13 September 1994, p. 2.

²⁵ Turkish Daily News, 19 September 1994, p. 4.

²⁶ Turkish Daily News, 12 October 1994, p. 2.

violence to resolve disputes, and stressed the need for dialogue and peaceful means to settle conflicts.²⁷

In late January 1995, David Litt, the country director for Northern Gulf Affairs in the US Department of State, accompanied by an official from the Turkish Foreign Ministry, delivered a message from US president Bill Clinton to both Barzani and Talabani: “We will no longer cooperate with the other countries to maintain security in the region if the clashes continue.”²⁸

Litt, speaking for Clinton and the United States, also declared that the United States supported the INC peace proposals to demilitarize Arbil completely, declare a cease-fire, and then establish a provisional administration composed of technocrats and respected individuals to prepare for elections in six to twelve months.²⁹

Turkey, on the other hand, remained worried about, the possibility of an independent Kurdish state emerging. Therefore, the Turks urged the Kurds to become involved in a dialogue with Baghdad, a policy ruled out by the United States. This policy had been pursued by Turkey for some time, and was reiterated by the Turkish official accompanying Litt.

²⁷ M Gunter, p. 235.

²⁸ Hürriyet, 28 January 1995, p. 18, FBIS-WES, 1 February 1995, p. 28.

²⁹ The Guardian, 23 January 1995, p. 7.

Early in June 1995, both the KDP and the PUK put forward detailed peace proposals. Even though a US Department of State delegation arrived in the region to get peace talks started, the rival plans proved irreconcilable. The main reason was that the PUK tied its withdrawal from Arbil to an immediate accord on the \$ 150.000 per day of customs revenue the KDP was collecting from the Habur border crossing with Turkey. The KDP preferred to leave the issue of the revenues to be determined by a new government.

In early July 1995, heavy fighting resumed once again, and by the end of the month “hundreds of people” were reported killed.³⁰ The PUK claimed that “the fighting was initiated by the KDP to divert attention from this illegal seizure of funds,” while Barzani maintained that the PUK’s evacuation of Arbil had to “be the first clause of any agreement . Without that there will be no agreement.”³¹

At this point, the United States attempted to play a mediatory role similar to that played by the French a year earlier in Paris. Robert Deutsch, the director of the Office of Northern Gulf Affairs in the State Department, persuaded the warring parties to meet in Drogheda, a suburb of Dublin, Ireland, from 9-11 August 1995, in the presence of senior US officials. The INC also participated, while Turkey sent observers.

³⁰ Ergun Balci, “Northern Iraq”, Cumhuriyet, 31 July 1995, p. 9; FBIS-WEU, 9 August 1995, p. 43.

³¹ FBIS-NES, 10 August 1995, p. 27.

As in Paris the previous year, initially a solution seemed possible. It was capped, once again, by a proposal to have Barzani and Talabani ratify the final settlement in Washington at the end of September. Once again, however, success proved illusory.

At Drogheda, the KDP and the PUK did pledge to maintain a cease-fire, cease media attacks, respect the rights one another's followers, and release all detainees. They also agreed to hold further talks, aimed at finalizing a peace agreement, along the following principles: demilitarization of Arbil city; formation of a neutral commission under INC auspices; reduction of forces in areas surrounding Arbil; all revenues collected by the parties; reconvening of the elected regional parliament within 48 hours of the certified demilitarization of Arbil; working to form a new wide-based administration for the Kurdish region; respect for the territorial integrity of Iraq; and consideration of Turkey's legitimate security concerns regarding the PKK.³²

The question of Turkey's security interests further complicated the negotiations. In late August 1995, the PKK launched attacks against the KDP to derail the truce that would have constrained its freedom of maneuver in the Kurdish region of Iraq, had the US-brokered Drogheda talks of August 1995 led to settlement of the KDP-PUK infighting, and security guarantees for Turkey in the form of KDP policing the border. The PKK also sought to build on its "pilot regions" in Kurdish areas by

³² M Gunter, p. 238.

establishing some type of government in-exile or Kurdish federation, independent from the KRG.

For their own ulterior motives, Syria and Iran, as well as the PUK, apparently encouraged the PKK to attack the KDP. The two states did not want to see the United States successfully broker an end to the KDP-PUK strife and possibly sponsor an Iraqi Kurdistan state. Talabani, on the other hand, sought in effect to open a second front against his enemy Barzani. Given these added problems the second round of Dublin talks from 12-15 September 1995 failed. Once again the KDP and the PUK were unable to reach agreement on demilitarizing Arbil and on collecting the customs revenues³³

Speaking of the failure of the Dublin talks, Muhammad Baqir al- Hakim, the leader of the influential Iraqi Shi'ite opposition, the Supreme Assembly of the Islamic Revolution in Iraq (SAIRI), declared that "the talks failed because they were conducted with the aims of the US and Turkey behind them and were against the policies of Iran, Syria and other neighbouring states."³⁴

From 5-9 October 1995, Iran tried its hand at hosting talks between the two Iraqi Kurdish parties. As a result, Iranian military units entered parts of northern Iraq in November to help to maintain the cease-fire that was agreed upon by the KDP and the

³³ Ibid., p. 239.

³⁴ FBIS-NES, 26 October 1995, p. 46.

PUK. Rafsanjani assured Demirel that the Iranian presence was only a token one.³⁵ Nevertheless, Turkish officials were seriously concerned at Iran's growing influence among Kurdish groups in northern Iraq.

Although the parties managed, once more, to focus on a set of problems that needed to be solved, no actual agreement was reached. Further mediation by Iran was promised. For its Iran "expressed concern over the meddling of outsiders (the United States) in the region which has led to tension and instability."³⁶

In mid-November 1995, a US delegation, headed by Robert Deutsch, arrived in Salaha al-Din, in the Kurdish region of Iraq, and opened the third round of the US-brokered peace talks with the KDP. A representative of the Turkish foreign ministry and Ahmet Shalabi of INC were also present. Several days later, the US delegation held separate talks with the PUK. Both sets of talks, however, failed to break the deadlock.

4.5. Turkey's Relations With the KDP and the PUK

Özal, with the support of senior diplomats from the Foreign Ministry, had taken the first step in establishing relations with the Kurds of Iraq in March 1991 in order to exert some influence over the developments there through inducements to the Kurds not to attempt to establish an independent Kurdish state, and to isolate the PKK among other

³⁵ Turkish Daily News, 27 December 1995, p. 3.

³⁶ FBIS NES, 13 October 1995, p. 36.

Kurdish groups with the aim to neutralize its operations from its bases in northern Iraq.

³⁷ Kurdish representatives were invited to Ankara to hold talks with Turkish officials.

This contacts developed to the extent that Ankara issued Turkish diplomatic passports to Talabani and Barzani to enable them to travel abroad. Turkish officials have realized that co-operation with the northern Iraqi Kurds enable Turkey to combat the PKK more effectively.

Turkey has long adhered to the belief that the solution to northern Iraq lies in reconstituting a strong Iraq capable of maintainig the peace along the Turkish- Iraqi border. According to assesments in Ankara, Turkish officials say the lack of authority in northern Iraq has forced the Turkish government to deal with the Iraqi Kurdish groups. The authorities have concluded that both the KDP of Massoud Barzani and the PUK see the separatist Kurdish Workers' Party as their "life insurance" and use this in their dealings with Ankara. Without the PKK the two organizations would not have a card to play against Turkey.³⁸

Turkey is, in fact, paying for the US policy of challenging Iraq's territorial integrity , which has allowed the country to unravel at the edges. "We face an insoluble dilemma," one Turkish diplomat admitted. If the KDP and the PUK agree, they risk creating a Kurdish entity, which is unacceptable to us. If they destroy each other, as is the case at the moment, the fighting will allow the PKK to strengthen its

³⁷ Mehmet A. Birand, 1992, "Apo ve PKK (Apo and the PKK), İstanbul: Milliyet Yayınları, p. 265.

³⁸ Turkish Probe, 2 September 1994, pp. 9-10.

presence in the zone. We would hope for the return of Baghdad into the region, but the US totally opposed .”³⁹

The Turkish authorities seemed to prefer an outcome where the northern Iraqi Kurds would have extended autonomy within a territorially-intact Iraq, but Ankara was opposed to Kurdish demands for a federal structure in Iraq. Turkish officials have called on the northern Iraqi Kurds to begin a dialogue with the Iraqi authorities. The PUK leadership in particular objected to this Turkish pressure. The PUK announced that it was only in favour of holding talks with a more democratic regime in Baghdad.⁴⁰ Likewise, Sami Abdurrahman, a KDP official, noted: ‘We see the solution of the Kurdish problem within the framework of Iraq, naturally a democratic Iraq, and on the basis of federation. Not autonomy.’⁴¹ This conflicted with the Turkish government’s position. Although officials from the Foreign Ministry have usually preferred to take a more pragmatic approach to the situation in northern Iraq, they have been constrained particularly by hard-liners, both inside and outside the government.

Relations between Turkey and the KDP, which has traditionally controlled the areas of northern Iraq bordering Turkey, have tended to be positive. Barzani’s greater willingness to co-operate with Turkey and his readiness to be pragmatic with respect to Kurdish aspirations in northern Iraq appeared to have gained to some extent the

³⁹ Alain Gresh, “Turkey-Israeli-Syrian Relations and Their Impact on the Middle East”, Middle East Journal, Vol. 52, No.2, Spring 1998, pp. 194-195.

⁴⁰ Yeni Yüzyıl, 23 March 1995, p. 13.

⁴¹ Turkish Daily News, 8 May 1995, p. 4.

trust of many Turkish decision-makers. Ankara has tended to be suspicious of Talabani's commitment to respect Iraq's territorial integrity and keep the PKK out of northern Iraq.⁴²

Relations between the PUK leadership and Turkey cooled particularly after the death of Özal in April 1993. He had seemed more willing to take risks and had shared Talabani's opinion that Saddam Hussein should be removed from power. Since Özal's death the Turkish government has come to base its policies on an acceptance that Saddam will not be removed and that Turkey would have to co-exist with a Saddam-led Iraq as its neighbour. Increasingly critical of Ankara's policies, as of March 1996 Talabani had not visited Turkey since the death of Özal.

The PKK has advocated the establishment of a united, independent, Kurdish state and has supported the use of terrorism to achieve this end. An independent 'Kurdistan', according to the PKK leadership, could embrace parts of Turkey and Iraq. Both the KDP and the PUK have been opposed to the use of terrorism and have preferred to limit their political demands and call only for a democratic and federal Iraq. The northern Iraqi Kurds have condemned PKK violence and the KDP has regularly warned the PKK not to mount military operations against Turkey from northern Iraq.

⁴² Kemal Kirişçi, Gareth M Winrow, p. 165.

In March 1995, though, Talabani announced that this organization would use diplomacy rather than force to prevent the PKK from attacking Turkey. Talabani added: 'We do not view the PKK as a terrorist organization but as a political organization.'⁴³ This was in stark contrast to the statement of Nechirwan Barzani, a nephew of Massoud Barzani, who had said that the 'PKK constituted a threat not only for Turkey but also to us.'⁴⁴ In March 1996, seeking to consolidate its presence along the Iraqi-Turkish border, the PKK forcibly evacuated villages in northern Iraq which were inhabited by tribes closely associated with the KDP.⁴⁵

Most of the Turkish media and many politicians in Ankara were disturbed by developments in northern Iraq and looked upon the safe haven there as a threat to Turkey. In parliamentary debates over whether the mandate of Operation Provide Comfort should be extended, many deputies denounced the Operation and claimed that it was a Western policy which has as its aim the establishment of an independent Kurdish state in northern Iraq.

Concern about the situation in northern Iraq and the role of Operation Provide Comfort seemed to be widely shared by the Turkish public. Many in the country feared that Kurdish independence in northern Iraq could encourage the Kurds in Turkey to seek their own independence with external assistance. Richard Naab, a retired colonel who served with OPC , has referred to the curious situation where

⁴³ TDN, 5 May 1995, p.2.

⁴⁴ Yeni Yüzyıl, 6 May 1995, p. 14.

⁴⁵ TDN, 14 March 1996, p. 4.

Kurds in northern Iraq 'need the PKK because it makes the area attractive to Turkey. Both the KDP and the PUK are afraid that if the PKK did not exist, Turkey would lose interest in helping the Kurds.⁴⁶

It may be argued, however, that Turkish foreign policy-makers seem to have been relatively successful in adapting themselves to the new circumstances resulting from the emergence of a Kurdish safe haven in Iraq. They have been able to develop reasonably co-operative relations with the Kurdish leadership. The KDP official Sami Abdurrahman has remarked: 'If we look back ten years ago, who on earth could imagine such relations between Turkey and the Kurds of Iraq?'⁴⁷ It is worth noting in passing that in October 1984 the then Turkish Foreign Minister, Vahit Halefođlu, had been dispatched to Baghdad to persuade the government not to go ahead with its plans to reach a compromise agreement with the PUK in the north.⁴⁸ However, by the mid-1990s, in the eyes of most politicians and the public in general in Turkey, the emergence of what was perceived as a quasi-Kurdish state under Western protection was seen as threatening to Turkey's unity and territorial integrity.⁴⁹ In March 1995, immediately after the completion of the Turkish military intervention in northern Iraq, Mehmet Gölhan, the then Defence Minister of Turkey, remarked that Turkey's

⁴⁶ 13 March 1995, p. 3.

⁴⁷ TDN, 8 May 1995, p. 4.

⁴⁸ N Entessar, 1992, "Kurdish Etnonationalism", Boulder Co. p. 133.

⁴⁹ Mehmet Kocaođlu, 1995, "Uluslararası İlişkiler Işığında Ortadođu", Ankara: Genelkurmay Basımevi, pp, 289-291.

security could only be guaranteed if Baghdad could reinstate its control over the North.⁵⁰ It appeared that many in Turkey at the time shared Gölhan's sentiment.

It may be argued that Turkish officials are in favour of continued tensions between the KDP and the PUK in order for the Kurdish parliament and administration in northern Iraq to remain paralysed. On the other hand, Turkey did not want the conflict between the KDP and the PUK to escalate to a level which the PKK in northern Iraq could be used against Turkey. Ankara has preferred both the KDP and the PUK's commitment to respect to Iraq's territorial integrity and keep the PKK out of northern Iraq.⁵¹ Since October 1997, however, the PUK and the KDP have been talking with Saddam Hussein.

⁵⁰ TDN, 5 May 1995, p. 2.

⁵¹ Kemal Kirişçi, Gareth M Winrow, p. 168.

CHAPTER 5

TURKEY'S SECURITY CONCERNS IN NORTHERN IRAQ

In the aftermath of the Gulf War in 1991 with the declaration of “safe haven” it was intended to save people living in north of 36th parallel from Saddam Hussein's oppression and the embargo on Iraq was imposed. The fighting ending with many casualties among local Kurdish factions and between the PKK and those factions, and PKK's use of the northern Iraqi territory for its attacks in Turkey causing the death of innocent civilians point to the fact that the lack of authority in the region should immediately come to an end.

In this chapter, the PKK and its activities in northern Iraq, Turkish policy towards the PKK and Turkey's relations with regional countries regarding the PKK, and relations of the PKK with the Kurdish political organisations mainly the KDP and the PUK will be evaluated within the regional and international framework.

5.1. The Kurdish Workers' Party

The Kurdish Workers' Party (PKK) was founded under the leadership of Abdullah Öcalan on November 27, 1978. Öcalan adopted then popular Marxist-Leninist ideology among the youth and reflected it unto the ideological roots of the PKK. In the Foundation Declaration of the PKK, full-hearted belief in the victory of Marxism-Leninism and the revolution was stressed and it was further expressed that US imperialism was the enemy of the peoples in the Middle East¹

In effect, a totalitarian scheme of organization which consists of Central Committee, Presidential Council equivalent of politburo, the President and the measures carried out which include the killing of opponents of Öcalan and PKK's policy show that a typical Stalinist organizational structure prevails.²

The mission of the PKK was to make a communist revolution by guerrilla warfare, and establish a separate Kurdish state. The PKK program states that "Kurdistan has been divided into four regions by the exploiting countries... Syria, Iraq, Iran and Turkey," and that after liberating "Turkish Kurdistan" the PKK would export its revolution to other regions and establish an independent and united Kurdistan. It argued that since "semi-feudal production relations" existed in the region

¹ İsmet G. İmset, 1992, "The PKK: A Report on Separatist Violence in Turkey", Ankara: Turkish Daily News Publications, p. 9. And, Turkish Democracy Foundation, 1996, "Fact Book on Turkey: Kurds and the PKK Terrorism", Ankara: Turkish Democracy Foundation, p. 35.

² Erciyes University, 1992, "The PKK Reality", Kayseri: Erciyes University Press, pp. 58-60. See also, Rafet Ballı, 1992, "Kürt Dosyası (The Kurdish File)", İstanbul: Cem Yayınevi, pp. 46-49.

and since the nature of the revolution would be a “national democratic revolution”, the proletariat would be the leading force of the revolution and the peasants would be the major force of the revolution.³

In the pre-1980 period, the PKK’s use of terror, or according to their definition “armed propaganda,” forced most of the other left-wing Turkish and Kurdish organizations to leave southeast Turkey. In order to finance its activities, it turned to robbing jewelers’ stores and getting involved in drug trafficking. Since all of the leftist terrorist organizations used the same methods. Meanwhile, since a series of coalition governments failed to curb terrorism and to apply economic austerity measures, which were hampered by strikes and lockouts, the military leadership decided to take over.⁴

On the eve of the September 12, 1980, military coup, PKK leaders left Turkey for the Syrian-controlled Bekaa valley. They might either have foreseen that a coup was in the making or have been in search of a safe haven abroad, for their activities were very limited because of an existing martial law in the eastern and southeastern provinces. At that time, the Syrians hosted all types of leftist terrorist organizations, whose militants received guerrilla warfare training in many camps. The exile years of the PKK in Damascus were to prove very critical for the organization because Damascus, for the first time, was able to control its activities and use it as a pawn in its relations with Ankara.

³ Brifing, May 30, 1988, p.17.

⁴ Nur Bilge Criss, “The Nature of PKK Terrorism in Turkey”, Studies in Conflict and Terrorism, Vol. 18, No. 1 1995, p. 19. And, Cumhuriyet, 26 November 1993, p. 11. See also İmset, The PKK, pp. 174-78.

It was the Iraq-Iran War that contributed to and allowed the PKK to markedly increase its strength. The reason for this development was that the preoccupation of Iraq and Iran for regional survival took precedence over all other factors. Throughout the Iraq-Iran War, the Islamic Republic, like the Pahlavi government before it, furnished arms to Kurdish groups in Iraq. Syria also continued its support of Kurdish groups against Baghdad, and Kurds in Syria were able to supply their compatriots in Iraq with weapons, many undoubtedly obtained from Damascus. Thus the 1980s witnessed substantial changes regarding the Kurdish Question that had not existed previously. The entry of the Syrian government and its Kurds constituted a new factor in the Kurdish question with greater implications for the entire Middle East region.⁵

In 1983, 1986 and 1987 the Turkish Air Force and the army units made extensive bombing attacks against PKK camps. The air raids and incursions were carried out with the approval of the Iraqi government. The KDP and PUK interpreted the Turkish incursions, especially the ones in 1986 and 1987, as effectively siding with Iraq in the war and as a result both groups restored frayed relations with Iran. One of the reasons for their poor relations with Iran was that in the early days of the Islamic revolution the KDP and especially the PUK supported Iranian Kurds against Tehran. But by 1987, fears that Turkey was actually contemplating further and more extensive military action in northern Iraq compelled the KDP, PUK and Iran to

⁵ Robert Olson, "The Creation of Kurdish State in the 1990's?", Journal of South Asian and Middle Eastern Studies, Vol. 15, No. 4, Summer 1992, p. 70.

cooperate. Neither the Kurdish group or Iran wanted to see permanent Turkish occupation in portions of northern Iraq, especially the oil fields around Kirkuk.

Iran wanted to prevent Turkey from occupying the oil fields, but more importantly it did not want greater Turkish presence on its eastern border. Iran's deep concerns over Turkish military occupation of northern Iraq or even substantial influence over the KDP or PUK raises geopolitical and geostrategic concerns transcending the Kurdish Question in all of its dimensions. An increased Turkish presence in northern Iraq, however expressed or implemented, is bound to increase Iranian concerns and apprehensions about Turkish influence not only on its own Azeri population, but in Azerbaijan and in all of Central Asia. From Iran's view, Turkey's occupation or greater influence in northern Iraq, even via the KDP or the PUK, would give Turkey an undue advantage in the larger geopolitical and geo-strategic arena of the Caucasus and Central Asia: both areas of vital concern to Iran.⁶

5.1.1.Relations Between the PKK and the Kurdish Political Organizations in Northern Iraq

The PKK's relations with the Kurdish political organizations in Iraq goes a long way back and major agreements reached between these parties. The PKK and the KDP were once former allies. In July 1983 the two signed an accord called "Principles of Solidarity" under which they each agreed upon a unified commitment against every kind of imperialism and a struggle against the plans and plots of imperialism in the

region. They also committed themselves to “cooperating with other revolutionary forces in the region and the creation of new alliances.”⁷

At first the accord worked well for both parties. PKK militants being trained in Syria and Lebanese camps were slowly moved to northern Iraq, where new camps were established soon the Lolan camp, located in the triangle of land where Turkey, Iran and Iraq meet, became the PKK’s largest base in this newfound sanctuary.

Relations between the two groups began to cool in 1985, however, because of the PKK’s violence against women and children and even members of the KDP itself, who were considered by the PKK as collaborators with Turkey. Then, the KDP issued a warning to the PKK, as required under their accord of 1983. The KDP declared that “it is clear they (the PKK) have adopted an aggressive attitude towards the leadership of our party, towards its policies and the friends of our party.”⁸

Barzani’s KDP denounced what it called “terrorist operations within the country and abroad and their actions to liquidate human beings” and went on to observe that the “mentality behind such actions is not in line with the national liberation of Kurdistan.” Turkish pressures also played a role in ending the PKK-KDP alliance, which was severed completely by the end of 1987.

⁶ *Ibid.*, p. 71.

⁷ *Briefing*, 6 June 1988, p. 20.

⁸ *FBIS-WE*, January 8, 1991, p. 58.

A little more than a year later, the other major Kurdish Party in Iraq, Talabani's PUK, signed a "Protocol of Understanding" with the PKK in Damascus that called for strengthening Kurdish unity and for cooperation and joint action by Kurdish groups.⁹ Indeed, Talabani even threatened to give overt support to Öcalan if Turkey repeated its earlier military incursions into northern Iraq in search of PKK guerrillas hiding there.¹⁰ Within a year, however, Öcalan declared that protocol with Talabani "null and void."¹¹

In May 1988, shortly after the KDP and PKK formally ended their alliance, the KDP and PUK officially announced the creation of the Iraqi Kurdistan Front (IKF), made up of their two parties and at one time or another six other smaller groups in Iraqi Kurdistan. As the results of the Gulf War in 1991 began to bring the Turks and Iraqi Kurds together, the IKF declared on 7 October 1991 its intention to "combat the PKK."¹² Although the Turkish bombing of PKK camps in northern Iraq momentarily caused Barzani to consider rescinding this decision, the logic of the Turkish connection prevailed.

For their parts, the Iraqi Kurds felt dependent on Turkey. Under the double economic blockade imposed on them by both the United Nations and Saddam

⁹ Briefing, June 6 1988, p. 20.

¹⁰ Briefing, March 14, 1988, p. 11.

¹¹ FBIS-WEU, December 27, 1991, p. 12.

¹² Cumhuriyet, November 1, 1991, p. 10.

Hussein, the Habur border crossing point with Turkey was the only legal entry point for commerce and customs and revenues, which amounted to approximately \$ 150,000 per day. Hoshiyar Zebari, a foreign policy spokesman for the KDP, explained: "Turkey is our lifeline to the West and the whole world in our fight against Saddam Hussin. We are able to secure allied air protection and international aid through Turkey's cooperation. If Poised Hammer is withdrawn, Saddam's units will again reign in this region and we will lose everything."¹³

For his part, Talabani concluded that "Turkey must be considered that a country friendly to the Iraqi Kurds."¹⁴ Talabani even went so far as to suggest that the Iraqi Kurds might want to be annexed by Turkey. Given the PKK's long-standing struggle against Turkey, this pro-Turkish position of the Iraqi Kurds began to cause Öcalan increasing difficulties.

In February 1992, the IKF issued a warning to the PKK that "if it failed to cease activities against Turkey, it would be purged from the region."¹⁵ Talabani declared that "his party does not approve of activities directed against Turkey by the terrorist organization active in southeastern Anatolia,"¹⁶ while Barzani maintained that the "behavior of the PKK has led to the ruin of the reputation of Kurds everywhere."¹⁷

¹³ FBIS-WEU, April 9 1992, p. 43.

¹⁴ FBIS-WEU, October 21 1991, p. 58.

¹⁵ Turkish Daily News, June 16 1992, p. 2.

¹⁶ FBIS-WEU, June 15 1992, p. 39.

¹⁷ Foreign Broadcast Information Service-Near East and South Asia, March 26 1992, p. 15.

On the other hand, Öcalan called Barzani a “collaborator, ...reactionary and a primitive nationalist.” He accused both Barzani and Talabani of “trying to stab the PKK in the back by cooperating with Turkey and noted that the two leaders have signed their own death warrants.” Öcalan went on to claim that he would challenge Barzani and Talabani both militarily and politically in northern Iraq and isolate them.¹⁸

To meet the perceived threat and retain Turkey’s support, the Iraqi Kurds, on 4 October 1992, launched major assaults against the PKK at its main base in the Khwakurt region where northern Iraq meets Turkey and Iran and further to the west in the Zakho area across the Turkish border at Habur and Silopi. Since this was the very day that the Iraqi Kurds also declared a federated state, a proclamation which the Turks viewed unfavorably, the importance of retaining Turkey’s trust was obvious as heavy fighting between the Iraqi Kurds and the PKK ensued.

The outbreak of civil war between the KDP and the PUK in May 1994 and the resulting anarchy created new opportunities for the PKK to establish bases in the Bahdinani area of northern Iraq that bordered on Turkey. This area, of course, lay within Barzani’s territory, as Talabani’s wrath ran further to the south and east. Thus the reestablished PKK bases only presented a threat to the KDP and indeed could be seen by the PUK as a second front against the KDP, which was now its enemy.¹⁹

¹⁸ FBIS-WEU, March 30 1992, p. 36.

The fighting between the rival Kurdish groups, however, illustrates the dilemma of Turkey. Fighting between the two major Kurdish organizations and the weakening of one posed the inevitable challenge that weaker of the two would seek closer cooperation with the PKK. Indeed, Ankara accused PUK leader Jalal Talabani of exactly that. While Talabani denied the accusation, it was receiving at hands of the KDP, to seek closer relations with the PKK. In late February 1995, Talabani appealed to Turkey not to compel the Kurds to negotiate with Baghdad and demanded that Turkey close the Habur border crossing. Talabani claimed that Ankara was putting great pressure on the Kurds in northern Iraq to negotiate with Baghdad. He also stated that if the PKK was a close ally of the PUK, it would have to come to the PUK's aid in its clashes with the KDP. Despite Talabani's denials of a close relationship with the PKK, Ankara remained firm in its belief that the two Kurdish organizations were in close contact and cooperating with one another.

In March and again in July of 1995, Turkish troops once again crossed into Iraqi Kurdistan in attempts to destroy the PKK units camped there. Although both the KDP and PUK officially opposed these Turkish actions, the KDP partially cooperated with the Turks, since the PKK presence in Barzani's portion of Iraqi Kurdistan was what had called forth the Turkish incursions in the first place. Inevitably, the Turkish incursions furthered the ill will between the PKK and the KDP.

¹⁹ Michael M Gunter, p. 239.

While Turkey, implicitly at least, supported the KDP against their common PKK enemy, it seemed likely that both Iran and Syria were supporting the PKK because neither wanted to allow Turkish influence to expand in northern Iraq. What is more, neither Iran nor Syria wished to see the US-brokered peace talks between the KDP and PUK succeed because this would extend US influence in the region. Supporting the PKK would be a way to sabotage the US-sponsored peace process. And the PUK could not help but see the PKK-KDP struggle as in effect a second front against its KDP enemy.²⁰ Given this almost Byzantine background of implicit alliance politics, as well as more than 20 years of intra-Kurdish rivalry between the different actors, the PKK-KDP fighting came as little surprise.

Pulling significant numbers of its militants out of southeastern Anatolia due to the relentless Turkish pressure, and positioning them in northern Iraq, it was clear that the PKK had emerged as a third force in northern Iraq. Speaking over MED-TV in June 1996, Öcalan concluded that “we are currently experiencing a certain détente with the KDP.”²¹ Referring to a clash between the KDP and the Surci tribe that has just occurred, however, he warned that certain frictions have arisen. He concluded that “for the time being, we are exercising our power in the field of mediation,” and added that “with time we may exceed this political framework; call for the unity of all the patriotic forces, the tribes, and the various parties; and try to reach a solution in that manner.”

²⁰ *Ibid.*, p. 123.

²¹ *Ibid.*, p. 124.

During the summer of 1996, the situation again deteriorated in northern Iraq as Iran began to support the PUK in its civil war against the KDP. This eventually led to the KDP turning to Saddam for support at the end of August. Saddam's involvement then provoked US missile strikes against Iraqi air defenses in the south. These heightened tensions at first caused Turkey to consider proclaiming a temporary buffer or security zone up to nine miles into Iraq along their joint border. Only vehement Arab and Iranian opposition convinced Turkey not to implement such a zone.

In October 1996, however, Talabani managed to regain most of the territory he had lost to the KDP the previous month. A new US-brokered cease-fire backed by the Turks then seemed to be taking hold in which, among other items, the KDP and PUK promised not to support the PKK.

Turkish officials has repeatedly said that they strongly against the creation of an independent Kurdish state in the region. However, Turkey has also taken steps to help the Iraqi Kurds to stand on their own feet. In 1998, Turkey further expanded its cooperation with Massoud Barzani, the leader of the KDP who launched an all out struggle against the PKK in his region. Turkish forces and Barzani's Peshmerga fighters effectively battled the PKK and did not allowed them to infiltrate Turkey from northern Iraq.²² Turkey put pressure on Talabani to take similar actions even while the PKK found refuge in areas controlled by the PUK.

²² Turkish Probe, January 10, 1999, p. 11.

5.2.The PKK and Turkey's Relations with its Middle Eastern Neighbors

In the aftermath of the Gulf War, especially beginning in 1992 and until late summer of 1994, Turkey, Iraq, Iran and Syria have engaged in a series of (around 10) national- security consultations involving the highest government officials.

5.2.1.Turkey's Relations with Syria

On November 19-20 1993, just after Turkey and Syria signed a security protocol regarding the PKK, Major General Adnan Badr-al Hasan stated in an interview that Syria would not be a thoroughfare for “those who are against Turkey’s interest.”²³ A few days latter, Nasir Kaddur, Syrian state minister for security added that Addullah Öcalan and other terrorists would not be allowed to use Syrian territory or pass through Syria for operations against Turkey. He concluded his interview saying “Turkey’s stability and integration is important for Syria and the region.”²⁴ Turkish officials were undoubtedly delighted to hear the Syrian security chief characterize the PKK as a terrorist organization. This was the first time that a high-ranking Syrian official had done so and marked a significant departure in the foreign policy of Syria, which had supported the PKK since it began its guerrilla activities in 1984.

²³ Robert Olson, “The Kurdish Question Four Years On: The Policies of Turkey, Syria,Iran and Iraq”, Middle East Policy, Vol. 3, No. 3, p.136.

At the Damascus summit on August 23, 1994 it was made clear that there is direct connection between the Kurdish question and the water question. The water question in this regard refers to the distribution of the Euphrates River waters. Turkish side indicated that they were unwilling to pursue earnest negotiations on the water question until it was assured that Syria was no longer supporting PKK activities or sheltering its leader Abdullah Öcalan. Ankara indicated that it would be difficult to move forward on other problems between the two countries such as differences over the distribution of the Orontes River (Asi River in Turkish). On the other hand, the Syrian brought the question of the sovereignty of Hatay/Alexandretta on the agenda. Turkish foreign minister stated, however, that the countries should try to solve the least intractable problems first.

Turkey's relations with Syria, especially with regard to the PKK and the water question, are intimately tied to Turkish relations with Iran and the Arab countries. Ankara needs the cooperation of Iran and Syria, particularly if it is to contain and destroy the PKK.

Better relations with Syria depend in large measure on the improvement of Turkey's relations with Iraq and Iran, especially the latter. If Ankara manages to improve relations with Baghdad and Tehran, then more pressure will be put on Damascus to reduce its support for the PKK and evict Abdullah Öcalan from Syria/Lebanon. Syria will obviously keep a close eye on Turkey's relations with Iran

²⁴ Newspot, No. 93/25, December 21, 1993, p. 4.

and Iraq and gear its position on negotiations over the PKK and water to Turkey's relations with these two countries.²⁵ If Turkey's relations improve further with Baghdad and especially Tehran, because of its close relations with Syria, then Damascus will be compelled to become more accommodating to Ankara.

Syria must also consider the growing military, geopolitical and geo-strategic relations between Ankara and Tel Aviv.²⁶ The February and August 1996 military agreements and the February 1997 intelligence cooperation agreements between Turkey and Israel, as well as the August and December trade and customs agreements, cast further doubt on Damascus' willingness to meet some of Ankara's demands with regard to the PKK.

5.2.2. Turkey's Relations with Iran

A continuing rapprochement between Turkey and Iran regarding the mutual challenge of Kurdish nationalism, especially from the PKK took place in 1993 and early 1994. In May and June 1994, the diplomatic and national security meetings were frequent. By 1 September 1994 approximately ten major meetings had taken place. The two countries signed a joint security protocol on 30 November 1993. The protocol stipulated that neither country would permit any terrorist organization (PKK) to exist

²⁵ Robert Olson, "Turkey-Syria Relations Since the Gulf War: Kurds and Water", *Middle East Policy*, Vol. 5, No. 1, May 1997, pp. 189-190.

²⁶ *Ibid.*, p.191.

on its territory. Iranian officials stated that Iran would take military measures against the PKK.

In a press conference Iranian interior minister Mohammed Besharati did not officially acknowledge that Iran would give permission to Turkey to bomb PKK bases located in Iranian territory, but he did state that Iran would cooperate with Turkey in every way against “their common enemies.”²⁷ In return, Ankara announced that it would move against the Mucahidin-I Halq opposition to the Iranian government in Turkey. Turkish interior minister stated that Turkey would not allow any group operating from Turkish territory to give harm to the Iranian government.

The national security concerns between Turkey and Iran over the Kurds were given prominence when President Demirel met with President Rafsanjani on views prior to the meeting, Rafsanjani gave assurances that Iran was fully cooperating with Turkey against the PKK, and he stated that the creation of a Kurdish state was “impossible.”²⁸

The emphasis placed on preventing the emergence of an independent Kurdish state in northern Iraq was again the major topic of discussion by the foreign ministers of Turkey, Iran and Syria on 8 September in Tehran, during their 7th Tripartite meeting since the Gulf War. At the meeting, the three foreign ministers reaffirmed their

²⁷ Robert Olson, *The Kurdish Question Four Years On*, p. 139.

²⁸ *Hürriyet*, July 22, 1994, p. 3.

previous proclamations: They were opposed to the division of Iraq's territorial integrity, they were against terrorism but gave no names.

The national security agreements between Turkey and Iran are important in several ways. They indicate the serious challenge of Kurdish nationalism, especially of the PKK to Turkey, to both countries; they suggest that Ankara and Tehran are probably more willing than heretofore to cooperate regarding their respective policies toward countries in the Caucasus, especially Armenia, Azerbaijan and the accompanying problem of Nagorno-Karabagh and, by extension, the increasingly strong role and presence of Russia in the region; they may indicate that the two countries are also prepared to be more cooperative in their policies toward the Central Asian states and; they point to the need for Turkey to maintain close coordination with Iran in order to prevent the emergence of an independent Kurdish state in northern Iraq and all of the geopolitical and geostrategic headaches that this would bring to the two capitals.

From the Gulf War to the end of 1995, Turkish and Iranian relations regarding the Kurdish question went through many fluctuations. In spite of the cooperation evinced by the numbers Tripartite meetings among the big three – Turkey, Iran and Syria – the emergence of areas in northern Iraq no longer under the control or authority of Baghdad means necessarily greater competition between Ankara and Tehran in that space.²⁹

²⁹ Henri Barkey, "Under the Gun: Turkish Foreign Policy and the Kurdish Question", in "The Kurdish Nationalist Movement" ed. by Robert Olson, pp. 80-81.

The problem is where the lines of the two countries' spheres of influence will be drawn. This very problem was exacerbated from 1994 to 1995, as the two largest Kurdish groups, the KDP and the PUK, respectively, drew closer to Turkey and Iran as the result of their internecine fighting.

It can be said that since the Gulf war, Turkish-Iranian relations have improved overall and that the geopolitical necessity of the two capitals to cooperate against the growth and spread of Kurdish nationalism has been an essential factor in their relationship. The creation of an independent and internationally recognized state in northern Iraq is perceived by the two states as a potential disaster and challenge to the two states as presently constituted, physically and ideologically. Both countries have substantial Kurdish problems within their own borders. Given the fact that neither country deems it militarily or politically possible to subdue the Kurds in all of northern Iraq, both countries seem, at the end of 1995, to have adopted a policy of carving out respective spheres of influence in northern Iraq.

5.2.3. Turkey's Relations with Iraq

Turkey's relations with Iraq began to improve in 1993 from their icy state in the aftermath of the Gulf war, a trend that gathered momentum throughout 1994 and early 1995. As early as 1992, Bülent Ecevit, the Democratic Left Party (DLP) leader conducted talks with Iraqi leaders in Baghdad. In April 1993, Ankara established

diplomatic relations with Iraq at the level of chargé d'affaires with ambassadorial rank. Economic, business and even military delegations came and went continuously between the two capitals.

Both capitals were pressing the UN and other governments, including the United States, to allow the reopening of the two oil pipelines running from Iraq through Turkey. Baghdad apparently hoped that negotiations to open the pipelines would also open the way to better relations between the two countries on a host of other issues, in spite of profound Iraq resentment of Turkey's influence in northern Iraq and its deep suspicions of Turkey's intentions.³⁰ The most pressing problem between the two countries was and is, of course, the Kurdish question.

Turkey's opening with Iraq was met with approval in the media. Editorial writers proclaimed that by its actions Ankara was sending the strong signal that Baghdad was "the owner" of northern Iraq. It was another in a series of actions to persuade the Kurds to abandon their attempts to establish an independent state in northern Iraq. The editorials stated that Ankara's actions were also a signal to the Western countries to abandon their desire to establish an independent Kurdish state in northern Iraq and furthermore, that all Western efforts to aid the PKK should cease. The government spokesman and one of the principal architect's of the opening to Baghdad, Undersecretary of State Özdem Sanberk, stressed that Turkey's negotiations

³⁰ Barkey, pp. 102-103.

with Baghdad were “conducted in close consultation with our Western allies... Turkey is acting as a catalyst and is in a unique position to play such a regional role.”³¹

At the same time, Turkey claimed that it had suffered \$ 20 billion in lost trade as a result of the UN sanctions . In his article, Eric Rouleau, a former French ambassador to Turkey and a well informed analyst of Turkish and Middle East affairs, put the figure at “between \$ 10 and \$ 20 billion.”³² Rouleau stated that Turkey’s policy of easing the embargo against Iraq was not contrary to the policy that the UN and its Provide Comfort Force was pursuing in northern Iraq. He stated that Turkey’s policy was aimed at preventing the Balkanization of the countries of the Middle East and this policy had the support of Europe as well as other countries.

In late 1994 and early 1995 Turkey and Iraq continued to improve their relations. During the official meetings national security issues were discussed. One of the issues discussed was undoubtedly the national security positions that the two countries would take against the fighting between the KDP and the PUK forces in northern Iraq. Unable to reach agreement as to the distribution of power and attempting to consolidate their respective political and territorial positions before the UN-proposed elections in the spring or early summer of 1995 in the Kurdish-controlled zone in northern Iraq. By March 1995, it appeared that northern Iraq had been divided into three parts, with the KDP in possession of much of the territory north of the 36th parallel and the PUK pushed almost completely to the south of the 36th parallel. A

³¹ The Christian Science Monitor, September 8, 1994, p. 7.

third area of northern Iraq, south of 36th parallel and east of the territory controlled by the PUK and adjacent to Iran, was in the hands of the Islamic Movement of Kurdistan (IMK), which has close ties to Iran.³³

The fighting between the rival Kurdish groups illustrates the dilemma of Turkey. Fighting between the two major Kurdish groups and weakening of one posed the inevitable challenge that the weaker of the two would seek closer cooperation with the PKK. Indeed, Ankara accused PUK leader Jalal Talabani of exactly that. Talabani claimed that Ankara was putting great pressure on the Kurds in northern Iraq to negotiate with Baghdad. He also stated that if the PKK was a close ally of the PUK, it would have to come to the PUK's aid in its clashes with the KDP. Despite Talabani's denials of a close relationship with the PKK, Ankara remained firm in its belief that the two Kurdish organizations were in close contact and cooperating with one another.³⁴

It was in the context of inter-Kurdish war between the KDP and the PUK that in the late March 1995 Turkey sent thirty-five thousand troops some 25 to 30 miles into northern Iraq along a 150-mile front. Ironically, the territory included nearly the entire region that was declared a safe haven for the Kurds of northern Iraq by the Allied Forces in 1991.³⁵ The operation was the largest since 1992, when Turkey launched a similar operation against PKK bases. The preoccupation of the KDP and the PUK

³² Eric Rouleau, "America's Unyielding Policy Toward Iraq", *Foreign Affairs*, Vol. 75, No. 1, Jan-Feb. 1995, p. 70.

³³ *Hürriyet*, February 16, 1995, p. 8.

³⁴ *Hürriyet*, February 23, 1995, p. 8.

with their internecine fighting had allowed the PKK to further consolidate its bases and presence in northern Iraq, from which it launched attacks into Turkey. This was a situation completely unacceptable to Ankara.

Turkish military and intelligence officials had made numerous comments to the press that PKK bases in northern Iraq had to be “cleaned out” if Turkey was ever to have “security.” The inter-Kurdish fighting from December 1994 throughout 1995 provided Turkey with a golden opportunity to move military into northern Iraq. At the end of 1995, hundreds of Turkish military and intelligence personnel remained in northern Iraq. But it would be accurate to say that they were “stationed” there in agreement with the KDP. Eventually, Turkish military forces were pulled out of Iraq and deployed along the international border.

The improvement of relations with Turkey, albeit meager, on the part of Saddam Hussein’s regime may indicate that while Baghdad is resentful of Turkey’s relationship with the leaders of the Kurdish Regional Government (KRG), especially with the KDP, and its influence in northern Iraq, Baghdad does not think that Turkey wants to annex or militarily occupy northern Iraq but rather that it wants to remain the dominant political influence there.

A further improvement in relations between the countries could well mean that Ankara would tolerate the Iraqi regime’s incremental attempts to regain territory on

³⁵ The New York Times, March 21, 1995, p. 10 and Milliyet, March 23, 1995, p. 14.

the southern fringes of the KRG as long as Turkey's dominant political and military position in the North and its relationship with the KRG leadership of Massoud Barzani and Jalal Talabani is not jeopardized. Such a relationship between Turkey and Iraq would effectively neutralize the leadership of Talabani and Barzani, unless the PUK seeks a closer a political and military alliance with the PKK. This would imply recognition on the part of Baghdad that Turkey's position in northern Iraq was dictated by its need to control PKK activities within Turkey itself and not a desire on the part of Turkey to militarily occupy northern Iraq.³⁶

The policies of Turkey towards northern Iraq since the Gulf war has fluctuated time to time: from unequivocal support for the West and the United States to tepid rapprochement with Iraq as well as with Syria and Iran. The driving force of this change of policy was the threat of Kurdish question in Turkey to the sovereignty and stability of the Turkish state.

Turkey is compelled to favour a policy of lifting the sanctions against Iraq, whom it tried, along with its Western allies, to topple Saddam from power during the course of the Gulf war. But the increased activities of the PKK after the Gulf war and the great expense of combating the PKK militants in Turkey, many of whom find sanctuary in northern Iraq and Iran, compelled Turkey to seek some accommodation with its southern neighbors.

³⁶ Graham Fuller, 1993, "Iraq in the Next Decade: Will Iraq Survive Until 2002?", Santa Monica: Rand Corporation, p. 32.

5.3. Turkomans in Northern Iraq

The Turkomans have rolled their sleeves in an attempt to have a say about developments in northern Iraq. Now they are up in arms due to their exclusion from the ongoing reconstruction process in the region. Turkey's attitude towards them is also a source of concern for the Iraqi Turkomans.

Before getting into recent developments involving the Iraqi Turkomans, let's first have a look at their history: "One of the most important points of the Lausanne Treaty related to the Mosul question. The exclusion of the Mosul problem from the agenda of the Lausanne and the postponement of discussions at the Golden Horn Conference was the first step which resulted in Mosul being lost. February 5, 1926, when the Ankara Agreement was signed, was the date Mosul was left to Britain,"³⁷ says Associate Professor Mahir Nakıp in a detailed article published in a special edition of the Eurasia File on northern Iraq. The Turkoman argument, in fact, "simply" goes back to calculations on Mosul and Kirkuk. The two cities in Iraq are the key to the Turkoman case. In fact, they are not only the key to the Turkoman case but perhaps to most others as well.

Expressing expectations regarding the future of their homeland, Riyaz Sarıkahya, leader of the Türkmeneli Party, told the Turkish Probe that the protection afforded the

³⁷ Mahir Nakıp, "Irak Türkmenleri Meselesi", *Avrasya Dosyası*, Spring 1996, Vol. 3, No.1, pp. 37-38.

Kurds should also be provided for the Turkomans.³⁸ The formula talked about by Sarıkahya was the formation of an autonomous Turkoman area, a “Türkmeneli region” to be established in Mosul and Kirkuk.

According to the official Turkish argument, despite the equal size of the Kurdish and Turkoman populations in Iraq, the Iraqi Turkomans do not equal say with the Kurds. August 1996, Turkish Foreign Minister Tansu Çiller stated at a press conference that equal rights should be given to the Iraqi Turkomans and the secure region being established in northern Iraq should also include the Iraqi Turkomans.³⁹ The establishment of a Kurdish state in northern Iraq is unacceptable for Turkey because of its implications for the future of the estimated 2.5 million Turkomans living in northern Iraq. Afraid of being assimilated by the Kurds, the Turkomans requested Turkey’s support for their autonomy and the Turks felt responsible for watching over their brethren’s rights.⁴⁰

Following the signing of the Washington agreement, which sought to reconcile the two rival Iraqi Kurdish groups, the Turkomans started voicing their anger in a louder voice. Arguing that there was a policy of ethnic cleansing and that a Saddam-like policy was being followed by the local Kurdish authority against them, the Turkomans said that they saw no protection afforded to them as a result of the implementation of the no-fly zone. The Turkomans are demanding equal status, similar to that of the Kurds, and would like to have their own territory.

³⁸ Turkish Probe, January 24, 1999, p. 12.

³⁹ Ibid., p. 14.

⁴⁰ FBIS, June 17, 1991, p. 30. And, Mustafa Kemal Yaylıcı, “Irak Milli Türkmen Partisi Penceresinden Irak ve Türkmenler”, Yeni Türkiye, Ankara: July-August 97, No.16, pp. 1664-65.

Mustafa Kemal Yaylıcı, head of the Iraqi National Turkoman Party, said that the Turkomans should have a right to Iraqi land. When asked to provide details of Turkoman concerns over the Washington agreement, Yaylıcı said that they would never be concerned about any move that aims to bring peace to their region.⁴¹

Iraqi Turkomans believe that the plan for the establishment of an independent Kurdish state or the formation of the tripartite federation of the Kurds, Arabs and Shiites is being implemented by the West. Iraqi Turkomans thought that there was a brotherhood between the Turkomans and the Kurds, the problems are between the administrations.

In short, Iraqi Turkomans thought that they should have their own territory and should have a say about the developments in northern Iraq. Although, the Kurdish and the Turkoman population are in equal size in northern Iraq, the Turkomans do not have equal say with the Kurds. Out of the fear that the Turkomans may replace the Kurds, the Kurdish leaders are trying to exclude them from the administration. Iraqi Turkomans are in need of Turkish support for their arguments.

⁴¹ Turkish Probe, January 24, 1999, p. 14.

CHAPTER 6

RECENT DEVELOPMENTS IN NORTHERN IRAQ

In early days of 1998, the Saddam Hussein administration in Baghdad started showing open defiance of the UN weapons inspections and began demanding the quick lifting of international sanctions. However, the Western powers maintained that Iraq had not fulfilled its obligations of mass destruction and that the sanctions could not be lifted or even eased. The demands of Iraq received support not only from Arab countries but also from France, Russia as well as Turkey, which meant the international coalition set up to push Iraq out of Kuwait and then penalize it was falling apart.¹

By February, the debate had turned into a full scale crisis with the United States and Britain threatening military action against Iraq when Baghdad refused to allow the UN inspectors access to Saddam's presidential palaces. UN Secretary- General Kofi Annan, as well as Turkish Foreign Minister İsmail Cem, intervened and convinced the Iraqi leadership to allow weapons inspectors to make detailed inspections in return for

¹ Milliyet, January 16, 1998, p. 13.

promises that the sanctions would be gradually lifted. Turkey also offered ways and means to ease Iraq back into the international community.²

However, the friction between the Iraq and the UN inspectors persisted. The debates continued until the end of the year when Iraq was closed its doors to the inspectors that led to American and British air strikes in late December 1998. Experts say that the Americans are using the air strikes as part of a war of attrition against Saddam Hussein to undermine the Baghdad administration and create the image that it can not defend the country properly.

Turks say the Americans and the Iraqis can fight as much as they like but feel the actions to destabilize the Saddam administration would lead to the disintegration of Iraq and the *de facto* establishment of a separate Kurdish state on Turkey's borders, which is unacceptable to Ankara.³ Turks are also deeply concerned that the air strikes have further eroded the oil export capacity of Iraq and is hurting Turkey's economy.

Turkish- Iraqi relations had ups and downs during the year of 1998. Iraq has always been angry about Turkey's cooperation with the Western powers during and after the Gulf War and has not hidden its dissatisfaction. In return, Turkey has not been very vocal in speaking against Saddam Hussein, but it also has failed to extend a friendly hand to Baghdad.

² Cumhuriyet, February 12, 1998, p. 11.

³ Turkish Probe, March 7, 1999, p. 4.

The Iraqis were frustrated in 1998 because their efforts to establish closer ties and contacts with Ankara failed. The Iraqis were disappointed when they saw that Turkish promises to help them in their cause to ease the UN sanctions were not fulfilled. This was apparently one of the factors in which Baghdad's decision to forge closer contacts with the Kurdistan Workers' Party (PKK) during the second half of 1998. Iraq allowed the PKK to open an office in Baghdad and the PKK was given permission to move its supporters to territories controlled by Baghdad. Iraq also allowed PKK militants to relocate from Syria to the northern Iraqi territories controlled by Jalal Talabani, the leader of the Patriotic Union of Kurdistan (PUK).

Ankara was also concerned about the increasingly friendly ties between Baghdad and Damascus. Iraq wants to ship its oil abroad through an oil pipeline that crosses Syria and that the two countries have opened their borders was taken as a sign of Iraq's dissatisfaction over Turkey's lack of cooperation with Baghdad.

Despite all this, Turkey was prepared to take some steps to improve ties with its old trading partner. Turkey sent State Minister Mehmet Batalli to Baghdad on two occasions to discuss Iraq's debts to Turkish businessmen, which stood at roughly \$ 240 million. Turkey also decided to upgrade its diplomatic representation in Iraq to the level of ambassador, and Iraq, in turn, sent an ambassador to Ankara.⁴

Turkey's main concern has been the future of northern Iraq. Turkish Republic has repeatedly said that it strongly opposes the creation of an independent Kurdish state in

the region. However, Turkey has also take steps to help the Iraqi Kurds to stand on their own two feet. In 1998, Turkey further expanded its cooperation with Massoud Barzani, the leader of the Kurdistan Democratic Party (KDP) who launched an all out struggle against the PKK in his region. Turkish forces and Barzani's Peshmerga fighters effectively battled the PKK and did not allow them to infiltrate Turkey from northern Iraq. Turkey put pressure on Talabani to take similar actions even while the PKK found refuge in areas controlled by the PUK.

On September 17, 1998, under the U.S. auspices, the warring Iraqi Kurdish factions under Massoud Barzani, the leader of the KDP and Jalal Talabani, the leader of the PUK reach a reconciliation. Ankara was irked when Barzani and Talabani signed a peace agreement in Washington. Deputy Prime Minister Bülent Ecevit, said that the agreement was part of a plot to set up a Kurdish state and expressed opposition to the accord.⁵

Ankara had seen from the beginning that the plan they were trying to implement in Washington was not concerned much with Turkey's interests, that the plan could run against Turkish interests. That was because the process being implemented has emerged not merely as a continuation of the Ankara process but went beyond that, amounting to a repetition of 1992.⁶ Until this time, Turkey has been involved in all the

⁴ Turkish Probe, January 10, 1999, p. 11.

⁵ Turkish Daily News, September 18, 1998, p. 2.

⁶ Turkish Probe, October 4, 1998, p. 4.

relevant processes. The United States had launched the Dublin process and later the Ankara process by consulting with Ankara.

Both the United States and Barzani convinced Ankara that there were no ulterior motives behind the agreement and that the government set up in northern Iraq was an interim administration until Baghdad was in a position to exercise its sovereignty over the whole of Iraq.

The United States, Britain and Turkey made a joint declaration opposing a separate Kurdish state and supporting Iraq's territorial integrity. Turkey toned down its opposition to the agreement and took a wait and see approach.

The Washington agreement has yet to be implemented. Talabani and Barzani held a summit meeting in Salahaddin in northern Iraq to iron out their differences, which arose from the interpretation of the Washington accord. Talabani felt Turkish troops should leave the area while he worked on removing the PKK from his own regions. He also feels that the PUK and the KDP should have equal representation in the government and in the interim parliament, a sentiment not shared by Barzani.⁷ The sides also have differences of opinions regarding the sharing of revenues. Barzani refuses to release any funds to the PUK until Talabani kicks the PKK out of his area.

The new frictions between Iraq and the Americans, particularly in the "no-fly" zone in northern Iraq, has created concerns both among the Kurds and in Turkey. The

planes hitting Iraqi radar installations just south of the region take off from the Incirlik air base in Turkey to enforce the “no-fly” zone created by the Western powers, the purpose of which is to protect the Kurds against attacks from Saddam’s forces.⁸

The Americans feel they should unite all the groups that oppose Saddam Hussein, including the PUK and KDP forces, in a joint effort to topple the Iraqi leader. The KDP, on the other hand, feels that such a strategy is not feasible because, according to him, even a united opposition would not have enough collective force to challenge Saddam and his regime.⁹

On the other hand, Turkey wants Iraq’s territorial integrity to be preserved but strongly opposes any developments in northern Iraq that will allow the PKK to regroup there and establish bases from which it could launch attacks into Turkey.

Turkey’s presence in the US- led alliance related with Iraq was harshly criticized by its Middle Eastern neighbors. At the same time, an alternative cooperation deal was suggested by Turkey’s eastern neighbor, Iran, in which Ankara, Damascus and Tehran would seek ways to solve regional disputes. Iran wants Turkey to stop siding with Washington on the Iraq issue and to take part in the new partnership in order to address their common concerns over the future of Iraq.¹⁰ Iranian officials are in favor of the resurrection of the previously -existed trilateral mechanism between Turkey, Syria and Iran in order to search for a solution to the crisis in the region.

⁷ Milliyet, November 22, 1998, p. 13.

⁸ Yeni Yüzyıl, December 18, 1998, p. 14.

⁹ Turkish Probe, January 10, 1999, p. 11.

Turkish officials say that the Iranian demands over the formation of a trilateral mechanism were carefully noted down by Ankara, but they give signals of an obvious unwillingness, on Turkey's part, for the formation of such a mechanism.¹¹ Turkey is concerned about whether or not Syria has actually ended its support for the Kurdistan Workers' Party (PKK).

Despite the hesitation from the government and despite the criticism from the opposition circles in Turkish politics, Turkey continues to act together with its strongest ally, the United States. If not, Turkey, which is already alone in the international arena, will become extremely isolated.

The year of 1999 will see important developments in northern Iraq that may be crucial for its future. The Iraqi Kurds hope to hold elections in the summer and to develop a plan to get the PUK and the KDP to run the area together. Iraq in return, is escalating the tensions with the hope of creating international outcry for the lifting of the sanctions. The Turkish government is caught between economic considerations and regional pressures in southeastern Anatolia on the one hand, and the Americans' desire to increase the pressure on Saddam Hussein and destabilize the Iraqi regime on the other.

¹⁰ Turkish Probe, February 7, 1999, p. 2.

¹¹ Ibid., p. 2.

CHAPTER 7

CONCLUSION

During and after the Gulf War, there have been arguments that Turkey has deviated from its traditional foreign policy when Turkey sided with the West, more particularly with the United States of America against Iraq during the Gulf War. Despite the common assumption, Turkish foreign policy during and after the Gulf War is not a deviation from Turkey's traditional foreign policy of maintaining a balance between the requirements of Turkey's membership in the Western alliance and those of preserving good neighborly relations with its neighbors.

The Iraqi occupation of Kuwait threatened the protection of the regional status quo in the Middle East. That is why the Western and non-Western countries united their efforts to secure the withdrawal of Iraq from Kuwait. Thus, Turkey sided with the UN during the Gulf War. Turkey's traditional Gulf security policy had not excluded such a regional role for Turkey, on the contrary, it had foreseen one.

On the other hand, Turkish officials held regular tripartite meetings with Syria and Iran in order to bring balance to Turkey's relations with the Western countries and its southern neighbors in accordance with traditional Turkish foreign policy. Turkey's

irritation to the West over the perceived possibility of Iraq's territorial integrity and political unity being damaged in the process of the application of the UN economic embargo against Iraq was another factor in Turkey's relations with Middle Eastern neighbors. During and after the Gulf War developments in northern Iraq were followed closely by Turkish officials and Turkish policy in northern Iraq was formulated within the framework of internal, regional and international circumstances regarding to Turkish national interests.

The main objectives of Turkey's policy in northern Iraq are contributing to the stability in the region, preserving territorial integrity and political unity of Iraq, preventing the establishment of a Kurdish state in northern Iraq and promoting Turkey's political unity, isolating the PKK among other Kurdish groups with the aim to neutralize its operations from its bases in northern Iraq, protecting the rights of Turkomans in northern Iraq and establishing economic and diplomatic relations with Iraq.

In order to realize those objectives, Ankara has consistently tried to use different means and instruments from diplomacy to use of force in northern Iraq in the aftermath of the Gulf War. Turkey used diplomacy in order to contribute to the stability in the region and preserving the territorial integrity and political unity of Iraq. Iraqi Kurdish leaders were invited to Ankara to obtain first-hand information about the developments in northern Iraq and to exert some influence over the developments there through the inducements to the Kurds not to attempt to establish an independent

Kurdish state and to isolate the PKK among other Kurdish groups. Turkey also has got involved in the peace process between the KDP and the PUK in order to protect its national interests in northern Iraq. Furthermore, Turkey made military incursions into northern Iraq to prevent PKK activities in northern Iraq within the context of “hot pursuit” agreement signed with Iraq bilaterally. Turkish officials always insisted that Iraqi Turkomans should have equal rights with the Kurds in northern Iraq. In order to establish economic relations with Baghdad, Turkey offered to Western countries different ways and means to ease Iraq back into the international community.

In the final analysis, Turkish foreign policy during and after the Gulf War is not a deviation from Turkey’s traditional foreign policy of maintaining a balance between the requirements of Turkey’s membership in the Western alliance and those of preserving good neighborly relations with its neighbors. As a whole, Turkey has realized its political and security objectives in northern Iraq within the context of its national interests. Nevertheless, the process is not yet completed and the Turkish national interests in northern Iraq will be probably new defined. But, it remains at the time being an open question what those new national interests could be.

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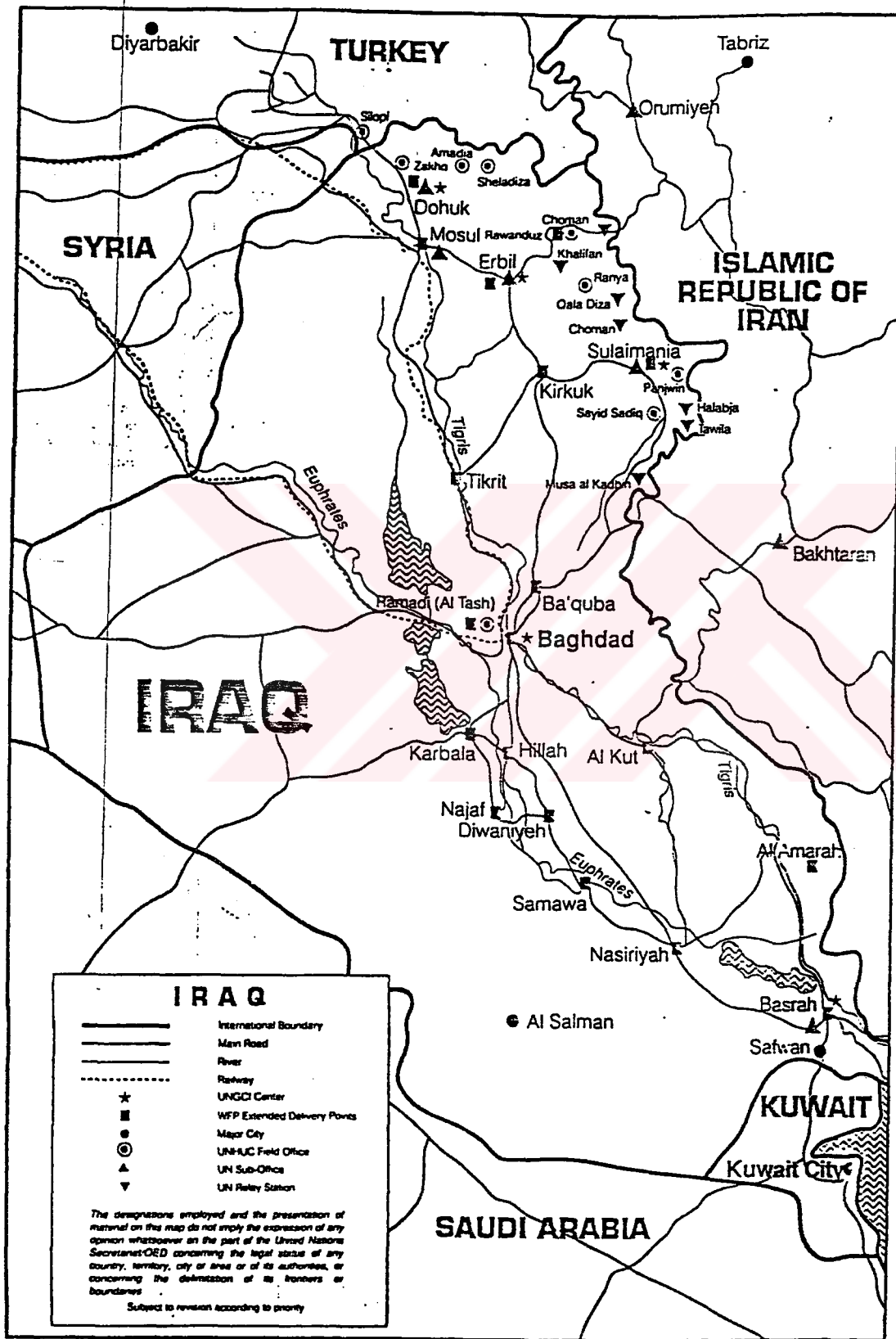
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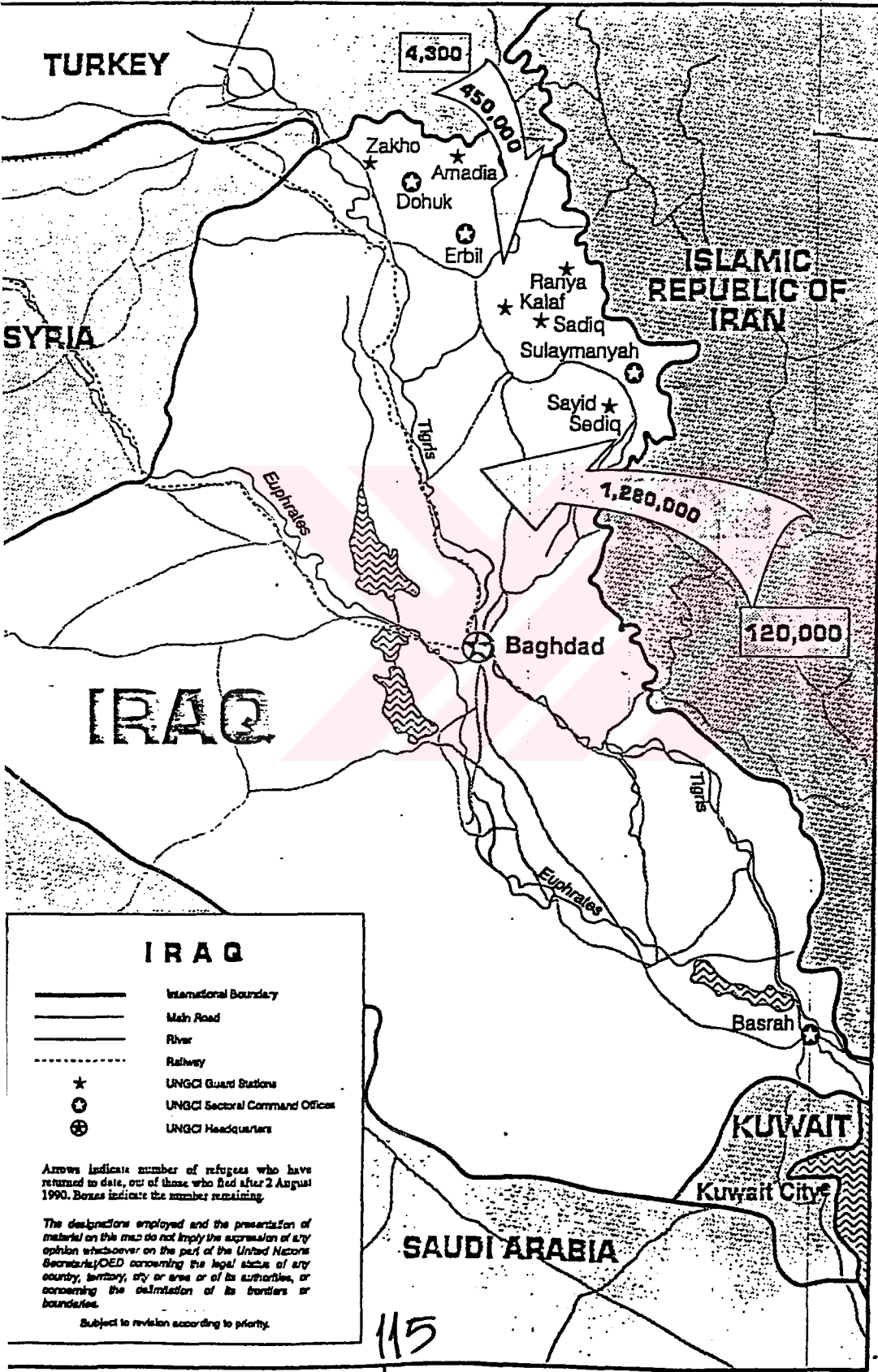
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Iraq and Kuwait: The Hostilities and their Aftermath

1. RESOLUTIONS ADOPTED BY THE UN SECURITY COUNCIL

A. RESOLUTIONS ADOPTED IN 1990

[EXTRACTS]

1. RESOLUTION 660 (1990), 2 August 1990

Adopted at the 2932nd meeting by 14 votes in favour, none against, no abstentions, Yemen not participating in the voting.

*The Security Council,
Alarmed by the invasion of Kuwait on 2 August 1990 by the military forces of Iraq,*

Determining that there exists a breach of international peace and security as regards the Iraqi invasion of Kuwait,

Acting under Articles 39 and 40 of the Charter of the United Nations,

1. *Condemns* the Iraqi invasion of Kuwait;
2. *Demands* that Iraq withdraw immediately and unconditionally all its forces to the positions in which they were located on 1 August 1990;
3. *Calls upon* Iraq and Kuwait to begin immediately intensive negotiations for the resolution of their differences and supports all efforts in this regard, and especially those of the League of Arab States;
4. *Decides* to meet again as necessary to consider further steps to ensure compliance with the present resolution.

2. RESOLUTION 661 (1990), 6 August 1990

Adopted at the 2933rd meeting by 13 votes in favour, none against, Cuba and Yemen abstaining.

The Security Council,

Determined to bring the invasion and occupation of Kuwait by Iraq to an end and to restore the sovereignty, independence and territorial integrity of Kuwait,

Noting that the legitimate Government of Kuwait has expressed its readiness to comply with resolution 660 (1990),

Mindful of its responsibilities under the Charter of the United Nations for the maintenance of international peace and security,

Affirming the inherent right of individual or collective self-defence, in response to the armed attack by Iraq against Kuwait, in accordance with Article 51 of the Charter,

Acting under Chapter VII of the Charter of the United Nations,

1. *Determines* that Iraq so far has failed to comply with paragraph 2 of resolution 660 (1990) and has usurped the authority of the legitimate Government of Kuwait;
2. *Decides*, as a consequence, to take the following measures to secure compliance of Iraq with paragraph 2 of resolution 660 (1990) and to restore the authority of the legitimate Government of Kuwait;

3. *Decides* that all States shall prevent:

(a) The import into their territories of all commodities and products originating in Iraq or Kuwait exported therefrom after the date of the present resolution;

(b) Any activities by their nationals or in their territories which would promote or are calculated to promote the export or transshipment of any commodities or products from Iraq or Kuwait; and any dealings by their nationals or their flag vessels or in their territories in any commodities or products originating in Iraq or Kuwait and exported therefrom after the date of the present resolution, including in particular any transfer of funds to Iraq or Kuwait for the purposes of such activities or dealings;

(c) The sale or supply by their nationals or from their territories or using their flag vessels of any commodities or products, including weapons or any other military equipment, whether or not originating in their territories but not including supplies intended strictly for medical purposes, and, in humanitarian circumstances, foodstuffs, to any person or body in Iraq or Kuwait or to any person or body for the purposes of any business carried on in or operated from Iraq or Kuwait, and any activities by their nationals or in their territories which promote or are calculated to promote such sale or supply of such commodities or products;

4. *Decides* that all States shall not make available to the Government of Iraq or to any commercial, industrial or public utility undertaking in Iraq or Kuwait, any funds or any other financial or economic resources and shall prevent their nationals and any persons within their territories from removing from their territories or otherwise making available to that Government or to any such undertaking any such funds or resources and from remitting any other funds to persons or bodies within Iraq or Kuwait, except payments exclusively for strictly medical or humanitarian purposes and, in humanitarian circumstances, foodstuffs;

5. *Calls upon* all States, including States non-members of the United Nations, to act strictly in accordance with the provisions of the present resolution notwithstanding any contract entered into or licence granted before the date of the present resolution;

6. *Decides* to establish, in accordance with rule 28 of the provisional rules of procedure of the Security Council, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) To examine the reports on the progress of the implementation of the present resolution which will be submitted by the Secretary-General;

(b) To seek from all States further information regarding the action taken by them concerning the effective implementation of the provisions laid down in the present resolution;

7. *Calls upon* all States to co-operate fully with the Committee in the fulfilment of its task, including

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supplying such information as may be sought by the Committee in pursuance of the present resolution;

8. *Requests* the Secretary-General to provide all necessary assistance to the Committee and to make the necessary arrangements in the Secretariat for the purpose;

9. *Decides* that, notwithstanding paragraphs 4 through 8 above, nothing in the present resolution shall prohibit assistance to the legitimate Government of Kuwait, and *calls upon* all States:

(a) To take appropriate measures to protect assets of the legitimate Government of Kuwait and its agencies;

(b) Not to recognize any régime set up by the occupying Power;

10. *Requests* the Secretary-General to report to the Council on the progress of the implementation of the present resolution, the first report to be submitted within thirty days;

11. *Decides* to keep this item on its agenda and to continue its efforts to put an early end to the invasion by Iraq.

3. RESOLUTION 662 (1990), 9 August 1990

Adopted unanimously at the 2934th meeting.

The Security Council,

...
Gravely alarmed by the declaration by Iraq of a comprehensive and eternal merger with Kuwait,

Determined to bring the occupation of Kuwait by Iraq to an end and to restore the sovereignty, independence and territorial integrity of Kuwait,

Determined also to restore the authority of the legitimate Government of Kuwait,

1. *Decides* that annexation of Kuwait by Iraq under any form and whatever pretext has no legal validity, and is considered null and void;

2. *Calls upon* all States, international organizations and specialized agencies not to recognize that annexation, and to refrain from any action or dealing that might be interpreted as an indirect recognition of the annexation;

3. *Further demands* that Iraq rescind its actions reporting to annex Kuwait;

4. *Decides* to keep this item on its agenda and to continue its efforts to put an early end to the occupation.

4. RESOLUTION 664 (1990), 18 August 1990

Adopted unanimously at the 2937th meeting.

The Security Council,

...
Acting under Chapter VII of the United Nations Charter:

1. *Demands* that Iraq permit and facilitate the immediate departure from Kuwait and Iraq of the nationals of third countries and grant immediate and continuing access of consular officials to such nationals;

2. *Further demands* that Iraq take no action to jeopardize the safety, security or health of such nationals;

3. *Reaffirms* its decision in resolution 662 (1990) that annexation of Kuwait by Iraq is null and void, and therefore demands that the government of Iraq rescind its orders for the closure of diplomatic and consular missions

in Kuwait and the withdrawal of the immunity of their personnel, and refrain from any such actions in the future;

4. *Requests* the Secretary-General to report to the Council on compliance with this resolution at the earliest possible time.

5. RESOLUTION 665 (1990), 25 August 1990

Adopted at the 2938th meeting by 13 votes in favour, none against, Cuba and Yemen abstaining.

The Security Council,

...
1. *Calls upon* those Member States co-operating with the Government of Kuwait which are deploying maritime forces to the area to use such measures commensurate to the specific circumstances as may be necessary under the authority of the Security Council to halt all inward and outward maritime shipping in order to inspect and verify their cargoes and destinations and to ensure strict implementation of the provisions related to such shipping laid down in resolution 661 (1990);

2. *Invites* Member States accordingly to co-operate as may be necessary to ensure compliance with the provisions of resolution 661 (1990) with maximum use of political and diplomatic measures, in accordance with paragraph 1 above;

3. *Requests* all States to provide in accordance with the Charter such assistance as may be required by the States referred to in paragraph 1 of this resolution;

4. *Further requests* the States concerned to co-ordinate their actions in pursuit of the above paragraphs of this resolution using as appropriate mechanisms of the Military Staff Committee and after consultation with the Secretary-General to submit reports to the Security Council and its Committee established under resolution 661 (1990) to facilitate the monitoring of the implementation of this resolution;

5. *Decides* to remain actively seized of the matter.

6. RESOLUTION 666 (1990), 13 September 1990

Adopted at the 2939th meeting by 13 votes in favour, Cuba and Yemen against, no abstentions.

The Security Council,

...
Deeply concerned that Iraq has failed to comply with its obligations under Security Council resolution 664 (1990) in respect of the safety and well-being of third State nationals, and reaffirming that Iraq retains full responsibility in this regard under international humanitarian law including, where applicable, the Fourth Geneva Convention,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that in order to make the necessary determination whether or not for the purposes of paragraph 3 (c) and paragraph 4 of resolution 661 (1990) humanitarian circumstances have arisen, the Committee shall keep the situation regarding foodstuffs in Iraq and Kuwait under constant review;

2. *Expects* Iraq to comply with its obligations under Security Council resolution 664 (1990) in respect of third State nationals and reaffirms that Iraq remains fully responsible for their safety and well-being in accordance

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with international humanitarian law including, where applicable, the Fourth Geneva Convention;

3. *Requests*, for the purposes of paragraphs 1 and 2 of this resolution, that the Secretary-General seek urgently, and on a continuing basis, information from relevant United Nations and other appropriate humanitarian agencies and all other sources on the availability of food in Iraq and Kuwait, such information to be communicated by the Secretary-General to the Committee regularly;

4. *Requests further* that in seeking and supplying such information particular attention will be paid to such categories of persons who might suffer specially, such as children under 15 years of age, expectant mothers, maternity cases, the sick and the elderly;

5. *Decides* that if the Committee, after receiving the reports from the Secretary-General, determines that circumstances have arisen in which there is an urgent humanitarian need to supply foodstuffs to Iraq or Kuwait in order to relieve human suffering, it will report promptly to the Council its decision as to how such need should be met;

6. *Directs* the Committee that in formulating its decisions it should bear in mind that foodstuffs should be provided through the United Nations in co-operation with the International Committee of the Red Cross or other appropriate humanitarian agencies and distributed by them or under their supervision in order to ensure that they reach the intended beneficiaries;

7. *Requests* the Secretary-General to use his good offices to facilitate the delivery and distribution of foodstuffs to Kuwait and Iraq in accordance with the provisions of this and other relevant resolutions;

8. *Recalls* that resolution 661 (1990) does not apply to supplies intended strictly for medical purposes, but in this connection recommends that medical supplies should be exported under the strict supervision of the Government of the exporting State or by appropriate humanitarian agencies.

7. RESOLUTION 667 (1990), 16 September 1990

Adopted unanimously at the 2940th meeting.

The Security Council,

Acting under Chapter VII of the Charter of the United Nations,

1. *Strongly condemns* aggressive acts perpetrated by Iraq against diplomatic premises and personnel in Kuwait, including the abduction of foreign nationals who were present in those premises;

2. *Demands* the immediate release of those foreign nationals as well as all nationals mentioned in resolution 664 (1990);

3. *Further demands* that Iraq immediately and fully comply with its international obligations under resolutions 660 (1990), 662 (1990) and 664 (1990) of the Security Council, the Vienna Conventions on diplomatic and consular relations and international law;

4. *Further demands* that Iraq immediately protect the safety and well-being of diplomatic and consular personnel and premises in Kuwait and in Iraq and take no action to hinder the diplomatic and consular missions in the performance of their functions, including access to their nationals and the protection of their person and interests;

5. *Reminds* all States that they are obliged to observe strictly resolutions 661 (1990), 662 (1990), 664 (1990), 665 (1990) and 666 (1990).

6. *Decides* to consult urgently to take further concrete measures as soon as possible, under Chapter VII of the

Charter, in response to Iraq's continued violation of the Charter, of resolutions of the Council and of international law.

8. RESOLUTION 669 (1990), 24 September 1990

Adopted unanimously at the 2942nd meeting.

The Security Council,

Conscious of the fact that an increasing number of requests for assistance have been received under the provisions of Article 50 of the Charter of the United Nations,

Entrusts the Committee established under resolution 661 (1990) concerning the situation between Iraq and Kuwait with the task of examining requests for assistance under the provisions of Article 50 of the Charter of the United Nations and making recommendations to the President of the Security Council for appropriate action.

9. RESOLUTION 670 (1990), 25 September 1990

Adopted at the 2943rd meeting by 14 votes in favour, Cuba against, no abstentions.

The Security Council,

Acting under Chapter VII of the Charter of the United Nations,

1. *Calls upon* all States to carry out their obligations to ensure strict and complete compliance with resolution 661 (1990) and, in particular, paragraphs 3, 4 and 5 thereof;

2. *Confirms* that resolution 661 (1990) applies to all means of transport, including aircraft;

3. *Decides* that all States, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted before the date of the present resolution, shall deny permission to any aircraft to take off from their territory if the aircraft would carry any cargo to or from Iraq or Kuwait other than food in humanitarian circumstances, subject to authorization by the Council or the Committee established by resolution 661 (1990) and in accordance with resolution 666 (1990), or supplies intended strictly for medical purposes or solely for UNIIMOG;

4. *Decides further* that all States shall deny permission to any aircraft destined to land in Iraq or Kuwait, whatever its State of registration, to overfly its territory unless:

(a) The aircraft lands at an airfield designated by that State outside Iraq or Kuwait in order to permit its inspection to ensure that there is no cargo on board in violation of resolution 661 (1990) or the present resolution, and for this purpose the aircraft may be detained for as long as necessary; or

(b) The particular flight has been approved by the Committee established by resolution 661 (1990); or

(c) The flight is certified by the United Nations as solely for the purposes of UNIIMOG;

5. *Decides* that each State shall take all necessary measures to ensure that any aircraft registered in its

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territory or operated by an operator who has his principal place of business or permanent residence in its territory complies with the provisions of resolution 661 (1990) and the present resolution;

6. *Decides further* that all States shall notify in a timely fashion the Committee established by resolution 661 (1990) of any flight between its territory and Iraq or Kuwait to which the requirement to land in paragraph 4 above does not apply, and the purpose for such a flight;

7. *Calls upon* all States to co-operate in taking such measures as may be necessary, consistent with international law, including the Chicago Convention, to ensure the effective implementation of the provisions of resolution 661 (1990) or the present resolution;

8. *Calls upon* all States to detain any ships of Iraqi registry which enter their ports and which are being or have been used in violation of resolution 661 (1990), or to deny such ships entrance to their ports except in circumstances recognized under international law as necessary to safeguard human life;

9. *Reminds* all States of their obligations under resolution 661 (1990) with regard to the freezing of Iraqi assets, and the protection of the assets of the legitimate Government of Kuwait and its agencies, located within their territory and to report to the Committee established under resolution 661 (1990) regarding those assets;

10. *Calls upon* all States to provide to the Committee established by resolution 661 (1990) information regarding the action taken by them to implement the provisions laid down in the present resolution;

11. *Affirms* that the United Nations Organization, the specialized agencies and other international organizations in the United Nations system are required to take such measures as may be necessary to give effect to the terms of resolution 661 (1990) and this resolution;

12. *Decides* to consider, in the event of evasion of the provisions of resolution 661 (1990) or of the present resolution by a State or its nationals or through its territory, measures directed at the State in question to prevent such evasion;

13. *Reaffirms* that the Fourth Geneva Convention applies to Kuwait and that as a High Contracting Party to the Convention Iraq is bound to comply fully with all its terms and, in particular, is liable under the Convention in respect of the grave breaches committed by it, as are individuals who commit or order the commission of grave breaches.

10. RESOLUTION 674 (1990), 29 October 1990

Adopted at the 2951st meeting by 13 votes in favour, none against, Cuba and Yemen abstaining.

The Security Council,

...
Reaffirming that the Fourth Geneva Convention applies to Kuwait and that as a High Contracting Party to the Convention Iraq is bound to comply fully with all its terms and in particular is liable under the Convention in respect of the grave breaches committed by it, as are individuals who commit or order the commission of grave breaches,

...
Deeply concerned at the economic cost and at the loss and suffering caused to individuals in Kuwait and Iraq as a result of the invasion and occupation of Kuwait by Iraq,

Acting under Chapter VII of the Charter of the United Nations,

Reaffirming the goal of the international community of maintaining international peace and security by seeking to resolve international disputes and conflicts through peaceful means,

Recalling the important role that the United Nations and its Secretary-General have played in the peaceful solution of disputes and conflicts in conformity with the provisions of the Charter,

Alarmed by the dangers of the present crisis caused by the Iraqi invasion and occupation of Kuwait, which directly threaten international peace and security, and seeking to avoid any further worsening of the situation,

Calling upon Iraq to comply with the relevant resolutions of the Security Council, in particular its resolutions 660 (1990), 662 (1990) and 664 (1990),

Reaffirming its determination to ensure compliance by Iraq with the Security Council resolutions by maximum use of political and diplomatic means,

1. *Demands* that the Iraqi authorities and occupying forces immediately cease and desist from taking third-State nationals hostage, mistreating and oppressing Kuwaiti and third-State nationals and any other actions, such as those reported to the Security Council and described above, that violate the decisions of this Council, the Charter of the United Nations, the Fourth Geneva Convention, the Vienna Conventions on Diplomatic and Consular Relations and international law;

2. *Invites* States to collate substantiated information in their possession or submitted to them on the grave breaches by Iraq as per paragraph 1 above and to make this information available to the Security Council;

3. *Reaffirms* its demand that Iraq immediately fulfil its obligations to third-State nationals in Kuwait and Iraq, including the personnel of diplomatic and consular missions, under the Charter, the Fourth Geneva Convention, the Vienna Conventions on Diplomatic and Consular Relations, general principles of international law and the relevant resolutions of the Council;

4. *Also reaffirms* its demand that Iraq permit and facilitate the immediate departure from Kuwait and Iraq of those third-State nationals, including diplomatic and consular personnel, who wish to leave;

5. *Demands* that Iraq ensure the immediate access to food, water and basic services necessary to the protection and well-being of Kuwaiti nationals and of nationals of third States in Kuwait and Iraq, including the personnel of diplomatic and consular missions in Kuwait;

6. *Reaffirms* its demand that Iraq immediately protect the safety and well-being of diplomatic and consular personnel and premises in Kuwait and in Iraq, take no action to hinder these diplomatic and consular missions in the performance of their functions, including access to their nationals and the protection of their person and interests and rescind its orders for the closure of diplomatic and consular missions in Kuwait and the withdrawal of the immunity of their personnel;

7. *Requests* the Secretary-General, in the context of the continued exercise of his good offices concerning the safety and well-being of third-State nationals in Iraq and Kuwait, to seek to achieve the objectives of paragraphs 4, 5 and 6 above and in particular the provision of food, water and basic services to Kuwaiti nationals and to the diplomatic and consular missions in Kuwait and the evacuation of third-State nationals;

8. *Reminds* Iraq that under international law it is liable for any loss, damage or injury arising in regard to Kuwait and third States, and their nationals and corporations, as a result of the invasion and illegal occupation of Kuwait by Iraq;

9. *Invites* States to collect relevant information regarding their claims, and those of their nationals and corporations, for restitution or financial compensation by Iraq with a

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view to such arrangements as may be established in accordance with international law;

10. *Requires* that Iraq comply with the provisions of the present resolution and its previous resolutions, failing which the Security Council will need to take further measures under the Charter;

11. *Decides* to remain actively and permanently seized of the matter until Kuwait has regained its independence and peace has been restored in conformity with the relevant resolutions of the Security Council.

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12. *Reposes* its trust in the Secretary-General to make available his good offices and, as he considers appropriate, to pursue them and to undertake diplomatic efforts in order to reach a peaceful solution to the crisis caused by the Iraqi invasion and occupation of Kuwait on the basis of Security Council resolutions 660 (1990), 662 (1990) and 664 (1990), and calls upon all States, both those in the region and others, to pursue on this basis their efforts to this end, in conformity with the Charter, in order to improve the situation and restore peace, security and stability;

13. *Requests* the Secretary-General to report to the Security Council on the results of his good offices and diplomatic efforts.

11. RESOLUTION 677 (1990), 28 November 1990

Adopted unanimously at the 2962nd meeting.

The Security Council,

Acting under Chapter VII of the Charter of the United Nations,

1. *Condemns* the attempts by Iraq to alter the demographic composition of the population of Kuwait and to destroy the civil records maintained by the legitimate Government of Kuwait;

2. *Mandates* the Secretary-General to take custody of a copy of the population register of Kuwait, the authenticity of which has been certified by the legitimate Government of Kuwait, which covers the population registration up to 1 August 1990;

3. *Requests* the Secretary-General to establish, in cooperation with the legitimate Government of Kuwait, an Order of Rules and Regulations governing access and use of the said copy of the population register.

12. RESOLUTION 678 (1990), 29 November 1990

Adopted at the 2963rd meeting by 12 votes in favour, Cuba and Yemen against, China abstaining.

The Security Council,

Recalling and reaffirming its resolutions 660 (1990), 661 (1990), 662 (1990), 664 (1990), 665 (1990), 666 (1990), 667 (1990), 669 (1990), 670 (1990), 674 (1990) and 677 (1990),

Noting that, despite all efforts by the United Nations, Iraq refuses to comply with its obligation to implement resolution 660 (1990) and the above subsequent relevant resolutions, in flagrant contempt of the Council,

Mindful of its duties and responsibilities under the Charter of the United Nations for the maintenance and preservation of international peace and security,

Determined to secure full compliance with its decisions, *Acting* under Chapter VII of the Charter of the United Nations,

1. *Demands* that Iraq comply fully with resolution 660 (1990) and all subsequent relevant resolutions and decides, while maintaining all its decisions, to allow Iraq one final opportunity, as a pause of goodwill, to do so;

2. *Authorizes* Member States co-operating with the Government of Kuwait, unless Iraq on or before 15 January 1991 fully implements, as set forth in paragraph 1 above, the foregoing resolutions, to use all necessary means to uphold and implement Security Council resolution 660 (1990) and all subsequent relevant resolutions and to restore international peace and security in the area;

3. *Requests* all States to provide appropriate support for the actions undertaken in pursuance of paragraph 2 of this resolution;

4. *Requests* the States concerned to keep the Council regularly informed on the progress of actions undertaken pursuant to paragraphs 2 and 3 of this resolution;

5. *Decides* to remain seized of the matter.

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B. RESOLUTIONS ADOPTED IN 1991

1. RESOLUTION 686 (1991), 2 March 1991

Adopted at the 2978th meeting by 11 votes to 1 (Cuba), with 3 abstentions (China, India, Yemen).

The Security Council,

Recalling and reaffirming its resolutions 660 (1990), 661 (1990), 662 (1990), 664 (1990), 665 (1990), 666 (1990), 667 (1990), 669 (1990), 670 (1990), 674 (1990), 677 (1990), and 678 (1990),

Recalling the obligations of Member States under Article 25 of the Charter,

Recalling paragraph 9 of resolution 661 (1990) regarding assistance to the Government of Kuwait and paragraph 3 (c) of that resolution regarding supplies strictly for medical purposes and, in humanitarian circumstances, foodstuffs,

Taking note of the letters of the Foreign Minister of Iraq confirming Iraq's agreement to comply fully with all of the resolutions noted above (S/22275), and stating its intention to release prisoners of war immediately (S/22273),

Taking note of the suspension of offensive combat operations by the forces of Kuwait and the Member States cooperating with Kuwait pursuant to resolution 678 (1990),

Bearing in mind the need to be assured of Iraq's peaceful intentions, and the objective in resolution 678 (1990) of restoring international peace and security in the region,

Underlining the importance of Iraq taking the necessary measures which would permit a definitive end to the hostilities,

Affirming the commitment of all Member States to the independence, sovereignty and territorial integrity of Iraq and Kuwait, and noting the intention expressed by the Member States cooperating under paragraph 2 of Security Council resolution 678 (1990) to bring their military presence in Iraq to an end as soon as possible consistent with achieving the objectives of the resolution,

Acting under Chapter VII of the Charter,

1. Affirms that all twelve resolutions noted above continue to have full force and effect;

2. Demands that Iraq implement its acceptance of all twelve resolutions noted above and in particular that Iraq:

(a) Rescind immediately its actions purporting to annex Kuwait;

(b) Accept in principle its liability under international law for any loss, damage, or injury arising in regard to Kuwait and third States, and their nationals and corporations, as a result of the invasion and illegal occupation of Kuwait by Iraq;

(c) Immediately release under the auspices of the International Committee of the Red Cross, Red Cross Societies, or Red Crescent Societies, all Kuwaiti and third country nationals detained by Iraq and return the remains of any deceased Kuwaiti and third country nationals so detained; and

(d) Immediately begin to return all Kuwaiti property seized by Iraq, to be completed in the shortest possible period;

3. Further demands that Iraq:

(a) Cease hostile or provocative actions by its forces against all Member States, including missile attacks and flights of combat aircraft;

(b) Designate military commanders to meet with counterparts from the forces of Kuwait and the Member States cooperating with Kuwait pursuant to resolution 678 (1990) to arrange for the military aspects of a cessation of hostilities at the earliest possible time;

(c) Arrange for immediate access to and release of all prisoners of war under the auspices of the International Committee of the Red Cross and return the remains of any deceased personnel of the forces of Kuwait and the Member States cooperating with Kuwait pursuant to resolution 678 (1990); and

(d) Provide all information and assistance in identifying Iraqi mines, booby traps and other explosives as well as any chemical and biological weapons and material in Kuwait, in areas of Iraq where forces of Member States cooperating with Kuwait pursuant to resolution 678 (1990) are present temporarily, and in the adjacent waters;

4. Recognizes that during the period required for Iraq to comply with paragraphs 2 and 3 above, the provisions of paragraph 2 of resolution 678 (1990) remain valid;

5. Welcomes the decision of Kuwait and the Member States cooperating with Kuwait pursuant to resolution 678 (1990) to provide access and to commence immediately the release of Iraqi prisoners of war as required by the terms of the Third Geneva Convention of 1949, under the auspices of the International Committee of the Red Cross;

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6. *Requests* all Member States, as well as the United Nations, the specialized agencies and other international organizations in the United Nations system, to take all appropriate action to cooperate with the Government and people of Kuwait in the reconstruction of their country;

7. *Decides* that Iraq shall notify the Secretary-General and the Security Council when it has taken the actions set out above;

8. *Decides* that in order to secure the rapid establishment of a definitive end to the hostilities, the Security Council remains actively seized of the matter.

2. RESOLUTION 687 (1991), 3 April 1991

Adopted at the 2981st meeting by 12 votes in favour, 1 against (Cuba), Yemen and Ecuador abstaining.

The Security Council,

Recalling its resolutions 660 (1990), 661 (1990), 662 (1990), 664 (1990), 665 (1990), 666 (1990), 667 (1990), 669 (1990), 670 (1990), 674 (1990), 677 (1990), 678 (1990) and 686 (1991),

Welcoming the restoration to Kuwait of its sovereignty, independence, and territorial integrity and the return of its legitimate government,

Affirming the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait and Iraq, and noting the intention expressed by the Member States cooperating with Kuwait under paragraph 2 of resolution 678 (1990) to bring their military presence in Iraq to an end as soon as possible consistent with paragraph 8 of resolution 686 (1991),

Reaffirming the need to be assured of Iraq's peaceful intentions in light of its unlawful invasion and occupation of Kuwait,

Taking note of the letter sent by the Foreign Minister of Iraq on 27 February 1991 (S/22275) and those sent pursuant to resolution 686 (1991) (S/22273, S/22276, S/22320, S/22321 and S/22330),

Noting that Iraq and Kuwait, as independent sovereign States, signed at Baghdad on 4 October 1963 "Agreed Minutes Regarding the Restoration of Friendly Relations, Recognition and Related Matters", thereby recognizing formally the boundary between Iraq and Kuwait and the allocation of islands, which were registered with the United Nations in accordance with Article 102 of the Charter and in which Iraq recognized the independence and complete sovereignty of the State

of Kuwait within its borders as specified and accepted in the letter of the Prime Minister of Iraq dated 21 July 1932, and as accepted by the Ruler of Kuwait in his letter dated 10 August 1932,

Conscious of the need for demarcation of the said boundary,

Conscious also of the statements by Iraq threatening to use weapons in violation of its obligations under the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, and of its prior use of chemical weapons and affirming that grave consequences would follow any further use by Iraq of such weapons,

Recalling that Iraq has subscribed to the Declaration adopted by all States participating in the Conference of States Parties to the 1925 Geneva Protocol and Other Interested States, held at Paris from 7 to 11 January 1989, establishing the objective of universal elimination of chemical and biological weapons,

Recalling further that Iraq has signed the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, of 10 April 1972,

Noting the importance of Iraq ratifying this Convention,

Noting moreover the importance of all States adhering to this Convention and encouraging its forthcoming Review Conference to reinforce the authority, efficiency and universal scope of the convention,

Stressing the importance of an early conclusion by the Conference on Disarmament of its work on a Convention on the Universal Prohibition of Chemical Weapons and of universal adherence thereto,

Aware of the use by Iraq of ballistic missiles in unprovoked attacks and therefore of the need to take specific measures in regard to such missiles located in Iraq,

Concerned by the reports in the hands of Member States that Iraq has attempted to acquire materials for a nuclear-weapons programme contrary to its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968,

Recalling the objective of the establishment of a nuclear-weapons-free zone in the region of the Middle East,

Conscious of the threat which all weapons of mass destruction pose to peace and security in the area

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and of the need to work towards the establishment in the Middle East of a zone free of such weapons,

Conscious also of the objective of achieving balanced and comprehensive control of armaments in the region,

Conscious further of the importance of achieving the objectives noted above using all available means, including a dialogue among the States of the region,

Noting that resolution 686 (1991) marked the lifting of the measures imposed by resolution 661 (1990) in so far as they applied to Kuwait,

Noting that despite the progress being made in fulfilling the obligations of resolution 686 (1991), many Kuwaiti and third country nationals are still not accounted for and property remains unreturned,

Recalling the International Convention against the Taking of Hostages, opened for signature at New York on 18 December 1979, which categorizes all acts of taking hostages as manifestations of international terrorism,

Deploing threats made by Iraq during the recent conflict to make use of terrorism against targets outside Iraq and the taking of hostages by Iraq,

Taking note with grave concern of the reports of the Secretary-General of 20 March 1991 (S/22366) and 28 March 1991 (S/22409), and conscious of the necessity to meet urgently the humanitarian needs in Kuwait and Iraq,

Bearing in mind its objective of restoring international peace and security in the area as set out in recent Council resolutions,

Conscious of the need to take the following measures acting under Chapter VII of the Charter,

1. Affirms all thirteen resolutions noted above, except as expressly changed below to achieve the goals of this resolution, including a formal cease-fire;

A

2. *Demands* that Iraq and Kuwait respect the inviolability of the international boundary and the allocation of islands set out in the "Agreed Minutes Between the State of Kuwait and the Republic of Iraq Regarding the Restoration of Friendly Relations, Recognition and Related Matters", signed by them in the exercise of their sovereignty at Baghdad on 4 October 1963 and registered with the United Nations and published by the United Nations in document 7063, United Nations Treaty Series, 1964;

3. *Calls on* the Secretary-General to lend his assistance to make arrangements with Iraq and

Kuwait to demarcate the boundary between Iraq and Kuwait, drawing on appropriate material including the map transmitted by Security Council document S/22412 and to report back to the Security Council within one month;

4. *Decides* to guarantee the inviolability of the above-mentioned international boundary and to take as appropriate all necessary measures to that end in accordance with the Charter;

B

5. *Requests* the Secretary-General, after consulting with Iraq and Kuwait, to submit within three days to the Security Council for its approval a plan for the immediate deployment of a United Nations observer unit to monitor the Khor Abdullah and a demilitarized zone, which is hereby established, extending 10 kilometres into Iraq and 5 kilometres into Kuwait from the boundary referred to in the "Agreed Minutes Between the State of Kuwait and the Republic of Iraq Regarding the Restoration of Friendly Relations, Recognition and Related Matters" of 4 October 1963; to deter violations of the boundary through its presence in and surveillance of the demilitarized zone; to observe any hostile or potentially hostile action mounted from the territory of one State to the other; and for the Secretary-General to report regularly to the Council on the operations of the unit, and immediately if there are serious violations of the zone or potential threats to peace;

6. *Notes* that as soon as the Secretary-General notifies the Council of the completion of the deployment of the United Nations observer unit, the conditions will be established for the Member States cooperating with Kuwait in accordance with resolution 678 (1990) to bring their military presence in Iraq to an end consistent with resolution 686 (1991);

C

7. *Invites* Iraq to reaffirm unconditionally its obligations under the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, and to ratify the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, of 10 April 1972;

8. *Decides* that Iraq shall unconditionally accept the destruction, removal, or rendering harmless, under international supervision, of:

(a) all chemical and biological weapons and all stocks of agents and all related subsystems and components and all research, development, support and manufacturing facilities;

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(b) all ballistic missiles with a range greater than 150 kilometres and related major parts, and repair and production facilities;

9. *Decides*, for the implementation of paragraph 8 above, the following:

(a) Iraq shall submit to the Secretary-General, within fifteen days of the adoption of this resolution, a declaration of the locations, amounts and types of all items specified in paragraph 8 and agree to urgent, on-site inspection as specified below;

(b) the Secretary-General, in consultation with the appropriate Governments and, where appropriate, with the Director-General of the World Health Organization (WHO), within 45 days of the passage of this resolution, shall develop, and submit to the Council for approval, a plan calling for the completion of the following acts within 45 days of such approval:

(i) the forming of a Special Commission, which shall carry out immediate on-site inspection of Iraq's biological, chemical and missile capabilities, based on Iraq's declarations and the designation of any additional locations by the Special Commission itself;

(ii) the yielding by Iraq of possession to the Special Commission for destruction, removal or rendering harmless, taking into account the requirements of public safety, of all items specified under paragraph 8 (a) above including items at the additional locations designated by the Special Commission under paragraph 9 (b) (i) above and the destruction by Iraq, under supervision of the Special Commission, of all its missile capabilities including launchers as specified under paragraph 8 (b) above;

(iii) the provision by the Special Commission of the assistance and cooperation to the Director-General of the International Atomic Energy Agency (IAEA) required in paragraphs 12 and 13 below;

10. *Decides* that Iraq shall unconditionally undertake not to use, develop, construct or acquire any of the items specified in paragraphs 8 and 9 above and requests the Secretary-General, in consultation with the Special Commission, to develop a plan for the future ongoing monitoring and verification of Iraq's compliance with this paragraph, to be submitted to the Council for approval within 120 days of the passage of this resolution;

11. *Invites* Iraq to reaffirm unconditionally its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, of 1 July 1968;

12. *Decides* that Iraq shall unconditionally agree not to acquire or develop nuclear weapons or nuclear-weapons-usable material or any subsystems or components or any research, development, support or manufacturing facilities related to the above; to submit to the Secretary-General and the Director-General of the International Atomic Energy Agency (IAEA) within 15 days of the adoption of this resolution a declaration of the locations, amounts, and types of all items specified above; to place all of its nuclear-weapons-usable materials under the exclusive control, for custody and removal, of the IAEA, with the assistance and cooperation of the Special Commission as provided for in the plan of the Secretary-General discussed in paragraph 9 (b) above; to accept, in accordance with the arrangements provided for in paragraph 13 below, urgent on-site inspection and the destruction, removal, or rendering harmless as appropriate of all items specified above; and to accept the plan discussed in paragraph 13 below for the future ongoing monitoring and verification of its compliance with these undertakings;

13. *Requests* the Director-General of the International Atomic Energy Agency (IAEA) through the Secretary-General, with the assistance and cooperation of the Special Commission as provided for in the plan of the Secretary-General in paragraph 9 (b) above, to carry out immediate on-site inspection of Iraq's nuclear capabilities based on Iraq's declarations and the designation of any additional locations by the Special Commission; to develop a plan for submission to the Security Council within 45 days calling for the destruction, removal, or rendering harmless as appropriate of all items listed in paragraph 12 above; to carry out the plan within 45 days following approval by the Security Council; and to develop a plan, taking into account the rights and obligations of Iraq under the Treaty on the Non-Proliferation of Nuclear Weapons, of 1 July 1968, for the future ongoing monitoring and verification of Iraq's compliance with paragraph 12 above, including an inventory of all nuclear material in Iraq subject to the Agency's verification and inspections to confirm that IAEA safeguards cover all relevant nuclear activities in Iraq, to be submitted to the Council for approval within 120 days of the passage of this resolution;

14. *Takes note* that the actions to be taken by Iraq in paragraphs 8, 9, 10, 11, 12 and 13 of this resolution represent steps towards the goal of establishing in the Middle East a zone free from weapons of mass destruction and all missiles for their delivery and the objective of a global ban on chemical weapons;

D

15. *Requests* the Secretary-General to report to the Security Council on the steps taken to facilitate the return of all Kuwaiti property seized by Iraq, including a list of any property which Kuwait claims

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has not been returned or which has not been returned intact;

E

16. Reaffirms that Iraq, without prejudice to the debts and obligations of Iraq arising prior to 2 August 1990, which will be addressed through the normal mechanisms, is liable under international law for any direct loss, damage, including environmental damage and the depletion of natural resources, or injury to foreign Governments, nationals and corporations, as a result of Iraq's unlawful invasion and occupation of Kuwait;

17. Decides that all Iraqi statements made since 2 August 1990, repudiating its foreign debt, are null and void, and demands that Iraq scrupulously adhere to all of its obligations concerning servicing and repayment of its foreign debt;

18. Decides to create a Fund to pay compensation for claims that fall within paragraph 16 above and to establish a Commission that will administer the Fund;

19. Directs the Secretary-General to develop and present to the Council for decision, no later than 30 days following the adoption of this resolution, recommendations for the Fund to meet the requirement for the payment of claims established in accordance with paragraph 18 above and for a programme to implement the decisions in paragraphs 16, 17, and 18 above, including: administration of the Fund; mechanisms for determining the appropriate level of Iraq's contribution to the Fund based on a percentage of the value of the exports of petroleum and petroleum products from Iraq not to exceed a figure to be suggested to the Council by the Secretary-General, taking into account the requirements of the people of Iraq, Iraq's payment capacity as assessed in conjunction with the international financial institutions taking into consideration external debt service, and the needs of the Iraqi economy; arrangements for ensuring that payments are made to the Fund; the process by which funds will be allocated and claims paid; appropriate procedures for evaluating losses, listing claims and verifying their validity and resolving disputed claims in respect of Iraq's liability as specified in paragraph 16 above; and the composition of the Commission designated above;

F

20. Decides, effective immediately, that the prohibitions against the sale or supply to Iraq of commodities or products, other than medicine and health supplies, and prohibitions against financial transactions related thereto, contained in resolution 661 (1990) shall not apply to foodstuffs notified to the Committee established by resolution 661 (1990) or, with the approval of that Committee, under the simplified and accelerated "no-objection" procedure,

to materials and supplies for essential civilian needs as identified in the report of the Secretary-General dated 20 March 1991 (S/22366), and in any further findings of humanitarian need by the Committee;

21. Decides that the Council shall review the provisions of paragraph 20 above every sixty days in light of the policies and practices of the Government of Iraq, including the implementation of all relevant resolutions of the Security Council, for the purpose of determining whether to reduce or lift the prohibitions referred to therein;

22. Decides that upon the approval by the Council of the programme called for in paragraph 19 above and upon Council agreement that Iraq has completed all actions contemplated in paragraphs 8, 9, 10, 11, 12, and 13 above, the prohibitions against the import of commodities and products originating in Iraq and the prohibitions against financial transactions related thereto contained in resolution 661 (1990) shall have no further force or effect;

23. Decides that, pending action by the Council under paragraph 22 above, the Committee established by resolution 661 (1990) shall be empowered to approve, when required to assure adequate financial resources on the part of Iraq to carry out the activities under paragraph 20 above, exceptions to the prohibition against the import of commodities and products originating in Iraq;

24. Decides that, in accordance with resolution 661 (1990) and subsequent related resolutions and until a further decision is taken by the Council, all States shall continue to prevent the sale or supply, or promotion or facilitation of such sale or supply, to Iraq by their nationals, or from their territories or using their flag vessels or aircraft, of:

(a) arms and related *matériel* of all types, specifically including the sale or transfer through other means of all forms of conventional military equipment, including for paramilitary forces, and spare parts and components and their means of production, for such equipment;

(b) items specified and defined in paragraph 8 and paragraph 12 above not otherwise covered above;

(c) technology under licensing or other transfer arrangements used in the production, utilization or stockpiling of items specified in subparagraphs (a) and (b) above;

(d) personnel or materials for training or technical support services relating to design, development, manufacture, use, maintenance or support of items specified in subparagraphs (a) and (b) above;

25. Calls upon all States and international organizations to act strictly in accordance with paragraph 24 above, notwithstanding the existence

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of any contracts, agreements, licences, or any other arrangements;

26. *Requests* the Secretary-General, in consultation with appropriate Governments, to develop within 60 days for approval of the Council, guidelines to facilitate full international implementation of paragraphs 24 and 25 above and paragraph 27 below, and to make them available to all States and to establish a procedure for updating these guidelines periodically;

27. *Calls upon* all States to maintain such national controls and procedures and to take such other actions consistent with the guidelines to be established by the Security Council under paragraph 26 above as may be necessary to ensure compliance with the terms of paragraph 24 above, and calls upon international organizations to take all appropriate steps to assist in ensuring such full compliance;

28. *Agrees* to review its decisions in paragraphs 22, 23, 24, and 25 above, except for the items specified and defined in paragraphs 8 and 12 above, on a regular basis and in any case 120 days following passage of this resolution, taking into account Iraq's compliance with this resolution and general progress towards the control of armaments in the region;

29. *Decides* that all States, including Iraq, shall take the necessary measures to ensure that no claim shall lie at the instance of the Government of Iraq, or of any person or body in Iraq, or of any person claiming through or for the benefit of any such person or body, in connection with any contract or other transaction where its performance was affected by reason of the measures taken by the Security Council in resolution 661 (1990) and related resolutions;

G

30. *Decides* that, in furtherance of its commitment to facilitate the repatriation of all Kuwaiti and third country nationals, Iraq shall extend all necessary cooperation to the International Committee of the Red Cross, providing lists of such persons, facilitating the access of the International Committee of the Red Cross to all such persons wherever located or detained and facilitating the search by the International Committee of the Red Cross for those Kuwaiti and third country nationals still unaccounted for;

31. *Invites* the International Committee of the Red Cross to keep the Secretary-General apprised as appropriate of all activities undertaken in connection with facilitating the repatriation or return of all Kuwaiti and third country nationals or their remains present in Iraq on or after 2 August 1990;

H

32. *Requires* Iraq to inform the Council that it will not commit or support any act of international terrorism or allow any organization directed towards commission of such acts to operate within its territory and to condemn unequivocally and renounce all acts, methods, and practices of terrorism;

I

33. *Declares* that, upon official notification by Iraq to the Secretary-General and to the Security Council of its acceptance of the provisions above, a formal cease-fire is effective between Iraq and Kuwait and the Member States cooperating with Kuwait in accordance with resolution 678 (1990);

34. *Decides* to remain seized of the matter and to take such further steps as may be required for the implementation of this resolution and to secure peace and security in the area.

3. RESOLUTION 688 (1991), 5 April 1991

Adopted at the 2982nd meeting by 10 votes in favour, 3 voting against (Cuba, Yemen and Zimbabwe), China and India abstaining.

The Security Council,

Mindful of its duties and its responsibilities under the Charter of the United Nations for the maintenance of international peace and security,

Recalling Article 2, paragraph 7, of the Charter of the United Nations,

Gravely concerned by the repression of the Iraqi civilian population in many parts of Iraq, including most recently in Kurdish populated areas which led to a massive flow of refugees towards and across international frontiers and to cross border incursions, which threaten international peace and security in the region,

Deeply disturbed by the magnitude of the human suffering involved,

Taking note of the letters sent by the representatives of Turkey and France to the United Nations dated 2 April 1991 and 4 April 1991, respectively (S/22435 and S/22442),

Taking note also of the letters sent by the Permanent Representative of the Islamic Republic of Iran to the United Nations dated 3 and 4 April 1991, respectively (S/22436 and S/22447),

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Reaffirming the commitment of all Member States to the sovereignty, territorial integrity and political independence of Iraq and of all States in the area;

Bearing in mind the Secretary-General's report of 20 March 1991 (S/22366),

1. *Condemns* the repression of the Iraqi civilian population in many parts of Iraq, including most recently in Kurdish populated areas, the consequences of which threaten international peace and security in the region;

2. *Demands* that Iraq, as a contribution to removing the threat to international peace and security in the region, immediately end this repression and expresses the hope in the same context that an open dialogue will take place to ensure that the human and political rights of all Iraqi citizens are respected;

3. *Insists* that Iraq allow immediate access by international humanitarian organizations to all those in need of assistance in all parts of Iraq and to make available all necessary facilities for their operations;

4. *Requests* the Secretary-General to pursue his humanitarian efforts in Iraq and to report forthwith, if appropriate on the basis of a further mission to the region, on the plight of the Iraqi civilian population, and in particular the Kurdish population, suffering from the repression in all its forms inflicted by the Iraqi authorities;

5. *Requests further* the Secretary-General to use all the resources at his disposal, including those of the relevant United Nations agencies, to address urgently the critical needs of the refugees and displaced Iraqi population;

6. *Appeals* to all Member States and to all humanitarian organizations to contribute to these humanitarian relief efforts;

7. *Demands* that Iraq cooperate with the Secretary-General to these ends;

8. *Decides* to remain seized of the matter.

4. RESOLUTION 689 (1991), 9 April 1991

Adopted unanimously by the Security Council at the 2983rd meeting.

The Security Council,

Recalling its resolution 687 (1991),

Acting under Chapter VII of the Charter of the United Nations,

1. *Approves* the report of the Secretary-General on the implementation of paragraph 5 of Security Council resolution 687 (1991) contained in document S/22454 and Add. 1-3 of 5 and 9 April 1991, respectively;

2. *Notes* that the decision to set up the observer unit was taken in paragraph 5 of resolution 687 (1991) and can only be terminated by a decision of the Council; the Council shall therefore review the question of termination or continuation every six months;

3. *Decides* that the modalities for the initial six-month period of the United Nations Iraq-Kuwait Observation Mission shall be in accordance with the above-mentioned report and shall also be reviewed every six months.

5. RESOLUTION 692 (1991), 20 May 1991

Adopted at the 2987th meeting by 14 votes in favour, none against, Cuba abstaining.

The Security Council,

Recalling its resolutions 674 (1990) of 29 October 1990, 686 (1991) of 2 March 1991 and 687 (1991) of 3 April 1991, concerning the liability of Iraq, without prejudice to its debts and obligations arising prior to 2 August 1990, for any direct loss, damage, including environmental damage and the depletion of natural resources, or injury to foreign Governments, nationals and corporations, as a result of Iraq's unlawful invasion and occupation of Kuwait,

Taking note of the Secretary-General's report of 2 May 1991 (S/22559), submitted in accordance with paragraph 19 of resolution 687 (1991),

Acting under Chapter VII of the Charter of the United Nations,

1. *Expresses its appreciation* to the Secretary-General for his report of 2 May 1991; [S/22559.]

2. *Welcomes the fact* that the Secretary-General will now undertake the appropriate consultations requested by paragraph 19 of resolution 687 (1991) so that he will be in a position to recommend to the Security Council for decision as soon as possible the figure which the level of Iraq's contribution to the Fund will not exceed;

3. *Decides* to establish the Fund and the Commission referred to in paragraph 18 of resolution 687 (1991) in accordance with section I of the Secretary-General's report, and that the Governing Council will be located at the United

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Nations Office at Geneva and that the Governing Council may decide whether some of the activities of the Commission should be carried out elsewhere;

4. *Requests* the Secretary-General to take the actions necessary to implement paragraphs 2 and 3 above in consultation with the members of the Governing Council;

5. *Directs* the Governing Council to proceed in an expeditious manner to implement the provisions of section E of resolution 687 (1991), taking into account the recommendations in section II of the Secretary-General's report;

6. *Decides* that the requirement for Iraqi contributions will apply in the manner to be prescribed by the Governing Council with respect to all Iraqi petroleum and petroleum products exported from Iraq after 3 April 1991 as well as such petroleum and petroleum products exported earlier but not delivered or paid for as a specific result of the prohibitions contained in Security Council resolution 661 (1990);

7. *Requests* the Governing Council to report as soon as possible on the actions it has taken with regard to the mechanisms for determining the appropriate level of Iraq's contribution to the Fund and the arrangements for ensuring that payments are made to the Fund, so that the Security Council can give its approval in accordance with paragraph 22 of resolution 687 (1991);

8. *Requests* that all States and international organizations cooperate with the decisions of the Governing Council taken pursuant to paragraph 5 of the present resolution, and also requests that the Governing Council keep the Security Council informed on this matter;

9. *Decides* that, if the Governing Council notifies the Security Council that Iraq has failed to carry out decisions of the Governing Council taken pursuant to paragraph 5 of the present resolution, the Security Council intends to retain or to take action to reimpose the prohibition against the import of petroleum and petroleum products originating in Iraq and financial transactions related thereto;

10. *Decides also* to remain seized of this matter and that the Governing Council will submit periodic reports to the Secretary-General and the Security Council.

6. RESOLUTION 699 (1991), 17 June 1991

Adopted unanimously at the 2994th meeting.

The Security Council,

Recalling its resolution 687 (1991),

Taking note of the report of the Secretary-General of 17 May 1991 (S/22614), submitted to it in pursuance of paragraph 9 (b) of resolution 687 (1991),

Also taking note of the Secretary-General's note of 17 May 1991 (S/22615), transmitting to the Council the letter addressed to him under paragraph 13 of the resolution by the Director-General of the International Atomic Energy Agency (IAEA),

Acting under Chapter VII of the Charter,

1. *Approves* the plan contained in the report of the Secretary-General;

2. *Confirms* that the Special Commission and the IAEA have the authority to conduct activities under section C of resolution 687 (1991), for the purpose of the destruction, removal or rendering harmless of the items specified in paragraphs 8 and 12 of that resolution, after the 45-day period following the approval of this plan until such activities have been completed;

3. *Requests* the Secretary-General to submit to the Security Council progress reports on the implementation of the plan referred to in paragraph 1 every six months after the adoption of this resolution;

4. *Decides* to encourage the maximum assistance, in cash and in kind, from all Member States to ensure that activities under section C of resolution 687 (1991) are undertaken effectively and expeditiously; *further decides*, however, that the Government of Iraq shall be liable for the full costs of carrying out the tasks authorized by section C; and requests the Secretary-General to submit to the Council within 30 days for approval recommendations as to the most effective means by which Iraq's obligations in this respect may be fulfilled.

7. RESOLUTION 700 (1991), 17 June 1991

Adopted unanimously at the 2994th meeting.

The Security Council,

Recalling its resolutions 661 (1990) of 6 August 1990, 665 (1990) of 25 August 1990, 670 (1990) of 25 September 1990 and 687 (1991) of 3 April 1991,

Taking note of the Secretary-General's report of 2 June 1991 (S/22669) submitted pursuant to paragraph 26 of resolution 687 (1991),

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Acting under Chapter VII of the Charter of the United Nations,

1. *Expresses its appreciation to the Secretary-General for his report of 2 June 1991 (S/22660);*

2. *Approves the Guidelines to Facilitate Full International Implementation of paragraphs 24, 25 and 27 of Security Council resolution 687 (1991), annexed to the report of the Secretary-General (S/22660);*

3. *Reiterates its call upon all States and international organizations to act in a manner consistent with the Guidelines;*

4. *Requests all States, in accordance with paragraph 8 of the Guidelines, to report to the Secretary-General within 45 days on the measures they have instituted for meeting the obligations set out in paragraph 24 of resolution 687 (1991);*

5. *Entrusts the Committee established under resolution 661 (1990) concerning the situation between Iraq and Kuwait with the responsibility, under the Guidelines, for monitoring the prohibitions against the sale or supply of arms to Iraq and related sanctions established in paragraph 24 of resolution 687 (1991);*

6. *Decides to remain seized of the matter and to review the Guidelines at the same time as it reviews paragraphs 22, 23, 24 and 25 of resolution 687 (1991) as set out in paragraph 28 thereof.*

8. RESOLUTION 705 (1991), 15 August 1991

Adopted unanimously at the 3004th meeting.

The Security Council,

Having considered the note of 30 May 1991 of the Secretary-General pursuant to paragraph 13 of his report of 2 May 1991 (S/22559) which was annexed to the Secretary-General's letter of 30 May 1991 to the President of the Security Council (S/22661),

Acting under Chapter VII of the Charter,

1. *Expresses its appreciation to the Secretary-General for his note of 30 May 1991 which was annexed to his letter to the President of the Security Council of the same date (S/22661);*

2. *Decides that in accordance with the suggestion made by the Secretary-General in paragraph 7 of his note of 30 May 1991, compensation to be paid by Iraq (as arising from section E of resolution 687) shall not exceed 30 per cent of the annual value of the exports of petroleum and petroleum products from Iraq;*

3. *Decides further, in accordance with paragraph 8 of the Secretary-General's note of 30 May 1991, to review the figure established in paragraph 2 above from time to time in light of data and assumptions contained in the letter of the Secretary-General (S/22661) and other relevant documents.*

9. RESOLUTION 706 (1991), 15 August 1991

Adopted at the 3004th meeting by 13 votes to 1 (Cuba), Yemen abstaining.

The Security Council,

Recalling its previous relevant resolutions and in particular resolutions 661 (1990), 686 (1991), 687 (1991), 688 (1991), 692 (1991), 699 (1991) and 705 (1991),

Taking note of the report (S/22799) dated 15 July 1991 of the inter-agency mission headed by the executive delegate of the Secretary-General for the United Nations inter-agency humanitarian programme for Iraq, Kuwait and the Iraq/Turkey and Iraq/Iran border areas,

Concerned by the serious nutritional and health situation of the Iraqi civilian population as described in this report, and by the risk of a further deterioration of this situation,

Concerned also that the repatriation or return of all Kuwaitis and third country nationals or their remains present in Iraq on or after 2 August 1990, pursuant to paragraph 2 (c) of resolution 686 (1991), and paragraphs 30 and 31 of resolution 687 (1991) has not yet been fully carried out,

Taking note of the conclusions of the above-mentioned report, and in particular of the proposal for oil sales by Iraq to finance the purchase of foodstuffs, medicines and materials and supplies for essential civilian needs for the purpose of providing humanitarian relief,

Taking note also of the letters dated 14 April 1991, 31 May 1991, 6 June 1991, 9 July 1991 and 22 July 1991 from the Minister of Foreign Affairs of Iraq and the Permanent Representative of Iraq to the Chairman of the Committee established by resolution 661 (1990) concerning the export from Iraq of petroleum and petroleum products,

Convinced of the need for equitable distribution of humanitarian relief to all segments of the Iraqi civilian population through effective monitoring and transparency,

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Recalling and reaffirming in this regard its resolution 688 (1991) and in particular the importance which the Council attaches to Iraq allowing unhindered access by international humanitarian organizations to all those in need of assistance in all parts of Iraq and making available all necessary facilities for their operation, and in this connection stressing the important and continuing role played by the Memorandum of Understanding between the United Nations and the Government of Iraq of 18 April 1991 (S/22663),

Recalling that, pursuant to resolution 687 (1991), 692 (1991) and 699 (1991), Iraq is required to pay the full costs of the Special Commission and the IAEA in carrying out the tasks authorized by section C of resolution 687 (1991), and that the Secretary-General in his report to the Security Council of 15 July 1991 (S/22792), submitted pursuant to paragraph 4 of resolution 699 (1991), expressed the view that the most obvious way of obtaining financial resources from Iraq to meet the costs of the Special Commission and the IAEA would be to authorize the sale of some Iraqi petroleum and petroleum products; recalling further that Iraq is required to pay its contributions to the Compensation Fund and half the costs of the Iraq-Kuwait Boundary Demarcation Commission, and recalling further that in its resolutions 686 (1991) and 687 (1991) the Security Council demanded that Iraq return in the shortest possible time all Kuwaiti property seized by it and requested the Secretary-General to take steps to facilitate this,

Acting under Chapter VII of the Charter,

1. Authorizes all States, subject to the decision to be taken by the Security Council pursuant to paragraph 5 below and notwithstanding the provisions of paragraphs 3 (a), 3 (b) and 4 of resolution 661 (1990), to permit the import, during a period of 6 months from the date of passage of the resolution pursuant to paragraph 5 below, of petroleum and petroleum products originating in Iraq sufficient to produce a sum to be determined by the Council following receipt of the report of the Secretary-General requested in paragraph 5 of this resolution but not to exceed 1.6 billion United States dollars for the purposes set out in this resolution and subject to the following conditions:

(a) Approval of each purchase of Iraqi petroleum and petroleum products by the Security Council Committee established by resolution 661 (1990) following notification to the Committee by the State concerned;

(b) Payment of the full amount of each purchase of Iraqi petroleum and petroleum products directly by the purchaser in the State concerned into an escrow account to be established by the United Nations and to be administered by the Secretary-General, exclusively to meet the purposes of this resolution;

(c) Approval by the Council, following the report of the Secretary-General requested in paragraph 5 of this resolution, of a scheme for the purchase of foodstuffs, medicines and materials and supplies for essential civilian needs as referred to in paragraph 20 of resolution 687 (1991), in particular health related materials, all of which to be labelled to the extent possible as being supplied under this scheme, and for all feasible and appropriate United Nations monitoring and supervision for the purpose of assuring their equitable distribution to meet humanitarian needs in all regions of Iraq and to all categories of the Iraqi civilian population, as well as all feasible and appropriate management relevant to this purpose, such a United Nations role to be available if desired for humanitarian assistance from other sources;

(d) The sum authorized in this paragraph to be released by successive decisions of the Committee established by resolution 661 (1990) in three equal portions after the Council has taken the decision provided for in paragraph 5 below on the implementation of this resolution, and notwithstanding any other provision of this paragraph, the sum to be subject to review concurrently by the Council on the basis of its ongoing assessment of the needs and requirements;

2. Decides that a part of the sum in the account to be established by the Secretary-General shall be made available by him to finance the purchase of foodstuffs, medicines and materials and supplies for essential civilian needs, as referred to in paragraph 20 of resolution 687, and the cost to the United Nations of its roles under this resolution and of other necessary humanitarian activities in Iraq;

3. Decides further that a part of the sum in the account to be established by the Secretary-General shall be used by him for appropriate payments to the United Nations Compensation Fund, the full costs of carrying out the tasks authorized by Section C of resolution 687 (1991), the full costs incurred by the United Nations in facilitating the return of all Kuwaiti property seized by Iraq, and half the costs of the Boundary Commission;

4. Decides that the percentage of the value of exports of petroleum and petroleum products from Iraq, authorized under this resolution to be paid to the United Nations Compensation Fund, as called for in paragraph 19 of resolution 687 (1991), and as defined in paragraph 6 of resolution 692 (1991), shall be the same as the percentage decided by the Security Council in paragraph 2 of resolution 705 (1991) for payments to the Compensation Fund, until such time as the Governing Council of the Fund decides otherwise;

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5. *Requests* the Secretary-General to submit within 20 days of the date of adoption of this resolution a report to the Security Council for decision on measures to be taken in order to implement paragraphs 1 (a), (b) and (c), estimates of the humanitarian requirements of Iraq set out in paragraph 2 above and of the amount of Iraq's financial obligations set out in paragraph 3 above up to the end of the period of the authorization in paragraph 1 above, as well as the method for taking the necessary legal measures to ensure that the purposes of this resolution are carried out and the method for taking account of the costs of transportation of such Iraqi petroleum and petroleum products;

6. *Further requests* the Secretary-General in consultation with the International Committee of the Red Cross to submit within 20 days of the date of adoption of this resolution a report to the Security Council on activities undertaken in accordance with paragraph 31 of resolution 687 (1991) in connection with facilitating the repatriation or return of all Kuwaiti and third country nationals or their remains present in Iraq on or after 2 August 1990;

7. *Requires* the Government of Iraq to provide to the Secretary-General and appropriate international organizations on the first day of the month immediately following the adoption of the present resolution and on the first day of each month thereafter until further notice, a statement of the gold and foreign currency reserves it holds whether in Iraq or elsewhere;

8. *Calls upon* all States to cooperate fully in the implementation of this resolution;

9. *Decides* to remain seized of the matter.

10. RESOLUTION 707 (1991), 15 August 1991

Adopted unanimously at the 3004th meeting.

The Security Council,

Recalling its resolution 687 (1991), and its other resolutions on this matter,

Recalling the letter of 11 April 1991 from the President of the Security Council to the Permanent Representative of Iraq to the United Nations (S/22485) noting that on the basis of Iraq's written agreement (S/22456) to implement fully resolution 687 (1991) the preconditions established in paragraph 33 of that resolution for a cease-fire had been met,

Noting with grave concern the letters dated 26 June 1991 (S/22739), 28 June 1991 (S/22743) and 4 July 1991 (S/22761) from the Secretary-General,

conveying information obtained from the Executive Chairman of the Special Commission and the Director-General of the IAEA which establishes Iraq's failure to comply with its obligations under resolution 687 (1991),

Recalling further the statement issued by the President of the Security Council on 28 June 1991 (S/22746) requesting that a high-level mission consisting of the Chairman of the Special Commission, the Director-General of the IAEA, and the Under-Secretary-General for Disarmament Affairs be dispatched to meet with officials at the highest levels of the Government of Iraq at the earliest opportunity to obtain written assurance that Iraq will fully and immediately cooperate in the inspection of the locations identified by the Special Commission and present for immediate inspection any of those items that may have been transported from those locations,

Dismayed by the report of the high-level mission to the Secretary-General (S/22761) on the results of its meetings with the highest levels of the Iraqi Government,

Gravely concerned by the information provided to the Council by the Special Commission and the IAEA on 15 July 1991 (S/22788) and 25 July 1991 (S/22837) regarding the actions of the Government of Iraq in flagrant violation of resolution 687 (1991),

Gravely concerned also by the evidence in the letter of 7 July 1991 from the Minister of Foreign Affairs of Iraq to the Secretary-General and in subsequent statements and findings that Iraq's notifications of 18 and 28 April were incomplete and that it had concealed activities, which both constituted material breaches of its obligations under resolution 687 (1991),

Noting also from the letters dated 25 June 1991 (S/22739), 28 June 1991 (S/22743) and 4 July 1991 (S/22761) from the Secretary-General that Iraq has not fully complied with all of its undertakings relating to the privileges, immunities and facilities to be accorded to the Special Commission and the IAEA inspection teams mandated under resolution 687 (1991),

Affirming that in order for the Special Commission to carry out its mandate under paragraph 9 (b) (i), (ii) and (iii) of resolution 687 (1991) to inspect Iraq's chemical and biological weapons and ballistic missile capabilities and to take possession of them for destruction, removal or rendering harmless, full disclosure on the part of Iraq as required in paragraph 9 (a) of resolution 687 (1991) is essential,

Affirming that in order for the IAEA with the assistance and cooperation of the Special Commission, to determine what nuclear-weapons-usable material or any subsystems or components or

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any research, development, support or manufacturing facilities related to them need, in accordance with paragraph 13 of resolution 687 (1991), to be destroyed, removed or rendered harmless, Iraq is required to make a declaration of all its nuclear programmes including any which it claims are for purposes not related to nuclear-weapons-usable material,

Affirming that the aforementioned failures of Iraq to act in strict conformity with its obligations under resolution 687 (1991) constitutes a material breach of its acceptance of the relevant provisions of resolution 687 (1991) which established a cease-fire and provided the conditions essential to the restoration of peace and security in the region,

Affirming further that Iraq's failure to comply with its safeguards agreement with the International Atomic Energy Agency, concluded pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968, as established by the resolution of the Board of Governors of the IAEA of 18 July 1991 (GOV/2531), constitutes a breach of its international obligations,

Determined to ensure full compliance with resolution 687 (1991) and in particular its section C,

Acting under Chapter VII of the Charter,

1. *Condemns* Iraq's serious violation of a number of its obligations under section C of resolution 687 (1991) and of its undertakings to cooperate with the Special Commission and the IAEA, which constitutes a material breach of the relevant provisions of resolution 687 which established a cease-fire and provided the conditions essential to the restoration of peace and security in the region;

2. *Further condemns* non-compliance by the Government of Iraq with its obligations under its safeguards agreement with the International Atomic Energy Agency, as established by the resolution of the Board of Governors of 18 July, which constitutes a violation of its commitments as a party to the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968;

3. *Demands* that Iraq

(i) provide full, final and complete disclosure, as required by resolution 687 (1991), of all aspects of its programmes to develop weapons of mass destruction and ballistic missiles with a range greater than 150 kilometres, and of all holdings of such weapons, their components and production facilities and locations, as well as all other nuclear programmes, including any which it claims are for purposes not related to nuclear-weapons-usable material, without further delay;

(ii) allow the Special Commission, the IAEA and their Inspection Teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation which they wish to inspect;

(iii) cease immediately any attempt to conceal, or any movement or destruction of any material or equipment relating to its nuclear, chemical or biological weapons or ballistic missile programmes, or material or equipment relating to its other nuclear activities without notification to and prior consent of the Special Commission;

(iv) make available immediately to the Special Commission, the IAEA and their Inspection Teams any items to which they were previously denied access;

(v) allow the Special Commission, the IAEA and their Inspection Teams to conduct both fixed wing and helicopter flights throughout Iraq for all relevant purposes including inspection, surveillance, aerial surveys, transportation and logistics without interference of any kind and upon such terms and conditions as may be determined by the Special Commission, and to make full use of their own aircraft and such airfields in Iraq as they may determine are most appropriate for the work of the Commission;

(vi) halt all nuclear activities of any kind, except for use of isotopes for medical, agricultural or industrial purposes until the Security Council determines that Iraq is in full compliance with this resolution and paragraphs 12 and 13 of resolution 687 (1991), and the IAEA determines that Iraq is in full compliance with its safeguards agreement with that Agency;

(vii) ensure the complete implementation of the privileges, immunities and facilities of the representatives of the Special Commission and the IAEA in accordance with its previous undertakings and their complete safety and freedom of movement;

(viii) immediately provide or facilitate the provision of any transportation, medical or logistical support requested by the Special Commission, the IAEA and their Inspection Teams;

(ix) respond fully, completely and promptly to any questions or requests from the Special Commission, the IAEA and their Inspection Teams;

4. *Determines* that Iraq retains no ownership interest in items to be destroyed, removed or rendered harmless pursuant to paragraph 12 of resolution 687 (1991);

5. *Requires* that the Government of Iraq forthwith comply fully and without delay with all its international obligations, including those set out in

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the present resolution, in resolution 687 (1991), in the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968 and its safeguards agreement with the IAEA;

6. *Decides* to remain seized of this matter.

11. RESOLUTION 712 (1991), 19 September 1991

Adopted at the 3008th meeting by 13 votes in favour, Cuba voting against, Yemen abstaining.

The Security Council,

Recalling its previous relevant resolutions and in particular resolutions 661 (1990) of 6 August 1990, 686 (1991) of 2 March 1991, 687 (1991) of 3 April 1991, 688 (1991) of 5 April 1991, 692 (1991) of 20 May 1991, 699 (1991) of 17 June 1991, and 705 (1991) and 706 (1991) of 15 August 1991;

Expressing its appreciation for the report dated 4 September 1991 submitted by the Secretary-General pursuant to paragraph 5 of resolution 706 (1991), [1] [1. S/23006.]

Reaffirming its concern about the nutritional and health situation of the Iraqi civilian population and the risk of a further deterioration of this situation, and underlining the need in this context for fully up-to-date assessments of the situation in all parts of Iraq as a basis for the equitable distribution of humanitarian relief to all segments of the Iraqi civilian population,

Recalling that the activities to be carried out by or on behalf of the Secretary-General to meet the purposes referred to in resolution 706 (1991) and the present resolution enjoy the privileges and immunities of the United Nations,

Acting under Chapter VII of the Charter of the United Nations,

1. *Confirms* the figure mentioned in paragraph 1 of resolution 706 (1991) as the sum authorized for the purpose of that paragraph, and reaffirms its intention to review this sum on the basis of its ongoing assessment of the needs and requirements, in accordance with paragraph 1 (d) of resolution 706 (1991);

2. *Invites* the Security Council Committee established by resolution 661 (1990) to authorise immediately, pursuant to paragraph 1 (d) of resolution 706 (1991), the release by the Secretary-General from the escrow account of the first one-third portion of the sum referred to in paragraph 1 above, such release to take place as required subject to the availability of funds in the account and, in the case of payments, to finance the purchase of

foodstuffs, medicines and materials and supplies for essential civilian needs that have been notified or approved in accordance with existing procedures, subject to compliance with the procedures laid down in the report of the Secretary-General as approved in paragraph 3 below;

3. *Approves* the recommendations in the Secretary-General's report as contained in its paragraphs 57 (d) and 58;

4. *Encourages* the Secretary-General and the Security Council Committee established by resolution 661 (1990) to cooperate, in close consultation with the Government of Iraq, on a continuing basis to ensure the most effective implementation of the scheme approved in the present resolution;

5. *Decides* that petroleum and petroleum products subject to resolution 706 (1991) shall while under Iraqi title be immune from legal proceedings and not be subject to any form of attachment, garnishment or execution, and that all States shall take any steps that may be necessary under their respective domestic legal systems to assure this protection, and to ensure that the proceeds of sale are not diverted from the purposes laid down in resolution 706 (1991);

6. *Reaffirms* that the escrow account to be established by the United Nations and administered by the Secretary-General to meet the purposes of resolution 706 (1991) and the present resolution, like the Compensation Fund established by resolution 692 (1991), enjoys the privileges and immunities of the United Nations;

7. *Reaffirms* that the inspectors and other experts on mission for the United Nations, appointed for the purpose of the present resolution, enjoy privileges and immunities in accordance with the Convention on the Privileges and Immunities of the United Nations, and demands that Iraq allow them full freedom of movement and all necessary facilities;

8. *Confirms* that funds contributed from other sources may if desired, in accordance with paragraph 1 (c) of resolution 706 (1991), be deposited into the escrow account as a sub-account and be immediately available to meet Iraq's humanitarian needs as referred to in paragraph 20 of resolution 687 (1991) without any of the obligatory deductions and administrative costs specified in paragraphs 2 and 3 of resolution 706 (1991);

9. *Urges* that any provision to Iraq of foodstuffs, medicines or other items of a humanitarian character, in addition to those purchased with the funds referred to in paragraph 1 of the present resolution, be undertaken through arrangements that assure their equitable distribution to meet humanitarian needs;

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10. *Requests* the Secretary-General to take the actions necessary to implement the above decisions, and authorizes him to enter into any arrangements or agreements necessary to accomplish this;

11. *Calls upon* States to cooperate fully in the implementation of resolution 706 (1991) and the present resolution, in particular with respect to any measures regarding the import of petroleum and petroleum products and the export of foodstuffs, medicines and materials and supplies for essential civilian needs as referred to in paragraph 20 of resolution 687 (1991), and also with respect to the privileges and immunities of the United Nations and its personnel implementing the present resolution, and to ensure that there are no diversions from the purposes laid down in these resolutions;

12. *Decides* to remain seized of the matter.

12. RESOLUTION 715 (1991), 11 October 1991

Adopted unanimously at the 3012th meeting.

The Security Council,

Recalling its resolutions 687 (1991) of 3 April 1991 and 707 (1991) of 15 August 1991, and its other resolutions on this matter,

Recalling in particular that under resolution 687 (1991) the Secretary-General and the Director General of the International Atomic Energy Agency were requested to develop plans for future ongoing monitoring and verification, and to submit them to the Security Council for approval,

Taking note of the report and note of the Secretary-General, transmitting the plans submitted by the Secretary-General and the Director General of the International Atomic Energy Agency,

Acting under Chapter VII of the Charter of the United Nations,

1. *Approves*, in accordance with the provisions of resolutions 687 (1991), 707 (1991) and the present resolution, the plans submitted by the Secretary-General and the Director General of the International Atomic Energy Agency [S/22871/Rev.1 and S/22872/Rev.1 and Corr.1.];

2. *Decides* that the Special Commission shall carry out the plan submitted by the Secretary-General, [S/22871/Rev.1.] as well as continuing to discharge its other responsibilities under resolutions 687 (1991), 699 (1991) and 707 (1991) and performing such other functions as are conferred upon it under the present resolution;

3. *Requests* the Director General of the International Atomic Energy Agency to carry out, with the assistance and cooperation of the Special Commission, the plan submitted by him [S/22872/Rev.1 and Corr.1.] and to continue to discharge his other responsibilities under resolutions 687 (1991), 699 (1991) and 707 (1991);

4. *Decides* that the Special Commission, in the exercise of its responsibilities as a subsidiary organ of the Security Council, shall:

(a) Continue to have the responsibility for designating additional locations for inspection and overflights;

(b) Continue to render assistance and cooperation to the Director General of the International Atomic Energy Agency, by providing him by mutual agreement with the necessary special expertise and logistical, informational and other operational support for the carrying out of the plan submitted by him;

(c) Perform such other functions, in cooperation in the nuclear field with the Director General of the International Atomic Energy Agency, as may be necessary to coordinate activities under the plans approved by the present resolution, including making use of commonly available services and information to the fullest extent possible, in order to achieve maximum efficiency and optimum use of resources;

5. *Demands* that Iraq meet unconditionally all its obligations under the plans approved by the present resolution and cooperate fully with the Special Commission and the Director General of the International Atomic Energy Agency in carrying out the plans;

6. *Decides* to encourage the maximum assistance, in cash and in kind, from all Member States to support the Special Commission and the Director General of the International Atomic Energy Agency in carrying out their activities under the plans approved by the present resolution, without prejudice to Iraq's liability for the full costs of such activities;

7. *Requests* the Committee established under resolution 661 (1990), the Special Commission and the Director General of the International Atomic Energy Agency to develop in cooperation a mechanism for monitoring any future sales or supplies by other countries to Iraq of items relevant to the implementation of section C of resolution 687 (1991) and other relevant resolutions, including the present resolution and the plans approved hereunder;

8. *Requests* the Secretary-General and the Director General of the International Atomic Energy Agency to submit to the Security Council reports on the implementation of the plans approved by the present resolution, when requested by the Security Council and in any event at least every six months after the adoption of this resolution;

9. *Decides* to remain seized of the matter.