

Documenting the Genocide Against the Kurds  
Serial No 03

INTERNATIONAL  
CONFERENCE ON  
GENOCIDE  
AGAINST THE  
KURDISH PEOPLE

ERBIL  
26-28 JANUARY 2008

ORGANIZING COMMITTEE OF THE CONFERENCE

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Institut kurde de Paris

INTERNATIONAL  
CONFERENCE ON  
GENOCIDE AGAINST  
THE KURDISH PEOPLE



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**INTERNATIONAL CONFERENCE ON  
GENOCIDE AGAINST THE KURDISH PEOPLE**  
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**PREFACE**

The International Conference on Genocide against the Kurdish people was held in Erbil 26-28 January 2008 under the auspices of Kurdistan Region Government Prime Minister Nechirvan Barzani.

In an effort to seek international recognition of the genocide against the Kurdish people and to document and disseminate all available information and research data on the crimes committed against the Kurdish people in Iraq, we have decided to publish all the material presented at the conference.

At the conference, more than 60 papers and presentations were submitted to the conference evaluation board and 53 were accepted. Only 37 papers could be presented during the three days of the conference.

Papers and presentations were presented in three languages Kurdish, English and Arabic. We will publish three books, one for each language.

It is important to point out that the contents of the papers and other information published in this book reflect only the views of their authors.

We are very pleased that one of the main recommendations of the conference has been approved by the Iraqi Council of Representatives (Parliament) on the anniversary of the Anfal operations on 14 April 2008. The Iraqi Council of Representatives recognized the crimes committed against the Iraqi Kurdish people as crimes of genocide and has called for compensation for survivors and the families of victims.

**Fuad Hussein**

Head of the Organizing Committee



In line with the Preamble of the Iraqi Constitution which echoes the suffering of the Iraqi people, including crimes of ethnic cleansing in Halabja, against the Barzanis, during the Anfal campaign, and against the Failis, and in compliance with the decrees of the Iraq High Tribunal on the infamous Anfal operations, the **Iraqi Council of Representatives has unanimously voted for this resolution which identifies the crimes committed against the Kurdish people in Iraqi Kurdistan as crimes of genocide.**

**Council of Representatives of Iraq**

April 14, 2008

# RESOLUTION

INTERNATIONAL CONFERENCE ON GENOCIDE AGAINST THE KURDISH PEOPLE

# SPEECH BY FUAD HUSSEIN, THE HEAD OF ORGANIZING COMMITTEE.

Your Excellencies,  
Distinguished Guests,  
Members of the Conference,  
Ladies and Gentlemen,

Allow me to welcome you all on behalf of the Organizing Committee of the Conference. A special welcome to the distinguished guests from abroad. We are delighted to have them here with us in Kurdistan. It is an honour and a privilege for us to organize this event which aims at seeking international recognition of the genocide against the Kurdish people.

I would also like to use this opportunity to thank my colleagues of the Organizing Committee, Her Excellency the Minister of Martyrs and Anfal affairs, the Minister of Human Rights as well as various individuals who were members of the committee. Many other people from my office and other ministries have worked very hard to prepare this conference. My sincere thanks to everyone of them.

Ladies and Gentlemen,

When we were asked by our Prime Minister His Excellency Nechirvan Barzani to carry out this task, the following question was raised:

## **Why do the Kurds seek this recognition?**

This question immediately led us to many other questions, such as: How to seek that recognition? Whom do we address? Which organization shall we approach? and of course, why do the Kurds need that recognition?

We hope that the participants of this international conference will answer these questions through the topics that will be discussed. The aim of the conference, however, is not only to deal with these questions, but also to discuss the genocide against the Kurdish people from different angles. We are grateful that about sixty papers were submitted to the selection committee for presentation during the conference. I would like to thank all the scholars, researchers and politicians who have worked so hard at our request. At the same time I must apologize to some of them, because we were unable to use all the papers during the conference. Having said that, we promise to publish all the papers related to the subject of genocide in a book that will be used during the next conference on this topic which we are planning to hold somewhere in Europe in the near future.

For the present conference, scholars, politicians and writers have been invited from many Western countries, such as the United States, the United Kingdom, France, Germany, Norway, the Netherlands, Belgium, Spain, Italy, Denmark, Canada, Austria, Australia, Finland, Sweden, and some other countries.

Some friends from Arab countries as well as Iraqis who wrote about the Kurds and Kurds who wrote about the "Killing Fields" and "Ethnic Cleansing" in Kurdistan have been asked to participate. Some of them are Kurds in Diaspora and I would like to give them a particularly warm welcome home.

## **Dear Participants,**

I hope that the workshops and panel discussions will lead us to the answer of the question why this genocide against the Kurds happened. Genocide has taken place on the international stage during various periods in modern history and it must happen never again.

The Kurds and the people of Kurdistan have suffered a lot and have paid a very high price to reach this stage of freedom.

I am not exaggerating when I say that every Kurd from my generation and my parents' generation has a story to tell. In the old days, the Kurds sometimes had to fight for the survival of their people, carrying their cause on their shoulders in the mountains of Kurdistan or in the prisons of the Iraqi regime or in diaspora. This period is now in the past, but it has left deep wounds in Kurdish society. The Kurds need recognition for their suffering and all of it must be documented. Just as our language, geography, history and many other aspects form part of our national identity, so the genocide against the Kurds now is the most important aspect in the formation the Kurdish nation. This tragedy must not only form part of our history, but it must also become a guideline for us to build a society far removed from hatred and violence. An open society which is united through diversity. In Iraqi Kurdistan we are trying to overcome the tragedy of the systematic murder and destruction of our people and country. We are in the process of trying to create a new society in which we can believe: a society which considers the human being, regardless of his or her religion, colour, race or ethnicity, as the most important capital which can be used for the benefit of every individual and group.

We are only at the beginning of this process and we make many mistakes, but we are determined to create a society based on humanitarian principles and we need all the help and support we can get. In this way we hope that one day we can feel so sure of ourselves that we can tell our children and grandchildren and all the future generations of Kurds that the killing of thousands of Faily Kurds, Barzanis, Garmianies during Anfal Actions, Halabja, Badinan Anfal, etc., etc., etc. is in the past and will never happen again.

Thank you

# SPEECH BY KRG PRIME MINISTER NECHIRVAN BARZANI

**Dear attendees, honourable guests,**

Good afternoon and welcome. I warmly welcome you all, especially those who have come from far away and abroad to participate in this important conference.

You are here for a valuable and noble purpose. I hope your visit and participation will be useful and fruitful. This is an opportunity for you to experience for yourself the safety and stability which we are trying to establish in the Kurdistan Region.

I want to thank the organizers of this conference and those individuals and groups who have helped us to shed more light on the darkest times in Kurdish history. I give my thanks and gratitude to the coordinators of this important conference, which the Kurdistan Regional Government wholeheartedly supports.

The oppressed people of Kurdistan, and friends of the Kurds around the world, will never forget the crime of the Anfal and they will not allow it to be ignored. Because this was a crime against humanity, it was a savage mass killing; its goal was to eradicate the existence of the Kurdish nation.

The Kurdistan liberation movement has also tried to inform the international community, the UN, the superpowers, and the Arab and Islamic countries of this crime since the Anfal campaign in 1987 and 1988. It did this through declarations, meetings, political and diplomatic channels, conferences, seminars, gatherings and demonstrations, in countries around the world in order to publicize and condemn this crime.

Apart from various small groups of intellectuals and peace and freedom loving people, no state or intentional organizations formally answered our documents. Our demands were ignored.

The world considered its relations with Saddam Hussein's regime more important than the attempted eradication of a nation.

Nevertheless, from 1991 to 2003 the Kurdistan Region was free from the political and administrative authority of the Iraqi regime.

But we still lacked documentary evidence regarding the crime of the Anfal campaign. There was a lack of information regarding the fate of the victims of the Anfal and the locations of the mass graves. Until April 2003, the Ba'ath regime did not allow research into these crimes and the terrible fate of 182,000 innocent Kurdish civilians, and always denied responsibility for it.

It was only in spring 2003, following the collapse of the regime, we had the opportunity to form a team to carry out field investigations in the mass graves to find these lost people. It was our team, a few weeks after it was established, and with the assistance of Iraqi friends, in difficult and risky conditions, that reached the deserts of Southern Iraq.

### **There they found the first big Anfal mass grave.**

At the same time, our Shia brothers were looking for victims of their own uprising in mass graves. Thus hundreds of mass graves were found, from the South of Iraq to Kurdistan and the vicinity of Mosul City.

Today, most parts of the crime have been uncovered. The case was passed to the highest Iraqi court – the Supreme Criminal Court of Iraq. This court has reached its verdict and declared a mass killing – genocide against the Kurdish people.

### **Now it needs further investigation:**

First, so that the Anfal is internationally recognized as a genocide against the Kurdish nation.

Second, so that more accurate data can be collected because within the Anfal campaign tens of other crimes against humanity were committed. Among these crimes was the effort to hide the Anfal campaign itself.

Third, full support should be given to the Supreme Criminal Court of Iraq to try all those involved in all stages of the Anfal campaign, which took place in different geographical locations in Kurdistan, from Germian to Behdinan.

We know that crimes such as this have been committed against other people in Iraq. While here we talk about the crimes committed against the Kurds, we must not forget that we were not the only victims of the regime.

Most importantly, today we are present here to join the international community in their efforts to erase genocide as a political tool throughout the world.

In the late 1980s, Saddam's regime carried out its notorious Anfal operations as the culmination of several years of oppression, suppression and negligence. Therefore, at this time of year all of us commemorate the victims and uphold their memories - especially those men, women and children who were victims of this crime against humanity.

We must appreciate the role played by the Supreme Criminal Court of Iraq, and its chairman, judges and prosecutors, who have justly and courageously investigated the Anfal crimes these past years until the final verdict was handed down in spring 2007. They were patient, enduring and worked very hard.

**At that time they recognized that three crimes were committed against the Kurdish people in the name of the Anfal:**

- The crime of mass killing, with the objective of annihilating the Kurds;
- Crimes against humanity against tens of thousands innocent civilians;
- War crimes against the people of Kurdistan.

It was also decided to compensate the victims for losses incurred as a result of these crimes.

The process and verdict of the Supreme Criminal Court of Iraq is the most just action since the fall of the regime.

Indeed, in addition to the Iraqi constitution, the federal government, the formation of a parliament, and freedom, the creation of the Supreme Criminal Court and its verdicts regarding Dujail and Anfal were amongst the most important decisions taken after the fall of the regime.

This is the first time in the history of Kurdistan that the perpetrators of mass killing and crimes against humanity have been brought to justice by such just verdicts being handed down.

Throughout history the Kurds have been subjected to major mass killings, but this is the first time that we have gained judicial, political and legal rights and our oppression has been discovered. Therefore, we say on behalf of the Kurdish people, that the just verdicts passed by the Supreme Criminal Court of Iraq are an achievement as important as federalism itself.

Those decisions paved the way to secure the rights of Kurds to be recognized on our own soil.

I would like to thank those teams of people who have worked in dangerous situations to faithfully uncover and inspect the mass graves and who transported the remains of tens of Anfal martyrs from the deserts to the Supreme Criminal Court of Iraq, to be used as evidence of the crimes.

I would like to thank Dr Mohammed Ihsan, and other Kurdish figures, international organizations, and especially experts in the investigation and inspection of the mass grave sites who have produced scientific reports for the Supreme Criminal Court of Iraq.

I want to thank Kurdish organizations, figures, experts, and intellectuals, wherever they are who have always highlighted, the Anfal and spread the word, both inside and outside Kurdistan by writing books, reports and holding seminars. I want to especially thank the documentary film maker Gwynne Roberts, who has played an important role in bringing this to the attention of the world community.

I would also like to thank the team of lawyers who defended the rights of the victims of the Anfal who over the last two years have attended sessions of the Supreme Criminal Court in Baghdad and who defended the truth until the day in May 2007 that they submitted



their legal charter to the Court.

This team consisted of seven Kurdish lawyers, and in recognition of the services they have rendered the victims' families they must be remembered by our people.

The lawyers are:

- **Mr. Mustafa Askari from Suleimaniah**
- **Mr. Mohammed Salih Amedi from Dohuk**
- **Mr. Abdulrhaman Zebari from Erbil**
- **Mr. Mustafa Ali Ahmed from Erbil**
- **Mr. Goran Adham Raheem from Suleimaniah**
- **Ms Hadar Zuber Barzani from Erbil**
- **Mr. Ayad Ismail Kakayee from Erbil**

In addition to their tireless efforts over two years, this team of lawyers prepared an important legal charter regarding the Anfal crimes, and the Court based its legal verdicts on it.

Here I ask, what were the effects of this crime against the social fabric of the Kurdistan Region? What does this crime mean to the relatives of the victims? And how does that affect our relationship with the new Iraq?

It is very important for the international community to understand that our views and attitudes today are shaped by and reflect our history. In this respect, we are no different from any other nation in the world. Unfortunately, history is often shaped by conflict and tragedy.

For example if we look at American politics, government, and society we can clearly see the effects of the British colonial experience. The American Revolution has its own place in history. America is defined by the way it won its independence.

The US constitution, one of the world's most successful founding documents, built a system of government based on the rejection of a central concentration of power. This decentralization of power and system of checks and balances is a consequence of the colonial experience of the United States and the American reaction and attitude towards persecution and occupation.

And the same thing is true throughout the world. Societies in different phases of development must confront and be shaped by the realities of their past history. For example, for South Africa that legacy is apartheid, for Germany it is Nazism, for Russia it is Communism.

For the Kurds that legacy is the attempted genocide by the former regime in Baghdad. This legacy of genocide will remain with us, it has become a part of our literature, culture and politics.

It is a past we cannot escape. In brief, it has become a part of all we think and do. We can never forget that for decades a systematic attempt was made to eradicate the Kurdish people from the state of Iraq.

This effort was a comprehensive attempt which included physical, psychological, economic, cultural and social violence.

The endless savagery towards the land and people of Kurdistan was aimed at eliminating the Kurdish national identity. These rare and unique crimes and terror and indescribable intimidation will live in the Kurdish memory for all time.

This is a part of our culture and heritage. We will never forget it. But most importantly, we will never allow it to happen again.

### **The challenge we face has many aspects:**

We must keep the memory of this tragedy alive and protect the rights and dignity of the families of the victims, but we have to make progress without allowing hatred or violence in our actions and work.

We want to take these steps within our fine culture of tolerance, peace and a hopeful life.

We need to feel that Iraq and the international community supports us in achieving this goal.

The trial of Saddam Hussein and other leaders of the former regime for the crime of the genocide of the Kurds was an imperfect exercise, but it was a first step in a long process – this process will not end with one trial or conviction.

We differentiate between those who made command decisions and those who were simply following orders. But, at the same time, we will not rest or feel confident or be assured of our status in Iraq until we see the full, complete and unbiased implementation of justice against all the criminals who tried to annihilate the Kurdish people, and the same for all those who committed similar crimes against others in Iraq.

We must also talk about the role of the Iraqi state in this matter. I know this is a sensitive subject. And of course, we do not hold any officials in the current government of Iraq responsible for the crimes of the Ba'athist regime.

We also believe – and there is considerable historical support for this view – that the new Iraqi state has some obligation to help those who were persecuted, attacked and martyred by the previous regime, and to apologize to the people of Kurdistan.

Throughout history, governments which have followed dictatorial and savage regimes have taken steps to right the wrongs committed by the previous national governments.

We hope that our brothers and sisters in Baghdad will bear this in mind, not just for the Kurds, but also the other ethnic and religious groups who were the victims of oppression by the former regime.

In order for national reconciliation and a stable, secure and united Iraq to succeed, we hope that Iraqi politicians and the federal Iraqi government will seriously consider a number of steps to relieve the effects of oppression on the families of the victims of Anfal and other tragedies.

**Federalism and freedom:** the consequences and effects of our past history will make us long distrustful of a powerful centralized government which controls all issues and subjects.

Unfortunately, a lot of people in Iraq and outside have misunderstood us and view our commitment to federalism with suspicion.

They conclude only one thing, and that is our desire for separation and independence. I would like to say that they are wrong in their opinion.

What they do not, or have not considered is the fact that the Iraqi state has been run by successive centralized governments. And all of these successive Baghdad based regimes have violated the freedom and rights of the Kurdish people.

Here I would like to speak openly. In this process the international community helped Baghdad. An honest reading of history shows that many times the Kurds have been neglected and deceived by the international community.

One hundred years ago we were promised support and protection but unfortunately these promises were never fulfilled. We were full of hope at the liberation of Iraq but history reminds us that we must always be ready for the possibility that once again we will be abandoned and left alone.

Unfortunately the world came very late to an awareness of the genocide of the Kurds. While the liberation of Iraq caused light to be shed on this crime and for it to be discussed our question and concern is: If it were not for the liberation of Iraq would the world have cared or discussed this crime?

Therefore, when the new Iraq constitution was drafted, we insisted that the rights and freedoms that for many years were promised but never delivered would be secured in the new Iraqi state.

The concept and practice of federalism is the best guarantee for our future.

We must also be sure and guarantee that neither the current government in Baghdad, nor any future government, will use its authority to violate or ignore our legal rights. It is our desire, and since the fall of the regime we have repeatedly said that we will be part of a federal Iraq.

### **We have publicly and often stated this commitment.**

But at the same time we are determined that federalism be genuine and our rights be protected according to constitutional principles.

Today our relations with Baghdad are fine although not quite at the level we desire. We hope that this relationship will continue and

improve. We have total belief in power and wealth sharing, but we are also determined that this belief and commitment will be a two-way street.

We are ready to solve all the pending issues and questions with Baghdad. We are also ready to work with the federal government to strengthen the federal system in Iraq.

We know that stability, security and prosperity in the Kurdistan Region is dependent to a great extent on stability and security in Iraq.

The consequence and effect of our past is that we must always be strong and united to protect our people from persecution and injustice. We must not have a naïve sense of our own security. We must maintain the strength and capability to protect our own people whatever the cost. We have no other alternative.

We have witnessed so much violence in the past. From so many quarters destructive actions have been committed against us. Therefore, we cannot allow the same bitter history to be repeated.

The Peshmerga force of Kurdistan is a constitutionally recognized force and is tasked with the protection of the Kurdistan Region. We are proud of this force and we highly value the sacrifices of the Peshmerga. They must be powerful so that our freedoms can be guaranteed.

All parties are aware of the fact that the Peshmerga has never attacked or harassed any other party. They have only defended the rights of the people of Kurdistan. They have always been ready to sacrifice for that objective.

### **Building the future:**

We all have to make the memory of our sacrifices a driving force to encourage us to build a prosperous, stable, and bright future. We must be confident that the lives of tens of thousands of victims were not lost in vain.

Our culture of tolerance guarantees that we will value the memory of the victims so that we construct a new ways of working. We are working hard to build our institutions, to develop our economy and to advance our freedom and political situation.

While we talk about the attempted genocide of the Kurds, we remember all those crimes that the previous regime committed against the people of Iraq.

We appreciate and deeply value all those victims, especially in Halabja, Sheikh Wasan, Balisan, Bahdinan, Germian, the Barzanis and the Failis. They were all innocent victims.

Finally, I would like to say that our history demands that we rectify past injustices and persecution, especially those injustices that occurred in the disputed areas.

This was another unjust act by the former regime that in the wake of its brutal policy tens of thousands of Kurds and people from other ethnic backgrounds were forcibly expelled from their areas and their rights were denied.

We are asking for the return, in a legal and constitutional way, of rights to those they were taken from. We are determined to implement all the articles of the constitution because only through implementing the constitution can we secure a bright future for all of Iraq.

Ladies and gentlemen, once again, I thank you very much for your participation and serious work. I hope we were able to pay the victims of Anfal some of what they deserve with our humble contribution.

### **Our children should benefit from the history of our people.**

Of course I'm sorry that I can't thank everyone who has been involved in this process, but I want you to know how much I appreciate all your efforts. I would though briefly like to thank Dr Fuad Hussein, Chief of Staff to the President; Dr Shuwan Mohammed Aziz, Minister for Human Rights; Ms Chnar Sa'ad Abdullah, Minister for Martyrs and Anfal Affairs; Ms Vinos Fayek; Mr Araf Korbani; Mr Sardar Abdulla; Mr Omer Muhammed; and Mr Azad Kakaresh.

**Again, I thank all of you very much, and I wish you success.**

# CRIMES OF MASS MURDER AGAINST THE KURDISH PEOPLE AND THEIR CONSEQUENCES.

CHNAR S. ABDULAH  
MINISTER OF MARTYRS AND ANFAL AFFAIRS (KRG)

## Forward

The Kurdish nation is one of the oldest nations in the Middle East. Although the Kurds have always been peaceful and neighborly in the area, throughout modern history they have been subjected to oppression and violent occupation. The Baath dictatorship in Iraq was one of the most violent regimes in the twentieth century. Disregarding international, moral and humanitarian norms, the Baath regime attempted to annihilate the Kurds in a systematic process. This systematic and preplanned process started in 1979-1980 by killing and forcefully removing thousands of Failyi Kurds in Baghdad and Khanaqeen. Later in attempting to suppress the Kurdish national movement's revolt of 1983, the regime massacred 8000 Barzanies and buried them in mass graves. In 1987 the regime started to use new

methods and weapons against Kurdistan's rural population, in which chemical bombs were dropped on Shexwasanan and Balisan where thousands of civilian villagers were gassed to death. A year later the regime dropped chemical bombs on the town of Halabja where more than 5000 civilians killed and thousands more injured. The final stage of this genocidal campaign was named Anfal, A Quranic verse, and targeted a wide area of rural Kurdistan. In Anfal 182,000 people were taken to Iraq's southern deserts and buried in mass graves. All of these crimes have contributed to the destruction of the Kurdish society and in particular the social life of the targeted areas. This paper presents a statistical report on the crimes committed against the Kurds. The greatest obstacle faced us in our preparation for this report was the lack of necessary data and information on victims and survives. Ministry of Martyrs and Anfal Affairs was established within the fifth cabinet of the Kurdistan Regional Government. One of the Ministry's priorities was to conduct a general census in Kurdistan on the crimes committed against the Kurds starting with the mass murder of the Failly Kurds through the massacre of the Barzaniees to the genocide of Anfal. What we have prepared here is the result of the census we started in June 2007 and finalized at the end of the same year.

**The information in this report is divided into two parts:**

**Part One:** Information on victims of mass killings and the hidden intentions behind these crimes.

**Part Two:** information on victims' families and their reaction to the crimes.

**Part One:**

Information on victims of mass killings and the hidden intentions behind these crimes.

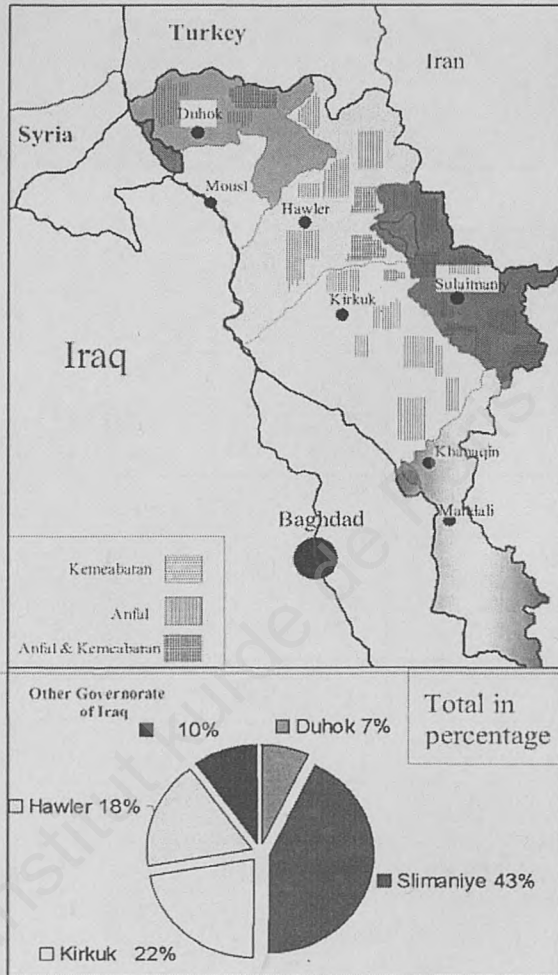
Genocide against the Kurds was not restricted to one particular area, group or sex but included all areas of Kurdistan and targeted members of every group, sex and age in Kurdistan. The violent policy of forceful removal and mass killing was indiscriminate and targeted every religion, age and sex. Tables (1, 2, 3 and 4) show this clearly.

Table one shows the destruction caused to Kurdistan's governorates that were targeted by Anfal process and chemical attacks.



Governorate	Anfal	Chemical attacks	Total
Duhok	6.59	0.54	7.13
Mosul	0.58	0.01	0.59
Sulaimani	30.74	12.03	42.77
Kirkuk	22.15	0.21	22.37
Hawler	16.35	1.33	17.68
Diyala	0.11	0.01	0.12
Baghdad	2.43	0.00	2.43
Babil	0.00	0.00	0.00
Wasit	0.42	0.00	0.42
Salahadeen	6.42	0.00	6.42
Naja	0.08	0.00	0.08
<b>Total</b>	<b>85.86</b>	<b>14.14</b>	<b>100.00</b>

The above table shows that Sulaymani governorate was targeted in Anfal and chemical attacks by 42.77% which is the highest. This was after the change in the demographic make up of Kirkuk governorate and some of its towns and villages was included within the borders of Sulaymani, otherwise Kirkuk have suffered more than any other governorate in Iraq. Kirkuk, after its border change, was subjected to attacks by 22,37% and 17,68% for Hawler governorate. Duhok governorate was also subjected to attacks by 7,13%. The Faiyli Kurds were targeted for mass killings in other governorates of Iraq.



As we mentioned that Anfal and chemical attacks targeted male and female children and aged people indiscriminately. The statistics show that 67,01% male and 32,99% female were targeted in the mass killings. Table 2 shows that the Iraqi regime disregarded all humanitarian and ethical norms and targeted even toddlers and newly born babies.

**Table 2**  
shows age groups of victims of Anfal and chemical attacks

Age group	Male	Percentage in the region	female	Percentage in the region	total	Percentage in the region
4-0		7.17		6.67		13.84
9-5		6.36		5.84		12.20
14-10		5.31		4.03		9.34
19-15		9.57		3.77		13.35
24-20		8.51		2.75		11.25
25-29		4.55		1.88		6.42
30-34		7.12		2.06		9.18
35-39		6.19		1.79		7.99
40-44		3.09		0.87		3.96
45-49		2.02		0.78		2.80
50-54		1.61		0.59		2.20
55-59		1.45		0.71		2.16
60-64		1.18		0.55		1.73
65-69		0.83		0.39		1.23
70+		1.64		0.72		2.35
<b>Total</b>		<b>66.61</b>		<b>33.39</b>		<b>100.00</b>

As the table shows 13,84% of the victims, which is the highest percentage, were aged 0-4 years. 13,35% of the victims were among those aged between 5-9 years. And 12,20% of the victims were among those aged between 9-14 years.

Thus we can conclude that children are the greatest number of the victims of the mass killings and this in turn shows the brutality and the barbarism with which the Baath regime attempted to annihilate the Kurds.

Table 3 and 4 shows that mass killings in Kurdistan targeted all ethnicities, religions, and national groups.

**Table 3**  
shows percentage of victims according to ethnicity or nationality

Nationality	Hawler	Percentage in the region	Sulaymani	Percentage in the region	Kirkuk	Percentage in the region	Duhok	Percentage in the region	Total	Percentage in the region
<b>Kurds</b>		19.65		47.55		24.87		7.32		99.39
<b>Arabs</b>		0.00		0.00		0.00		0.00		0.00
<b>Turkmen</b>		0.00		0.00		0.00		0.00		0.00
<b>Assyrians</b>		0.01		0.00		0.00		0.49		0.50
<b>Kaldans</b>		0.00		0.00		0.00		0.11		0.12
<b>Armenians</b>		0.00		0.00		0.00		0.00		0.00
<b>Total</b>		19.66		47.55		24.87		7.92		100.00

As the above table shows that the Kurds make the greatest number of the victims of genocide the percentage is 99%.

**Table 4**  
shows victims belonging to different religious groups

religion	Hawler	Percent-age in the region	Sulaymani	Percent-age in the region	Kirkuk	Percent-age in the region	Duhok	Percent-age in the region	Total	Percent-age in the region
<b>Muslims</b>		19.64		47.45		24.83		7.02		98.94
<b>Christians</b>		0.02		0.03		0.02		0.64		0.71
<b>Kakaiy</b>		0.00		0.08		0.01		0.00		0.09
<b>Yazidees</b>		0.00		0.00		0.00		0.27		0.27
<b>Others</b>		0.00		0.00		0.00		0.00		0.00
<b>Total</b>		19.66		47.55		24.87		7.92		100.00

### Part Two:

information on victims' families and their reaction to the crimes.

We must emphasize the fact that the mass killings committed against the Kurds were part of a systematic attempt to annihilate the Kurdish people. It was, as Van Holin and Pitter Galbraith had put it in their report to the US congress on 12/09/1988, was a preplanned attempt to change or even erase the Kurdish way of life, something they have protected throughout centuries. The main intention of the Baathist regime was to destruct the economic infrastructure of Kurdistan, which mainly relied on farming. That is why the Baathist regime destroyed 4500 villages by using chemical bombs against the villagers and later forcefully removing them and killing most of them. The effects of these crimes on Kurdistan were very great and are still ongoing. Table 5 shows that the effects of genocide have not yet been neutralized or remedied and moved back Kurdistan from a productive society to a consumer society.

**Table 5**  
**shows the job status of victims' families**

Jobs	Hawler	Percent- age in the region	Sulaymani	Percent- age in the region	Kirkuk	Percent- age in the region	Duhok	Percent- age in the region	Total	Percent- age in the region
Civil servant		2.8		3.1		0.8		0.8		7.5
Worker		2.9		5.1		3.8		1.9		13.6
Retired		0.4		1.0		0.2		0.2		1.8
Housewife		13.4		12.3		11.1		8.1		44.9
Student		1.9		4.7		2.1		1.7		10.4
Jobless		1.0		1.3		0.6		0.6		3.4
Peshmerga		4.2		1.0		1.4		1.5		8.1
Police		0.4		1.2		0.6		0.2		2.4
Clergyman		0.0		0.0		0.0		0.0		0.1
Farmer		0.2		0.5		0.3		0.2		1.2
Shepherd		0.0		0.2		0.2		0.0		0.4
Disabled		2.0		1.0		1.1		0.2		4.4
Children		0.3		0.9		0.6		0.1		1.8
<b>Total</b>		<b>29.5</b>		<b>32.2</b>		<b>22.7</b>		<b>15.6</b>		<b>100.0</b>

As the above table shows that because most of those who lost their lives in Anfal process were male and majority of the survivors are illiterate women from the rural areas and therefore jobless housewife and their number is around 44, 9%.

## 2. The negative consequences of mass killings against the Kurds

Causing backwardness as the result of the spread of illiteracy after the destruction of all of the Kurdish villages and the mass movement of the population to areas where no schools were available. Another factor that contributed to the spread of illiteracy was the lost of most heads of families as the result of mass killing of the majority of men in those areas. Thus children were forced to go to the market to win breads rather than to go to school.

**Table 6**  
shows level of education among victims' families

Degree	Hawler Percentage in the region	Sulaymani Percentage in the region	Kirkuk Percentage in the region	Duhok Percentage in the region	Total Percentage in the region
Illiterate	16.8	14.0	12.7	9.7	53.2
Reading and writing	4.4	6.5	4.7	2.2	17.8
Primary	4.2	5.9	3.0	1.6	14.7
Secondary	1.6	2.4	1.1	1.0	6.1
Preparatory	0.9	1.5	0.7	0.6	3.7
Diploma	0.7	1.2	0.3	0.3	2.5
Bachelor of Art	0.6	0.7	0.2	0.2	1.7
Higher Diploma	0.0	0.0	0.0	0.0	0.1
Masters	0.0	0.0	0.0	0.0	0.0
Phd	0.0	0.0	0.0	0.0	0.1
Don't know	0.1	0.0	0.0	0.0	0.2
<b>Total</b>	<b>29.5</b>	<b>32.2</b>	<b>22.7</b>	<b>15.6</b>	<b>100.0</b>

The above table shows that majority, 53,2%, of the targeted population were illiterate. This shows that the targeted areas were lacking schools and educational facilities even before the genocidal campaigns.

### 3. Another negative consequence of genocide on the Kurdish society is the psychological and spiritual sufferings caused to the survivors and victims' families which continuing to this day.

After the population of those areas witnessed the crimes and the destructions of their areas first-handedly and spending time in the horrible prisons of the Baath regime and after waiting for too long for the return of their loved ones, they are evidently suffering form some psychological problems.

**Table 7**  
shows the illnesses occurring among victims' families and survivors

Illness	Hawler Percentage in the region	Sulaymani Percentage in the region	Kirkuk Percentage in the region	Duhok Percentage in the region	Total Percentage in the region
Diabetes	0.44	0.24	0.19	0.21	1.08
Blood pressure	1.14	0.62	0.41	0.50	2.67
Heart problems	0.41	0.28	0.19	0.22	1.10
Swallowing	0.41	0.37	0.10	0.08	0.95
Back problems	1.04	0.62	0.40	0.31	2.37
Eye	0.74	0.73	0.28	0.28	2.04
Nose and ear	0.24	0.21	0.09	0.10	0.64
Cancer	0.03	0.03	0.02	0.01	0.08

<b>Stomach problems</b>	1.14	0.77	0.52	0.38	2.81
<b>Psychological problems</b>	0.23	0.24	0.14	0.25	0.85
<b>Skin</b>	0.15	0.20	0.07	0.07	0.48
<b>Blood decrease</b>	0.15	0.09	0.04	0.08	0.35
<b>Romatism</b>	0.52	0.37	0.19	0.30	1.37
<b>Total</b>	<b>6.62</b>	<b>4.76</b>	<b>2.64</b>	<b>2.79</b>	<b>17</b>

As the above table shows 17% of the victims' families suffer from various kinds of health problems.

#### **4. Anfal campaign, chemical bombardments and forceful removal had destroyed houses and the little services given to the population.**

This means that majority of victims' families still suffer from lack of housing and services despite the Kurdistan Regional Government's sustained attempts at provision of services and NGO's assistance.

**Table 8**  
shows the age group of victims' families

<b>Age group</b>	<b>Hawler</b> Percentage in the region	<b>Sulaymani</b> Percentage in the region	<b>Kirkuk</b> Percentage in the region	<b>Duhok</b> Percentage in the region	<b>Total</b> Percentage in the region
<b>4-0</b>	0.12	0.43	0.29	0.03	0.88
<b>9-5</b>	0.27	0.93	0.44	0.08	1.72
<b>14-10</b>	0.34	1.36	0.50	0.11	2.31
<b>19-15</b>	0.91	2.21	1.79	0.89	5.81
<b>24-20</b>	3.11	4.81	4.40	2.84	15.16
<b>25-29</b>	4.40	4.12	3.25	1.96	13.74



30-34	3.94	3.79	2.77	1.98	12.48
35-39	4.06	3.59	2.31	1.68	11.64
40-44	2.35	2.26	1.58	1.12	7.31
45-49	1.90	1.32	0.87	0.85	4.95
50-54	2.34	2.43	1.31	1.30	7.38
55-59	1.64	1.56	0.87	0.83	4.89
60-64	0.93	0.84	0.49	0.49	2.75
65-69	0.84	0.72	0.46	0.38	2.40
70+	2.35	1.87	1.36	1.01	6.59
<b>Total</b>	<b>29.50</b>	<b>32.24</b>	<b>22.68</b>	<b>15.58</b>	<b>100.00</b>

As the above table shows 15,16% are those aged between 20-24 years and despite losing their families have continued to improve their lives and thus deserve to be assisted in every aspect of life.

**Note/** in relation to age groups of 0-4 and 15-19 as the table shows these groups belong to the survivors because victims' survived children are now over twenty years old.

**Table 9**  
shows the housing situation of victims' families

House	Hawler Percentage in the region	Sulaymani Percentage in the region	Kirkuk Percentage in the region	Duhok Percentage in the region	Total Percentage in the region
Have a house	10.56	14.07	8.43	8.17	41.23
Don't have house and renting	6.03	7.91	6.92	2.96	23.83
Don't have house and live with the family	7.43	3.81	3.44	2.45	17.13

House is governmental	0.05	0.39	0.21	0.46	1.10
House is inherited	1.37	4.43	2.85	0.70	9.35
Have a house or a structure	3.79	0.53	0.51	0.27	5.10
Government building	0.06	0.23	0.24	0.49	1.03
Don't know	0.21	0.87	0.07	0.08	1.23
<b>Total</b>	<b>29.50</b>	<b>32.24</b>	<b>22.68</b>	<b>15.58</b>	<b>100.00</b>

As the above table shows that 21,23% of the victims' families have no problems while 23,83% have housing problems and 17,13% live with others and 5,10% live in very bad houses. A small number, 1,03%, live in governmental houses.

The state of other services, such as road, hospitals and schools, are shown in tables 10,11,12,13.

**Table 10**  
show the availability of water in populated areas by victims' families

Water	Hawler Percentage in the region	Sulaymani Percentage in the region	Kirkuk Percentage in the region	Duhok Percentage in the region	Total Percentage in the region
Yes	13.87	11.06	13.92	0.98	39.83
No	15.16	20.66	8.52	14.55	58.89
Don't know	0.47	0.52	0.24	0.05	1.27
<b>Total</b>	<b>29.50</b>	<b>32.24</b>	<b>22.68</b>	<b>15.58</b>	<b>100.00</b>

**Table 11**  
shows the state of roads in areas populated by victims' families

Roads	Hawler		Sulaymani		Kirkuk		Duhok		Total	
	Percentage in the region		Percentage in the region		Percentage in the region		Percentage in the region		Percentage in the region	
Yes	14.90		13.23		13.62		0.41		42.16	
No	14.10		18.61		8.82		15.12		56.65	
Don't know	0.49		0.39		0.24		0.06		1.18	
<b>Total</b>	<b>29.50</b>		<b>32.24</b>		<b>22.68</b>		<b>15.58</b>		<b>100.00</b>	

**Table 12**  
shows the status of health services in areas populated by victims' families

Health centre	Hawler		Sulaymani		Kirkuk		Duhok		Total	
	Percentage in the region		Percentage in the region		Percentage in the region		Percentage in the region		Percentage in the region	
Yes	14.54		9.61		10.45		1.45		36.05	
No	14.47		21.99		11.96		14.06		62.48	
Don't know	0.49		0.63		0.28		0.07		1.47	
<b>Total</b>	<b>29.50</b>		<b>32.24</b>		<b>22.68</b>		<b>15.58</b>		<b>100.00</b>	

**Table 13**  
shows the availability of schools in areas populated  
by victims' families

Schools	Hawler Percentage in the region	Sulaymani Percentage in the region	Kirkuk Percentage in the region	Duhok Percentage in the region	Total Percentage in the region
<b>Preparatory</b>	1.67	0.77	2.14	0.80	5.38
<b>Secondary</b>	1.58	0.35	0.75	0.04	2.72
<b>Secondary + Preparatory</b>	5.10	2.17	2.31	0.73	10.32
<b>Primary</b>	1.81	1.14	1.26	0.17	4.38
<b>Secondary + Primary</b>	0.93	2.50	1.03	0.07	4.53
<b>Primary + Secondary + Preparatory</b>	2.25	3.87	2.26	0.29	8.67
<b>None</b>	14.58	19.20	10.97	13.35	58.09
<b>Don't know</b>	1.57	2.21	1.95	0.12	5.84
<b>Total</b>	<b>29.50</b>	<b>32.24</b>	<b>22.68</b>	<b>15.58</b>	<b>100.00</b>

In conclusion and after analyzing the collected data we can draw the following conclusions:

- 1.The Baath regime attempted to destroy Kurdistan and annihilate its population in a systematic genocidal campaign.
- 2.The Baath regime persecuted and oppressed every religious and ethnic group in Kurdistan indiscriminately.
- 3.Majority of the victims were women and children. Thus in reliance on international humanitarian laws the Kurdistan parliament and government should ask international institutions and organizations and regional and other states to support victims' and survivors of genocide.

**4.**As the result of these crimes a great number of people in Kurdistan have suffered physical and financial losses, thus the Iraqi and Kurdistan government should ask compensation from those companies that had supplied the Iraqi regime with chemical equipments.

**5.**Majority of victims of Anfal are buried in mass graves in southern Iraq and the Iraqi government and international humanitarian organizations should assist Kurdistan Regional Government in excavating the mass graves, collecting evidence related to the crimes and archiving all the related documents.

**6.**The collected data show that a great number of victims' families live in areas where educational facilities are not available and therefore they are illiterate, this in turns affects development in Kurdistan. Thus Kurdistan Regional Government and the concerned parties should help opening schools and in raising the educational level among victim's families.

**7.**Majority of the people living in the targeted areas were farmers when the crime took place and actively contributed to Kurdistan's economy. Unfortunately today majority of them have left farming and agriculture in general in those areas are almost nonexistent. This greatly affects the Kurdish economy and the concerned parties should develop a plan for the revival of agriculture.

**8.**As the data show victims' families lack important services and have various kinds of problems. To solve these problems Kurdistan Regional Government in cooperation with the Federal Government in Iraq should develop a strategic plan to solve the identified problems in the next few years.

# THE IRAQI COUNCIL OF REPRESENTATIVE'S LETTER TO THE CONFERENCE.

Ladies and Gentlemen

To the organizers and the attendees of the conference of genocide against Kurdish people, may peace and God's mercy and blessings be upon you.

The Iraqi House of Representatives commends your initiative in holding this conference aimed at seeking international recognition of the genocide perpetrated against the Kurdish people. This conference is the least that could be done to acquaint the peace-loving people across the world of the dreadful and inhuman acts of brutality that were executed in an attempt to eradicate and destroy the Kurdish people. These atrocities that were perpetrated by the Ba'ath regime against innocent people in Kurdistan Region which resulted in the deaths of hundreds of thousands of innocent women, children and elderly, were seen as a brutal conspiracy against this nation.

The former regime used weapons of mass destruction, chemical weapons, against the innocent people, and arrested 182,000 non

combatant people, 8,000 of which were Barzanis, and 17,000 Faili Kurds. They were taken to the unknown destinations while thousands of others were chaotically displaced. The barbarous regime also destroyed 4500 villages, demolished houses and mosques, and abandoned the remaining populations, depriving them from continuing to engage in their work in agriculture and production. Imaginably, such horrific acts reflected negatively on social structure of the people in Kurdistan.

The Iraqi House of Representatives affirms its support for your attempt, and any attempt in the future, to internationalize this great tragedy and do everything to turn over this black page in the history of Iraq. This is the only way we can ensure the non-recurrence of such atrocities. We do confirm that Iraqi government has to be the real representative of the people and be accountable to their will and requirements.

Thank you...

Institut kurde de Paris



PAPERS

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# GENOCIDE: THE GREATEST CRIME

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## Abstract

Genocide is a series of purposeful actions by perpetrators to destroy a collectivity through mass or selective murders of group members and suppressing the biological and social reproduction of the collectivity. This can be accomplished through the imposed proscription or restriction of reproduction of group members, increasing infant mortality, and breaking the linkage between reproduction and socialization of children in the family or group of origin. The perpetrator may represent the state of the victim, another state or another collectivity. The main aim behind this paper is to introduce the concept of genocide its definition, its history and its stages with the summary of examples of nations and minorities exposed to genocide among them Kurdish people. As the Kurdish people in Kurdistan Region faced genocide in the last century in two different events, the chemical bombardment of Halabja city and the Anfal campaign, so it is the duty of the ministry of Martyrs and Anfal Affairs, all human rights organizations with all other organizations which are working for Anfal to take their humanitarian roles to look after and help all those who survived from the brutal and aggressive operations they faced. The paper ends with a number of conclusions and recommendations, if they are applied, they may be of use to alleviate the suffering of the survival people from Anfal and the chemical attack.

## 1.-Introduction

Genocide is generally considered as one of the worst moral crimes a government can commit against its citizens or those it controls. Hundreds of millions of people have been so murdered by their governments or rulers throughout history, just because they were hated or because of their ethnic group, race, religious or nationality. The victims were sentenced to death and to genocide as they were considered as enemy, threat, on a whim for no reason at all.

When the genocide convention was passed by the United Nations in 1948, the world said 'Never again'. But the history of the 20th century instead proved that 'never again' became 'again and again. The promise the United Nations made was broken, as again and again genocides and other forms of mass murder killed 170 million people, more than all the international wars of the 20th century combined. (Gregory Stanton, 2003)

Genocides and political mass murders are recurrent phenomena. Since WW1 nearly 50 such episodes took place costing the lives of at least 12 million and as many as 22 million noncombatants, more than all victims of international and internal wars since 1945. Genocides cause instability in neighboring countries induce huge flows, disrupt economic relations and inflame passions that fuel future conflicts. Despite these enormous costs, neither both regional or security organizations nor the United Nations or individual states were willing or capable of consistent actions to prevent the slaughters.

Genocide almost always occurs in the context or immediately following violent political instability. The hard part is to differentiate between generic conflict phenomena and genocide, and to determine which factors contribute to both or are specific to one or the other. Definitionally, civil wars end when one or the other side is defeated whereas genocides continue until the group ceases to exist as such. In genocide, the goal is to silence opposition at all cost or eliminate (annihilate) in whole or part groups and movements, so that neither are recognizable entities for the foreseeable future.

Many national, ethnic, racial and religious groups faced genocides in the world like Armenians, Jews, Greeks, and Chinese etc. Kurds were

also among these nations passed two brutal and bloody operations represented by a chemical attack on Halabja city (1988) in which more than 5000 people were killed and a brutal campaign of the Anfal (1987-1989) in which more than 182000 people were killed or taken to an unknown places by the former Iraqi regime and more than 4500 villages were burned and destroyed.

## 2-The Concept of Genocide

Genocide is defined as the deliberate and systematic destruction of an ethnic, religious or national group. The legal definition is found in the 1948. United Nation Convention on the Prevention and Punishment of the crime of genocide. In Article 2 of the CPPGG defines as ' any of the following acts committed with intent to destroy in whole or in part, a national , ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group."

This definition has also been confirmed by the international Criminal Court, Article No. 6.

## 3-The Origin of the Word Genocide

The term "genocide" was coined by Raphael Lemkin (1900–1959), a Polish-Jewish legal scholar, in 1943, firstly from the Greek root génos (γένος) (family, tribe or race - gene); secondly from Latin -cide (occido—to massacre, kill).(www.wikipedia encyclopedia 2007)

The jurist Raphael Lemkin, the scholar of international law presented a paper to the international conference of criminal law in Madrid in which he focused on the historical destruction of racial, religious

or other social groups. The essay he prepared was on the crime of Barbarity as a crime against international law. The concept of the crime, which later evolved into the idea of genocide, originated with the experience of the Assyrians massacred in Iraq on 11 August 1933. To Lemkin, the event in Iraq evoked "**memories of the slaughter of Armenians**" during World War I. He presented his first proposal to outlaw such "acts of barbarism" to the Legal Council of the League of Nations in Madrid the same year. But his proposal failed.

Lemkin was not so satisfied with this very broad term and it went nowhere in subsequent international law. Then years later, he came upon Plato's use of Greek word (genos) for a 'race' or 'tribe'. The idea naturally occurred to Lemkin to add the Latin-cide, which means 'killer' or 'act of killing' in Latin, as in homicide or suicide. Thus was born genocide.

Then later on, in 1944, Lemkin wrote his most important book entitled Axis Rule in Occupied Europe. It included an extensive legal analysis of German rule in countries occupied by Nazi Germany during the course of WW11, along with the international community and was one of the legal bases of the Nuremberg Trials. He worked hard to persuade a number of countries to sponsor the resolution for a genocide convention treaty. Then with the help and support of the UN, the resolution was placed before the general assembly for consideration.

#### **4-Definitions of Genocide**

Genocide is the mass killing of a group of people as defined by Article 2 of the convention on the prevention and punishment of the crime of genocide.

Much more discussions and debates have been arisen about the definition of the word genocide as defined by CPPGG. The exclusion of social and political groups of genocide in this legal definition has been criticized by some historians and sociologists. Here are some of the definitions of the word genocide as it is defined by different people:

**1-Genocide means the destruction of an ethnic group or the de-**

struction of essential foundations of the life of national groups. It aims at disintegration of the political and social institutions of culture, language, national feelings religious and economic existence of national groups. (Raphael Lemkin, 1944)

**2-** Genocide is the deliberate destruction of physical life of individual human beings by reason of their membership of any human collectively as such. (Peter Drost, 1959)

**3-** Genocide is a structural and systematic destruction of innocent people by a state bureaucratic apparatus. (Irving Louis Horowitz, 1976)

**4-** Genocide can involve not only mass murder, but also starvation deportation and political economic and biological subjugation. (Jack Nusan Porter, 1982)

**5-** Genocide is the deliberate organized destruction in whole or in part of racial or ethnic groups by a government or its agents. (Isidor Wallimann and Michael N. Dobkowski, 1987)

**6-** Genocide is any act that puts the very existence of a group in jeopardy. (Henry Huttenbach, 1988)

**7-** Genocide is a form of one-sided mass killing in which a state or other authority intends to destroy a group as that group and membership in it are defined by the perpetrator. (Frank Chalk and Kurt Jonassohn, 1990)

**8-** Genocide is the actualization of the intent, however successfully carried out to murder in its totality any national, ethnic, racial, religious, political, social gender or economic group as these groups are defined by the perpetrator. (Steven T. Katz, 1994)

**9-** Genocide in the generic sense means the mass killing beings, when not in the course of military action against the military forces of an avowed enemy, under conditions of the essential defenselessness of the victim. (Israel Charny, 1994)

**10-** Genocides and politicides are the promotion, execution, and/or implied consent of sustained policies by governing elites or their agents. (Barbara Harff, 2003)

## 5-The History of Genocide

Genocide as a crime has been committed against humanity before 1490 according to some scholars of antiquity. Historically and anthropologically people have always had a name themselves. In a great many cases, that name meant the people to set the owners of that name off against all other who were considered of lesser quality in some way. If the differences between the people and some other society were particularly large in terms of religion, language, manners, customs and so on, then each others were seen as less than fully human: pagans, savages or even animals. (Chalk and Jonassohn,1990)

People throughout history have always had the ability to see other groups as alien. (Adam Jones). He continues and says that the less a people have in common with another group the easier it is for the aliens to be defined as less than human and from there it is but a short step to an argument that says if they are a threat, then they should be eliminated in order that we may live (them and us).

But after making this assessment Jones continues ' the difficulty as Frank Chalk and Kurt Jonassohn pointed out in their early study is that such historical records as existence ambiguous and undependable.

Chalk and Jonassohn (1990) provide a wide- ranging selection of historical events such as the Assyrians Empire's root and branch depredations in the first half of the first millennium BCE and the destruction of Melos by Athens during the Peloponnesian War (Fifth century BCE), a gendecidal rampage described by Thucydides in his Melian Dialogue.

From the 1490s when Christopher Columbus set foot on the American to massacre of Sioux Indians at wounded knee by the United States, the indigenous population of the western Hemisphere may have declined by as many as 100 millions. In Brazil alone the indigenous population has declined from a pre-Columbian high of an estimated 3million to some 300000(1997). Estimates of how many people were living in the America when Columbus arrived have varied



tremendously 20th century scholarly estimates ranged from a low of 8.4 million to a high of 112.5 million persons. This population debate has often had ideological underpinnings. Robert Royal writes that ' estimates of pre-Columbian population figures have become heavily politicized with scholars who are particularly critical of Europe and/or western civilization often favoring wildly higher figures.

**Here are a number of examples of genocide from the history:**

**1-**Tens of millions people were killed in China.

**2-**Upwards of 40 million people were killed in Taiping Rebellion (1851-1864)

**3-**As many as 30 million people were killed in Persia, Middle East, Russia, China and Eastern by Jinghiz Khan one of the ruthless killer among Mongols.

**4-**In 1923, the communist party of China under Mao Tse-tung and his successors may have accounted for 39 million Chinese.

**5-**Nazis under Hitler carried out the Holocaust against the Jews which everyone knows about killed about 21 million people.

**6-**Chinese Nationalist Government, 1928-1949 under Chiang Kai-Shek murdered some 10 million Chinese.

**7-**Millions people murdered in parenthesis: Japan (1937-1945) about 6 millions people killed. In Cambodia (1975-1979) about 2 millions people were killed. In Vietnam (1945-1987) 1.7 million people were killed. In North Korea (1948-2002) over 2 millions people were killed. In Poland (1945-1948) 1.6 million people were killed. In Pakistan (1958-1987) 1.5 million people were killed. In Russia (1900-1917) about 1.1 million people were killed. In Rwanda (1994) about 500-700 thousand Tutsi were killed.

**8-**In Turkey (1909-1923) about 2.1 million Armenians and 347 thousand Greeks were killed. In Bosnia and Herzegovina about 25000-100000 people were killed. In East Timor (1975-1998) about 150000 people were killed. In Sudan since (1955) 1 million people were killed. While in Iraq (1966-1988) more than 250000 Kurds and southern Shiites were killed.

## 6-Philosophy of Genocide

German government has transformed an ancient barbarity into a principle of government by dignifying genocide as a sacred purpose of the German people. National Socialism is the doctrine of the biological superiority of the German people. Long before the war Nazi leaders were unblushingly announcing to the world and propagandizing to the Germans themselves the program of genocide they had elaborated. Like Hitler and Von Rundstedt, the official Nazi philosopher Alfred Rosenberg declared "History and the mission of the future no longer mean the struggle of class against class, the struggle of church dogma against dogma, but the clash between blood and blood, race and race, people and people." As the German war machine placed more and more defeated nations under the full control of Nazi authorities, their civilian populations found themselves exposed to the bloodthirsty and methodical application of the German program of genocide.

A hierarchy of racial values determined the ultimate fate of the many peoples that fell under German domination. Jews were to be completely annihilated. The Poles, the Slovenes, the Czechs, the Russians, and all other inferior Slav peoples were to be kept on the lowest social levels. Those felt to be related by blood, the Dutch, the Norwegian, the Alsatians, etc., were to have the alternatives of entering the German community by espousing "Germanism" or of sharing the fate of the inferior peoples.

## 7-Stages of Genocide and Efforts to Prevent it

Gregory H. Stanton, 1996, the president of Genocide Watch presented a paper at the United States, department of State in which there are eight stages through which the causes and conditions for genocide develop and gradually end in manifest genocide.

For genocide to happen there must be certain preconditions. Foremost among them is a national culture that does not place a high value on human life. Assuming that the government is authoritarians or totalitarian, such stages are as follows:

No.	Stages	Characteristics	Preventive
1	<b>Classification</b>	People are typed, categorized, and classified into different groups, such as whites, blacks, Asians; or into Christians and Jews; or into communists, leftists, or rightists. People are divided into us and them.	The main preventive measure at this early stage is to develop universalistic institutions that transcend... divisions.
2	<b>Symbolization</b>	Different groups are given names, such as Chinese, Jews, Hindus, or Marxists." Particular clothes, (like a Turban), food eaten (like rice), physical characteristic (like long noses), or behavior (like inscrutable) may become ways of stereotyping the group's members.	To combat symbolization, hate symbols can be legally forbidden as can hate speech.
3	<b>Dehumanization</b>	Members of the out-groups are dehumanized, as in calling them apes, monkeys, cockroaches, parasites, rats, vermin, and the like. In this way, members of the out-group are made to appear clearly outside of "our" moral universe. As vermin and such, members of the out-group have been stripped of the moral in-group protection against extermination.	Local and international leaders should condemn the use of hate speech and make it culturally unacceptable. Leaders who incite genocide should be banned from international travel and have their foreign finances frozen.
4	<b>Organization</b>	Officials, sympathetic in-group leaders, and intellectuals organize to repress, murder out-group members, or entirely destroy the dehumanized group. Weapons are stacked or handed out; militia, security forces, or military are selected and trained; preliminary plans are made.	The U.N. should impose arms embargoes on governments and citizens of countries involved in genocidal massacres, and create commissions to investigate violations.

5	<b>Polarization</b>	<p>Officials, extremists, propagandists, or demagogues undertake a systematic campaign to maximize the social, psychological, and moral distance between "us" and "them." In this stage, moderate intellectuals and leaders are silenced either through intimidation, beatings, arrests, and outright assassination.</p>	<p>Prevention may mean security protection for moderate leaders or assistance to human rights groups...Coups d'état by extremists should be opposed by international sanctions.</p>
6	<b>Preparation</b>	<p>All is ready for genocide and the final step is to tag those to be killed. They may be forced to wear identifying clothing, symbols on their clothing, or be segregated in ghettos. Those who might lead the resistance to genocide, such as young males, may be conscripted into the military and segregated for subsequent execution, or simply jailed</p>	<p>At this stage, a Genocide Emergency must be declared to prevent the risk of genocide.</p>
7	<b>Extermination</b>	<p>It is genocide to the killers because they do not believe their victims do be fully human.</p>	<p>Only rapid and overwhelming armed intervention can stop genocide. Real safe areas or refugee escape corridors should be established with heavily armed international protection.</p>
8	<b>Denial</b>	<p>The last stage is the perpetrator's denial of their genocide. They deny that they committed any crimes. They destroy or hide the relevant official evidence, burn bodies, leave unmarked graves or invent a reasonable rational for the killing.</p>	<p>The response to denial is punishment by an international tribunal or national courts.</p>

## 8-Techniques of Genocide

Raphael Lemkin (1945) wrote in the article presented to the United Nations that there are many techniques used in torturing and committing the genocide against the national, racial, ethnic and religious groups. The following are a number of techniques:

**1-Political:** The political cohesion of the conquered countries was intended to be weakened by dividing them into more or less self-contained and hermetically enclosed zones, as in the four zones of France, the ten zones of Yugoslavia, the five zones of Greece; by partitioning their territories to create puppet states, like Croatia and Slovakia; by detaching territory for incorporation in the Greater Reich, as was done with western Poland, Alsace-Lorraine, Luxembourg, Slovenia. Artificial boundaries were created to prevent communication and mutual assistance by the national groups involved.

**2-Social:** The social structure of a nation is vital to its national development. Therefore the German occupant endeavored to bring about changes that weakened national spiritual resources. The focal point of this attack has been the intelligentsia, because this group largely provides leadership. In Poland and Slovenia the intellectuals and the clergy were to a large extent either murdered or removed for forced labor in Germany. Intellectuals and resistant of all occupied countries were marked for execution. Even among the blood-related Dutch some 23,000 were killed, the greater number of them being leading members of their communities.

**3-Cultural:** The Germans sought to obliterate every reminder of former cultural patterns. In the incorporated areas the local language, place names, personal names, public signs and inscriptions were supplanted by German inscriptions. German was to be the language of the courts, of the schools, of the government and of the street. In Alsace-Lorraine and Luxembourg, French was not even permitted as a language to be studied in primary schools. The function of the schools was to preserve and strengthen Nazism. Attendance at a German school compulsory through the primary grades and three years of secondary school.

**4-Religious:** Wherever religion represented a vital influence in the national life, the spiritual power of the Church was undermined by

various means. In Luxembourg children over 14 were protected by law against criticism if they should renounce their religious affiliations for membership in Nazi youth organizations. In the puppet state of Croatia an independent, but German-dominated Orthodox Church was created for Serbs, in order to destroy forever the spiritual ties with the Patriarch at Belgrade. With the special violence and thoroughness reserved for Poles and Jews, Polish church property was pillaged and despoiled and the clergy subjected to constant persecution.

**5-Moral:** Hand in hand with the undermining of religious influence went devices for the moral debasement of national groups. Pornographic publications and movies were foisted upon the Poles. Alcohol was kept cheap although food became increasingly dear, and peasants were legally bound to accept spirits for agricultural produce. Although under Polish law gambling houses had been prohibited, German authorities not only permitted them to come into existence, but relaxed the otherwise severe curfew law.

**6-Economic:** The genocidal purpose of destroying or degrading the economic foundations of national groups was to lower the standards of living and to sharpen the struggle for existence that no energies might remain for a cultural or national life. Jews were immediately deprived of the elemental means of existence by expropriation and by forbidding them the right to work. Polish property in western incorporated Poland was confiscated and Poles denied licenses to practice trades or handicrafts, thus reserving trade to the Germans.

**7-Biological:** The genocidal policy was far-sighted as well as immediate in its objectives. On the one hand an increase in the birth rate, legitimate or illegitimate, was encouraged within Germany and among Volksdeutsche in the occupied countries. Subsidies were offered for children begotten by German military men by women of related blood such as Dutch and Norwegian. On the other hand, every means to decrease the birth rate among "racial inferiors" was used. Millions of war prisoners and forced laborers from all the conquered countries of Europe were kept from contact with their wives.

**8-Physical:** The most direct and drastic of the techniques of genocide is simply murder. It may be the slow and scientific murder by mass starvation or the swift but no less scientific murder by mass

extermination in gas chambers, wholesale executions or exposure to disease and exhaustion. Food rations of all territory under German domination were established on racial principles, ranging in 1943 from 93 per cent of its pre-war diet for the German inhabitants to 20 per cent of its pre-war diet for the Jewish population. A carefully graduated scale allowed protein rations of 97 per cent to Germans, 95 per cent to the Dutch, 71 per cent to the French, 38 per cent to the Greeks and 20 per cent to the Jews.

## 9-Kurdish Genocide

If we go out through the history, we will find that Kurds have already been tortured and sentenced to different types of genocide by different regimes since the beginning of the 20th century to the revolutions they did asking for gaining their rights.

No one claimed and complained about the events happened to Kurds before the event of 16th of March, 1988 in which the tragedy of Halabja city in which the city was bombarded with a chemical weapon. Halabja is the Kurdish Auschwitz, not because the scale of the massacre was comparable with that of the Nazi death camp, but because the victims were chosen merely because they were Kurdish civilians. Saddam Hussein's mass murder of the Kurds in 1988-1989 had a scientific character. It was an experiment on a population. This puts Saddam Hussein's actions in a similar class to the industrialized mass murder of Jews by Nazis in WW2. (John Wojdylo, 1998).

However, in Northern Iraq, Saddam's forces hovered in helicopters while so-called scientists' testes wind speeds and marked on a map with grids how far away from chemical canisters the dead had fallen. By order of Saddam Hussein, arabization, a form of what some people call (Cultural genocide) continues today in the oil-rich areas of northern Iraq.

Ethnic and religious cleavages in and of themselves do not necessarily contribute to genocidal violence. The key to understanding how ethnic animosities can be inflamed lies in understanding who and what mobilizes regimes. The 1987 al-Anfal campaign against the Kurds in Iraq is a case in point. (Barbara Harff, 2003)

In this campaign more than 182000 Kurdish people were killed or taken to an unknown destiny and more than 4500 villages were burned and destroyed by the former Iraqi regime. Iraq's autocratic leadership (Saddam Hussein) allows for no political opposition is guided by an ideology (Ba,ath) that does not accept ethnic separation and furthermore the leadership consists of members of a religious minority (Sunni). Although originally secular, socialist and pan-Arab, Ba,ath ideology became whatever Hussein's clan decided was necessary to consolidate its power.

Kurdish political aspirations had no place in these calculations. The fact that Kurds were an ethnic minority was of lesser importance. At times Saddam placated one leader or conversely inter Kurdish rivalries led to cooperation with Saddam. Thus the Anfal campaign and the Chemical bombardment of Halabja had everything to do with quelling the separatist aspirations of the Kurds and were not aimed at eliminating all or most Kurds.

The report of the human rights watch organization which was done in Kurdistan recorded that the Anfal campaigns of 1987-1989 were characterized by the following gross violations of human rights:

**1-**Mass summary executions and mass disappearance of many tens of thousands of non-combatants, including large numbers of women and children, and sometimes the entire population of villages.

**2-**The widespread use of chemical weapons, including mustard gas and the nerve agent GB, or Sarin, against the town of Halabja as well as dozens of Kurdish villages, killing many thousands of people, mainly women and children.

**3-**The wholesale destruction of some 2,000 villages, which are described in government documents as having been "burned," "destroyed," "demolished" and "purified," as well as at least a dozen larger towns and administrative centers (nahyas and qadhas).

**4-**The wholesale destruction of civilian objects by Army engineers, including all schools, mosques, wells and other non-residential structures in the targeted villages, and a number of electricity substations.

**5-**Looting of civilian property and farm animals on a vast scale by army troops and pro-government militia.



**6-**Arbitrary arrest of all villagers captured in designated "prohibited areas" (manateq al-mahdoureh), despite the fact that these were their own homes and lands.

**7-**Arbitrary jailing and warehousing for months, in conditions of extreme deprivation, of tens of thousands of women, children and elderly people, without judicial order or any cause other than their presumed sympathies for the Kurdish opposition. Many hundreds of them were allowed to die of malnutrition and disease.

**8-**Forced displacement of hundreds of thousands of villagers upon the demolition of their homes, their release from jail or return from exile; these civilians were trucked into areas of Kurdistan far from their homes and dumped there by the army with only minimal governmental compensation or none at all for their destroyed property, or any provision for relief, housing, clothing or food, and forbidden to return to their villages of origin on pain of death. In these conditions, many died within a year of their forced displacement. And destruction of the rural Kurdish economy and infrastructure.

## **10-Conclusions**

The findings of the study lead to the following conclusions:

**1-**Genocide is an aggressive phenomenon which may face human beings in any time or any place. The international community with all organizations and humanitarian establishments should coordinate together to stop such uncivilized acts.

**2-**The united nation organizations should protect all minorities (racial, national, religious or others) in all communities from aggressive actions they might be exposed to.

**3-**Mass media establishments should take their own roles in spreading the peace and the cooperation among all the nations and the people all over the world specially among the people of one nation to transplant the peace and forgiveness valuations by having common respects between each other.

**4-**Establishing an international court to punish all those groups or people who commit genocide against other people and besieging the people or nations who want to destroy a specific group of people.

**5-**Having control over all unauthorized weapons which are used by specific group for genocide purposes without the knowledge of the government and forbidding the militias and other organizations which are committing genocide under the government coverage.

**6-**The international security council should prevent the military Coup d'etate which happen in some countries as such revolutions have a great role in committing genocide against the humanity and consider it illegal.

## **11-Recommendations**

**1-**The international establishments such as (Red Crescent and Red Cross) with the cooperation of the international programs should help the people who have been exposed to genocide and offer them all types of sheltering , nourishing and giving them medical aids.

**2-**Establishing special forces from the international security council to make a rapid intervene for protecting the people who are exposed to genocide in any place in the world under the international protection.

**3-**Penalizing the military and political leaders who commit genocide against their people by an international court to investigate their crimes.

**4-**Working to have consolidation among the people and spreading the coordinative spirit between the minorities and majorities.

**5-**Forming rules by the United Nations to give guarantee so as not to repeat genocide in all its types and styles and punishing those who commit it.

**6-**Holding periodical dialogues and meetings among all religious, national, ethnic groups all over the world to reach at agreements to prevent all acts of genocide and consider it disobedience for the morality and humanitarian valuation.

**7-**Asking the international monetary fund to specify apart of its amount to compensate the harmed and survived people from genocide operations and treat all those who have been injured, handicapped or faced psychological and physical disease.

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AN  
“INCONVENIENT  
ATROCITY”:  
THE CHEMICAL  
WEAPONS ATTACK  
ON THE KURDS  
OF HALABJA, IRAQ

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On 16 March 1988, approximately five thousand Kurdish civilians were killed in the town of Halabja, Iraq, and nearly ten thousand wounded, as a result of poison gas attacks. These chemical weapons were launched by the Iraqi military under the direction of Ali Hassan al-Majid, Secretary General of the Ba'ath Party's Northern Bureau often known by his nickname, "Chemical Ali" or Ali Kimiawi. While not technically part of the Anfal campaign, which targeted rural Iraqi Kurdistan, the attack on Halabja was part of a wider ethnic cleansing or genocidal campaign against Iraq's Kurds from 1987 to 1988 on the part of the Ba'athist government under the leadership of Iraq's president Saddam Hussein.

The genocidal attack on Halabja was largely ignored by the international community at the time it occurred. Iraq was in the final stages of the eight-year-long Iran-Iraq War (1980-1988). The United States was allied with Iraq against Iran, which it considered a greater threat to the Gulf States and the oil reserves in the region. Secretary of State George Shultz, during the last year of the Reagan Administration, muddied the waters in terms of public opinion by claiming that the State Department had evidence that Iran was also implicated in the Halabja attacks, thus muting public outrage. (Evidence of Iranian involvement has never been produced.) The United Nations blamed

both Iran and Iraq for Halabja, based on these U.S. claims.<sup>2</sup> Few have been held accountable for these crimes, but interest in the Halabja attack in particular and in the Anfal campaign in general has steadily increased over time. The twentieth anniversary of the Halabja attacks (16 March 2008) is fast approaching, only weeks away. This conference on the Genocide in Kurdistan is long overdue and a welcome examination of an overlooked series of atrocities and their lingering affects which today cry out for justice.

### **Documenting the Genocide Against the Kurds**

English-language written sources on the Anfal in general and Halabja specifically include several reports published by Human Rights Watch, especially Iraq's Crime of Genocide: The Anfal Campaign Against the Kurds (1995) based on hundred of interviews, and the authoritative book on Halabja written by Middle East analyst Joost Hiltermann, *A Poisonous Affair: America, Iraq, and the Gassing of Halabja* (June 2007). Other written sources—in English—include UN reports by Dr. Manuel Dominguez, based on his examination of dozens of patients who survived the attacks and were treated in Iranian hospitals. His clinical appraisals graphically depict the horrendous toll the poison gas took on civilians, including women and children. Chemical burns affected the eyes, the respiratory system, genitalia, and the skin. Evidence of the attacks is also found in media coverage. The Iranian government flew dozens of Western journalists into Halabja about a week after the attack and they filed moving accounts of the devastation they witnessed. One of the most extensive accounts was written by Jeffrey Goldberg in 2002 based on interviews with survivors, for the *New Yorker* magazine (25 March 2002). In it he captures the poignant plight of a 16-year-old woman, Nasreen Abdel Qadir Muhammad, and her desperate efforts to protect her family's children from the gas and seek shelter wherever she could. Another extensive media account was written by Kanan Makiya for *Harper's Magazine* (May 1992), later published in the book, *Cruelty and Silence: War, Tyranny, Uprising, and the Arab World* (1993), which features the story of Goptapa.

Unpublished accounts that should be made widely available include *The Destruction of a Nation* written by the Kurdish researcher Shorsh Resool. His work reportedly compiled a list of 3,737 Kurdish villages destroyed, 16,482 missing Iraqi Kurds, and 3,200 names of victims at

Halabja, based on interviews with tens of thousands of Anfal survivors.<sup>3</sup> A work written in Kurdish that should be translated is *The Sad Events of the Chemical Bombing in Halabja in the Spring of 1988 (Karasati Kimiabarani Halabja bi Hari 1988)* by the late Shawqat Haji Mushir.

Anfal and Halabja have also been covered in books by David McDowall, Jonathan C. Randal, Peter Galbraith, Christiane Bird, Kevin McKiernan, Mike Tucker and Susan Meiselas and Martin van Bruinessen.

Specific Ba'athist documents regarding the Anfal have been scanned and published by Human Rights Watch, in *Bureaucracy of Repression: The Iraqi Government in Its Own Words* (1994).

The Anfal, which is Arabic for the Spoils of War, the name of the eighth sura of the Qur'an, was the code word used by the Iraqi military for a series of military actions taken in 1988. The Anfal had eight stages: **The First Anfal** (23 February 1988-19 March 1988) targeted the Jafati valley and included the siege of Sergalou, killing approximately 28 and wounding 300. The Final Anfal (**The eighth stage**, 25 August 1988 to 6 September 1988) targeted Badinan, the KDP-controlled area near Turkey.

Middle East Watch, the Iraqi High Tribunal and other observers have called this campaign genocide. The Anfal included the following human rights violations: mass summary disappearances and executions of between 50,000-100,000, including many women and children; widespread use of chemical weapons, including mustard gas and nerve agents against more than **40 Kurdish villages**; the complete destruction of **2,000 villages** and a dozen towns; looting of civilian property and livestock; arbitrary arrest for persons found in "**prohibited areas**"; arbitrary warehousing of tens of thousands of women, children and the elderly under conditions of extreme deprivation; and the forced displacement of hundreds of thousands of villagers.

Estimates of the number of Kurds killed during the Anfal vary between 100,000 (**Chemical Ali's assertion**) and 182,000, based on an extrapolation of number of villages and families living in them. Halabja, a town of 70,000, boasts the dubious distinction for suffering the highest number of civilian casualties, with 5,000 dead and 10,000 wounded. These statistics become mind-numbing after we see them repeatedly. To put names of individuals to these face-less numbers,

I have compiled a list of names of survivors from UN and media reports. (**Appendix 1**).

### **Prosecution of Those Taking Part in Anfal**

Some high-ranking members of the Ba'athist government have gone to trial and been sentenced. However, most companies, largely from the West, that sold Iraq the technology and supplies used to make the chemical weapons used in the Anfal campaign have not been penalized or charged with any crime.

The Iraqi High Tribunal (**also known as the Iraqi Special Tribunal**) was set up by the Iraq Interim Government in 2004 under the watchful eye and financial support of the U.S., which provided \$150 million, tight security and lawyers from the Justice Department. The latter gathered evidence and developed prosecution strategies for the trials.

Former Iraqi President Saddam Hussein was initially tried in the Dujail case, in which he was charged with killing 148 Shi'i men and boys in southern Iraq after a failed assassination attempt against him in 1982.<sup>4</sup> Hussein was also a defendant in a second trial which focused on crimes committed during the Anfal campaign. In November 2006, while the Anfal trial was underway, Hussein was sentenced to death for the Dujail crimes and swiftly hanged on 30 December 2006. Three other former officials, including his half-brother Barzan Ibrahim al-Tikriti, were also hanged.<sup>5</sup> Many felt Hussein was executed by his Shi'a enemies before he was made to pay for crimes against Kurds.<sup>6</sup>

If Saddam Hussein held ultimate authority for the repression of the Kurds, Ali Hassan al-Majid was the campaign's principle architect. Al-Majid was found guilty of genocide, war crimes, and crimes against humanity and sentenced to death on 24 June 2007. His sentence was upheld by the Iraqi High Tribunal's appellate court on 4 September 2007 and ordered to be carried out within thirty days. The death sentences of two other defendants—former Defense Minister Sultan Hashem Ahmed al-Jabouri al-Tai and former Iraqi Military Deputy Commander of Operations Hussein Rashid—were also upheld.

At the time of this writing, all three executions have been put on hold indefinitely. Reportedly the U.S. government, which has custody of these convicted Sunni prisoners, believes their executions may jeopardize recent alliances with Sunni tribal leaders in what had been



the volatile Anbar province; in addition, Iraqi President Jalal Talabani has stated his personal reservations about capital punishment. It appears at this point that Sultan Hashem, who is widely respected by senior U.S. military officials, may have his sentence reduced.<sup>7</sup> Two other officials in military intelligence — Sabir Abdul-Aziz al-Duri and Farhan Motlak al-Jabouri — received life imprisonment for their roles in the Anfal.<sup>8</sup>

As of Fall 2007, a trial specifically focusing on the attacks at Halabja is in preparation along with at least ten other trials under the jurisdiction of the Iraqi High Tribunal. The highest authorities in the former Iraqi government are thus being held accountable for crimes against the people of Iraq: Saddam Hussein for his repression of the Shi'a—and not the Kurds—and “Chemical Ali” for the Anfal—not Halabja. If al-Majid is executed before the Halabja trial begins, then middle-ranking military officers and government officials will likely be prosecuted for their supportive roles in the 16 March attacks.

But while former Iraqi officials have been publicly paraded into a court of law, other parties, with less visible, more indirect roles—such as the companies that supplied Iraq with the means to make chemical weapons—have managed to deflect responsibility and evade prosecution. One exception is the Dutch businessman, Frans van Anraat, who was found guilty of complicity in war crimes for selling chemical weapons to Iraq and sentenced to 17 years in prison. The American, Christopher Drogoul, was convicted of fraud for illegally granting Saddam Hussein more than \$5 billion in secret loans which were largely used to make arms purchases. Drogoul was sentenced to three years and one month in prison. Alcolac, a Baltimore, Maryland-based chemical manufacturer, pled guilty to federal export violations and paid a \$438,000 fine for its role in supplying chemical precursors used in mustard gas to the region.

Some companies that have eluded accountability include Al Haddad Enterprises, which supplied a component of Sarin nerve gas to Hussein. German companies supplied Iraq with much of its CW equipment and technology. Employees of Pilot Plant, a subsidiary of Karl Kolb, were charged with export violations but were found not guilty.

### **Compensating Survivors and Victims' Families.**

The list of companies that supplied Saddam Hussein has been made

public but not widely publicized. These lists could be useful for survivors and victims' families in any attempts to hold these companies accountable and to seek compensation.

In 1996 and again in 2002, Iraq provided the UN and the International Atomic Energy Agency (**IAEA**) with a 11,000-page document detailing a long list of companies that armed Iraq. That report was never released to the public; however, it was leaked and published by the German daily newspaper *Die Tageszeitung* on 17 December 2002. Correspondent Andreas Zumach obtained the top-secret list which included more than 150 foreign companies. Eighty of the companies were German; 24 companies were American; 10 were French. These companies supplied Iraq with nuclear, biological, chemical and conventional weapons from 1975 to 2001. The American companies which were on this list is featured in **Appendix 2**. Jim Crogan published a three part series in the *LA Weekly* which included a list of 91 American companies selling arms to Iraq; among these are 18 with ties to chemical weapons.<sup>9</sup> For a list of American companies with links specifically to Iraq's chemical weapons program, see **Appendix 3**.

### **Social and psychological consequences of genocide against the Kurds**

One of the best sources for long-term affects of the Anfal on the Kurds—a subject that requires vastly more research—is Dr. Christine Gosden, who testified before a U.S. Senate Judiciary subcommittee hearing in 1998. Preliminary studies have concluded that Halabjans experience dramatically higher rates of cancers, vision and respiratory problems, miscarriages, and children born with deformities compared to towns nearby that were not gassed. Access to sophisticated healthcare treatments has been limited, and many people, especially women, suffer from depression. The people of Halabja are frustrated with the lack of assistance they have received from both local Kurdish government officials as well as the international community.

Dr. Gosden and Dr. Fouad Baban formed the Halabja Post-Graduate Medical Institute in 1999. But in-depth, systematic studies on the health of survivors and environmental impacts on soil and water are desperately needed.

In March 2006, on the anniversary of the Halabja attacks, residents of Halabja took out their frustration with lack of health care and economic development by burning down the Halabja Memorial Museum. Conferences on the Genocide in Kurdistan are an excellent way to focus attention on the problems that linger and fester as a result of Anfal, but if this conference results in more words but little or no action, the frustrations of the victims and their families will not go away.

Susan Schuurman received her Master of Arts degree in History from the University of New Mexico (Albuquerque) in December 2007. Her studies focused on West Asia and South Asia. This paper is drawn from a 150-page Master's Thesis for which Ms. Schuurman is seeking a publisher.

### Appendix 1:

#### List of Names of Civilian Victims

Who Survived the Halabja Attacks Compiled from UN and Media Reports.

From **UN** report

Name	Sex	Age
Alluan Ali Mohammed	F	12
Servin Ali	F	15
Marayam Mohammad Amin	F	15
Taban Ali	F	18
Mahnaz Mohammad	F	3
Shilan Hakim	M	9
Layla Habibollah	F	22
Kochar Ali	F	22
Khadijeh Abdolrahim	F	22
Ayeshe Rashid	F	30
Kollalah Abdolgader	F	14
Shamsi Mohamad	F	21

Nasrin Mohammad	F	25
Clavesh Ali	F	25
Shaho	M	11
Unidentified child	F	5
Taban Mahdi	F	2
Halab Caarm	F	20
Maryam Mohamad	F	25
Soam Hussein	F	8
Unidentified Child	M	4
Nasrin Abdeolchader	F	18
Leyla Abdeolchader	F	13
Hossein Fasel	M	20
Mohammad Abdollah	M	35
Amaca	M	17
Norabbas	M	42
Mohammad Karim Rascool	M	60
Davood Karim	M	52
Conna Mohammad	F	4,5
Unidentified child	F	6 mos.
Ardalan	M	4
Halimeh	F	10
Sabihe Ali	F	15
Son of Sabihe Ali	M	2 mos.
Najibeh Ali	F	7

### From Media Sources

Name	Sex	Age	
Nasreen Abdel Qadir Muhammad	F	16	JG
Rangeen Abdel Qadir Muhammad	F	15	JG
Bakhtiar Abdul Aziz	M	30	JG
Muhammad	M	N/A	JG
Nouri Hama Ali	M	N/A	JG

Awat Omer	M	20	JG
Muhammad Ahmed Fattah	M	20	JG
Salah Fattah	M	N/A	JG
Bahar Jamal	F	N/A	JG
Hamida Mahmoud	F	N/A	JG
Dashneh Mahmoud	F	2	JG
Jamila Abdullah	F	28	NB
Abdul Rahman	M	60	NB
Soman Mohammed	M	14	PK1
Haj Ali Rasa	M	50	PK2
Mohamed Mahmoud Bharam	M	35	JB
Aras Abed	M	N/A	CH

### Key to Sources

**JG** =Jeffrey Goldberg, "The Great Terror," New Yorker

**NB** =Nicholas Beeston, "Gas Victims Frozen in the Agony of Death," The Times

**PK1**=Paul Koring, "High Civilian Toll in Iraqi Attack on City," The Globe and Mail

**PK2** =Paul Koring, "Poison-Gas Attack Leaves City of Dead," The Globe and Mail

**JB** =John Bierman, "A Terrible Survival," Maclean's

**CH** =Caroline Hawley, "Halabja Survivors Seek Justice," BBC News

•COMPILED BY SUSAN SCHURMAN

### Appendix 2: List of U.S. Companies Supplying Arms to Iraq

1	Honeywell	(R, K)
2	Spectra Physics	(K)
3	Semetex	(R)
4	TI Coating	(A, K)
5	Unisys	(A, K)
6	Sperry Corp	(R, K)
7	Tektronix	(R, A)
8	Rockwell	(K)
9	Leybold Vacuum Systems	(A)

10	Finnigan-MAT-US	(A)
11	Hewlett-Packard	(A, R, K)
12	Dupont	(A)
13	Eastman Kodak	(R)
14	American Type Culture Collection	(B)
15	Alcolac International	(C)
16	Consarc	(A)
17	Carl Zeiss-U.S.	(K)
18	Cerberus Ltd.	(A)
19	Electronic Associates	(R)
20	International Computer Systems	(A, R, K)
21	Bechtel	(K)
22	EZ Logic Data Systems, Inc.	(R)
23	Canberra Industries Inc.	(A)
24	Axel Electronics Inc.	(A)

### Weapons Key:

A=Nuclear, B=Biological, C=Chemical, R=Rockets, K=Conventional

### Source:

Andreas Zumach, "Fremde Hilfe fur Saddam" (Strange Assistance for Saddam), Die Tageszeitung (Berlin), 17 December 2002,

<http://www.taz.de/Index.php?id=archivseite&dig=2002/12/19/a0080&type=98>.

## Appendix 3:

### List of U.S. Companies Linked to Iraq's Chemical Weapons Program

1. **Al Haddad Enterprises** (formerly based in Nashville, Tenn.)
2. **Alcolac International** (formerly based in Baltimore, Md., now in Georgia)
3. **Bechtel Group** (San Francisco, Calif.)
4. **Dow Chemical** (Midland, Mich.)
5. **Evapco** (Taneytown, Md.)
6. **Gorman-Rupp Co.** (Mansfield, Ohio)
7. **Hewlett-Packard** (Palo Alto, Calif.)
8. **Honeywell** (Morristown, N.J.)
9. **Lummus Crest, Inc.** (Bloomfield, N.J., now part of ABB Global, a Swiss conglomerate with U.S. headquarters in Norwalk, Conn.)
10. **Mouse Master** (formerly located in Lilburn, Ga.)

11. **Nu Kraft Mercantile Corp.** (formerly located in Brooklyn, N.Y.)
12. **Perkin-Elmer Corp.** (formerly based in Norwalk, Conn., later restructured and based in Wellesley, Mass.)
13. **Phillips Export** (now part of ConocoPhillips, based in Houston, Texas)
14. **Posi Seal Inc.** (formerly based in North Stonington, Conn.; sold off)
15. **Pure Aire Corp.** (formerly located in Charlotte, N.C.)
16. **Sullaire Corp.** (formerly based in Charlotte, N.C.)
17. **Union Carbide** (based in Danbury, Conn., later merged with Dow Chemical, Midland, Mich.)
18. **Unisys Corp.** (Blue Bell, Penn.)

**Source:**

This list is culled from a longer version compiled by Jim Crogan, "Made in the USA, Part III: The Dishonor Roll: America's Corporate Merchants of Death in Iraq," LA Weekly, 24 April 2003.

**Note:**

- 1- State Department spokesman Charles Redman speaking at a press conference. ABC News transcript, "World News Tonight," 23 March 1988.
- 2- Report of the Mission Dispatched by the Secretary-General to Investigate Allegations of the Use of Chemical Weapons in the Conflict between the Islamic Republic of Iran and Iraq, United Nations, 25 April 1988, UN document no. S/19823.
- 3- Cited in Middle East Watch, Genocide in Iraq: The Anfal Campaign Against the Kurds (New York: Human Rights Watch, 1993), 27n8.
- 4- John F. Burns, "Hussein's Cousin Sentenced to Die for Kurd Attacks: Found Guilty of Genocide," New York Times, 25 June 2007, A1.
- 5- Burns, "Chemical Ali Denies Role in Gas Attacks on Kurds," International Herald Tribune, 14 May 2007.
- 6- Andrew Wilson, "Halabja: 'They've Suffered So Much,'" Sky News, Inside Iraq Series, 17 March 2007, Kurdistan Regional Government website, [http://www.krg.org/articles/article\\_print.asp?ArticleNr=16772](http://www.krg.org/articles/article_print.asp?ArticleNr=16772) (accessed 21 May 2007).
- 7- Richard A. Oppel Jr. and Alissa J. Rubin, "Execution Case Tests Iraq's Bid to Ease Divide," New York Times, 27 October 2007.
- 8- Burns, "Hussein's Cousin Sentenced to Die for Kurd Attacks," New York Times, 25 June 2007.
- 9- Jim Crogan, "Made in the USA, Part III: The Dishonor Roll: America's Corporate Merchants of Death in Iraq," LA Weekly, 24 April 2003

Institut kurde de Paris

ANFEAL  
JAMAL MIRZAAZIZ



In the name of Allah,  
the Compassionate, the Merciful.

They ask thee concerning (things taken as) spoils of war. Say: "(such) spoils are at the disposal of Allah and the Messenger: So fear Allah, and keep straight the relations between yourselves: Obey Allah and His Messenger, if ye do believe."

Under the cover of this Quranic verse, the 8th Aya, the bath Regime unleashed a concerted series of bloody military offenses, 8 in all against uncombatant peaceful civilians in Kurdistan. Consequently hundreds of thousands of elderly men, women, and children were driven like herds to the deserts in the south of Iraq and buried alive. Only few elderly people were spared, a gesture to make them tell people about the horror of what had happened.

Before going into details, it would be useful to give a brief account on the nature of the Regime and its pre-plans as flash back:

### **1-1963, their first coup d'état and seizing of power.**

They could stay only 9 months in power, during which they committed many crimes and massacres. In Sulaimanya they declared a general curfew and killed hundreds of civilians. In Kirkuk they murdered tens of people and destroyed hundreds of houses.

## **2-1968, their second seizing of power.**

To secure their staying in power, this time they began with a new plan, claiming they were socialists and progressive. Therefore they approached the communists and made a treaty with the former USSR. They also approached the Kurdish movement, March 1970, with a plan to settle down the Kurdish problem. But it was at the same period when they plotted against the late (Barzany Mustafa) in a vile attempt to assassinate him. Also in 1972 the mass deportation of the Failies began, when hundred thousands of these Kurds were dumped on the barren plain on the Iranian border after confiscating all their belongings.

## **3-The Algerian Agreement March 1975**

After the Shah of Iran had agreed to stop giving any more logistic aids to the Kurdish movement, and as a result Saddam gave up his claims in half of the Shut-Al-Arab, in addition to some territories, they agreed to evacuate all the villages on both sides of the border to 5 km, but the Iraqis expanded it to 10 and later to 20 kilometers. Their inhabitants were relocated in miserable collective towns on the main roads. Consequently, 4500 villages were razed to the ground. Even the springs were shut down by cement.

## **4-1983: the mass murdering of the Barzanians:**

Approximately 8000 innocent civilians of the Barzanians who were forcibly put in the collective town of Qushtapa were murdered in cold blood. Saddam himself said proudly that he had sent them to Hell.

5-1985 - 1987 Two more bloody curfews in Sulaimaniyah:

During these two years, two curfews were declared in Sulaimaniyah in which hundreds of innocent people were shot and killed in the streets and their corpses were piled and their houses destroyed.

## **6-The culmination of these acts was the using of chemical weapons.**

Most people think that the Iraqis used chemical weapons only in Halabja.

a.They used them in different areas a year before the tragedy in Halabja, ie 1987. Those were called (preliminary steps) as described by an Istikhbarat Officer.

b.In a conference held in London in 1999, by the L.H.R, Catherine Porter, the prominent human Rights activist said that they had arranged several campaigns against using chemical weapons in Halabja. After thanking her for her efforts, I commented saying; before attacking Halabja by gases by one year, ie 1987, the Iraqis used chemicals in different areas of Kurdistan; in Balisan, Shekh Wasan, Sewsenan, Badinan... etc.

The news of those attacks was sent out by the Kurds to the world media. "The question is" I said, if Saddam had been warned then, wouldn't he have thought a hundred times before doing that evil act, unless otherwise he had been shown the green light. Miss Porter replied: "We are ashamed of ourselves".

### **7-Anfal, a pre-planned operation: 1988**

In his great story about the Holocaust, Raul Hilberg says: in the process of murdering as many people as possible, 3 steps are important:

**Definition**

**Collection (Detaining)**

**Annihilation**

The Iraqi Regime did the same, regarding the Kurdish innocent population. So the Northern Bureau Command headed by Ali Hassan Al-Majid (Ali chemical) began a widen plan in 1987 through several standing orders beginning with the directive No 28/3650 followed by a more fiercer directive No SF 4008 in the same year and signed by Al Majid himself, they read:

**a.The Prohibited areas:**

Within their jurisdiction the armed forces must kill any human being or animal present within their areas. They are totally prohibited.

**b.Bombing for mass killing.**

**c.Those aged (15-70) who were arrested, would be investigated and killed.**

## 8-The Anfal Campaign was of 8 stages:

Anfal No.	Date	Place
First	23 Feb-19 Mar	Sargallu and Bargallu
Second	22 Mar- 1 Apr	Qaradagh
Third	7- 20 Apr	Garmian
Forth	3- 8 May	Lower Zab
5th,6th,7th	15 May- 28 Aug	Villages and Mountains of Shaqlawa and Rawanduz
Final	20 Aug- 6 Sept	Badinan

## 9- Conclusion:

It has been quite obvious that there was the intent of randomly mass killing of civilians, abuses of Human Rights and crime against humanity, which can be counted as genocide according to Geneva Convention 1948. This has been proved through documents and interviews. About 18 metric tons of documents seized in different Iraqi agencies, 1991, after the uprising and also by hundreds of interviews arranged by the Human Rights Organization, with the survivors of Anfal, in addition to hundreds of mass graves, excavated by forensic doctors who visited Kurdistan during 1991-1992.

## 10- The perpetrators of Anfal:

Many Iraqi agencies participated actively in Anfal operations. Above all was R.C.C, Revolutionary Command Council headed by Saddam.

### -The Baath Socialist Party

### -The Iraqi Army and Air Force:

The army chief of staff was Brig General Nizar Alkhazraji. Most Anfal operations were handled by the Kirkuk based first Corps (commander Lt.Gen. Sultan Hashim) and the Erbil based Fifth-Corps (Commander Brig.Gen Yunis Al-Zarib. Lt.Gen. Hashim was also the field commander of the first Anfal Operation.

- Republican Guard
- General Military Intelligence Directorate
- General Security Directorate
- Emergency Forces
- National Defense Forces
- Popular Army
- Inter Agency Committees
- Returnee Reception Committee
- Security Committees and Committees to fight Hostile Activities.

In spite of all these evidences which are crystal clear, and in spite of the fair trial given to some perpetrators of Anfal, we hear and see here and there some politicians in power, under ridiculous excuses to stop executing the decisions of the court. Not only those, but tens of other criminals like them, as well as the Mustashars (Jashes) whose hands are stained in blood must be brought before justice. I do not believe in revenge, but justice should take place if we believe in democracy and human rights.

Hundreds of thousands of innocent civilians disappeared and killed without trial. These politicians are standing against the will of the relatives of those victims.

They are either ignorant of the facts or deliberately ignore them as human tragedy or otherwise, they have been advised to do so..

I ask you to join your voice to mine and to thousands like me. Have your say and pay more attention to the suffering of the survivors whose case has been given the least right. Anfal should remain in every boy's mind live as the Holocaust and the case of the Armenians, so that such tragedy wouldn't happen again.

And finally I would like to listen to what a poet once said which is applied to these tragedies:

The murdering of a man in the woods is an unforgiven crime, whilst the mass killing of a peaceful nation is something that may be considered.

ENCYCLOPAEDIA OF GENOCIDES  
**THE 1988 ANFAL  
CAMPAIGN IN  
IRAQI KURDISTAN**

JOOST R. HILTERMANN

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During six months in 1988, tens of thousands of Kurds, the vast majority civilians, died during an Iraqi counter-insurgency campaign code-named the Anfal operation (amaliyet al-Anfal). Precise numbers of the dead are not available. Human Rights Watch, which has carried out the only comprehensive investigation, roughly estimates casualties to have been somewhere between 50,000 and 100,000 (Human Rights Watch, 1995: xvii).

The Anfal campaign was the culmination of long-standing efforts by the Ba'ath regime to put an end to Kurdish aspirations toward greater autonomy and independence. It came toward the tail end of the Iran-Iraq war, a bloody eight-year conflict (1980-1988) that allowed Kurdish rebels to step into a security vacuum in the north to press for advantage. Anfal was the regime's revenge for what it perceived as unforgivable treason, as well as its way of settling the Kurdish national question definitively within the boundaries of the Iraqi state.

A mere four years later, the traumas of the Anfal campaign and the chemical attack on the town of Halabja, in March 1988, became the foundation for a resurgent nationalism in the quasi-independent Kurdish region that emerged under the tutelage of the United States

and its Gulf War allies.

### **A.Context**

The Kurdish national movement arose, along with the modern state of Iraq, from the ruins of the Ottoman Empire. Post-World War I manoeuvring by the victorious powers, England and France, brought new states with new borders, as well as stateless people living across newly drawn international frontiers. The Kurds were the largest such non-state nation, inhabiting a vast territory that comprised significant parts of Turkey, Iran, Syria and Iraq. Feeling cheated out of independence by the post-war powers, the Kurds fought for greater freedoms in each of these countries during the twentieth century. In doing so, they repeatedly forged tactical deals with central governments under whose repressive yoke they laboured, governments of neighbouring states, and Kurdish movements in adjacent parts of Kurdistan with whom they shared language and culture, but each of which had its own battles to fight with its central authorities. From the Kurds' perspective, their modern history is a litany of promises made and then betrayed, agreements sealed only to be undone, and long periods of relative peace punctured by insurgencies, massacres, village destruction, and, in most cases, utter defeat.

The history of the Kurdish movement in Iraq has hardly been different. It started in the early 1920s with the unsuccessful rebellions of Sheikh Mahmoud Barzinji, who titled himself "King of Kurdistan"; his movement was suppressed only once the British mandatory authorities brought in the RAF to bomb the wayward Kurds (Yildiz, 2004: 13). In the 1940s, a young Kurdish leader emerged who fought the monarchy from his base in Barzan and then Suleimaniyeh: Mullah Mustafa Barzani, considered the father of the modern Kurdish national movement in Iraq. Forced into exile in Iran in 1945, he helped establish the ill-fated, short-lived Mahabad Republic there the next year. While in Iran, Barzani founded the Kurdistan Democratic Party (KDP), which promptly split into an Iraqi and an Iranian wing (Yildiz, 2004: 16). Barzani was unable to return to Iraq until after the collapse of the monarchy in 1958; in 1961, he re-launched the national movement in Kurdistan.

The origins of the Kurds' ultimately successful experiment in nation-building lie in the KDP's growth in the vacuum of post-monarchy



Iraq, when successive short-lived republican governments were in no position to impose their will on the rebellious Kurds, even if they tried (through army raids and bombardments of villages). The Ba'ath regime that came to power through a coup in 1968 was so weak that it soon pursued a settlement with Barzani, drafting an autonomy agreement that, on paper, devolved significant authority to a regional government in Erbil. The key sticking point then, as in later negotiations, was the status of Kirkuk, an oil-rich region claimed by both the Kurds and Iraq's Arab regimes (Yildiz, 2004: 18-19). In 1974, it led to the agreement's collapse and to a Kurdish revolt that was crushed once the Kurds' principal ally, the Shah of Iran, withdrew his military and logistical support after making a separate deal with the Ba'ath regime. The KDP was defeated, its fighters dispersed, its people relocated to camps in southern Iraq, and its leadership forced to rebuild the movement from exile in Iran (Yildiz, 2004: 23-24).

In 1975, the KDP split, with younger cadres, led by Jalal Talabani, challenging Mullah Mustafa's leadership of the national movement and establishing the Patriotic Union of Kurdistan (PUK). This development did not only represent a generational but also a cultural and linguistic struggle. From its founding, the PUK predominated in Suran, the southern part of Iraqi Kurdistan centred around the city of Suleimaniyeh, where the Surani dialect is spoken. The KDP's base, however, remained in Kurmanji-speaking Badinan, especially around the village of Barzan, the home of its founder and the son who succeeded him, Masoud Barzani. Since its inception, the KDP has remained essentially a family affair, even if it has drawn in tribal leaders, professionals and intellectuals from Dohuk and Erbil. The PUK, by contrast, has had a broader, more urban, base, although Talabani's leadership has been largely undisputed.

The Iraqi invasion of Iran in September 1980, a war by choice, revived the fortunes of these two parties, allowing them to bounce back from defeat. For eight difficult years, the Iraqi regime was preoccupied with fighting the war and, after its forces were expelled from Iranian soil in 1982, defending its territory from a series of withering Iranian onslaughts. It sought to keep things under control in Kurdistan by buying off tribal leaders, whom they referred to as "Courcillors" (Mustasharin), and charging them with policing

the countryside. It succeeded only in the lowlands; the more mountainous terrain became the domain of the peshmerga ("those who face death"), the Kurdish fighters deployed by the two main parties and a host of smaller ones, the Kurdistan Communist Party (KCP), the Kurdistan Socialist Party (KSP), the Kurdistan Popular Democratic Party (KPDP), the Islamic Movement of Kurdistan (IMK), and others. Following a joint KDP-Iranian operation against Iraqi forces at Haj Omran in July 1983, the regime retaliated by detaining some 8,000 Barzani men and killing them (Human Rights Watch, 1995: 26-27). During the fighting at Haj Omran, the regime also used chemical weapons for the first time in its war with both Iran and the Kurdish insurgents (Hiltermann, 2004: 153).

As the war wore on, the peshmergas were able to extend their control throughout rural Kurdistan, especially after nightfall, while underground operatives recruited cadres in the towns. By 1987, the regime's writ in Kurdistan existed in name only, with government personnel and security forces hunkered down in fortified compounds and military bases, and the Mustashars' irregular "Fursan" (knights, derisively called "jahsh", donkey foal, by the Kurds) manning checkpoints on key arteries but, perhaps as often as not, closing their eyes to insurgent activity. In that year, the Kurdish parties established a coalition, the Kurdistan Front, and openly declared their alliance with Iran in the war (Human Rights Watch, 1995: 30-33).

To the Iraqi regime, an Iranian victory in the war presented an existential threat. It therefore saw the Kurds' growing insurgency as capital treason and Kurdistan as the Achilles' heel of its military defences. By 1987, the Iranians started to show signs of fatigue and the United States began to throw its support more fully behind the Iraqi war effort. This was so especially after the 1986 Iran-Contra debacle, which exposed Washington's double-dealing and led to the defeat of those within the Reagan administration who had been leaning toward Iran more than Iraq. The U.S. sale of cutting-edge weaponry to Iran, even as it was providing military and financial support to Iraq, had enabled the Khomeini regime to remain standing in the face of Iraq's superior military.

Sensing the international environment changing in its favour, the regime decided to squelch the Kurdish insurgency. To this end, the Iraqi

leader, Saddam Hussein, appointed his cousin, Ali Hassan al-Majid, to become the overlord of the North, giving him broad powers to deploy the security apparatus against the rebellious Kurds. Al-Majid lost no time in carrying out his task. Within three weeks of his appointment, he ordered the use of poison gas. Effective in breaking up the Iranians' "human wave" assaults and undermining the troops' morale on the southern front, chemical weapons in Kurdistan instead served to "smoke out" Kurdish guerrillas from their bases in the countryside. Unsurprisingly, Kurdish civilians bore the brunt of these attacks (Human Rights Watch, 1995: 39-49).

The second prong of al-Majid's strategy was to make the countryside inhospitable to the insurgents by razing the villages they relied on for food and shelter. By the summer of 1987, his forces had succeeded in destroying all villages they were capable of reaching, namely those situated in the lowlands, along major roads and around towns under regime control. But they could not yet reach villages in the higher valleys. These areas were declared prohibited and became virtual free-fire zones. An embargo on traffic to and from these areas was designed to starve the countryside and induce villagers to leave. Air attacks were almost daily, but these failed in dislodging the guerrillas or displacing villagers, who became accustomed to staying away from their homes, working the lands by day and sleeping in caves at night (Human Rights Watch, 1995: 49-51; Hiltermann, 2007: 81-103).

In October 1987, the decennial Iraqi census took place. In Kurdistan the regime gave it an important secondary purpose. In radio broadcasts and word-to-mouth, it informed Kurds that those who failed to participate in the census would cease to be considered Iraqis, and would instead be treated as "saboteurs", the code word for the guerrillas. The only way for those still living in the prohibited areas to participate in the census was to register themselves in mujamma'at (complexes), vast displaced-people camps, or collective towns, that accommodated those removed from their villages during earlier destruction campaigns. Few rural Kurds heeded this warning, preferring to stay in their ancestral homes (Human Rights Watch, 1995: 56-60).

As the year 1988 approached, the regime began preparations to deal death blows to its Iranian adversary as well as Kurdish insurgents, sensing war weariness on the part of the Iranians and deeming

conditions increasingly advantageous, now that the U.S. had started sharing satellite imagery of Iranian troop formations (Hiltermann, 2007: 43, 79, 238-39).

## B. Perpetrators

Iraqi secret police and military intelligence documents show that Anfal was a large-scale and carefully coordinated military campaign, directed from up high, that involved a range of actors:

- The air force, whose planes carried out the chemical strikes that served to flush out the rural Kurds.
- The Kurdish Fursan/jahsh brigades headed by the Mustashars, who went into the countryside spreading news of false amnesties and seeking to persuade villagers (some of whom were their own relatives) to surrender to Iraqi forces, saying no harm would be done to them.
- The Iraqi army, guided by Military Intelligence (al-Istikhbarat al-'Askariyeh), which pummelled the prohibited areas with mortar and artillery fire (including chemical shells), then rounded up the fleeing villagers and drove them to the transit camp at Topzawa. The regime deployed its First Corps (Kirkuk HQ) and Fifth Corps (Erbil HQ), as well as Republican Guard units (in Anfal I), the Kirkuk-based Oil Protection Forces (at least in Anfal III), and an assortment of Special Forces (Quwwat Khaaseh), commando units (Maghawir) and Emergency Forces (Quwwat Taware').
- The Public Security Directorate (Mudiriyat al-Amn al-'Aameh), which supervised the detention process and made lists containing the detainees' basic information: name, place and date of birth, place of residence, gender, military service (deserter, draft dodger), and whether the person had carried (and surrendered with) a gun.

At the head of it all stood Ali Hassan al-Majid, whose orders bearing his signature survive to detail his role, along with audio recordings of speeches to the party faithful. Exhibiting a strong anti-Kurdish animus, he railed against the "saboteurs" and those who consorted with them – the guerrillas' relatives, but gradually all those who chose to remain in the prohibited areas (Human Rights Watch, 1995: 253-258). In two

key orders in June 1987 he outlined what should be done with them. Order #4008 of 20 June is particularly specific: Carry out "special" (i.e., chemical) strikes against the prohibited areas and detain everyone found there, sorting those aged 15-70 from the rest and, after extracting from them the necessary information, killing them (Human Rights Watch, 1995: 52-56).

The Anfal campaign began when the Iraqi army, assisted by the air force, launched a large-scale military operation in Kurdistan at the first melting of the winter snows, in the early hours of 23 February 1988. Firing chemical rounds and dropping chemical bombs, these forces targeted the headquarters of the PUK in Jafati, a high valley behind Piramagroun mountain northeast of Suleimaniyeh. However, in the year that had passed since the arrival of Ali Hassan al-Majid, the peshmergas had learned to cope with chemical attacks, moving to higher ground and building fires; moreover, they had started receiving gas masks and ampules with atropine, an antidote to nerve gas, from their Iranian allies. Thus the assault continued for three weeks without notable success (Human Rights Watch, 1995: 63-68).

Yet the pressure was such that the Kurdish parties started looking for a way to diffuse it. They found a ready partner in the Iranians, who themselves were expecting to come under sustained attack on the southern front, especially in Iraq's Faw peninsula which they had occupied for two years, and were also looking for a diversionary tactic to draw away Iraqi troops. Together they decided to open a new front at Halabja, a town at almost two hours' driving south of Suleimaniyeh near the Iranian border, from which it is shielded by high mountains (Hiltermann, 2007: 105-11).

### **C. Victims**

On 14 March, a combined force of Iranian Pasdaran (Revolutionary Guards) and Kurdish peshmergas crossed the border into Iraq, swooping down on the entire qadha (district) of Halabja, which incorporates several nahyas (sub-districts) such as Khormal, as well as mujamma'at, and borders the Sirwan (or Darbandikhan) lake. Militarily, the advance was a complete rout for the Iraqis. Many troops drowned in the lake, others managed to flee the area; thousands

were captured. The Kurdish parties took control of the towns of Halabja and Khurmal, while the Iranians seized the Iraqi defences on the surrounding hilltops. On the 15th, Halabja was fully in the peshmergas' hands (Hiltermann, 2007: 112-20). Residents later recounted that, while elated at being free from Iraqi oppression, they also had a sense of foreboding, having intimate knowledge of the regime and its brutal ways: A year earlier, Iraqi security forces had razed one of Halabja's neighbourhoods following street protests over the village destruction campaign |(Hiltermann, 2007: 120-21).

In the afternoon of the 16th, the Iraqi air force launched a massive chemical strike against the area of Halabja and Khurmal. Although no accurate body count exists (survivors assisted by peshmergas and their Iranian allies hastily buried the dead in makeshift mass graves), it is generally reported that 5,000 perished, mostly from nerve gas, the vast majority civilians. The Pasdaran and peshmerga forces were equipped against chemical attacks and therefore suffered only minor losses (Human Rights Watch, 1995: 68-72; Hiltermann, 2007: 1-4, 121-22).

The blow at Halabja proved devastating to Kurdish morale. Tellingly, the PUK's resistance in Jafati crumbled instantly, and by 19 March the regime was able to declare, in banner headlines, an end to the "heroic Anfal operation" with the collapse of the PUK's headquarters, the "head of the snake". Iranian forces would continue to occupy the Halabja area until July (when a cease-fire ended the war), but surviving Kurdish civilians there and in Jafati valley immediately tried to make their way across the Iranian border to safety; many died from exposure (Human Rights Watch, 1995: 72-74; Hiltermann, 2007: 129).

With Kurdish resolve broken by the chemical strike at Halabja, news of which spread like wildfire throughout Kurdistan, the regime launched a methodical military campaign to dislodge not only the peshmergas from the countryside, but its civilian population as well, to never again have to deal with a rurally-based insurgency.

The second Anfal operation, from 22 March till 1 April, targeted Qaradagh, a mountainous region south of Suleimaniyeh; fleeing Kurds either went eastward toward Iran, and survived, or westward straight into the area that was targeted next. Anfals III and IV (7-20 April and 3-8 May) covered the region called Germian ("warm lands") by the Kurds; this is the hilly terrain between the Diyala river in the

south and the Lesser Zab in the north, whose economic centre is Kirkuk. The purpose of Anfal V, VI and VII (overlapping operations lasting from 15 May till 26 August) was to fight PUK peshmergas in the mountain valleys of Smaqli, Balisan and Malakan northeast of Erbil. And the so-called Final Anfal dealt with the Badinan region controlled by the KDP; it began with a chemical bombardment of villages in the Khabur River valley and along the Gara and Mattin mountain ranges on 25 August and concluded within days, a complete triumph. The entire campaign was declared over with the announcement of a general amnesty "for all Iraqi Kurds" on 6 September.

The Anfal campaign's principal tactic was a targeted chemical strike on the first day of each of the seven stages of Anfal that followed the PUK's collapse at Jafati. This had the intended effect of flushing terrified Kurds out of their villages and driving them into the arms of infantry troops and their allies, the Kurdish Fursan/jahsh fighters. The victims were herded to collection points and driven by truck to collection points and on to a Popular Army base west of Kirkuk, called Topzawa, the main sorting centre (Hiltermann, 2007: 129-35).

Ali Hassan al-Majid's twin orders of June 1987 did not make clear how the killings he authorised should be carried out, or whether there were exceptions to the rule. Although the regime kept detention records, not all of these have been found. Precise numbers of those killed must therefore, for now, remain a mystery, although it is possible to make an educated guess. Early on, the PUK claimed 182,000 dead, a total that has assumed a mythical status in Kurdistan but was based on an extrapolation of assumed average village size in 1988 and had no empirical relation to actual disappearances or killings. Human Rights Watch, relying on a careful but incomplete survey conducted by a Kurdish human rights organisation in Suleimaniyah, the Committee for the Defence of Anfal Victims' Rights, proposed a death toll of "at least fifty thousand and possibly as many as a hundred thousand persons" (Human Rights Watch, 1995: xvii). Tellingly, Ali Hassan al-Majid himself, during negotiations following the Kurdish uprising in 1991, reportedly exclaimed in reference to the number of Anfal victims claimed by the PUK: "It couldn't have been more than 100,000!" (Randal, 1997: 214).

Even the number 100,000 likely overstates the facts, however diffi-

cult this may be for many Kurds to accept. The Committee for the Defence of Anfal Victims' Rights, which carried out a systematic survey in the areas under Kurdish control in 1992-1995, only documented 63,000 "disappeared" (mafqudin), although this excluded the area of Anfal VIII (estimated at another 7 or 8 thousand). Moreover, areas under Iraqi regime control, mostly in Kirkuk (Ta'mim) governorate, could not be reached, but most families there had relatives in the resettlement camps in areas under Kurdish control, so this exclusion may not yield a dramatic difference in overall numbers. Significant is that there is reportedly only one person who was detained and disappeared from the area of Anfal I (a person with mental problems who stayed behind when other villagers fled to Iran), and no more than 2,000 from the areas of Anfal IV-VII. The bulk of the "disappearances" were from the area of Anfal III and those families who fled the area of Anfal II into the area of Anfal III just as the attack was starting there (Abd-al-Rahman, 1995). The Committee's estimate of maximum 70,000 dead, published in Kurdistan in 1995, was highly controversial, and its director was forced to leave the country (Hiltermann, 2007: 134-35).

Anfal counted many survivors, namely those who were detained until the amnesty and were then moved into resettlement camps (which in some cases constituted barren land lacking facilities for the first couple of years). But many never returned from detention, and their story has been told only by a handful of survivors from the killing grounds and, after April 2003, the discovery of mass graves in areas of western Iraq that remained under the regime's control after the 1991 Gulf war and uprisings. The survivors' stories tell us the fate of the disappeared as well as the perverse logic that underlay Anfal.

First of all, it is important to understand that only rural Kurds were affected by Anfal, specifically those who were still living in the prohibited areas after the 1987 census, and not, for example, deruralised villagers living in the mujamma'at or the (urban) survivors of the Halabja attack. Secondly, the sorting process in Topzawa (Human Rights Watch, 1995: 141-146) suggested a pattern of killings consistent with the regime's objective of Arabising Kirkuk. In Topzawa, boys and men roughly between the ages of 15 and 60 were separated from their families and hauled off to execution sites in western Iraq, killed, and buried in mass graves. By contrast, older men and women were



dispatched to Nugrat Salman, a notorious prison located in the desert west of Samawa in southern Iraq (Human Rights Watch, 1995: 155-159). Those who survived its extreme hardships (little food, no medical care, tough climate) were released in the September amnesty and sent to live in the mujamma'at.

The fate of women and children depended on their place of residence. If they were from areas of Anfal II, V, VI, VII, they were sent to an army base in Dibs, north of Kirkuk, also to be released in the amnesty and relocated to camps. If they were from the area of Anfal VIII, they were detained in a prison camp at Salamiyeh, near Mosul; survivors were released in the amnesty. If, however, they were from Germian (Anfals III and IV), in most cases they were treated like the men and carted off to execution sites for mass killing. Those from the area of Anfal II who fled to Germian and were then scooped up during Anfal III also were sent to their deaths.

The only explanation for this pattern is Kirkuk. According to Wafiq al-Samarra'i, who was deputy director of the Military Intelligence Directorate in 1988, the regime exterminated entire Kurdish families if they came from areas near Kirkuk. This was its way of reducing the region's Kurdish population: "You can kill half a million Kurds in Erbil, but that won't do anything. It would still be Kurdish. But killing 50,000 Kurds in Kirkuk will finish the Kurdish cause forever." (Hiltermann, 2007: 133-34). This, in other words, was Arabisation taken to its logical extreme: the systematic killing of all Kurds living in the countryside of this oil-bearing region in order to make it "Koerdenrein". Anfal, in other words, was a campaign to (1) incapacitate the Kurdish national movement by razing rural Kurdistan and killing all its actual or potential fighters, and (2) remove that movement's main prize, Kirkuk, by exterminating that particular region's Kurdish village population.

#### **D. Memories**

Future generations may well conclude that from the depths of tragedy a new Kurdish nation was born. Following Iraq's 1991 defeat in Kuwait, the defeated and demoralised Kurdish national movement gained a new lease on life. It has made every effort since then to parlay the monstrous history of Halabja and Anfal into the founda-

tions for its claim to independence from an Iraq that, in their view, had disqualified itself by its extreme cruelty from ruling this non-Arab population. With the support of the international community, the Kurds set about rebuilding their villages, and in May 1992 they held elections that yielded a government in which the PUK and KDP agreed to a 50-50 power-sharing arrangement, allocating ministerial posts accordingly. Their effort at nation building was complicated, however, by an internecine KDP-PUK war that raged from 1994 until a Washington-brokered cease-fire in 1998. Although the two parties have continued to view each other with mistrust, their respective leaderships became convinced of the need to forge a common front against the regime in preparation for its collapse.

The regime's removal in 2003 brought new power to the Kurds and precipitated a vision of cohabitation with Arab Iraq as a transitional phase before formal secession, a development that – Kurdish leaders acknowledge – only a future changed regional environment will enable. Through Kurdish weight in drafting the new Iraqi constitution, Halabja and Anfal took pride of place in the lexicon of the ousted regime's outrages enumerated in its preamble, which refers to "the massacres of Halabja, Barzan, Anfal and the Fayli Kurds". These massacres, Kurds contend, were committed because of their tenacious quest for nationhood and Kirkuk. Without oil-rich Kirkuk, its presumptive capital, the new nation would lack the resources it needs to survive (International Crisis Group, 2004).

To commemorate these events, the Kurds have built, inter alia, a torture museum in the old security police headquarters in Suleimaniyeh, as well two memorials in Halabja to the victims of the gas attack: one outside Halabja on the road to the Anab resettlement camp, where many Halabjans found their deaths, the other at the entrance to Halabja from Suleimaniyeh, which also houses a small museum. The latter memorial was inaugurated in September 2003 by U.S. Secretary of State Colin Powell, accompanied by Paul Bremer, the American viceroy in Iraq, and the two Kurdish leaders, Jalal Talabani and Masoud Barzani. Visitors receive background materials, including booklets, posters and postcards with photos of the attack and its victims, funded by the U.S. Agency for International Development. At a yearly commemoration on 16 March, Kurdish dignitaries, townspeople and visitors – including sometimes foreign delegations – have

paid homage to the dead and reinforced the claim to an independent Kurdistan. The reburial of bodies found in local mass graves, many of which have yet to be unearthed, has provided a symbolic occasion to remind the world of the atrocities it allowed to take place.

Yet, the Anfal campaign and Halabja gas attack remain shrouded in ignorance outside Kurdistan. The region was closed off to the world for so long and the infrastructure has been so uninviting of foreign visitors that few have made the trek to share with the Kurds their memories of suffering. The Kurds, moreover, have been the victim of their war-time alliance with Iran, which has been in the international doghouse ever since the fall of the Shah in the late 1970s. Iraqi propaganda, backed by its ally the United States, either denied Anfal and Halabja, played down their significance, or distorted it beyond recognition. Relying on the "fog-of-war" argument, Iraq was largely successful in doing so (Hiltermann, 2004). The canard that Iran shared responsibility in the chemical attack on Halabja and possibly caused most of its fatalities (Pelletiere, 1992). is but one example of this.

This has made it particularly difficult for the Kurds to find international recognition for the tragedies of Anfal and Halabja. Until this day, for example, Arab and Turkoman community leaders in Kirkuk contend that at most 60,000 Kurds were displaced during Arabisation, and some claim that no more than 15,000 Kurds were displaced. They can do so because they arbitrarily confine the Arabisation policy to the town of Kirkuk during the 1990s and thereby conveniently elide the earlier destruction of the Kurdish countryside of Germian (International Crisis Group, 2005). Likewise, whereas Anfal was publicly known as a counter-insurgency campaign at the time, its true nature remained concealed to all but those who had intimate involvement in its execution. It can only be hoped that full accountability for these crimes, through a public judicial process in which all the evidence is laid out and scrutinised, will convince the nay-sayers, while providing compensation and a measure of closure to the survivors.

Efforts to play up the past through annual commemorations (Anfal, for example, is remembered throughout Kurdistan on April 14 each year) were complicated in 2006 when, on March 16, events in Halabja took a different turn. For some time, townspeople, headed by university students, has complained about the regional government's

exploitation of the gas attack. Rather than investing in the town, they said, the PUK was keeping the funds it collected from foreign sources for itself. Each year they witnessed visits of foreign dignitaries, who were whisked from memorial to memorial but were carefully shielded from the town itself, its hospitals or its people. They pressed for material assistance, even meeting the PUK's prime minister, Omar Fattah, in the days before the commemoration.

Unpersuaded by the PUK's pleas to desist, Halabjans staged a demonstration in the centre of town on March 16 in which they raised their grievances. Provocation by armed PUK guards created anger, as did the detention of several of the demonstrators. Things then got rapidly out of hand, with demonstrators converging on the memorial at the town's entrance. Throwing rocks at the PUK guards who had found refuge there, they were met with bullets. At that point, the crowd surged forward and put the monument to the torch, utterly destroying it. Deeply embarrassed, the PUK ordered an investigation while pointing an accusing finger at Iran, which in the past had not shrunk back from sending warning signals to the Kurds' secular leadership via the Islamist parties that are particularly strong in Halabja (Hiltermann, 2006). Whatever the original impetus to the memorial's destruction or the demonstrations leading up to it, few doubt that the annual commemoration will forever have lost its lustre.

### **E. Refugees**

Those who managed to flee from Iraq's advancing army to Iran or Turkey were allowed to return during a one-month period following the announcement of the amnesty ending Anfal on 6 September 1988. Anyone who returned (or was caught) after that month was again subject to arrest and execution under Order #4C08. Returnees were herded into resettlement camps after their information was taken. In a cruel twist, non-Kurds who had lived in the Kurdish countryside and had fled along with the Kurds were apparently excluded from the Anfal amnesty. Upon their return to Iraq, several hundred members of these minority groups – Yazidis and Chaldo-Assyrians, mostly – were detained and disappeared (HRW, 1995: chapter 11).

Some Kurds chose not to return. They remained in camps in Turkey



and Iran until the 1991 uprising in Iraqi Kurdistan that followed the Gulf war, when they were joined by a new wave of fleeing Kurds (Lawyers Committee for Human Rights, 1992). During the next few years, however, as Iraqi forces withdrew from the greater part of Kurdistan and the area was stabilised, most refugees went back, joining the ranks of the internally displaced. This was especially true if their former homes lay in areas under regime control, for example Kirkuk.

In 2005, many survivors of Anfal remained displaced, living in mujamma'at, where at least they had access, however minimal, to education and health care, and perhaps the possibility of work in a nearby town. Some began to return to their villages after the international community funded the reconstruction of the countryside in the 1990s, but just as likely they became part-time villagers, working their lands during the planting and harvesting seasons, but keeping a home in the mujamma'a as an insurance policy against an uncertain future. Those displaced from Kirkuk did not receive an opportunity to return to their original homes until after the regime's removal in April 2003; the Kurdish parties then sponsored a rapid rehabilitation of Germian, mostly to strengthen the Kurdish claim to Kirkuk (HRW, 2004a). Despite these hopeful developments, the widespread poverty among Anfal families, the Anfalakan, many of whom lost their main breadwinners, is the untold story of the Anfal's long-term impact.

## F. Witnesses

The world gained a glimpse of the horrors transpiring in Kurdistan in the 1980s through information distributed by the Kurdish parties in European capitals at the time, but this was either ignored (Meiselas, 1997: 312) or dismissed as partisan propaganda during a war in which the Kurds had chosen the side of Iran, the enemy of the West. Verification of the Kurds' allegations was particularly difficult because of the closed nature of Iraqi and Iranian societies, their regimes' repressive character, and war-time conditions. The United Nations sent teams of chemical weapons experts to Iran in 1984 and 1986, and to Iran and Iraq in 1987 and 1988 to investigate the alleged use of poison gas on the battlefield. In the final two years of the war, these experts reported that Kurdish civilians in Iran as well as Iraq had become victims, if not targets, of chemical warfare (United Nations, 1987

and 1988). Nevertheless, whenever the U.N. Security Council passed a resolution against gas warfare, it generically condemned "the use of chemical weapons in the Iran-Iraq war", and invariably urged both countries, rather than Iraq alone, to refrain from such use (Hiltermann, 2004).

It was only in the wake of the Kuwait war and the Kurdish rising in the north that independent observers were able to freely visit Kurdistan and begin to establish the facts. The U.S.-based non-governmental organisation Human Rights Watch was among the first to send investigators (this author among them) to the region to gather evidence of the regime's crimes before, during and after the Anfal campaign. They gathered hundreds of testimonies from eyewitnesses, survivors, and even some of the perpetrators, for example mustashars, who tended to be less than candid about their own responsibility even as they described the role of some of their colleagues (Human Rights Watch, 1995). Physicians for Human Rights in Boston also sent a team, which collected soil samples at the village of Birjinni in Badinan, which upon analysis in the UK turned out to contain traces of the nerve gas sarin (PHR and HRW, 1993).

The PHR team, moreover, interviewed a Kurdish teenager, Taymour Abdullah, who was presented by the PUK as the only survivor of the Anfal execution grounds. The boy described in detail what had happened to him and his family: their detention near their village in Germian in April 1988, their transfer to Topzawa, their separation from his father, and their transfer to an area that appeared far from Kurdistan, where they were off-loaded at nightfall, pushed toward an open pit, and summarily shot by an execution squad. Taymour, injured but alive, used the cover of darkness to climb out of the mass grave and run into the desert. Here he was found by Bedouins who hid him in the nearby town of Samawa, cared for him and, after 1991, returned him to his surviving relatives in Kurdistan (Middle East Watch and Physicians for Human Rights, 1992: 23; and Makiya, 1992). Until this day, Taymour Abdullah is the only known child survivor (he was 12 at the time) of the Anfal campaign, and the only known eyewitness to the mass killing of women and children.

This author, however, working for Human Rights Watch in 1992-1993, was able to locate and interview six other survivors of the kill-

ing grounds, all adult males. They described a similar process: detention, transfer, separation, further transfer, arrival at killing grounds in Iraq's western desert at nightfall, and then mass execution, which they, miraculously, succeeded in surviving (HRW, 1995: chapter 9).

Other evidence exists in the form of documents. In two shipments, in May 1992 and August 1993, the PUK and KDP sent eighteen metric tons of Iraqi state documents they had captured during the March 1991 uprising to the United States for safekeeping and analysis. These included documents from the Public Security Directorate, Military Intelligence, the Ba'ath Party, and Ali Hassan al-Majid's office in Kirkuk. Human Rights Watch received exclusive access to these documents to search for evidence of human rights crimes, especially relating to the Anfal campaign. The documents supplied an extensive record of the machinations of an all-pervasive police state involved in an escalating counter-insurgency campaign against a relentless Kurdish rebellion (HRW, 1994).

After the regime's ouster in April 2003, the rest of Iraq became accessible to human rights investigators. Huge caches of documents were taken by various Iraqi parties and individuals, as well as the U.S. military. Some are likely to be used for the trials that have started to take place, but concerns have arisen that key evidentiary materials may have been lost or tainted in the chaos that followed the regime's collapse (HRW, 2004b). Human Rights Watch also vigorously pursued the search for mass graves holding the regime's many victims, but found that many of these sites were not being secured properly (HRW, 2003 and 2004b). From 2004 on, U.S. government teams attached to the Iraqi special tribunal also undertook extensive efforts, deploying forensic experts in search of evidence for the trials of regime luminaries, including Saddam Hussein and Ali Hassan al-Majid, that began in October 2005 (Discovery Channel, 2005; Simons, 2006). In January 2006, the British journalist Gwynne Roberts, who has been making films about Iraqi Kurds since the 1980s, claimed to have found, west of Samawa near the Saudi border, some of the graves holding the Barzani men who were detained and disappeared in 1983.

## **G. Interpretation of Facts**

The difficulty of access to Kurdistan, at least until airports opened

in Erbil and Suleimaniyeh and direct flights from Europe started in late 2005, has militated against the emergence of original scholarship on Anfal or most other aspects of Kurdish history, society and culture. Young Kurdish scholars trained at Western institutions did turn their sights on Anfal in 2005, but their efforts have yet to bear fruit. Until that time, there won't be real controversy about the facts as documented by Human Rights Watch, except for a basic dispute over whether the mass killings took place at all: Many Iraqi Arabs deny they occurred, despite overwhelming evidence to the contrary – which, however, has not been generally available; the Human Rights Watch report was translated into Arabic but has not been widely distributed.

In addition, a controversy has existed over responsibility for the chemical attack on Halabja. Human Rights Watch, citing eyewitnesses and Iraqi state documents, holds that the main attack was carried out by Iraqi fighter bombers on March 16, 1988. This account was disputed as early as 1990 by a former CIA analyst, Stephen Pelletiere, on the basis of findings by the U.S. Defence Intelligence Agency suggesting that Iran had also used gas in Halabja (Pelletiere, 1992: 136-137). Although Pelletiere has repeated his claim on numerous occasions subsequently (for example, Pelletiere, 2003), he has never presented any evidence in support. New research shows that Pelletiere's claim was based on information released by the Defense Intelligence Agency (the U.S. Pentagon's intelligence arm) in March 1988, citing evidence that, closer scrutiny revealed, could not possibly support the contention (Hiltermann, 2007: 183-205).

Questions may arise in the future over aspects of Human Rights Watch's work, including the total number of victims, the precise dates of Anfal's various stages, the number, nature (type of gas used) and locations of chemical strikes (referred to as "special" strikes by the regime), and the identity of the perpetrators of successive components of Anfal (chemical weapons use, capture, transfer, identification and execution). New research on Anfal will be very welcome, as gaps in our knowledge of Anfal doubtless exist. Iraqi state documents taken in April 2003 could contribute important new information, especially about the perpetrators, the operational detail of the counter-insurgency plan, and the explicit decision (presumably contained in orders signed by the senior leadership, beyond Order #2008) to ex-



ecute those caught in the Anfal dragnet.

In the end, a fundamental question will have to be settled concerning the nature of Anfal: Was it, in addition to a counter-insurgency campaign, also genocide? Some legislative history exists now to help us answer that question.

Based on its findings, Human Rights Watch tried to attract state support for litigation at the International Court of Justice in The Hague, charging the Iraqi regime with having committed genocide against its rural Kurdish population. It failed to find such support, but was nonetheless able to convince the Legal Advisor's office at the U.S. Department of State that the mass executions of Anfal satisfied the legal definition of genocide under the 1949 Genocide Convention, and that a case brought before the ICJ could be won. The State Department's assessment was contained in a memorandum sent by the Legal Advisor to then Secretary of State Warren Christopher (Hiltermann, 2000: 32-35).

Human Rights Watch argued that the Anfal killings presented a persuasive case of acts committed with the intent to destroy, in part, an ethnic group, namely rural Kurds, deducing the Iraqi regime's intent from the highly orchestrated nature of both the military campaign and the detention and execution process that followed it. The only aspect that Human Rights Watch failed to present (for lack of clear evidence) in the preparation for a trial that never took place was the explanation for the pattern of killings during Anfal. Evidence obtained only after the unsuccessful bid to bring a case before the ICJ suggested that the methodical killing of entire families from Germian had taken place precisely to Arabise and de-Kurdify the region around Kirkuk, and thus constituted the best example of a partial genocide available from the period of Anfal (Hiltermann, 2007: 133-34).

In the late 1990s, the British non-governmental organisation Indict began to create individual dossiers against leading members of the regime. It did not limit itself to Anfal, but included a range of human rights crimes committed during the regime's long reign. Yet, as long as the regime remained in power, little could be done to bring its leaders to justice. The organisation was disbanded in 2003 and its archive was transferred to U.S. authorities in Baghdad shortly thereafter.

In August 1999, Human Rights Watch and others tried to precipitate the arrest of Izzat Ibrahim al-Duri, the regime's number two, when he travelled to Austria for medical care, but he was able to flee the country and return to Iraq.

In December 2005, a Dutch court, in convicting businessman Frans van Anraat on the accusation of having shipped chemical precursor agents to the Iraqi regime in the 1980s, ruled that the Anfal campaign met the definition of genocide, an important legal precedent that could have influenced the trial of Ali Hassan al-Majid and others for the crimes committed during Anfal but unfortunately was not (Rechtbank 's-Gravenhage, 2006).

Finally, following the arrest of Saddam Hussein, Ali Hassan al-Majid, and other regime cronies following the regime's ouster in 2003, the Coalition Provisional Authority that governed Iraq established the Iraqi special tribunal. The first trial concerned a massacre in the Shiite town of Dujeil in 1982, a crime for which Saddam Hussein was convicted in 2006. While he stood trial also for the subsequent case to be treated, concerning Anfal, he was executed for the Dujeil crime before the Anfal trial had been completed, in December 2006. However, Ali Hassan al-Majid and two others were convicted for genocide in the Anfal trial in 2007 and sentenced to die by hanging. By late 2007, the executions had yet to be carried out, delayed by the unwillingness of the Iraqi president, Jalal Talabani, and one of the two vice-presidents, Tareq al-Hashemi, to sign the execution orders. Talabani's refusal, apparently informed by his personal objection to the death penalty, was particularly telling. As a Kurd, and one of the principal Kurdish guerrilla leaders in the 1980s, he had been at the receiving end of the horrors the regime had visited on the Kurds.

## H. Bibliography

Very little has been written about Anfal. In English, the only comprehensive study remains the Human Rights Watch report published by Yale University Press in 1995. This book incorporates the earlier Human Rights Watch reports, *Genocide in Iraq: The Anfal Campaign Against the Kurds* (1993) and *Bureaucracy of Repression: The Iraqi Government in Its Own Words* (1994), though it reproduces only ten of the 38 Iraqi documents in Arabic and in English translation published in *Bureaucracy*.

An earlier analysis of village destruction was done by Shorsh Resool, called *The Destruction of a Nation*, released by the PUK in 1990; Resool worked in the media relations department of the PUK in northern Iraq in the late 1980s, and he later joined the Human Rights Watch team that analysed the Iraqi state documents (1992-1994). Resool has also written on Anfal and Halabja in Kurdish, as have two PUK commanders, Nowshirwan Mustafa Amin and Shawqat Haji Mushir. Amin's study is a history of the Kurdish national movement, including the period of Anfal and Halabja. Shawqat Haji Mushir was the PUK commander in charge during the Halabja operation; his book is an apologia that seeks to counter criticisms that by failing to anticipate the Iraqi reprisal he exposed Halabja's civilian population to grievous harm.

A number of visitors to Kurdistan have referred to Anfal in their writings. The best original, though fragmented, account can be found in Jonathan Randal's *After Such Knowledge*; other references to Anfal, for example by Kerim Yildiz or Mia Bloom (1996 and 1999), are mostly derivative. Samantha Power's Pulitzer Prize-winning book *A Problem from Hell* contains a highly detailed description of U.S. policymaking during the events in Kurdistan in 1988 and the origins of U.S. failure to act until after the Anfal campaign had already ended.

The following list is a mixed bag of scholarly, journalistic and autobiographical work, as well as reports from investigative missions and collections of newspaper clippings (prepared by the Kurdish Institute in Paris), covering issues ranging from Kurdish history in general to the Anfal campaign and the use of chemical weapons in particular, including the chemical bombardment of Halabja. It also includes a court ruling and a television documentary.

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# UNDERSTANDING THE PROCESS OF THE ANFAL CAMPAIGN

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## 1. Introduction

The well-known social scientist, Herbert Kelman has explored a form of mass violence. He called mass violence such as genocide as 'Sanctioned Massacres'. According to Kelman, Sanctioned Massacres are such crimes that occur in the context of a genocidal policy that 'indiscriminate, ruthless, and often systematic mass violence, carried out by military or paramilitary personnel while engaged in officially sanctioned campaigns, the victims of which are defenseless and unresisting civilians, including old men, women, and children' (Kelman & Hamilton, 1989; 12). This definition of Kelman is very recognizable when it comes to the crimes and massacres, through which the Kurdish people had to suffer from in North-Iraq in the late 1980s. For instance, during the Iran-Iraq war, including chemical attacks against the Kurds, the Anfal campaign and the continuous suppression of the former central government, in all these atrocities, the Kurdish people, indiscriminate of age or gender, were targeted to be killed and destroyed by the former regime. Consequently, these atrocities have had an enormous impact on the life condition of the Kurdish people in North-Iraq.

With regard to these atrocities that have been committed against the Kurds in North-Iraq, this paper will, however, only focus on the Anfal campaign, which has taken place against the Kurds in 1987-1989 (Middle East Watch, 1993). For the sake of clarity, this paper will take an attempt to study the methods and mechanisms that have been used during the Anfal campaign. Despite of the importance of labeling the Anfal campaign as genocide, nevertheless, it is also very crucial to study and analyze the methods and mechanisms that have been used during the Anfal. This, in order to demonstrate that what has been happened against the Kurds, it was due to a well studied genocidal plan from a very structured and organized government, which has intended to destroy the Kurdish civilians.

In this regard, this paper attempts to answer two questions. First of all, it is necessary to ask about what methods are used during the Anfal campaign. The aim of raising this question is in order to display the well structured and organized plan by the former government, through which more than 100,000 Kurds were killed (Middle East Watch, 1993). The automatic second question is then; which mechanisms are used in order to realize the methods that have been set up during the Anfal process. The second question will be dealing with the conditions under which the perpetrators went through in order to implement the process of Anfal against the Kurds. Moreover, it should be mentioned that this paper will use two different criminological theories in order to answer these two questions.

## **2. Hilberg's paradigm and the Anfal campaign**

In his book 'The Destruction of the European Jews', Raul Hilberg (1985) has set up a paradigm which explains the methods that have been used<sup>1</sup> by Nazi regime during the Holocaust. With this paradigm, Hilberg explains that the only way in a modern society, in which a defenseless group of people can effectively be destroyed, this can be done through three steps. The first step is the Definition; it is needed to define the target group that will become the victims. In the case of the Holocaust, the Jews were the target group that was defined by the Nazi regime. The second step is the Concentration or seizure, in which the defined group of people will be replaced to some special camps and they will be separated from the rest of the popula-

tion. This step has indeed taken place; the Jews were replaced and were gathered in several camps. The third and last step in Hilberg's paradigm is the Annihilation. During this step, different instruments will be used in order to destroy the largest amount of the defined group of people within a very short period of time (Hilberg, 1985). By different instruments during the last step, it can be thought of mass murder, torture, executions, starvation, etc. Also, these instruments have been used during the Holocaust against the Jews.

**Definition**

|

**Concentration (or seizure)**

|

**Annihilation**

It should be mentioned that through this paradigm, the process of the Holocaust has been studied and labeled as genocide. With regard to the Anfal campaign, it seems to be very relevant to use Hilberg's paradigm in order to study the methods that have been used during the Anfal campaign, since these methods seem to be very similar to the methods that have been used during the Holocaust. In below, the Hilberg's paradigm will be applied to the case of Anfal.

## 2.1 Definition

During the Anfal campaign, the Hilberg's first step of Definition has taken place in June 1987, when Ali Hassan al-Majid (secretary general of the Ba'ath Party's Northern Bureau) has defined certain Kurdish areas as 'prohibited' areas. The existence of the Kurdish guerilla's activities (**Peshmerga**) in these areas was a crucial reason for the Ba'athy administration to label these entire areas as 'prohibited' areas (Middle East Watch, 1993). Moreover, this step of defining the target group for destruction became clearer in October 1987. From then, the former Iraqi regime had created a buffer strip between the government and the Peshmerga-controlled areas (Middle East Watch, 1993). With assistance of the Iraqi troops and Jash (pro-government Kurdish militants) these prohibited areas were further defined and the government was controlling the mentioned buffer zones (Middle East Watch, 1993). On this way, the definition process and the target group

became clear for the Anfal campaign. The provided map in the end of this section will demonstrate the location of the prohibited areas and the places where the Anfal campaign had taken place.

## 2.2 Concentration

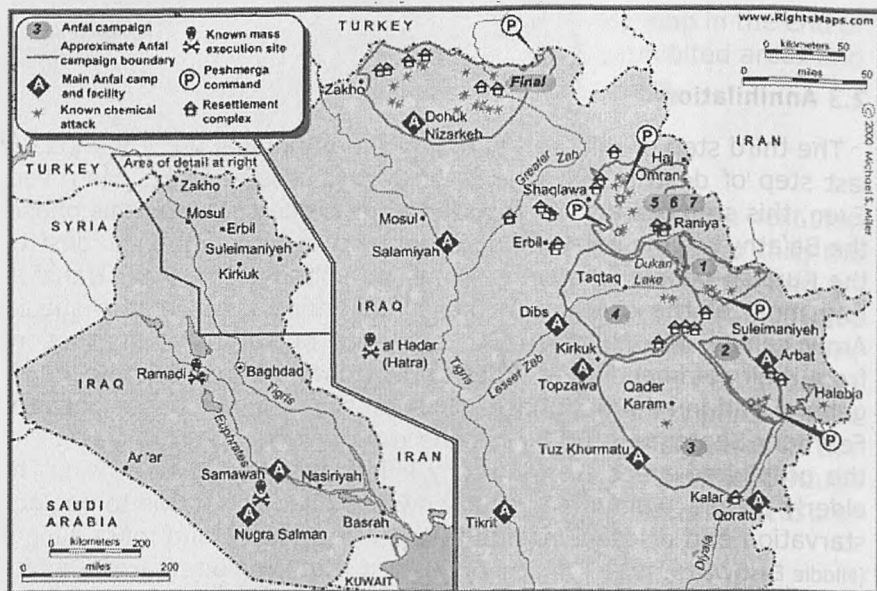
After defining the target group for the Anfal campaign, the next step of the Ba'athy regime was to destroy the target group. For this, the army trucks started to transport the villagers (of the prohibited areas) to nearby holding centers and transit camps (special camps have created for this phase). This process has taken place at the time, while the Jash militants were controlling the villages and shooting those civilians who attempted to escape the transport phase (Middle East Watch, 1993). The role of different government's agencies in this phase explains the bureaucratic policy of the Ba'athy regime, through which orders were given from top to below and different measures were taken in order to accomplish these orders.

It should be mentioned that this process of replacing the target group to the special centers and camps fits in the second step of Hilberg's paradigm, which is the Concentration step (Hilberg, 1985). As it is mentioned earlier, in order to destroy a big amount of people within a short period of time, therefore, it is needed first to define the target group then replace them to the special places, where the destruction process can be conducted. These two steps were also taken very carefully by the Ba'athy regime in order to accomplish the Anfal campaign against the Kurds. During the replacement phase of Anfal between February-September 1988, most of the detainees were transferred to Topzawa, a popular Army camp nearby Kirkuk. Other detainees were transferred to Tikrit. Women and children were trucked on from Topzawa to a separate camp in Dibs and between 6000-8000 elderly detainees were taken to an abandoned prison called Nugra Salman in the southern desert in Iraq, where hundreds of them died as a result of neglect, starvation and disease (Middle East Watch, 1993). Thus, it can be said that this phase of transferring of the target group has been conducted with care by the Ba'athy regime. The defined target group was divided in different subgroups (**old people, men and women and children**), which each of these subgroups has been treated according to the orders that came from the higher authority of the Ba'athy party.

### 2.3 Annihilation

The third step of Hilberg's paradigm, the Annihilation; it is thus the last step of destruction, where the target group will be destroyed. Even, this step can also be found in Anfal process. During this phase, the Ba'athy regime has used different instruments in order to destroy the Kurdish people who were in the prohibited areas. After transferring most of the civilians of these mentioned areas to the special Army camps, the military officers carried out different instructions from their commanders in order to destroy the Kurdish detainees. In general and in all Anfal phases (in total seven Anfal phases between February-September 1988, see the map below) the Kurdish men of the prohibited areas were directly killed (Middle East Watch, 1993). The elderly people, women and children were killed either due to neglect, starvation and diseases or due to the mass graves and mass killings (Middle East Watch, 1993). Moreover, most of the prohibited areas, which were more than 4000 villages were destroyed completely and these locations were attacked by chemical weapons, this with an aim to destroy the escaped civilians. Due to these instruments thus, the Ba'athy regime has taken several measures in order to accomplish the process of destruction of the Kurds during the Anfal.

From this below provided map, the different phases of the Anfal campaign become clearer. As it is demonstrated, the Anfal campaign has started in different places in North-Iraq from February to September 1988. In each of these places, the Ba'athy regime has conducted the parallel steps in order to destroy the civilians of the defined prohibited areas (Salih, 1995). It is interesting to mention that the first two steps of Hilberg's paradigm can be recognized from this map. The first 'Definition' step is the places within the red lines of the map. The civilians of these places were defined as target group of the Anfal in order to be destroyed. Moreover, as it is demonstrated from the map, the letter 'A' means the military camps, which the target group of the Anfal has brought to these special camps and was destroyed. These camps imply the 'Concentration' or seizure step of Hilberg's paradigm.



February-September 1988

Moreover, it should be mentioned that these different steps of Anfal have taken place with great care by the Ba'athy regime. Different government's agencies such as; military troops, Jash, Iraq's General Security Directorate (Amn) and Military Intelligence (Istikhabrat) were included in these steps (Middle East Watch, 1993). This means that the Anfal campaign was organized and conducted due to a bureaucratic and well structured policy of the former central government. This bureaucratic aspect is also very crucial in Hilberg's paradigm. According to Hilberg, a destruction process cannot be accomplished without two important bureaucratic steps, which are the administrative machines and hierarchies with their own tradition (Hilberg, 2003). What he means by these two aspects is that a genocidal policy needs strict administrative machines in order to define the target group. Furthermore, the strict bureaucratic policy and hierarchies are needed in order to implement the destruction process without any delays. In the process of Anfal, these two bureaucratic aspects of Hilberg's paradigm were very well recognized, where different governmental agencies were implementing the provided tasks of the regime. From this, one may conclude that the Anfal campaign fits into the Hilberg's paradigm in both the different steps and the bureaucratic aspects.

On this way thus, the methods of the Anfal campaign can be understood by using the Hilberg's paradigm, which is very similar to the Holocaust process.

### **3. Kelman's theory and the Anfal campaign**

In his article 'Violence without Moral Restraint' Herbert Kelman defines his concept of 'Sanctioned Massacres' and explains very well the conditions under which the usual moral inhibitions against violence become weakened (Kelman, 1973). In other words, Kelman explains the psychological conditions, which the perpetrators are influenced through in order to commit gross human rights violations. For these psychological conditions, Kelman outlines three interrelated processes that are needed in order to restrain the moral obligations by the perpetrators during a genocidal policy. Authorization is the first process, in which a situation is created where standard moral obligations do not apply and the individuals are absolved of responsibility to make personal moral choices. The second process is Routinization, which so organize the action that there is no opportunity for raising moral questions and making moral decisions. The last process is Dehumanization of the victims; in this process victims are not longer seen as people, however, they are seen as terms of category to which they belong (Kelman, 1973).

It might be interesting to mention that these processes are used by Kelman in order to explain the conditions that have been taken place by the Nazi regime during the Holocaust and My Lai massacre that has committed by the U.S. troops in 1968 (Edward Day & Vandiver, 2000). Furthermore, Kelman's theory will be more discussed in depth, when his theory will be applied to the Anfal campaign. This is with an aim to explore the conditions that have been used by the Anfal perpetrators in order to commit genocidal crimes against the Kurds in 1988. In other words, Kelman's theory will be used in this paper in order to demonstrate the mechanisms that have been used during the Anfal campaign.

#### **3.1 Authorization**

According to Kelman, the genocidal policies occur in the context of an authority situation. The instructions and orders are given from the highest authority organizations and through a process of bureaucracy

these orders will be accomplished. The perpetrators of gross human rights violations view these orders as obligations that they have to commit the cruelest crimes (Kelman, 1973). Another important aspect in this process is that the perpetrators do not view their crimes as personal committed crimes. They appeal to higher authority. On this way, many often attempts are taken by the perpetrators to justify or legitimize their actions by appealing to higher authorities (Edward Day & Vandiver, 2000).

During the Anfal campaign this process of Authorization is recognizable in a way that in each steps of the Anfal campaign orders and instructions were given from the government (authority situation) and due to the very strict steps these orders were accomplished (Middle East Watch, 1993). First of all, from the highest formal authority in Iraq, the Revolutionary Command Council, this was headed by President Saddam Hussein, from this highest authority thus Ali Hassan al-Majid was authorized to become the Northern Bureau's Secretary General between 1987-1989 and to operate the Anfal campaign (Middle East Watch, 1993). From a meeting with the members of the Northern Bureau in May 26, 1987, al-Majid declares his plans to conduct the Anfal campaign 'This is my intention, and I want you to take serious note of it. As soon as we complete the deportations, we will start attacking them (he means by attacking probably also the Peshmerga forces) everywhere according to a systematic military plan' (Middle East Watch, 1993; 349). Secondly, each step during the Anfal campaign was conducted according to the commands that were given by the Northern Bureau of the Ba'athy regime, this in assistance with different ministries. For instance, from the Ministry of Defense, the Iraqi Army and Air Forces were included in the process of; burning and destroying the defined villages in the 'prohibited' areas, transporting the target group and also using chemical weapons to further destroy the Anfal locations (Middle East Watch, 1993).

Furthermore, the General Military Intelligence (Istikhbarat) and the General Security Directorate (Amn) were leading the special units in order to report day by day reports of the Anfal process. Also, the lower militant bodies such as; Jaysh Al-Sha'abi, Emergency Forces and Jash, they were included in the process of Anfal in order to realize the orders that were given from the higher authority bodies and eliminate the amount of escapes of the target groups (Middle East Watch, 1993).



Thus, from these mentioned governmental agencies that were included in the process of Anfal, one may conclude that the aspect of Authorization was conducted with care during the Anfal campaign. The instructions were given from top to below, and the official officers were conducting these orders literally without appealing to their moral human obligation (e.g. to ask why does the target group have to be punished so cruelly?). This explains already the importance of the authority situation during a genocidal policy, where the orders are too strict and there is no room for moral obligation of the perpetrators (Kelman, 1989).

### **3.2 Routinization**

During this process, the criminal actions are transformed into routine, mechanical and highly programmed operations (Kelman, 1973). The individual perpetrators become more in the position of willing to continue with the atrocities in order to justify their actions and to avoid the sanctions for disobedience (Kelman, 1989). For the psychological reasons this process of Routinization is needed to enforce the perpetrators to continue with gross human rights violations. Thus, routinization process fulfills two functions; first of all, it reduces the necessity of making decisions, which is important to guide the individual perpetrators in a genocidal policy. Secondly, routinization makes it easier to avoid the implications of the action, since the actor (the perpetrator) focuses on the details of his job rather than on its meaning (Kelman, 1973). Moreover, the process of routinization operates at two levels. The first level is the individual level, which performance of the job is broken down into a series of discrete steps most of them carried out in automatic and regularized fashion. The second level is the organizational level, in which the tasks of a genocidal plan are divided across different offices, each of which has responsibility for a small portion of it (Kelman, 1973). These two levels of routinization process explain already the importance of strict plans and bureaucracy in a genocidal policy.

With regard to the Anfal campaign, if the different phases and steps during the Anfal campaign were not transformed into routines, it wasn't possible for the Ba'athy regime to enforce the different governmental forces to carry out the orders of the higher authority. From the above mentioned steps and phases of Anfal, it can be argued that

without routine and normalization of the official orders, it wasn't possible to finish the Anfal campaign.

### 3.3 Dehumanization

In a genocidal policy, next to very strict orders and routinization process, it is also very crucial to view the victims as subjects that are deserved to be killed. This psychological instrument is very common phenomenon when it comes to the dehumanization of the enemy or the victim (Kelman, 1989). Kelman argues that, since the genocidal policies are the most extreme crimes against humanity, in such crimes it is thus necessary to identify the target group as a separate category, which does not belong to the population; therefore, it is also justifiable to destroy this target group (Kelman, 1989). Moreover, the dynamics of the genocide or massacre process itself further increase the perpetrator's tendency to dehumanize their victims (Kelman, 1973). During the Nazi camps and My Lai massacres this kind of dehumanization process has been used in order to continue with violence and dehumanize the victims (Edward Day & Vandiver, 2000).

This process of dehumanization was also present during the Anfal campaign. From the different documented tapes of Ali Hassan al-Majid with his officers, it becomes clear how he and other officers looked at the Kurds and dehumanized the civilians in the 'prohibited' areas in order to be killed and to be destroyed. For instance, in many different meetings, al-Majid called the Kurdish civilians of the 'prohibited areas' as 'saboteurs' that are deserved to be punished and be killed (Middle East Watch, 1993 and Salih, 1995). Also, these people were not deserved to live properly, so it appears from one meeting with the members of the Northern Bureau in April 15, 1988, where al-Majid said; 'From now on I won't give the villagers flour, sugar, kerosene, water or electricity as long as they continue living there. Let them come closer to me to hear me, so that I can tell them the things I believe and want in ideology, education and common sense...' (Middle East Watch, 1993; 347). He also didn't show any respect for the Kurds or the target group (who were also Kurds from the 'prohibited' areas). From a meeting with unnamed officials in August 1, 1988, al-Majid said; '...every Kurd who lives there (in the prohibited areas thus), send them to the mountains to live like goats...' (Middle East Watch, 1993; 350). From these documented tapes, it becomes clear how the Ba'athy

officials, including al-Majid have viewed the Kurds and have targeted the Kurds to be their victims, who were defined as 'saboteurs' and deserved to be killed. This kind of Ba'athy policy can be labeled as Kelman's concept of Dehumanization of the victims.

Thus, from the above applied Kelman's concepts; Authorization, Routinization and Dehumanization, an attempt were taken to explain the mechanisms that have been used by the perpetrators in order to accomplish the Anfal campaign without considering the implications of their criminal acts. Moreover, from the above explanation, it becomes clear that the three concepts of Kelman's theory were present during the Anfal campaign, which implies the genocidal policy of the Ba'athy regime in order to destroy the defined locations and civilians of the Anfal campaign.

#### 4. Conclusion

The criminological theories of Hilberg and Kelman have been developed in another context than the Anfal campaign, and above all the German Holocaust. Yet, as I have tried to demonstrate the two theories may also be applied to the Anfal campaign and increase our understanding of the process that so many Kurdish people have suffered from. Thus as regards Hilberg's three-step theory, we may conclude that the Kurdish people like the European Jews, were first defined as the target group, then replaced to special camps and then by use of various instruments, destroyed. In both cases bureaucratic aspects were an inherent part of the destruction plan. Kelman's three processes and at least those of Authorization and Dehumanization were effectively used by the Ba'athy regime as psychological tools to eliminate individual perpetrators' morals and to incite to commit crimes.

Application of the two theories affirms that the Anfal campaign entailed a well-organized strategy and policy intended to destroy the ethnic or national minority of Kurds in Northern Iraq. In other words, the campaign involved the commission of the 'crimes of crimes': Genocide. To prevent the future commission of genocide, wherever in the world, it is of the utmost importance to study past genocides and to understand how those responsible for them thought, planned and acted.

**Note:**

- 1- Raul Hilberg is a political scientist and historian, who has analyzed the history of the Holocaust. He is one of the world's preeminent Holocaust scholars.
- 2- This map is provided by the Human Rights Watch in 1993.
- 3- Herbert Kelman is Professor in Social Ethics. His works are dominated with theories in the field of Social Psychology, through which Kelman explains the several issues, e.g. crimes, genocide from the sociopsychological point of view.
- 4- See the Introduction section for the concept 'Sanctioned Massacres'.

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# ANFAL: THE PROJECT OF NATIOCIDIE OF KURDS

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## Introduction

The most familiar reading of Anfal, up to the present, has been a modern form of genocide of Kurdish people by a modern power named Arab's state nationalism. Though this interpretation is partly right, it neglects an important factor of this human tragedy, the factor of Kurdish nationalism as a power attacked by Arab's state nationalism. In this essay I try to show that Anfal is not just a military operation of Saddam's regime in order to massacre the whole race of Kurds, namely Kurdish genocide, but it is also a kind of natiocide, meaning demolishing of the identity of Kurdish nationalism, as an ultimate purpose of Saddam's authority. In fact I think that Anfal can best be understood as a disastrous consequence of confrontation between two kinds of nationalisms: the first nationalism based on the ideology of superiority of its nation, Arab's state nationalism, and the second, on the basis of getting political power for a stateless nation, I mean Kurdish nationalism. What I do to make this understanding is planned in three steps. Firstly, using Gerard Delanty and Anthony Smith's theories, I give a concise definition of Kurdish national identity which shows the main goals of Kurdish nationalism, secondly I discuss why Kurdish nationalism and its identity were so important for Saddam's regime to be destroyed; thirdly and finally, I argue for what reason I believe that Anfal, can not be reduced to the term 'genocide', but should be considered a kind of 'natiocide' of Kurds.

## Kurdish national identity

Though there is no real and legal Kurdish nation-state, it is natural to refer to a concept called Kurdish national identity. This identity, in fact, originates from Kurdish nationalism which, in its turn, represents the cultural, social, and political demands of Kurdish people as a stateless nation. On the basis of variant definitions of nationalism we can characterize national identity from different views. But here I see no need to deal with these various perspectives; so I choose only one of them which is more proper for my thesis. According to Smith (1991, p. 72), nationalism can indicate 'a language and symbolism of the nation and its role.' So he believes that:

a nationalistic language and symbolism is broader than an ideology and ideological movement; it often connects that ideology with the 'mass sentiment' of wider segments of the designated population, notably through slogans, ideas, symbols and ceremonies. (Smith, 1991, p73).

Although there is no doubt that creators and bearers of Kurdish national identity have mostly been elites, for example poets like Haji qadir Koyi (1824-1897), but, as Smith also suggests, through a nationalistic language and symbolism this identity makes a way into the minds and feelings of ordinary people or, to use Smith's term, wider strata. Regarding nationalistic awareness what is special to Kurdish nationalism is that its awareness has been rooted at a kind of resistance identity. If one asks why it is so, Castles' words can be helpful as an answer, "where legitimizing identities generate civil society and project identities aim at the making of a new kind of society, resistance identities are generated by groups who feel marginalized and threatened by society, which, rather than legitimate or reshape, they reject in the name of a 'communal heaven.'" (cited in Delanty and O' Mahony, 2002, p. 157). Therefore it is not strange that Kurdish nationalistic language and symbolism are full of those signs that embody a spirit of resistance and struggle. For example, the beginning sentences of the Kurdish national anthem assert:

**Orival, Kurdish language nation is still living;  
It is not demolished by even one orb of time;  
We are the sons of Midia and Keykhosro (two ancient Kurdish rulers);  
Our motherland is our faith and religion...**

It is clear that the language of this text contains the connotation of



confrontation and conflict with an imagined enemy who is incessantly threatening the history, existence, and glory of Kurdish nationalism. On the other hand this identity has done a lot of things to bring political identity into the realms of its theories and practices in different stages of its being because according to what Smith (1991) emphasizes "any attempt to forge a national identity is also a political action with political consequences, like the need to redraw the geopolitical map or alter the composition of political regimes and states" (Smith, 1991, p. 99). The imagined map of expected Great Kurdistan of old and modern Kurdish nationalists confirms this notion. In any case, this was, more or less, the image of Kurdish nationalism and its identity in front of Saddam's regime and its armed forces who claimed that they were the real representative of Arab nationalism.

### **Confrontation of two nationalisms**

The national ideology of Saddam's regime was based on the superiority of Arabs, as the main ethnic group of Iraq, in comparison with Kurds and any other non-Arab minorities of the country. But what differentiated Kurds from others was their historical resistance and struggle against the central authorities of Baghdad. Needless to say that the enthusiasm of this confrontation of Kurdish people has always come from the hope and forces that nationalism gives to them. In fact all struggles of Kurds against Baghdad's power were on the basis of making a Kurdish nation-state in theory and a Kurdish political autonomy in practice. What Saddam and his military apparatus saw as a serious danger for the dominance of Arab's nationalism was exactly these nationalistic ambitions of Kurds. In other words, for Saddam's regime, Kurdish nationalism was not only an identification of their enemy but also a great threat to the control of other opposed ethnic and religious groups in Iraq. In the light of this view we understand that why Saddam's regime accepted Kurds as Iraqis but denied any political participation of them. He let Kurds speak and write in Kurdish language but a non-political language; he believed in Kurdish culture- remember when he put on Kurdish dress- but a non-national culture. In short he was not against Kurdish people; he had enmity with Kurdish nationalism. This kind of nationalist conflict, though in the context of the question of Kurds in Turkey, has been explained in the words of Will Kymlicka:

In fact, nationalist conflict is often caused by attempts by civic nationalists to forcibly incorporate national minorities. Consider the Kurds. The problem is not that Turkey refuses to accept Kurds as Turkish citizens. The problem is precisely its attempts to force Kurds to see themselves as Turks. Turkey refuses to accept that Kurds are a separate national group (the government calls them "mountain Turks"), and until 1990 banned the use of Kurdish language in an attempt to coercively assimilate the Kurds. The violence in Kurdistan- one of the longest-running nationalist conflicts in the world- is not ethnic exclusion, but the forcible inclusion of a national minority into a larger national group. (cited in Beiner, 1999, p. 134).

In any case, after the end of Iran-Iraq war in 1988, Saddam's regime changed its military policy against not only fighting Kurds but all the issue of Kurds. This change was mostly because of this view that Kurdish nationalism, as the political ideology of Kurds, ultimately can be the most dangerous force in opposition to Arab's state nationalism in Iraq. This view caused the armed machinery of Saddam's regime to consider Kurdish people, the gigantic force and vital resources of each nationalism, as the main threat against the aims of itself. Iraqis authority, unlike Turkey's government, no longer accepted Kurds even as Arab citizens because it believed that each Kurd was a representative of Kurdish nationalism. From time then, eliminating of will of Kurdish nationalism, in my interpretation natiocide, became the main idea and operation of this authority. This was the beginning lines of the catastrophic story of Anfal.

### **Anfal: natiocide of Kurds**

It seems to me that genocide, meaning the murder of a whole race, is not so accurate expression to show the hidden sides of Anfal. What I suggest is to use natiocide. Nation comes from nat, a Latin verb, meaning be born, and also natio which means rebirth. Also in Delanty's words:

The meaning of the very idea of the nation is nation, or birth. Nationalist movements have often understood themselves to be seeking the rebirth of the nation, an act that is frequently connected with primordial violence (Delanty and O' Mahoni, 2002, p.24).

To support my suggestion, among multiple reasons, I only refer to two main reasons. Firstly, Anfal was a planned military operation of a

political authority named Iraqi government. It was a part of political program of Saddam to demolish the political capabilities of nationalistic tendency of Kurdish people in general and Kurdish fighting forces in particular. The only problem with Kurds was their nationality and its consequences. In Anfal, on one hand, it had no importance whether the victims were Kurdish Moslem or non-Moslem; on the other, the operation was done by a modern secular force, namely the military machinery of a political power called 'Bath' which rooted at the thoughts of Michel Aflaq, the founder of 'Bath', on the basis of national-social ambitions. In this case it would be necessary to revise this simple-minded vision that Anfal is only genocide of Kurds, which tends to neglect the most political characters of this catastrophe. A historical example is the genocide of Armenians in Turkey in the beginning years of the previous century in which thousands of Armenians were killed under the name of 'war against pagans'. Though the main factor behind this tragedy was in fact political, and not religious, it is generally called a religious genocide mostly because its doers were not only armed forces of Turkey but also ordinary people, even other minorities of Turkey, believing in killing infidels in order to support Islam. So it is unreasonable historically and politically to reduce Anfal, as a project of natiocide of Kurds, into only genocide which has less political connotation.

The second reason is that Anfal was partly and purposely done in order to change the features of population of the region of Kurdistan typically in Kirkuk. In other words, Arabazation of those regions that were basically the lands of Kurds was an important part of Anfal operation. Here Arabazation, with its more cultural sense, is itself a matter of controversy because it was principally a political project of central government to destroy the lands of Kurds and their feelings to their soil holding in fact a side and sign of nationalism. That is why, on one hand, in less than seven months more than 4500 of villages of Kurds were completely destroyed, on the other hand and simultaneously, from south of Iraq non-indigenous Arabs were brought to Kirkuk in order to resident in Kurdish locations. This shows that Anfal has not only one face, which is killing Kurds in order to frighten them to desist from their political demands, that one may call this genocide, but the other and, in fact, its real face can be appeared under the glow of the concern of struggle between Arab nationalism and Kurdish nationalism by which natiocide of Kurds happened. For

this reason too I think that genocide can not bear the real meaning of Anfal and fails to show its dark side; on the contrary natiocide can better declare the historical, political, and nationalistic essence of Anfal.

### **Conclusion**

As a whole, Anfal was the indirect result of conflict between two nationalisms, on one side Arab's nationalism, a chauvinistic nationalism, which was based on the principle of superiority of nation of Arab in Iraq, on the other, Kurdish nationalism which in fact has been a kind of secessionist nationalism, being 'one of the principal expression of 'nations without states' (Delanty and O' Mahony,2002, p. 127). So in Anfal what Saddam's regime meant was not just murdering civil people of Kurds in order to diminish or weaken them, but destroying their will to Kurdish nationalism. In this case, genocide refers to only less political characteristic of Anfal; it generally signifies that Anfal is a human tragic and a consequence of lack of human morality, while natiocide specifically proposes a national feature, expressing the real context of Anfal, which is undoubtedly a political context; at the same time it shows its dreadful dimension as well.

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# CONSTRUCTING THE 'OTHER': THE ANFAL IN COMPARISON

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**"Never again."** The fact that these two words carry well-recognized connotations and have almost become cliché represents an epic failure in humanity. Again and again, mass killings, state violence, and pure genocide rear their ugly heads. The means of killing and the historical reasons behind the murders are always new, shocking the world with macabre creativity. Yet, there is an identical thread running through each episode: the dehumanization of the victims and the construction of their identity as the 'other'. In the late 1980s, as their own state's military and chemical bombs chased them from their homes, the Kurds of Northern Iraq were labeled infidels and traitors. Saddam Hussein's Ba'ath party regime, in the wake of a disastrous and draining war, found a scapegoat and an easily-defined 'other' on which to pin blame. Ethnicity, not actions, became the defining trait of a 'saboteur'.<sup>1</sup> Why and how did this happen? This paper attempts to use various theories about nationalism to cut through the complicated political and historical situation surrounding the attempted justifications for the Iraqi Anfal operations. By examining the construction of the 'other', specifically through a comparative method using the cases of the 1994 Rwandan genocide and the Jewish Holocaust, one can better understand why and how the Kurdish Anfal genocide took place and discover potential prevention measures for protecting future generations.

## Introduction

Though a simple, one-sided investigation into the dehumanization of the Iraqi Kurds would certainly prove enlightening, a comparative approach will assist in isolating the theoretical conclusions related to nationalism, separating these concepts from the unique historical and political factors. The use of the 1994 Rwandan genocide is a conscious selection, chosen for the distinctive method of killing, involvement of civilians, and influential colonial past. Built upon old racial castes created by colonial authorities, extremist Hutus killed around 1 million Tutsis and moderate Hutus, mostly using machetes. To round out the comparison, this paper employs the massive genocide of the Jews undertaken by Nazi Germany during the Second World War. Using the Holocaust for any example, comparison, or contrast is always a dangerous move. For, when faced with more than 6 million deaths through such bureaucratic efficiency, any other human atrocity seems to pale in significance. However, allowing this to happen is a mistake. In the words of Omer Bartov, it risks "trivializing and relativizing what would otherwise be unacceptable."<sup>3</sup> Instead, this experience, like Rwanda and the Anfal campaign, should be studied for understanding and preventing future occurrences.

## Theoretical Foundations

Genocide, as classified by Barbara Harff and Ted Robert Gurr in their article *Toward Empirical Theory of Genocides and Politicides*:

Identification and Measurement of Cases Since 1945, is **"the promotion and execution of policies by a state or its agents which result in the deaths of a substantial portion of a group."**<sup>4</sup> That group is defined using ethnic categories, national identity, or religion. The question of group identity, whether ethnic or political, defined by the state or by the group itself, connects genocide to theories of nations and nationalism. Liah Greenfeld, a prominent scholar on the subject, defines nationalism as "national consciousness...a set of ideas and sentiments that form the conceptual framework of the national identity."<sup>5</sup> She also provides different types of nationalism, contrasting 'collectivist', where the nation is perceived as one collective with specific interests, to 'individualistic' visions of an association of free individuals.<sup>6</sup> Obviously, the leadership of a collectivist nation – often centralized or even authoritarian – will have a tendency to make decisions based on the assumed group interests rather than individual preferences, favoring the good of the collective over individual welfare.<sup>7</sup> Also of importance when considering genocide is Greenfeld's 'ethnic nationalism' in which membership in the nation is defined under ancestry, real or imagined. The opposite of 'civic nationalism', which bases membership on legal or political status, a national identity defined by ethnicity, an ascriptive and immutable characteristic with fairly clear borders, is more likely to lead to situations of group conflict and genocide.<sup>8</sup>

As a group attempts to distinguish its members – the definition of 'us' – it will often place importance on defining 'them', contrasting their own identity with an opposite. One often sees this in national identities, expressing who you are by showing who you are not. This trend is most prevalent in new states or regimes searching for a cohesive identity to consolidate their citizens, often choosing ethnicity and the idea of a 'nation-state' (one ethnicity for one state) as a basis for this identity. Inherently ethnic, the targeted group of genocide is usually pre-defined to some extent. However, the perpetrators will rarely be successful in their endeavors without hardening ethnic identifications, pushing extremist stereotypes, and fabricating myths to support violent policies. Eric Hobsbawm's famous theory of 'invented tradition' fits neatly into this effort; he defines this as:

**"A set of practices, normally governed by overtly or tacitly accepted rules and of a ritual or symbolic nature, which seeks to inculcate certain values and norms of behavior by repetition, which automatically implies continuity with the past."**<sup>9</sup>



When a ruling regime invents the tradition of a certain national identity, they must emphasize what is not included in that identity. Continuing in this vein, a regime will sometimes invent or identify an enemy of this new tradition, whether or not they are actually a true threat. In fact, an enemy may better serve genocidal purposes if they cannot be succinctly marked. Bartov explains the conveyance of 'elusive enemies' as a "crucial precondition for atrocity and genocide, since it postulates that the people one kills are never those one sees but merely what they represent, that is what is hidden under their mask of innocence and normality."<sup>10</sup> Raul Hilberg's analysis of the Holocaust constructs a three-step process for destroying a group: Definition, Concentration, and Annihilation.<sup>11</sup> Mahmood Mamdani, author of *When Victims Become Killers*, agrees, "Before you can try and eliminate an enemy, you must first define that enemy."<sup>12</sup> Hilberg's essential first step, 'Definition' is the key similarity between the Anfal, Rwandan genocide, and Holocaust.

### **A Brief History of the Kurds and Anfal**

To fully grasp the Kurdish political situation, the historical context must be understood. Since the 1923 Treaty of Lausanne trumped the Treaty of Sèvres, effectively killing the promise of a Kurdish nation-state, the Kurds have been a targeted group, split over many borders.<sup>13</sup> The ensuing creation of the British mandate of Iraq, a colony in most everything but name, included a mountainous region in the north, traditional Kurdish lands, that would later become a battlefield and the scene of atrocities beyond belief. After years of violent struggle for autonomy from various Iraqi regimes, the Kurds found themselves caught between the frontlines of the Iran-Iraq War, courted by the Iranians for their support yet living under an increasingly hostile Iraqi regime.<sup>14</sup> From March 1987 to April 1989, Ali Hassan al-Majid, later known as 'Chemical Ali', was put in charge of all bureaucratic and military functions in Northern Iraq, becoming the chief architect for the Anfal operations.<sup>15</sup>

The word 'Anfal' comes from an event recorded in the Koran, a Muslim victory in a battle with non-believers, and literally means the 'spoils' of war.<sup>16</sup> The Human Rights Watch group records the actual campaign as lasting from February 23 to September 6, 1988, and consisting of eight separate operations.<sup>17</sup> The list of crimes includes: mass

executions and disappearances of civilians, use of chemical weapons on non-combatants, total destruction and looting of Kurdish villages, arbitrary arrests, and detentions in concentration and death camps.<sup>18</sup> Through their investigations, the Human Rights Watch officially labeled the Anfal campaign as genocide, the victims – all ages, women and children included – being “selected because they were Kurds who remained on their traditional lands in zones outside of areas controlled by Baghdad.”<sup>19</sup> In trying to place a number on the death toll, a Human Rights Watch report gives the details of a meeting between Kurdish leaders and the Ba’ath party government in 1991:

[Kurdish leaders] raised the question of the Anfal dead and mentioned a figure of 182,000--a rough extrapolation based on the number of destroyed villages. Ali Hassan al-Majid reportedly jumped to his feet in a rage when the discussion took this turn. “What is this exaggerated figure of 182,000?” he is said to have asked. “It couldn’t have been more than 100,000.”<sup>20</sup>

### The Anfal versus Rwanda

Both Iraq and Rwanda share the common historical experience of colonialism and feel the effects of this even today. For Iraq, the British took various ethnic/religious groups – the three largest being the Sunni Arabs, Shi’a Arabs, and Kurds – and attempted to form a cohesive, modern state with one national identity, perpetuating the myth of a ‘nation-state’. In somewhat of an opposite process, the Hutu and Tutsi classifications of pre-colonial Rwanda were once fluid, open to change through marriage or alteration in social standing. “The country had one language and one social and political culture, and anthropologists today reject the classification of Hutu and Tutsi as distinct ethnic groups.”<sup>21</sup> Then, under the imperial European bureaucracies, ethnicity became an immutable trait for official identification purposes, used for categorizing the ‘natives’ into either Hutu or Tutsi for life. The invented racial myths and exaggerated traditions of these groups allowed for the colonial powers to favor the Tutsis, the historical category for the ruling elite, who were classified as being lean, tall livestock traders.<sup>22</sup> The Europeans believed the Tutsis to be superior to the “**more classically ‘Negroid’**”<sup>23</sup> Hutu majority, the traditionally lower class farmers. This colonial system imbedded racial identity into everyday life and afforded ethnic Tutsis more educational and

career opportunities, making the Hutus bitter and resentful.

The stage set for intractable ethnic conflict, it is no wonder that Rwandan independence and 'democracy' brought about increasing racial tension and political instability. Rwandans were ingrained with a version of ethnic nationalism, believing ethnicity to be the main avenue for group identity. In trying to redefine the Rwandan nation in the post-colonial era, extremist Hutus in the Rwandan government propagated the myth of a Tutsi enemy, playing on Hutus' bitter memories of the old social hierarchy and the new threat of the FPR (**the Front Patriotique Rwandais, a Tutsi militia created from exiled Tutsis**). As the FPR attacked government forces, instigating a civil war, the Hutu propaganda began to equate all Tutsis as accomplices to the FPR.<sup>24</sup> A Hutu-run newspaper, *Kangura*, published the 'Hutu Ten Commandments'. "The commandments forbade Hutu from entering into a wide range of relations with Tutsi, whether in sex, business, or state affairs."<sup>25</sup> The Rwandan military organized and trained Hutu militias known as the *interahamwe*<sup>26</sup> which played a key role in leading Hutu civilians to capture and kill their Tutsi neighbors. The trigger for the mass violence was death of the ethnic Hutu Rwandan President, his plane shot down by unknown assailants, though assumed at the time to be the work of the FPR. René Lemarchand, in his essay on the Rwandan genocide in *Century of Genocide*, explains the rationale behind the government's response:

The decision to apply the full force of genocidal violence against all Tutsi as well as every Hutu suspected of Tutsi sympathies stemmed from a straight-forward rational choice: Either we kill them first, or else we'll be killed. Thus framed, the logic of the 'security dilemma' left no alternative but to annihilate the enemies of the nation.<sup>27</sup>

Thence, by defining the Tutsis as the quintessential 'other', a dehumanized archenemy that plots destruction and cannot be reasoned with, the Hutu government created a situation in which genocide was the logical conclusion.

This type of 'value-added process' in which all factors and decisions limit future choices is indicative of a potentially-genocidal regime. As terrifying as the thought may be, genocide is not an irrational action, rather a process carefully thought out in which "the perpetrators calculate the likelihood of success, given their values and

objectives.”<sup>28</sup> In fact, the chilling logic imbedded in the progression of orders and events leading up to and continuing in the Anfal genocide have the air of a gruesome chess game. Each move, as examined through 18 metric tons of captured Iraqi Ba’ath secret documents,<sup>29</sup> was made with the ultimate end in sight: an Iraqi national identity, most likely Arab, through the destruction of the Kurdish people. Unlike the Tutsis and Hutus of Rwanda, pre-colonial Iraq was well aware of ethnicity, organized under the Ottoman Empire by through ethnic or tribal identity.<sup>30</sup> The attempt to apply the idea of a modern nation-state to new multi-national state (**whose citizens have previously understood politics through the context of ethnic or religious loyalties**) is a dangerous process. Iraq’s first leader, King Faysal I, commented on this situation, saying, **“There is still – and I say this with a heart full of sorrow-no Iraqi people...”**<sup>31</sup> Subsequent governments have echoed his lamentations, though none more virulently than Saddam Hussein’s Ba’athist regime. Though fundamentally different in principle from the Rwandan ‘democratic’ government, Saddam’s cult of personality – the thousands of paintings, songs, legends, etc. created to solidify his personal power – partly functioned to fill the gap of a national identity. Despite ethnic or religious differences, the people of Iraq were expected to rally around the image of their leader:

**“The symbol of the Iraqis’ pride and the fluttering flag of the nation...[the] hope living in the conscience of every Arab. [The] example for the freemen of the world...[the] leader of this lofty people...who sacrifice themselves and what they have for your sake so that you will continue to be a bright sun.”**<sup>32</sup>

However, as seen in this passage, not all of the citizens of Iraq brought into this; Saddam was particularly frustrated at the continued Kurdish resistance to strong central government control. With all of the cross-cutting identities (**religion, ethnicity, tribal**), the Ba’ath regime equated the Arab identity with being Iraqi, forcing the Kurds into a position of being foreigners in their own country.<sup>33</sup>

To solve this ‘Kurdish problem’, the regime slowly began to push the Kurds into a new ethnic framework, categorizing them as ‘saboteurs’ and instituting measures that treated Kurds like outsiders. In the 1970s, a process of ‘Arabization’ targeted parts of northern Iraq, particularly in cities like Kirkuk. Here, the Ba’ath party expelled Kurdish families and paid poor Arabs to move in.<sup>34</sup> After Al-Majid put into power, some of his first measures included the designation

of large swaths of traditional Kurdish homeland as 'prohibited' areas, and anyone living in these areas was to be considered a part of the peshmerga, the Kurdish insurgents.<sup>35</sup> As the chemical attacks, mass murders, and arbitrary arrests ensued, Kurds were encouraged to "return to the national ranks" – a phrase imbued with much underlying meaning that basically asked Kurds to leave their homes and be voluntarily transferred to a concentration camp.<sup>36</sup> The alternative to this was loss of citizenship, virtually affording criminal status and a sure death penalty.

The differences between the situations in Rwanda and Iraq are obvious; not only the mere political realities (**democracy, albeit one without civil liberties, versus totalitarian regime**), but the actors and methods of killing were drastically dissimilar. While Rwandans experienced huge street violence and mass chaos in a short amount of time (**about 100 days**), though the militias were somewhat trained in combat, the Iraqi Anfal genocide was much more orderly and distanced – it was mostly carried out by government agencies in specific operations – using chemicals, concentration camps, and a slow, systematic plan imbedded in military orders. Yet, the dehumanization of the 'other' is the same; both groups of perpetrators had an overwhelming need to create a national identity. Both groups based this national identity on ethnicity, providing a textbook example of how the mindset of virulent ethnic nationalism, when combined with the idea of a 'nation-state', can escalate into extremes.

## The Anfal versus The Holocaust

Though the comparison of Rwanda and Iraq provides much insight into how ethnic nationalism and the need for a national identity can create genocide, it doesn't fully investigate why the Iraqi Ba'athist regime would go to such lengths. The Rwandan genocide's answer to 'why' lies in the unique interaction between race and colonialism. The seeds of the Anfal campaign are much more similar to the origins of the Holocaust: the need for a scapegoat.

The history of the Jews as the quintessential 'other' for much of Christian Europe stretches back through the Middle Ages, instituting social cleavages that many Germans of the early 20th century simply

accepted as everyday life.<sup>37</sup> For many years, the emergence of German nationalism had slowly taken on an ethnic tone, using terms like 'Volk', a concept created by Ernest Moritz Arndt representing the national spirit and inherent nature of the German people. Other nationalist writers elaborated on these sentiments, often using the Jews as the contrasting 'other'.<sup>38</sup> Following the devastation of World War I, the invented traditions of 'Volk', history of Jewish social exclusion, and social shock of defeat combined to create and fuel *Dolchstoßlegende* (literally meaning 'The Stab-in-the-Back'), a myth of betrayal that blamed the Jews for the loss of the war.<sup>39</sup> Bartov, in his book *Mirrors of Destruction: War, Genocide, and Modern Identity*, explains this need to place blame:

Scapegoats have the advantage of being readily accessible and defenseless...identifying a cause and acting against it helps cope with trauma, creating the illusion of fighting back...The aftermath of a disaster may have fewer devastating psychological and physical consequences for survivors if they can, in turn, victimize their real or imaginary enemies.

As Weimar Germany (the inter-war regime) collapsed under economic and social strains, Adolf Hitler and his National Socialist party flourished in an atmosphere ripe for extremist conditions, using the concepts of 'Volk' and the master race to spin a web of utopian nightmares. Rarely will you see such masters of Hobsbawm's 'invented traditions'. As the Second World War loomed, the 'practical' implications for genocide presented themselves, particularly in the form of accumulating Jewish wealth and assets.<sup>40</sup> As Leon Jick explains in his essay on Nazi genocidal motivations, "**The essential reason for this policy of genocide was not insanity, obsessive hate, or whim... [but] the determination of a nation to gain wealth and power with total disregard for human considerations.**"<sup>41</sup> What Jick is identifying is the extreme potential of collectivist nationalism when combined with ethnic membership requirements and a certain measure of political or social crisis. Interestingly enough, this same potential was realized through the Ba'ath regime during and after the Iran-Iraq War.

Just as the Nazi party decided the 'good' of the German collective (personified as the state) outweighed the individual lives of millions of Jews, the Ba'ath regime came to a point in which the need for a national identity – as an Arab nation – overshadowed their tolerance for

the Kurds.<sup>42</sup> The practicality of emphasizing an Arab identity during the Iran-Iraq War is apparent, especially in the face of Iranian appeals stressing religious ties to the Iraqi Shi'a. As Adeed Dawisha explains in 'Identity' and Political Survival in Saddam's Iraq, "**Saddam invoked Iraq's Arab identity, which he hoped would draw a clear ethnic distinction between the Arab Iraqis and the 'racist' and resentful 'Persian' Iranians.**"<sup>43</sup> Also leaning to more strategic reasoning rather than ideological was the targeting of the Kurdish rebels for aiding Iranian forces. However, this logic ceases to make sense when attacks include innocent Kurdish civilians. Here, the myth of the scapegoat must fill in the gaps.

Over and over again, in taped party conversations, official government documents, and media broadcasts, the Kurdish people – everyone, not just the peshmerga – were portrayed as the scapegoats, most often called 'saboteurs'. At a time in the long Iran-Iraq War when Iranian forces had pushed onto Iraqi soil, Saddam needed a scapegoat on which to blame his military failures. In one of the many directives from the Northern Bureau Command (led by Al-Majid), Kurds are labeled as "**subversives, agents of Iran and similar traitors to Iraq.**"<sup>44</sup> Because of the historical Kurdish position of autonomy and their connection with Kurds in surrounding states, it was a relatively easy step for the Iraqi state to formulate propaganda to reject Kurds as true citizens. Not only did they fulfill the need for a scapegoat,<sup>45</sup> but also Saddam would be rid of the Kurdish nationalists and rebel peshmerga once and for all. Following the infamous chemical bomb attack on the civilian population of Halabja, the General Command of the Iraq Armed Forces released a statement declaring victory against "**all traitors who sold themselves cheaply to the covetous foreign enemy.**"<sup>46</sup> Black, in his intensive account of the Anfal, tells the story of a video news broadcast about the prisoners in the concentration camps: This footage was later broadcast on national television a film of 'captured Iranian saboteurs.' The news clip was broadcast repeatedly over the following weeks, to the point where the National Security Council began to complain that its use was becoming counterproductive: people were beginning to see that these were ordinary villagers, not peshmerga fighters.<sup>47</sup>

Though it is difficult to compare any act of violence with the numerical immensity of the Jewish Holocaust, certain important similarities can be drawn between it and the Kurdish Anfal. Both the Jews and

the Kurds were defined by a past of social separation, though the Kurdish situation was historically connected to a certain territory and the Jewish account held the exact opposite problem (**the lack of a homeland**). In both cases, the perpetrators of the genocides utilized these easy targets as scapegoats, needing someone to blame to rally their ethnic ranks and take the heat for the crisis at hand.

### **Analysis in Action**

The comparison of the Anfal genocide to Rwanda and the Holocaust highlights certain social and political situations in which state violence becomes a true threat. As seen during post-WWI Germany and war-time Iraq, political and economic crisis can create the need for a scapegoat. International aid can prevent these situations and provide for an incentive to focus political energy on recovery and reconciliation, rather than blaming. Also, as the Rwandan example displays, the search for a national identity in a multi-national state can be problematic, to say the least, when understood through the context of ethnic nationalism. As seen throughout the 20th century, ethnic cleansing is the main solution for forcing ethnic boundaries to match state borders. Yet, the modern world, with migration and globalization, show that multi-national and multi-ethnic states are reality that must be accepted and embraced. Hans-Joachim Heintze, in *Implementation of Minority Rights through the Devolution of Powers: The Concept of Autonomy Reconsidered*, believes the Lund Recommendations lay out autonomy as a means of achieving minority rights and the principle of subsidiarity – a principle recognized by the Council of Europe to restrain a higher power from interfering in lower level affairs while obligating the higher power to assist when necessary.<sup>48</sup> He writes that no matter what the specific conditions, all autonomy should have the goal “to better implement human and minority rights and therefore avoid conflicts within the states and between states.” The international community must encourage multi-national states<sup>49</sup> to embrace their identity as multi-national, interpreting citizenship through a legal context.

In all three instances compared in this paper, violence was brought on through what Matthew Krain, in his essay *State-Sponsored Mass Murder*, calls “**openings in the political opportunity structure.**”<sup>50</sup> When a regime is weakened, through economic recession, war, or other in-



ternal or external pressures, the political elite structure is left open to challenges. Sometimes, elites will bargain with their opposition to lessen the chances of a sudden turnover. Alternatively:

The elites may choose to engage in the severest form of repression, state-sponsored mass murder. These elites remove the threat posed by an opening in the political opportunity structure by eliminating all those who might take advantage of that opening, even if the threat appears to be minimal at best.<sup>51</sup>

In Rwanda, the opening was provided by democracy, ironically, though it was the textbook case of Fareed Zakaria's 'illiberal democracy', lacking civil rights and minority protections.<sup>52</sup> An unstable democratic regime was also the trigger for the extremist policies of the German Nazis, progressing into a genocidal regime that strived to eliminate any and all possible opposition, not just the Jews. The Iran-Iraq war and the ensuing instability caused the Ba'ath regime to consider the Kurds as a threat, significant enough to warrant the creation of a scapegoat myth. Recognizing the potential of instability when combined with virulent nationalism and promoting stability though peaceful, liberal democratic methods should become a key function of the international community.

## Conclusion

Through the use of theories of nationalism – though much debated in their own right – one can view a fundamental element in accomplishing genocide: the construction of the 'other'. With a comparative approach and the widely different cases of Rwanda and the Holocaust, this paper has highlighted the nationalistic elements that led to the Anfal genocide. Ethnic nationalism, applied under the assumption that each nation is entitled to its own state, and a need for a national identity to consolidate the Ba'ath regime's power led to the definition of an Iraqi citizen as an Arab. To justify this classification and the ensuing violence against the Kurds, the regime used historical and geo-political realities to construct a myth of the 'saboteur', inventing a tradition of the Kurds as an alien entity in their own country. Once dehumanized and stripped of their protections as Iraqi citizens, the Anfal genocide raged freely, unchecked by international forces. As described in Theodore Abel's 1951 *Sociology of Concentration Camps*,

**"Human beings might be regarded as belonging to a different species toward whom, then, no human principles need function as guides to conduct."**<sup>53</sup>

Whether or not a society can actually recover from such an event can be debated. However, Omer Bartov warns against viewing the world as a victim of genocide, calling it **"a dangerous prism...for victims is produced by enemies."**<sup>54</sup> Indeed, by allowing the roles of victim and perpetrator to infuse into national or individual identity, we are perpetuating **"obfuscation, repression, and violence, rather than understanding and reconciliation."**<sup>55</sup> We risk, in essence, perpetuating the 'other'. Helen Hintjens, as expressed in her article Explaining the 1994 Genocide in Rwanda, echoes the importance of unbiased academic elucidation. **"Letting their deaths go unrecorded, or distorted by propaganda, or misunderstood through simple clichés, would in fact bring the last touch to the killers' work in completing the victims' dehumanization."**<sup>56</sup>

### Note:

- 1- George Black, *Genocide in Iraq*. (New York: Human Rights Watch, 1993), 88.
- 2- Mahmood Mamdani, *When Victims Become Killers*. (Princeton: Princeton University Press, 2001), 5.
- 3- Omer Bartov, *Mirrors of Destruction: War, Genocide, and Modern Identity*. (New York: Oxford University Press, 2000), 136.
- 4- Barbara Harff and Ted Robert Gurr, "Toward Empirical Theory of Genocides and Politicides: Identification and Measurement of Cases Since 1945," *International Studies Quarterly* 32, no. 3, (1988): 360.
- 5- Liah Greenfeld, "Etymology, Definitions, Types," *Encyclopedia of Nationalism*, vol. 1, (San Diego: Academic Press, 2001), 251.
- 6- *Ibid*, 251.
- 7- *Ibid*, 260.
- 8- It is important to recognize that Greenfeld's terms represent absolutes and are not as easily applied to real-life situations. In reality, it is more useful to imagine these terms as the ends of a continuum. These categories should also not be confused with any ideas of 'good' or 'bad' nationalism. Each type will be different when placed into various historical, political, and social frameworks.
- 9- Eric Hobsbawm and Terrence Ranger, ed., *The Invention of Tradition*, (Cambridge: Cambridge University Press, 1992), 1.
- 10- Bartov, 111.
- 11- Raul Hilberg, *The Destruction of the European Jews* (New York: Holmes and Meier, 1985 student edition), 267. As found in Black, 8.
- 12- Mamdani, 9.
- 13- Hurst Hannum, *Autonomy, Sovereignty, and Self-Determination*. (Philadelphia: University of Pennsylvania Press, 1990), 182-184.

- 14- David McDowall, *A Modern History of the Kurds*. (New York: I.B. Tauris, 2004), 352.
- 15- Black, 3.
- 16- Bruce P. Montgomery, "The Iraqi Secret Police Files: A Documentary Record of the Anfal Genocide," *Archivaria* 52, <http://journals.sfu.ca/archivar/index.php/archivaria/article/viewFile/12815/14023>, 70.
- 17- Black, 3.
- 18- *Ibid*, 4.
- 19- "The Anfal Trial: Questions and Answers," The Anfal Trial, Human Rights Watch, [http://hrw.org/english/docs/2006/08/14/iraq13982\\_txt.htm](http://hrw.org/english/docs/2006/08/14/iraq13982_txt.htm).
- 20- Human Rights Watch, "Genocide in Iraq: The Anfal Campaign Against the Kurds." Human Rights Watch Report, <http://hrw.org/reports/1993/iraqanfal/>.
- 21- Philip Gourevitch, "After Genocide," *Transition*, no.72, (Durham: Duke University Press, 1996), 162.
- 22- *Ibid*, 164.
- 23- *Ibid*, 162.
- 24- *Ibid*, 165.
- 25- Mahmood, 190.
- 26- *Ibid*
- 27- René Lemarchand, "The Rwanda Genocide," In *Century of Genocide*, Israel W. Charny, et al., ed., (New York: Routledge, 2004), 402.
- 28- Helen Fein as found in Lemarchand, 396.
- 29- Though the Kurdish uprising against the regime in 1991 failed, these captured documents signaled an international legal victory. They were (and are still being) later used to prosecute those who organized and carried out the Anfal genocide and many other horrific atrocities. See Black, xvii.
- 30- Hannum, 182.
- 31- Hanna Batatu, *The Old Social Classes and the Revolutionary Movements in Iraq*, (Princeton: Princeton University Press, 1978), 25. As quoted in Adeed Dawisha, "'Identity' and Political Survival in Saddam's Iraq," *The Middle East Journal* 53, no. 4, (Autumn 1999): 554.
- 32- The Foreign Broadcast Information Service, *Daily Report: Near East and South Asia*, (Hereafter, FBIS, NES), 25 August 1995, 41. As quoted in Dawisha, 556.
- 33- Dawisha, 558.
- 34- Black, 6.
- 35- *Ibid*, 9.
- 36- *Ibid*, 10.
- 37- Florence Mazian, *Why Genocide: The Armenian and Jewish Experiences in Perspective*, (Ames: Iowa State University Press, 1990), 129-130.
- 38- Mazian, 131-135.
- 39- Bartov, 96.
- 40- Leon A. Jick, "Method in Madness: An Examination of the Motivations for Nazi Mass Murder", *Modern Judaism* 18, no. 2, (May 1998): 157.
- 41- *Ibid*, 169.
- 42- Dawisha, 558.
- 43- *Ibid*, 557.
- 44- Black, 82.

- 45- Ibid, 56.  
 46- Ibid, 111.  
 47- Ibid, 155.  
 48- Hans-Joachim Heintze, "Implementation of Minority Rights through the Devolution of Powers – The Concept of Autonomy Reconsidered." *International Journal of Minority and Group Rights* 9, (2002): 332.  
 49- Ibid, 328.  
 50- Matthew Krain, "State-Sponsored Mass Murder," *The Journal of Conflict Resolution* 41, no. 3, (June 1997), 331.  
 51- Ibid, 333.  
 52- Zakaria, Fareed. *The Future of Freedom: Illiberal Democracy at Home and Abroad*. New York: W.W. Norton and Company, 2003.  
 53- Theodore Abel, "Sociology of Concentration Camps," *Social Forces* 30 (Dec. 1951): 152. As quoted in Mazian, 130.  
 54- Bartov, 140.  
 55- Ibid, 91.  
 56- Helen M. Hintjens, "Explaining the 1994 Genocide in Rwanda," *Journal of Modern African Studies* 37, no. 2, (1999): 241.

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# THE FUTURE OF A PEOPLE SUBJECTED TO GENOCIDE

A COMPARISON  
ARMENIAN-JEWISH-KURDISH GENOCIDE

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## Preamble

This paper will start giving a brief historical insight to the tragedy of three different peoples being victims of genocide, after defining what we understand by genocide and crimes against humanity. By making no claim to be complete we will consider the circumstances causing these crimes on humanity. We want to figure out the ideologies, motivations, processes and dynamics leading to such an inhuman acting.

Subsequently, we will touch on the dimension and brutality of these misdoings, by questioning the practises used in the contemplated cases.

As, the documentation should follow its chronological happening in world history, we will first deal with the Armenian genocide by Turkey under the Young Turks movement, second the Jewish Holocaust during the Nazi Regime in Germany and third and most current, the genocide on Kurds by the oppressive Iraqi Regime under Saddam Hussein.

The historical background should accordingly enable us to reconstruct the economical, social and psychological effects arising out of genocide and help us identifying its lasting influence on the survivors' and even their following generations' lives, till this day. From this section on our attention and proposals will mainly be addressed to the

Kurdish folk, but most of the suggestions would also be applicable to other folks being subjected to genocide.

However, the papers main focus should be on future development. The question is how to deal with this indescribable, inconceivable but still so dramatically Noteeable delinquency? What could be done to ease the burden the victims and all relevant people have to face? And last but not least, what efforts are indispensable to prevent these happenings from being neglected or even to happen again?

The past can help us to learn and understand, but it is the future, who gives us the possibility to apply the lessons learnt.

## **1. Definitions**

To make our comparative genocide study expedient we first need a common definition for genocide and crimes against humanity. For this purpose we will draw on the official UN definitions.

### **1.1. Genocide**

Convention on the Prevention and Punishment of the Crime of Genocide, Adopted by Resolution 260 (III) A of the United Nations General Assembly on 9 December 1948:

#### **• Article 1**

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

#### **• Article 2**

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- a** - Killing members of the group;
- b** - Causing serious bodily or mental harm to members of the group;
- c** - Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;



- d** - Imposing measures intended to prevent births within the group;
- e** - Forcibly transferring children of the group to another group.

## 1.2. Crimes against Humanity

According to the Rome Statute of the International Crime Court (ICC) Article 7:

•1 . For the purpose of this Statute, “**crime against humanity**” means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

- a** - Murder;
- b** - Extermination;
- c** - Enslavement;
- d** - Deportation or forcible transfer of population;
- e** - Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;
- f** - Torture;
- g** - Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity;
- h** - Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court;
- i** - Enforced disappearance of persons;
- j** - The crime of apartheid;
- k** - Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

Even the genocide on Kurds, in contrast to the ones on Jews and Armenians, is not yet defined as such by the United Nations, we can still agree on the fact that we are in any case talking about crimes on humanity. And by additionally taking into account, that during the

Nazi regime not only Jews, but also Roma, Sinti and handicapped persons were killed the term 'crimes against humanity' would also be applicable in this case. So a comparison of Jewish-Armenian-Kurds genocide (or crimes against humanity) seems evident.

## **2. Genocide and crimes against humanity in the 20th century**

### **2.1. The Armenian Genocide**

The 24th and 25th April 1914 are officially seen as the beginning of the genocide against the Armenians under the Ittihat ve Terakki, the Young Turks Movement, in ancient Ottoman Empire, as these days were marked by the captures of 235 ruling Armenian characters in Istanbul, however, it is indisputable, that the genocide was planed far before. Subsequently, the number of arrested Armenians raised to 2345 by May, 24th, many of them being deported to eastern territories of the Empire to be hung publicly, as a sign of power. Exactly one year later in May 1915 the deportation of the Armenian conimality to the eastern Anatolian provinces, with the objective of their entire obliteration, started off. As a result the Armenian 'question' was - from the Ottoman point of view - solved by 1917.

The ideology of the Ittihat ve Terakki was – nearly identical to that of Nazi Germany, as we will mention later on – affected by the idea of a Turkish nationalism and a pan-Islamic world view with the main target to strengthen the Turkish unity and to prevent the Ottoman Empire from downfall.

As an initial step to the final solution of the Armenian question a special organisation named Taşkilat-i Mahsusa was found on August, 2nd 1914, to be empowered with far-ranging competencies under the leadership of the Ottoman war ministry and more specific under Dr. Nazim, Dr. Bahaeddin Şakir and the highest police director by that time Aziz Bey, as leading members of the committee. The organization's first official actions were set by hiring allies in the form of cliques within the Empire. Three specific groupings can be mentioned: First the Kurdish tribes in eastern Anatolia, second prisoners enjoying amnesty for their future propose under the regime's command and third refugees from the Balkan territories, especially

Caucasian, as they were supposed to being better qualified for these rough areas.

The point of no return in case of the Armenian genocide was introduced by a military defeat in January 1915, during the battles of conquest in the Caucasus, ending in a disaster for about 100.000 Ottoman soldiers. As there had been numerous voluntary Armenian soldiers fighting on the antagonized Russian front, this section of population was finally made responsible for military failures of the Ittihat ve Terakki and their loss of soldiers. The culprit was ultimately found and declared as an 'internal danger' for Turkish nationalism, the genocide was hence legitimated. The already mentioned clarification of the Armenian elite in April 1914, and the previous disarming and murder of Armenian soldiers being responsible to the Ottomans, in February 1914, set the path for the coming years of genocide. The mass deportations of the Armenian community from all over Anatolia starting in May 1915, led to the eastern provinces and the practices used all over were signed by an unbelievable brutality of the regime. Men were assembled in the peripheries of cities and mass murdered even before joining the deportations, women and children were sent to concentration camps either to the Syrian or Iraqi Desert and hardly anyone survived the transigrations either due to famine, exhaustion, diseases or mass killings en route. Many more were drown in the Black Sea. Accurate numbers of Armenian victims are as well unknown as they are in the case of Kurds or Jews under the other regimes, but the estimated total is to be determined somewhere between 600.000 and 1.5 million. The fatal crime's result is most clearly and coldly expressed by the statement of Talaat Pasha, a ruling Ottoman statesman and grand vizier, to German ambassadors in 1917: 'La question armenienne n'exstiste plus.' ('The Armenian question does not exist anymore.')

## 2.2. The Jewish Shabs (Holocaust)

In 1933, when the National Socialist German Worker's Party (the 'Nationalsozialistische Deutsche Arbeiterpartei' - NSDAP) came into power, the number of Jews in Germany counted about half a million people. Due to several incidents in history – being completely out of the sphere of influence of the Jews themselves – this minority was primarily employed in professional guilds like commerce, banking, le-

gal practitioners and artistic guilds; as the list of vocation shows the small communities' (only counting 0.76 per cent of the whole German population by that time) members were mainly wealthy in comparison to their non-Jewish 'counterparts'. This fact, in combination with the all time present aversion against Jews arising far back in history, again led to a social envy to the disadvantage of the Jewish population. Taking into account, that it has – to say the least - never been an interest of any anti-Semite to clarify these misunderstandings, it seems from their point of view just logical to continue putting fuel to this social discrepancy.

Even it is still controversially discussed, if the plan of an entire annihilation of Jews was already set from beginning of Hitler's Nazi Regime, it is beyond question, that Hitler's anti-Semitic view of world had clearly manifested in the early 1920ies. It is moreover a fact, that the aryanization (a term used for the expropriation of Jews, Roma, Slavs, Poles, Communists, mentally and physically handicapped) took place in several stages.

The first phase of the persecution of Jews can be dated by 30th January 1933, as an introduction into racist politics, resulting rather more in an official expulsion of Jews from public life and a stabilization of an uprising dictatorship, than a systematic realization of the anti-Semitic ideology. Furthermore, the first efforts of an emigration of Jews were set here and about 60000 Jews migrated more or less voluntary to Palestine in the coming five years, leaving at least half of their property in Germany for financing the 'journey'.

The next phase, starting in summer 1934 and lasting until winter 1937/1938 was marked by a real aryanization campaign appearing as boycotts, anti-Semitic legislation - manifested in the Nuremberg declarations of 1935 – and continued, but now tightened expatriation.

Another significant happening arose when Austria joined the Nazis in 1938, a phase of terror against the Jewish population began and resulted in a short-term committal of twenty to thirty thousand Jews to concentration camps, as a method of deterrence for the time being, also the 'Reichskristallnacht' (the Night of Broken Glass) a pogrom, which resulted in looting of Jewish homes and shops, besides beating them to death, is to be named in this phase.

The beginning of World War II in September 1939 states the transition to stage four in the persecution of Jews. This stage is characterized by the realization of the before set discriminating legislation. Just to mention a few examples: Self-employment was completely prohibited; Jews were neither allowed to publish newspaper nor were they permitted to organize in lobbies and even outgoing or shopping times were regulated by the Nazi Regime.

A further and maybe the last phase of aryanization started then in fall 1941, from 15th September 1941 every Jew above the age of six had to wear the Yellow Star to enable recognition at a glance. However, the base for phase five, and with it the genocide, was set in summer 1941 when high-ranking officials created their first evil plans of how to erase a mass of people in the most efficient way.

The deadline for the decision to mass murder all Jews living under the regime (after won battles against France and Poland counting more than 3.5 million people) and therefore the point of no return for the genocide can be set at a time, when the Nazis lost their option to deport them to the expected periphery of the nation, in the eastern territories, after victory over Russia. The prohibition of Emigration by 23rd October 1941 underlines that plans for genocide were not only set, but also realized by a number of concentration camps being ready for use by that time.

In spring 1942 the Nazi destruction machinery finally started its engines and kept on realizing their concussive intention and coolly murdered about six million people until July 1944, amongst them also numerous Gypsies and handicapped, but of course mainly Jews from all over Europe. The number mentioned not only includes the ones killed in the concentrations camps (also called KZ, for 'Konzentrationslager') but also the ones being victims of pogroms and massacres. In the following some of the main KZ and the lives they took:

Auschwitz-Birkenau: according to the Nazi-official Rudolf Höß 2.5 million, but the exact number of victims could have never been figured out till this day.

- Treblinka: 900.000
- Belzec: 600.000
- Sobibor: 250.000

Just to state some facts of this incredible and unbelievable crime under Adolf Hitler's dictatorship. The modus operandi was nearly everywhere the same. Jews from all over Europe, from Austria, Germany, France, the Netherlands, Belgium, Hungary, Yugoslavia, Soviet Union, Poland, Greece, Denmark, Italy, Bulgaria etc. were transported to the named destinations, being separated in male, female, children and elderly people and in a next step split up into 'able to work' or 'useless' and as a consequence free for murder in the gas cabins.

Being forced to cede the last objects they owned, the moribund Jews had to assemble in gas cabins being disguised as showers, to be than preferably poured with carbon monoxide and Cyclon B - and finally burnt or choked dreadfully. The ones stated as useful workers were forced to clean up the leftovers of their relatives, friends and neighbours, just another action out of hundred proving the inhuman nature of the Nazi regime. What comes in addition is the practise of mass shootings by special commands in before buried graves, by the victims themselves of course. Although, because of the grave psychological effect these shootings had on the Nazi forces, this practice was less preferred.

As stating all of the cruelties befalling the Jewish collective would more than outline the papers scope, we will stop here, but the reader should now have an overview to the tragic history of the Shoah.

### **2.3. The Genocide on Kurds, the Anfal campaign**

- And once again history is recurring, but this time we name
- The dictator: Saddam Hussein,
- The country: Iraq and The ones without any rights, the oppressed: Kurds!

According to Khalil, "the Ba'athist ideology was fixated on the dream of a big, united Arab empire, devoid of any Kurdish existence."

And even though the Kurdish fate of being mass murdered, oppressed, politically, socially and economically assaulted is neither new nor did it appear for the first time with the coming into power of the Ba'aths under Saddam's control by 17th July 1968, it is this regime displaying the most brutal and barbarous course of action against Kurds. What comes next is the fact, that we can, simply be-

cause of its enormous dimension, not exhaustively enumerate all of Saddam Hussein's crimes against Kurds. Nevertheless, they are without exception to be seen as part of the crimes against humanity. Our special attention will therefore only be addressed to the Anfal campaign and the poison gas attacks on Halabja; but the reader should always be aware of the fact, that there had been many more attacks on Kurds during this dictatorship.

Although the Kurdish-Armenian-Jewish genocide comparison has numerous similarities, the Kurdish one is still to be added by a few more factors. Namely, first the disinterest of western powers in changing the situation and second their specific political and economical request of keeping or even fostering an unstable environment for the parties involved, and therefore also fostering the Kurdish disability of protecting themselves from being eliminated by the more powerful surrounding counterparts.

Anfal – 'the Spoils' – is the name of the eighth sura of the Koran, it states the right to keep the spoils you won in a battle, but it soon became a synonym for the genocide on Kurds. The campaign being a direct answer to the Kurdish co-operation with Iran during the Iran-Iraqi war from 1980 to 1988 and lasting from April 1987 until October 1989, was set under the responsibility of the northern bureau with its overlord Ali Hassan al Majid also named 'Ali Chemical' or 'Ali Anfal', a cousin of Saddam Hussein. The mission's propose was, to describe it in al Majid's own words, "to solve the Kurdish problem and slaughter the saboteurs." As we have already heard from the Armenian genocide, we now can 'roughly' imagine what is really meant by the phrase: 'to solve the Kurdish question/problem...'

Before launching Anfal in early 1988, the Iraqi regime introduced their oncoming course of action by the 'Spring 1987' Campaign. During this campaign at least 703 Kurdish villages have been obliterated. However, in contrast to Anfal the villagers had been given the 'choice' of either **"go to the saboteurs or join the government"**. Moreover al Majid defined his orders for mass killings on the Kurdish countryside, covering more than 1000 villages; amongst others the following order:

Order number 5: Within their jurisdiction, the armed forces must kill any human being or animal present within these areas. They are totally prohibited.

## **The hunt on Kurds was hence opened!**

The Anfal campaign itself was split up in eight separated operations with more than 80 chemical attacks. The poison gas attack on Halabja is, by even taking place in the same period of time, but because of missing evidence, not officially counted to the campaign's scope.

### **The first Anfal operation**

Sergalou and Bergalou, February 23 – March 19, 1988

The operation's main target was to hit the strategic centres of Jalal Talabani's Patriotic Union of Kurdistan (PUK), as the organization's most important facilities were located in this area. The PUK plan was to get control over the cities of Ranya, Koysinjak and Qala Dizeh, thus to encircle the Dukan lake and secure electricity supply for Kurdish territories, but this plan could never be realized.

About 2 a.m. the Iraqi military started shelling Yakhsamar, Sergalou and Bergalou, the targets were by far not only PUK facilities and the peshmergas but also all the 25-30 villages and their civilians, to name the biggest two Sargalou with some 500 households (3500 people) and Haladin with some 350 households. A report of the Iraqi Secret information intelligence, also called Amn, estimated "**the number of saboteurs between 600-800 peoples**". Further on that day, ground forces attacked the villages from all directions and according to Kurdish officials about 250 people mainly peshmerga were killed within this operation. Because of the possibility of fleeing towards Iran given by the Iraqi troops during the first Anfal operation many people could try surviving by taking the harsh, snow-covered and mined mountains and if not hit by the chemical bombings many refugees died here.

The following Anfal operations will only be stated by region and time period, as the course of action of nearly every attack was the same:

Ground troops followed the chemical attacks and either killed or deported everyone they caught, including the ones who capitulated in believe of amnesty, falsely promised to them by pro-government Kurds, the Jash. However, no one being deported at that time was ever found again alive and the fate of hundred thousands is still unclear, as they have neither been found alive nor dead. All in all the number of people being deported are estimated from 180,000 to



250,000. About 60,000 people solely died due to poison gas, mainly mustard gas and the nerve agents sarin, tabun and VX; furthermore about 20 cities and 4,000 villages were completely destroyed.

•**Second Anfal operation** / Qara Dagh,

March 22 – April 1, 1988

•**Third Anfal** / Germian,

April 7 – 20, 1988

•**Fourth Anfal** / The Valley of Lasser Zab,

May 3 – 8, 1988,

•**Fifth, Sixth and Seventh Anfals** /The Mountain Valleys of Shaqlawa and Rawanduz, May 15 – August 26, 1988

•**The eighth and final Anfal operation** / Badinan,

August 25 – September 6, 1988

### **The poison gas attack on Halabja**

Here again the Iraqi Regime's ambition was crushing strong Peshmerga quarters and their moral and material support by civilians. From March 13th – 15th, 1988 Halabja was subject of heavy Iranian shelling, after which Iranian officials declared the city to be captured and under control of the Iranian pasdaran and Kurdish peshmerga, the Iraqi forces were momentarily pushed back. But, the Iraqi counteraction came only one day later. Beginning in the early evening and lasting through the whole night eight aircraft began dropping chemical bombs on Halabja. About 5000 civilians, mainly women and children died horribly within minutes. Dead bodies – human and animals – littered the streets, huddled in doorways, slumped over the steering wheels of their cars, children died while sleeping peacefully. Those who could flee either remained burnt for life or died later on due to their injuries. And again thousands of Kurds became refugees. Since the aircraft flew very low above earth they could easily be recognized as Iraqi ones. However, Halabja was just another testing of the western powers 'patience' to Saddam Hussein's crimes, and as the world's reactions to these crimes failed to appear, he continued his strategy until 1989.

### 3. Future proposals

As with genocide not only a group or a part of this group is annihilated, but also the whole social and economical structures within them, recovery after such a happening is exceedingly difficult. Therefore anything imaginable needs to be done for the regeneration of the group or nation. Even, this is a very challenging process; we will pick up the objectives set in our introduction and try to figure out what needs to be done in future.

#### **So what should future bring?**

The crimes on humanity like the above mentioned should never again be allowed to happen.

#### **Prevention instead of:**

- emergency bearing
- refugee acceptance
- dolefulness
- commiseration
- limitation of damage

Our first and second suggestions are clearly addressed to the international community, especially the western powers, media, economy and civilization, as it has mainly been their know-how, technology and public disinterest enabling the crimes!

2) The whole international community must hear the victim's cries for a complete clarification of facts and the punishment of persons in charge. For this purpose international courts and Truth and Reconciliation Commissions can help to assuage the tortured communalities burden and call for revenge. Truth commissions usually consist of distinguished citizens, like prominent intellectuals, writers, lawyers etc. who do not belong to the governmental sphere, their main tasks are a true-to-detail description in form of a report about the atrocities and its declaration in public. And even they do usually not have any power of legal punishment of delinquents; they still have the following important effects: they offer a public platform for the victims histories and for a public reflection of the tragedies by which they sensitize the public's mind to the crimes happened;

- they have the psychological effect of rehabilitation of dignity and self-esteem of victims
- by openly embarrassing, humiliating and stigmatizing the contravener;
- they publicly name the persons being responsible, their contribution to the crime, and the actions they set;
- they foster the healing process of society and provide a contribution to the re-establishment of democratic values like tolerance and respect;
- they offer advocacies for reforms and structural changes of the institutions involved;
- they offer proposals for reparation programs.

However, the necessary premises for truth commissions are to be provided, first by the international community and second by the local government.

3) From the national government's view of point it is evident that reparations need to be offered to its oppressed population, as it is already done by the Kurdish Regional Government (KRG), to enable a continuation of existence. However, in any case working groups need to be found for a continuous enhancement of attainments.

4) Psychological assistance is urgently to be offered in combination to the reparations, as a sign of encouragement for the surviving dependants. By this action the local authority is ensuring its solidarity with the folks. In the case of Kurdistan one special issue needs to be outlined here:

During the Deportations of the Anfal campaign about a 182.000 people disappeared and never returned to their homes. These people primarily male left wives, sisters and mothers, the first ones are also called the Anfal-Widows and count about 50.000 in Kurdistan. Very special efforts need to be set for their unfortunate fate, as these women can neither start a new life, as their husbands are still not declared dead officially, nor do they have any hope for them to come back. As Ms. Mlodoch described it very correctly in her speech, "**these women still find themselves in a position of being frozen**", frozen in Anfal, frozen in the hope of return of their husbands, frozen in waiting everyday, frozen in uncertainty. What comes next is the fact, that the

Anfal-widows are additionally to the pain of losing live and spouse even mistreated and aggrieved in their own society, as without men, father or brother they hardly have any rights. Both the education of society to their special needs, and the concession of special legal rights for this subgroup are indispensable in the name of respect and humanity.

**5)** To first prevent the negation and oblivion of crimes against Kurds and second to prevent such tragedies from happening again, under the promulgation of false information and propaganda against Kurds, as a separatist or even terrorist minority, a continuing appearance in peoples' minds and their education threw international and national media and politics is absolutely necessary and a more than urgent step to take. Taking the Jewish community's development after the Holocaust as pioneer work, a Kurdish committee must be found to figure out any movement neglecting the rights of the Kurdish minorities in the concerned nations and in a next step to offer correct information about the circumstances truly taking place to a broad international audience. In the case of a repetition of injustice against Kurds the committee's task would be giving early warnings to upcoming outrages. Furthermore co-operations with other nations being victims of genocide and their committees should continuously be built up and strengthened as they could learn from each others experience.

•Furthermore, detailed documentation of the crimes against Kurds need to enter any history book in Kurdish inhabited regions and should be an indispensable part of the next generation's education.

**6)** Moreover, the government in charge (here the KRG) should provide facilities for research on crimes against Kurds, e.g. multi-lingual libraries (also digital) for students and international scientists, as a base of knowledge. A conference like the one this paper is written for is another very effective way of processing history.

**7)** Like already mentioned under point 1) it has been western know-how and technology enabling Saddam Hussein's gas attacks, therefore it is in my opinion unacceptable to let these 'invisible committers' go scot-free. Should the manufacturers been aware of the purpose of their products, when making the deals with the former Iraqi government - and we can assume that they were - legal, political and

diplomatic steps should be undertaken to hold these accomplices to account. As by that time the use of weapons of mass destruction (WMD) were already prohibited by international law. Here also the reparations paid to the Jewish community after World War II by Germany and Austria should be used as examples.

**8)** As in the comparison of this paper, the Kurds are still the only ones without an own state, further attempts should definitely be made to reach the eagerly awaited objective of a 'home' state. It is useless to mention that the Kurds are the biggest people without an own legal country. By considering the fact, that Kurds approximately count 35 to 40 million and Kurdistan ranges over 450.000 square kilometres, in other words five-times the square footage of Austria, it is crackbrained to talk about a minority or separatists in political discussions.

## Conclusion

In summary it can be said, that at the beginning of genocide there has always been an ideology of unity of a particular race, religion or group, without any respect and understanding for those who did not follow or share the same values or even worse, the ones who were supposed or indicted to peril the stated ambitions. The regime's disabilities and failures in economical, social and military affairs were simply justified by the sole existence of the so called unruly minorities. As a consequence, they were made responsible for all grievances the nation had to face, for unemployment, for diseases, for famine, for a lost war and everything else occurring. 'Therefore' they had to pay, pay with their lives.

- As we are unfortunately not able to bring the victims back down to earth, we can only dignify and appreciate them in our memories and offer encouragement for those who survived and the bereaved. Nevertheless, we have to address our full attention to the future of these people. The proposals made, should only display introducing steps of coming proceedings and many of them are based on experiences already made in history. That is why the Jewish community with many of its developments after WW II is first seen as an example being worth of imitating, and second as a companion in misfortune. However, it is now up to the nation itself to work through history and to fortify its next generations to prevent them from a similar destiny.

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# ANFAL OF MALES; PTSD EFFECT ON THE WOMEN LEFT BEHIND 18 YEARS ON

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## Abstract

The Anfal of the males would clearly have profound negative effects on the women left behind after 18 years passing. In total 144 female participants took part in the study. In the experimental group there were 84 illiterate participants and 60 in the control group. The level of Posttraumatic Stress Disorder was measured by a 17 items questionnaire by Davidson et al (1997) which was translated into Kurdish. Using a one way within ANOVA the results proved significant which implies 18 years on the woman who were in the Anfal have symptoms of PTSD. In conclusion this study has highlighted the need for a suitable psychiatric health care system to be implemented.

## Introduction

Injustice can bring with it many atrocities and it can teach the human kind the betrayal of many men kinds. One of the many areas around of the world that has faced extremist political conflict is Kurdistan which is a region composed of many parts and has yet to get her independence and peace. The Kurdistan which is the subject of this paper and will always be referred to is the northern Iraq part. Many atrocities has faced the Kurdish people since the 1940's, such

difficulties and struggles has been for self rule and independence (Hylan, 2000). Their independence is so greatly needed because the Kurds are indeed a separate and distinct ethnic group that rightly deserve to be distinguished from the Arabs (Salih, 1995).

Over the decades Saddam Hussein's dictatorship sole aim has been to divide, victimize, destroy and silence the Kurds. Saddam's regime has desperately wanted to ethnically cleanse individuals, families and communities of what was believed to be the wrong ethnicity. Over the years many methods of ethnic cleansing has been used against the Kurds from individual arrests, hanging, torture, murder to the disappearance of whole families and on a much a larger scale wiping out whole community of villages by militarily offensives, chemical gas attacks and the subject of this paper, Anfal.

The term Anfal means "the spoils" which is the name of the 8th Sura of the Koran (Salih, 1995). The Anfal campaign against the Kurds began in 1988; the campaign was a pre-planned undertaking in which modern techniques of management and expertise were effectively corresponded (Salih, 1995). The Anfal was a genocide, and this term comes from the ancient Greek word *genos* (race, tribe) and the Latin *caedes* (killing), (Hylan, 2000). Therefore, genocide is race killing which can also be regarded as ethnic cleansing. There is no one universally accepted definition of genocide, and this phenomenon is greatly debated. According to the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, the key element is "the intent to destroy in whole or in part a racial, ethnic, religious, or national group as such, by killing members of the group or imposing conditions inimical to survival" (Kuper, 1994 cited in Sternberg, 2003). In classic "patrimonial" fashion, Saddam surrounded himself largely by his relatives from Tikrit and surrounding areas all having high profile roles in the sadistic regime. The mastermind of the campaign was the pious murderer and Saddam's cousin Ali Hassan al-Majid also known as "Chemical Ali". He strongly believed in "the help of God" and "mercy of God" to destroy the Kurds. It is estimated about 180,000 people were killed as a result of the Anfal campaigns (Yildiz, 2004). Genocide, like terrorism and massacres, is an action with the intent to kill (Sternberg, 2003).

As Hylan (2000) describes that there are common underlying condi-

tions which are common to most genocide acts. This certainly applies to the circumstances of the Kurds. Iraq was a non-democratic country that viewed the Kurds as a threat to maintaining power so therefore genocide was justified. An important feature of genocide is that, almost invariably, many people know what is happening but refuse to intervene, or decide to take actions only after the killing has largely been completed (Sternberg, 2003). Thinking back retrospectively, the governments of other countries such as the West and Middle East that might have interfered with or kept silent about the genocide may have supported the perpetrators (Saddam) directly or indirectly by their lack of action. The international community must acknowledge a share of the liability for Saddam's genocide against the Kurds. The absence of any international outcry encouraged the perpetrators to believe that the genocide was justified and accepted by the international community. It is also ironic how the US and the UK governments used the evidence from chemical attacks and other atrocities on the Kurds as Saddam's willingness for such use of weapons of mass destruction. Yet, while the atrocities were taking place there was no international objection because condemnation of Saddam's actions would have been "bad for business" by the West (Yildiz, 2004). According to the Universal Declaration of Human Rights (United Nations, 1948), Article 3 clearly states that everyone has the right to life, liberty and personal security. Article 5 states; no one is to be subjected to torture or to cruel, inhuman or degrading treatment. Genocides deprive innocent people of their lives, liberty and personal security hence it is cruel, inhuman and degrading (Sternberg, 2003).

After experiencing such atrocities the mental health of these people would obviously be far from perfect. Posttraumatic stress disorder (PTSD) was formally recognized in 1980. An individual may experience psychological problems following exposure to a traumatic experience, like the Anfal. Among the many diagnostic criteria available for PTSD the Diagnostic and Statistical Manual for Mental Disorders fourth edition (DSM-IV) (American Psychiatric Association, 1980) specifies that the first criterion to be met has to be an actual experience of a traumatic event with emphasis on physical threat. Intrusive memories of the traumatic incident are central to the phenomenology of PTSD (Creamer, 2000). Attempts to prevent the re-experience of the phenomena, the individual will be likely to avoid any reminders of the trauma. There are also a cluster of syndromes which persistently increase

with arousal, characterized by sleep disturbance, hypervigilance and exaggerated startled response (Creamer, 2000). Detailed description of the exact criteria is provided in Table 1.

**Table 1**  
**Summary Of DSM–IV Criteria for Posttraumatic Stress Disorder**

<b>A</b>	<b>The person has been exposed to a traumatic event in which both to the following were present:</b>
<b>1</b>	The person experienced, witnessed, or was confronted with an event or events that involved actual or threatened death or serious injury, or a threat to the physical integrity of self or others
<b>2</b>	The person's response involved intense fear, helplessness, or horror.
<b>B</b>	<b>The traumatic event is persistently reexperienced in one (or more) of the following ways:</b>
<b>1</b>	Recurrent and intrusive distressing recollections of the event, including images, thoughts or perceptions.
<b>2</b>	Recurrent distressing dreams of the event.
<b>3</b>	Acting or feeling as if the traumatic event were recurring.
<b>4</b>	Psychological distress at exposure to internal or external cues that resemble the traumatic event.
<b>5</b>	Physiological reactivity on exposure to internal or external cues that resemble the traumatic event.
<b>C</b>	<b>Persistent avoidance of stimuli associated with the trauma and numbing of general responsiveness as indicated by three (or more) of the following:</b>
<b>1</b>	Efforts to avoid thoughts, feelings or conversations associated with the trauma
<b>2</b>	Efforts to avoid activities, places, or people that arouse recollections of the trauma

3	Inability to recall an important aspect of the trauma.
4	Markedly diminished interest or participation in significant activities.
5	Feeling of detachment or estrangement from others
6	Restricted range of affect (e.g., unable to have loving feelings)
7	Sense of a foreshortened future (e.g., does not expect to have a career, marriage, children, or a normal life span)
<b>D</b>	<b>Persistent symptoms of increased arousal as indicated by two (or more) of the following:</b>
1	Difficulty falling or staying asleep
2	Irritability or outbursts of anger
3	Difficulty concentrating
4	Hypervigilance
5	Exaggerated startle response
<b>E</b>	<b>Duration of the disturbance (symptoms in Criteria B, C, and D) is more than 1 month.</b>
<b>F</b>	<b>The disturbance causes clinically significant distress or impairment in social, occupational, or other important areas of functioning.</b>

Most sufferers of PTSD are females as reported by Kessler et al. (1995, cited in Nemeroff, Bremner, Foa, Mayberg, North and Stein.2006). Overall lifetime prevalence of PTSD of 7.8%, but women suffered from the condition twice as more (10.4%) compared to men (5.0%). However, it should be noted that not all studies find this increased susceptibility in women, other have reported same rates in men and women. Explanations put forward as to why women maybe more vulnerable to certain kinds of traumatic stressors due to their biological mechanism (Barr et al. 2004 cited in Nemeroff et al. 2006). There are

also many conditions comorbid with PTSD such as, panic disorder, agoraphobia, major depression and attempts of suicide (Nemeroff et al. 2006).

There are three etiological domains that influence trauma stress reaction following the trauma; pretrauma, peritrauma and posttrauma factors (Creamer, 2000). There is now clear evidence that females are likely to be more susceptible to poor posttrauma modification compared to males (Kessler et al. 1995 cited in Creamer, 2000). However, this does not suggest complete negative posttrauma adjustments; good social support may assist recovery from trauma (Creamer, 2000). Reports among individuals who have experienced a wide range of traumatic events from natural disasters to combat to sexual assaults have found it beneficial to seek social supports. This is an active coping strategy in dealing with the stress of the trauma. Specifically, the positive effects have been disclosing or discussing the event (Oiff, Langeland and Gersons, 2005). Other forms of therapies that are preferred compared to other types even though they may cause discomfort are cognitive therapy, cognitive therapy combined with exposure, imaginable exposure therapy, psycho-education and vivo exposure therapy (Tarrier, Liversidge and Gregg, 2006).

The Anfal campaign which took place between February and September 1988 the sole target was for the disappearance of Kurdish males roughly between the ages of young as 15 to 50 years old. The best available to date is the forensic investigation conducted by Middle East Watch and Physicians for Human Rights in May-June 1992. This operation uncovered 27 bodies of men and adolescents executed on 28th of August 1988 (Gendercide). The manner in which these males met their death would follow a sequence of steps as explained. However it is important to mention, that a "pilot" was carried out before hand. In July-August 1983, Iraqi security troops rounded up the men of the Barzani tribe from four resettlement camps near Arbil (capital of Kurdistan). Eight thousand men were taken and have never been seen again alive, except their coffins were brought back to their homeland recently. The operation that took place in 1983 would be similar in its procedure to the Anfal of 1988.

The Anfal was a well planned and thought-out operation that had specific stages entailed to it. First the targeted village would be de-

structed by heavy military assaults on civilians, with few Kurdish guerrilla fighters (peshmerga) defending the village. Generally if the peshmerga fought back heavily the likelihood of women and children along with the males would increase the chances of them disappearing too, as counter attack revenge. Also those villages who were known to protect and hide the peshmerga's would suffer the full effect of the military attacks (Middle East Watch, 1993). In such operations against defenceless villages a major part would be played by the Jahsh (Kurdish National Defence Battalions) who are Kurdish traitors. Once the village was completely destroyed the occupants would be gathered and transported by trucks to specific camps especially set up for the Anfal. Then a sieving process would take place where an immoral decision would be made between life and death. Those unfortunate males between 15 and 50 were taken away, while women, children and elderly seeing their loved ones for the last time without knowing their fate. The one stage that all the males faced was eventually they were taken to pre-dug gravesites often in sandy deserted areas. One procedure which made it "easier" for the perpetrators, the males were lined up facing the grave and firing squads simply shot them into it, then the mass graves covered up by bulldozers (Salih, 1995). Those hapless young men that went through the separating procedure from other males, their actual chronological age were not formally identified by official documents or the identity cards that were carried by so many. The external appearance of those males seemed to have sealed their unfortunate fate. One can almost be certain there may have been younger boys than the chronological age of 15, but the malevolence process took with it those young innocent children with it.

Although the Anfal most harshly affected the males however, women, children and elderly suffered just as equally. The older women were segregated from their daughters and grandchildren, taken away to unknown destinations. Women with infants and babies were also parted from their screaming and wailing babies and most probably they were silenced. Along with the horrific conditions of the camps where they faced starvation, unbearable heat and intentional neglect. In one camp particularly the women were forced to endure the torment of seeing their husbands, brothers, sons and fathers suffer beatings and then disappear (Salih, 1995). The majority of the women, children and elderly released after an official amnesty to mark the

end of the Anfal on the 6th of September 1988. Surviving, women and children were dumped in open plains, on the banks of rivers and left to fend for themselves. Many of the civilians and peshmerga's were deceived into surrendering to Iraqi forces by false promises of amnesty but they were taken to collections points (Yildiz, 2004). Nonetheless, the amnesty did not apply to the males and they have gone forever.

There have been documents that emerged in spring 2003, one in particular was dated 10th of December 1989 which was marked "secret" and was discovered in Baghdad. In this top secret document there were 18 names of Kurdish women which suggest that they were sent to Egypt for prostitution. The names in these documents are real, the ages vary from 13 to 30 and their relatives have verified it. Of the 18 women, three of them were a mother and two daughters. There has also been a report of Kurdish women in Saudi Arabia being one of many wives of Arab sheikhs (Xulam, 2004). There are many stories of Anfal women untold, unheard and unbelievably poignant. However, the saddest part of it all is that these stories may never be told, why, simply because of pride and honour.

From what has been illustrated so far it is not surprising that the survivors of the Anfal would have experienced psychological problems. The samples of the study are female survivors from the Anfal. The majority of the female survivors of the Anfal currently reside in Sulaimaniya in Shoresh complex. From the diagnostic criterion of PTSD one can almost be certain that all the females would have experienced PTSD due to the trauma of the Anfal. However, 18 years have passed since the Anfal and the years have been eventful especially with the fall of Saddam. To shed some light on the plight of these women, some emotional aspects of what they may have experienced or still experience will be discussed.

As the males have gone missing and it is not established whether they are martyred or have survived the women cannot go through the mourning process. Accepting that the person is dead and processes like burial and funeral allow for such developments to occur (Christie, Wagner and Winter, 2001). However, the Anfal males have disappeared and the women cannot progress with life for example; re-marriage. Hence the great need for digging up mass graves. With-



out tangible confirmation for the person's death, the women have to make psychological decisions that the person is dead. Such subjective choice must feel like almost killing the person. In an investigation conducted by Agger and Mimica (1995, cited in Christie et al. 2001), 2,500 women reported common feelings after traumatic experiences. The general feelings among these women were, lonely, frightened, sad, bitter, lost and restless. Other feelings included, helpless, hapless, anxious, depressed and isolated. In 2003 the end of Saddam's rule was a sigh of relief for many Kurdish families and they clung to the hope of seeing loved ones return after 18 years of disappearance. Social and economic development is highly needed for reconciliation to reduce exploitation and repression (Christie et al. 2001). The future of Iraq depends on the promotion of resolution and harmony between all ethnic groups (Yildiz, 2004).

The purpose of this study is to investigate the effects of the Anfal with 18 years that have passed on the participants using a PTSD scale (17 items) questionnaire by Davidson et al. (1997). The experimental hypothesis leads to a directional prediction that the women who experienced the trauma of the Anfal campaign, have PTSD ranging from the majority having minimal and subclinical to minority encountering clinical, severe symptoms and very severe symptoms 18 years after the trauma.

## **Method**

### **Design**

The experiment had a within samples design as all the participants completed the one variable-PTSD questionnaire.

### **Participants**

Overall, there were 144 of female participants. 84 in the experimental group and 60 in the control group. The participant's age range was not formally recorded but all the participants were over the age of 21 years old. The samples were specifically chosen by the experimenter, participants were recruited via a simple criterion of being present at the Anfal. Some of the participants were acquaintances

or distant family members of the experimenter. The majority of the female participants in the experimental group were illiterate. Many of the participants in the control group were students from the University of Sulaimaniya.

## Materials

The PTSD scale, a 17 item scale was developed by Davidson et al.,(1997).The questionnaire had to be translated into Kurdish with considerable time and effort to make sure nothing was lost in translation. Both the frequency of behaviour or emotion and the severity of that behaviour or feeling are rated on a five-point scale (0-4). Therefore, the 17 items each generated two scores, these scores were summed across the 34 items for a total score, for a maximum score of 136. There are cut-off ranges which predict the level of PTSD clinical significance. The levels are: 14 for minimal symptoms, 42 for subclinical, 79 for clinical, 108 for severe symptoms and very severe symptomology if above 108 (Sherrod et al., 2004). The scale has a good test re-test reliability ( $r=0.86$ ), internal consistency ( $r=0.99$ ). Also the separate measures of frequency and severity are advantageous (Davidson et al., 1997). In administering the scale to adult trauma victims the expertise of a qualified interviewer or a clinician is not required. For the purpose of this study the scores were not categorized into to the three subsets but the total score was used in the statistical analysis, however in the results section the frequency of the scores are illustrated to provide further understanding.

## Procedure

The participants had to be seen individually and that meant traveling to their houses. The travel distant from the city of Sulaimaniya to Shoresh complex took approximately twenty minutes; driving. Some of the participants may have been scattered around different location and the experimenter would travel to it. Unarguably this was time consuming however, other methods of engaging with participants would have not been possible. The procedure during a typical day will be described.

The experimenter would visit families who may have had members present during the Anfal. Such information was gained by the assistants of the locals who would know all the families; hence the experi-

menter was guided to that particular house. After a brief conversation with the participants, the experimenter would introduce herself and other assistants.

As indicated beforehand the majority of the participants were illiterate, so therefore the consent form was read out and further explanation of the experiment were given. It is fully appreciated the lack of control in the experiment was on the biggest constraints with the lack of privacy between the experimenter and the participant. This was due on most occasions the living quarters of the participant consisted of only one room with all the other members of the family present. The questionnaire had to be orally dictated to the participant due to lack of literacy. On some occasions the whole family would respond to questions asked. The presence of family members may have caused inhibition and lack of validity in answering the questions. Further constraints of the study would be conversed in the discussion.

It is important to add that the majority of the questionnaires were collected by the research assistants at the New Life Organization for Anfal Women.

For the control group the procedure differed because all the females in the control group were literate with the majority being university students. The questionnaire was given to them and it was completed by the participant and later returned to the experimenter.

The administration of the questionnaires in the experimental group was time consuming, and at times the whole experiment would take about two hours from start to finish. The length of time it took for each participant did vary; however, some of the participants required further explanations of the questions. At times a simple question in the questionnaire such as; "**Have you had trouble falling asleep or staying asleep?**" would lead into an intense conversation about their sleeping habits. There were no standardized instructions, simply because it was difficult to implement it. Such level of contribution from the experimenter would have undeniably caused bias.

After the completion of the questionnaires, the participants were debriefed and the purpose of the experiment read out to them. The participants were asked if they were affected by the questions, they reported no.

## Results

Prior to statistical results it is important to discuss some of the key points discussed with the participants while conducting the questionnaire. In an informal conversation some vital information that were gained are useful to be discussed. Some of the women in the experimental group that participated during the experiment had family present therefore this led to lack of privacy and obvious bias towards the experimenter. The cultural and social boundaries limit the amount of personal information they are able to discuss with an experimenter. Many of the women had moved in the sense of family life and their individual circumstances leaving them no choice but to move on. Without any substantial financial support and no males to play the role of breadwinner these women have had to fend for themselves. The collective community and family networks have undeniably been an immense social support for these women. One other important feeling among these women was, in order for other studies to be conducted with them these women need something in return in the form of financial support and social support.

A one-way related analysis of variance revealed an overall statistically significant difference between the experimental group and control group [ $F(1, 142)=62.83, p<.005$ ].

**Table 1**

**Frequency of distribution of the scores amongst the experimental group and control in the three subsets of minimal symptoms, sub-clinical and clinical.**

Group	Minimal symptoms	Subclinical	Clinical
Experimental	10	38	36
Control	40	14	6

**Table 2**  
**The descriptive statistics for experimental and control group.**

Group	Number of participants	Mean	Standard deviation
Experimental	84	71.08	20.30
Control	60	42.58	22.56
Total	144	59.21	25.45

## Discussion

The findings of the current study do indeed support the hypothesis which was women in the experimental group who were present at the Anfal would have some form of PTSD. The level of PTSD would range from minimal symptoms, subclinical and clinical. However, despite the fact that these women still have the symptoms of PTSD none of the participants had severe symptoms or very severe symptoms. However, from the mean scores it is evident that that experimental group scored much higher compared to the control group (Table 2). Therefore explanations are required as why these women still have PTSD after 18 years of the actual trauma.

The trauma these women have faced has clearly affected them even with the 18 years that have passed. Most suffers of PTSD are females as reported by Kessler et al. (1995, cited in Nemeroff et al., 2006). Overall lifetime prevalence of PTSD of 7.8%, but women suffered from the condition twice as more compared to male. Explanations put forward as to why women maybe more vulnerable to certain kinds of traumatic stressors due to their biological mechanism (Barr et al. 2004 cited in Nemeroff et al. 2006). Individual differences in genetics, developmental history and personality factors may shape individuals unique adaptation to trauma.

As the males have gone missing and it is not established whether they are martyred or have survived the women cannot go through the mourning process (Christie et al., 2001). However, the Anfal males

have disappeared hence the great need for digging up mass graves. Without tangible confirmation for the person's death, the women have to make psychological decisions that the person is dead. Such subjective choice must feel like almost killing the person. All of the females that were in the experimental group none of them have had any confirmation of the fate of their loved ones so therefore it must be difficult to accept what has actually happened to them. Also the persistent reexperience of the event through the media and other recurrent recollections must make it difficult for these women to move on.

As it has been established that PTSD is prevalent in the women who were present at the Anfal. However, in the control group the majority of the participants fall into the minimal symptoms subset therefore this means that PTSD symptoms are common among them as well. The presence of PTSD among the control group is not surprising given the circumstances in which the majority of the Kurdish population have lived in over the 30 years of Saddam's regime. Even if the participants in the control group may have not faced a specific trauma, life has been incredibly difficult living under a dictator, sanction and no democracy. However, more research is required in this field so that misleading assumptions are not made.

The Anfal has left these women with its trauma so therefore it would be appropriate to discuss some therapy options and ways to help these women. At present the only government support these women receive is very little monthly incomes that without other financial help it would be impossible to survive on. It is then appropriate to suggest that greater financial help is provided for these women so that the burdens and hardship of life is alleviated a little. However, psychological intervention is the most crucial help that these women need which is desperately lacking.

Before the different types of therapies are discussed it would be apt to tackle the current problems realistically. Without any actual psychiatrists, therapists and psychologists it would be meaningless to explain therapies. It is essential to have specially qualified people to help such trauma victims and also ordinary people who require psychological help. Therefore a group of qualified doctors should be sent out to the West for special training and education in the areas of

counselling and therapy for such disadvantaged people.

Thus far these women have survived from the Anfal trauma and many other difficulties that they have faced throughout the years possibly due to the Kurdish collective society. There is now clear evidence that females are likely to be more susceptible to poor post-trauma modification compared to males (Kessler et al. 1995 cited in Creamer, 2000). However, this does not suggest complete negative posttrauma adjustments; good social support may assist recovery from trauma (Creamer, 2000). Reports among individuals who have experienced a wide range of traumatic events from natural disasters to combat to sexual assaults have found it beneficial to seek social supports. This is an active coping strategy in dealing with the stress of the trauma. Specifically, the positive effects have been disclosing or discussing the event (Olff et al., 2005). Other forms of therapies that are preferred even though they may cause discomfort are cognitive therapy, cognitive therapy combined with exposure, imaginable exposure therapy, psycho-education and vivo exposure therapy (Tarrier et al., 2006).

As it was investigated by Tarrier et al. (2006) that amongst many different types of therapies the participants found a few to be effective. The cognitive therapy with the guidance of the therapist aims to change distorted thoughts of the trauma and aftermath. The therapy allows for such distorted thinking to be replaced by rational and normal thinking. This type of therapy combined with exposure involved both facing up to the trauma and learning how to deal with distorted thinking. Imaginal exposure therapy works by the traumatic memories being relieved in great detail and this treatment is known to be very effective. Psycho-education is an educational opportunity to learn about PTSD and some of the reactions that are experienced, however no therapy is given. Vivo exposure therapy is an anxiety and distress reduction treatment where the patient is encouraged to visit specific places and situations related to the trauma so that it is no longer avoided.

Without any doubt like any study there are many methodological limitations that need to be discussed. Using a questionnaire is regarded to be one of the easy methods of collecting data as it is reasonably inexpensive, they have the advantage of assessing how the participants view their PTSD symptoms without being influenced

by the presence of an interviewer. However, equally they are easy to fake and may be susceptible to symptoms exaggerations (Creamer, 2000). Therefore a combination of questionnaires and semi-structured interviews are ideal to get a good understanding. However, when using semi-structured interviews more than one interview with the participant maybe necessary in order to build up trust and rapport. However, due to the time constraint and lack of literacy among the experimental group many difficulties were faced. According to my knowledge thus far no such study has been carried out and therefore literature on this subject was limited.

As the experimental group were illiterate to the extent of not being able to sign the consent forms or writing their name down the questionnaires had to be verbally administered. It is appreciated that this method caused bias as the participants may not have been able to express their full opinion. The questionnaire was translated into Kurdish and had to be simplified many times because the participants found it too academic to understand. Even at its simplest version the experimenter would have to explain each item further so that the participants were able to understand. Hence, such process was time consuming with a great deal of effort and patients. It is fully appreciated the lack of control in the experiment was on the biggest constraints with the lack of privacy between the experimenter and the participant. This was because on most occasions the living quarters of the participant consisted of only one room with all the other members of the family present. On some occasions the whole family would respond to questions asked. The presence of family members may have caused inhibition and lack of privacy.

Never the less, many of the limitations discussed can be overcome. It is essential for a questionnaire to be specifically designed to investigate PTSD which takes into account the cultural and social aspects of that particular sample so that no concepts are lost in translation. With years to come more research will be conducted and with that many lessons will be learned. Working with illiterate people their ability has to be appreciated and when conducting experiments different methodologies have to be worked around so that a suitable one is applied and good results are achieved.

There is a plethora of research that is urgently required to be carried out in Kurdistan and also Iraq. There are many painful stones



left unturned and many other atrocities that the Kurdish people have faced without any understanding of their current psychological state. In regards to the current study further research need to look at why the control group mainly students have symptoms of PTSD and maybe a comparison made with British students. Follow ups of the experimental group should be made to examine how these women will cope in the future and examine interventions of any therapy that they may have received. Specific coping mechanisms should be identified as to why and how these women have been able to cope with PTSD all these years without any professional help.

In conclusion, it is hoped that over the years considerable interest will arise in this field and rigorous research is conducted so that more is learned about the Kurds and their coping strategies to such violent trauma. Development of more objective diagnostic tools would be constructive in the PTSD domain and other areas as well. Considerable review of the psychiatric health system in Kurdistan needs to be addressed so that mental health care is available for those who require it.

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# THE EFFECT OF CHEMICAL WARFARE AGENTS ON THE IMMUNE SYSTEM OF SURVIVORS IN HALABJA

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## Abstract

To evaluate the incidence of immunocompetence, including cell-mediated and antibody fitness, among survivors of the chemical bombardment of Halabja in the Kurdistan region of Iraq, forty exposed and forty unexposed subjects regarded as controls were studied to determine their immune system status 12 years after bombardment. Skin reactivity to tuberculin, D.T.P. vaccine, T.T toxoid and measles vaccine was negative in 62.5% of the exposed cases in compare to unexposed persons who showed no negative reactions 0%. The total leukocyte count was normal among 70% of exposed cases, whereas the total lymphocyte count was within sub-normal ranges in 80% of exposed cases. All the subjects displaying negative skin reactions had sub-normal lymphocyte counts, which reflect impaired cell-mediated immunity. The immunoglobulin assay for exposed cases revealed sub-normal values for IgG (12.5%) and IgA (52.5%), while the IgM level was above the normal range in 22.5% of cases when compared to that of controls that showed no abnormal values. This result revealed that there was a deficiency in antibody-mediated immunity. There were significant differences between the exposed and the control samples with respect to total leukocytes ( $p = 0.00000114225$ ), neutrophil count ( $p = 0.000889215$ ), lymphocyte count ( $p = 0.0$ ), IgG

( $p = 0.000000000740472$ ) and IgA ( $p = 0.00000000010807$ ). The immunological reactions were more closely related to the effects of mustard gas, which appeared to be long lasting.

### **Keywords:**

Chemical warfare; Immune system; Immunocompromised patients; Immunocompetence; Cell-mediated immunity; Antibody-mediated immunity.

### **Introduction**

Throughout history, innocent people have been used as targets for several kinds of weapon. These weapons include chemical warfare agents, which have a long history of use. These agents are groups of poisonous chemical compounds. They are lethal and toxic for human beings and other creatures that are exposed to them. One of these chemicals is Sulphur Mustard (SM), an oily liquid that vaporises slowly at climate temperatures and can be used in aerosol form by spraying or by explosive blasts.<sup>1</sup>

Warfare agents were first used as chemical weapons by the German army in 1917 near Ypres, Belgium.<sup>2</sup> During the First World War, SM caused the most chemical casualties and has since been used in at least twelve conflicts, most recently in the Iran-Iraq war.<sup>3</sup> The Kurdistan region of Iraq was another experimental field for the effect of chemical weapons on humans in the 1980s during the Iran-Iraq war and in 1988 in particular. The affected areas were several cities and villages.<sup>4</sup>

The town of Halabja, which is located in the Kurdistan region of Iraq, is close to the Iraq-Iran border and about 260 km north east of Baghdad. This was the principal town to suffer from chemical bombardment by the Iraqi army. More than 5,000 people were killed and 10,000 were injured at the time of the actual bombardment, 16 March 1988. The immune system is reported to be affected by exposed to SM. The earliest evidence came from clinical observations of humans directly exposed to this agent during the First World War. They displayed significant quantitative and qualitative changes in the circulating elements of the immune system. Stewart (1918) studied a group of cases of mustard poisoning and observed a striking depression in the bone marrow production of white blood cells.<sup>5</sup> Krumbhaar (1919)

reported that one of the first changes in the circulating blood of people exposed to SM was the exhaustion of leukocyte-forming centres.<sup>6</sup> Similar observations were made by.<sup>7</sup>

Alexander (1947) suggested that the effects of SM on the leukocytes in the circulating blood were most severe. Lymphocytes were the first to disappear and granulocytes were also severely affected but lagged behind the lymphocytes in their rate of decrease.<sup>8</sup>

It is known that SM and nitrogen mustard have a special affinity for haematopoietic tissues; this could be responsible for suppressing antibody production in experimental animals exposed to these agents.<sup>9</sup>

Infection was a dominant feature, just as it was among SM casualties during the Iraq-Iran conflict in 1980-1988. They experienced leukopenia accompanied by total bone marrow aplasia, which included extensive losses of myeloid stem cells.<sup>10,11</sup>

In one of the few studies of long-term effects, Zandieh et al. (1990) measured the cell-mediated immunity of three groups of Iranians exposed to SM; three months to two years, one to two years and more than two years after exposed.<sup>12</sup>

Several recent case reports from the Bahar Medical Laboratory in Teheran, Iran, described similar long-term effects. The investigators found changes in B and T lymphocytes as a result of SM exposed.<sup>10</sup> In another study, Smith et al. (1995) observed that high doses of SM can destroy firstly the peripheral white blood cells and then the bone marrow.<sup>13</sup>

This study aimed to investigate the incidence of immunocompetence among survivors of chemical exposed in Halabja, including cell-mediated and antibody fitness.

## Materials and methods

The study comprised eighty volunteers from the inhabitants of Halabja in between May and November 2000. Forty of them were survivors of the chemical attack on this city. They were suffering from a variety of health problems of varying severity. Their ages ranged from 16-69 years. The other 40 were people who had not been exposed to chemicals and had not been present inside the city at the time of bombardment and had left the city for more than two years after the bombing. Their age ranged between 25-47 years and they

were regarded as negative controls. Participants in this study were selected randomly from different parts of the city and included both genders.

Blood samples were collected from exposed and unexposed cases. From each case, 5 ml. of sterile blood were taken (venous blood), using sterile syringes (5 cc). When the blood clotted, it was centrifuged at 5000 rpm. for 10 minutes. Serum was collected in a small tube with a plastic cap and stored at -20oC for three months. The total leukocyte count and differential white blood cell count were also calculated according to.**14**

Four different antigens were used to assess cell-mediated immunity;  
**15, 16**

they included tetanus toxoid (T.T)(Swiss Serum and Vaccine Institute), D.T.P vaccine (Pasteur Merieux), measles vaccine (Pasteur Merieux) and tuberculin (Institute Merieux). Physiological saline was used as the control. Both T.T and D.T.P were diluted 1:10 with physiological saline. In addition, live measles vaccine was killed by placing the vaccine in a water bath at 55oC for 30 minutes. All the agents were injected intradermally into the forearm using a syringe. The tested area was cleaned using antiseptic alcohol and the needle was inserted into the skin and channelled for several millimetres through the dermis, by moving the tip of the needle. A volume of 0.1 ml. antigen was injected into the skin. This procedure was repeated for each antigen. The result of this test (induration) was recorded at 48 and 72 hours and tabulated.**15**

To test the immunoglobulin-mediated immunity, serum IgA, IgG and IgM levels were measured using the immunoturbidometric method.**17, 18** A working reagent was made by diluting anti-IgA, IgG and IgM with polyethylene glycol buffer (Spin react) 1:41 (0.5 ml of antiserum with 20 ml. of the buffer). A serum sample from each case was diluted with physiological saline 1:21 (0.5 ml. of the sample with 10 ml. of physiological saline). To prepare standard dilutions (working calibrator), physiological saline was used as a diluent to produce a serious dilution of the standard (1:2, 1:4, 1:8, 1:16, 1:32, 1:64) and 1:128 as follows. Seven small test tubes (each containing 1 ml. of physiological saline) were placed in a test-tube rack and labelled (1 to 7). To the first tube, 1 ml of the standard was added (1:2) and, from the first tube (No.1), 1 ml. was transferred to the second tube (No.2) (1:4) and so on for the other tubes, until seven dilutions had been obtained.



The Quick-Lab 2 Chemistry Analyzer (Ames) is computerised and programmed for several analytical parameters, including immunoglobulins. The calculations are made automatically. The same procedures as those previously described were used, beginning with the lowest concentration (1:128), followed by all the other concentrations. After the seventh concentration, diluted serum samples were used instead of calibrator dilutions. Prior to these procedures, the wavelength of the instrument was adjusted to 340 nm and the calibrator concentration was entered. The instrument automatically measured the immunoglobulin concentration of serum samples in mg/dl.

## Results

The induration diameters of the skin tests after 72 hours are summarised in Table 1. Twenty-five exposed cases (62.5%) displayed no skin reactivity to any antigens. The other 15 (37.5%) displayed reactivity to one or more antigens, nine (60%) to DTP vaccine alone, two (13.33%) to tuberculin alone and the other four (26.67%) displayed reactivity to both tuberculin and DTP vaccine, while all the unexposed cases (100%) displayed reactivity to one or more antigens. Eight (53.33%) displayed reactivity to tuberculin and DTP vaccine, two (13.33%) to tuberculin, DTP and TT vaccines and two (13.33%) to DTP and TT vaccines, one (6.67%) to DTP alone and one (6.67%) to tuberculin, DTP and measles vaccines.

The total and differential leukocyte counts are summarised in Table 2. Eleven exposed cases (27.5%) were within the sub-normal total leukocyte count, ranging between 3,000 and 3,900 cells/mm<sup>3</sup>. Only one (2.5%) had a high total leukocyte count (12,000 cells/mm<sup>3</sup>). The other twenty-eight (70%) were within the normal leukocyte count, while all the unexposed cases had a normal leukocyte count, apart from three (7.5%) who had a low level (3,100 cells/mm<sup>3</sup>). Nine exposed cases (22.5%) were within the sub-normal neutrophil levels, ranging between 1.5-1.92 x10<sup>9</sup>/L. Only one (2.5%) had a high neutrophil level (9.8 x10<sup>9</sup>/L). The other ten (75%) had normal levels, while all the unexposed cases were within normal neutrophil levels, apart from three (7.5%) who had a low level (1.79 x10<sup>9</sup>, 1.75x10<sup>9</sup> and 1.78x10<sup>9</sup>/L). Thirty-two exposed cases (80%) were within the sub-normal lymphocyte count, ranging between 0.59-1.45x10<sup>9</sup>/L. Eight (20%) were within

the normal lymphocyte count. Among the unexposed cases, four (10%) had a low lymphocyte count (0.96, 1.35, 0.98 and 0.97  $\times 10^9/L$ ), while the others (90%) were within the normal range. No abnormal monocyte counts were seen among either exposed or unexposed cases; they were all within normal levels. All the exposed cases were within the normal eosinophil range, apart from one (2.5%) who had a low level (0.02  $\times 10^9/L$ ), while all the unexposed cases (100%) were within the normal eosinophil range. Basophils were only detected in 18 exposed cases (45%) which were within the normal range, while they were detected in ten unexposed cases (25%) that were within the normal range. Using Student's t test, significant differences were observed between the total leukocyte ( $p = 0.00000114225$ ), neutrophil ( $p = 0.000889215$ ) and lymphocyte counts ( $p = 0.0$ ) of exposed and unexposed cases. No significant differences were observed between either unexposed or exposed cases or among exposed cases when it came to monocyte, eosinophil and basophil counts.

The serum immunoglobulin levels of exposed and unexposed cases are summarised in Table 3. Five exposed cases (12.5%) were within sub-normal IgG levels, ranging from 546-783 mg/dl, while the other 35 (87.5%) were within normal IgG levels. All 40 unexposed cases (100%) had normal IgG levels. Twenty-one exposed cases (52.5%) were within sub-normal IgA levels, ranging from 80-108 mg/dl, while no abnormal IgA values were observed among unexposed cases. Nine exposed cases (22.5%) had higher IgM levels than normal, ranging from 230-580 mg/dl, while no abnormal IgM levels were seen among unexposed cases.

Using Student's t-test, significant differences were seen between exposed and unexposed cases in terms of the mean IgG ( $p = 0.0000000000740472$ ) and IgA ( $p = 0.000000000010807$ ) levels, while the mean values for exposed serum IgM were higher than those of unexposed cases, but the difference was not significant (Fig. 1).

**TABLE 1.**

**Delayed type skin reaction tests for both exposed and unexposed after (72) hours of intradermally injection of some antigens.**

C.Exposed						Non Exposed					
Case No.	N.S	Tub.	D.T.P	T.T	Measles	Case No.	N.S	Tub.	D.T.P	T.T	Measles
47	-	-	+	-	-	1	-	++	+++	-	-
23	-	-	-	-	-	3	-	++	+++	+	-
31	-	-	+	-	-	4	-	+	+++	-	-
33	-	-	-	-	-	5	-	+++	+++	-	+++
38	-	-	-	-	-	6	-	-	+++	-	-
48	-	-	-	-	-	7	-	+++	+++	-	-
15	-	-	-	-	-	8	-	+	-	-	++
10	-	-	+	-	-	9	-	+	+++	-	-
19	-	-	-	-	-	42	-	-	+++	++	-
20	-	-	-	-	-	44	-	-	+	-	-
36	-	-	+	-	-	50	-	-	+	-	-
51	-	+	-	-	-	52	-	++	++	-	-
12	-	-	-	-	-	53	-	++	++	+	-
17	-	-	-	-	-	54	-	-	++	+	-
21	-	-	-	-	-	55	-	+++	++	-	-
40	-	-	-	-	-	56	-	+	+	-	-
43	-	-	-	-	-	57	-	-	+++	++	-
24	-	-	+	-	-	58	-	-	+++	-	-
29	-	-	-	-	-	59	-	+	-	-	++
22	-	-	-	-	-	60	-	+	+	-	-
25	-	-	-	-	-	61	-	+	+++	-	-
32	-	++	+	-	-	62	-	++	++	-	-
35	-	-	-	-	-	63	-	-	++	+	-
45	-	-	-	-	-	64	-	+++	++	-	-
46	-	-	-	-	-	65	-	+	+++	-	-
16	-	-	-	-	-	66	-	++	+++	+	-
18	-	-	-	-	-	67	-	++	+++	-	-
14	-	-	+	-	-	68	-	+++	+++	-	+++
37	-	-	-	-	-	69	-	+++	+++	-	-

C.Exposed						Non.Exposed					
39	-	-	+	-	-	70	-	++	++	+	-
13	-	-	-	-	-	71	-	+	+	-	-
30	-	+	-	-	-	72	-	-	+++	++	-
41	-	++	++	-	-	73	-	-	+++	-	-
26	-	-	-	-	-	74	-	+	-	-	++
28	-	-	+	-	-	75	-	+	+	-	-
2	-	-	++	-	-	76	-	++	++	-	-
11	-	-	-	-	-	77	-	-	++	+	-
27	-	-	+++	-	-	78	-	+++	++	-	-
34	-	-	-	-	-	79	-	+++	+++	-	+++
49	-	+	++	-	-	80	-	+++	+++	++	-

N.S = Normal saline Tub.= Tuberculin D.T.P. =vaccine T.T= Tetanus toxoid, and Measles vaccine.

+ Low reactivity ++ Medium reactivity +++ High reactivity

**TABLE 2.**  
Leukocyte counts of both exposed and unexposed.

Exposed							Non-Exposed						
Case No.	Leukocytes count						Case No.	Leukocytes count					
	Total (Cells/mm <sup>3</sup> ) X100	Differential count x109						Total (Cells/mm <sup>3</sup> ) X100	Differential count x109				
		Neut.	Lymph.	Mono.	Eos.	Bas			Neut.	Lymph.	Mono.	Eos.	Bas
47	36	2.34	0.82	0.28	0.14	Nd	1	68	4.20	2.00	0.34	0.20	Nd
23	39	1.79	1.44	0.54	0.12	Nd	3	78	4.68	2.26	0.54	0.30	Nd
31	50	2.70	1.60	0.45	0.25	Nd	4	62	3.90	2.26	0.37	0.24	0.06
33	30 ↓	1.50 ↓	1.20 ↓	0.21	0.06	Nd	5	82	4.18	1.73	0.57	0.32	Nd
38	120 ↑	9.80 ↑	1.20 ↓	0.72	0.24	Nd	6	70	4.27	2.54	0.42	0.20	0.07
48	35 ↓	2.45	0.59 ↓	0.24	0.17	0.03	7	73	4.52	2.00	0.36	0.21	Nd
15	46	2.76	1.15 ↓	0.27	0.36	0.04	8	31	1.79	2.19	0.28	0.12	Nd

10	40	2.20	1.16 ↓	0.44	0.20	Nd	Nd	9	50	3.00	0.96	0.45	0.15	0.05
19	36↓	1.8 ↓	0.90 ↓	0.46	0.39	0.03	0.03	42	70	4.40	1.35	0.35	0.21	Nd
20	35↓	1.92 ↓	0.87 ↓	0.45	0.21	0.03	0.03	44	42	2.18	2.00	0.25	0.12	0.04
36	41	2.23	1.50	0.32	0.16	0.04	0.04	50	76	4.00	1.59	0.68	0.38	Nd
51	53	3.28	1.06 ↓	0.53	0.37	0.05	0.05	52	55	3.24	2.50	0.38	0.16	Nd
12	42	2.22	1.05 ↓	0.67	0.21	0.04	0.04	53	68	4.42	1.76	0.40	0.20	Nd
17	48	2.64	1.24 ↓	0.57	0.28	0.04	0.04	54	71	4.04	2.05	0.70	0.21	Nd
21	44	2.15	1.18 ↓	0.62	0.40	0.04	0.04	55	59	3.90	1.55	0.23	0.11	Nd
40	46	3.31	0.73 ↓	0.40	0.13	Nd	Nd	56	42	2.17	1.60	0.26	0.13	0.04
43	3↓	1.62 ↓	0.81 ↓	0.42	0.12	0.03	0.03	57	70	4.35	2.05	0.34	0.22	Nd
24	43	2.45	1.38 ↓	0.30	0.17	Nd	Nd	58	70	4.28	2.04	0.40	0.23	0.06
29	40	2.24	0.92 ↓	0.60	0.20	0.04	0.04	59	31	1.78	0.98	0.22	0.12	Nd
22	41	2.09	1.18 ↓	0.53	0.24	0.04	0.04	60	76	4.01	2.52	0.65	0.35	Nd
25	48	3.26	0.96 ↓	0.38	0.19	Nd	Nd	61	50	3.02	1.36	0.40	0.16	0.05
32	68	3.52	1.70	0.63	0.37	0.06	0.06	62	55	3.25	1.75	0.35	0.17	Nd
35	60	4.20	1.20 ↓	0.42	0.18	Nd	Nd	63	71	4.05	2.08	0.65	0.22	Nd
45	47	3.24	0.98 ↓	0.28	0.18	Nd	Nd	64	59	3.91	1.54	0.25	0.12	Nd
46	50	3.65	0.80 ↓	0.30	0.25	Nd	Nd	65	62	3.92	1.72	0.36	0.23	0.05
16	36↓	1.80 ↓	1.08 ↓	0.50	0.18	0.03	0.03	66	78	4.67	2.25	0.55	0.29	Nd
18	40	2.40	1.10 ↓	0.28	0.20	0.04	0.04	67	68	4.25	2.04	0.33	0.21	Nd
14	40	2.20	1.50	0.20	0.12	Nd	Nd	68	82	4.17	2.55	0.58	0.33	Nd
37	48	2.50	0.80 ↓	0.53	0.14	0.04	0.04	69	73	4.52	2.20	0.34	0.22	Nd
39	50	3.05	1.60	0.23	0.12	Nd	Nd	70	68	4.43	1.75	0.42	0.21	Nd
13	40	2.50	0.92 ↓	0.36	0.21	Nd	Nd	71	42	2.19	1.60	0.29	0.13	0.05
30	50	2.90	1.50	0.35	0.20	0.05	0.05	72	70	4.43	2.03	0.33	0.25	0.07
41	50	3.00	1.45 ↓	0.40	0.20	Nd	Nd	73	70	2.28	2.00	0.46	0.18	Nd
26	60	4.80	0.60 ↓	0.24	0.36	Nd	Nd	74	31	1.75	0.97	0.22	0.13	Nd
28	50	3.00	1.35 ↓	0.50	0.15	Nd	Nd	75	76	4.05	2.6	0.67	0.36	Nd
2	35 ↓	1.90 ↓	1.60	0.45	0.17	0.03	0.03	76	55	3.25	1.8	0.35	0.12	Nd
11	32 ↓	1.79 ↓	0.89 ↓	0.35	0.16	Nd	Nd	77	71	4.05	2.06	0.71	0.23	Nd
27	68	4.76	1.56	0.47	0.20	Nd	Nd	78	59	3.85	1.53	0.22	0.12	Nd
34	46	2.30	1.28 ↓	0.59	0.36	0.04	0.04	79	82	4.20	2.50	0.55	0.33	Nd
49	36 ↓	1.90 ↓	1.40 ↓	0.21	0.02	Nd	Nd	80	73	4.50	2.21	0.35	0.22	Nd

**Nd** = not detected     $\uparrow$  above the normal range     $\downarrow$  below the normal range  
**neut** = neutrophils    **lymph** = lymphocytes    **Mono** = monocytes  
**eios** = eosinophils    **bas** = basophils

**Wbc sig. diff.** Assuming equal variances:  $t = -5.27807$      $p\text{-value} = 0.00000114225$   
**Lym sig. diff.** Assuming equal variances:  $t = -8.97541$      $p\text{-value} = 0.0$   
**Neut sig. diff.** Assuming equal variances:  $t = -3.45634$      $p\text{-value} = 0.000889215$   
**Mon not sign.** Assuming equal variances:  $t = 0.0935705$      $p\text{-value} = 0.92569$   
**Eios not sign.** Assuming equal variances:  $t = -1.00033$      $p\text{-value} = 0.320242$

**TABLE 3.**  
**Serum Immunoglobulin levels of both exposed and unexposed\***

Exposed				Non-Exposed			
Case No.	Immunoglobulin levels (mg/dl)			Case No.	Immunoglobulin levels (mg/dl)		
	IgM	IgA	IgG		IgM	IgA	IgG
47	959	103 $\downarrow$	159	1	1010	380	96
23	870	80 $\downarrow$	411 $\uparrow$	3	1250	267	190
31	783 $\downarrow$	93 $\downarrow$	85	4	1630	168	140
33	925	102 $\downarrow$	107	5	990	254	94
38	546 $\downarrow$	90 $\downarrow$	109	6	1198	270	170
48	1038	165	89	7	1027	145	112
15	821	100 $\downarrow$	230	8	1740	410	139
10	830	100 $\downarrow$	180	9	995	195	86
19	920	88 $\downarrow$	120	42	1435	315	130
20	1083	107 $\downarrow$	136	44	1800	375	210
36	811	91 $\downarrow$	230 $\uparrow$	50	1680	267	183
51	1200	320	112	52	1120	213	103
12	803	89 $\downarrow$	137	53	1720	342	208
17	900	137	81	54	931	243	93

21	720 ↓	101 ↓	232 ↑	55	1048	169	87
40	813	170	300 ↑	56	1750	375	211
43	1085	142	92	57	1430	320	135
24	900	95 ↓	120	58	1190	272	165
29	781 ↓	85 ↓	93	59	1750	415	136
22	890	301	73	60	1675	268	184
25	900	105 ↓	55	61	992	196	82
32	1046	203	94	62	1130	215	105
35	880	114	54	63	920	245	98
45	826	114	47	64	1550	165	88
46	870	93 ↓	160	65	1620	164	138
16	1010	130	89	66	1255	270	188
18	830	83 ↓	238 ↑	67	1520	375	95
14	842	95 ↓	126	68	995	255	98
37	913	98 ↓	87	69	1030	149	113
39	930	108 ↓	580 ↑	70	1725	348	207
13	765 ↓	93 ↓	102	71	1759	374	211
30	927	190	133	72	1440	312	132
41	1134	190	110	73	1189	271	172
26	1150	220	98	74	1750	412	135
28	985	142	255 ↑	75	1655	265	181
2	1047	207	295 ↑	76	1125	215	106
11	927	170	143	77	935	241	95
27	1065	260	170	78	1050	168	88
34	998	185	76	79	994	255	95
49	1108	213	121	80	1030	144	114

↑ above the normal range      ↓ below the normal range

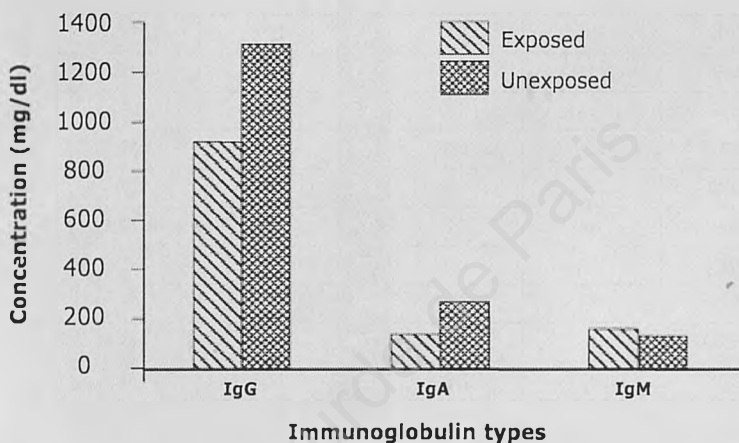
\* Normal ranges are according to Roit, M. (1997).

**IgG sig diff.**      Assuming equal variances:  $t = -7.5362$        $p\text{-value} = 7.40472E-11$   
**IgA sig diff.**      Assuming equal variances:  $t = -7.96885$        $p\text{-value} = 1.08074E-11$   
**IgM no sig diff.**      Assuming equal variances:  $t = 1.0055$        $p\text{-value} = 0.317763$

Assuming equal variances:  $t = -7.5362$        $p\text{-value} = 7.40472E-11$   
 Assuming equal variances:  $t = -7.96885$        $p\text{-value} = 1.08074E-11$   
 Assuming equal variances:  $t = 1.0055$        $p\text{-value} = 0.317763$

**Figure 1**

**Serum Immunoglobulin levels of both Exposed and unexposed (mg/dl)**



**Discussion**

According to the WHO Scientific Group (1995), the positive results of delayed-type hypersensitivity skin tests (induration) appearing after 72 hours reflect intact cell-mediated immunity. This test is an *in vitro* T-lymphocyte functional assay.<sup>16</sup>

On the other hand, negative skin reactivity indicates impaired cell-mediated immunity.<sup>15</sup>

This leads to the conclusion that the differences between exposed and unexposed cases indicate impaired cell-mediated immunity among survivors. The observations reported by Zandieh et al (1990), when they investigated the cell-mediated immunity of three groups of Iranian chemical victims, are similar to our results.<sup>12</sup>

They found a significant reduction in the peripheral blood T-lymphocytes in most of their patients and noted impaired cell-mediated immunity. It should be noted that the Iranian and Halabja victims



were exposed to the same source of warfare agents by the Iraqi army. Similar observations were made by the Bahar Medical Laboratory in Teheran when it studied the long-term effects of SM on a number of Iranian victims.<sup>10</sup>

Blank et al. (1991) found that mustard compounds induced splenic and thymic weight reduction in mice, leading to impaired cell-mediated immunity.<sup>19</sup> It is therefore likely that negative skin reactivity among exposed cases could reflect the noxious effect of SM on lymphocyte production and function. This may explain the reduction in the total lymphocyte count in the peripheral blood of the exposed cases, which was apparently related to negative skin reactivity, as all the exposed cases which had negative skin tests had reduced or sub-normal lymphocyte counts.

The wide range of changes seen in the total leukocyte count of survivors might be due to the reduction in neutrophils or lymphocytes that comprise a large ratio of total leukocytes. As a result, exposed cases with a low total leukocyte count were suffering from neutropenia, sub-normal lymphocytes, or both. Several factors may cause leukopenia; they include a reduced flow of leukocytes (neutrophils) from the bone marrow into the peripheral blood, (due to lack of production or ineffective production), the increased removal of leukocytes from the blood, a change in distribution between the circulating granulocyte pool and the marginal granulocyte pool and sometimes a combination of these factors.<sup>14</sup>

Exposed to chemical warfare agents including mustard compounds may be the main factor that leads to low leukocyte levels, because of the effect these compounds have on bone marrow. Anslow and Houk (1946) reported leukopenia and loss of bone marrow reactivity in severe cases of mustard intoxication in animals.<sup>7</sup>

They also suggested that similar effects had occurred in soldiers gassed during the First World War. Alexander (1947) reported the effect of SM on the leukocytes in the circulating blood of humans and found severe toxic effects causing leukopenia.<sup>8</sup>

He also noted that lymphocytes were the first to disappear, followed by granulocytes, which were severely affected. The intravenous injection of mustard compounds in albino rats led to reduced immunoreponsiveness expressed as leukopenia, lymphocytopenia and neutropenia, as well as the hypoplasia and hypermia of bone marrow.<sup>20</sup>

Dean and Murray (1991) concluded that SM is a leukocytic toxin

acting on the bone marrow with myelotoxicity causing leukopenia, pancytopenia, anaemia and plastic or hypoplastic bone marrow in experimental animals.<sup>21</sup> The reduction in the total leukocyte, neutrophil and lymphocyte counts among chemical survivors in Halabja may therefore be due to the severe effects of long-term exposed to mustard compounds, although 12 years have passed since the chemical bombardment. This also confirms the long-lasting effects of these compounds.

Significant differences were noted between the serum immunoglobulin levels of exposed and unexposed cases, especially those of IgG and IgA, and this may indicate that there were deficiencies in antibody-mediated immunity, because the two above-mentioned immunoglobulins play important roles in this type of immunity. The low levels of immunoglobulin were the result of low B-cell levels and deficiencies in the function and differentiation of antibody-producing plasma cells.<sup>16</sup>

Chemical warfare agents are toxic chemical compounds which have large-scale effects on different organs and tissues. SM is one of the toxic compounds that were used against the innocent inhabitants of Halabja.<sup>4</sup>

It has a direct toxic effect on haematopoietic tissues in the bone marrow,<sup>13, 22</sup> which is regarded as one of the primary immunopoietic organs. The toxic effects of SM have been confirmed in experimental animals.<sup>20,23,24</sup>

Anslow and Houck (1946) confirmed the effect of SM on humans during the First World War.<sup>7</sup> The action of SM on immunopoietic centres may lead to defects in immune cell production. It has been shown that B-lymphocytes were relatively more severely affected than T-lymphocytes due to high doses of SM leading to a reduction in B-cell numbers following exposed to that agent <sup>25</sup>. Further studies reported the suppression of antibody production in experimental animals due to mustard compounds.<sup>9,24</sup>

So the reductions in the serum immunoglobulin levels of survivors may be due to the action of chemical warfare agents, including SM, which adversely affect B-cells.

According to medical reports on exposed cases that were examined by doctors specialising in clinical illnesses (not included in this study), some of the survivors suffer from allergy problems, particularly in the

respiratory tract, which may be related to IgA levels,<sup>26</sup> as well as other severe respiratory, dermatological and ophthalmological complaints recorded in their medical reports. Infante and Kamani (1997) mentioned that reduced IgA levels may sometimes be accompanied by IgG sub-class deficiencies, in spite of normal total IgG levels.<sup>27</sup> They also reported that the majority of IgA-deficient individuals have recurrent sinusitis and minor upper-respiratory tract infections and they have shown that patients with IgG sub-class deficiency suffer from significant respiratory infections. Moreover, low immunoglobulin levels may be due to chronic secondary bacterial infections, following injuries caused by exposed to chemical warfare agents. Some cases among survivors with elevated IgM levels may have been due to the direct or indirect action of chemical warfare agents on B-lymphocytes,<sup>25</sup> or they may have been due to the defects that prevent B-cells from switching IgM to IgG and IgE.<sup>28</sup> It is known that common clinical manifestations, including individuals with upper- and lower-respiratory tract infections, are related to elevated IgM levels.<sup>29</sup> This may explain the elevated IgM levels among some of the people exposed to chemicals. The reduced or elevated (abnormal) immunoglobulin levels among survivors may be due to the direct or indirect action of chemical agents used in the attack, precisely because the changes were only seen among survivors and not among controls (unexposed cases). Further more the results ensured other conclusions pointed to the lethal and chronic effects of the chemical warfare agents and the long lasting effects on human health and on the life in general.<sup>30,31,32</sup>

The main conclusion from this study is that long-term effects were produced by chemical warfare agents on victims who have survived in Halabja and, in particular, on their immune system at both antibody and cell-mediated levels. This confirms the immunosuppressive property of mustard compounds, which may lead to the appearance of secondary opportunistic or pyogenic bacterial infections due to injuries which occurred during the attack and impaired immunity that has been frequently observed among chemical survivors in Halabja.

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# REVIEW ARTICLE OF THE 1988 CHEMICAL ATTACKS ON THE CITY OF HALABJA SELECTED STUDY RESEARCH

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## ABSTRACT

Nerve agents such as Tabun, Sarin, Soman and VX, blistering agents such as mustard gas and blood agents such as cyanide hydrochloride have all been used as weapons of mass destruction in the city of Halabja causing the deaths of 5000 – 10,000 Kurds and long term morbidity in thousands of survivors. This paper reviews the history of exposure to these toxic agents in Halabja and the surrounding villages and their side-effects. The consequences of exposure to these damaging toxins will be reviewed on the individual, biological, psychological and social level and on the wider socio-economic scale.

## INTRODUCTION

There is a large body of research in relation to chemical attacks but not much of this has been focused on the city of Halabja. This paper reviews current research on exposure to chemical weapons and their side effects. It will then examine how this can be related to the symptoms reported by survivors of the Halabja attacks in March 1988 during Saddam Hussein's Anfal Campaign against the Kurds.

## EXPOSURE TO THE CIVILIANS IN HALABJA

In a chemical attack to a civilian population such as in Halabja, the case becomes more complicated both bio-psycho-socially and culturally. Documentation and recording of the cases are less organized in war and tainted by political interests.

The exposure itself may be more of a 'dirty-bomb' as opposed to clear concentrations of specific compounds. This may make it more difficult to attribute a specific exposure to a specific set of symptoms as in the survivors of Halabja.

## COMPARISONS BETWEEN THE 1988 HALABJA ATTACK AND THE 1995 TOKYO SUBWAY 'SARIN' ATTACK

Sarin (O-Isopropylmethylphosphonofluoridate) is an organophosphate similar in biological activity to common insecticides[6]. It attacks the nervous system by inhibiting the enzyme acetylcholinesterase[3]. This results in the accumulation of plasma acetylcholine. The increased levels of acetylcholine cause continual transmission across synapses and results in a range of symptoms.

Sarin is highly lipid soluble and penetrates the blood-brain barrier. This causes initial excitation leading to convulsive seizures which then results in unconsciousness and respiratory failure. [2, 3] It also causes severe peripheral demyelination in the long term resulting in weakness and sensory loss in the arms and legs. The inhibition of an esterase specific to myelin is thought to be the cause of this [1, 2].

Table 1 lists the symptoms presented by the initial survivors of the Tokyo Sarin attack on admission to hospital. These symptoms were also reported by survivors of the Halabja attack.

Miosis is the most common sign that patients presented with. The eyes develop small pinpoint pupils due to parasympathetic overdrive [4]. Other common symptoms were headaches, visual darkness and eye pains. Some suffered from dyspnoea (difficulty breathing), coughs and throat pains.

**Table 1: List of symptoms after exposure to Sarin in Tokyo, similar to the symptoms reported by survivors of Halabja [5].**



<b>Miosis</b>	<b>568(90.5%)</b>
<b>Headache</b>	<b>316(50.4%)</b>
<b>Visual darkness</b>	<b>236(37.6%)</b>
<b>Eye pain</b>	<b>235(37.5%)</b>
<b>Dyspnea</b>	<b>183(29.2%)</b>
<b>Nausea</b>	<b>168(26.8%)</b>
<b>Cough</b>	<b>118(18.8%)</b>
<b>Throat pain</b>	<b>115(18.3%)</b>
<b>Blurred vision</b>	<b>112(17.9%)</b>

**Table 2: Summary of laboratory findings in Tokyo [5].**

<b>Chemical data</b>
Low plasma ChE value (74%)
High CPK value (11%)
<b>Count of Blood cells</b>
Leukocytosis(60%)
<b>Assay of arterial blood gas</b>
Respiratory alkalosis(67%)
<b>Electrocardiograph(taken in 57 cases)</b>
QT elongation(7%)
Bradycardia (7%)

**Table 2 is a summary of the laboratory blood findings in the victims. This revealed low plasma cholinesterase which indicates Sarin's anti-cholinesterase properties.**

An interesting finding was leukocytosis in 60% of the patients. This refers to an abnormal increase in circulating white blood cells [5]. Evidence of leukocytosis could with further research of long-term effects, provide support for the 'induced autoimmunity theory' given by some as an explanation of some of the long term symptoms of survivors such as the Kurds of Halabja.

There was evidence of respiratory alkalosis in 67% of the patients on admission associated with dyspnoea and respiratory failure. This is attributed to Sarin's irreversible inhibition of acetylcholinesterase resulting in over-stimulation of acetylcholine receptors on post synaptic membranes. This causes prolonged depolarization and reduced function of the synapses and consequent respiratory failure. This then leads to respiratory alkalosis due to accumulation of bicarbonate. If this is left untreated it could result in death as in the case of many of the victims in Halabja.

Electrocardiography (ECG) revealed bradycardia (reduced heart rate) and QT elongation. The basis of these changes would be explained by autonomic disturbances as a consequence of the acetylcholinesterase inhibition. The heart possesses muscarinic type 2 receptors [7, 8]. At least three of the patients in Tokyo suffered cardiac arrest, one of whom had severe hypoxic brain damage [3].

However, after only several days 95% of the patients in the Tokyo attack made a full recovery [3]. Since many of the victims in Halabja did not have access to immediate medical treatment, cardiac arrest could have been one of the leading causes of their deaths.

These results indicate a wide range of side-effects from the initial Sarin exposure. The advanced medical facilities of Japan were an important factor in their quick recovery process. The same level of care would not be available in a population exposed to Sarin or other nerve agents in a more isolated country during a war such as those in Halabja.

<b>Eys symptoms</b>	<b>56(18.5%)</b>
<b>Fear of the subway</b>	<b>39(12.9%)</b>
<b>Easy fatiguability</b>	<b>36(11.9%)</b>
<b>Fear concerning escape from the attack</b>	<b>35(11.6%)</b>
<b>Flashbacks</b>	<b>32(10.6%)</b>
<b>Headache</b>	<b>26(8.6%)</b>
<b>Depressive feeling</b>	<b>24(7.9%)</b>
<b>Lake of concentration</b>	<b>23(7.6%)</b>

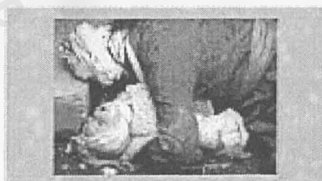
**Table3:List of symptoms in the Tokyo survivors after one year [5].**

Table 3 shows that after one year, eye symptoms were common but most of the symptoms patients continued to suffer from were psychiatric in origin such as fear, flashbacks, depression and lack of concentration. These symptoms form part of 'Post Traumatic Stress Disorder' and many of the survivors of Halabja suffer from this even today.

### **THE CHEMICAL ATTACKS ON HALABJA**

To date, there is no formal published research on the subject of chemical attacks in Halabja. This is despite the fact that the largest use of chemical weapons on a civilian population in recent history occurred during those attacks. Most of the information available regarding the specific agents used and the number of Kurdish people affected have been recorded by Dr. Christine Gosden (Professor of Medical Genetics at the University of Liverpool, UK) [9, 10].

Prior to the chemical attacks, Halabja was a city of 100, 000 Kurds. The chemical attacks caused the death of 5 to 10, 000 Kurds during the days of the attacks. Since the attacks an estimated 200, 000 Kurds suffer from side-effects [12]. The image below became the 'icon' of Halabja's attacks.



**Figure 1:**  
**Old man covering his granddaughter from the chemical toxins [13]**

The attack began on March 16th, with a group of Iraqi aircraft dropping a mixture of chemical bombs consisting mainly of mustard gas and the nerve agents' Sarin, Tabun, Soman and VX [9]. The Kurdish 'Peshmerga' (Kurdish word meaning 'those who face death first') at

the time reported 14 aircraft sorties during the night with seven to eight aircrafts in each group. The chemical attacks continued until March 19th. The year before, there were smaller-scale chemical attacks on at least 20 small villages [9, 12].

Exposure to mustard gas in Halabja was thought to be the cause of many cases of the following:

- 1.Skin damage and hypersensitivity
- 2.Blisters and severe and painful burns
- 3.Asthma, bronchitis and lung cancers
- 4.Gastrointestinal cancers
- 5.Anaemia, Leukopaenia and sepsis
- 6.Infertility and congenital malformations. [9, 10, 12]

There is no counteracting therapeutic treatment for mustard gas. Decontamination must be carried out within two minutes of exposure [44] to significantly reduce onset of side-effects. In a relatively isolated population, with few resources and in a state of shock and turmoil, this type of knowledge is simply not available to them.

Mustard gas has low volatility[9] and remains on the earth and potentially causes further damage even after the attacks stopped. The images below show the immediate effects of mustard gas on the skin.



**Figure 2:**

Children in Halabja suffering from severe facial burns causing depigmentation and skin peeling mainly caused by mustard gas [13].

## **LONG-TERM EFFECTS IN HALABJA'S SURVIVORS**

### **Severe respiratory problems**

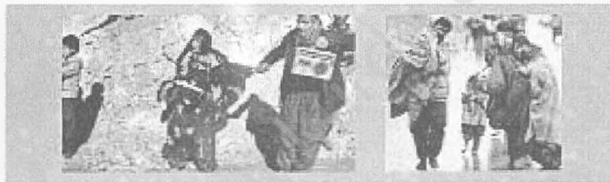
Most doctors that work in the region of Halabja report higher than average rates of chronic lung disorders including lung cancers [11].

## Cancers

The cancer risks in the surviving people of Halabja are reported to be extremely high and difficult to manage [9,11]. The tumours are rapidly metastasizing. Dr Gosden reported that methods of chemotherapy and radiotherapy may be different from those of other cancers due to variation in the pattern and sequence of gene mutations [10].

## Neurological and psychiatric consequences

Many people in Halabja are known to be extremely depressed. Many more are in denial of their situation and the deaths in their family. There are many examples of attempted suicides [9, 10]. The traumatic effects of such a war and the suffering that it causes are extremely damaging to mental health. Many children suffer from symptoms of post-traumatic stress disorder [11, 12]. The images below show the people of Halabja during the chemical attacks:



**Figure 3:**

**Left-hand-side: old couple running from the chaos whilst the woman calls to her child. Right-hand-side: family holding their children in the rain [13].**



**Figure 4:**

**Left-hand-side: Brother and a sister coming out of a cave after the attacks. Right-hand-side: Young girl lost and confused [13].**

The above images depict the extreme pressures in such a war. The psychiatric side-effects of the chemical attacks were profound and a

large proportion of the Kurdish population suffers from the pain of this event to this day, including those who were far away from the chemical attacks geographically.

### THE EFFECTS OF 'HALABJAY SHAHEED' ON KURDISH SOCIETY

Kurdish society has been wounded on a social, cultural, demographic and economic scale. The large scale deaths in Halabja led many Kurds to privately question the morality of the attacks that they have endured.

Halabja after the attacks has always been referred to as 'Halabjay Shaheed' (Halabja the Martyr) almost as if it were humanised in its suffering. Such is the emotion for the city in Kurdish society. The images below have remained within the Kurdish people serving as powerful icons of pain and a sense of abuse on a population and society scale:



**Figure 5:**

**Top left hand side: Four innocent siblings killed by the toxins during sleep [13]. Top right-hand-side: Clothes left from the dead in Halabja. Central bottom: Dead mother and child with a blanket [14].**

On a wider and long-term social scale, the use of nerve agents and pesticides as weapons of war against specific and large populations such as the Kurds leaves profound changes in normal population demographics. In Halabja, for example, many women are infertile as a consequence of exposure to the nerve agents [9, 10]. Most of the men that have not been able to reproduce are themselves infertile. The death of such large numbers of people leads to a reduction in the population growth and growth rate.

## THE SPECIFIC AGENTS USED IN HALABJA

The chemical weapons used in Halabja fall into three categories:

- **Blistering agent:** Mustard gas
- **Blood agent:** Cyanide hydrochloride
- **Nerve agents:** Tabun, Sarin, Soman and VX [15]

### BLISTERING AGENT – MUSTARD GAS

Mustard gas is a strong vesicant (blistering) agent. Due to its alkylating properties, it is also strongly mutagenic and carcinogenic causing damage to the DNA of exposed cells such as the skin.

Within 4 to 24 hours of exposure the victim will suffer from a deep itching or burning blisters. The eyes become sore and the eyelids swollen leading to conjunctivitis and blindness. Blister agent exposure over more than 50% body surface area is usually fatal.

If it is inhaled, it causes bleeding and blistering within the respiratory system causing damage to the mucous membranes and pulmonary oedema. [15]

Mustard gas is regulated under the 1993 Chemical Weapons Convention (CWC). Three classes of chemicals are monitored under this Convention, with sulphur and nitrogen mustards grouped in the highest risk class, "schedule 1". [16, 17] Regulation was less stringent on the selling and buying of mustard gas prior to this regulation. This enabled Saddam Hussein to purchase large quantities of mustard gas and use it against the Kurds.

### BLOOD AGENT – CYANIDE HYDROCHLORIDE

Cyanide hydrochloride is a colourless gas with a faint bitter almond-like odour. Due to an apparent genetic trait, some people cannot detect its odour. [18]

Cyanide is an irreversible inhibitor of the enzyme cytochrome c oxidase in the fourth complex in the membrane of the mitochondria of cells.

The central nervous system and the heart are most affected causing ischemic damage and build up of lactic acid which destroys the tissues.

Inhalation of high concentrations of cyanide causes a coma with seizures, apnoea and cardiac arrest, with death following in a matter of minutes.

At the first stages of unconsciousness, breathing is often sufficient or even rapid, although the state of the victim progresses towards a deep coma, sometimes accompanied by pulmonary oedema, and finally cardiac arrest. Skin colour turns pink from high blood oxygen saturation. [19]

### **NERVE AGENTS (TABUN, SARIN, SOMAN AND VX) AND THE CHEMICAL WEAPONS CONVENTION 1993**

As chemical weapons, the nerve agents are classified as weapons of mass destruction by the United Nations according to UN Resolution 687, and their production and stockpiling was outlawed by the Chemical Weapons Convention of 1993 [16]. When Saddam used them against the Kurds of Halabja (1988) this convention did not exit.

#### **Poisoning by a nerve agent leads to the following symptoms:**

1. Contraction of pupils
2. Profuse salivation
3. Convulsions
4. Involuntary urination and defecation
5. Death by asphyxiation as control is lost over respiratory muscles.

The main route of entry into the body is through the lungs. Nerve agents can also be absorbed through the skin [18, 19].

### **THE G-SERIES: 'FATHER OF THE NERVE AGENTS'**

The nerve agents in this category were placed under the letter 'G' for German as they were first made by German scientists mostly at the time of World War II [19, 10].

The late Dr. Gerhard Schrader, a German chemist, commonly known as 'Father of the Nerve Agents' discovered Tabun (1936), Sarin (1938) and Soman (1944). [20] All three of these nerve agents were used by Saddam Hussein in his attack on the Kurds of Halabja with devastating consequences.



### **1. Tabun. (Ethyl N,N-dimethylphosphoramidocyanidate)**

Tabun is a clear, colourless, tasteless liquid with a faint fruity odour. It is volatile at room temperatures although less volatile than either Sarin or Soman.

Tabun is half as toxic as Sarin by inhalation, but Tabun is more irritating to the eyes than. Tabun may also be used to contaminate water. Very small skin dosages cause local sweating, tremors and constricted pupils. [21]

The effects of exposure appear much more slowly when Tabun is absorbed through the skin rather than the lungs. Although a victim may absorb a lethal dose within seconds or minutes, death may be delayed for 1 to 2 hours.

Inhaled lethal dosages kill in 1 to 10 minutes, and liquid in the eye kills almost as fast. However, most people who experience mild to moderate exposure to Tabun can recover completely if treated immediately. [20]

### **2.Sarin.(O-Isopropyl methylphosphonofluoridate) and Soman/GD (O-Pinacolyl methylphosphonofluoridate)**

Sarin is similar in structure and biological activity to commonly used insecticides such as carbamates.

At room temperature, Sarin is a colourless, odourless liquid. Its vapour is also colourless and odourless. It can be made more persistent through the addition of certain oils or petroleum products which Saddam may have easily used.

Like Soman, Sarin attacks the nervous system of a living organism. It is an irreversible cholinesterase inhibitor, forming a covalent bond with the serine residue in the enzyme at the site where acetylcholine normally undergoes hydrolysis.

Initial symptoms following exposure to Sarin are a runny nose, tightness in the chest and constriction of the pupils. The victim eventually has difficulty breathing and experiences nausea and drooling. As they lose control of bodily functions victims will vomit, defecate and urinate.

This phase is followed by twitching and jerking. Ultimately, the victim becomes comatose and suffocates in a series of convulsive spasms. Even vapour concentrations immediately penetrate the skin. People who absorb a non-lethal dose but do not receive immediate appropriate medical treatment will have permanent neurological damage. Even at very low concentrations, Sarin can be fatal. Death may follow in one minute after direct ingestion of about 0.01 milligram per kilogram of body weight unless antidotes such as atropine and pralidoxime are administered.

It is estimated that Sarin is more than 500 times as toxic as Cyanide. The short- and long-term symptoms experienced by those affected included:

- Bleeding from the nose and mouth
- Convulsions, Coma and Death
- Difficulty breathing
- Disturbed sleep and nightmares
- Extreme sensitivity to light
- Foaming at the mouth
- High fevers and Influenza-like symptoms
- Loss of consciousness
- Loss of memory
- Nausea and vomiting
- Paralysis
- Post-traumatic stress disorder
- Respiratory problems
- Seizures
- Uncontrollable trembling
- Vision problems, both temporary and permanent

Soman is a nerve agent, interfering with normal functioning of the mammalian nervous system by inhibiting the cholinesterase enzyme much in the same way as Sarin. [18, 20]

## **V SERIES – VX**

The V-series is the second family of nerve agents (the V standing for "venomous"). This series contains four members: VE, VG, VM, and VX. The most studied agent in this family, VX, was invented in the 1950s at Porton Down in the United Kingdom. VX was the nerve agent used by Saddam against the Kurds of Halabja and the surrounding villages.

It is known that the V-series agents are about 10 times more toxic than the G-agent sarin (GB). All of the V-agents are persistent agents, meaning that these agents do not degrade or wash away easily, and can therefore remain on clothes and other surfaces for long periods. In use, this allows the V-agents to be used to blanket terrain so that the population cannot fight back.

The consistency of these agents is similar to oil. This makes it particularly dangerous if it makes contact onto the skin. [18, 19]

## **CONCLUSION**

The chemical weapons attacks on the Kurds of Halabja and the surrounding villages on March 21st of 1988 was by far the largest use of Chemical weapons used by a country against civilians since World War II.

The Kurds have suffered greatly as a consequence of this both in terms of their physical health and on the wider socio-economic scale. As a result, this tragedy needs to be studied internationally and documented by medical and professional organizations such as The World Health Organisation and The International Court of Human Rights.

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# KURDISTAN REVISITED

A PSYCHOSOCIAL  
SURVEY ON THE  
ANFAL SURVIVORS

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## OUTLINE

Between the 20th of June and the 26th of August 1993, I traveled in the liberated area of Iraqi Kurdistan to investigate the situation for the survivors of the genocide operations "Al-Anfal", by making a survey on the Sumood complex in Kalar in Sulaymaniya Governorate and that of Gejnikan in the Governorate of Erbil for the Qandil Project (a Swedish program for development in Iraqi Kurdistan).

The study was accomplished in cooperation with the Ministry of Health and Social Affairs in the Kurdish Government and with the local authorities concerned in the liberated area of Iraqi Kurdistan. The collected data consisted of structured interviews with children and adults regarding their experiences of psychological trauma, children's drawings and descriptions of their life events and family analysis of some randomly selected families in different groups. The data are collected in form of standardized questionnaires, mini-tapes, video films, slides and photographs, in addition to information about housing, schools, health situation, medical service and the economic situation of the people in the studies.

The lecture will focus on the strategic significance of the results of the study presenting some suggestions for further research and rehabilitation programs

## INTRODUCTION HAWAR PROGRAMME

The first trial project to investigate and manage child mental health disorders and the consequences of childhood trauma in the Kurdish society was started in Duhok on July 1992 (1,2). During 1992 - 1993 all the medical and the health care system in the Kurdistan region of Iraq was suffering from adversities and set-backs, which negatively affected the Hawar Programme too. Especially regarding the Primary Care System, a shortage of drug supply, difficulties in transport and communication and the lack of supporting aids to the already exhausted medical personnel resulted in a further shrinkage in the medical care instead of the progress that supposed to happen after the young Ministry of Health and Social Affairs in the local Kurdish Government was to take over the total responsibility for the medical and health care in the liberated area of Kurdistan from the Central Government in Baghdad. The main reason being the lack of resources due to the double blockade on Kurdistan, both from Baghdad Regime and from UN, as the liberated area of Kurdistan is still officially considered as a part of Iraq. Besides, the Qandil Project was not able to fully support the Hawar Programme according to the "Working Plan" agreement (3), because of the financial difficulties and taking other essential priorities to support in the reconstruction activities in Kurdistan.

However, in attempt to integrate the Hawar Programme in the Primary Care System, we were able to find out four Primary Care Centers in the Duhok Governorate to be connected to the Central Office of Hawar Programme at the Department of Pediatrics in Duhok Teaching Hospital (DTH). The physicians concerned in these Primary Care Centers; Beroshke in the city of Duhok and Batofa, Qadish and Sheladize in the rural areas, will open special registers on the mental and neuro-psychiatric cases among the children visiting each center. Especial systems for management and follow-up were to be applied for these cases. The instruments used here (4, 5), were to be used by the same procedure in the Central Office as well. The interviews mainly concentrate on "Al-Anfal" 1988 and the Mass-Escape Tragedy (MET) 1991. The identified cases of Posttraumatic Stress Disorder (PTSD) were to be treated with the "Re-wind" technique (6).



For further information regarding Hawar Programme, please see the separate Progress Report (2).

## PREVIOUS RESEARCH ON CHILDREN OF KURDISTAN

### 1. A Two-Year Follow-Up after the Mass-Escape Tragedy:

The majority of children who were first interviewed directly after the Mass-Escape Tragedy (MET) in Iraqi Kurdistan on Spring 1991 regarding post-traumatic stress symptoms had been further moved with their families inside Duhok and Erbil Governorates. Most of them were re-found with their families in their original villages that had been reconstructed again to some extent. The interviews revealed remaining symptoms of PTSD. However, no serious disturbances could be observed. Further treatment of the collected material was conducted before a definite conclusion could be made regarding the symptomatology as compared with the previous one-year follow-up, two-month follow-up and the index-interviews (5).

The only girl who was treated with "Re-wind" technique during 1992 was now doing well. Furthermore, during 1993 she became the first in her class at school.

### 2. The Comparative Study on the Orphans:

With exception of two children in the foster care group in the study, we were able to find out all the orphans, who were interviewed with Achenbach's Child Behavior Check List (CBCL) (7), aiming to compare the foster care system versus orphanages in taking care of the orphans in the Kurdish society. Among the orphanage group, 9 children were living at the only orphanage in Duhok city. The other 21 children were distributed among the three orphanages in Sulaymaniya city, including the two Swedish supported orphanages; the Olof Palme House and the House for the Children of "Al-Anfal".

In Sulaymaniya, the children in the foster care system were living with the same families as in 1992, with exception of a 15 years old girl who was married now. While in Duhok, the majority of the children in the foster care system had changed the foster family and moved to another place within the Duhok Governorate. They were founded in Zacho, Barwary, and Sersing and in two camps in Semel.

The first impression about the behavior and the general health of

the examined children indicated deterioration among the orphanages as compared with the foster care group. However, definite conclusions must wait until a complete analysis of the results this year has been done in comparison with that of the last year.

In addition to Achenbach's CBCL (7), all of the subjects were interviewed by the two instruments used in the other studies on PTSD among children of Kurdistan, in regard to the eventual occurrence of PTSD symptoms after "AL-Anfal" 1988 and the MET 1991. The results have not been ready treated yet, but some outweigh of symptoms is already noted among the Orphanage Group, as compared with the foster care group.

### **THE ANFAL SURVIVORS**

#### **THE DECLARATION OF "AL-ANFAL"**

As a continuation of its genocide campaign against the Kurdish People in Iraq, the Iraqi Regime decided in February 1988 on the "Al-Anfal" act against the "disobeying" Kurds in the North (Middle East Watch, 1994). "Al-Anfal" means in the ancient Arabic language "the things to win in war". The name is even mentioned in Koran in order to give the profit Mohammed and his people the right to keep all what they obtain during war. The law was to give the Iraqi Army free hands to do what they want in the region they enter in Kurdistan. They had clear orders to extirpate all living material including human being, animals and plants. After "Al-Anfal" declaration the Iraqi Army intensified its chemical warfare in Kurdistan, reaching its peak when the city of Halabje was attacked by the air forces on 16 March 1988.

The military operation "Al-Anfal I" was applied during March-April 1988 in Germyan and other regions in the Governorates of Kerkuk and Sulaymaniya. During several weeks, 728 villages were destroyed (8). "Al Anfal II" started on 24 August 1988, to affect an area of 20,000 Kilometer of Behdinan in the Governorates of Mosul, Duhok and Erbil (9).

### **THE SEQUELAE OF EVENTS**

During 1987 - 1990 a total number of 3900 villages were destroyed in the area exposed to the "Al-Anfal" operations (10). The army had clear orders not to leave any signs of life in the region. People were

either to be killed or removed in military cars to special prisons. Farms and Forests were burned up, water springs were exploded and all the houses were made on a par with the ground. People who were met by the army during its march were killed directly, regardless the age and the sex. Even those men who spontaneously surrendered were taking the risk to be killed immediately. No one knows how many people were killed. The number 200,000-300.000 has been mentioned (10). However, the brutality in these operations can be illustrated by some witnesses:

- In the village of Kesta in Barwary Bala, 40 men were collected and executed by gunfire on 26 August 1988, in front of their relatives and other people in the village.

- Between 25-27 August 1988, about 1500 people were killed when, in order to escape the poison gases, they were trying to cross the river of Roshin in the northern part of the borders between Erbil and Duhok Governorates (11).

- On 26 August 1988, and only from the village of (Kurema), 42 men were executed nearby the village (8).

- In the village of Gyse, 12 men were executed by gunshots during few days (8).

- On 25 August 1988, several Plato planes threw their lasts of poison gas on 10 villages including Swar and Spindar in Berigarey. Some ten women and children were killed and many people were wounded (8).

- On their escape way from the army, about 200 families were gathered in GelyeBaze in Barwary Bala, when 2 planes, early on the morning 29 August 1988, threw their lasts of poison gas on this collection of people in the valley. No one could survive the tragedy, which was watched by the witness on the top of the mountain (11).

More than 100,000 people crossed the borders of Turkey and Iran in order to escape from the poison gas (9). The region of Akre-Shekhan was quickly surrounded by the army and the escape ways were cut off. Thus, some thousand horror-filled families were to surrendered to the army.

Especially after the amnesty declaration from the Iraqi Government,

on 6 September 1988, the number of surrender families, who were returning back from the high mountains and the deep valleys, from the borders to Iran and Turkey and from the horrible conditions in the accommodation centers in Turkey and Iran, markedly increased.

### **THE DISAPPEARED PRISONERS**

After being captured or surrendered, the families who survived the first confrontation with the army were transported by army cars to special castles inside some military camps nearby the cities of Duhok and Kerkuk. Then, all the males above the age of 10 years were separated from the families and transported to unknown place. Since then, they have been disappeared leaving no trace.

The majority of the interviews with the children and the women of "Al-Anfal" inside the camps of Sumood and Gejnikan points out the event of losing the father or the husband by the way described above, as the most distressing event during all the tragedy. Yaseen is 13 years old. He still has nightmares about the event when his father was taken away from the family for 5 years ago. He says that he often hears the voice of his father when he was crying out under the torture before he permanently disappeared.

Those families who were suspected by the army to have members actively participated in the Kurdish freedom struggle, or having martyrs in that way, were all interrogated under torture. Then, regardless the age and the sex, they were also separated from the other families and transported in military cars to meet the same fate of the men mentioned above.

Sabir is 11 years old. During the interview inside the camp of Sumood, while telling his experiences of the prison time in Topezawa for 5 years ago, he is repeatedly coming back to tell about the pregnant woman in the prison, whom he did not know before and who was exposed to severe torture every time she was interrogated about the fate of her husband. At last, when she mentioned that he had been killed during the Kurdish freedom struggle, the soldiers took her away with her two daughters, and since then he has not seen her any more. Nevertheless, he is unable to forget her.

By this way, more than 182,000 people have disappeared (12). Their

families are still wishing that one day they will return back. Some stories have been circulated about soldiers who have escaped from the army in the desert in southwest of Iraq, and who are said to have witnessed mass-executions of these disappeared people, participated in making mass graves for them or heard gruesome stories about them being buried alive. Others describe how some of these men have survived the mass-executions and being fortunate enough to escape from their mass-graves they are said to be landed in Arab villages and then arrived in Kurdistan again. Some of the women and the girls are said to be sold in Kuwait, Saudi Arabia and Sudan. However, the truth in these stories is to be confirmed.

## THE SURVIVORS

After they were separated from their men, the remaining families consisting of children, women and old people, were removed to other prisons in Nuqret Selman south of Baghdad, Topezawa-Dibis south-east of Kerkuk, Selamiya south of Mosul, Tikreet and other places in the desert in south and middle of Iraq. All of these prisons were similar in being inside a military camp, away from the normal life and consisting of large halls with small windows, each containing several hundred prisoners. They were only allowed to leave these halls for toilet visits or to bring water. That was happening under rigid supervision and rough treatment from the guards, who were usually beating the people, sexually abusing them and exposing them to physical and psychological torture.

Because of the rough treatment, the malnourishment and the bad sanitary and housing conditions inside the halls, several people were dying every day. The soldiers were taking care of the dead bodies, by burying them in groups in superficial holes outside the camp. Mehmmud was 10 years old when he and his family were captured in the village of Werkhel in Rekany. During the interview in Gejnikan 5 years later, When I asked him "What was the most distressing to you during all the event" he answered " It was when I saw, during a toilet visit in the prison of Selamiya, the dogs tearing off the body of my grandfather outside the camp, where the soldiers had thrown him few hours after his death".

During the time in prison, the women and the girls were usually

taken to individual interrogations, when they were exposed to different kinds of torture including rape. As a result of this, many social tragedies have been occurred later on. Women being pregnant or having children after these rape incidents, have been suffering from social isolation, persecution and direct life threats. Many such cases have been of big concern to the organization Human Rights in Kurdistan, which started after the establishment of the Liberated Kurdistan on spring 1991.

### **THE "CONCENTRATION CAMPS"**

After the suffering time inside these special prisons, lasting from several weeks to several years, the survivors were gradually removed to mainly 3 concentration camps that were constructed for this purpose on 1987.

The major part of the families from Behdinan was placed in the desert of Gejnikan 22 kilometer west to Erbil. The final population number here became 15,000 families, who were living in social destitution under strict police supervision. Without the pertinacious help from the surrounding people in Erbil and the villages around defying the embargo of the authorities, those people could not have survived.

The families who were originally coming from the destroyed villages in Kerkuk and Sulaymaniya Governorates were placed in Sumood camp 10 kilometers west to the city of Kalar and Shoresh nearby the city of Chamchamal in Sulaymaniya Governorate. Sumood was containing 12,000 families as maximum.

The living conditions in all these concentration camps were similarly intolerable. Different kinds of torture and persecution were to continue. By time, many families were able to escape from the camps and to start new life elsewhere in Kurdistan.

During the uprising of spring 1991 in Iraqi Kurdistan, the inhabitants of these concentration camps were among the first people who attacked their guards, destroyed the military castles surrounding the camps and actively participated in the liberty struggle. The Mass-Escape Tragedy was, however, to follow soon and many people were forced to leave to Iran and Turkey. When they returned back, the

majority was forced to settle down again in these camps, having no other alternative until the beginning of the reconstruction operations in Kurdistan, in summer 1992.

Since then, many people have left the camp and returned back to their original villages, after they had been provided with building materials and other assistance from the reconstruction organizations and the local governmental authorities of Kurdistan.

## **THE STUDY SITUATION**

In order to make a survey for the Qandil Project, regarding the general conditions for the victims of "Al-Anfal", with special focus on the effects of psychological trauma, and in coordination with the Ministry of Health and Social Affairs in the Regional Kurdish Government, I was visiting the camp of Sumood during 12-17 July and Gejnikan on 19-21 July 1993. Only 4, 512 families were remained in Sumood and 200 families in Gejnikan. The rest had returned back to the original villages, helped by the reconstruction campaign which is still going on in the area in order to build up all the 4000 villages destroyed by the Iraqi Regime.

In this survey, we have used several internationally well known instruments in the field of psychological trauma and PTSD among children and adults (13, 14), the family map (Genogram) (15) containing the family structure and economy, in addition to diseases, both physical and mental disabilities, school situation and other living conditions.

The results are to be presented in figure 1- 4 pointing to a high prevalence of PTSD and other disorders related to the organized violence. Further details can be obtained from the separate report on Sumood and Gejnikan (16).

## **SUGGESTIONS AND RECOMMENDATIONS**

As the rates of physical and psychological consequences of trauma, including PTSD, are high component among the very high number of disabilities among the survivors of the "Al-Anfal", it is essential to build up a center for rehabilitation and care of the survivors of the "Al-Anfal" operations in the Kurdistan region of Iraq. Such a center

should also be capable of receiving other trauma survivors in Kurdistan, and to manage patients having their symptoms caused by other forms of organized violence that have been exerted on the Kurdish society. However, the survivors of "Al-Anfal", and other people who have their relatives disappeared, and who still know nothing about the fate of them, are to be considered the most severely traumatized people who are continuously suffering and who need both professional help and political efforts to find out the truth and to obtain redress.

The survivors of psychological trauma due to the "Al-Anfal" in 1988, the chemical warfare during the 1970s and the 1980s, the Mass-Escape Tragedy in 1991 and other forms of organized violence, are widespread all over Kurdistan. Thus, a network of professionals working with survivors of organized violence in Iraqi Kurdistan is suggested to build up. It can be called, for example, by the same initials (SOVIK). The suggested rehabilitation center and the proposed network have to be connected to the Department of Child Mental Health at the University of Duhok that has been established since 2001 as an academic unit of collaboration between the Uppsala University in Sweden and the University of Dohuk in Iraqi Kurdistan.



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# EXAMINING THE EFFECTS OF CHEMICAL WEAPONS: AN INVESTIGATION OF THE IMPACT ON CIVILIANS OF THE MUSTARD GAS ATTACK ON HALABJA

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## Introduction

Professor Haber, one of the pioneers of gas warfare, upon receiving the Noble Prize for chemistry in 1919, made a poignant statement that has haunted and will continue to disturb mankind: "In no future war will the military (nations) be able to ignore poison gas for it is a higher form of killing" (Colman, 2005). Chemical agents through their chemical properties produce lethal or damaging effects in man, animals, plants and materials. Historically, chemical agents have been divided into categories bases on the major physiological impact caused by the agent or the target organ they attack (Ellison, 2000).

Chemical weapons have been observed to be effective because of the toxicity of their active principles i.e. their chemical action on life processes being capable of causing death, temporary incapacitation or permanent harm to humans, animals and plants (World Health Organization, 2004). The aims of chemical weapons is not about the number of causalities, blood baths and deaths but more profoundly the psychological, social and economic effects of these incidents (Alexander and Klein, 2003). They touch on a deep human concern about the risk of being destroyed by a powerful, evil and imperceptible force. In essence they are weapon of surprise, fear and at times ignorance through gradual habituation and coping strategies.

The first use of chemicals in terms of weapons of mass destruction goes back to WW1, when on April 22, 1915 large amounts of chlorine were released by German military forces at Ypres, Belgium (Szinics, 2005). Therefore, chemical weapons are conventional weapons of terror and more specifically psychological terror (Wessely, Hyams and Bartholomew, 2001).

Gas warfare was seen as a direr nuisance and more of a psychological warfare. Compared to conventional wounds of war the likes of blood and amputated legs and arms, gas wounds were unconventional wounds of war. One particular gas became notoriously known as the "King of the War Gases"-mustard gas (Moran, 1945). It contaminated the soil and remained an effective agent for days or weeks after dissemination depending on the climatic conditions (Spiers, 1994). Mustard gas was used not for its effectiveness in its killing power but for its large number of casualties. Chemical weapons offer the prospect of killing or incapacitating an enemy without damaging vital economic or militant objectives such as bridges, factories, ports, railways and airfield (Spiers, 1986).

### **Social and mental effects of chemical attacks (WHO, 2005)**

1. Chemical attacks are associated with the experience of intense social and psychological distress, especially fear.
2. Physical exposure to chemical agents may induce organic mental disorders.
3. Exposure to any severe stressor-whether natural or human-made-is a risk factor for a range of long term social and mental problems.
4. Fear of chemical attacks may be associated with epidemics of medically unexplained illnesses and a plethora of symptoms.
5. Social problems may emerge after exposure to chemical agents

The crux of this investigation through literature review is about exploring the elements involved in chemical warfare. Definition of chemical weapons will be stated. A brief historical synopsis will examine the background of chemical weapons; the different types of chemical weapons will be discussed. The methods in which they can

be aimed at targets and their consequences will be explored. The different types of treatments will be discussed followed by the second part of the thesis which will examine the attack on Halabja pursued by a succinct conclusion.

### **Definition**

"Chemical Weapons" means the following, together or separately (Chemical Weapons Convention, 2007):

**a-** "Toxic chemicals and their precursors, except where intended for purposes not prohibited under this Convention, as long as the types and quantities are consistent with such purposes;

**b-** Munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in subparagraph (a), which would be released as a result of the employment of such munitions and devices;

**c-** Any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in subparagraph (b)".

### **Attack on Halabja**

Saddam's chemical warfare agent's programmes were begun in the 1970's and accelerated during the war with Iran. Iraq chose to develop both the WW1 generation of chemical weapon agents, including possibly phosgene as well as mustard agents and the more sophisticated nerve agent's tabun and sarin (Venter, 2004).

On April 15, 1987 Iraqi aircraft dropped chemical weapons in the widely separated Kurdish Democratic Party (KDP) and Patriotic Union of Kurdistan (PUK) military headquarters. The next day 16th April poison gas was dropped by aircraft and helicopter on Sheikh Wasan, Balisan and villages north of Sulaimaniyah, in the first of some 60 chemical attacks on civilian's targets over the next 18 months. The attacks on Halabja strengthen PUK's aim for striving and fighting for "one Kurdistan" and reinforced the clichéd statement of "the Kurds have no friends but the mountains".

Halabja is a Kurdish town located near the Iranian border, which

had a population of 80,000 people. On April 1987, to handle the Kurds and the mission, Saddam made his first cousin, Ali Hassan Al-Majid "Chemical Ali" supreme commander in the Kurdish region. Chemical Ali turned to Iraq's stockpile of weapons of mass destruction and he boasted to members of Iraq's ruling Baath Party how he would deal with the Kurds "I will kill them (Kurds) all with chemical weapons!", without any outcry from the international community. Chemical Ali knew that since 1983 the Iraqi government had been using chemical weapons against Iranian troops, and that the international community was well aware (Lando, 2007). The first chemical attack occurred in April 1987, over the next year and a half, Saddam's regime gassed at least sixty villages with impunity (Randal, 1999). Among those sixty villages-Goktapa and Askar; two villages owned by brothers was attacked by chemical weapons. There are no exact numbers of those who died in these two particular chemical attacks.

The immoral attack on a civilian region has to be highlighted; the largest-scale chemical weapons attack against a national population in modern times. Halabja was a bustling city in Northern Iraq with a population which was predominantly Kurdish and had sympathized with Iran during the Iran-Iraq war in the 1980s. The attack on Halabja is assumed to be the first documented assault using chemicals on a city, although there are many other incidents of chemical weapon attacks on villages. Troops from the Kurdish Patriotic Union of Kurdistan (PUK) entered Halabja on 15th March 1988 amidst heavy resistance from Iraqi security and military forces. Halabja fell to the PUK troops (accompanied by Iranian revolutionary guards) four hours later. The Iraqis responded with heavy artillery fire and an early wave of six aircraft bombarded an area near Halabja with ordinary high explosives. The civilians had been prevented from leaving the town by the PUK, hoping that the Iraqis would not attack a town with civilians in it; thus providing a human shield (Gosden, 1998). Halabja was not part of the Anfal (the term Anfal means "the spoils" which is the name of the 8th Sura of the Koran, and this was genocide committed against the Kurds- Salih, 1995), because Halabja was a city and the Anfal was intended to deal with villages and the rural Kurdish population. The chemical attack began early in the evening of March 16th 1988 when a group of eight aircraft began dropping chemical bombs; the chemical bombardment continued all night. According to Kurdish commanders on the scene, there were 14 aircraft sorties during the

night, with seven to eight planes in each group, and they concentrated their attack on the city and all the roads leading out of Halabja. The chemical attacks continued until March 19th 1988. Iraqi planes would attack for about 45 minutes and then, after they had gone, another group would appear 15 minutes later. However, this was not the first chemical attack by Saddam Hussein. Previous attacks had been launched by Iraqi aircraft against 20 small villages in 1987. However, the scale and intensity of the chemical campaign against Halabja was entirely different. This was the first time that chemical weapons had been used on a major civilian population of this size. The victims of the attack included women, children and the elderly (Gosden, 1998).

**Nasreen Abdel Qadir Muhammad an inhabitant of Halabja, her account of what happened on that sombre day** (Venter, 2004):

Early morning of March 16th, 1988 a helicopter was taking pictures with a regular camera and two men were taking pictures with a video camera. The strong smells of garlic, apples, eggs and garbage were stimulating the senses. First Noticed how the animals were dying and then the symptoms of mustard and nerve developing in the humans. The use of cellars and basements by the inhabitant would later become gas chambers.

Iraqis initially attacked with conventional weapons during the early morning with air strikes and artillery shells; later in the day chemical weapons were used. An eyewitness account of what they saw after the chemical attacks (Yildiz, 2004, p. 27):

Dead bodies-human and animals-littered the streets, huddled in doorways, slumped over the steering wheels of their cars. Survivors stumbled around, laughing hysterically, before collapsing. Iranian soldiers fitted through the darkened streets, dressed in protective clothing, their faces concealed by gas masks. Those who fled could barely see, and felt a sensation like needles in the eyes. Their urine was streaked with blood.

There is something else that sets Halabja apart from other known chemical weapons attack including the Aum Shinrikyo attack on the Tokyo subway in 1995 and other chemical attacks. The Halabja attack involved multiple chemical agents including mustard gas, and the nerve agent's sarin, tabun and methylphosphonothioic acid (Chemical Cocktail). Some sources report that cyanide was also used. It

may be that an impure form of tabun, which has a cyanide residue, released the cyanide compound. Most attempts directed to developing strategies against chemical or biological weapons have been directed towards a single threat. The attack on Halabja illustrates the importance of careful tactical planning directed towards more than one agent, and specific knowledge about the effects of each of the agents (Gosden, 1998).

Exposed civilians are particularly at risk if a war strategy aims to produce civilian casualties on a large scale. Developing effective treatment regimes for children, the elderly and sick are even more daunting. The task is ever more terrible when having to treat a chemical weapons "cocktail." Saddam clearly intended to complicate the task of treating the Halabja victims. At a minimum, he was using Halabja as part of the Iraqi chemical weapons test program. However, there are counter arguments to this claim that Halabja was used as a testing ground despite Saddam sending in Iraqi soldiers in full protective gear to study the effectiveness of the chemical attack and it is unclear which regiment the Iraqi soldiers belonged to (Gosden, 1998).

In the attack on Halabja five thousand civilians died immediately. The entire town of 80,000 of inhabitants were affected; there was no immediate medical care. The wounded were helping the wounded. The agents used consisted of potent and persistent carcinogens, resulting in many survivors with complicated long term illnesses, diseases and consequences. Saddam often used mustard and nerve agents in the same attack and weaponised chemical agents mixed with biological agents such as anthrax. Cocktail of agents can lead to difficulties in detecting all the agents used, increases fatalities, complicated symptoms and detection, and makes contamination challenging. Many of the survivors still have complicated long term difficulties because no decontamination was carried out on victims, the environment or the unexploded bombs and mimes that harboured large amounts of chemical agents; nerve and mustard (Gosden and Gardener, 2005).

The PUK peshmerga chose Halabja as a town to hide in with dire consequences for its inhabitants and unprotected civilians. Yet Saddam's regime resisted the temptations to reinforce Halabja with large numbers of ground troops for it had an entirely different strategy in mind. The Iranian soldiers already on the grounds of Halabja, flitted throughout the darkened streets, dressed in protective clothing, their



faces concealed by gas masks (Human Rights Watch, 1993).

After the Iraqi troops defending the city of Halabja surrendered, rather than fight against overwhelming numbers of Iranian attackers, the Iraqi Air Force quickly bombed the city with cyanide and mustard gas. The bombing could have been aimed at Iranians troops to cause casualties or to simply dissuade them from continuing their offensive. The Iraqi government certainly showed little regard for its surrendered troops or for the Kurdish civilians. The chemical bombings of Halabja may also have been a signal to the Iranian government of Iraq's readiness to turn its long range missile and air bombardment of Iranian cities into a chemical bombardment. In fact, Iraq explicitly threatened such attacks (Utgoff, 1990).

An account of one young girl's horrific experience of the chemical attack:

I can hardly talk about the situation, even now. Once we realized that chemical weapons had been used, we thought we would all be killed. Ahmed had a sister who was crying. She said "I can't leave Ahmed, I want to die here with him" Ahmed's brothers and sisters were unable to leave him. All of them died and became martyrs.

We started to run. We had three vehicles. Before we got into the vehicles, my mother soaked our heads in water. She soaked our faces and put a wet cloth against their mouths. I put a school handkerchief to my face.

We got in the vehicles. I was in the back of a pickup truck. I saw white smoke rising.

We saw people fall onto the ground and die. I watched people hang onto the vehicle and try to climb into the truck. Then, I saw them fall off and die.

The drivers became confused. The chemicals were affecting us. The driver of our vehicle, who was my cousin, fell unconscious and crashed into a wall. He died and became a martyr. When the vehicle crashed, everyone inside the cab was injured and unconscious, including my parents, brothers and sisters.

Another cousin and I were conscious and alive. My cousin said, "Let's run to my uncles' home".

I said, "I can't leave my family."

It was evening and it was getting dark.

My cousin left.

This was a day in which no one cared about anyone else.

I stayed there with my parents, brothers, and sisters. I sat there alone. I touched my parents' faces and shook them to see if they were alive. I did not want to believe that they had died. I kept shaking them and hoping they would start breathing. It was useless. (Shamsa's story; Rothenberg, 2006).

Often differing odours of the chemicals weapons were reported as;

- Garlic
- Rotten apples
- Roses
- Mint
- Sweet melons
- Cucumber
- Perfume

The true figures of Halabja remain elusive; estimates vary from 3000-7000 victims murdered (Human Rights Watch, 1993).

Many of the residents had taken shelter in primitive air raid shelters which they were so used to in their basements. It was in these basements they were trapped by a gas heavier than air smelling like reported by some like old apples or burnt sulphur. Experts later declared that such quick deaths and clinical symptoms were associated not with mustard gas but with sarin, a nerve agent developed but never deployed by Nazi Germany (Lando, 2007). Iraq managed to obtain chemical warfare agents from the outside of Iraq and also to develop of its own domestic production complex at Samarra (Burck and Flowerree, 1991).

The mass gassing of Halabja was a psychological blow for the Kurdish peshmerga and their civilian sympathizers. The notion of never winning against Saddam and chemical warfare was a feeling felt among many of the Kurds.

Never before in their long struggle with Iraq had the Kurds been at the direct mercy of a single man (Chemical Ali, Majid) entrusted with

such life-and-death powers. Majid had total power in civil, military and security matters in Northern Iraq (Kurdistan). He exercised his powers with unbridled gusto until he left Kurdistan on April 4, 1989. On many of the tapes seized, Chemical Ali justified the repeated use of chemical poison gas against the Kurds in a summit to Baath members; "Who is going to say anything? The international community? Fuck them!" Indeed his assumptions were correct, there was no international outcry and even with substantial evidence the crime against humanity was played down (Randal, 1999).

### **International Response**

In August 1988 (60,000) Iraqi Kurds crossed in panic to Turkey, fleeing repeated chemical attacks. The Turkish government had ample evidence of gas victims among the Kurdish refugees in its clinics and hospitals but found it politically advantageous to avoid openly talking about chemical attacks and changed diagnosis to malignant cases. Hence, complete secrecy was adopted by the Turkish government due to two particular factors, fear of missile attack and owing debts (Randal, 1999).

The Arab League expressed total solidarity with Iraq and Saddam, due to fear of vengeful and possible chemical attack despite being confronted with evidence (Randal, 1999).

Two hundred foreign correspondents were invited by the Iraqi's to visit Iraq Kurdistan taken on a well guided tour and predictably no evidence of chemical warfare agents was ever found. It has been reported that often the Iraqi forces took investigators and visitors to the wrong locations which were not attacked by chemical weapons. This was to show outsiders that the attacks on Halabja were not true and only rumours. Diplomats were banned to visit Kurdistan for security and safety reasons-since it was suggested to them that Kurdistan was a dangerous place because of the Iranian troops and the peshmerga. The heavy handed and malicious secret police monitored the rare official trips. Ambassador Glaspie travelled to Iraq in August 1988 and managed to secretly and skilfully enter parts of Kurdistan but not Halabja where the chemical attacks were committed and this meant there was a lack of definite evidence to conclusively suggest that Halabja was indeed chemically attacked (Randal, 1999).

A report by the Physicians for Human Rights (PHR), based on their mission to the region (Halabja) on 7-16 October 1988 (five months after the attack) revealed several conclusions for the international significance of the chemical warfare allegation (PHR, 1988).

1. Iraqi aircraft did indeed attack Kurdish villages with bombs containing lethal poison gas.

2. These poison gas bombs killed both human and animals.

3. The reports based on interviews conducted in refugee camps, emphasised eyewitness accounts of bombing runs followed by the appearance of yellowish gas clouds.

4. Survivors reported many symptoms including inflammation of the eyes and respiratory tract and blistering skin burns.

5. The report concluded that the survivors had symptoms consistent with chemical burns by a blistering poison gas, such as mustard gas.

6. Eyewitness accounts of death beginning within minutes of exposure however cannot be explained by mustard gas alone. This raises the question of whether nerve agents were also deployed. However, the absence of any real evidence, other than eyewitness accounts and anecdotes leaves this question unanswered.

Saddam was guilty of genocide, defined in the words of a 1948 UN Convention as the "intent to destroy in whole or in part national, ethnical, racial or religious groups" (Randal, 1999).

Just as Saddam and his clan are to blame for the atrocities committed to the people so are the prominent world leaders and business from their roles played and yet they got away with it (Lando, 2007).

In June 1988, Jalal Talabani made a visit to Washington, gave three state departments official's detailed information about the use of poison gas, destruction of Kurdish villages and failed negotiations with Saddam. However, on this visit Talabani did not accomplish much (Randal, 1999).

Saddam insisted that Halabja was the work of the Iranians and continued with this claim for many years, until he was proven wrong by a number of investigations carried out by outsiders. Saddam claimed

the Kurds who fled to Turkey were panicked by crowd control irritant and not chemical weapons. Irrefutable scientific corroboration of the mustard gas and nerve agents used was to come years later (Randal, 1999).

A conference in Paris in January 1989 organised by the shamed international community, reaffirmed the need to honour the Geneva Protocol on chemical weapons. The conference barred the Kurds from confronting the Iraqis and Kurdish protestors and demonstrators were kept well away (Randal, 1999).

The United Nations sent a team to investigate chemical warfare allegations made by both Iran and Iraq. The team visited Iran from 28-31 March and the patients were examined six days after the attack (Burck and Flowerree, 1991).

An official statement by the Turkish government was equivocal, neither confirming nor denying that chemical weapons had been used in Halabja murdering innocent Kurds. Iraq had used chemical weapons against the Iranians therefore; the Kurds knew too well what their government was capable of. A massive migration of Kurds began on 25-08-1988 and it was stopped when Iraq sealed all its borders to prevent further migration (Physicians for Human Rights, 1989).

Kurds in two separate Turkish refugee camps described the poison gas attacks convincingly. Healing burn wounds were apparent on physical examination. Soil samples taken from Iraq Kurdistan revealed thermal degradation products of sulphur mustard and Iraqi troops were seen in the region after the attacks wearing gas masks and protective gear. Iraq disillusioned and declined United Nations investigations despite having previously permitted such investigations on its territory (Physicians for Human Rights, 1989).

The Turkish doctors kept changing their stories about the chemical weapons attacks and those involved in treating the survivors of the chemical attacks had no previous experience with chemical weapon injuries. The Turkish doctors insisted they were treating third degree burns but would not speculate the actual cause of the burns. There was a complete denial by the Turkish doctors of chemical weapons attacks in the Kurds because the Turkish government denied it due to political tensions with Saddam. Yet, doctors have an obligation to

report violations of international law to national and international authorities (Physicians for Human Rights, 1989).

### **Effects of mustard gas on the civilians of Halabja**

In Halabja, thousands died immediately and many survivors have severe long term problems because no decontamination was carried out on victims, the environment, or the unexploded bombs that harboured large amounts of nerve and mustard agents (Gosden and Gardener, 2005).

Complaints of painfully swollen testicles or breasts, blood in urine and temporary blindness, blurred vision, yellowish discharge oozing from eyes and nose, skin turned black or blistered were among many of the common symptoms reported. Eyewitness testimonies reported some dropped dead instantly which is associated with sarin and not mustard gas (Randal, 1999).

Some of the survivors were from hospitals and taken away by the Iraqi forces. The term Anfal means "the spoils" and this was genocide committed against the Kurds (Salih, 1995), in this Anfal style, females, children and elderly were kept separate and males taken away never to be seen again despite needing urgent medical attention from the chemical attacks (Randal, 1999).

However, there are no records of scientific research on Halabja and its thousands of survivors who still live in Halabja and a minority who live in the West. Medical records and evidence of the chemical attack are not easily available, only anecdotal evidence and eyewitness accounts. There is no empirical evidence available on the psychological impact of the chemical attacks.

### **After effects of chemical weapons**

The people had no homes to return to for virtually every structure in Halabja was levelled with dynamite and bulldozers, also the electrical sub-stations were dynamited (Human Rights Watch, 1993). Despite this, the water, environment and the surrounding area would have contaminated with the chemical agents.

Even after the razing of Halabja, many bodies remained in the

streets; these bodies were rotting where they had fallen four months earlier. The Iranian forces in Halabja have managed to bury an estimated 3,000 victims of the March 16th chemical attacks in mass graves under a thin layer of dirt in the complex of Anab. Four years later, the corpses were still there and they were beginning to pollute the local ground-water (Human Rights Watch, 1993).

After the chemical attack, the Iranians were ready for the influx of refugees and military doctors administered atropine injections to the survivors before they were ferried across the border. In Iran they were well cared for, but some died on Iranian soil as they were untreatable. The sickest and serious cases were transferred to hospitals in the Iranian cities of Teheran and Kermanshan (Human Rights Watch, 1993).

The inhabitants of Halabja took out their anger on the Halabja monument on the 18th anniversary and destroyed the monument, because the majority of the young people accused the regional authorities and government of malfunction, dishonesty, corruption and bias. Many of the residents were complaining of major construction problems, lack of basic amenities and services such as water and electricity. Further, there was a substantial lack of health care for the survivors of the chemical attacks who, are still suffering from complicated diseases (Westcott, 2006).

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# GENOCIDE AND US: THE CONTRIBUTION OF PRIMO LEVI

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## Outline

In Primo Levi we find a warning, a hope and an invitation.

**In part 1** of the paper, the warning. As 'centaurs, a tangle of flesh and spirit' we are ill-constituted creatures, our civilisation is much more fragile than we think, and evil is a reality. Auschwitz happened, so it can happen again. That is the warning.

**In part 2** of the paper, the hope. We can protect ourselves against ourselves. We can strap on a 'moral and political armature' (protection) as a society, and as a global society, to ward off the danger that it could happen again. In part 2, I discuss the need to witness, to reason, to judge and to fight; to put cruelty first, and to promote democracy. I suggest that in these ways Levi offers us a politics of hope in the shadow of catastrophe.

**In part 3** of the paper, the invitation. Philip Roth wrote that Levi found life 'exquisite'. Levi invites us to do the same.

**NB.** The power point slides that accompany this talk can be requested from Professor Johnson at johnsona@edgehill.ac.uk

## **Introduction: Who was Primo Levi?**

Primo Levi was born in Turin in 1919, in the city's Jewish community, and he grew up a preternaturally shy and intelligent boy. In late 1943, by now a 24 year old chemist, he was captured while fighting with the anti-fascist resistance during World War Two. As a Jew he was sent to the death camp of Auschwitz. 650 Jews went with him in that train. Levi was one of 20 or so to return. 1.1 million people were murdered in Auschwitz; 1 million were Jews. Levi's knowledge as a chemist saved his life. He became a slave labourer in Auschwitz 3, the Monowitz camp, in the Buna rubber factory. His experience in Auschwitz gave him an intense need to testify. 'I had a torrent of things to tell the civilised world. I felt the tattooed number on my arm burning like a sore' he wrote. And for the next 42 years he wrote about his experience, and reflected on the phenomenon of totalitarianism, in a series of remarkable books – testimony, stories, novels, poetry, and essays. His most famous book is *If This Is A Man* – a searing account of his time in Auschwitz, written after his return to his home in Turin. The book was hailed as 'One of the century's truly necessary books' by the novelist Philip Roth. The same writer found in Levi's thought what I hope I shall bring out in this paper – 'not just his memory of the unbearable, but also ...his delight in what made the world exquisite to him'. Levi died in 1987, almost certainly by suicide, a complicated subject outside the scope of this talk.

One biographer, Carole Angier, claimed Levi salvaged a 'wealth of human understanding from the ashes of Auschwitz'. My claim is that Levi also mined a wealth of political understanding – aurum de stercore, or gold from dung.

Now, when I claim that Levi's thought can help us think politically today, what do I mean? Well, let's begin with something Levi said about how each of us develops our own personal philosophy of life, our 'rulebook' of how to live it. '[N]o one is born with a ready-made rulebook, rather we all build our own... in the wake of our experiences or those of others we have taken in'. I suggest that not just individuals but societies too, need such a rule book – we need what the communitarian thinker Michael Sandel calls a public philosophy. The broad ideals we live by, the values that guide us, the models we

are inspired by, our learnt habits of heart and mind – all these, ultimately, shape our political institutions, our politicians and the policies they (and we) pursue far more than think tanks and policy wonks. Primo Levi, I suggest, as a theorist of totalitarianism, supplies 'elements that are wanted' (i.e. lacking) in the public philosophy of liberal democratic societies such as our own that, once again, face a totalitarian foe. We can't of course, draw any particular policy from Levi's work, and I do not look to him for that. But I think he can help us to do the two things we have to do simultaneously today – defend ourselves and preserve our values.

I have framed my reading of Levi in the terms of totalitarianism and antitotalitarianism. Totalitarianism refers most obviously to Italian fascism, German Nazism, and Russian Stalinism, most obviously – regimes that seek a total control of the individual in the name of an ideology and through the mechanism of state control and terror. I would define the Ba'athism of Iraq and the more radical currents of Islamism as variations. Antitotalitarianism means far more than opposing these regimes and movements. As the French political writer Pierre Rosanvallon, notes, it means 'a complete renovation of the conceptualisation of the political ... taking the recognition of totalitarianism as its point of departure.' But I don't want to make the case for those terms here. I think you can relate to much of the argument whether or not you share my framework. Some will prefer to think about these things in terms of 'gross abuses of human rights' or 'crimes against humanity'.

### **In Levi I find a warning, a hope and an invitation.**

In part 1 of the paper, the warning. As 'centaurs, a tangle of flesh and spirit' we are ill-constituted creatures, our civilisation is much more fragile than we think, and evil is a reality. Auschwitz happened, so it can happen again. That is the warning.

In part 2 of the paper, the hope. We can protect ourselves against ourselves. We can as he says strap on a moral and political armature (protection) as a society, and as a global society, to ward off the danger that it could happen again. In part 2, I discuss the need to witness, to reason, to judge and to fight; to put cruelty first, and to promote democracy. I suggest that in these ways Levi offers us a politics of hope in the shadow of catastrophe.

**In part 3** of the paper, the invitation. I mentioned before that Philip Roth wrote that Levi found life 'exquisite'. Levi invites us to do the same.

### **Part 1:**

The warning: staring into the abyss

Levi helps us to 're-read the political tradition through a lens darkened by the Gulag and Auschwitz', as Robert Fine wrote in *Democratiza* of the work of that other antitotalitarian, Claude Lefort.

We need that darkened lens. We just escaped from the most murderous century in human history by the skin of our teeth. The facts are such that we might feel a kind of 'species shame.' Deaths by organised violence amounted to between 167-188 million people. 58 million people were killed by WW2 alone. 16 conflicts – wars, civil wars, genocides and mass murders – had over 1 million victims. During WW2 the Nazis murdered about 6 million Jews, an event known variously as the Holocaust – not a term Levi liked to use – or the Shoah or the Nazi genocide. Also killed by the Nazis were 220,000 Sinti and Roma along with the many others considered 'racially inferior' or 'undesirable', including mentally or physically disabled Germans.

The scale of killing perpetrated by that other form of totalitarianism, Communism (or 'Stalinism' if you prefer) is also difficult to take in.

What does Levi want to say about this, to us, his readers? Simply, that 'It happened, therefore it can happen again (...) Few countries can be considered immune ... It is therefore necessary to sharpen our senses.'

First we need to sharpen our senses about ourselves, because, tragically, we are ill-constituted.

#### **1. We are ill-constituted**

Primo Levi thought human beings were like centaurs, a 'tangle of flesh and mind, of divine inspiration and dust'. The human condition was tragic because that which makes us human, and helps us to survive, also contains the seeds of our potential destruction.

As Frederic Homer has pointed out, Levi sees in our human attributes our potential undoing. Let's look at four such attributes.

First, as Aristotle said, we are 'social animals', we are gregarious, we form groups. But there lies our tendency to simplification or Manicheanism: categorical thinking (us and them, in and out), prejudice, hostility to the outsider, racism.

Second, hierarchy can be natural, even useful in human relations. Striving is, we feel, part of what makes us human. But there lies the irrepressible tendency for us to vie for prestige, to dominate and to keep creating 'master-slave' relations between ourselves. Levi struck a, well, frankly conservative note in this regard: 'The ascent of the privileged not only in the [concentration camp] but in all human co-existence, is an anguishing but unending phenomenon: only in utopias is it absent.' We can and must fight against this tendency, we can push it to the margins, but it will be 'a war without end', thinks Levi.

Third, assertion, even aggression is necessary for our survival. But from it grows violence, and our astonishing creativity in its use. In 1955 he wrote about 'the unsuspected reserves of viciousness and madness that lie latent in man.'

Fourth, we are distinguished from the other animals by our capacity for reason but consider some of the uses we have put our reason to. Our intelligence can outstrip our wisdom. 'Chemistry has given us dynamite, out of Einstein and Fermi came Hiroshima, from tranquillisers the tragedy of thalidomide, cancer comes from colorants'.

Levi is not saying, not at all, that there is an inevitability that these morbid potentialities of ours must dominate. We are centaurs remember, with two sides, and so contain other potentialities – for cooperation, altruism, and mutual recognition. But Levi is warning us that both potentialities are there, and consequently, 'We hold in our hand the key to maximum benefit and maximum harm: two contiguous doors, two locks, but only one key'. His work, I think, is about helping us to find the right door.

## **2. Civilisation is fragile**

Levi the chemist knew that all living substances have a 'fragile stability' which Chemists call meta-stability. In his story 'Stable/Unstable', Levi, sounding very like Freud, extended this notion of the fragile stability of living substances to the social world, which 'seems stable and is not, in which awesome energies (and I am not only

speaking of nuclear arsenals) sleep a light sleep'.

Circumstances can arise – social psychologists talk of 'the power of the situation' – in which our dark side, to call it that for now, overflows our defences. The unthinkable can happen – civilisation gives way and those awesome energies that sleep a light sleep are awoken. The research tells us – and how miserable a finding is this? – that the German perpetrators were 'ordinary men' not monsters. The perpetrators were, by and large, not pathological sadists, Levi tells us this, and so do Goldhagen and Browning (who disagree about much, but not one jot about the ordinariness of the perpetrators). Isn't that the shocking fact proven beyond doubt by the social psychological experiments into obedience and aggression by the post-Holocaust social psychologists Milgram and Zimbardo?

What causes the collapse of civilisation? Although lack of state power can erode civilisation, by delivering the unprotected weak into the hands of the unrestrained strong, it has been the overweening totalitarian movement-cum-state that has been the most powerful engine for the collapse of civilisation. Solzhenitsyn showed this for Soviet Russia, Kanan Makiya for Saddamist Iraq and Levi for Nazi Germany. The modern totalitarian movement-cum-state crushes the individual conscience, Levi tells us, with three weapons: propaganda, control of information, and terror.

### **3. The reality of evil**

And, likewise, we have difficulty bringing into focus what Levi the 'problem of problems' – 'the reason for evil'. Levi formulates the question in this way: 'why the innocent? why the children?'. We social scientists develop theories – situationally induced conformity and obedience, scapegoating, stigmatisation, and so on. But there always remains the excess, the 'useless cruelty' and 'collective madness' as Levi put it. There always remains little Emilia Levi.

Levi wishes us to sharpen our senses about all of this even though it is deeply uncomfortable to do so.

But he does not offer a counsel of despair. He is tempted, for sure, and there are moments in his writings, and in his life, and perhaps in his death, when he did succumb to despair. He suffered several depressions (though they can be traced to more than Auschwitz).



But the bulk of his writing is stoically optimistic. Look, he says, we humans can learn. We have always transgressed against our biological inheritance. We built shelters rather than hide in the caves. And we are capable of building social shelters, so to speak. We can put an 'obstacle in the way of certain instincts that are our animal inheritance'. And what is that armature? A 'truly solid moral [and political] armature' by which he means a protection.

The rest of the paper looks at what Levi meant by this moral and political armature – or protection – this social shelter each generation must erect and maintain.

We must begin with hope. For as Levi says, without 'a certain amount of optimism' 'one doesn't accomplish anything and one lives badly'. And that hope begins inside the camp itself.

## Part 2:

### Towards a politics of hope

Lorenzo Perrone was a Catholic man who saved Levi's life in Auschwitz, and whom Levi's children, his daughter Lisa Lorenza, and his son Renzo, are named in honour of. Lorenzo was not a prisoner but an Italian hired worker, a mason. One day in summer 1944 Lorenzo and Primo discovered they were speaking in the same Piedmont accent. Despite the dangers – if he had been caught he would have been severely punished at the very least – Lorenzo brought Levi soup every day for half a year, gave him a vest to keep him warm, sent postcards out of the camp and was the conduit for Levi's mother, Ester, to send him chocolate, cookies, powdered milk and clothing.

Let me tell you about the last meeting between Primo and Lorenzo. It occurred after a heavy Allied bombardment. A bomb had burst one of Lorenzo's ear-drums and thrown sand and dirt into the bowl of soup he was carrying for Primo. Lorenzo apologised for the state of the soup but did not mention his ear because he did not want his friend to feel indebted to him.

People like Lorenzo helped keep Levi alive as a man. They embody an alternative ethic, of mutual aid.

Now, if we are to take that hope, to take Lorenzo's example from

within the camp and make of it the basis of a public philosophy outside the camp, Levi seems to suggest we need to strap on the following pieces of moral and political armature: witnessing, reasoning, judging, fighting, putting cruelty first and democracy.

#### 4. Witnessing

First we must witness. Telling the story of the victims of totalitarianism is a private act of remembrance, yes, but it is also a public and political act.

Levi was first and foremost, a witness. He felt an intense need to testify about what had been perpetrated in Auschwitz. He said this was for his own internal liberation and because he felt 'remembering was a duty' to the dead. I think he paid a very high price for it. Robert Gordon writes of Levi's 'attempts to position himself between the necessarily horrific memory and the cognitive and ethical dividends paid by holding on to that memory with awareness'. Levi's service to us was to keep returning to those horrific memories for 42 years – filtering and transforming them from 'pathological testimony' to 'ethical memory'.

Levi wrote in the 'calm sober language of the witness' so that his readers could be the judge. But in his poems we hear a more urgent tone.

In one poem, *Shema*, which everyone should have a copy of, Levi demands that we witness and threatens us if we do not. Let's look at this short poem.

##### *Shema*

*You who live secure  
In your warm houses,  
Who return at evening to find,  
Hot food and friendly faces:  
Consider whether this is a man,  
Who labors in the mud  
Who knows no peace  
Who fights for a crust of bread  
Who dies at a yes or a no.  
Consider whether this is a woman,  
Without hair or name  
With no more strength to remember*

*Eyes empty and womb cold  
Like a frog in winter.  
Consider that this has been:  
I commend these words to you.  
Engrave them on your hearts  
When you are in your house, when you walk on your way,  
When you go to bed, when you rise.  
Repeat them to your children.  
Or may your house crumble,  
Disease render you powerless,  
Your offspring avert their faces from you.*

### **Primo Levi, 10 January 1946**

Though Levi was not a believer, he wanted his appeal for us to hear and to witness to have the power of a religious commandment. The last nine lines of the poem are a version of the Shema, the central credo of Judaism, taken from the Old Testament, Deuteronomy 6:4-9: 'These words ... shall be upon your heart; and you shall teach them diligently to your children...'; etc.

The 'words' in Deuteronomy (about the one God) and the 'words' of Levi's poem (about what 'has been' – the demolition of man by man) are different. But in both our survival is at stake. I think Norman Geras has it right. In Shema 'Levi issues ... an injunction to live with the terrible image of human violation before you, near you, on your heart ... more is entrusted to these lines than only a wish to have the victims [remembered] Entrusted to [these lines] also is a live question and concern.'

### **5. Reasoning**

Second, we must reason. Levi thought too many twentieth century intellectual failed to reason things out. Instead they 'found it convenient, economic, to pour our faith in a ready-made truth: it was a human but mistaken choice'.

It was during his chemistry studies, Levi tells us, that he began to take the measure of totalitarian forms of unreason. He discovered Zinc would not transform into Zinc sulphate if it is very pure. (I would not wish anyone to get the impression I know what I am talking

about at this point, I am telling you what Levi says, that's all!). Two different philosophical conclusions could be drawn though Levi. One could praise purity, but he didn't want to do that. 'The praise of purity I discarded. For life to live, impurities are needed ... Dissension, diversity ... Fascism does not want them, it forbids them, and that's why you're not a Fascist,' he said to himself. 'It wants everyone to be the same and you're not the same'.

In his essay 'Eclipse of the Prophet' Levi took this line of critique much further. He warns us: when intellectuals behave as prophets, beware. Fixing our minds on 'golden and distant idols' (a future golden paradise) they intoxicate us with both the vision and the Great Leader who bears it. After Auschwitz, Levi hoped we had got past all this. He thought the prophets had been eclipsed – 'no prophet dares any longer to reveal our tomorrow to us'. There was one small cloud on the horizon, though. '[P]erhaps the last ill-omened specimen is Ayatollah Khomeini and he won't last long'. Well, things turned out differently. Khomeini twisted a great religion and its vision. He secularised it, politicised it, and decked it out with the revolutionary language and intolerant spirit of the European totalitarian tradition. And so we are confronted with a new form of totalitarianism – in Ladan Boroumand's phrase, totalitarianism 'in Islamist dress'. Today, Khomeini's successor seeks to reveal our tomorrows to us in one breathe while denying the Holocaust in the next.

Levi's alternative to the grandiose dreams and beautiful words of intellectual-cum-prophet involves a triple deflation. He seems to recommend a much more modest and human scale understanding of who we humans are (ontological deflation), what we can know (epistemological deflation) and where the proper centre of a moral life lies (ethical deflation).

Ontology deflation. The very first story Levi wrote 'was 'Uomo' (Man). In the story, Uomo has a godlike quality, but only when he is not part of the world. As soon as he joins the world, then uomo loses those qualities as he is 'tested and worn by the desperate complications of human affairs'.

Epistemological deflation: Levi urges us to put the blue-print in the bin. 'We must build our own tomorrow, blindly, gropingly; build it from its roots without giving in to the temptation to re-compose the

shards of old shattered ideals and without constructing new ones'. Between an anti-human scientism and an anti-human luddism Levi proposed a third way. 'We cannot continue to "progress" indefinitely, but neither can we stop or retreat on all fronts. We need to deal with the problems one by one, with honesty, intelligence and humility: this is the delicate and formidable task'. Now, you can't exactly put that on a placard, but there it is.

**Moral deflation:** Robert Gordon's essential book, Primo Levi's Ordinary Virtues establishes that for Levi the proper centre of a moral life is the ordinary life of family, home, work, production. (More on that later.)

## 6. Judging

Third, we must judge. Hannah Arendt told us judging is central to democratic politics because democratic politics involves applied reason and the weighing of concrete alternatives. But too often we seem to have lost our tongue when it comes to judging. We sometimes seem to have forgotten what we used to know – that there is a difference, all the difference in the world, between judging and labelling, between reasonable acts of discernment and unreasonable acts of prejudice.

One of history's ironies is at work here. Nothing so put us off judging as totalitarianism. As Levi put it, 'the global labelling so dear to totalitarian regimes repels us' (He means 'enemy of the people', 'inferior race' – all that rubbish). But the result is that we sometimes seem to have lost the self-confidence we need for authentic judging even when we are faced with a new form of totalitarianism. 'Who are we to judge?' it is often said, or thought. Levi saw a great danger in this. Indeed, 'To judge is necessary ... precisely because we are not totalitarians'.

After the fall of the Berlin Wall, a Polish dissident Adam Michnik asked the liberal philosopher Jurgen Habermas why he had never attacked Stalinism head on. 'I did not want applause from the wrong side' replied Habermas. (He meant the United States of America). When will we realise there are worse things in this world than 'applause from the wrong side'?

## 7. Fighting back

Perhaps this will be more controversial, I don't know. I read Levi as saying, in a qualified way, that part of our moral and political armature against the threat of totalitarianism is the understanding that we have to fight back.

Levi was tormented at the thought of picking up a gun and killing. Angier writes of his 'deep horror of violence'. It was alien to everything he had believed in, valued, and had practiced in his life up to that point. Yet in 1943, as Angier puts it, 'he would resist his instincts and make a moral choice to accept the necessity of killing'. After weeks of indecision he joined the resistance.

Levi had decided a personal ethic of non-violence was inadequate. By joining the resistance he resolved the tension between what the theologian Reinhold Niebuhr famously called 'moral man' and 'immoral society'. One night, after a successful raid to capture arms, Levi talked to his friend Aldo as they walked back to their camp. 'How sad' said Levi, 'that a man must seek weapons to use against other men'. The sadness is his personal feeling as a moral man. But the seeking of the guns nonetheless, and their use, is his public ethic in an immoral society. I think both the sadness and the seeking were to his eternal credit.

And yet as always with Levi, and this is his great strength, he qualifies and complicates his first thought – fight! – with other thoughts. I point to three here: the need for prudence, the threshold of 'last resort', and the awareness of the unintended consequences, or what Levi calls the hard to control 'genealogies' of violence.

Prudence: Politicians, Levi advised, should 'learn to live like chess players'. He wanted his politicians 'meditating before moving, even though knowing that the time allowed for each move is limited, remembering that every move of ours provokes another by the opponent, difficult but not impossible to foresee; and paying for wrong moves'. I don't need to belabour the relevance of those insights.

**Last resort:** Violence should be a last resort. 'There do not exist problems that cannot be solved around a table', he wrote, though he added, crucially, 'provided there is good will and reciprocal trust'.

Unintended consequences: 'From violence only violence is born' he

writes. I disagree with that formulation. I think it an overstatement, contradicted by much else that Levi writes. But where he says it, in his last book *The Drowned and the Saved*, it is a vitally important point he is making. That war, even a just war, will pulse out violence in uncontrollable ways, 'in a pendular action that becomes more frenzied,' as he puts it.

Our dilemma, and it really is a dilemma with no easy answers, is to promote non-violent cultures and a wider human security while meeting our needs of self-defence and, like Lorenzo, our duty to rescue, and all this in a situation where both good-will and trust is in short supply. Levi can help us, I think, to think through that dilemma.

### **8. Putting Cruelty First**

For Levi, our value structure should change in light of the totalitarian experience (some will prefer to say our ordering of the virtues should change). In short, we should 'put cruelty first', by which I mean treat it as the worst of vices, the thing most to be avoided. (The phrase is Judith Shklar's, though I venture Levi would have accepted it). Like Karl Popper, another theorist of antitotalitarianism, Levi seems to say, forget trying to maximise happiness, just minimise suffering and let happiness take care of itself.

From the totalitarian experience of cruelty and pain, Levi and others have drawn a kind of Kantian categorical imperative – in other words, a rule we must never break, a kind of secular commandment: 'It is the difficult task of every man to diminish as much as he can the tremendous bulk of this substance which contaminates every life – pain in all its forms'.

### **9. Democracy as moral and political armature**

The last part of the armature we need is democracy. Levi said we need democracy because we human beings 'can't really cope with power.' Power, says Levi, is like a drug, we need ever larger doses, and soon enough we get a syndrome, which he describes: 'a distorted view of the world, dogmatic arrogance, need for adulation, convulsive clinging to the levers of command, and contempt for the law'. The point is not that democracies do not produce such politicians. Levi is telling us any society will. The point is that only in a democracy can we get rid of them without violence.

Levi offers an evidence-based defence of democracy. We should promote democracy because experience shows it works than any other system, and not least in 'putting cruelty first'. Rummel's study of political killing in the 20th century proved that democracy is the least worst political system, because least likely to engage in genocide. The Indian Nobel prize winner Amartya Sen has proved the same thing is true of famine. There is an extraordinarily strong negative correlation between whether a country is a democracy and whether it suffers famine.

But democracy, for Levi, is not just about elections. (Another lesson we are relearning today.) Elections are part of democracy, for sure. But so are security and the rule of law. 'Where law turns out to be lacking, the law of the jungle is established', warns Levi. That warning is, I suggest to you, something of an advance on Donald Rumsfeld's 'stuff happens'. Freedom of communication is another part of democracy as without it, Levi reminds us, 'all other liberties soon vanish'. Primo Levi was a democracy-promoter, yes, but his chastened view of us would never have allowed him to think that to topple the dictator was 'mission accomplished'.

### **Part 3:**

#### Primo Levi's Invitation

##### **10. Rejoice in all the small things in life**

I said Levi offered a warning, a hope, and an invitation. Here's the invitation. Levi invites us to 'rejoice in all the small things in life'. As Christopher Hitchens says, just because we have looked into the abyss it doesn't mean we have to live on its edge.

The Taliban, representatives of the form of totalitarianism that has arisen on our watch, notoriously banned kite-flying. Levi, by contrast, comes close to rendering sacred the world of play. A spirit of moderate hedonism pervades his writings. Although he praised very highly the 'intense camaraderie of work', he seems to see us at our most human when we are simply enjoying our selves.

In play we find again 'the savour of childhood, delicate and forgotten'. Play is 'like receiving free of charge, or almost, a rare and



beautiful object'. More: 'The substantially non-verbal civilisation of play,' crosses political frontiers 'with the happy freedom of the wind and clouds'.

Levi loved the mountains, and later, the valleys, through which he would walk with the great political philosopher Norberto Bobbio. He would amuse Bobbio, another biographer, Thompson, tells us, with his 'Talmudic hair-splitting, Jewish jokes and witticisms,' and point out 'the marvels of the natural world'. But Levi also enjoyed the pavement as a 'civilised institution ... full of surprises'. He enjoyed 'the poetry of chess' a game at which has was 'execrable' but played in a 'dreamy and festive spirit'. He had a chess computer but preferred the flesh-and-blood opponent because 'he is your blood brother, even if you met him only a few hours ago. You see his face, you measure yourself against him, you know him to be as capable as you are of happy inventions and off-the-wall mistakes. At the end of the match, as if at the end of a life, you can talk to him with the familiarity that is born from a contest...'

He could be wondrously impressed by the 'instantaneous and prodigious' leap of the flea. He wrote a whole essay on that. He wrote another about the beauty of the butterfly and recalled with reverence the moment when 'an Antiopa with its brownish-purple wings' landed on the hand of Hermann Hesse, before departing again 'in the great warm light'. He really Noted things, did Primo Levi. More than that, he Noted them twice, or rather, he Noted the same thing under two optics. His aesthetic enjoyment of 'the vivacity of birds,' for instance, was not lessened but doubled by his scientific appreciation that this explosion of colour is 'an obligatory solution to the problem of survival'. Perhaps no writer has better bridged the two cultures of the sciences and the humanities.

In one essay, Levi describes his deep feelings for the house in which he has spent his entire life, bar a year in Auschwitz and a brief stay in Milan. It was a very plain house according to Levi, who called it 'a machine for living'. But, by directing his memory to the living, he enchants 'the machine' itself. Listen to him describe a nondescript little space in his house. 'The next corner, between the wall and the walnut-closet, was coveted as a hiding place when we played hide and seek; I had hidden there, on some unspecified Sunday of the Oli-

gocene, and knelt down on a sliver of glass and still bear the scar on my left knee. Thirty years after me, my daughter hid there, but she laughed and was found immediately; and after another eight years my son, with a flock of his friends, once of whom lost a baby tooth in that very spot and for mysterious magical reasons shoved it into a hole in the plaster, where it probably still is.'

Levi invited us to finding the mystery and the magic, and the joy, in these small things.

Family (a very big thing, lived as a series of very small things) was extremely important to Levi. His mother, Ester, lived with him and his wife, and he cared for her even when those duties oppressed him. He writes quite beautifully about a childhood memory of a day spent with this grandfather, who 'had a store selling fabrics on the old Via Roma'. At carnival time, he would invite all the grandchildren 'to watch the procession of allegorical floats from the store's balcony'. Levi closes his eyes and recalls the view: 'At that time Via Roma was paved with delightful wooden tiles on which the iron hoofs of the draft horses did not slip, and along which ran the tracks of an electric trolley'. (It's like prose poem, that, as much of Levi's precise, astringent writing is.)

The 'political' point is this. Levi is telling us that if we stopped looking up to a shiny happy futures and instead cast our eyes down towards the delightful wooden tiles on the Via Roma and the company of our family and friends, we might all be better off. We need fewer prophets and more menschs - that best sums up Levi's philosophy, I think.

### **Conclusion**

Primo Levi died on 11 April 1987. He probably committed suicide, by throwing himself down the stairwell of his building. Others point out how low the rail was, and suggest it could have been an accident. This writer left no suicide note. It's a complicated story beyond the scope of this paper.

Last word. Levi praised a novel by Manzoni, *The Betrothed*, one of his favourites. What did he love about it? It was, he said, 'sure, rich with a strong and sad human wisdom, which enriches you and which you feel is valid for all time'. Many find those same qualities in Primo Levi's writings. He is gone, but his books remain a living presence.

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# FROM BA'TH IDEOLOGY TO BA'TH POLICY

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## ABSTRACT

Based on an unpublished Master's thesis *Holism, Whole Personality, and Disintegration: A Case study of the Impact of Homelessness on Kurdish Families Displaced from Kirkuk* (Shaswar 2006), which investigates the impact of enforced internal displacement on the capacities of a human being for development and learning, the present paper links the emergence of the notion of exclusion, underlying Ba'ath ideology, to Arab reaction to colonial division of the Middle East. Viewing the Ba'ath policy of exclusion from the holistic perspective of Dynamic Anthropology, which studies human beings as psycho-physiologically indivisible holistic entities in whom individual inner development is inseparable from and a reaction to their outside experience, the present paper maintains that the notion of exclusion is a driving force behind the policy of institutionalized violence in Iraq and its ultimate expression in genocidal Anfal Campaigns in Iraqi Kurdistan.

The paper demonstrates that the process of ideology formation and its later expression in policy is embedded in the process of identity formation, both individual and collective, and evolves in a specific historical/political context, which brings together all the processes. This understanding pervades the whole paper and constitutes its theoretical framework. Within this framework, the paper examines the formative years of Michel Aflaq, the ideological founder of Ba'athism; exclusion as a core principle of Ba'ath ideology, and its later embodi-

ment in Ba'ath state, wherein exclusion becomes a cornerstone of the policy of institutionalized violence and its manifestation in the policy Arabization and genocidal Anfal campaigns, viewed as an ultimate form of exclusion.

### **From Ba'ath Ideology to Ba'ath Policy**

The present paper is based on an unpublished Master's thesis *Holism, Whole Personality, and Disintegration: A Case study of the Impact of Homeloss on Kurdish Families Displaced from Kirkuk* (Shaswar 2006), which investigates the impact of enforced internal displacement on the capacities of a human being for development and learning. It links the emergence of the notion of exclusion, underlying Ba'ath ideology, to Arab reaction to colonial division of the Middle East in the aftermath of World War I and to imposition of nation-state mode of governance on its population by colonial powers. The paper brings together into an inseparable whole the process of formulation of the Ba'ath ideology, the issue of identity formation, and the expression of Ba'ath ideology in Ba'ath policy. The issue of identity formation is central to the theoretical framework of the present paper, whereby the formation of the Ba'ath policy of exclusion is viewed from the holistic perspective of Dynamic Anthropology, which studies human beings as psycho-physiologically indivisible holistic entities in whom individual inner development is inseparable from and a reaction to their outside experience.

In the holistic perspective, ideology and policy are viewed as a complex inter-actional outcome of a specific historical/political context which was internalized, brought-into-consciousness, and later played out in a performance of human expression, which in itself and of itself is an outer manifestation of the inner reality of the human being. Hence, ideological postulation is 1) always grounded in a specific historical and political context, in which it has originated; and 2) is inseparable from praxis, the process of translating an idea/ideological postulation into action. Ideological postulation is thus embodied in praxis and cannot be accurately understood outside it. Policy is thus a performed expression of ideology, wherein the identity, idea(s), context in which it/they was/were conceived, and implementation of that/those idea(s) are blended into one inseparable whole.

From this perspective, the paper examines the formative years of

Michel Aflaq, the ideological founder of Ba'thism; exclusion as a core principle of Ba'th ideology and its later embodiment in Ba'th state, wherein exclusion becomes a cornerstone of the policy of institutionalized violence and its manifestation in Arabization and genocidal Anfal campaigns, viewed as an ultimate form of exclusion.

The present paper maintains that, embedded in the colonial division of the Middle East in the aftermath of World War I, the notion of exclusion became a driving force behind the policy of institutionalized violence in Iraq and its ultimate expression in genocidal Anfal Campaigns in Iraqi Kurdistan.

### **The Formative Years of Michel Aflaq, the ideological founder of Ba'th**

Ba'th ideas were introduced and disseminated in Iraq by Ba'th intellectuals from Syria in the late 1940s, initially among university students in Baghdad. The Iraqi Ba'th party was formally established in 1952 as a branch of the Syrian Ba'th party. The latter was founded by Michel Aflaq, a Christian Arab of Greek Orthodox denomination, and Salah al-Din al-Bitar, a Sunni Muslim, both of whom were born in Damascus, in the al-Maydan quarter, known for its militant hostility to the French (Makiya 1998:183-184). Some facts of Michel Aflaq's biography are important because they locate the origin of the Ba'th ideology within a wider regional context of colonial division of the Middle East in the aftermath of World War I.

Michel Aflaq was born in 1910 to a family of a middle class background. He was educated in the westernized schools of French mandate. His early years coincided with the colonial division of Syria. He was eight when Emir Faisal triumphantly entered Damascus on October 3, 1918. He was ten when Emir Faisal, proclaimed King of Syria "in its natural boundaries" from the Taurus mountains in Turkey to the Sinai desert in Egypt by the Syrian National Congress on March 8, 1920 (Fromkin 1989:437; Zeine 1970:138-139; Shikara 1979:34; Antonius 1938:304), was forced to flee Damascus after the French occupied it on July 26, 1920 (Fromkin 1989:439). The occupation led to the division of Syria into three autonomous regions. While Syria and Lebanon were placed under the French mandate, the mandate of Palestine was allocated to the British.

Michel Aflaq's adolescence unfolded amidst the national agitation

and uprising against the French rule in 1925-26, and the subsequent bombardment of Damascus by French forces. A new round of nationalist protests in Damascus took place two years later, in 1928, when French High Commissioner of Syria rejected a proposal for Syrian constitution drawn by a Syrian elected constituent assembly. By that time, Michel Aflaq had completed secondary school and won a scholarship to study philosophy at the University of Sorbonne in Paris. (Syria: Timeline; Brooks 2002)

At Sorbonne, where he stayed from 1929 to 1934, Aflaq studied Marx, Nietzsche, Lenin, Mazzini, German nationalists and proto-Nazis. There, he met his countryman Salah al-Din al-Bitar, a Sunni Muslim, and both of them got engaged in Arab student politics. Studying Lenin, they learned about the organizational structure of the communist party. Having imbibed intellectual radicalism, they were excited when Hitler and the Nazi party came to power in Germany in 1933. Aflaq and Bitar left France in 1934 as radical intellectuals, and returned to Damascus to become schoolteachers while still remaining active in political circles (Brooks 2002). By September 1940, when France was defeated in World War II and occupied by Germany, Aflaq and Bitar set up a study circle in Damascus, the nucleus of the Arab Ba'th party, which they called the Movement of Arab Renaissance (Brooks 2002, Makiya 1998:183-185). In July 1943, the first Ba'th programmatic statement was issued, written by Michel Aflaq for the Syrian election of 1943, which was called for the purpose of establishing a Syrian National Assembly and setting up a government, which would put an end to the French Mandate in Syria. In this statement, Aflaq defined Ba'thism as "the living Arab history", as "the new Arab generation", as "the carrier of the 'message of Arabism', [and as] the living embodiment of the Arab Spirit" (Makiya 1998:191-195).

### **Formulating the Ba'th Ideology: The Search for Identity**

The search for the meaningful national identity, which will blend the Arab past, its present and its future, underpins Aflaq's definition of Ba'thism. While grappling with these issues, Aflaq expresses himself in elusive, religiously imbued overtones. He identifies the "Arab Spirit" (al-ruh al-'arabiya) as an irreducible essence of Arabism, as the "eter-



nal message" of the nation, accessible to the members of the nation only through faith (al-iman). He argues against the understanding of nationalism as an idea by Arabs, emphasizing that "Arabs do not become nationalists by their adoption of the idea of nationalism, for nationalism is not an idea". He stresses that "[n]ationalism is not a science; it is . . . a living remembrance". In his view, to become nationalists Arabs "need to forget what they have learned so that they can return to a direct relationship with their pure original nature". In his view, "nationalism is faith (al-iman) before everything else" (Makiya 1998:190-192, 201; Brook 2002). Aflaq defines 'faith' as the inner driving force behind the Spirit, "the eternal foundation of our work, the basis that will not change and can never be replaced" (Makiya 1998:192).

A question arises: Faith in what? According to Aflaq, it is faith in exceptionalism of the Arabs, whose "national awakening [in the past] was bound up with a religious message" of Islam, with Islam interpreted as a revolutionary Arab movement signifying the renewal of Arabism. In defining the underpinnings of the Arab national identity, Aflaq avers that "the force of Islam", which is faith, is presently re-emerging in its "new appearance: which is Arab nationalism" (Makiya 1998:198). Hence, in Aflaq's reasoning, Islam and national awakening are complementary. Having chosen to position his message in a religious subtext, Aflaq construes the secular notion of nationalism in terms of religious experience.

Makiya (1998:202-203) observes that, in its quintessence, Aflaq's ideology amounts to "the idea of 'living Arab history' embodied in a new generation guided by nothing other than its faith in the future". Aflaq blends the past, the present, and the future into an inseparable whole. The question arises: How is the future conceived? According to Makiya (1998:204), Aflaq perceives the future as "an ideal standard of excellence into which all morality [i]s conflated". For Aflaq, the ideal Arab is personified by the Prophet Mohammed, whose purpose was to eradicate Arab faults, and whose whole life was a relentless struggle against other Arabs for Arab perfection (Makiya 1998:204, 199). The search for perfection constitutes the essence of Arabism. Hence, for Aflaq, the future of both the society and the individual lies in the adoption of "an absolute belief in Arabism and its moral worth" (Makiya 1998:205; emphasis added). In such postulation, the questioning of the belief in Arabism and its moral worth is regarded to be an

act of treason, which must be punished. Absolutism in belief entails absolutism in punishment, for "the antagonistic idea does not exist by itself; [but] is embodied in persons who must perish, so that it too may perish". An adherent of Ba'ath ideology must "engender fierce hatred until death towards those persons who represent a contrary idea". According to Aflaq, struggle is an end in itself, which is a struggle for change, rooted in an understanding that the "profound change carries in it the meaning of violence" (Makiya 1998:206-207, emphasis added). From such a perspective, violence and cruelty become inevitable because [w]hen we are cruel to others, we know that our cruelty is in order to bring them back to their true selves, of which they are ignorant. Their potential will, which has not been clarified yet, is with us, even when their swords are drawn against us. (Michel Aflaq cited in Makiya 1998:206).

The justification of violence on the ground that it is crucial to purification is inscribed into Aflaq's definition of nation and nationhood. Aflaq maintains that [t]he nation is not a numerical sum, but an "Idea" [read Arab Spirit] embodied either in the total or part of it. Nations are not destroyed by a reduction in the number of their members, but by the constriction of the "Idea" amongst them. The numerical total is not a holy thing in and of itself, but only insofar as it is an embodiment of the "Idea" of the nation, or insofar as it has a potential to embody it in the future. . . . The Leader, in times of weakness of the "Idea" and its constriction, is not one to appeal to a majority or to a consensus, but to opposition and enmity; he is not one to substitute numbers for the "Idea"; but to translate numbers into the "Idea"; he is not the in-gatherer, but the unifier. In other words, he is the master of the singular "Idea" from which he separates and casts aside all those who contradict it. (From Michel Aflaq's 1944 article *The New Arab Generation* cited by Makiya 1998:195-196; emphasis added).

### **Exclusion as the Underlying Principle of the Ba'ath Ideology**

The underlying principle of this definition is that of resolute rejection and belligerent exclusion of all those who do not conform. Such categorical rejection is potentially dangerous in its inflexible antagonism. It is interesting to note that the same principle of aggressive exclusion underlies an earlier definition of nation and nationhood formulated by the pan-Arabists in Iraq in the 1930s. Addressing the

audience of schoolboys, Sami Shawkat, director general of education, the leader of the Futuwwa Youth organization, modeled after the Hitler Youth movement, defines nationhood and national identity as follows:

The foreigner, according to the values of the Futuwwa of Iraq, is not he who does not hold a certificate of nationality; rather, in our doctrine, the foreigner is he who does not feel as we do . . . even though he carries ninety such certificates and our cemeteries were sinking with the bones of his ancestors from thousands of years. The foreigner for us is he who intrigues against Arab unity; and he is not only a foreigner in doctrine, faith and spirit, but he is also our bitterest enemy.

Musaylama the liar was an Arab Yemenite, but he was a traitor and so the Arabs despised and killed him. . . . Salman al-Farisi, God praise him, was a Persian who joined Islam, Arabized and remained true to these ideals. For this the Arabs raised him high and venerated him. (Sami Shawkat cited in Makiya 1998:178; emphasis added)

In this definition, the non-conforming are labeled as 'enemies', 'traitors', 'foreigners' in doctrine, and 'intriguing' conspirators, all of these labels being criteria for exclusion, enacted to the letter by Ba'thists when they came to power in 1963, and later in 1968. The chosen words identify some categories of antagonistic exclusion, which are further developed in later writings and practices of pan-Arabists. While addressing an adult audience, Sami Shawkat takes pains to explicate the notion of 'enemy' and also to specify additional criteria for exclusion, as the following excerpt shows:

Our nation, like all nations, has enemies. The enemy of the nation, like the enemy of the family, is of two types: internal and external. Usually the internal enemy is more destructive than the external one. No nation has had a real renaissance without first of all defeating and totally uprooting this internal enemy from its foundations. The internal enemy consists of those individuals or groups who, led by values absorbed from schools and community, come to see themselves as strangers in the midst of the majesty and the loftiness of the state which they view as harmful to their interests and humiliating to their position. As their strength is not sufficient to allow them to stand up against their state and declare their enmity openly, they strive in secrete, stretching their hands in darkness to the external enemy, conspiring to become his spy, while all along their heart is full of envy, anger, and vengeance. Thus is the pact struck between the two types of enemies.<sup>1</sup> (Sami Shawkat cited in Makiya 1998:196-197; emphasis added)

### **Arabization as the essence of institutionalization of violence in Iraq**

Drawing a connection between Sami Shawkat's definitions of nation, national identity, and nationhood of the 1930s and those of Aflaq developed in the 1940s, Makiya (1998:197) observes that Aflaq turns Shawkat's practical and clear-cut exposition of nationhood and national identity into "a full-fledged respectable doctrine", which becomes a foundation on which the constitution of the Ba'th Party has been laid. The Ba'th party constitution was formally adopted at the party conference in 1947 in Syria, wherein Ba'th party was founded. In the 1947 constitution, the fundamental principle of national identity is couched in words that absolutely negate all differences between members of the nation, which forestalls the ruthless exclusion of the non-complying, carried out by successive Ba'th governments. The fundamental principle underlying the constitution emphasizes that "all existing differences between the members of the nation are superficial and false, and will be dissipated with the awakening of the Arab soul". In the light of this statement, the constitution clarifies that:

**1)** An Arab is one "who has faith in his membership to the Arab nation" (Article 10); **2)** "Whoever has called for, or joined a racist anti-Arab grouping, and all those who immigrated to the Arab homeland for colonial purpose" are excluded (Article 11); **3)** Political rights are restricted exclusively to those "who have been faithful to the Arab homeland, and have separated from any sectarian grouping" (Article 20); **4)** The state is responsible for all intellectual work and all freedoms (Article 41), with activities and all forms of organization being constrained "within the limits of the pan-Arab idea" (Makiya 1998:197).

### **The Ba'th State as the Embodiment of the Ba'th Ideology**

Unquestioning obedience and compliance with the principles, underlying the Ba'th ideology, being uncompromising requirements of the Ba'th 1947 constitution, became the pillars of the Ba'th state in Iraq. Informed by Aflaq's ideas and being a true heir to them, Saddam not only refined them, but also put them into practice. Saddam believes in the superiority of Arabs, "in self-purification through violence", and the commitment to "the life of relentless struggle and perpetual revo-

lution . . . in the name of some final and transcendent conquest for himself and the Arab nation" (Brooks 2002:4). The influence of Aflaq's ideas is palpable in the following Saddam's statements about revolution: . . . Revolution has no beginning and no end . . . It is something continuous, it is a message to life, and the human being is only the bearer of the message.

The Revolution chooses its enemies, and we say chooses its enemies because some enemies are chosen by it from among the people who run up against its program and who intend to harm it.

The Revolution has its eyes wide open. Throughout all its stages the Revolution will remain capable of performing its role courageously and precisely without hesitation or panic, once it takes action to crush the pockets of the counter-revolution. (Cited in Brooks 2002:5).

In Iraq under Saddam Hussein, Ba'th efforts to attain 'spiritual ascendance' took form of ongoing repressive measures undertaken against those whom, in Saddam's words, 'Revolution had chosen as its enemies'. In its essence, the Ba'th policy both towards the Kurds and other non-Arabs, as well as towards the non-complying Arabs could be distilled to a maxim: Those who are not with us are against us. For the Kurds, this maxim was translated into thousands<sup>2</sup> of villages destroyed, leveled to the ground, and land-mined; thousands of family members killed or gone missing; thousands – perished in chemical bombardments; and, finally, into a mass exodus during which almost the whole population of Iraqi Kurdistan fled from the advancing Iraqi Army to Turkish and Iranian borders after the Kurdish uprising of March 1991 failed and was brutally crushed by Saddam's forces in the end of March – early April of 1991.

Reflecting upon the workings of the Ba'th state, Kanan Makiya (1993:218-219) provides a perspicacious analysis of its nature, viewing the Ba'th state as the embodiment of Ba'th ideology:

The Ba'th have killed more Kurds than anyone else in Iraq. Still, the Ba'th Party cannot be said to be ideologically anti-Kurdish. In the way, for instance that the Nazis were ingrained anti-Semites. . . .

The state built in Iraq is far worse than one built on purely confessional or ethnic criteria. It is worse because it is consistently egalitarian in everything that is not itself. The Ba'th demand from all Iraqis absolute conformity with their violence-filled, conspiratorial view of a world permanently at war with itself. Saddam Husein invents and reinvents his enemies from the entire mass

of human material that is at his disposal; he thrives on distrust, suspicion, and conspiratorialism which his regime actively inculcates in everyone. . . .

In the polity that the Ba'ath built up in Iraq, the Kurds suffered more than the others not because they were Kurds, but because they resisted and fought back.

Makiya's analysis provides the rationale of the Ba'ath policy against the Kurds and other non-Arab minorities, explaining it by focusing exclusively on the Ba'ath ideological underpinnings. In his explanation, the Ba'ath ideology emerges almost as a given, existing in itself and for itself, outside the complex interactive reality, in which it has been conceived. When the same ideology is viewed from the perspective of the interactive reality, in which it originated, viz. from the holistic perspective, a new understanding emerges. From the holistic perspective, it becomes apparent that the ideology of pan-Arabism represents an Arab reaction to – as well as an outcome of – historically and politically specific events, in which various actors have been involved. The essence of the Ba'ath ideology cannot be accurately understood outside a specific historical and political context in which it originated. For pan-Arabism, and its later manifestation in Ba'athism, that context entailed an arbitrary colonial division of the Middle East, the humiliation of the imposition of the mandate system on its population, the total rejection of the people's indigenous ways of being and knowing, and the imposition of the ways of being and knowing of the colonial powers on them. Ultimately, violence espoused in Ba'ath ideology and practice mirrored the violent imposition of the colonial division on the peoples of the Middle East by the colonial powers. Further, the violent imposition of the colonial division was internalized and later replayed as institutionalized violence in the Ba'ath state. The former victims were unable to get out of the circle of violence and transcend it. Entangled within the circle of violence, they became the new oppressors.

Anfal Campaigns in Iraqi Kurdistan as an ultimate form of exclusion In my unpublished thesis, I argue that internal displacement and homelessness emerge as a manifestation of modernity, as "a new form of exclusion based on ethnic or national criteria" (Wimmer 2002:1), being outcomes of institutionalized violence adopted by modern nation-states. In my view, Anfal Campaigns in Iraqi Kurdistan are an ultimate form of exclusion that involved physical extermination of

Ba'ath opponents. With respect to the Ba'ath policy of physical extermination of non-Arab minorities in Iraq, it is true that their ethnicity has not been a specific target of the Ba'ath ideological exclusion, and therefore, as Kanan Makiya argues, the extermination has not been ethnically motivated. Nevertheless, though seemingly not ethnically motivated in ideology, the extermination has been ethnically oriented in praxis.

The difference between the motivation and orientation emerges largely in terms of the non-specific wording ingrained in the Ba'ath ideological postulations, wherein any entity opposing the worldviews espoused by the Ba'ath is classified under the generalized categories of 'enemies' of the Revolution, and/or as 'pockets of the counter-revolution'. Because both of these categories are unspecified, and because their application is viewed outside the concrete historical/political context, the Ba'ath ideology appears not to be ethnically motivated. However, in the concrete historical/political context, when the enemy happens to be the Kurds, or any other non-Arab minority, (the) action(s) of exclusion, directed against them/it, target(s) them as members of a specific ethnic/religious minority, and hereby become(s) ethnically/religiously oriented.

Viewing a phenomenon from a holistic perspective leads to a greater accuracy in understanding, which involves a differentiation between the hypothetical reality of discourse and the concrete reality of praxis, both of which constitute outcomes of human expression enacted in a performance of the tri-phasic interactional pattern of 'an acting one' – 'acting on' – 'an acted upon' (Jousse 2000:112). It is interesting to note that the fundamental geste underlying both the hypothetical reality of discourse (ideology) and the concrete reality of praxis remains unchanged, irrespective of the specific identity of an acting one. Thus, fundamentally, Ba'ath policy towards non-Arab minorities in Iraq signifies exclusion expressed initially through the acts of denial and, finally, through the (violent) rejection of their way(s) of being, as well as the (violent) imposition of (a) conflicting way(s) of being on them, irrespective of who commits the act of imposition. Thus, when Stafford (2004/1935:113) says in his book that "the drastic action . . . had . . . [to be] taken against the recalcitrant [Kurdish] sheikhs", his statement is equally applicable to both the Iraqi, and the British forces although, in the context of the book, he makes this

statement to describe British political actions against the Kurds. This points to the significance of identifying a fundamental geste in an (inter)action, for it is the geste that is internalized (and, therefore, replayed) both by the policy implementers and by its victims, with the implication that should their positions be changed, the implementers can become the victims.

As has been indicated above, the foundational principle of the Ba'th policy is the exclusion of everyone and everything that is contrary to the ideology espoused by the Ba'th party. The principle of exclusion in itself, however, is not unique to the Ba'th ideology. Exclusion is ingrained into the workings of modern nation-states, wherein in theory all citizens have an equal status and an equal right of representation, which is not borne out in practice. In practice, exclusion is embedded within the political and economic fabric of the governing body of the modern nation-state, which requires unquestioning conformity from its heterogeneous population. Manifest in various kinds of discriminatory practices, exclusion ranges from preferential practices, to internal displacement, and, ultimately, to physical extermination of the non-conforming in some types of modern nation-states. Discriminatory practices, including internal displacement and physical extermination are thus diverse forms of exclusion.

In the process of creating Iraq, it was military force that the colonial powers used for the establishment of Iraq as a modern nation-state. With nation-formation being an inalienable part of a modern nation-state, some scholars regard the imposition of nation-formation on originally pluralistic societies to be an alternative strategy of colonial domination. In their view, Iraq, as a nation-state was an outcome of such a strategy, being "not a case of divide and rule just for the sake of the colonial interests but rather a case of state-building and compulsory integration for the very same purposes" (Preston 2003:59 quoting Lukitz). In the process of creating Iraq, it was military force that the colonial powers used for the establishment of Iraq as a modern nation-state. During the years of Mandate, which coincided with the process of nation-formation in Iraq, it was the use of military force that the British and Iraqi governments resorted to for the compulsory integration of the diverse components of the Iraqi pluralistic society into a homogeneous Iraqi nation. After Iraq was officially recognized as an independent state, the Iraqi army resorted to military force to



solve the Assyrian problem in "the first genuine expression of national independence" (Khalil 1989:170).

In some way, the use of military force for dealing with the Assyrian problem in Iraq in 1933 mirrors in miniature the ostentatious exhibition of military might of the great Powers underpinning the provisions of the Treaty of Versailles with Germany. In his book, *The Peace Negotiations: A Personal Narrative*, Robert Lansing, US Secretary of State in 1915-1920 and member of the American Peace Delegation to the Peace Conference, expressed his deeply felt concern over the provisions of the Treaty of Versailles. In his Memorandum of May 8, 1919, the day after the Treaty was delivered to the Germans, Lansing wrote, This war was fought by the United States to destroy forever the conditions which produced it. Those conditions have not been destroyed. They have been supplanted by other conditions equally productive of hatred, jealousy, and suspicion. . . . The victors in this war intend to impose their combined will upon the vanquished and to subordinate all interests to their own.

It is true that to please the aroused public opinion of mankind and to respond to the idealism of the moralist they have surrounded the new alliance with a halo and called it 'The League of Nations', but whatever it may be called or however it may be disguised it is an alliance of the Five Great Military Powers.

It is useless to close our eyes to the fact that the power to compel obedience by the exercise of the united strength of 'The Five' is the fundamental principle of the League. Justice is secondary. Might is primary.

The League as now constituted will be the prey of greed and intrigue; and the law of unanimity in the Council, which may offer a restraint, will be broken or render the organization powerless. It is called upon to stamp as just what is unjust.

We have a treaty of peace, but it will not bring permanent peace because it is founded on the shifting sands of self-interest. (Lansing 1921:272-274, emphasis added).

In retrospect, it appears that what concerned Lansing most was that the Treaty of Versailles institutionalized and legitimized violence as a method of policy. What disturbed him was that the Treaty had recognized violence as the fundamental principle of an international insti-

tution, viz. of the League of Nations. In Iraq, which was 'founded on the shifting sands of self-interest' of colonial powers, institutionalization and legitimization of violence became the cornerstone of the Iraqi internal, and later external policy. Violent suppression (exclusion) and physical extermination of the non-complying Assyrian community was the first political action undertaken by the Iraqi government immediately after it was granted independence, with the same policy of institutionalized suppression and physical extermination (the ultimate form of exclusion) later replicated in Anfal campaigns against the Kurds and other non-Arabs.

### Note:

1-This definition is interesting because it provides an outline of the future Ba'ath policy towards the non-Arab minorities and the non-conforming Arab individuals and/or groups in Iraq.

2- Fisher (2005:209-212) provides estimated numbers of villages destroyed, and people killed or gone missing at different stages of the Baath second rule in 1968-2003. (See also Ahmed 2005:43-44). According to Makiya (1993:166-67), there was destroyed 80% of all rural villages in Iraqi Kurdistan during the period of 1968-1988.

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# THE NETHERLANDS AND THE CHEMICAL WEAPONS OF IRAQ

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In the nineteen eighties, Iraq frequently deploys chemical weapons, both during the war against Iran and against its own Kurdish population. The Iraqi regime under Saddam Hussein, buys precursor chemicals for the production of these weapons mostly from Western. Dutch companies, Melchemie and KBS in particular, are amongst the major suppliers of such chemicals. Furthermore, the by now convicted businessman, Frans van Anraat, had a central part in constructing Iraq's arsenal.

It is not before 1984, that the Dutch government submits a number of chemicals to export authorisation. A dogged struggle between the Ministry of Foreign Affairs and the Ministry of Economic Affairs precedes this submission to export regulation. As a result, the number of products ending up on the 'blacklist' is far smaller than was proposed by the Ministry of Foreign Affairs. The export of a number of products that indeed can be used to produce chemical weapons thus continues. Minister of Foreign Trade, Frits Bolkestein, who visits Iraq in 1983, is a passionate opponent of a more comprising export scheme.

### **Iraq's use of chemical weapons**

In September 1980, the long war between Iraq and Iran starts. According to Iraq's first use of chemical weapons goes back to November 1980. From July 1982 on, reports on Iraq's use of chemical

weapons multiply. In a later stage of the conflict, the deployment is directed more and more against civilians, both in Iraqi and Iranian Kurdistan. The assault with chemical weapons on Halabja in particular, evokes general outrage in the international scene. During the week of this attack, an Iraqi trade-mission visits The Netherlands; the Dutch government doesn't breathe a word about the use of chemical weapons.

After the second Gulf War (1990-1991), Iraq is put under international surveillance and is forced to dismantle its weapons of mass destruction. Although the check-ups meet with quite some difficulties, it seems that Iraq, by the mid-nineties, indeed did destroy its chemical weapons supply.

Policy The Dutch government's Iraq policy of the nineteen eighties shows a disappointing image. In the face of the war, they do their utmost to maintain economic relations with the regime of Saddam Hussein as good as possible. On the pretext of neutrality, they prefer turning a blind eye on the atrocities committed by Iraq, as well as by Iran for that matter, during the conflict. In determining policies, Dutch economic interests prevail.

In the matter of supplies of chemical weapons precursors, the Dutch government starts acting only after the Americans draw their attention to huge orders placed by Iraq at Dutch companies. Until April 1984, large amounts of such materials were exported to Iraq without difficulty, even though the country's production and deployment of chemical weapons is already known. After the American notification of Dutch supplies to Iraq, the Dutch Ministry of Economic Affairs goes to great length to keep as limited as possible the list of chemicals to be submitted to export authorisation. As a result, several chemicals required for the production of poison gas, don't end up on it, despite recommendations of the Ministry of Foreign Affairs. Therefore, after April 1984, too, it is still possible to ship to Iraq materials fit for the production of chemical weapons.

### **Bolkestein in Iraq**

In October 1983, Bolkestein, as Minister of Foreign Trade, visits the Baghdad International Fair. He also has meetings with the Iraqi vice prime minister Ramadhan and with several other ministers. By that

time the Dutch government is already aware of Iraq's use of poison gas. During his visit, Bolkestein signs an agreement between The Netherlands and Iraq, aimed at extending the possibilities for economic and technical collaboration.

Official records on Bolkestein's visit to Bagdad state his request "to integrate advocacy of concrete Dutch interests within a setting of sympathy for the Iraqi people who have been suffering the consequences of war for the last three years. From the side of Iraq, there was a positive reaction to this. There was mentioning of Iraq now counting its friends and that, after the ending of the war, consequences would follow from this for the thus identified countries". In the early nineties, Bolkestein does adjust his opinions on the Iraqi regime, but within the framework of Dutch trade interests, he previously showed little difficulty shaking hands and concluding agreements with a company he now calls 'sinister'.

### **Companies**

Especially during the first years of the building-up of Iraq's chemical weapon programme, virtually all required raw material and equipment originated from foreign, mostly western, countries. The United Nation's secret 'Full Final and Complete Disclosure' (or FFCD) report of Iraq's past chemical weapons program, is Iraq's account of its chemical weapons, rendered to the **UNSCOM** in 1992, with some later updates. Included in the report, is a list of companies (as far as they were traced back) which supplied to Iraq.

In the case of two Dutch companies, it is firmly established that they delivered chemicals to Iraq, which, in all probability, have been used to produce chemical weapons. The two companies involved are Melchemie (Arnhem, now called Melspring) and KBS Holland (Terneuzen, by now called Bravenboer & Scheers). Furthermore, for many years, the now convicted businessman Frank van Anraat acted as (illegal) dealer in chemicals for Iraq's chemical weapons program.

Melchemie For years, Melchemie supplied Iraq with chemicals, including chemicals considered being precursors for the production of poison gas. According to a letter from the Iraqi State Company SEPP, until 1985, this involves in any case the following substances: 1000 tons of thionylchloride, 20 tons of potassiumhydrogenfluoride, 60 tons of phosphoroxychloride, 5 tons of hydrogenfluoride, 100 tons of

phosphor, 150 tons of isopropylalcohol, 15 tons of pyridine and 30 tons of o-chlorobenzaldehyde. Except for one – phosphoroxychloride – all those transactions occurred without the obligation to produce an export licence. Nevertheless, Melchemie, at that time, should have known about the possible usage of these substances for the production of chemical weapons.

In 1984, at the time when a licence actually is needed for the export of phosphoroxychloride, Melchemie, in spite of repeated warnings coming, amongst others, from the Ministry of Foreign Affairs, accepts an order from SEPP for the delivery of 60 tons of this material. The phosphoroxychloride is being shipped to Iraq via Italy, but after two 10ton loads, there is a sudden hold up in the delivery. Tipped by the CIA, the Economic Investigation Service (the present FIOD-ECD), raids Melchemie in 1985. Ultimately, the matter is taken to court and the company is sentenced to a fine of 100,000 Dutch guilder (€ 45,000) and to a suspended one year close down of business with two years probation.

After the raid in 1985 and the conviction in 1986, Melchemie continued the supply of chemicals to Iraq. The secret FFCD-report explicitly mentions, by means of a supply-list, the company as supplier for Iraq's chemical weapons programme.

### **KBS**

In 1983, KBS delivers 500 tons of thiodiglycol (TDG) to Iraq. Afterwards, especially because of the unusual size of the order, the general assumption is that it was earmarked for the production of mustard gas. At that moment, the substance doesn't yet figure on the list of products that require export authorisation. It also delivers other products that partly, at a later stage, do occur on the list. The FFCD-report mentions deliveries of at least 550 tons of TDG, 150 tons of thionylchloride and 600 tons of sodium cyanide in the period 1982-1984. The first two substances are precursors for, for example, mustard gas; the last one for hydrogen cyanide gas.

When, in February or March 1984, another substantial order for TDG is placed, it is turned down on the advice of the Ministry of Foreign Affairs. Other business between KBS and Iraq continues. Written parliamentary questions in 2005 about the possibilities of



criminal proceedings against KBS are met with denial by then Minister of Justice Donner. This is remarkable because, beforehand, it is unclear how much, at that time, KBS knew about the possible end-use of their product. It is that knowledge that happens to be a key issue in the legal proceedings against Frans van Anraat (see below).

### **Frans van Anraat**

For many years, the Dutch businessman Frans van Anraat is the main supplier for Iraq's chemical weapons programme. He takes opportunity of the gap created since 1984, by the new export legislation. In 1989, he is arrested in Milan, at the request of the American(!) authorities. He manages to escape to Baghdad while awaiting his trial. It will take almost another 15 years before he is being arrested after all. Much of the time in between, he allegedly leads a comfortable life in Baghdad, as a ward of the Iraqi regime. According to American customs, during his stay in Baghdad he continues his activities and purchases precursors for Iraq's production of mustard gas and nerve gasses from abroad. In 1997 he is interrogated by UNSCOM.

With the American-British invasion in 2003 he leaves Iraq fearing for this life. The Dutch embassy provides him with a laissez-passer and he settles in Amsterdam.

Perhaps the Dutch government can not be blamed for failing to take action during the long period that Van Anraat was in Iraq, even though a sentence by default may have been possible. It is curious though, that, at his return, not the slightest obstacle is put in his way. Not only is he not taken into custody, but he allegedly even stays in an AIVD (Dutch general intelligence and security service) 'safe house' for a while.

Initially, it looks as if the Dutch judicial authorities actually abandon the case. Van Anraat, imagining being safe, partly due to the protection he enjoys by the AIVD, in certain interviews, admits supplying Iraq with chemicals for poison gas and knowing in the long run, how they were going to be used. The Public Prosecutor's office then comes into action after all: Van Anraat is arrested and prosecuted, just before he is about to leave the country. The Public Prosecutor charges him with 36 deliveries with a total of 2360 tons of precursors

for the production of chemical weapons.

On 23 December 2005, the court in The Hague, finds him guilty of "violation of the laws and customs of war". According to the court, he knew, or at any rate, he should have known that the chemicals he was supplying, were to be used in the production of poison gas. The court also estimated that there was sufficient evidence to assume that the chemical weapons, produced from the substances supplied by Van Anraat, had actually been used by Iraq.

Complicity in genocide, however, was held not proven. In spite of this acquittal of the most serious charge, Van Anraat is sentenced to 15 years imprisonment, without probation, as the Public Prosecutor demanded. Van Anraat as well as the Public Prosecutor, appeal against the conviction. On 9 May 2007, the Court of Appeal will pronounce its sentence.

### **Dutch government and companies partly responsible for war crimes regime Saddam Hussein.**

Amsterdam/Groningen, 9 May 2007: A report, released today by "Campagne tegen Wapenhandel" (the Dutch Campaign against Arms Trade) casts new light on the role of the Netherlands in the nineteen eighties with regards to Iraq's chemical weapons programme. Studies show that the government deliberately did very little to prevent Dutch companies from supplying Iraq with precursors for the production of chemical weapons. The case of Frans van Anraat, in which the appeals court will pronounce its sentence today, therefore fits into a broader picture.

Especially the then KBS Holland and Melchemie delivered large amounts of chemicals to Iraq in the nineteen eighties. Both before and after the laboriously established export restrictions, Dutch companies were able to deliver precursor chemicals to Iraq.

The companies felt morally supported by the Ministry of Economic Affairs, for whom the economic interests prevailed. Foreign Trade minister Bolkestein, in particular, has a disconcerting role in this matter.

Shortly after the start of the war between Iraq and Iran, already the first reports on Iraq's use of poison gas came in and the government

in The Hague was aware of this. Yet the Dutch government made no attempts to prevent Dutch companies from getting involved in Iraq's chemical weapons programme.

Only when the United States, in 1984, confronted the Netherlands with the large Dutch orders coming from Iraq, the Ministry of Foreign Affairs started acting. At the intercession of the late Dr. Ooms, a list of initially 21 chemicals, on which export authorisation was to be applied, was then composed. Under great pressure of Bolkestein, this list was reduced to only eleven chemicals.

"Campagne tegen Wapenhandel" thinks that the juridical case against Van Anraat should result in a large-scale independent investigation in the government's and business community's involvement in the export of chemicals to Iraq in the nineteen eighties.

**The report** "The Netherlands and the chemical weapons of Iraq" (Dutch version) and its summary (Dutch and English versions) are available on: [www.stopwapenhandel.org](http://www.stopwapenhandel.org).

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THE  
VAN ANRAAT-  
CASE

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## **i. Introduction**

Last year, I was involved in an extraordinary legal case. A case about a Dutchman, who is supposed to be the main supplier of raw material to the Iraqi regime for the production of chemical weapons, during the eighties in the last century.

I told you already about the first international criminal law case about the former Afghan generals, this was the second one to be handled in appeal in the court of The Hague (in the Netherlands). Only the court of appeal of The Hague has jurisdiction in these kind of international cases, according to national law.

There was a lot of (inter)national attention for this case because of the enormous impact. Not only members of the Dutch parliament and Dutch officials from the Department of Justice and the Attorney General, but also representatives from Iran, Iraq and other countries showed their interest.

Maybe you know as prosecutors the same feeling of enormous pressure in very important cases.

If you do cases like this too often, you won't get old! Anyway, it is a case I will never forget.

## **ii. The case**

Before I start, I must warn you: the case is a long and complicated story but I hope you will agree, also an interesting one!

Mr Frans van Anraat (further on, I will call him: the defendant) is born in 1942 in a place called Den Helder, in the Netherlands.

It is not clear whether the defendant finished secondary school, he said he did, but a Dutch journalist (Mr Arnold Karskens, who wrote a book about this case) wrote in his book after an investigation that the defendant left school after a couple of years without finishing it! As I will try to show you in this lecture, the defendant is not always telling the truth...

### **a. (1975, Iraq)**

Anyway, when he went to work for several – national and international- employers he got some experience in chemical processes. One of his employers was an Italian-Swiss technical company called Ingeco International.

That company sent him to Iraq in 1975. He had to work on several projects, especially the building of new LPG (gas) plants and a water purification plant in Basra, in the South of Iraq.

On September 22th 1980 Iraq started a war with Iran by bombing their airports and invading the Iranian area with ground troops.

As you know, the Iraqi government was at that time ruled by the Baath party and in particular by the former president, the late Saddam Hussein (official name: Saddam Hussein Al-Tikriti)

### **b. (Singapore)**

Partly because of the war, the defendant quitted his job and found a new employer: Kinetics Technology International (KTI), a Dutch multinational engineering bureau.

His new employer is a famous designer of plants which produce ethylene and hydrogen.

His employer sent him to Singapore to shake up their local agency.

But during that time (1984) he received a very important telephone

call from a man, called Mr. Sadalah El Fathi.

He was at that time the president of an Iraqi company named SEORGI (= State Establishment for Oil Refining and Gas Industry), formally an engineer bureau of the ministry of Oil.

The defendant and El Fathi had met before, in Bagdad, Iraq.

Mr El Fathi asked whether the defendant could supply him with some chemicals like hydrogen fluoride, normal products for the oil export. Because of that the defendant saw a lot of opportunities for himself. He thought that he could earn a lot of money when he dealt with the Iraqi's directly without his employer.

So he did not inform KTI and started his own company: FCA International Traders Private Limited (FCA is the initials of his name: Frans Cornelis Adrianus).

### C. (Japan)

The defendant received another important telephone call, this time from a man who called himself Mr Charles Tanaka (his real name is Ichiro Tanaka, from Osaka, Japan).

Mr Tanaka was director of a factory, dealing with all kind of metals. But his business was not going well at that time and he was advised to make a telephone call with the defendant, as working employee of KTI Singapore, to see whether they could help each other.

They met in Singapore on which occasion the defendant asked Tanaka whether he knew possibilities to get a material called TMP (trimethylfosfiet).

I must explain to you that TMP is raw material for pesticide but also for Sarin, a chemical gas that blocks the nerves and therefore can be used as a chemical weapon. Mr Tanaka was interested because he could make a lot of money, much more than with the trade of metals!

The only thing he had to do was to find a supplier in Japan and arrange the transport to Italy, as the defendant asked.

But when Mr Tanaka asked a potential Japanese supplier for the TMP delivery, that company hesitated.

They made clear that they had to know where the TMP was going to,

because TMP can be used as a chemical weapon. Mr Tanaka explained that it would be transported to Triest, a city in Italy.

#### **D. (deliveries of materials called TMP and TDG)**

He immediately sent a telex to the defendant in which he explained the concern of the supplier and asked for the final destination, but he also gave the defendant the suggestion that he will understand when the defendant will tell "a necessary lie".

The defendant immediately sent a message to Mr. El Fathi about the risen problems and suggested that he can lie about the end user and the destination of the chemicals. He suggested "fuel additive" as user's description and Italy as place of destination.

He then told Mr Tanaka that he didn't know the final destination but that it will finally go to a Swiss client.

Mr Tanaka told the supplier in Japan that the chemicals will be used in the textile industry (another suggestion of the defendant) and that the final destination will be Triest, Italy.

Thirteen deliveries of Thiodiglycol (=TDG, a key-precursor for mustard gas, which can be used as chemical weapon), took place between May 1985 and May 1986.

Mr Tanaka wrote many times to the defendant about the dual use of chemicals like TDG.

In reaction the defendant wrote in return:

"Certainly other particulars of thiodiglycol – TDG- are known to you, so no need to mention them".

Mr Tanaka told the investigating judge in this case that the defendant had written to him that the chemicals would be transported by ship to Triest in Italy and from there to Bagdad in Iraq.

He had asked Mr Tanaka to tell no one about the transport to Iraq, but he told Mr Tanaka also that the chemicals would be used for textile and leather products.

#### **E. (defendant's companies)**

In cooperation with a Swiss notary the defendant used another company for his payments and deliveries. This company, called Com



panies Incorporated, is a so called offshore company: seated in another country, with huge tax benefits, but especially used because it is difficult to discover who really is in charge.

So the defendant could hide for the outside world.

In this case, the Swiss notary had exclusive access to the bank account.

But you understand that the defendant was actually in charge.

The defendant ordered the transport company he has chosen not to use the name of his companies in their papers, so no one could trace him or his companies.

For the payments he used The Swiss 'Banca del Gottardo'.

This bank was also used by the former president of Iraq, Saddam Hussein, but more important Switzerland has a so called banker's discretion, what means that the bank will give to no one information about their client!

You might almost forget that at the same time the defendant was still an employee of KTI, officially working in Singapore.

Because business was not going well for KTI in Singapore, his employer sent him to Italy but soon after that his employer asked him to look for another job.

#### **F. (Italy)**

The defendant decided to start, for the second time, a company by himself: FCA Contractor, specialized in petrochemical products.

And he did well, financially: he earned a lot of money, lived in a big house etc.

Iraq asked him to deliver more TDG and because deliveries from Japan became more expensive, Mr Tanaka and the defendant decided to get the chemicals in the United States.

The defendant not only changed his offshore company but also the transport company and the bank.

The new transport company he used was located in the same office were FCA Contractor was seated and had the same telex number.

It is important to know that in the meantime the Iraqi government developed a chemical war program.

### **G. (Iraq's chemical weapons)**

Most of the chemicals were transported to and transformed in chemical weapons in the Muthanna State Establishment (MSE) in Iraq.

It is surrounded by walls and guards, it is impossible to get a clear look inside.

In November 1983 the Iranian government sent a letter to the United Nations (UN) and made clear that Iraq has bombed several places in Iran (during their war) with chemical weapons.

An UN-commission confirmed the accusations of the Iranian government and discovered that mustard gas and tabun was used.

As a result of this shocking news the United States, the Netherlands and other countries have forbidden deliveries of chemicals like TDG and POCL3 to Iran and Iraq.

But Iraq had no intention to stop his chemical weapons program, on the contrary!

### **H. (Iraq)**

As mentioned before, the defendant was doing business with SE-ORGI in Bagdad.

Officially this company was dealing with oil refineries, but in fact SE-ORGI arranged the buying of chemicals for MSE, which I mentioned before; Iraq's plant where chemical weapons are made.

Employees of SEORGI called the defendant a good supplier and a reliable man, they trusted him completely. That feeling was mutual.

### **I. (war crimes by Iraq)**

Iraq used their chemical weapons more and more against Iran and caused a lot of suffering and death (not only soldiers but also civilians).

But it took a while before the world press Noticed that there was something terrible going on.

But Iraq went on with their chemical attacks and only against the Iranian enemy.

Saddam Hussein and his government decided to destroy their own people in the North of Iraq because they were seen as helpers of the Iranian enemy.

Most of the people who were living there were Kurds, an ethnic group who lived for ages in that area.

Saddam ordered a member of his own family, his cousin called Mr Ali Hassan al Majid, to do the job.

And Ali Hassan did!

He organized a devastating campaign against the Kurds in the North of Iraq and called this campaign:

"The Anfal", what means in their religion: " trophy of war".

He ordered to kill all living creatures!

#### **j. (mustard gas used by Iraq)**

In March 1988 a place in the north of Iraq called Hallabja was conquered by Iranian troops, soon they withdraw from that town and took position in the area.

Saddam Hussein and Ali Hassan al Majid decided not to accept this and ordered to bomb Hallabja with mustard gas.

The result was terrible.

Thousands of men, woman, and children were killed and even more people were terribly injured.

This time the world saw the results and was totally shocked! But even then, the Iraqi government went on with bombing other towns of the Kurds in the North of Iraq and places in Iran with chemical weapons, even when the Iraq/Iran war came to an end in September 1988, they bombed for several more months after the war ended.

#### **And what about the defendant?.**

He went on with his business during the crimes against the Kurds and the Iranians, even after the bombing of the city of Hallabja...

#### **K. (defendant is arrested)**

But than something unexpectedly happened.

While the defendant was in Italy, the United States asked for the

extradition of the defendant because of his deliveries (of chemicals) from the United States to Iraq.

So the defendant was arrested on January 26th 1989 but tried to get out of the hands of the United States by using all the legal possibilities.

It was an important case for the Americans, so even the Secretary of State came to Italy to plead for a quick extradition.

But than something strange happened.

The Italian court decided not to give permission for the extradition and the defendant was released and fled to Iraq.

Later on the Italian Supreme Court overruled the decision of the lower court and gave permission to extradite, but the defendant was gone! He fled to Iraq....

#### **L. ( Iraq)**

And also remarkable: because of a "bureaucratic mistake" the extradition request had been withdrawn...

The defendant lived in Iraq till 2003.

The Iraqi government gave him money and a house, and they even gave him a new Iraqi name.

From then on he is called: "the brave seller of materials".

He left Iraq in 2003 because of a new war in Iraq and because he was afraid of being arrested again.

#### **M. (the Netherlands)**

He arrived in the Netherlands and told his story to the national security office. When he gave an interview on Dutch television about his business, the prosecution office started an investigation.

He was arrested on December 6th 2004.

#### **N.**

Mr Tanaka was arrested in the United States in 1989.

He was found guilty and convicted for just 27 month detention.

A relative light sentence, because he decides to cooperate with the American investigation.

### iii. Charges

Because of the facts I have mentioned, the charges against the defendant are:

(1) principally complicity to genocide committed by Saddam Hussein, Ali Hassan and others (on the Kurds) in several places in the North of Iraq during the years 1986, 1987 and 1988 or (1 alternatively) complicity of war crimes committed by Saddam Hussein, Ali Hassan and others in the same period and places in the North of Iraq; and (2) complicity of war crimes in 1986, 1987 and 1988 committed by Saddam Hussein, Ali Hassan and others in places in Iran.

Complicity in both charges because the defendant was (intentionally) the supplier of chemicals intended for the production of chemical weapons (mustard gas and/or nerve gas to the Republic of Iraq. I think you can imagine that these heavy charges are not easy to prove.

But before I will tell something about that point, I will say something about (some of) the pleadings of the defence counsel.

#### # Equality of arms

(From the verdict of the court of appeal, 6.1)

"The defence claims that their (financial) means in this case have been largely insufficient, as a result of which they plead the infringement of the right to a fair trial and a violation of the equality of arms principle.

This lack of financial means is even more serious because the present case concerns offences that were allegedly committed approximately 20 years ago in an other part of the world with a totally different culture and because the investigation was carried out in many countries all over the world. For that reason the defence has not had a reasonable chance to conduct an independent investigation, to exercise the necessary influence on the evidence gathered by the Public Prosecution Service and the National Criminal Investigation Department (who seemed to have unlimited means available) and so they claim that they could not put forward a defence with equal means as those that were available to the Public Prosecution Service. Therefore they argue that they had a substantial backlog as opposed to the Public Prosecution Service.

**The Court considers the following.**

It should be handed to the defence that the present criminal case has exceptional proportions, partly because of its international dimensions and the fact that the offences (serious international crimes) would have taken place decades ago and mainly in a non-European country. In hearing such a case, especially when the police and the Public Prosecution Service apparently have ample (extra) financial means available for the execution of their tasks, one should make sure that the defence does not end up in a relatively disadvantageous position. This could be true if the present rules for financed legal aid should not acknowledge the special nature of this case. According to the Court, from this special nature arises the need for a defence carried out by two counsels working closely together, which indeed they did, also during the hearings. Moreover the defence brought forward, in general terms, a number of other aspects that hindered them in the performance of their duties, for lack of financial room.

First of all the Court concludes that the resulting practical problems, also due to the conscientious way in which the defence counsels performed their duties, did not represent any obstacle for them in the sense that they were almost always able to personally attend the numerous witness examinations conducted by the examining magistrate, which took place at many different locations in the world. Furthermore, in this case that has lasted for more than two years, the defence has had sufficient possibilities to bring forward their own requests for investigative activities and – depending on the assessment based on legal criteria by the first instance court and the Appeals Court – the defence has been able to carry out these further activities concerning subjects that they wished to investigate in the interest of their client. In view of the above, the Court is of the opinion that neither the arguments brought forward by the defence, nor otherwise the infringement of the right to a fair trial has become evident, nor that a violation of the equality of arms principle has taken place”.

**# Witnesses**

During this trial, the defence counsel and the prosecutor had the opportunity to ask the court to hear some witnesses.

According to European case law, the defence must have the possibility to hear a witness when his testimony is relevant (and the witness is already heard by the police).

So they can put their request forward on a special court session. Because this is international case, it could happen that the witness can not be found or can't be heard because of health or security reasons.

The court ordered to hear a lot of witnesses all over the world. We went from Japan to Sweden, the United States and other countries. But we could not hear every witness, because of the reasons I just mentioned.

Of course it was not possible to hear Saddam Hussein, but we prepared a mission to Iraq to hear Ali Hassan.

But suddenly the court of appeal withdraw the order to hear Ali Hassan, regarding the instable security situation in Iraq.

During the counsel's speech the defence pleaded for an infringement of the right to a fair trial, because some witnesses had not been heard by the defence.

Regarding the witnesses the defence requested to hear, the Court gave a motivated decision about each individual witness.

More in general the court stated that there are no legal rules that oppose the use of the statements of these witnesses as evidence in this case, with due observance of the necessary cautiousness.

#### **iv. genocide?**

The prosecution had to prove not only that there was a genocide during that time, but also that the defendant intentionally delivered chemicals for the Iraqi war program and knew that his chemicals were to be used in the genocide on the Kurdish people.

And you must know that the defendant remained silent during the trial in the district court and denied- in appeal- the fact that he knew that his chemicals were going to Iraq and were used in the chemical war program.

He stated to the court in appeal that he thought that his chemicals were used as a textile additive, meant for the textile industry. He stated also that he slowly became aware of the fact that probably his chemicals were used for other purposes, perhaps even for chemical weapons. He concluded this, as he stated in court, after seeing the terrible loss of human life, as seen on television, in the town called Hallabja.

From the files follows that during a long period, the Iraqi government had suppressed and relocated, and even killed, a large number of the Kurdish people living in the north of Iraq.

So in short we concluded that Saddam Hussein, Ali Hassan and other members of the government had committed genocide on the Kurdish people.

The defendant was, the prosecution concluded, was helpful with that criminal act by supplying chemicals which were transformed in chemical weapons and used against the Kurdish people in the north of Iraq. The prosecution office that there was enough evidence for complicity of genocide.

### **The court of appeal decided otherwise. v. decision of the court of appeal.**

"Article 1 of the Genocide Convention Implementation Act stipulates that, as far as relevant in this case, a person who intentionally kills members of an ethnic group, causes severe bodily harm or places such a group under certain living conditions that are aimed at their total or partial physical destruction, with the intention to partially or totally destroy that population group, is guilty of genocide.

The Court considers that, in answering the question whether the perpetrators had a genocidal intention, other completed actions committed by the perpetrators against the population group involved should also be taken into account. Although the aforesaid population group does not appear as such in the indictment, they do come forward from documents in the case file, especially from the reports inserted under H 74 and H 75, which were drawn up by the Special Rapporteur of the Commission on Human Rights of the United Nations, Mr. Van der Stoep, even if these actions as such do not (all)



fulfil the description of the crime referred to as genocide. From a number of documents, including the afore mentioned reports and statements in the case file, it appears that the offences put forward in the charges refer to the air attacks that were carried out partly during the so-called Anfal Campaign by or under the command of the perpetrators. Moreover, they show that those attacks, however horrifying and shocking they were, formed part of a considerably larger complex of many years of actions against the Kurds in the Northern Iraqi territory, which is mainly inhabited by the Kurdish population. Apparently these actions involved the systematic destruction of hundreds of Kurdish villages. Hundreds of thousands of Kurdish civilians were chased from their home towns and deported to other places and tens of thousands of Kurds were killed. In one of his reports, Van der Stoel described the policy that constituted the basis for the so-called Anfal Campaign, as a policy that without a doubt had the characteristics of a genocidal design.

In view of the said facts and circumstances, the Court believes that the actions taken by the perpetrators, in any case even the ones that have not been included in the charges, as outlined in the above, as to their nature at least produce strong indications that the leaders of the Iraqi regime, also regarding the actions that have been put down in the charges, let themselves be guided by a genocidal intention with regards to at least a substantial part of the Kurdish population group in (Northern) Iraq.

Nevertheless, the Court deems that a final judicial judgment regarding the important as well as internationally significant question whether certain actions by certain persons as mentioned in the charges should be designated as genocide, deserves a better motivated judgment (which should be based on conclusive evidence) than the one on which the Court was able to establish its observation.

The Court takes the grounds that the case file does not include enough facts and circumstances which, with a sufficient degree of certainty, could lead to the assumption that the defendant, before or during the time of his actions in any way had knowledge about those actions of the perpetrators that have not been included in the charges, neither that he could reasonably suspect that these would

occur or had occurred, nor did it become apparent that the defendant, in those days, had any other relevant information from which he could have concluded the genocidal intention of the perpetrators. In this respect the Court has taken into account that, as appears from the documents, the Iraqi authorities kept their actions against the Kurds away from publicity as much as possible. (Consequently) even a number of Dutch ambassadors, who were assigned to Bagdad at that time, as evidenced by their statements, appeared to have had no knowledge about the things that were actually happening to the Kurds.

Based on the above, the Court has come to the conclusion that it has not been established with a sufficient degree of certainty that the defendant, before or during this actions, disposed of the information that could give him the knowledge that by acting the way he did, which actions he has been charged with in the present proceedings, he would be assisting the perpetrators in the fulfilment of this alleged genocidal intention, or that could have made him aware that he willingly and knowingly accepted that reasonable chance. Seen that this criteria of intention, which is regarded as minimal, (also from an international criminal law point of view) has not been met, the Court believes that it has not been legally and convincingly proven that his intentional act, not even in a conditional way, was also targeted at the genocidal intention of the perpetrators.

Therefore the defendant should be acquitted of the principle charge under count 1."

As you might know last month Ali Hassan Al Majid stand trial in Iraq because of his leading role in the so called ANFAL period. The prosecutor in Iraq stated that, to his opinion, the chemical attacks on the Kurds in the north of Iraq are to be considered as part of a genocide.

So it is interesting to know what the Iraqi tribunal considered on this point. Do they find it genocide or not?

Anyway, to the international case law, especially from the international court of justice in The Hague, ICJ, the court for former Yugoslavia and the court for Rwanda, made clear that it is not easy to conclude that genocide had taken place.

## **vi. Conclusive evidence, warcrimes**

The Court has found conclusive evidence which proves that the defendant has committed the offences he has been charged with under count 1, alternatively and count 2.

### **A. Evidentiary considerations with respect to 'causality'.**

As mentioned before, we as prosecutors had to prove, that the defendant delivered his chemicals to Iraq and that his chemicals became part of the stock of ammunition and finally was used in chemical weapons.

We thought we were successful in proving that "causality" because the expert-witness had pointed out 3 possible scenarios about what could happen with the deliveries from the defendant.

His conclusion is that in all 3 scenarios the chemicals of the defendant were used in chemical weapons.

Of course the defence counsel tried to make clear that the expert was not an expert at all, so his scenarios can not be used.

### **This is what the court of appeal concluded:**

"In view of the above, it is an established fact that the defendant in 1985 and the following years supplied Thiodiglycol (TDG) to Iraq, knowing that this substance is a precursor for mustard gas. The Court is of the opinion that the defendant at least must have known that it was to be expected that the produced mustard gas would be implemented on the battle field, not only in the international armed conflict in which Iraq and Iran had been involved already for years, but also against the Kurds in their own country who had chosen the side of Iran, thus engaging themselves in the conflict.

For the judgment of the charges – being an accessory to the violation of the laws (and customs) of war by the rulers in Iraq by supplying them with the aforementioned precursor TDG – it is important to establish what role defendant's deliveries have played in the production of mustard gas and the actual implementation of ammunition that had been filled with that gas, at the locations that are mentioned in the charges.

With respect to this question an extensive report was drawn up by

the expert witness Mr. C. Wolterbeek at the request of the examining magistrate. He also testified in court during the hearing in the first instance as well as during the appeal. Already at an earlier stage, Wolterbeek had offered assistance to the investigation team regarding the questions that are connected to this subject. From now on there will mainly be references to the 'Report' of 10 November 2005 and the 'Additional Report' of 3 December 2005 of the expert witness. In principle, Wolterbeek identifies two scenarios; one mathematical scenario which is based on a 'substances balance', which scenario he describes as 'extreme', and a 'mix scenario', which he judges much more plausible. (12.1.2)

With respect to the data which have been used in compiling the 'substances balance' and Wolterbeek's expertise in this respect, the Court considers the following.

The special qualifications of the above mentioned expert witness on this subject are supported by the fact that Wolterbeek has been a member of the "United Nations Special Commission" (UNSCOM) which from 1991 onwards was in charge of the "immediate on-site inspections of Iraq's biological, chemical and missile capabilities", and from 1993 onwards he was one of three chemical advisors to the management of UNSCOM. He has also been involved with the succeeding organisation, the "United Nations Monitoring, Verification and Inspection Commission" (UNMOVIC). One of the tasks of UNSCOM was the assessment of the data that, within the scope of the 'Full Final and Complete Disclosure' (FFCD), had been supplied to the United Nations by Iraq. This assessment was done in various manners.

Here the Court mentions the findings, during eight years, of the 2000 UNSCOM inspectors, next to the many Iraqi documents, i.e. the so-called 'chicken farm' documents which were received from the Iraqis, the documents that were recovered by UNSCOM when excavating the (bombed) MSE building and the data that came from the Central Bank of Iraq. But also a number of United Nations member states handed over relevant information when asked for.

It is primarily on all these data which were available to UNSCOM and which could be compared thoroughly with the data supplied by Iraq,

that Wolterbeek has drawn his conclusions. Besides, he has been able to use statements made by witnesses who had been involved with the chemical weapons program in Iraq and/or had cooperated with the setting up of the FFCD. A number of these witnesses have also been heard by the examining magistrate. Finally, a last category of data could be retrieved from documents which had been handed over by the United States of America and which came from the investigation that was initiated in Baltimore. To conclude, according to Wolterbeek the Iraqis deserve credit for supplying the data with regards to the mustard gas program openly; therefore there is no reason to believe that they deliberately withheld or forged important information. This is also stated by witness A. (12.1.6)

Before concentrating on Wolterbeek's most important findings, the Court notes that the defendant is also charged with **a**) supplying other precursors than TDG (such as Phosphoroxchlorid [POCL3] which would also be a precursor for tabun mustard gas, **b**) that he supplied materials for the setting up of a factory/factories for the production of chemical weapons and **c**) that he gave advice for the manufacturing of such weapons. In its closing speech (pages 74 and 78/79), the Public Prosecution Service (PPS) took the position that this complicity also needs to be declared proven. However, the Court establishes that there is absolutely insufficient support in the case file for the relevancy of any chemical weapons program and advices (and therefore for the supposed complicity) and that this is not substantiated in the closing speech either. From the official report dated 3 January 2005 (F40, p. 14), which was drawn up with the assistance of Wolterbeek, that – rendered concisely - with respect to the supplied chemicals, the data that were available at that time cannot carry the conclusion that Phosphoroxchlorid as supplied by the defendant has been used for the production of ammunition with tabun as implemented on the battlefield. It cannot be denied however that the defendant has had an important share in the supply of this substance. (12.1.8)

## **B. The arithmetic scenario: the 'substances balance' in relation to Thiodiglycol.**

The above mentioned data result in the following outcome:

**a)** in a scenario in which the TDG that was supplied by the defendant was the last to be processed into mustard gas, it can be calculated based on TDG supplied (essentially) by others and the implementation of mustard gas filled ammunition, that the ammunition which was filled with TDG supplied by the defendant must have been used at the end of 1987 at the latest. (Report p.36). However, according to the Additional Report relatively high production losses during the first years should be taken into account (up to 30%). This could have led to the situation that TDG supplied by the defendant would have had to be used already several months earlier;

**b)** the scenario as described in the Additional Report, assuming that all TDG supplied by the defendant was finished at the end of 1988, results in the conclusion that the TDG of the defendant would have to be used already many months earlier in 1987. However, at the appeal hearing Wolterbeek confirmed that in those calculations the residual stock of TDG, the mustard gas and the ammunition of that moment should be taken into account. If one does that, the answer remains: end of 1987.(12.2)

### **C. The mixing scenario**

A fundamentally different scenario, in Wolterbeek's eyes not an 'extreme' but the most realistic one, is that for several reasons already shortly after the first deliveries of TDG by the defendant, quantities thereof were mixed with quantities of TDG supplied by 'third parties' and that this 'mix' was used for the production of mustard gas and that this mustard gas ended up in ammunition relatively shortly after and that this ammunition was actually used. This mixing scenario is based on considerations of Wolterbeek which he mentioned respectively in his Report and during the appeal hearing:

**a)** warehouse management did not apply a first in/first out scenario, neither did it apply a first in/last out scenario, mainly because the containers with TDG were placed widespread over the premises for fear of possible air raids. The TDG that was used was the nearest available;

**b)** according to Wolterbeek's statements in his Report (p. 27/28) in that respect, the TDG was used rather quickly after arrival for the production of mustard gas;

- c) depending on the size/quantity of the batch that had to be made, corresponding packages were picked out;
- d) the mixing was also necessary in order to achieve the envisioned quality of the mustard gas;
- e) after production, the mustard gas was stored in storage tanks, creating a mix as well.

According to this scenario it can be assumed that the defendant's TDG ended up in ammunition filled with mustard gas in the course of the third quarter of 1985 (Report p. 28)". (12.3)

#### **D. Conclusion**

The court of appeal came to the following conclusions:

"a) The defendant played an important part by supplying the precursor Thiodiglycol to the Iraqi regime for the production of mustard gas: at least 38% of this substance had been supplied by him in the years 1980 up to and including 1988. If any TDG would also have been supplied from the United Kingdom to Iraq in those same years, this fact does not impair the qualification of 'important' regarding defendant's part in this matter.

b) When the supplies by others eventually stopped no later than in the course of 1984, the defendant supplied at least another 1,116 tons of this precursor until the spring of 1988.

c) The first shipment of TDG supplied by the defendant arrived in Iraq towards the summer of 1985; in that year he supplied a total of approximately 197 tons. Based on the considerations written under item 12.3 above, the Court deems it very likely that in the course of that year TDG supplied by the defendant was also used for the production and finally ended up in ammunition that was used for the attacks as mentioned in the charges.

Conclusive evidence for his co-responsibility regarding the attacks mentioned in the charges (in so far as mustard gas was deployed in those attacks) is the following:

d) As of 1985, the supplementation of the essential precursor TDG to the Iraqi regime depended completely on the supplies made by the defendant.

e) For that reason, the unwholesome policy that was continuously carried out by the regime that from 1984 onwards seemed to find it necessary to deploy hundreds of tons of this poison gas during combat, depended to a decisive extent if not totally on those supplies. Taking into consideration the crucial significance that the shipments of TDG supplied by the defendant since 1985 had for the chemical weapon program of the regime, the Court finds the defendant (together with his co-perpetrators) guilty of being an accessory to providing the opportunity and the means for the proven attacks with mustard gas in the years 1987 and 1988.

#### **E. Liability to punishment on account of the proven charges**

The proven charges constitute a punishable offence:

##### **Regarding the proven charges under count 1.**

alternatively:

The defendant is found guilty of the offence of complicity in being an accessory to a violation of the laws and customs of war, while that offence resulted in the death or grievous bodily harm of another person or that offence was an expression of a policy of systematic terror or wrongful actions against the whole population or a specific group thereof, committed several times.

##### **Regarding the proven charges under count 2:**

The defendant is found guilty of the offence of complicity in being an accessory to a violation of the laws and customs of war, while that offence resulted in the death or grievous bodily harm of another person, committed several times".

#### **F. Grounds for the punishment**

During the appeal trial asked the court the defendant to be sentenced to a term of imprisonment of 15 years, less the period spent in pre-trial detention.



## Considerations of the court:

"During a number of years the defendant supplied raw material to the Iraqi regime for the production of chemical weapons. From 1985 until early 1988, in a total of twenty shipments he supplied at least more than 1,100 tons of Thiodiglycol (TDG) on the basis of three Letters of Credit. That substance was used for the production of mustard gas that was deployed during the war in Iran as well as in Iraq. By doing so during a number of years, the defendant has consciously made a substantial contribution to the continuing violation of the laws and customs of war committed by the Iraqi regime. Based on Dutch criminal law that was applicable at that time, a person who is found guilty of complicity in a criminal offence which carries a life sentence can be sentenced to a term of imprisonment of a maximum of 15 years. Seen the fact that the defendant committed the offence of complicity several times, in his case the penalty to be imposed will be a maximum term of twenty years imprisonment, which is based on the regulation set out in article 57, paragraph 2, of the Penal Code, concerning various offences for which one sentence is pronounced.

In determining the punishment in this case, the Court has taken into account the following circumstances, that on the one hand relate to the seriousness of the offences, the circumstances in which they were committed, as well as the intended purposes of the punishment to be considered when fixing the punishment, and on the other hand the personal circumstances of the defendant.

As results from the case file (in the period referred to in the charges), the Iraqi regime carried out multiple attacks with (among others) mustard gas during the war with Iran on places in that country, as well as on the border region between Iraq and Iran, where Kurdish population groups lived that were suspected of collaboration with the Iranian enemy. Those attacks caused the death of at least thousands of civilians (that did not participate in the conflict) and caused permanent and severe health problems to very many persons. It is beyond doubt that the regime in Bagdad by doing so committed extensive and extremely gross violations of the international humanitarian law by using a weapon that was already prohibited by the Geneva (Gas) Protocol of 17 June 1925.

The defendant has made an essential contribution to these violations – at a time that many, if not all other suppliers ‘pulled out’ with regard to the increasing international pressure – by supplying many times in the course of several years (among other matters) very large quantities of a precursor for mustard gas; in doing so the defendant made significant profits. Those supplies enabled the Iraqi regime to (almost) continue their deadly (air) attacks in full force during a number of years. Apparently the defendant did not give his deliberate support to the afore mentioned gross violations out of sympathy for the targets of the regime, but – as it should be assumed – the defendant acted exclusively in pursuit of large gains and fully neglected the consequences of his actions. Even today the defendant does not show any sense of guilt or any compassion for the numerous victims of the mustard gas attacks.

The Court recognizes that the proven offences were committed over more than twenty years ago and that the defendant is a man of advanced age, who is to be expected to spend a large part of the remaining years of his life in prison. The Court will only be able to attach limited weight to this slightly mitigating circumstance. In this case the most important aspect concerning the determination of the appropriate sanction – considering the extreme gross violation of the principles of humanitarian law that took place and the important supporting role that was played by the defendant – is to point out to the victims and survivors, as well as to the international legal community, how much value is put on the actions of the defendant and what severe punishment can only be the consequence of these actions.

Finally in fixing the appropriate punishment, the Court has taken into account the general prevention aspect. People or companies that conduct (international) trade, for example in weapons or raw materials used for their production, should be warned that – if they do not exercise increased vigilance – they can become involved in most serious criminal offences.

It should be made clear to them that they will have to face prosecution and long-term prison sentences, in accordance with the seriousness of the crimes they committed.

Considering all of the above, the Court concludes that the only suitable and necessary reaction in these circumstances is a non-suspended prison sentence of a very long term as set out below.

**DECISION**

The Court:

Sentences the defendant to a term of imprisonment of 17 (seventeen) years. The judgment was pronounced at the public hearing of the Court of Appeal in The Hague on 9 May 2007."

Thank you for your attention,

Institut kurde de Paris

# TERROR WAS HIS MEANS TO OUR END: U.S.-WESTERN SUPPORT OF SADDAM HUSSEIN'S GENOCIDE OF THE KURDS

NICHOLAS PATLER

Institut kurde de

In my country, the United States of America, we are taught from a very young age that human freedom and liberty are to be cherished above all else. Indeed, our country owes its existence to Thomas Jefferson's immortal declaration that "all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the Pursuit of Happiness." So important are these rights that Jefferson called them "self-evident," and he even placed them over established authority in the American Declaration of Independence when he affirmed the absolute power of the "[people to alter or abolish" their government when it infringed on their unalienable rights. In short, the American people were to find their highest expression and God given right in self-determination—a self-determination which left them unfettered to pursue their individual lives and to collectively guide the affairs of their government in the direction of human liberty.

Since Jefferson's time, the U.S. has both miraculously succeeded and miserably failed in living out its precepts. We have moved towards a broader notion of freedom and ethnic inclusion, and also have tragically engaged in slavery, racial, gender and ideological discrimination, and xenophobia.

Today, I am at pains to say, we are once again failing miserably. For the past half-century—indeed, stretching back to the post-WWI era—the U.S. has feverishly pursued its interests abroad while utterly trampling on Jefferson's human declaration for other peoples and countries whose

resources, markets or strategic geopolitical locations we have coveted for our own benefit. In other words, while claiming to be a country that puts emphasis on the importance of the individual and his/her aspirations, we have often moved in the opposite direction abroad, not only failing to encourage human rights but intentionally disregarding or preventing the sacred right of self-determination for other peoples, going as far as to crush budding democratic governments and movements when they have conflicted with our own narrow self-interests. We have done so even in the shadow of President Woodrow Wilson's noble but problematic attempt in the twentieth-century to proclaim Jefferson's self-determination a universal right, not just for Americans, but also for peoples throughout the world.

Perhaps nowhere have we so neglected, indeed, trampled human rights and self-determination than we have for the Kurdish people. Beginning with the Treaty of Lausanne in 1923, where the international community abandoned its earlier commitment to a Kurdish state—indeed, America only attended the Lausanne Conference as an unofficial participant to assure that its commercial interests were locked-in<sup>1</sup>—to U.S. and Western support of Saddam Hussein in the 1980s with material and diplomatic support as he committed genocide against the Iraqi Kurds, to American backing of present-day Turkey as they deny ethnic existence to 20 million Kurds living in the southeastern part of the country, self-determination for the Kurds—and just their day-to-day safety—has been utterly abandoned by countries which have had it in their power to help, especially the U.S.

In much of the world today, this striking hypocrisy between what we claim to represent and how we act is costing my country its credibility and is making a mockery out of our supposed concern for human rights. The fact that a democracy is projecting its military and economic power across the globe like some reckless empire, disregarding the rights and aspirations of other peoples, with its history of covertly thwarting self-determination, sends the message that human rights are not important to us in the larger scheme of things—and that America could care less about abiding by them—thereby inspiring tyrants and dictators, including former Iraqi leader, Saddam Hussein and the modern day repressive government in Ankara.

What is worse—what is far worse in the sense that it has played an important role in the destruction of so many human lives—is that the

U.S. has directly supported and enabled repressive leaders and regimes with material and diplomatic support. While such support has negatively impacted many peoples, it has created some of the most tragic consequences and unimaginable horrors for the Kurdish people living in Iraq and Turkey. During the 1980s, the U.S. supported Saddam Hussein with diplomacy, money and loans, and helped arm his regime with lethal weaponry, including deadly chemical and biological agents—all of which, as we well know, was used to commit genocide against the Iraqi Kurdish population during the horrific Anful campaign. Moreover, Hussein was emboldened not only by U.S. material and diplomatic support, but also by the tame response from the U.S. government and the relative silence of the American media as he carried out chemical weapons attacks and mass executions against the Kurds and Iranians.

And in the past several decades, Turkey has been one of the largest recipients of U.S. military exports and training in the world. This, along with American diplomatic support and its granting of immunity, has made it easier for Ankara to commit cultural genocide against the Kurds in the southeast region of the country, and has given the Turkish military a stronger arm to physically repress the Kurds, including killing, torturing and jailing civilians, and destroying their villages and hamlets.

With that said, this talk-paper is written in part to highlight in an international forum U.S.-Western political and corporate support of Saddam Hussein in the 1980s. While this information is readily accessible to any casual researcher, much of it is still suppressed or deflected by the American government and media—and many people in my country are still in the dark regarding the Kurds and their experience. It is important that we make every effort to put this on record for the world over and over—to capture and motivate the popular imagination—so that America and the international community will stop turning a blind eye and begin responding to the historical and contemporary plight of the Kurds. The U.S. political establishment rarely reacts to genocide and government mass murder without a concerted effort and outside pressure by an irformed populace and collective organizations and movements, such as occurred during the Bosnian and Rwandan genocides. In responding to these horrors, indeed in preventing them, the populace must first be informed enough to be inspired to make their reluctant governments take action.

Let me make it clear that the main objective here is not just to rebuke America or the West, although they bear their share of responsibility.

The goal of this talk-paper is to diffuse information, heighten global awareness and empower us with knowledge and compassion to change things. On a personal level, as an American, it is about being honest and taking responsibility for the actions of my country of which I am a part—actions that have had dire consequences for the Kurds here in Kurdistan-Iraq and in Turkey.

Perhaps most importantly, this paper is presented in hopes of inspiring the international community in general, and America in particular, to begin making human rights, starting with the human rights and aspirations of the Kurdish people, a cornerstone of their foreign policies, moving beyond the old paradigm of only considering strategic and material interests. And it goes without saying that it is my hope that we will begin to hold leaders and regimes accountable for crimes of genocide and repression—indeed, that we will work to prevent such from occurring when we have it in our power to do so—rather than sheltering them for strategic interests or turning away because no interests are at stake, as we are doing in Darfur and the Congo. As Abraham Lincoln once said, “We—even we here—hold the power, and bear the responsibility.”

In December 2002, the Bush administration hurried to New York to take possession of an 11,800-page report detailing the history of Iraq’s weapons programs, which had just been completed by the U.N. Security Council. They then hastily removed 8,000 pages that detailed the enormous amount of weapons and other assistance provided by the U.S. government to Saddam Hussein, and sold by American and Western corporations to Iraq prior to 1991.<sup>2</sup> While the Bush administration censored this important information to prevent it from becoming an obstacle in their path to war, it enabled Americans and their media if not to deny that we had aided Hussein, to at least conveniently ignore it since it had been officially erased from the historical record—a collective amnesia that largely persists to this day.

And while most people were not displeased to see Saddam Hussein removed from power—particularly the Iraqi Kurds who were brutalized by his regime—U.S. censorship of those 8,000 pages of the Iraqi weapons report six years ago continues today to prevent any serious dialogue of U.S. and Western responsibility in the deadly rise of Saddam Hussein, particularly in the media. We have conveniently removed ourselves from this inhumane equation in which we were an important variable. In short, the U.S. blacked out its own name in supporting,<sup>2</sup> both directly and by its silence, the Kurdish genocide in Iraq.



Essentially repeating what I said a moment ago, it is imperative that America and the West begin to openly acknowledge their role in that terrible tragedy—to accept responsibility—so that we can transcend such reckless power politics and begin to help create effective international policies that puts human needs and concerns first, and that can further serve as safeguards to human abuse in the future.

### **Building a dictator's confidence: The U.S. and West sanction Iraqi terror and genocide**

In 1983, Saddam Hussein began using chemical weapons against the Iranians during the brutal Iran-Iraq war in clear violation of the Geneva Protocol Against Chemical Weapons. And for the next five years, emboldened by the lack of official response—or unofficial response, for that matter—from the U.S. and international community, Hussein would use chemical weapons approximately 195 more times on the Iranians and then on his own civilian Kurds, including women and children.<sup>3</sup>

These chemical attacks against the Iraqi Kurds were part of what is known as the Anfal campaign—a tragic reference to a Kurdish hell all-too-familiar in Iraq and the Middle East, but still largely unfamiliar to many people in the U.S. Indeed, if a poll were taken in America today, most people would probably respond that they have never even heard of the Anfal campaign.

This horrific operation to eliminate the rural Kurdish population not only rained down lethal chemical fire on the Kurds living in the towns of Halabja, Guptapa and other villages in northern Iraq, killing thousands of people, including many children, and causing permanent genetic mutations similar to those suffered by Japanese exposed to radiation in the aftermath of Hiroshima and Nagasaki—but the campaign also included the torture and mass shooting executions of men, women and children, the utter destruction of their villages and hamlets, and the forced imprisonment of thousands more in concentration camps where torture and extreme malnutrition were routine. By 1989, around 150,000 to 200,000 Kurds had been murdered, almost 4,000 of their villages and hamlets destroyed and over a million forcibly relocated. Moreover, thousands more lay wounded and suffering in unimaginable agony from chemical burns and poisoning.<sup>4</sup>

Shockingly, writes genocide scholar Samantha Power, "at no point during the eighteen-month (Anfal) campaign of destruction did Reagan

administration officials condemn it." The neglect and silence of the U.S. in the face of Hussein's genocide of the Kurds was made all the more appalling when newly-elected president, George H.W. Bush, President Reagan's successor, renewed relations with Hussein less than a year after Anfal, rewarding the dictator with \$1 billion dollars in credit loans, thus doubling the annual amount he received from the U.S. government while he was gassing and shooting Iranian child-soldiers and Kurdish civilians.<sup>5</sup>

The U.S., however, had been rewarding Hussein from the very beginning with full-knowledge of his deadly and illegal use of chemical warfare. From 1983 to 1988, America had reliable information from its own intelligence, including satellite intelligence, and other sources that Hussein was using chemical weapons and literally wiping Kurdish villages off the face of the map. Recently declassified U.S. State Department memos from 1983 and 1984 reveals "Iraq's almost daily use of CW (chemical weapons)" against the Iranians and Kurds, even quoting the Iraqi government's admission to having "annihilation insecticide... that will destroy any moving creature." Indeed, the United Nations had sent fact-finding teams to Iraq in 1984, 1985, 1986 and 1987, writes Power, and each time concluded that the Hussein regime had used chemical weapons. In 1988 alone, the U.N. had discovered "in seven separate findings" that Iraq had used chemical weapons against civilian Kurds. Amazingly, just months after the first finding in 1984, which made a brief spark in the international press, the U.S., rather than holding Iraq accountable and letting Hussein know that such further crimes would not be tolerated, actually extended diplomatic relations, essentially sanctioning his behavior.<sup>6</sup>

In doing so, the U.S. and international community refused to take advantage of an opportune moment to potentially prevent the horrendous nightmare of the Kurdish genocide that followed. While they initially toyed with the idea of discouraging Hussein from further using chemical weapons and did eventually offer a very weak objection—mostly out of concern that violating the Geneva Protocol could be a public relations nightmare in Iraq's war against Iran, and to U.S. credibility if it was perceived that they failed to respond in some way (nothing about saving lives—all about credibility and power)<sup>7</sup> — in the end they signaled to the dictator that he would not only escape accountability for his past actions, but that he could continue to confidently dispose of his enemies or undesirables in the most brutal fashion possible without any serious repercussions. Saddam's man in charge of the Anfal campaign, his cousin

Ali Hasan al Majid, expressed this brazen attitude to kill and torture with immunity and without restraint when he declared in a taped meeting with supporters, "I will kill them all with chemical weapons! Who is going to say anything? The international community? F\*\*\* them!"<sup>8</sup>

Al Majid had reason to be brash and arrogant. He understood that the world's strongest superpower was obsessed with the military defeat of Iran and that it supported Iraq. Former Bush Secretary of Defense, Donald Rumsfeld, had been sent to Iraq a few years earlier to renew relations with Hussein. With Iran and the United Nations accusing Iraq of using chemical weapons, Rumsfeld made it clear that "the defeat of Iraq in the three-year-old-war with Iran would be contrary to U.S. interests."<sup>9</sup> For America and much of the West, the lives of the innocent—children, women and men—were of little concern, and the inhumane methods of death and destruction used against them, reminiscent of the Nazi genocide, such as chemical gassings, mass shooting executions and concentration camps, could be ignored or silenced as long as Saddam Hussein defeated America's then public enemy number one, the Ayatollah Khomeini.

Tragically, until that end was achieved, essentially any amount of suffering and death was acceptable. As one unidentified Western diplomat openly admitted in an interview with David McDowell, author of *A Modern History of the Kurds*, in 1987: his "government had no intention of jeopardizing its political and economic prospects in Iraq and the Gulf for the sake of the Kurds."<sup>10</sup> Moral and legal obligations, supposedly the cornerstone of the American and many Western systems of government, were simply brushed aside in the name of oil, since the West feared this prized Iraqi resource falling into the hands of the Ayatollah; in the name of strategic power, where the U.S. vehemently opposed a strong Iran in the Middle East;<sup>11</sup> and, we must not forget, moral and legal obligations were discarded by the U.S. in its obsession to take revenge against Iran for its takeover of the American embassy in Tehran a few years earlier, including American hostages, and the Iranians unforgivable sin of pursuing self-determination by overthrowing America's puppet-leader, the Shah.

Simply put, the attitude of the U.S. seemed to be that it wanted Iran defeated by any means necessary and at any expense. In a top-secret message, President Reagan even encouraged Saddam Hussein to "step up his air war and bombing of Iran."<sup>12</sup> Moreover, a senior intelligence defense officer told the *New York Times* that the "use of gas on the battlefield by the Iraqis was not a matter of deep strategic concern."<sup>13</sup> If

the Kurds were the unfortunate casualties crushed in the process, so be it. Saddam Hussein would be given immunity and left alone (with our help) to do what we wanted him to do, even if terror was his means to our end.

### **Arming a genocidal regime: Fattening Uncle Sam's tyrant in Iraq**

U.S. and Western assistance to Iraq, of course, extended beyond diplomatic immunity to commit genocide against the Kurds and chemical attacks against the Iranians. We not only more or less gave our consent, but we helped provide the resources and weaponry that enabled Hussein to carry out his campaign of terror against the Kurds. "Without high-tech weapons from the West," says one correspondent, "Iraq's war against Iran and Kuwait would never have taken place."<sup>14</sup> Today, it is still difficult to obtain a full detailed listing of all the money, weapons, chemicals and other assistance the U.S. and other Western countries provided and sold to Hussein. The U.S., as mentioned, went to extreme lengths to censor and delete specific parts of Iraq's Weapons Declaration that revealed American and Western political and corporate complicity in arming Hussein. But we at least have some of the details from leaks in the press, penetrating investigative research and fairly recent declassified U.S. documents. Moreover, we can clearly demonstrate the important point that needs to be stressed over and over, which is that much of this assistance was done with full-knowledge of Hussein's crimes both during and after the Anfal campaign as well as in the Iran-Iraq war. Thus, something disturbingly new in history had taken place: a democracy—a supposed defender of human rights—intentionally aligned itself with a genocidal regime.

In the U.S. alone, twenty-four companies, along with fifty subsidiaries of foreign companies that sold Iraq arms within U.S. borders, supplied Iraq with billions of dollars worth of high-tech weapons and infrastructure support to build more. These included such corporate giants as Dupont, Hewlett-Packard, Honeywell, Bechtel Group, Silicon Valley, Unisys, Rockwell, Sperry and Eastman Kodak. American companies also sold Hussein chemicals to make deadly mustard gas and sarin, and they provided him with seed stock or "starter germs" to create deadly diseases whose names today strike terror in the hearts of many living in western cities, such as anthrax, botulism, West Nile Virus and E. coli. Between 1986 and 1989, foreign policy expert Chalmers Johnson writes that, "some seventy-three transactions took place that included bacterial cultures"—

and this after the U.S. mildly objected to Iraq's use of chemical warfare. Even six months after the Kurdish Hiroshima in Halabja—the largest and most publicized chemical weapons attack—journalist Paul Rockwell revealed that, “a Maryland company sent 11 strains of germs—four types of anthrax—to Iraq, including a microbe strain called 11966, developed for germ warfare at Fort Detrick (USA) in the 1950s.”<sup>15</sup>

Beyond selling lethal chemical and biological agents to Hussein, U.S. companies negligently provided his genocidal regime with plans and technical drawings on how to build chemical production facilities and factories.<sup>16</sup> This would be something equivalent to providing Adolf Hitler with instructions for building concentration camps and gas chambers in Nazi Europe and selling him the Zyklon-B to boot.

Of course, U.S. weapons and chemical companies could not have done business with Hussein without official oversight and direct permission from the American government. A 1994 report by the U.S. Senate Banking Committee revealed that the U.S. government licensed dozens of companies to sell weapons and weapons parts and technology to Iraq, and repeatedly approved the sale of “materials to make mustard gas, VX nerve agent, anthrax and other biological and chemical weapons.” The Senate report also stated that, “the same micro-organisms exported by the U.S. were identical to those U.N. inspectors found and recovered from the Iraqi biological warfare program.” This report came from the legislative branch of the U.S. government of all places, and has been public information for years, yet still relatively few Americans are aware of it.<sup>17</sup>

The U.S. also directly provided Iraq with billions of dollars in farm credits, which were really fraudulent loans that enabled Hussein to build up his conventional and chemical weapons arsenal, and they pressured other public and private entities to give Iraq loans to purchase weapons exports. Under President Reagan's leadership, the CIA made sure that Iraq had sufficient weapons, including gun, tank and air bomber ammunition. They also made an intense effort to get Hussein cluster bombs, which kill and maim numerous human beings at one time as they spread deadly bomb lets over large areas. But that's precisely why CIA director, William Casey, wanted them—so as to destroy “human waves” of Iranians, as he so callously put it.

Today, modern battlefields are littered with cluster bombs, which con-

tinue to kill long after wars have ended. Indeed, "ninety-eight percent of those killed by cluster bombs are civilians," says one expert on the issue. I wonder how many of these terribly inhumane cluster bombs were used against the Kurds—how many people were killed—how many Kurdish and Iranian children were left maimed for life and continue to be hurt and killed to this day? The Pentagon and CIA further gave Iraq a steady stream of "intelligence and strategic military advice," including techniques to increase kill efficiency in combat. And a recently declassified document also reveals that, "the CIA... provided Iraq, through third parties that included Israel and Egypt, with military hardware," including helicopters used in the shooting and chemical bombings of Kurds and their villages.<sup>18</sup> With all considered, the United States government may have very well provided the actual guns and bullets used in the mass shooting executions of the Kurds, and the tanks and bombs that destroyed their villages!

Of course, the U.S. was not alone—although as the most powerful democracy in the world, its complicity in supporting tyranny and genocide was the most egregious. Several European countries and companies, along with Russia, Japan, China and Brazil, also sold Iraq an untold dollar amount in lethal military hardware and arms, and materials to make chemical weapons. Britain, Germany and France exported to Iraq ignition systems for missiles capable of carrying biological and nuclear warheads, and tankers, bombers and helicopter gun ships. And like the U.S., Britain actually doubled its export credit to Iraq after the Anfal campaign and the publicized chemical attack on Halabja.<sup>19</sup>

It also appears that perhaps a dozen German pharmaceutical companies, with the assistance of the government, provided Iraq with material and the know-how to manufacture chemical weapons, lethal assistance which was also sold to Hussein by France, Italy and the Netherlands. Shockingly, once the Anfal campaign was underway, a major German company even gave cover for the importation of materials for chemical weapons production in Baghdad. This was all the more a mockery for the Kurds who were victims of chemical attacks since it was Germany that first developed and used chemical gas warfare on other human beings in WWI, and now, over seventy years later, was going to extraordinary lengths to keep the wheels of chemical warfare turning at the expense of the Kurdish people in Iraq.<sup>20</sup>

Finally, it's important to stress over and over in a public forum the fact that leaders and officials in all of the countries that helped arm Saddam

Hussein, especially the U.S., were aware that he was using their assistance to murder and torture civilians. And the executives at the corporations manufacturing and supplying chemicals and conventional weapons and support, sheltered by the safety and luxury of their environments and lifestyles, knew as well that the Iraqi dictator was committing terror against his vulnerable Kurdish minority. Yet they still made the choice to act immorally and recklessly by assisting his mass murder and genocide with knowledge of his crimes. They can claim that their sales and assistance was legal, which it may have very well been by some precarious technical loophole, but they cannot claim—and we should not let them claim—that their actions were ethical and moral. Instead, we should remind them that they bear responsibility for the crimes of the Saddam Hussein regime, and that such complicity in human suffering for the sake of power and money will no longer be tolerated.

This unsettling point is important to stress since, tragically, the U.S. and other governments still to this day provide repressive and lethal regimes with the means to kill. Indeed, the U.S. is by far the largest exporter of weapons and military assistance in the world, much of which goes to countries with poor human rights records. And once again such reckless behavior is negatively impacting the Kurds—this time in Turkey. Indeed, Turkey is one of the largest recipients of U.S. military hardware and training, receiving billions of dollars worth annually, and the government uses this weaponry and military know-how to commit terror and repression against the Kurds, a campaign of denying them self-determination and ethnic rights that has been ongoing for the last eighty years. Rather than encouraging freedom and democratic rights for the Kurds, who desperately need them, and holding Ankara accountable, America is directly supporting tyranny in Turkey, both materially and diplomatically, as it did in Iraq during the 1980s.<sup>21</sup>

This has to stop. As I stressed at the beginning of this talk-paper, it is time that the U.S. and international community begin making human rights, starting with the human rights and aspirations of the Kurdish people, a cornerstone of their foreign policies, moving beyond the old paradigm of only considering strategic and material interests. The U.S., however, has demonstrated time and again that it is not willing to abide by the International Court, or any other ethical standards of behavior when it is not in its interest. Thus, we must imaginatively, creatively and compassionately find ways to recreate politics and international affairs,

and change the rules of behavior so that we can minimize the conflicts between human rights and narrow national interests. Indeed, the latter must become subordinated to the former, not the other way around as it is today. We—you and I—must do this together, because if we continue to leave it to the status quo and power elites, we will continue, by our silence, apathy and fear, to curse the world with more Halabjas, more Guptapas, and more Saddam Husseins. We owe it to the children and future generations to give them something better.

**Note:**

- 1-Peter Balakian, *The Burning Tigris: The Armenian Genocide and America's Response* (New York: Harper Collins Publishers, 2003) 369.
- 2- Chalmers Johnson, *The Sorrows of Empire: Militarism, Secrecy and the End of the Republic* (New York: Henry Hold and Co., 2004) 224.
- 3- Samantha Power, "A Problem From Hell": *America and the Age of Genocide* (New York: Harper Collins Publishers, 2003) 178.
- 4- Power, 172, 186, 188-190, 193, 195-98, 232, 242, 244; David McDowell, *A Modern History of the Kurds* (New York: I.B. Tauris, 1997) 357-360.
- 5-Power, 234-236.
- 6-Power, 550, footnote 16; McDowell, 361; The National Security Archive, George Washington University, "Shaking Hands with Saddam Hussein: The U.S. Tilts toward Iraq, 1980-1984," Documents 24, 25 and 41 <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB82/>).
- 7- The National Security Archive, "Shaking Hands with Saddam Hussein: The U.S. Tilts toward Iraq, 1980-1984," Documents 24, 25 and 47.
- 8- Middle East Watch, *Genocide in Iraq: The Anfal Campaign Against the Kurds* (Human Rights Watch, 1993) 349.
- 9- Jeremy Scahill, "What about Those Chemical Weapons? The Saddam in Rummy's Closet," *Counter Punch*, August 2, 2002; The National Security Archive, "Shaking Hands with Saddam Hussein: The U.S. Tilts toward Iraq, 1980-1984." Documents 28, 31, 32, 36 and 37.
- 10- McDowell, 367 footnote 57.
- 11- The National Security Archive, "Shaking Hands with Saddam Hussein: The U.S. Tilts toward Iraq, 1980-1984," Documents 26 and 53.
- 12- The National Security Archive, "Shaking Hands with Saddam Hussein: The U.S. Tilts toward Iraq, 1980-1984," Document 61.



**13-** Elson E. Boles, "Helping Iraq Kill with Chemical Weapons: The Relevance of Yesterday's U.S. Hypocrisy Today," *Counter Punch*, October 10, 2002. Shockingly, it appears that some U.S. intelligence officers and leaders believed that Saddam's chemical warfare might shorten the Iran-Iraq war, disturbingly evocative of the argument made by German chemist, Fritz Haber, the pioneer of chemical warfare during WWI, when he claimed that chemical weapons were "a way of saving countless lives, if it meant that war could be brought to an end sooner," Diana Preston, *Before the Fallout: From Marie Curie to Hiroshima* (New York: Berkley Books, 2005) 53.

**14-** Paul Rockwell, "Who Armed Iraq?" *San Francisco Chronicle*, March 2, 2003.

**15-** Amy and David Goodman, *The Exception to the Rulers* (New York: Hyperion Books, 2004) 62; Rockwell, "Who Armed Iraq?" *San Francisco Chronicle*, and "Iraq's U.S. Arsenal: Complicity of firms in Saddam's crimes against humanity now well-documented," *Metro*, *Silicon Valley's Weekly Newspaper*, February 20-26, 2003; Johnson, 224.

**16-** 1994 Report by the U.S. Senate Banking Committee, quoted in Mohamad Bazzi, *United Nations Correspondent*, "Source: List Includes U.S. Firms That Aided Iraqis," *Long Island, NY Newsday*, December 13, 2002.

**17-** Bazzi, *Newsday*, December 31, 2002.

**18-** The National Security Archive, "Shaking Hands with Saddam Hussein: The U.S. Tilts toward Iraq, 1980-1984," Document 61; Frida Berrigan, "Weapons of war—killer of innocents: Like landmines, U.S. wants its cluster bombs," *San Francisco Chronicle*, January 7, 2007; Johnson, 224; Power, 173.

**19-** Rockwell, "Who Armed Iraq?" *San Francisco Chronicle*; McDowell, 363, 367

**20-** McDowell, 363, 367 footnote 62; Preston, 52-53.

**21-** Nicholas Patler, "What We Owe Children: Solving the world's problems may require that we humble ourselves to the fact that the U.S. contributes to many of them," *Eightyone*, August 2006: 32-33; Chalmers Johnson, *Blowback: The Costs and Consequences of American Empire* (New York: Henry Holt and Company, 2000) 14-15, 86-87; 655 report, FY 02 International Military Education & Training ([www.fas.org/asmp/profiles/655-2002/6552002.html](http://www.fas.org/asmp/profiles/655-2002/6552002.html)).

# IMPROVING THE PROSPECTS OF APPREHENDING AND PROSECUTING 'MID-LEVEL' AL ANFAL PERPETRATORS

## SELECTED STUDY RESEARCH

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HEAD OF CAMPAIGNS, POLICY AND RESEARCH, THE AEGIS TRUST. THE AEGIS TRUST IS CURRENTLY SEEKING TO SET UP AN INTERNATIONAL NETWORK DEDICATED TO TRACKING AND PROSECUTING WANTED WAR CRIMINALS.

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## Summary

The process of bringing to justice those responsible for the Anfal campaigns will take many years and will involve legal work in many countries. This paper explores how to maximise the chances of arresting and prosecuting the perpetrators of the Anfal campaigns.

The existing 'pinnacle strategy' of prosecuting high level perpetrators leaves a 'justice gap' and should be complemented with further work to bring mid- and low-level suspects to trial.

The Iraqi authorities and Kurdistan's Regional Government can maximise the chances of apprehending and prosecuting suspected war criminals by:

- Including mid-level suspects in future prosecutions at the Iraqi High Tribunal;
- Improving the workings of the IHT;
- Preparing a contingency plan to take forward prosecutions in the event of a change in political circumstances in Iraq;
- Building and sharing case files on perpetrators to maximise the chances of a successful arrest and extradition or overseas trial;
- Participating in an international information sharing and apprehension network;
- Instituting a reward scheme;

- Working to build a political consensus in other countries that prosecutions are desirable;
- Suspending or abolishing the death penalty in Iraq to improve the chances of successful extraditions.

### **Introduction**

Dr. Aribert Heim is now, if he is still alive, 93 years old. During the Second World War he was an SS doctor in Mauthausen, a Nazi concentration camp. Known as 'Dr Death' by the inmates he is accused of killing many people though lethal injections made directly into the heart. Released after the war, he worked as gynecologist in Austria until he was tipped off that he was under investigation for war crimes. He escaped and has been rumored to have lived in Spain, Uruguay, Paraguay and Argentina. He has been reported dead, yet money has been withdrawn from his bank accounts in recent years, and his family have not claimed their inheritance of over one million dollars. It is reported that he may now be in Chile. There is currently a reward of 310,000 Euros for information leading to his arrest.<sup>1</sup>

Charles Munyaneza is 47 years old. In 1994 he was the local mayor in Rwanda. He is alleged to have urged others to participate in the genocide of the Tutsi population, saying "All of you, men, women and girls, must take part. I don't want to see a single Tutsi alive on this hill."<sup>2</sup> Over 40 witness reports have been compiled detailing his involvement in the killings. He was arrested in Bedford, a small town in the United Kingdom, where he had been working as a cleaner and will now be extradited to Rwanda to face trial.

These men are just two of many. There are tens of thousands of mass murderers still at liberty around the world – many having fled abroad to escape justice in their own countries. The process of bringing to justice those responsible for the Anfal campaigns will take many years and will involve legal work in many countries. This paper explores how to maximise the chances of bringing the perpetrators of mass killings in Kurdistan to justice.

### **Existing strategy**

Since Nuremburg the international community has operated, in a haphazard fashion, a 'pinnacle' strategy of focusing on those who bear most responsibility for instigating and organising mass atrocities. Thus existing arrest warrants and trials at the International Criminal Court (ICC) and International Tribunals for the former Yugoslavia and Rwanda (ICTY and ICTR) have focused upon the leaders of the Lord's Resistance Army, on Charles Taylor of Liberia, Théoneste Bagosora in Rwanda and Milosevic, Mladic and Karadzic in the former Yugoslavia.

It is this pinnacle strategy which has, so far been followed by the Iraqi High Tribunal (IHT), which has brought cases against the seven individuals, high up in the Ba'ath regime, for their role in the Anfal campaigns.

The pinnacle strategy has significant advantages. It is the most efficient option when prosecutors faced with many perpetrators and limited resources. The high profile of the resulting trials can have a significant effect on the popular narrative surrounding the events in question: by placing evidence in the public domain, by giving a voice to the victims, and by allowing the self serving justifications of the perpetrators to be exposed to the bleaching glare of cross-examination. The pinnacle strategy often does just enough to address genocide denial ('it didn't happen'), genocide reduction ('it happened but it wasn't as bad as you claim, and the victims were primarily soldiers'), genocide deflection ('it happened but my people didn't do it'), and genocide equivalence ('it happened, we did it, but you did it too').

However, the pinnacle strategy only satisfies some of the requirements of justice. By focusing on those who bear most responsibility for the crimes it captures the politicians, the colonels, the list makers and the logisticians, but neglects those on the ground: the trigger pullers, the guards and the torturers. Many of the guilty go free.

This has three consequences. First, victims and survivors are denied justice, and often face the real risk of seeing their assailants at liberty in their neighbourhoods. Second, the effect of ongoing trials, such as the Eichmann trial and subsequent Holocaust related trials, is to act as a recurrent reminder of the mass killings, providing both a kind of memorial for the victims and guarding against return to the politics which produced the atrocities. Third, the hoped-for deterrent effect of international justice, if it exists, is only present for perpetrators at the top of their hierarchy. The pinnacle strategy is a distinct second best, made necessary by limited resources; it results in a 'justice gap'.

Therefore, in a few cases, countries have sought to prosecute mid-level perpetrators on an ongoing basis. Trials relating to the Holocaust continue in several countries: from 2001 to 2007, sixty-nine convictions of Nazi war criminals were obtained.<sup>3</sup> In Bosnia the War Crimes Chamber seeks to continue the work of the ICTY and in 2007 has opened 312 investigations against 894 persons.<sup>4</sup> In Rwanda domestic courts and gacaca community justice efforts continue to try to deal with a huge backlog of cases resulting from the genocide of 1994.

### **Improving the chances of apprehension and prosecution**

How can the Kurdistan Regional Government (KRG) maximise its chances of the arrest and successful prosecution of mid-level perpetrators?

Many of the solutions lie within the politics of Iraq and include: the future of the Iraq High Tribunal, relations with neighboring countries who may harbour war criminals, and pressure coming from politicians eager to include amnesties as part of any peace deal to end the civil war within Iraq. These factors will be difficult for the KRG to influence. However, the KRG can take a series of small steps to improve the chances of arrest within Iraq and to improve the chances of arrest and extradition from other countries:

**1.** Ask for the inclusion of mid-level perpetrators in future IHT prosecutorial strategy. While bearing in mind the need to increase the independence of the IHT, the KRG should ask for further Anfal-themed prosecutions which put a cross section of suspected perpetrators on trial: including mid-level military commanders, camp commanders, and Mustashar leaders of the Kurdish 'jahsh' forces.

**2.** Pressure the Iraqi central government to improve the workings of the IHT. The IHT has made important strides, in very difficult circumstances, towards investigating and trying suspected Iraqi war criminals and genocidaires. Nevertheless, criticisms of its performance should be addressed, not least because future trials may depend upon the co-operation of other states who are currently concerned about the fairness of trials and the independence of the IHT.

**3.** Prepare a contingency plan to take forward prosecutions in the event of a change in circumstances. The current political moment may not last: the will to prosecute perpetrators may wane in the face of a perceived need for an amnesty, or the security and safety of the Iraqi High Tribunal itself may be threatened by a worsening of the crisis in central Iraq. This contingency plan should include steps to ensure the safety of evidentiary material (including the records now stored by the Memory Foundation).

It is obviously desirable that perpetrators should be brought to justice within the Iraqi judicial system: both to bring justice close to home for the victims and survivors, and to tell the story of the Anfal campaigns in order to influence the future political narrative of Iraq.

If circumstances change and the current federal dispensation in Iraq ends, then the (less desirable) options are to prosecute suspected war criminals at the level of Kurdistan's regional government, to seek to have further cases held within a special international tribunal, or to seek prosecutions in other countries which assert universal jurisdiction over certain crimes.

4. Build case files on perpetrators, and issue arrest warrants. In addition to biographical information, these files should contain sufficient information on the crimes so as to allow a prima facie case for arrest to be quickly presented to magistrates investigating judges – both in Iraq and other countries. The case files should be readily available on the internet.

This forward preparation will greatly maximise the chances of arrest in other countries. There is often a very short window of opportunity to effect the investigation and arrest as the suspects enter certain jurisdictions for short periods of time.

In order to maximise the chances of extradition if the suspects have fled abroad these case files should include information on a wide variety of possible crimes. Double criminality is a common principle in extradition law and holds that the alleged crime should be an offence in both the demanding and the requested country. For example, the crime against humanity of extermination (which doesn't require evidence of intent to destroy victims from a protected group) is a recognised offence in some countries, but not others – in these cases, genocide (which does require evidence of intent to destroy a particular group as such) may be the relevant crime. Moreover, many countries have failed to implement international conventions into domestic law – leading to attempts to frame war crimes in terms of their domestic equivalent.<sup>5</sup>

In certain circumstances it may be desirable or necessary to seek to try suspects abroad for crimes committed in Iraq in the late 1980s. This requires that domestic law asserts universal jurisdiction over serious international crimes. Few countries assert universal jurisdiction over genocide or crimes against humanity, though more do so for torture and certain war crimes. Given the reluctance to apply laws retroactively much depends upon when relevant international treaties were incorporated into national law.

For example, in the UK prosecutions against Iraqi suspects could be initiated for cases of torture that occurred since 1988 and hostage taking since 1982. Jurisdiction could only be exercised over crimes



against humanity and genocide if they were committed after the coming into force of the International Criminal Court Act 2001. The first successful assertion of universal jurisdiction occurred in July 2005, when Afghan militia leader Faryadi Zardad was convicted of acts of torture and hostage-taking that had taken place in Afghanistan in the 1990s. In Spain universal jurisdiction cases could be brought for cases of genocide, torture and certain war crimes that occurred since 1985. Crimes against humanity have only been criminalized in Spanish law since 2004. In the Netherlands cases against Iraqi nationals for their involvement in the Anfal campaigns could be brought under the Wartime Offenses Act of July 10, 1952, the Act implementing the Convention against Torture of 1988 and, possibly, the Genocide Convention Implementation Act of 1964.<sup>6</sup>

**5.** Participate in an information sharing and apprehension network. Interpol is the formal home of intelligence sharing between police forces. However, often it is émigré communities, local lawyers, journalists and NGOs who take the initiative in prompting arrests. The KRG should actively participate in the setting up of an international network of such bodies willing to share evidence on crimes and the location of suspects. The Aegis Trust is currently seeking to set up such a network.

**6.** Institute a reward scheme. Reward schemes have never been formally evaluated. However, they could prove useful in unearthing information on the location of suspects. They have been used, sometimes successfully, by the Simon Wiesenthal Centre and the US, German and Austrian governments to find information on Rwandan genocidaires and Nazi war criminals.

**7.** Work to build a political consensus in other countries that prosecutions are desirable. Finding the suspects is often an easy first step. The experience of those hunting Nazi War Criminals is that it is political will which determines whether extradition or a trial proceeds. Building a political consensus in other countries on the need to prosecute Iraqi war criminals will prove challenging. Particular efforts should be focused on those countries hosting large numbers of Iraqi refugees as it is likely that most perpetrators will take refuge there.

As part of this process more should be done to sharpen the presentation of evidence that the perpetrators of the Anfal campaigns had genocidal intentions. There is still some debate among international scholars as to whether genocidal intent existed during the Anfal campaigns, or whether the intent was to conduct a counter-insurgency campaign (through exterminating the rural Kurdish population).<sup>7</sup>

It is unlikely that the IHT's findings of genocide in the recent Anfal trials will have conclusively shifted this doubt. The debate around proving charges of genocide has revolved around the type of evidence required to prove the specific intent to commit genocide (can genocidal intent be inferred from actions or is written or oral evidence required?) and a certain confusion around whether intent is the same as motive (i.e. is it genocide if the primary motive is counter-insurgency but the practical means of pursuing that aim is the destruction of part of a defined group?).<sup>8</sup>

This debate around specific intent has progressed fitfully through the jurisprudence of the ICTR, ICTY and the UN Commission of inquiry into Darfur. The ICTR, in the 1998 Akayesu case, found that specific intent "inherent in a particular act" can be deduced "from the general context of the preparation of other culpable acts" targeting the same protected group; and that other factors such as the scale of atrocities and the region in which they are carried out "can enable the Chamber to infer the genocidal intent" of the underlying genocidal act.<sup>9</sup> At the ICTY, Radislav Krstić's conviction of genocide was overturned by the Appellate court in 2004 because of the lack of evidence of specific intent. Instead he was convicted of aiding and abetting genocide. The UN Commission of Inquiry used the high standard of proof required in the Krstić case and stated that genocide had not occurred in Darfur because the mass killings were carried out as a by-product of a counter-insurgency strategy rather than with the specific intent to destroy the targeted non-Arab tribes.

In the case of Darfur, the Commission of Inquiry's determination that genocide probably was not occurring almost certainly inhibited international action. Like it or not, the word genocide has a talismanic force. As the KRG continues seeks international recognition of the suffering of the Kurdish people under the Ba'ath regime, the administration could usefully present, in an accessible form, the evidence which it feels specifically proves genocidal intent. This will help

the Kurdish people to avoid the long struggles which Armenians have faced in getting formal recognition of their genocide by states and parliaments.

**8.** Suspend or abolish the death penalty in Iraq. The existence of the death penalty in Iraq will greatly inhibit successful extradition requests, particularly from European states. The KRG should push for the abolition of the death penalty or, at least, its temporary suspension for those found guilty in future Anfal trials. If worries exist over the risk of jailed perpetrators being freed by a future Iraqi government of a different political complexion then maybe imaginative alternatives can be found. The arrangements made for Charles Taylor (trial in the Hague, possible imprisonment in the UK) provide one possible model.

**Note:**

- 1- Operation Last Chance, <http://www.operationlastchance.org>
- 2- <http://www.timesonline.co.uk/article/0,,2087-2014429,00.html>
- 3- <http://www.operationlastchance.org/PDF/ASR-2007.doc>
- 4- <http://www.bim.ba/en/95/10/7186/>
- 5- In one case tried in Denmark, a Ugandan national accused of what were, in effect, war crimes, was successfully prosecuted for armed robbery and abduction. See Human Rights Watch, Universal Jurisdiction in Europe, the State of the Art. 2006 section III.A.
- 6- Redress, Universal jurisdiction in Europe, 2006. HRW, Universal Jurisdiction in Europe, the State of the Art. 2006.
- 7- Michael Kelly, The Genocide of the Iraqi Kurds and Trial of Saddam Hussein, CREIGHTON LAW. 10 (Fall 2005).
- 8- Alexander Greenawalt, Rethinking Genocidal Intent: The Case for a Knowledge-Based Interpretation, Columbia Law Review 2259 (1999). Michael Kelly, The Tricky Nature of Proving Genocide Against Saddam Hussein Before the Iraqi Special Tribunal, 38 CORNELL INT'L L.J. 983 (2005). Michael Kelly, The Anfal Trial Against Saddam Hussein, 9 J. GENOCIDE RES. 235 (2007).
- 9- Michael Kelly, The Anfal Trial Against Saddam Hussein, 9 J. GENOCIDE RES. 235 (2007). Human Rights Watch, Genocide, War Crimes and Crimes Against Humanity: Topical Digests of the Case Law of the International Criminal Tribunal for Rwanda and the International Criminal Tribunal for the Former Yugoslavia, 2004. Also see appeals

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## RECOMMENDATIONS

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# RECOMMENDATIONS OF THE INTERNATIONAL CONFERENCE ON GENOCIDE IN KURDISTAN

THIS CONFERENCE WILL MAKE THE  
FOLLOWING RECOMMENDATIONS:

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## THE CONFERENCE:

1. Conduct a follow-up international conference overseas.
2. The Higher Committee of this conference in cooperation with other concerned parties, will follow up on the recommendations of this conference and will ensure that the recommendations are implemented
3. Translate, publish, and widely distribute all contributions and outcomes of the conference.

### **In Iraq and at the international level:**

1. The Conference calls for the implementation of the verdict of Iraq's Higher Criminal Court concerning the perpetrators of the Anfal campaign.
2. Pass a national law to formally acknowledge and apologize for the crimes committed against the people of the Kurdistan Region.
3. Include accurate information about crimes committed against the people of the Kurdistan Region in the education curriculum throughout Iraq.
4. The Anfal campaign as an example of Genocide, to be studied and researched at Iraq's universities
5. Establish a national institution to collect, document, translate, and publish all research and information related to the Anfal campaign and other crimes against the people of the Kurdistan Region.

**6.** Establish a legal committee to identify companies and countries that supplied the former regime of Saddam Hussien with expertise and materials to develop weapons of mass destruction.

**7.** Provide national assistance to reconstruct all areas affected by the Anfal Campaign and other crimes against the people of the Kurdistan Region.

**8.** Pass a law in the Iraqi Council of Representatives to compensate the Anfal victims.

**9.** Hold a special conference in an Arab country, on the genocide and other crimes of the regime of Saddam Hussein against the people of Kurdistan Region and other peoples in the neighbouring countries.

**10.** Establish an institute to coordinate and work with other international institutes concerned with investigating crimes of genocide against other peoples and nationalities, including the Kurds. This institute will organise an annual conference in different countries.

### **In the Kurdistan Region:**

**1-** Form a special committee to promote awareness and understanding of the crimes against the people of the Kurdistan Region through international organizations such as the UN, the EU, the EU Parliament, other national parliaments, the International Criminal Court at The Hague, and elsewhere.

**2-** Kurdistan Region universities should include Anfal crimes in their annual research programmes.

**3-** Establish a special committee to study and investigate other cases of compensation to victims of genocide and prepare a project to compensate the Anfal victims.



**4-**Provide scholarships for the children of the Anfal victims to study at Iraqi and Kurdistan Region universities.

**5-**Expedite the process of resolving the legal status of the victims.

**6-**Improve the welfare of the families of the victims.

**7-**Legal prosecution of all the people who had a role in the Anfal campaign.

**8-**Seek international recognition and assistance for the zones affected by the Anfal and the chemical bombardment, in the same way that other cases of genocide areas have been recognized.

**9-**Prepare plans to treat the wounded victims of the chemical attacks and to clean the affected environment.

**10-**Build a national museum to preserve all the personal effects of the victims such as their clothes, ID cards, etc.

**11-**Construct memorial monuments in all the areas affected by the Anfal.

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