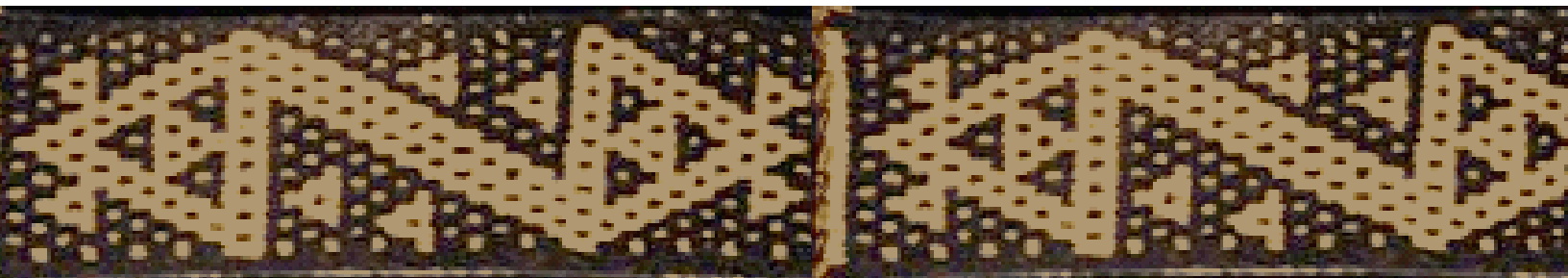




Christian  
Peacemaker  
Teams

*"Where there is a promise,  
there is a tragedy"*

**Cross-border bombings and shellings of villages in the  
Kurdish region of Iraq by the nations of Turkey and Iran**



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**Cover Art** from the Kurdish Textile Museum: a sample of Iraqi Kurdish textile weaving of the Keji design. The weaving, made of wool, contains a pre-historic symbol for peace and happiness. This piece is from a belt. The belt, traditionally made by young girls or their mothers, is used to tie the girl's dowry together.

The title quotation for the report is from the grandfather of a Kurdish friend of CPT; it means that every time governments have promised something to the Kurds, a tragedy inevitably followed.

## Dedication

The authors wish to dedicate this report to the over 1 million displaced villagers that have entrusted us with their tears and sorrow, hopes and dreams and their desire to return to a life of dignity. During the 2 year period in which CPT collected the research for this report, we have come to love and respect these villagers. We recognize their tremendous determination and tenacity to preserve village life and their desire to be contributing members of Kurdish society within the KRG.

The report begins by giving voice to those people who have been silenced and hidden far too long. Their voice cries out from the earth for justice. Let their voice fall not on deaf ears, but on ears that are open and hearts that are willing to struggle to make justice a reality.

The section on international law puts into context how the international community has failed these villagers in its inability to protect them or, at the very least, find space for them to be safe and to grow.

Finally, the history section is intended to place into context the current situation in which the villagers now find themselves. The authors fully understand that many governments have played a role in creating this situation and that many of those historical decisions were made under the duress of war.

The hope now is that those in positions of power, in this current historical time, will change the course of history away from further destruction and bend the arc of justice to protect and nurture the lives and livelihoods of the Kurdish villagers.

The time for condemnation is over. The time now is to build and create. It is the hope of the authors that this report will find many willing hands around the world to join with the hands of the Kurdish villagers to restore their fundamental human right to a life of dignity without fear.

Christian Peacemaker Teams, Kurdistan/Iraq  
February 2010

## **Christian Peacemaker Teams (CPT)—Iraq**

Christian Peacemaker Teams (CPT) – Iraq is a faith-based violence reduction NGO operating since 2002 in Iraq, first in the south and now in the Kurdish north. |

CPT-Iraq is not primarily a human rights organization, and yet its purpose—to reduce violence and to accompany those who are the victims and targets of violence—frequently intersects with violent actors who deny fundamental human rights of their targets.

Thus does CPT-Iraq join its voice to those of various human rights organizations around the world, documenting and decrying the violence and attendant deprivations experienced by the Iraqi Kurdish villagers along the borders with Turkey and Iran, as the decades-long efforts of those two countries to militarily suppress their own Kurdish minorities spill over into the lives of the Kurds of northern Iraq.

It is a sign of our times that an organization dedicated to nonviolence must offer the following disclaimer: CPT neither endorses nor approves of the violence used by any side in any conflict, and in particular, for the purposes of this report, the violence used in the conflicts between Turkey and the PKK on the northern border of Iraq and Iran and PJAK on eastern border.

However, while many around the world know of the conflict between Turkey and the PKK particularly, few seem to be aware of the suffering that the conflicts between Iran, Turkey and their Kurdish populations have caused the Kurdish villages in Iraq. The authors hope that this report will help create a new global awareness of what these villagers are facing.

\*\* In order to assure the safety of those providing information for this report, some names have been changed and some identities not revealed. The names of those that have appeared in the public domain (such as in media reports of the cited events) have not been changed. Pseudonyms used herein were selected without regard to regional or religious implications; thus, a Christian man may have been given a name not generally given to Christians, a Duhok man a name from Erbil, etc.

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Find out more about CPT and its work around the world by visiting the web site: [www.cpt.org](http://www.cpt.org) or about the work of CPT-Iraq in particular at <http://cpt-iraq.blogspot.com>. Contact CPT-Iraq by e-mailing [cptiraq@cpt.org](mailto:cptiraq@cpt.org) or calling (in country) 0770-762-0427 or (out of country) +964-770-762-0427. |

## *Introduction*

In December 2007, the United States government, as the de facto occupying power in Iraq, started sharing intelligence with Turkey's military on PKK activity along the Iraq-Turkey border. The intelligence reports opened the gates for Turkey and Iran to bombard Kurdish villages throughout the mountainous border areas of northern Iraq. From December 2007 through December 2009, CPT-Iraq traveled through the northern border regions of Iraqi Kurdistan documenting the impact of military attacks by both Turkey and Iran on the civilian Kurdish population living in villages in the border regions. The stated targets of these attacks were the forces of the PKK (Turkey) and PJAK (Iran).

As is usually the case in armed conflict, those suffering the greatest impact of the attacks are the civilian population—in this situation, the farmers and shepherds of the mountain villages who, along with their families, have been forced to flee both their homes and livelihoods.

These villagers are not strangers to displacement. Saddam's forces destroyed most of their villages before and during the Anfal Campaign of the late 1970s through the 1980s, forcibly moving families to "collective" towns<sup>1</sup> or deporting them to southern Iraq. When the no-fly zone was established in 1991, families returned to their villages and rebuilt their homes and livelihoods.

Duhok, Erbil, and Suleimaniya Governorates in northern Iraq are under the authority of the KRG. Duhok and Erbil Governorates share a border with Turkey to the north and Erbil and Suleimaniya share a border with Iran to the east.

CPT Iraq interviewed people in the three governorates to understand the effects of these cross-border attacks by Turkey and Iran on the civilian villagers of the northern borders of Iraq.

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The problems created by wars are not insoluble. More often than might be thought, all that is required is the will to see things differently than before, to walk in the shoes of another.

In the simplest possible terms, what CPT recommends is that all parties work toward the recreation (and in some case, the creation) of sustainable communities.

CPT-Iraq recommends that the governments of the KRG, Iraq, Turkey, Iran, and the United States, demonstrate a commitment to sustainability, that they conserve resources and minimize negative impacts on the community and the environment. Social sustainability deals with complex issues such as quality of life, health, equity, liveability, and social inclusion. The overall objective of social sustainability has significant implications for the long-term health of communities and citizens, of nations, and our planet.<sup>2</sup>

Recent actions taken by the government of Turkish Prime Minister Erdogan offer new hope. On October 19, 2009, in a show of support for peace with the Turkish government, unarmed members of PKK in combat dress with 26 Kurdish/Turkish refugees from the Makhmur refugee camp crossed into Turkey from northern Iraq. After lengthy public discussion, the ruling AK Party brought the issue of Kurdish reform to the Parliament. On November 11, 2009

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<sup>1</sup> Collective villages were initially created by Saddam Hussein's administrators, who relocated hundreds of thousands of villagers to towns that were little better than concentration camps, according to inhabitants. Villagers were essentially imprisoned in the towns and were without access to arable land. In 1997-98 the KDP built collective villages for villagers displaced by Turkish cross-border attacks.

<sup>2</sup> The Social Sustainability Group of the City of Vancouver formulated the descriptions of social sustainability presented here.

the Turkish Parliament began preliminary debate over the reform process (The Democratic Initiative) in order to end a conflict which has cost the lives of about 40,000 people since 1984, resulted in more than 17,000 unsolved murders, and cost billions of dollars in military expenditures.

Turkey's Interior Minister Beşir Atalay, who launched preliminary talks with opposition parties regarding the initiative, provided a timeline of the government's plans for the solution of the long-standing Kurdish issue. "The democratic initiative will release Turkey from its shackles," Atalay, who calls the issue in Parliament "A National Unity and Brotherhood Project", said. According to Atalay, the initiative is not restricted to expanding the rights of the country's Kurdish population, but is about improving democracy and therefore will result in "more freedom for everybody."<sup>3</sup> This Turkish vision of sustainability for all parties involved, if genuine, is laudable.

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<sup>3</sup> "Brawl over the Kurdish initiative dominates debate at Parliament," *Today's Zaman*, November 12, 2009.

**Part I**  
***Recent Turkish and Iranian Military Attacks into Iraq***  
***December, 2007 – December 2009***

**SULEIMANIYA GOVERNORATE**

The Suleimaniya Governorate shares its eastern border with Iran. Villagers here experience Iranian shelling and Turkish bombing. They believe the two countries coordinate attacks.

In December 2007, a wave of Turkish attacks took place in the border area with Iran, resulting in large numbers of IDPs in the Suleimaniya Governorate. On January 3, 2008, a local officer in Pshdar District reported that “up to 400 families left the 34 villages” during the December 2007 attacks.

In Pshdar, Mr. Namo reported, "PKK are not in the villages.... They are in the mountains. Nobody, not Iraq, Iran, or Turkey can get to them.... [yet] the mountains were not attacked, only the villages.”<sup>4</sup>

**Pshdar District: Sangasar**

Local authority Mr. Abdullah recalled that the most recent series of Turkish attacks in Sangasar actually began in August 2006. Two shepherds were killed at that time. Sixteen months later, in December of 2007, another wave of attacks caught the attention of the media. Civilians were forced to flee and a great deal of damage was done. “Following the latest bombardments launched by the Turkish artilleries and warplanes, heavy damages were inflicted and many other villagers from Qandeel [Qandil] mountain areas evacuated to Sangasar subdistrict.”<sup>5</sup>

“On the night of the 15<sup>th</sup> and 16<sup>th</sup> [of December 2007], Turkish planes were flying around the villages beginning around 8 p.m., but the bombing started about 2 a.m. . . . a piece of the rocket hit Aisha’s head and killed her instantly. One other brother and a cousin were injured. . . .The bombing continued, hitting other villages until morning.... [There was] no warning, but the planes had been flying over the villages for the last three or four months.”<sup>6</sup>

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<sup>4</sup> CPT interview of Mr. Namo on 1/3/09.

<sup>5</sup> PUK Media, December 16, 2007.

<sup>6</sup> CPT interview of family of Aisha, Asterokan village on 1/10/08.

The chart below reflects damages caused by Turkish and Iranian attacks as reported to CPT by villagers and local officials in the Sangasar area:<sup>7</sup>

Time of Attack	Village	Damages to Civilians	Attack by
December 15-16, 2007	<b>Village Leozha</b>	- 6 houses damaged - Woman Suzan injured, lost a leg - Woman, Hajo injured	Turkey
	<b>Village Asterokan</b>	- 3 houses <sup>8</sup> destroyed - 480 sheep killed - Mrs. Aisha killed - Mr. Muchlis injured - Mr. Amad Hassan injured - economic loss—\$50,000 est.	
	<b>Village Brade</b>	- 1 house destroyed - other houses damaged	
	<b>Village Qalatokan</b>	- New school destroyed - New mosque damaged - Mr. Michlas's house destroyed - About 300 sheep and cattle killed - 2 teachers' homes damaged - Water tower destroyed	
November 29, 2008	<b>12 villages including: Sarganel, Senamoka, Rashakre-Kfrana</b>	- 3 schools affected & 80 students displaced - 2 clinics shut down - 1 house hit - 200-300 bee hives destroyed - 92 goats out a herd of 103 killed - 11 goats injured	Iran
December 5, 2008	<b>Village Enza</b>	- A woman caught in the bombing on her way home lost her hearing and is traumatized.	Turkey
October 3, 2009	<b>Bolee</b>	- 3 houses damaged - many hectares of dry grassland burned - orchard and other trees damaged	Iran
October 13, 2009	<b>villages in the vicinity of Suradee</b>	- People fled unable to complete the harvest - School closed—students & teachers absorbed into schools in town	Iran

<sup>7</sup> CPT interview dates: 1/3/08; 12/16/08; and 10/21/09.

<sup>8</sup> A "rashmallah", a large black portable structure, resembling a yurt. The villagers are not nomadic, which means leading a wandering life with no fixed abode; peripatetic, itinerant. To the contrary, while the villagers take flocks for summer feeding to places away from the village, they maintain a permanent home in their respective villages. In this instance, their portable homes used during grazing season were the ones destroyed.





Map of Pshdar

## Pshdar: Zharawa

### Case Report: Zharawa Displaced People

*I am not beautiful anymore, because I've lived for two years as an IDP.*  
Young woman of Zharawa

Below is a story of 120 IDP families in the mountain area of Zharawa subdistrict, Suleimaniya Governorate fleeing from bombing and subsequently being access to their properties.

A local officer said, "This area is not stable. There is often bombing from both Turkey and Iran."<sup>9</sup>

On March 13, 2008, Iran shelled the mountain area of Zharawa, which included the villages of Arkai Khwaru, Arkai Saru, Basta, Maradu, Razgai Khwaru, Razgai Saru, Shnawa, Spi Gla, Spi Iagla<sup>10</sup>, and Swragla. The attack lasted for nineteen days. One hundred and thirty-two families were displaced from those villages and relocated to a valley near the town of Zharawa in the Suleimaniya governorate. The last time they had fled from home was December 2007, due to Turkish bombing. Turkey and Iran justified their military actions, claiming they were directed against the PKK and PJAK.<sup>11</sup>

Residents of the villages have endured Turkish and Iranian assaults for years. The villagers designed a pattern for survival. But the pattern changed when the U.S. started sharing intelligence with Turkey, as was reported in the *New York Times* in late 2007: "[t]he United States has begun to share real-time intelligence with Turkey to assist in its efforts to track down separatist, Kurdish rebels hiding in Northern Iraq."<sup>12</sup>

According to a local official, in December 2007 Iran and Turkey began heavy and unpredictable shelling and bombing respectively. From 2007 until the present, over 500 families<sup>14</sup> from 70 different villages have been displaced. One hundred and twenty families were from Zharawa sub-district. People in the area say the last time their situation was this bad was before 1991 under the regime of Saddam Hussein.

"For many years there was bombing but it was seasonal and predictable. We would leave to Prde Hazwa, by the river, and return home when the bombing stopped."<sup>13</sup>

<sup>9</sup> CPT interview of official on 4/13/09.

<sup>10</sup> From interviews and documents, it still remains unclear whether these are two separate villages, or are merely different spellings for the same village.

<sup>11</sup> Iran's actions would be targeted against PJAK, but in speaking about the armed groups, Iraqi Kurds always refer to them collectively as the PKK.

<sup>12</sup> Ali Babacan, Turkish Foreign Minister, quoted in "U.S. Sharing Intelligence With Turkey," *New York Times*, November 15, 2007.

<sup>13</sup> CPT INTERVIEW OF Mr. Saman, campresident, on 4/13/09.

<sup>14</sup> This number fluctuates because people return home when they can.

## **Prde Hazwa Camp (April 2008—December 2009) and UNHCR IDP Camp Period (April 2009—Present)**

CPT began visiting the IDP camp in Zharawa district on July 1, 2008. The IDPs were in Prde Hazwa until December of 2008. In April of 2009 they moved to another location between the towns of Zharawa and Sangasar, where UNHCR built an IDP camp.<sup>15</sup> The second camp is referred to in this section as “UNHCR IDP Camp” or “UN Camp”.

The Prde Hazwa IDP Camp was 6 km from the town of Zharawa. The drive took 30 minutes, most of it on an unpaved road. Several kilometers out there was a high security checkpoint at the beginning of the ascent into the mountains. The camp was located in a large valley.

Prde Hazwa was built in April 2008 and accommodated 132 families. In September, a creek within the camp flooded, destroying four tents. With the onset of winter, survival in the tents became impossible.

“There was somewhat of a pattern to their attacks. Yearly, villagers knew there would be attacks that would only last a short period of time. The villagers would leave their homes during the attacks and return when the attacks subsided.”<sup>16</sup>

Because they saw no chance of returning to their homes or surviving in tents, the families decided to rent houses in Zharawa. One woman told us she had two other families living with her; it was too crowded but people were not able to afford to live separately. She wished the UN camp could be finished as soon as possible.<sup>17</sup>

The second camp, the “UN Camp” is located between the towns of Sangasar and Zharawa on a barren plane lacking trees and water.<sup>18</sup> UNHCR, via the NGO contractor, Qandil, erected 45 tents<sup>19</sup> for the 132 families there. Facing summer at the camp with no shade<sup>20</sup> or electricity, overcrowding, and temperatures between 100 – 118° F. (38—48°C) in the summer, many families opted to move between town, their village, and the camp. The villagers risked taking their children back to the villages in the heat of summer, but the adults generally remained in the camp for fear of being dropped from the official IDP list.

### **Economic loss**

“Razgai Village had more than 400 cows. Some died in attacks. The rest we sold very cheap.”<sup>21</sup> “We can’t go back to harvest and we lost our products.”<sup>22</sup> “We could not have animals because someone owned the land (Prde Hazwa camp). In a short time everyone sold

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<sup>15</sup> In the interim, displaced villagers lived with relatives or rented apartments in Zharawa town.

<sup>16</sup> CPT Interview of a local official of Qaladze on 4/13/09.

<sup>17</sup> CPT interview in January, 2008.

<sup>18</sup> The villagers banded together and purchased the land where the camp sits. This was a process that involved complex formal and informal negotiations among and between the villagers themselves, as well as among and between the villagers as a group and various governmental and other interests. As an example, the villagers agreed not to house livestock on the land, in order not to compete with adjacent farming landowners in the village of Bastensun.

<sup>19</sup> According to UNHCR informal communication with CPT, the tents are 3.4 x 3.8 meters.

<sup>20</sup> Shade structures were finally provided by UNHCR in July.

<sup>21</sup> CPT interview of Mr. Dahfer on 5/28/09.

<sup>22</sup> CPT interview of an unidentified older man on 11/19/09.

[their] animals at cheap prices. Many animals were left to predators in the villages.”<sup>23</sup> “Farm was burned, animals were lost.”<sup>24</sup> “Some people moved back because they have no choice. They depend on animals but they put their lives at risk.”<sup>25</sup>

The attacks from Turkey and Iran have caused substantial losses for the villagers. They cannot harvest their products because of the bombings and shellings during harvest time. Their farms and orchards were either burned or dried out because the irrigation system was destroyed. Many of the villagers also had to abandon their cows and sheep in the mountains. Mr. Soran from Shnawa village told us that he didn’t know how many animals his family has lost: the sheep might be lost, or attacked by wild animals or killed by the Iranian shelling.<sup>26</sup>

Although the IDPs receive material aid from charity groups, they still risk their lives to go home to check on their animals. Ms. Amira told CPT that men usually stayed in the cave while the other family members were sheltered in Prde Hazwa.<sup>27</sup>

Villagers also sold many animals when they found shelter in the camps, as neither Prde Hazwa nor the UNHCR camp allowed them to bring their animals with them. Many villagers told CPT they had sold their animals at a substantial loss because they had no place for grazing and because of their pressing need for sustenance. The village people have not merely relied upon material aid from charity groups. They have spent the money they saved from the past, and in many cases, sold their animals, which for them, means that they have liquidated all of their assets in order to survive.

For aiding the victims of Turkish and Iranian bombing, the Iraqi government had budgeted each family 1,000,000ID (\$847USD) in 2008. But every family in Zharawa only received 450,000 ID (\$381USD) in November. The rest of the money disappeared into the bureaucratic system. The financial help from their government has not been enough, in light of what they have lost and continue to lose.

### **Physical and Psychological IDP Effects**

Shifting from the mountains to town, from a creek to a barren land, has taken its toll. Government agency visits and material aid from charity groups do not prevent people from suffering physical and psychological damage.

"It’s so hot.” . . . “We cannot eat or sleep because of the heat.” . . . “There is no clean water.” . . . “We are scared that we will get sick.”<sup>28</sup> Ms. Amira, the camp nurse, reported that many of the children had gotten sick with intestinal illnesses.<sup>29</sup>

Mr. Jalal, who teaches Arabic, said that because of the hardships and stopping and starting their schooling, the children will be stunted emotionally as well as academically.<sup>30</sup>

“UNHCR had a policy of 'less eligibility', to ensure that IDPs would not stay longer than necessary.”<sup>31</sup>

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<sup>23</sup> CPT interview of Mr. Khadr on 4/13/09.

<sup>24</sup> CPT interview of Mr. Soran on 7/5/09.

<sup>25</sup> CPT interview of a Women’s group on 10/31/08.

<sup>26</sup> CPT interview of Mr. Soran on 7/5/09.

<sup>27</sup> CPT interview of Ms. Amira on 7/22/08.

<sup>28</sup> CPT interview of a group of eight children from Basta and Razgai, Prde Hazwa on 7/23/08.

<sup>29</sup> CPT interview of Ms. Amira, camp nurse, after three months of living in Prde Hazwa Camp, on 7/22/08.

<sup>30</sup> CPT interview of Mr. Jalal on 6/22/09.

<sup>31</sup> CPT meeting with Qandil Organization about UNHCR camp on 12/18/08.

“There are many people sick because of heat, dust, and unclean water; [there are] many types of illness and insects. We have to buy clean water for children. Many adults get sick by drinking from [the] creek. Water is a big issue now. The water system built by ICRC is not working because the spring is dried out.”<sup>32</sup>

But moving into a newly built UN camp did not solve the problems and thus did not alleviate the fear and stress of the villagers.

People were still worried about no clean water, no electricity, no shade, and not enough tents.<sup>33</sup> Many families cannot afford the cost of being sick.

Comparing the two locations, CPT concluded that living conditions in the UN camp are even more difficult than at the first camp at Prde Hazwa. The sad irony is that conditions for the villagers are deteriorating, rather than improving, with international intervention.

On the psychological side, the struggle to maintain dignity and the loss of self-sustainability have led to feelings of disappointment. The IDPs were self-sustaining people before but have had to watch themselves lose that ability.

“We used to be busy—helping our parents and going to school... Girls and boys did the same work—at home and at school...but now, there is nothing to do.”<sup>34</sup>

“The life was nice, beautiful. There were water and electricity. We had farm and sheep. We were able to support ourselves. ... My family is not doing anything now. We are living off money from selling animals.”<sup>35</sup>

In 2008, with every visit, CPT found that the villagers struggled to show their best to their guests. When CPT began visiting during the hot summer, the hospitality of iced water and hot tea and sugar were always extended by the villagers, who, in 2008 would apologize for not being able to invite visiting CPTers to lunch. Then in the summer of 2009, the villagers would apologize for not being able to even offer clean cold water.

During one visit in 2009, the ICRC arrived with food rations. Most people hurried from their tents to pick up their rations, but one man stayed in the tent to continue the conversation and said, “What you are seeing is not who we once were. We had a life of dignity. Now we run for handouts to survive.”

This comment was echoed by many villagers: they used to have gardens, orchards, animals, clean water, electricity, and nice rugs in their villages. They were proud to have rebuilt their villages with their own hands after 1991.

One time, after staying in Prde Hazwa for eight months, one old woman came out from a tent and greeted CPT. The woman felt shame because she was not in her home and thus was unable to adorn herself with her best clothing and to prepare a feast for her guests, as she could do from her own home; now she had nothing to offer.

Mr. Dahfer also shared his concerns about the older people, “. . . many of the older people are in psychological despair . . . people compare past and now, living under these pressures. It is bad for [their] health.”<sup>36</sup>

We saw people sitting in tents, watching the barren land around them. This was not their home. They could do nothing. They were not the same confident and joyful people who marched home and rebuilt their villages in Saddam’s time.

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<sup>32</sup> CPT interview of Ms. Amira, (*see above*). This problem was later fixed.

<sup>33</sup> CPT interview of Mr. Dahfer on 5/28/09.

<sup>34</sup> CPT interview of children, (*see above*.) 7/23/08.

<sup>35</sup> CPT interview of Ms. Amira (*see above*.)

<sup>36</sup> CPT interview of Mr. Dahfer on 5/28/09.

## Casualties without End

In December 5, 2008, there were still families in Prde Hazwa. CPT sat with a group of elders to listen to their accounts of their situation. Around 12:30 p.m., shelling occurred and CPTers could hear the explosions. The elders concluded that shelling was getting close to the camp, with some explosions as close as a ten-minute walk from the camp. Around 2:0 p.m., there was more shelling. Not far from the camp, a shepherd was injured and his sheep were killed.

The day after the shelling, December 6, the PUK party media website confirmed the attack from Iran but did not mention the civilian injury or loss: “Heavy Iranian shelling against Kurdistan region border areas is ongoing since late Friday . . . PUK Media correspondent reported on the scene. Iranian shellings targeted the Razgai, Shnawa, Maradu, Arkai, and Pshty Basta areas in the Zharawa subdistrict of Pshdar district within Suleimaniya province. The Iranian bombings, which inflicted heavy damages to the border areas, caused panic among the local citizens.”<sup>41</sup>

CPT interviewed Mr. Khalid, a shepherd: “It was in Razgai. I was at Japamo. I was away from the village and I took the sheep to Japamo. They sent three shells that hit the cattle while I was with the sheep . . . I was hurt . . . the piece of shrapnel is still in my back . . . I lost many sheep that day, more than forty . . .”<sup>42</sup>

During the interview, one gentleman told CPT that Mr. Khalid's children were with him. They were waiting for an ewe to give birth which was a very good thing for the farmers. But they didn't know that they “would go home empty and with an injured father.”<sup>43</sup>

A few days after CPT's December visit, families who were still able to afford a small house in Zharawa town took in the remaining families.

The KRG announced an agreement with Iran to stop shelling civilian populated villages:

(18 February 2009) Nazum Omer al-Dabbagh, Kurdistan Regional Government (KRG) representative in Tehran, told PUK Media website today February 18th, 2009 'two meetings were held between the officials of Kurdistan region and Iran, where the tensions in the border areas due to the bombardment were discussed . . . Both sides reached an agreement to stop the Iranian bombardment on the border villages between Kurdistan region and Iran', he added. Al-Dabbagh also said 'the agreement became active in February 14th, 2009. According to the agreement, the Iranian artillery will avoid

“[On] July 15, 2008, we left the camp (Prde Hazwa) because bombing was close by. While we were leaving, my 14-year-old son fell from our truck and died.”<sup>37</sup>  
“We can hear the bombs from here.”<sup>38</sup>  
“If bombing continues, there will be no life in villages.”<sup>39</sup>  
“My mother died in 2008 of a heart attack because of the suffering in the village.”<sup>40</sup>

<sup>37</sup> CPT Interview of Mr. Alan Nawzad on 4/13/09.

<sup>38</sup> CPT Interview of children, (see above.)

<sup>39</sup> CPT Interview of Mr. Dahfer, (see above.)

<sup>40</sup> CPT Interview of Mr. Soran on 7/5/09.

<sup>41</sup> PUK Media, December 6, 2009.

<sup>42</sup> CPT interview of Mr. Khalid from Razgai on 8/8/09.

<sup>43</sup> Mr. Khalid interview, *Ibid.*

bombing the villages and populated areas. The villagers, who had left their villages, can now return to their homes.<sup>44</sup>

In the wake of this announcement, some IDPs returned home to their villages, including Mr. Ali Ahmed, his wife and their one and one-half-year-old son Mohammed, to their home in Razgai. On the evening of March 10, 2009, Mr. Ali, and his wife were in bed with baby Mohammad asleep between them. At 9 p.m., a rocket came through the roof of their house. A piece of the rocket broke off and hit the baby in the head. According to Mr. Ali, “Mohammed never woke up.” Both Mr. Ali and his wife were injured and burned.<sup>45</sup>

## **Farmers’ Dignity**

“I don’t want to go back to see my home and orchard because I can’t do anything for them. I will feel sad to see them.”<sup>46</sup>

“We brought lives back to the villages that Saddam destroyed . . . The people of the village were hospitable and generous. We shared assets with each other and took care of those that were poor. During the time of the sanctions, we shared assets with the people in the nearby cities who were suffering. The people were united and worked together.”<sup>47</sup>

Sitting with a group of women in Prde Hazwa, CPTers listened to their comments: “My village was like a capital city to me. . . . Before the bombing our lives were very happy, taking care of our animals . . . When the first bombs came I didn’t want to leave the village.”<sup>48</sup>

The people brought materials from cities to rebuild their houses, electricity, water systems (both for home and irrigation), gardens, orchards of apricots, figs, walnuts, pears, and daraban (local chewing gum). They devoted themselves to make a paradise: nice shade for the summer, a spring for water, a piece of green to revive lives, and a house to keep the cold winter outside. The villagers shared their wealth with people in need, the poor, or the people of the cities whose lives were devastated by the sanctions imposed on Iraq.

Even though their livelihoods have been destroyed, the villagers do not seek restoration of their losses. They simply want to return home.

As is so often true in history, perhaps an anonymous woman says it best:

*“I had never needed or asked anything from the government and I’ll build my own house again myself. Just stop bombing!”*<sup>49</sup>

<sup>44</sup> PUK Media, February 18, 2009.

<sup>45</sup> CPT interview of Mr. Ali Ahmed on 4/3/09.

<sup>46</sup> CPT interview of an unidentified man at the UN camp on 11/16/09.

<sup>47</sup> Dahfer interview (see above.)

<sup>48</sup> Women’s group interview (see above.)

<sup>49</sup> CPT interview of an unidentified woman at Prde Hazwa on 10/31/08.

## **ERBIL GOVERNORATE**

Erbil Governorate is the central governorate in the KRG. The capital city of the KRG, Erbil, or Hawler (its Kurdish name) is located in the south. The south of the Erbil governorate connects to the rich oil city of Kirkuk. To the north is the mountainous area, which borders Turkey and Iran. Its three Districts, along the northern border, are Mergasur, Soran, and Choman. Mergasur borders Turkey, Soran borders Turkey and Iran, and Choman borders Iran.

### **Mergasur District: Collective villages of Hardan**

The collective village of Hardan is close to the border of the Duhok governorate. It is made up of 450 IDP families from thirteen villages. This collective village was formed in December 1995 because of Turkish bombings. During the first two years people lived in tents and then in 1997 each family received six hundred concrete blocks and ten bags of cement with which to build their houses. According to local people, there was a lull in the Turkish attacks from 2003 to 2007. Bridges and roads were rebuilt in 2004, which allowed people to return to their homes to plant and rebuild. In February 2008, Turkey resumed bombing in the village areas and destroyed five bridges.<sup>50</sup> People depended on these bridges to visit other villages as well as to bring their crops and animals to market. Their income came from farming and foraging.<sup>51</sup>

### **Soran District: Village Daraw**

CPT visited the village of Daraw on November 15, 2008 and December 5, 2009. The distance from Daraw to the Turkish and Iranian borders is two to three hours. This area is left to the villagers, PKK, Turkey, and Iran. The KRG offers no protection to villagers here.

Fourteen families live in the village.

Villagers reported that Turkey bombed their homes as long ago as 1998. One villager was killed and others were injured. The bombing in Daraw began again on January 15, 2008 and the villagers fled to the nearby town of Sidikan. But after eight months the families returned to Daraw because their resources had run out and they could not continue to pay rent.

People in these villages face threats from Turkey and Iran. According to local teacher, Mr. Arrarat, Turkey provides bombs to Iran, which shells them from the Iranian side, "Some were Turkish bombs, not Iranian types."<sup>52</sup>

On July 18, 2009, Iranian shelling injured Mr. Osman from the village of Zhelea. He is a young man of twenty and a student. The shelling occurred at 9 p.m. while he was camping on a mountain close to Daraw. He had taken his herds there for summer grazing. His neck and shoulder were injured. The injuries continue to cause great pain and he has stopped his studies.

Osman's grandfather reported that the farmers had missed the foaling season and this was

"When they hear a plane, it is hard to quiet them. The children leave school and just run home without considering the dangers. They want to stay with their families."

<sup>50</sup> The same five bridges that the IDPs of Sheladze reported the Turkish military destroying. They span across the governorates of Duhok and Erbil.

<sup>51</sup> CPT Meeting Notes, 11/28/08.

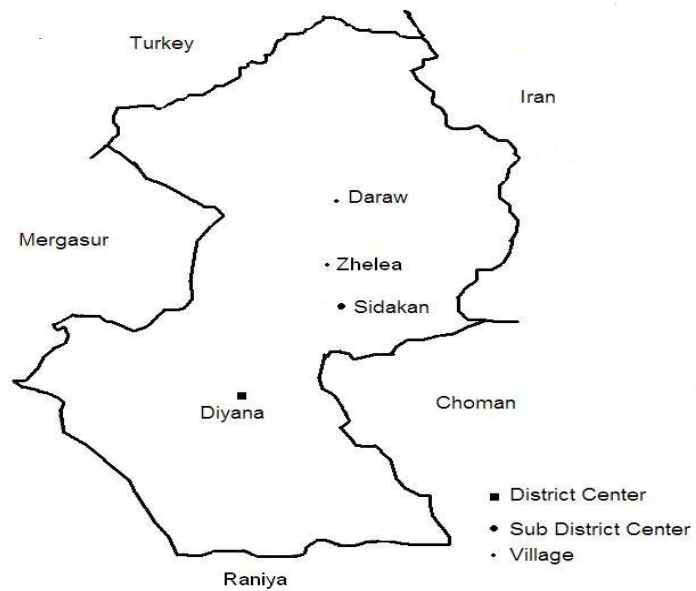
<sup>52</sup> CPT interview of Mr. Arrarat on 12/5/09.



a big loss for farmers. He reported his own loss as \$8,000. Last year, the entire extended family had 240 animals. This year they have only 200 animals, a loss of more than 40 animals, because the flock ordinarily would have grown with new births.

Being prepared to flee is part of their lives. Mrs. Hiro reported that people here are prepared to run at any time, “I didn’t have good honey for a sick baby here, because we keep things at the other place, not in the village, in case we have to run away someday.” The children also have the same mentality. Mr. Arrarat said, “When they hear a plane, it is hard to quiet them. The children leave school and just run home without considering the dangers. They want to stay with their families.”<sup>53</sup>

Map of Soran



<sup>53</sup> CPT interviews of Mrs. Hiro and Mr. Arrarat on 12/5/09.

## **Choman District: Village Kani Spi**

Choman shares a border with Iran. It also borders Sangasar and Zharawa subdistricts in Suleimaniya governorate. The Qandil Mountains are historically home for Kurdish farmers and shelter for Kurdish fighters.

Choman District contains 116 villages. The population is about 28,000. Here, 450 families were affected by Turkish bombing in December 2007.<sup>54</sup>

On February 14, 2008, CPT met Mr. Idris in the town of Choman. He is an IDP from the village of Kani Spi now living in town. Mr. Idris reported that Kani Spi is on fertile land in mountainous country close to the Iranian border. Iranian rockets targeted the village in 2007 and 2008, killing many cattle, setting fire to the crops and terrifying the children, so the families now live 14 km away in Choman.

On August 23, 2009, Iran started shelling from 6 p.m. until noon of the next day. Sporadic shelling continued for the next five days. The shelling hit no buildings, but it covered all of the surrounding fields. CPT visited Kani Spi on October 22, 2009. Mr. Idris and his friends showed CPT the remnants of a dozen rockets collected from the heavy shelling. They explained that their crops were lost because they weren't there to water them. Milk products spoiled, and it was difficult on the animals. No one was hurt, but it was terrifying for the villagers.

A local official reported that loss was not only to the farmers, but also to the whole of society. "When people had to leave their homes and villages, they left agricultural land, bees, orchards, nuts, vegetables—all good quality products. This results in the society having to import more of these goods, which hurts the economy. If they need to move into town, they often find no work and need aid from the government. The average family displaced from the bombings loses \$15—20,000 a year. The Kurds have lost a trillion dollars from [the bombings]. The bombings also threaten the KRG government. Turkey and Iran don't want [the KRG] to be stable, and want to show their power."<sup>55</sup>

The official also reported that in this Qandil area, the villages suffering the most bombing are Enza, Zargaly, Razgai, and Marado. Those with the most damage are Weza, Kani Spi, Maran, Enza, Mawatawa, Kodo, Lolan, Horna, and Darband.

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<sup>54</sup> CPT interview of a local official on 11/17/09.

<sup>55</sup> CPT interview of a local official on 12/5/09.

## DUHOK GOVERNORATE

In Duhok Governorate, Semel, Zakho, and Amedi Districts lie immediately south of the Turkish border. CPT interviewed people in Zakho and Amedi Districts. Turkey has several military bases and outposts in the area. The presence of the military has serious and detrimental effects on civilians there.

“Turkey tends to bomb heavily during planting and harvesting time. . . People return during certain times of the year to tend and harvest self-

### Zakho District

In Zakho District, CPT visited the town of Batufa and the village of Grebye. There are villagers displaced since 1993 living in Batufa. “Turkey tends to bomb heavily during planting and harvesting time. . . People return during certain times of the year to tend and harvest self-

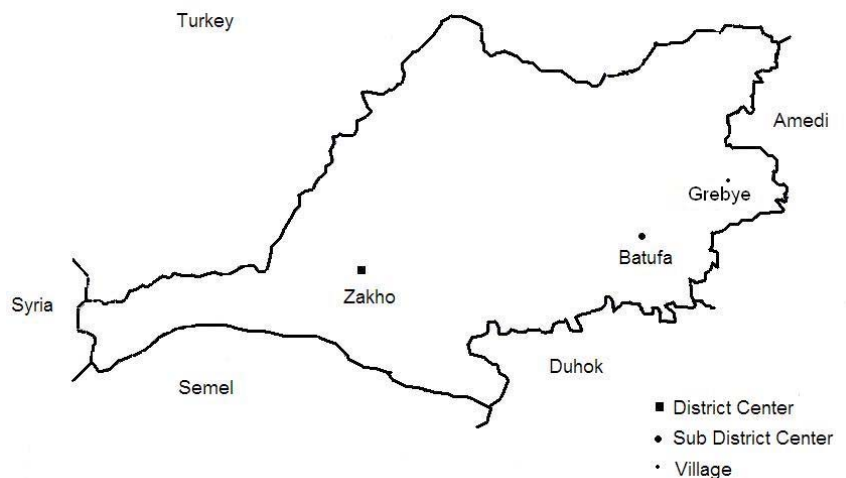
“. . . Our school is close to the base. The children are frightened when they hear Turkish aircraft overhead. The tank’s gun-barrel is aimed at our village. If trouble starts we will be the first targets.”

sustaining crops like walnuts. They do so in fear.”<sup>56</sup>

In 1996, in Grebye, a large tract of land was confiscated for a Turkish base, which sits on a small hilltop looking down on family houses. “Although the Turkish

soldiers do not come down into the village, we are all scared... They have taken good land... We can no longer move around freely.... Our school is close to the base. The children are frightened when they hear Turkish aircraft overhead. The tank’s gun-barrel is aimed at our village. If trouble starts we will be the first targets.”<sup>57</sup>

Map of Zakho



<sup>56</sup> CPT interview of a local physician on 1/2/09.

<sup>57</sup> CPT interview of Mr. Nather on 1/2/09.

## **Amedi District: Kani Mase and surrounding villages**

“We don't want anyone here watching everything we do. We want to be able to go to any village freely, without fear. Now, if an animal wanders off from the others, farmers don't feel free to go and look for them. If they do, the Turkish military might shoot at them.”<sup>58</sup>

In Kani Mase, Mr. Nadir told CPT: “The Turks established bases nearby the town in 1996. Turkey has now regularly bombed and shelled four local villages – two Christian and two Muslim.”<sup>59</sup>

Turkey has bombed and shelled the Christian village of Sardashti during the period of December 3-10, 2008. Only nine families remain in the village, though a further fifty returned for harvesting in the summer.

The village of Kara, on the other side of the mountain from Sardashti, was rebuilt in 1997, but abandoned in 2000 on account of Turkish bombing. The mother of a family told CPT: “We used to have wheat, barley, sheep, cows, trees, everything . . . It was like the Anfal.<sup>60</sup> We just fled. We are very afraid.”

The Muslim village of Helwa is visible from Sardashti. Helwa is abandoned because a Turkish outpost is positioned above it on top of the mountain.

Yakmala is a Muslim village. It was abandoned by all of its inhabitants because of bombing and shelling from a nearby Turkish base. One farmer returns every 10-15 days to cultivate his gardens and tend the fruit trees. Out of the 150 families formerly living in the village, 20-30 people return occasionally to work their land.

The Christian village of Merkagiya is next to Yakmala. Mr. Ali told CPT: “This village was attacked three times during 1994 to 1996. The Turkish army came here into our house in 1994, took and tortured my brother. They broke his arm and put a plastic bag over his head to suffocate him. . . later he escaped but he has been ill since then.”

After 1996, people rebuilt the village and it became home to 200 families until the winter of 2007, when Turkey resumed its attacks. The two hundred families left home and thirteen men stayed to take care of the property.

At Trwanish, CPT saw only ruins. Mr. Darwa, a local guide, said that the village was attacked heavily in 1998. He also pointed to a Turkish military outpost nearby and said the outpost monitors human movement.

On April 25, 2009, CPT revisited the Kani Mase area. Villagers remain upset by the presence of the Turkish base. Currently, without notice, Turkish soldiers erect checkpoints at night. On one occasion during the winter of 2006-2007, a family was stopped at the checkpoint while trying to bring a sick family member to the hospital in Kani Mase. The family was forced to call the Asaish, the Kurdish security police, in order to continue to the hospital. On another occasion, TNT was placed on the road leading to the village. The Asaish were called, but were unable to determine who planted the explosives. The episode instilled a great sense of fear in the villagers, who believed that it was planted by the Turkish military.<sup>61</sup>

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<sup>58</sup> CPT interview of an unnamed farmer in a collective village near a Turkish outpost on 11/3/09.

<sup>59</sup> The two Muslim villages are Kara and Yakmala; the two Christian villages are Sardashti and Merkagiya.

<sup>60</sup> “Anfal” refers to Saddam Hussein's campaign against the Kurds, lasting over a decade, in which tens of thousands of the Kurds of Iraq were killed and hundreds of thousands were displaced.

<sup>61</sup> CPT interview of a local Mukhtar on 4/25/09.

A contrary view was expressed by the Mayor of Kani Mase, who believes that the Turkish military in the region are not causing problems, that the Turks coordinate their activities with the Peshmerga and are on good terms with the KRG.<sup>62</sup>

### **Amedi District: Bamarne town**

Bamarne is approximately 24km (15mile)<sup>63</sup> from the Turkish border. There are 29 villages with 1,715 families around Bamarne.

Two Turkish bases stand outside Bamarne: a small base stands on a hill, just southwest of the town and a large base is located on a road less than half a kilometer southeast of the town. All traffic moving into and out of Bamarne is observed by these two bases. Both bases were established in 1996, during the civil war between the two main Kurdish parties, through an agreement with the KDP. A villager reported, "The agreement has expired, but the Turkish military refuses to leave."<sup>64</sup> One source reports that the Turkish military gave the landlords a one-time payment of \$300 each for rent. They promised to pay \$300 every year, but no further rent payments have been forthcoming.<sup>65</sup>

The Military bases have affected ordinary people in Bamarne. Harassments have included:

- Twice a year, summer and autumn before the harvest, Turkish soldiers burn the fields around the base using tank-fire. The most recent incident occurred during the fourth week of October 2009. About 100 apple and almond trees were incinerated by Turkish military.<sup>66</sup>
- Turkish soldiers shoot at farmers retrieving animals near the base.<sup>67</sup>
- Packs of dogs belonging to the Turkish military roam the area. The dogs attack animals belonging to farmers. In 2008, ten sheep were killed by the dogs. The dogs often roam along the way where the children walk to school.<sup>68</sup>
- Every day the Turkish military drive tanks from the base below the town, along the main road to the observation base on the hill, frightening the people.<sup>69</sup>
- A Christian man reported that during the spring or summer of 2008, a number of bombs exploded near Inishky (a village between Bamarne and Amedi), and that the closest one landed about 60 meters away from the village. His wife fainted out of fear when the explosion happened and he took her to the hospital.<sup>70</sup>

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<sup>62</sup> CPT interview of the Mayor of Kani Mase on 11/3/09.

<sup>63</sup> Sources vary on the distance to the border from 18 to 40 km.

<sup>64</sup> CPT interview of Mr. Salih on 12/10/08.

<sup>65</sup> CPT interview of tribal elder on 11/13/08.

<sup>66</sup> CPT visited the burned orchard on November 13, 2009. Those present confirmed that local KDP leaders investigated and confirmed the Turkish military were responsible for the damage.

<sup>67</sup> CPT interviews in Bamarne on 11/13 and 12/10/09.

<sup>68</sup> *Ibid.*

<sup>69</sup> *Ibid.*

<sup>70</sup> Interview during CPT visit to Inishky on December 10, 2008.

## **Amedi District: Sheladze collective town**

“We lived in a beautiful place. It is [*sic*] like heaven. But we don’t have any rights in our village. People lived in fear and violence. . . We had cattle and would go out to milk, but heard bombing. We had no choice but to leave. I tried taking animals up on this mountain to graze, but even here [Sheladze] sometimes there is bombing.”<sup>71</sup>

CPT visited Sheladze on January 2, January 20, and April 26, 2009. About 100 villages were affected by Turkish bombing. Until the fall of 2008, there were still families living in some of the villages.

At Sheladze, CPT saw some weapon shells in the garden of a family. When asked what kinds of weapons were used against them, Mr. Jalal said, “There are different kinds of bombs used in the area. Some bombs are so big that they just make holes in the ground. Others, when they descend, come down as raining fire and set the ground ablaze. This is like 100 small bits falling everywhere from the sky. Sometimes, when a person touches pieces of the bombs that are on the ground they explode, but sometimes they do not.”<sup>72</sup>

On January 20, 2009, CPT talked to representatives of five villages from the area of Chumgee. Chumgee is about fifty minutes by car from Sheladze. It consists of ten villages and had five bridges connecting it to other towns. Each of the five bridges was bombed and destroyed by Turkish aircraft. All the villages were forced to evacuate. A few men go back routinely late in the night to water their orchards.

CPT talked to an IDP (Internally Displaced Person) family to understand their life under Turkish military threat. Mr. Azad shared his father’s story: “During the sanctions, life was desperate and people went back to the villages to farm. Fifty to sixty people from the Hura village returned. Then there was a Turkish military operation and people fled. Troops surrounded the village for three days. My father . . . and his friend . . . 64 years old, stayed. They were killed on September 27, 1994. . . . People went back after the operation and found [the body of my father's friend]. After 26 days the army returned my father’s body. He was shot in the chest and his ears and hands were cut. . . . The military would cut the hands and ears of any PKK rebel they killed. They get money from the government for cutting the hand of a PKK and bring pictures back. They burned all the villages and farms. They said the PKK was being fed by our food . . .” According to Mr. Azad, no one has been back since. Life after bombing was difficult. There are no jobs for farmers in the town.<sup>73</sup>

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<sup>71</sup> CPT interview of a woman from Hish village on 1/20/09.

<sup>72</sup> CPT interview of Mr. Jalal on 1/2/09.

<sup>73</sup> CPT interview of Mr. Azad on 4/26/09.

Map of Amedi



## **Part II**

### ***Violation of International Laws***

Both Turkey and Iran have repeatedly asserted their rights to defend themselves against Kurdish rebel groups indigenous to their respective countries and claim that their state-sponsored attacks have been limited to military targets. The validity of such claims must be examined in relationship to the obligations of nation states under international law and the nature of the military interventions inside Iraq. This study concludes that both countries have, in these incursions, violated international human rights laws and agreements.

As signatories to international human rights treaties and the Geneva Conventions, both nations have the obligation to ensure that in their military interventions, civilians are adequately distinguished and protected.

What follows is a summary of applicable international laws and agreements that apply to both countries' military interventions, along with examples of violations. All examples have been documented by CPT via interviews during the two-year period of January 2008—December 2009.

#### **Geneva Conventions of 12 August, 1942, and The Protection of Victims of International Armed Conflicts (Protocol 1)**

The stipulations for combat forces initiating an armed conflict in the name of self-defense are conditions of: (1) Necessity; (2) Distinction; and (3) Proportionality. The burden of establishing that these conditions have been met falls on the force initiating the military action. Necessity is defined as "engaging only in operations that are necessary to ensure military gain"; Distinction, that "every possible effort is made to distinguish between military and non-military targets"; and Proportionality "prohibits any kind of force exceeding what is necessary to accomplish the military goal."

#### **1. Necessity**

In the civilian population village areas of Batufa<sup>74</sup>, Kani Masi, Chumgee, Choman, Sitakan, Sangasar, and Zharawa, the periodic, and in many places continual, bombing or shelling by Turkey and/or Iran have not resulted in strategic gain against the PKK or PJAK. Most Turkish media sources reporting on the effects of these attacks are drawn from statements made by the Turkish military. Generally, these reports establish nothing beyond the alleged numbers of PKK or Turkish fighters killed, and are generally disputed by PKK or Kurdish media sources, which claim the attacks have had little effect on the operational capability of the PKK.<sup>75</sup>

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<sup>74</sup> The English spellings of village names herein is phonetic, and may vary from spellings found in other sources, because the spellings in English of the Kurdish names vary within government and other documents.

<sup>75</sup> Kurdish Human Rights Project and Bar Human Rights Committee Report: *A Fact-Finding Mission in Kurdistan, Iraq: Gaps in the Human Rights Infrastructure*, July, 2008, pp. 81-82.



## 2. **Distinction**

There have been carpet bombing and shelling attacks on entire villages, along with attacks on grazing areas, gardens, and orchards. Sometimes state-sponsored strikes have used incendiary bombs that burn structures, and that injure and kill animals and civilians. No apparent effort has been made to distinguish between military and non-military targets.

- In May 2008, at the village of Einisky, 18 km by air from the Turkish border, bombs fell 200 meters away from homes.<sup>76</sup> In the Chumgee village area, villagers say “if anyone is seen in the villages by a reconnaissance plane, they are assumed to be PKK and are targeted.”<sup>77</sup> Other areas where such attacks have occurred during the last two years have been in Batufa villages, Kani Masi villages, Chumgee villages, Choman villages, Soran villages, Sangasar villages, and Zharawa villages.
- Similar attacks by Iran have been documented in the Choman villages, Soran villages, Sangasar villages, and Zharawa villages.

## 3. **Proportionality**

Most of the attacks in the border village region do not directly target or affect the rebel forces, and thus do not accomplish the stated military goal. What may be characterized as exceptionally excessive attacks include the following:

- Starting March 13, 2008, aerial bombing by Turkey lasted for nineteen consecutive days inside the Arkesaru village of Zharawa.<sup>78</sup> On December 15-16, 2007, heavy attacks over a wide area of the Sangasar district led to the death of Aisha Ibrahim of Asterokan village, a number of civilian injuries, and the destruction of entire villages.<sup>79</sup>
- Area leaders maintain that Turkey used internationally prohibited cluster bombs and incendiary bombs in the Chumgee villages.<sup>80</sup> After extensive Turkish bombings on December 15 and 16, 2007 in all three KRG governorates, many residents reported eye inflammations, vomiting, breathing difficulties, inflammation of the nose and throat, itching, and other skin irritations. The second day of the bombing, livestock with no visible injuries began to die, and the color of the animals' milk changed to gray and had a sour taste.<sup>81</sup>

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<sup>76</sup> CPT interview of unnamed resident on 12/10/08.

<sup>77</sup> CPT interview of a top KDP official in the area on 1/20/09.

<sup>78</sup> CPT interview of Ms. Amira Haval Akram, public nurse, 7/22/08.

<sup>79</sup> CPT interview of a local official of Sangasar, 1/3/08.

<sup>80</sup> CPT interview of Mukhtar Sirwan Atta on 1/2/09 and of a Hardan village leader on 11/28/08.

<sup>81</sup> CPT interviews of Mr. Mageed and Susan Muzheer Jalal from Levcee village, Sangasar area, 5/19/08. These reports are consistent with the findings of the 2008 Iraqi Government's Parliament Fact-Finding Committee of the Iraqi Council of Representatives.

**Article 51(2) of Protocol 1** *prohibits civilians being the object of attack or acts or threats of violence.*

- During the 2007-2009 period, in Terwanish and Merkagiya villages of the Kani Masi area, villagers were afraid to go to certain mountain areas to hunt for a lost animal or complete their harvest, because soon after other villagers had done so and were seen by Turkish soldiers, bombing started in that location.<sup>82</sup>
- On December 5, 2008, Mr. Khalid Hameed Nasrin in the Japamo Valley, near Zharawa, was attacked and injured by Iranian rockets while tending his herd of 150 sheep and goats.<sup>83</sup>

**Article 51(2)** also *prohibits acts or threats of violence, the primary purpose of which is to spread terror among the civilian population.*

- Over the 2007—2009 period, about two to three days a week, in the village of Darau in the Soran District, Turkish planes circled low over the schoolhouse and other residential areas, for up to an hour at a time, terrorizing residents.<sup>84</sup>
- During that same period, in village areas of Batufa, Kani Masi, Choman, and Zharawa, Turkish planes flew low, circling and sometimes bombing fields and orchards during planting and harvest times.<sup>85</sup>
- The presence of Turkish military bases on the edge of villages or towns terrorize the people. Attacks are launched from these bases: in the town of Bamarne, for example, which is about 18km from the Turkish border, the base fired upon the mountain region behind the town.<sup>86</sup> In Grebye, the Turkish base is on a hill 30 meters from the schoolhouse; its mere proximity to the school terrorizes the children and adult residents. People from other villages report that the constant monitoring of their movements, the threat of the Turkish planes overhead and of shelling by the Turkish military personnel from the bases frighten them.<sup>87</sup>

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<sup>82</sup> CPT interview of Mr. Abdullah Sangar on 11/3/09 and Mr. Akram and a local Mukhtar on 12/11/08.

<sup>83</sup> CPT interview with Khalid on 8/8/09.

<sup>84</sup> CPT interview of Arrarat, teacher, Darau village, 11/15/08.

<sup>85</sup> CPT interviews with Mukhtar Akram, Merkajiya village and Abdullah Sangar, Terwanish village, 11/3/09; Mr. Dahfer Hewa Atta, Zharawa, 10/21/09; a local elder in Kani Spi village (Choman area), 10/22/09; and Mr. Sirwan Atta, Chumgee villages, 2/26/09.

<sup>86</sup> CPT interview of Mukhtar Asso, 1/2/09. Sources vary on the distance from the border, from 18 to 40 km.

<sup>87</sup> *Ibid.* and CPT interview of Mukhtar Asso, 1/2/09; Mr. Abdullah Sangar of Terwanish, 11/3/09; and Mr. Akram of Merkajiya, 10/16/09.

**Article 52** prohibits the attack of objects dedicated to civilian purposes, such as places of worship, dwellings, hospitals, clinics, and schools.

- Since 2000, in Kara Village of the Kani Masi area, Batufa area villages, and between 2007-2009, in Choman, Sitakan, Sangasar, and Zharawa villages, Turkish bombing has caused massive destruction of dwellings.<sup>88</sup>
- From before 2007 through 2009, in Choman, Sitakan, Sangasar, and Zharawa villages, Iranian shelling caused the destruction of dwellings.<sup>89</sup> On November 29, 2008, in the Sangasar villages, heavy Iranian shelling destroyed two health clinics, and three schools.<sup>90</sup>

**Article 54** prohibits attacking or destroying things needed for the survival of the civilian population, such as foodstuffs, agricultural areas used for food production, livestock, crops, drinking water installations and supplies, and irrigation works, in order to deny the population sustenance or to cause them to move away for any other motive.

- Before and during the 2007-2009 period, in the villages of Kani Masi, Batufa, Bamarne, and Chumgee areas, Turkish bombing, shelling from Turkish bases, and firing from tanks destroyed crops before harvest, and prevented residents from planting or harvesting their crops.<sup>91</sup> During this same period, in these same areas, Turkish bombings tore up and burned agricultural land and trees and destroyed and blocked water and irrigation systems in the village areas of Batufa, Kani Masi, Chumgee, Sangasar, and Zharawa.<sup>92</sup>
- Before and during the 2007-2009 period, in the Choman and Sitakan village areas, periodic shelling by Iran caused destruction to agricultural land, bees, orchards, and vegetable crops, causing income loss of \$15,000 to \$20,000 per year for the average family displaced by the attacks.<sup>93</sup> For nineteen successive days, starting March 13, 2008, in one or both of the Razgai village, Iranian shelling killed 400 cows and destroyed plows, and other farming equipment, as well as sheep fodder.<sup>94</sup>

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<sup>88</sup> CPT interviews of Kara village family, 12/11/08; an area physician on 1/2/09; Saman Mazda of Asterokan village, 1/10/08; and Faras Mohammed Sarkawt of Laozha Village, 1/10/08.

<sup>89</sup> CPT interviews of local officials in Choman on 12/5/09 and Sangasar on 1/3/08; and Mr. Dahfer Hewa Atta, a resident of Razgai Village on 5/28/09.

<sup>90</sup> CPT interview of a local official of Sangasar Municipality on 12/28/08.

<sup>91</sup> CPT interviews of Mukhtar Akram, of Merkajiya (Kani Masi area), 10/16/09; a local physician on 1/2/09; and Muktar Delshad of Bamarne on 12/10/08.

<sup>92</sup> CPT interviews of a local physician regarding the Batufa villages, 1/2/09; Muktar Dana, Bamarne, 12/10/08; Muktar Sirwan Atta, Chumgee village area, 1/2/ and 2/26/09; Muktar Idris, Kani Spi (Choman area), 2/14/08; and local officials in interviews of 11/17/09 and 1/3/08.

<sup>93</sup> CPT interview of a local official of Choman District on 11/17/09.

<sup>94</sup> CPT interview of Amira Quharash Hamasur, public health nurse, 7/22/08.

**Article 57** obligates those conducting military operations to take all feasible efforts to avoid the incidental loss of civilian life, injury to civilians and damage to civilian objects, and to refrain from launching any attack that is expected to do that.

- On December 15-16, 2007, in the Asterokan Village of the Sangasar area, Turkish bombing killed resident Aisha Ibrahim.<sup>95</sup> In many of the attacked border areas, such as the Kani Masi and Chumgee village area, villagers said that if anyone is seen by air reconnaissance moving around in villages, hillsides, or mountainsides, they are presumed to be PKK and are targeted.<sup>96</sup>
- On December 5, 2008, in the Japamo Valley near Zharawa, Iranian shelling injured Mr. Khalid Hameed Nasrin while he was in an open valley tending a herd of sheep.<sup>97</sup> On July 18, 2009, Mr. Osman Korsh Fowski was injured by Iranian shelling. Mr. Fowski was in the Megamier mountain area near his tent—a temporary summer grazing-season residence—at the time of the attack, with his livestock in the immediate vicinity.<sup>98</sup> In both cases, the presence of livestock identified the men as civilian shepherds.
- On March 10, 2009, in Razgai Village, Iranian shelling killed 1 ½ year old Mohammed Ali, and injured his mother and his father, Ali H. Ahmed. Roughly fifteen days earlier, the Ahmed family, as well as others from the village, returned to their homes after a KRG diplomat in Iran announced on PUK media that Iran would cease the shelling across the border. About a week later, Iran resumed its shelling.<sup>99</sup>

### **European Conventions on Human Rights (ECHR)**

As a member of the Council of Europe and signatory to the ECHR, Turkey is obligated to follow Articles 2,3,8,13, and ECHR Article 1 of Protocol 1, and to *protect the rights of individuals to life, to freedom from torture and inhuman and degrading treatment, to respect of their family and private life including their homes, to an effective remedy for the violation of their rights and to property.*<sup>100</sup>

- In contravention of these provisos, shepherds in the Chumgee villages were attacked in 1996, where Turkish soldiers mutilated and killed shepherds captured while grazing their

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<sup>95</sup> CPT interviews of a local official of Sangasar and Mr. Muslim Mohammad Shekha, Aisha's son on 1/10/08.

<sup>96</sup> CPT interviews of Muktar Akram, Merkagiya, 12/11/08; Mr. Abdullah Sangar of Terwanish (Kani Masi area), 11/3/09; and a top KDP official of the Sheladza area on 1/20/09.

<sup>97</sup> CPT interview of Mr. Khalid, 8/8/09.

<sup>98</sup> CPT interview of Osman on 12/6/09.

<sup>99</sup> CPT interview of Ali H. Ahmed, 4/3/09.

<sup>100</sup> One of the requirements for membership in the European Union, to which Turkey has applied, is that members embrace the values of peaceful conflict resolution. This means to engage in meaningful reform and dialogue to remove the root causes of the conflict. Turkey has not followed these values in its treatment of its indigenous Kurdish population. Turkey has chosen a response of military attacks, instead of addressing the unjust treatment of Turkish Kurds, which is a root cause or motivating factor for the fighting by the rebel groups. Even during periods of unilateral cease fire and requests for negotiated settlement by the PKK, Turkey has refused to enter into negotiations or seek a mutual peaceful resolution to the conflict.

flocks.<sup>101</sup> In Merkagiya Village of the Kani Masi area, Turkish soldiers captured villagers and tortured them.<sup>102</sup>

**The UN Charter**, in its preamble, declares that each member nation is obligated to:

- "Affirm faith in fundamental human rights, and the dignity and worth of the human person..." and
- ". . . establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained."

**Article 2.4:** *All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.*

**Chapter VI, Article 33:** 1. *The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.*

Since Turkey's cross-border operation in May 1983, it has sought to justify successive operations in 1986, 1987, and 1991, as falling within the right of "hot pursuit" when it responds to aggressive actions by the PKK. International norms stipulate that hot pursuit requires (1) the pursuit begin immediately after the violation; (2) that the pursuit be a continuous action; (3) that specific offenders be pursued; and (4) that the pursuit stop when it reaches the border or area agreed by treaties. Deviation from these standards violates the territorial integrity of the country entered, as well as the provisions of international law, even where extreme necessity or self defense is claimed.<sup>103</sup>

The cross-border attacks have not fulfilled the legal requirements of international law and violate the sovereignty of Iraq, as well as the integrity of its land and borders.

The United States has allowed, encouraged, and in some instances enabled, Turkey to violate Iraqi airspace, to maintain bases in Iraq and to continually carry out bombing of the Kurdish region of Iraq, in pursuit of the PKK, labeled by both the U.S. and Turkey as a terrorist organization. However, the United States has not required Turkey to identify and protect the civilian population according to the international human rights laws cited above.

The existence of a treaty of hot pursuit or a mutual agreement to engage militarily the PKK and PJAK does not allow Turkish, Iranian, or U.S. military forces to target, attack, terrorize, and displace thousands of civilians living in the areas of contention; nor do such circumstances allow the various parties to ignore international human rights agreements that expressly call for the protection of civilians in just such circumstances.

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<sup>101</sup> CPT interview of a top KDP official in Shaladze area on 1/20/09; and European Court of Human Rights ruling in 2004 on the Kurdish Human Rights Project [KHRP] case of *Issa e. Turkey*.

<sup>102</sup> CPT interview of Mukhtar Akram, 12/11/08.

<sup>103</sup> Funda Keskin, "Turkey's Trans-Border Operations in Northern Iraq: Before and after the Invasion of Iraq", November 2008, p. 6. [www.eurojournals.com](http://www.eurojournals.com)

The burden of proof rests not on the affected civilians, but on the parties engaging in military assaults. And there is nothing to indicate that the attacking parties took all feasible efforts to avoid the injuries or damage done to Iraqi Kurdish civilians, or to determine whether those in the areas of attack were civilians, as opposed to armed members of PKK or PJAK.

Moreover, the stated goal—the weakening or elimination of the PKK and PJAK, is not furthered by the monitoring and attacking of civilian Iraqi Kurds. Rather, the civilian population has been and is terrorized and driven from civilian population areas as far away as 40 km from the borderlands. The civilian population has been and is displaced, with all the attendant weakening of their social structures and economic bases for independent existence.



**Abandoned village: Trwanish, Kani Mase, Nov 2008. Destroyed building on lower left is a school.**

### Part III

#### *A Brief History of Iraqi Kurdish/Turkish Relations*

#### **"Where there is a promise, there is a tragedy"**

The stage was set for the present Turkish and Iranian attacks against Iraqi Kurdistan in the aftermath of World War I, when, in 1923, Western nations ended hopes of an autonomous Kurdistan. As late as 1924, the British High Commission ". . . [r]ecogniz[ed] the right of the Kurds living within the frontiers of Iraq to establish a Kurdish government inside these frontiers".<sup>104</sup> It was, however, an empty promise, and the struggle for an independent Kurdistan began in earnest when the Treaty of Lausanne divided the Kurdish region between Turkey, Iraq and Syria, creating Kurdish minorities in those three countries, as well as in Iran and in the Soviet Union.

Following decades of failed efforts to establish an independent Kurdish state, in 1979, an agreement was reached between the Kurdish Democratic Party (KDP) and the Government of Iraq for the creation of an autonomous region over a period of five years, but final implementation was rejected by the Kurds as it failed to include Kirkuk and other predominantly Kurdish regions.

In the wake of the ill-fated uprising of 1991, Kurdistan was established as a semi-autonomous region.

The Iraqi constitution, adopted in 2005, calls for a referendum on Article 140, which defines the boundaries of the Kurdish Regional Government (KRG) and depending on the outcome, could result in the return of the oil-rich region of Kirkuk to the KRG. Turkey, Iran, and Syria fear the oil wealth would be used to support separatist activities within their own Kurdish populations as well as to promote the creation of an autonomous Kurdistan. The three nations have seemingly agreed, formally and informally, to come to one another's defense against mutually perceived threats.<sup>105</sup>

Kurds in the region deny any present intention of creating an independent Kurdish nation.

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<sup>104</sup> Carole A. O'Leary, "The Kurds of Iraq: Recent History, Future Prospects," *Middle East Review of International Affairs Journal*, Vol. 6, No. 4, Dec., 2002.

<sup>105</sup> Umit Enginsoy and Burak Ege Bekdil, "Turkey Embraces Old Foes in Mideast", *DefenseNews*, Nov. 16, 2009, ". . . in October, Turkey and Syria announced that their armies soon would hold joint military exercises for just the second time ever." In addition, see discussion in the article about Turkish cooperation with Iran in coordinating attacks within Iraqi Kurdistan.

## Agreements Between Turkey and Iraq Allowing Cross-Border Activity

Agreements signed by Turkey and Iraq in 1926 and 1946 allowed for the "hot pursuit"<sup>106</sup> of bandits and smugglers across each other's borders.

In 1978, a secret accord was signed between Turkey and Iraq, which allowed both sides to enter up to 15 km (9 miles) inside each other's territory to pursue subversive elements, a move specifically designed to attack Kurds on both sides of the common border.<sup>107</sup>

The agreement preceded "[t]he initiation of armed insurrection by the Kurdistan Workers' Party (Partiya Karkere Kurdistan or PKK) in 1984. . ."<sup>108</sup>, during which PKK fighters began their cross-border attacks against Turkey.

The Frontier Security and Cooperation Agreement signed in 1984 enabled each party to enter the other's territory for 5 km or just over 3 miles<sup>109</sup> without prior consent. The agreement for further cross-border operations was renewed in 1986 and in 1987. This agreement, which lapsed following the end of the Iran-Iraq war in 1988, served as the basis for Turkish operations during that time.<sup>110</sup>

Turkish/Iraqi hot pursuit agreement targeting bandits and smugglers	1926
Turkish/Iraqi hot pursuit	1946
Secret Turkish/Iraqi accord for cross-border pursuit of "subversive elements"	1978
Frontier Security & Cooperation Agreement grants 5 km cross-border access to both countries without prior consent	1984
FSCA renewed	1986
FSCA renewed	1987
FSCA expires	1988

<sup>106</sup> "Pursuit commenced within the territory, internal waters, the archipelagic waters, the territorial sea, or territorial airspace of the pursuing state and continued without interruption beyond the territory, territorial sea, or airspace. Hot pursuit also exists if pursuit commences within the contiguous or exclusive economic zones or on the continental shelf of the pursuing state, continues without interruption, and is undertaken based on a violation of the rights for the protection of which the zone was established. The right of hot pursuit ceases as soon as the ship or hostile force pursued enters the territory or territorial sea of its own state or of a third state. This definition does not imply that force may or may not be used in connection with hot pursuit. NOTE: This term applies only to law enforcement activities." Dictionary of Military and Associated Terms, US Department of Defense, 2005. Article 2.3.2 of the United Nations Convention on the Law of the Sea (UNCLOS) similarly defines "hot pursuit", relating the doctrine to the rights and restrictions of nation-states on the sea. Nick Grono, the deputy president of operations for the International Crisis Group . . . notes that 'hot pursuit' [also referred to as 'fresh pursuit'] is a concept under international law that originated out of the laws of the sea. On land. . . the right to 'hot pursuit' has evolved and been recognized under international law as the chasing of armed aggressors across international borders. . . 'Historically, [it] means you are pursuing a fugitive. The doctrine of hot pursuit comes from the law of the sea. And it used to be chasing a fleeing ship, for instance, or chasing someone who retreated into another country,' Grono said. "The conditions applying to hot pursuit are pretty restrictive." Produced by Radio Free Europe/Radio Liberty, 1201 Connecticut Ave., N.W. Washington DC 20036.

<sup>107</sup> Evren Altinkas, "The Iran-Iraq War and Its Effects on Turkey," *Review of International Law and Politics (RILP-UHP)*, Vol. 1, No. 4, 2005, reported in *The Turkish Weekly*, Sept. 7, 2006.

<sup>108</sup> *Kurdistan – Turkey: Insurrection*, at [www.globalsecurity.org](http://www.globalsecurity.org)

<sup>109</sup> The Turkish Weekly of 6/9/07 claims the limit is 29 km or 18 miles.

<sup>110</sup> Kurdistan Center for Strategic Studies, Meeting Notes, 4/30/09 and Michael M. Gunter, *Turkey and Iran Face Off*, Middle East Quarterly, March, 1998. In 1988, at the end of the Iran/Iraq war, to reassert control over northern Iraq and to retaliate against the Kurdish support of Iran, Saddam Hussein began a campaign of internal deportation, massacre, and chemical gassing of Kurdish civilians. Tens of thousands of refugees fled, including Iraqi-Kurdish militants. Baghdad sought permission from Turkey to pursue the militants into Turkish territory, but Ankara refused permission and did not renew the hot pursuit agreement with Baghdad.



The first extensive trans-border operation not based on the right of hot pursuit commenced March 1, 1992, as an air operation against the PKK in northern Iraq. Iraqi protests were rejected by Turkish officials, who maintained that their actions were justified because of the demonstrable lack of control of the Iraqi government over the region. Turkey maintained that it respected Iraq's territorial integrity and that the sole purpose of the operation was self-defense by attempting to destroy the PKK camps established in northern Iraq, which, it said, were beyond the control of Iraqi government.<sup>111</sup>

In 1994, during the civil war in the Kurdish north of Iraq, Massoud Barzani, then leader of the KDP, made a verbal agreement with Turkey for cross border attacks.

In August of 2007, Turkish Prime Minister Recep Tayyip Erdogan and Iraqi Prime Minister Nuri al-Maliki entered into a Memorandum of Understanding, which "reiterated their determination to fight against terrorism and confirmed their agreement to make strenuous efforts in order to isolate and neutralize all terrorist organisations, including PKK/KONGRA-GEL, a terrorist organisation, and to put an end to their activities and presence in the region in that context."<sup>112</sup> The Memorandum of Understanding specifically reconfirmed the three Turkish-Iraqi agreements on good-neighbourly relations dating to 1926, 1946, and the 1980s, which give the legal underpinnings for full-scale Turkish military intervention in northern Iraq should Ankara choose to do so.<sup>113</sup>

### **Agreements Among and Between the United States, Turkey and Iraq**

On May 30, 2007, the KRG signed a security cooperation accord with the U.S.-led coalition. The accord stipulated the handover of coalition security responsibility to the KRG in the provinces of Dohuk, Erbil and Suleimaniya.<sup>114</sup>

Turkey and the United States established the Ankara Coordination Center in the summer of 2007 in order to share intelligence. Apparently under this effort, the United States has provided and presumably continues to provide the Turkish military with intelligence upon which it relies for its military strikes into Iraqi territory.<sup>115</sup> A Trilateral Committee was formed in Baghdad in November of 2008 by senior Iraqi, Turkish and US officials to combat the PKK.

### **Historical Cross-Border Activity between Iran and Iraq**

In 1974, there was an outbreak of clashes between the Government of Iraq and its Kurdish citizens. Iraqis forced 130,000 Kurds into Iran. In 1975, Iran and Iraq signed the Algiers Agreement. Iran received access to the Shatt al Arab<sup>116</sup> and Iraq received Iran's assurance to end support for the Kurds in their rebellion against the Government of Iraq.

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<sup>111</sup> *Hurriyet*, 3/13/92 and *Research Journal of International Studies* - Issue 8, November 2008, p. 63.

<sup>112</sup> *Maliki signs "Memorandum of Understanding" with Turkey*, Workers Revolutionary Party, August 2007, <http://www.wrp.org.uk/news/2407>

<sup>113</sup> M. K. Bhadrakumar, *Turkey's Kurdish worries deepen*, Asia Times, 8/11/07.

<sup>114</sup> *U.S. signs security pact with Kurdistan, warns Turkey not to invade*, World Tribune.com, June 5, 2007.

<sup>115</sup> This, in spite of Turkey's refusal to support the U.S.-led invasion of Iraq in 2003 and the Kurds' strong support of the U. S. efforts from their inception. According to Emrullah Uslu, in *Can Turkey's Anti-Terrorism Cooperation with Iran Lead to a Strategic Partnership?*, Terrorism Focus, Vol. 5, Issue 24, June 24, 2008, in November of 2007, then Secretary of State Condoleezza Rice offered actionable real-time intelligence sharing to Turkey.

<sup>116</sup> The river formed by the confluence of the Tigris and Euphrates River that empties into the Persian Gulf.

## **Turkish Attacks in Kurdistan**

In May 1983, Turkish troops entered 29 km (18m) into Iraqi Kurdistan in pursuit of PKK fighters and to destroy PKK bases. As set forth in more detail hereinafter, Turkey has made numerous incursions into Iraq ever since.

## **Gulf War/Desert Storm, Kurdish Uprising, No Fly Zone**

On August 2, 1990, Iraqi troops invaded Kuwait. On January 17, 1991, the same day the United States began its counter-offensive, Turkey's Grand National Assembly voted to authorize American forces to attack Iraq from Turkish bases.<sup>117</sup>

Within days of the end of the Gulf War in 1991, believing that the United States would provide support, the Iraqi Kurdish uprising began. U.S. support never came and Saddam's Republican Guard crushed the rebellion. 500,000 refugees fled toward the Turkish border and another million headed for Iran. Many left with nothing and died in the mountains that form the borders between the three nations.

In order to cope with the political and humanitarian consequences, Turkish President Turgut Ozal suggested the creation of "safe havens" in Iraq to protect Kurds from continued attacks by the Iraqi military and to turn back the flow of refugees.

In April 1991, UN Security Council Resolution 688 provided part of the legal backing for the creation of the safe havens and the no-fly zone. Military forces from eleven countries, including the United States and Turkey, carried out Operation Provide Comfort, to supply humanitarian aid and security to refugees in camps along the Iraq-Turkey border. The Kurdish northern no-fly zone was established and continued after foreign troops were withdrawn.<sup>118</sup> Only Iraqi aircraft were excluded from the no-fly zone. It did not apply to Turkish or Iranian air forces.

In August, 1991, a senior official reported to the New York Times that Turkish forces attacking separatist Kurdish rebel bases in northern Iraq for the fourth day advanced six miles into Iraq.<sup>119</sup>

In October 1991 the Government of Iraq withdrew its ground troops and government apparatus from the three northern governorates and Kurds took control of the region. The first democratic elections in Kurdistan were held in May 1992 and the Kurdistan National Assembly (KNA) and the Kurdistan Regional Government (KRG) were created. The Parliament was divided equally between the PUK and KDP. Both parties retained their own Peshmerga (military or militia) forces.

Starting in October 1992, the Turkish military launched a series of large-scale attacks into northern Iraq to eliminate PKK camps and bases. It established an informal alliance with Massoud Barzani, under which the KDP Peshmerga served as guides for Turkish units, and at times, fought alongside Turkish troops against the PKK.<sup>120</sup>

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<sup>117</sup> Dr. Henri J. Barkey, "Hemmed in by Circumstances: Turkey and Iraq Since the Gulf War," *Middle East Policy Council Journal*, Vol. VII, No. 4, October 2000.

<sup>118</sup> *Ibid.*

<sup>119</sup> "Turkey Attacks Kurdish Rebels inside Iraq," *New York Times*, 8/9/91.

<sup>120</sup> Gareth Jenkins, "Unwelcome Guests: The Turkish Military Bases in Northern Iraq," *Terrorism Monitor*, Vol. 6, Issue 6, March 24, 2008; Deborah Cooper, "Turkey/Kurds," *Voice of America*, March 24 1995.

## The Kurdish Civil War

The 50-50 power-sharing arrangement between the PUK and the KDP broke down and in 1994, the Kurdish National Assembly ceased to meet; the Kurdish safe haven was split into two parts governed by the two main parties. From 1994 through 1996, the PKK carried out continuous attacks on Turkey. Turkey reinitiated its cross-border attacks in Iraq, using as justification the lack of governmental control in the region and the right to protect itself.

"It is a small-scale, short-term operation."

In 1995 and 1997, as many as 50,000 Turkish troops, backed by tanks and fighter aircraft, occupied what the West called 'Kurdish safe havens'. . . "They terrorised Kurdish villages and murdered civilians. In December 2000, they returned, committing the atrocities that the Turkish military commits with impunity against its own Kurdish population . . . the RAF and the Americans have, from time to time, deliberately suspended their 'humanitarian' patrols to allow the Turks to get on with killing Kurds in Iraq."<sup>121</sup>

In July 1996, the Iranians sent 2-3,000 Iranian troops deep into PUK territory to pursue Iranian Kurds. This move strengthened the PUK and weakened the KDP. In response, Massoud Barzani, head of the KDP, asked for and received help from Saddam Hussein to battle the PUK. Hussein sent at least 30,000 troops into the UN-protected Kurdish region, capturing the PUK city of Erbil. The KDP was immediately installed in power. In early September, southern Iraq again helped KDP fighters, this time taking the PUK city of Suleiymaniya.<sup>122</sup> By the end of October 1996, the PUK (with Iranian support) had regained practically all its lost territory.

Fighting continued in 1997 between the KDP and the PUK. PKK forces attacked villagers who supported the KDP. From May through July, 1997, 30,000 Turkish troops, tanks and artillery crossed into northern Iraq in pursuit of the PKK. Col. Husnu Dag said "It is a small-scale, short-term operation."<sup>123</sup> "Our troops are assisting the KDP from the air and with artillery fire," Turkish Foreign Ministry spokesman Sermet Atacanli said.<sup>124</sup>

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<sup>121</sup> John Pilger, "The Secret War on Iraq", 12/20/02, found at [www.serendipity.li](http://www.serendipity.li). Pilger goes on to note the reactions of British and American pilots, "In March last year, RAF pilots patrolling the 'no fly zone' in Kurdish Iraq publicly protested . . . about their enforced complicity in the Turkish campaign. The pilots complained that they were frequently ordered to return to their base in Turkey to allow the Turkish air force to bomb the very people they were meant to be 'protecting'. . . the pilots said whenever the Turks wanted to attack the Kurds in Iraq, RAF patrols were recalled to base and ground crews were told to switch off their radar — so that the Turks' targets would not be visible. One British pilot reported seeing the devastation in Kurdish villages caused by the attacks once he had resumed his patrol. American pilots who fly in tandem with the British, are also ordered to turn their planes around and turn back to Turkey to allow the Turks to devastate the Kurdish 'safe havens'. 'You'd see Turkish F-14s and F-16s inbound, loaded to the gills with munitions,' one pilot told the Washington Post. 'Then they'd come out half an hour later with their munitions expended.' When the Americans returned to Iraqi air space, he said, they would see 'burning villages, lots of smoke and fire.'"

<sup>122</sup> "Kurdistan Democratic Party – KDP", [GlobalSecurity.org](http://GlobalSecurity.org)

<sup>123</sup> [wapedia.mobi/en/Operation\\_Hammer\\_\(1997\)](http://wapedia.mobi/en/Operation_Hammer_(1997)); and Federation of American Scientists/Arms Sales Monitoring Project, [www.fas.org/asmp/profiles/turkey\\_chronology\\_invasion.htm](http://www.fas.org/asmp/profiles/turkey_chronology_invasion.htm)

<sup>124</sup> *Ibid.*

Turkey pledged at the end of June that it had withdrawn most of its forces from the region, but officials in Baghdad said that Turkish forces were still active against the PKK in northern Iraq.<sup>125</sup> From September through October 1997, Turkish forces allied with the KDP, attacked PUK and PKK positions in an attempt to force a cease-fire between the factions.

These separate conflicts converged in November, when Turkish air and ground elements joined the KDP to force the PUK to retreat to the established intra-Kurdish ceasefire line. The fighting left over a thousand dead and forced thousands more from their homes.<sup>126</sup> A ceasefire between the KDP and PUK, established in November of 1997, ended the fighting for the remainder of the year, with the exception of a few sporadic clashes.<sup>127</sup>

From 1997 onward, Turkish troops were formally deployed to northern Iraq as part of a ceasefire monitoring mechanism, the mandate for which came up for renewal on an annual basis. Turkish regular forces were deployed in the northwest of the Kurdish Region, in territory under the KDP's control, while Turkish Special Forces established offices further south in the cities of Erbil and Suleiymaniya.<sup>128</sup>

Turkish military bases were established in a strip of land approximately 16 km (10m) deep along the Turkish border within Dohuk Governorate in the northwest of Iraqi Kurdistan. Most of the Turkish troops are located in a base at the former Iraqi military airfield at Bamarne, approximately 24 km (15 mi)<sup>129</sup> south of the Turkish-Iraqi border. Other bases were established near Batufa, and in the Amedi district, with a large base close to the town of Kani Mase and a smaller base on a nearby hill. Under the terms of the agreement, Turkish troops were deployed in a monitoring capacity only and were not supposed to leave their bases without the agreement of the Iraqi Kurdish authorities. Since 2004 Peshmerga bases have been built next to the Turkish ones.

## **From Then to Now**

On September 29, 1999, AFP reported that thousands of Turkish soldiers were carrying out operations in northern Iraq in order to fight the PKK, adding that fighters of Massoud Barzani's KDP had joined the Turkish army.<sup>130</sup> Attacks by Turkey subsided for a time after the 2003 U.S. invasion of Iraq. Over the course of 25 years, the conflict between Turkey and the PKK claimed an estimated 40,000 lives in Iraq and Turkey.<sup>131</sup>

Increased incidents of PKK attacks inside Turkey provoked the Turkish government to warn that it would cross into Iraqi territory in order to pursue the PKK. On September 28, 2007, Iraq denied a Turkish request to do so, on the grounds of sovereignty agreeing instead to a broader security arrangement.<sup>132</sup>

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<sup>125</sup> *Ibid.*

<sup>126</sup> Wiki: "Iraqi Kurdish Civil War", [http://wapedia.mobi/en/Iraqi\\_Kurdish\\_Civil\\_War](http://wapedia.mobi/en/Iraqi_Kurdish_Civil_War)

<sup>127</sup> *Ibid.*

<sup>128</sup> AFP, October 16, 2007; and "Unwelcome Guests," (see above.)

<sup>129</sup> Sources vary in the estimate from the border anywhere from 18 to 40 km.

<sup>130</sup> UNHCR, "Iraq, Relations between the Kurdistan Workers Party (PKK) and the Kurdish Democratic Party (KDP) in northern Iraq (1999-2000)", *Immigration and Refugee Board of Canada*, June 13, 2001.

<sup>131</sup> "Kurdistan Workers' Party (PKK)", [www.globalsecurity.org/military/world/para/pkk.htm](http://www.globalsecurity.org/military/world/para/pkk.htm)

<sup>132</sup> Ryan Holliday and Dr. Denise Youngblood Coleman, "The Kurdistan Workers Party", in *Country Watch*

In October, the Turkish parliament nevertheless approved cross-border attacks in Iraq for the purpose of pursuing PKK rebels, and attacks resumed in December. Iraqi Prime Minister Maliki said at a news conference held in Baghdad, "The bombardments by Iran and Turkey are violations of Iraq's sovereignty. We will not allow these violations, but this must come through diplomatic channels. We will inform our brothers in Turkey and Iran about that through the Foreign Ministry."<sup>133</sup>

On February 26, 2008 the KRG parliament approved a motion calling on the KRG to demand the closure of all Turkish military bases in northern Iraq.<sup>134</sup> On March 6, 2008, Turkey rejected a request by Iraqi Kurds to shut down military bases in northern Iraq. The Turkish army reportedly said that Turkey would not withdraw its soldiers stationed at the bases in the regions of Bamarne, Batufa, Kani Masi, and Dilmentepe until the threat to Turkey's security posed by Kurdish militants was eradicated.<sup>135</sup>

In March 2008, President Abdullah Gul visited Iraq, the first visit to Iraq by a Turkish head of state since 1976. President Gul met Kurdish Prime Minister Nechirvan Barzani for talks in Baghdad, the first time a Turkish leader agreed to formally meet an official of the KRG. Gul said he recognized the Kurdistan Regional Government and the use of the term "Kurdistan" as legitimate because it was written in the Iraqi Constitution. Gul also met Iraqi Prime Minister Nuri al-Maliki and President Jalal Talabani, himself a Kurd. Yet in November 2008, even though economic ties were deepening between Turkey and Kurdistan—as evidenced by the October 2009 trade forum between the two held in Erbil—the Turkish Parliament renewed its approval of attacks into Iraqi territory. Mr. Dara Jalil Khayat, of the Union of Chambers of Commerce and Industry in the KRG stressed that holding this forum is "an important step for the consolidation of trade relations between Turkey and Kurdistan."<sup>136</sup>

### **Iranian Attacks in Iraq**

Iran's recent bombardments on the Kurdish region began in April 2006. Another attack occurred in August 2007 when Iranian troops penetrated at least five kilometers into Iraqi territory in the Haji Omran district located in the Qandil Mountains, causing massive material damage.

These bombardments were a response to the PKK's sister organization PJAK's attacks on Iranian territory. The cross-border violence stemmed from suppression of Iran's Kurdish minority.

Like the PKK, PJAK is designated as a terrorist group by the United States and others.

"We are sharing intelligence with Iran, we are talking, we are coordinating. . . When they start an operation, we do too. They carry out an operation from the Iranian side of the border, we from the Turkish side."

<sup>133</sup> "Maliki: Turkey's bombardment violation of Iraq's sovereignty", *Today's Zaman*, Aug. 27, 2007

<sup>134</sup> *Unwelcome Guests*, (see above.), p. 1.

<sup>135</sup> Mark Bentley, "Turkey Refuses to Close Bases in North Iraq", *Bloomberg*, March 6, 2008

<sup>136</sup> *The Chamber board participates in the first trade forum between Turkey and Kurdistan Region*, Erbil Chamber of Commerce, May 11, 2009.

In June 2008, General Ilker Basbug, then commander of Turkey's land forces, told journalists, "We are sharing intelligence with Iran, we are talking, we are coordinating ... When they start an operation, we do too. They carry out an operation from the Iranian side of the border, we from the Turkish side."<sup>137</sup>

In a press release of October 17, PJAK reported that two days after U.S. reconnaissance flights over Mount Qandil, Turkey carried out air attacks which were accompanied by Iranian artillery bombardments. PJAK viewed these assaults as proof that Turkey shared U.S. intelligence with the Iranian military.<sup>138</sup>

## The PKK

The PKK was founded in 1974 as a nationalist/separatist party in Turkey. The organization, under Abdullah Öcalan aimed to establish an independent Kurdish state. In 1984, the group launched its first attack against Turkey from the mountainous border region between Turkey and Iraq inside Turkey. PKK attacks during the 1990s in Turkey included paramilitary attacks and bombings.

On March 17, 1993, Öcalan announced a unilateral cease-fire from March 20 to April 15, declaring that the PKK did not intend "to separate immediately from Turkey."<sup>139</sup>

The conflict continued and in the mid 1990s, the PKK continued its armed struggle, targeting both Turkish officials and civilians.<sup>140</sup>

After Abdullah Öcalan's appeal for a cease-fire in August 1999, the PKK declared they would withdraw from Turkey by September 1. Ignoring the cease-fire, the Turkish army stated it would not stop pursuing PKK members. In a November letter to the Political Bureau of the KDP, the PKK called for a cease-fire between the two groups. Within less than a week, on November 12, the PKK reportedly attacked KDP positions around Zakho and Amedy. KDP and Turkish forces launched attacks on PKK positions in northern Iraq. The KDP continued to ignore the PKK requests for an end to hostilities and to support Turkey's cross-border operations in northern Iraq.<sup>141</sup>

On November 24, 1999, the *Kurdish Observer* quoted Cemil Bayik, member of the PKK Presidential Council, as saying that despite the attacks launched by the KDP, the PKK had no intention of responding. Cemil Bayik mentioned the letter that PKK had sent to the KDP asking for an end to hostilities.<sup>142</sup>

Attempting to achieve a truce, at its 8th Party Congress in April 2002, the PKK proclaimed a commitment to nonviolent activities in support of Kurdish rights but refused disarmament. The PKK divided into two factions in June 2004: one working through the political structures and one through militaristic means.

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<sup>137</sup> "Turkey and Iran Unite to Attack Kurdish Rebels", *Associated Press*, June 6, 2008; see also Emrullah Uslu, "Can Turkey's Anti-Terrorism Cooperation with Iran Lead to a Strategic Partnership?" *Terrorism Focus*, Vol. 5, Issue. 24, June 24, 2008.

<sup>138</sup> James Brandon, "Iran's Kurdish Militants Under Pressure from Joint Turkish-Iranian Assaults", *Terrorism Monitor* Vol. 6, Issue 21, November 7, 2008.

<sup>139</sup> Chris Kutschera, "Mad Dreams of Independence: The Kurds of Turkey and the PKK", *Middle East Report*, July-August, 1994.

<sup>140</sup> GlobaSecurity.org, *Kurdistan Democratic Party KDP*.

<sup>141</sup> UNHCR, June 13, 2001, (see above.)

<sup>142</sup> *Ibid.*

The PKK again declared a unilateral ceasefire in 2006. Turkey responded by vowing to continue to combat the PKK insurgency.<sup>143</sup> In 2007, attacks by Kurdish separatists resumed.

The current Turkish government has indicated a change in attitude, seeking a political rather than military resolution to years of conflict and repression of their Kurdish citizens.

In late 2009, just before *Nowroz* (the Kurdish New Year), the PKK declared yet another unilateral peace, which it extended five times without any response from the Turkish authorities. In 2009, Turkey engaged in 168 bombing sorties and 49 raids into northern Iraq.<sup>144</sup>

The PKK continues to wage attacks in Turkey and continues to be regarded as a terrorist organization by, among others, the United States, the United Nations, the European Union, and NATO.<sup>145</sup>

## Kurds in Turkey, Iran, and Syria

Turkey has the largest Kurdish minority, comprising 20 percent of its population. However, the Turkish constitution does not recognize the existence of distinct ethnic and cultural subgroups, only a common Turkish national identity. For many years Turkey described Kurds as mountain Turks, refusing to allow them to speak their language or practice their cultural traditions.

Between 1980 and 1983, the military government passed laws banning the use of Kurdish and the possession of Kurdish-language written and audio materials.<sup>146</sup>

In 1991, after taking her oath of office, Leyla Zana, the first Kurdish woman to win a seat in the Turkish parliament, spoke one sentence: "I take this oath for the brotherhood between the Turkish people and the Kurdish people." She was imprisoned for ten years for her statement. The offense? Speaking it in her native Kurdish language.

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That same year, Turkish President Özal called for a more relaxed policy toward the Kurds, including rescinding Law 2932 which prohibited the use of the Kurdish language "in the expression and dissemination of thought." The HEP, a party formed by Kurdish politicians to advance the cause of Kurdish rights was formed in the same year. But in 1993, after Özal's death, Turkey's Constitutional Court ruled that

HEP was an illegal organization.

In 2004, the Turkish state began television broadcasts in the Kurdish language.

In 2009, DTP party leader, Ahmet Turk, defied Turkish law by giving a speech in Parliament in his native Kurdish. State TV cut the live broadcast, because the Kurdish language is still banned in parliament.

In the summer of 2009, Turkish Prime Minister Erdogan initiated a campaign named the "Kurdish opening". On October 19, 2009, eight unarmed PKK members and 26 Turkish-

<sup>143</sup> *Country Watch* (see above.).

<sup>144</sup> KurdishMedia.com, 1/4/10.

<sup>145</sup> Wikipedia, "Kurdistan Workers' Party."

<sup>146</sup> Ryan Holliday and Dr. Denise Youngblood Coleman, "The Kurdistan Workers' Party", *Country Watch*.

Kurdish refugees from the Makhmour refugee camp in Iraq crossed the Habur gate border crossing from Iraq into Turkey in a show of support for peace with the Turkish government.

On November 3, 2009, according to *Today's Zaman*, AK Party Deputy Chairman Salih Kapusuz said the current Turkish suspension of other groups affiliated with the outlawed PKK returning should not be interpreted as a step backwards for the Kurdish initiative, yet in December of 2009, Abdurrahman Yalcinkaya's petition to ban the Pro-Kurdish DTP<sup>147</sup> was granted by Turkey's Constitutional Court.

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Time and again since the founding of the PKK, military initiatives have been proven ineffective, yet successive governments have given the army a free hand in dealing with the "Kurdish issue", neglecting political solutions. The military's repressive tactics in the Kurdish areas of Turkey have created more than 1.5 million internal refugees, in addition to thousands who have fled into northern Iraq. Five million Turkish Kurds have migrated to cities outside the Kurdish region.

The PKK remains in its bases.<sup>148</sup>

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<sup>147</sup> According to the *Hurriyet Daily News* article, "DPT leader announces Kurds' withdrawal from Parliament" of December 12, 2009, at the time of the Court's ruling in late 2009, the DTP had twenty-one seats in Parliament. Two of the DTP deputies were stripped of their ability to sit by the Court's ruling and in the face of the ruling, resigned, leaving nineteen remaining deputies. As of January 5, 2010, it has been reported that the remaining 19 have elected to withdraw from Turkey's Parliament, leaving still open the question of whether the withdrawal is temporary or permanent. To establish themselves in Parliament as a group, they need twenty seats. It is possible they can pick up the additional seat from socialist Ufuk Uras, an independent deputy, who has offered his seat to the Kurdish deputies in order to form a group. *Global Voices*, January 5, 2010.

<sup>148</sup> Ahmed Ferhadi, "Turkey 'Draining the Sea to Catch the Fish', The Turkish Incursion into Iraq—Two Views", *Washington Report on Middle East Affairs*, June 1995, pp 34-36.



## IDP Camp in Prde Hazwa, Zharawa, 2008



IDP Camp in Prde Hazwa, Zharawa,  
Suleimaniya, July 25 2008



IDP Camp in Prde Hazwa, Zharawa,  
Suleimaniya, July 3 2008



"STOP BOMBING", IDP Camp in Prde  
Hazwa, Zharawa, Suleimaniya, Aug. 11 2008



IDP Camp in Prde Hazwa, Zharawa,  
Suleimaniya, July 25 2008

**UN CAMP, Zharawa, 2009**





Children's drawing, UN Camp, Zharawa, Suleimaniya, June 22 2009



Children's drawing, IDP Camp in Prde Hazwa, Zharawa, Suleimaniya, Aug. 11 2008



Children's drawing, UN Camp, Zharawa, Suleimaniya, June 22 2009



Children's drawing, UN Camp, Zharawa, Suleimaniya, June 22 2009



Children's drawing, IDP Camp in Prde Hazwa, Zharawa, Suleimaniya, Aug. 11 2008



Children's drawing, IDP Camp in Prde Hazwa, Zharawa, Suleimaniya, Aug. 11 2008



Children's drawing, IDP Camp in Prde Hazwa, Zharawa, Suleimaniya, Aug. 11 2008



Children's drawing, IDP Camp in Prde Hazwa, Zharawa, Suleimaniya, Aug. 11 2008



Children's drawing, IDP Camp in Prde Hazwa, Zharawa, Suleimaniya, Aug. 11 2008

# Appendix 1

## GLOSSARY OF ABBREVIATIONS

<b>AFP</b>	<b>World-wide news agency <i>Agence France-Presse</i></b>
<b>AKP</b>	<b>Adalet ve Kalkinma Partisi (Justice and Development Party), the current party in power in Turkey</b>
<b>CPT</b>	<b>Christian Peacemaker Teams</b>
<b>DTP</b>	<b>Democratic Society Party, a Turkish Kurdish political party, was banned by the Turkish Supreme Court in December of 2009</b>
<b>ECHR</b>	<b>European Convention on Human Rights</b>
<b>EctHR</b>	<b>European Court of Human Rights</b>
<b>HEP</b>	<b>People's Work (or Labor) Party, pro-Kurdish Turkish political party banned in 1993, succeeded by DEP, banned in 1994 and succeeded by HADEP, banned in 2003 and succeeded by DEHAP, merged with DTH in 2005 to form the DTP, banned as noted above, in December, 2009</b>
<b>ICRC</b>	<b>International Committee of the Red Cross</b>
<b>IDP</b>	<b>Internally Displaced Person</b>
<b>KNA</b>	<b>Kurdish National Assembly</b>
<b>KDP</b>	<b>Kurdistan Democratic Party (one of two predominant parties in northern Iraq)</b>
<b>KHRP</b>	<b>Kurdish Human Rights Project</b>
<b>KRG</b>	<b>Kurdistan Regional Government</b>
<b>PJAK</b>	<b>Party of Free Life of Kurdistan, a sister organization of the PKK, largely based and operating in western Iran</b>
<b>PKK/</b>	<b>Kurdistan Workers' Party, largely based and operating in southern Turkey (a.k.a. KONGRA-GEL)</b>
<b>PUK</b>	<b>Patriotic Union of Kurdistan (one of two predominant parties in northern Iraq)</b>
<b>UNHCR</b>	<b>United Nations High Commissioner for Refugees</b>
<b>WRMEA</b>	<b>Washington Report on Middle East Affairs</b>

# Appendix 2

<b>Date<sup>149</sup></b>	<b>Governorate/ District/ Sub-district</b>	<b>Village or Area</b>	<b>News Title</b>	<b>Damages Reported</b>
08/18/08	Suleimaniya/ Pshdar/ Zharawa	Razgai	Iran Resume Bombing Border Villages, Turkey War Planes Patrol Kurdistan Region Airspace	damages and victims yet are unknown.
08/28/08	Suleimaniya/ Raniya	Qandil area	Low flying Turkish copters resume violating Kurdistan region territory	
08/29/08	Suleimaniya/ Dukan/ Bingird	Marga area Qandil and Asos Mountains	Unidentified warplane violates Kurdistan region airspace	
11/12/08		Qandil area	Turkish jetfighters violate Kurdistan Region airspace	
11/22/08	Suleimaniya/ Pshdar/ Zharawa	Razgai	Red Cross to rebuild destroyed school in Qandil area	Turkish jetfighters and Iranian artillery destroyed two schools and caused the closure of five other schools in the area. The school is to cost 65 million ID.
12/02/08		Qandil area	Iranian shelling causes closure of Kurdistan region schools in border areas	the closure of two primary schools
12/6/08	Suleimaniya/ Pshdar/ Zharawa	Razgai, Shinawa, Marradu, Arka & Pshty Basta	Iranian shelling against Kurdistan region border areas is ongoing since late Friday.	Heavy damages to the border areas, caused panic among the local citizens . <sup>150</sup>
12/16/08	Erbil/ Choman	Tori Valley & Sary Kali Mountain	Two Turkish jetfighters hit Qandil Mountain area	
12/16/08	Suleimaniya/ Penjwin	Border villages	Iranian artillery shells border villages of Penjwin district	material damages to the villagers' properties in the area.

<sup>149</sup> Source is PUKMedia, unless otherwise noted.

<sup>150</sup> One shepherd was hurt and animals burned on Dec. 5, according to a report received by CPT.

<b>Date<sup>149</sup></b>	<b>Governorate/ District/ Sub-district</b>	<b>Village or Area</b>	<b>News Title</b>	<b>Damages Reported</b>
12/17/08	Suleimaniya/ Pshdar/ Zharawa	Rizgai, Maradu, Shinawa, Sorakla, Dola Sipi and Tinki	Iran resumes shelling Kurdistan	The shelling resulted in only material damages to the citizens' properties.
12/17/08	Erbil/ Rawandoz	Tawra Valley	Unknown jets bomb Tawra Valley in Erbil	Casualties are still unknown.
12/18/08	Duhok/ Amedi/ Deraluk	Zlei village in Nihwl area <sup>151</sup>	Turkish artillery bombs several villages in Kurdistan region	
12/23/08	Suleimaniya/ Pshdar/ Zharawa	villages of Razgai and Maraud	Iran resumes bombing Kurdistan region villages	
12/25/08	Suleimaniya/ Pshdar		Iranian shelling undermines carrying out projects in Kurdistan region' border villages	The Iranian artillery has continually shelled Pshdar district for more than 20 days.
12/28/08	Duhok/ Amedi Erbil/ Soran/ Sidakan	Khwakurk, Wadi Resh	Turkish jetfighters resume fresh air strikes against Kurdistan region border villages	No damages or casualties have been reported yet.
12/29/08	Erbil/ Soran/ Sidakan	Kort, Almusha, Margor and Maslok	Turkish jets hit Kurdistan region border villages	without causing casualties but resulted only in material damages.
01/02/09	Erbil/ Soran		Turkish warplanes violate Kurdistan region's airspace	
01/05/09	Suleimaniya/ Pshdar	Alyrash, Iendizi and Qala Tokan villages	Turkish jets hit border areas in Pshdar district and Qandil area.	The damages are unknown
01/06/09	Suleimaniya/ Pshdar/ Sangasar	Shorish Valley and Soradi villages	Iran shells Kurdistan Region border areas.	
01/13/09	Erbil/ Soran/ Sidikan	Rash valley, Rash Kani, Shama Bina Wanok	Turkey hits Kurdistan region border areas. (artillery)	Damages unknown

<sup>151</sup> In addition to Rash Mountain, Brindaran cave, Shive and Chamji Mrwans villages in the areas of Nerwa and Rekani.



<b>Date<sup>149</sup></b>	<b>Governorate/ District/ Sub-district</b>	<b>Village or Area</b>	<b>News Title</b>	<b>Damages Reported</b>
01/14/09	Suleimaniya/ Pshdar/ Sangasar	Doli Rash area	Iran shells Kurdistan Region border villages	The shelling resulted in material damages to the citizens' properties
01/14/09	Erbil/ Soran/ Sidakan	Barazgr Basin <sup>152</sup>	Turkish and Iranian artilleries hit Kurdistan region border areas for the third time	Damages unknown
01/16/09	/ Mawat	Dashte and Khane Basin	Iranian Forces order several Kurdistan region border villages to evacuate	Iranian Forces fired at a driver, causing him grave injuries. All the fuel and goods were burned, causing large material damages.
01/23/09	Erbil/ Soran/ Sidakan	Khnera, Lolan, Sarkew and Malhmala	Iranian shelling on Sidakan areas.	
02/04/09	Erbil/ Soran/ Sidakan	Sinin, Shiwadera, and Saruka	Iranian artillery resumes shelling Kurdistan region border areas in Sidakan and Sangasar	Losses and damages are not known yet.
	Suleimaniya/ Pshdar/ Sangasar	Warta and Abu- Bakra villages		
02/10/09	Erbil/ Soran/ Sidakan	Kort, Jya- bin, Galy Sorny, Galy Khwarkurk, etc.	Turkish artillery shells Soran district border areas	no casualties were reported in the shelling
02/12/09	Erbil/ Soran/ Sidakan	Zarg Mountain <sup>153</sup>	Iranian artillery bomb Kurdistan region border areas in Sidakan and Zharawa	No casualties of the bombing were reported by local officials
	Suleimaniya/ Pshdar/ Zharawa			

<sup>152</sup> As well as Rash Kani, Khwakurk, Rash valley, Almushi Saru, Almushi Khwaru, Kaut, Spiaran, Sakeu, Khnera & Lolan.

<sup>153</sup> As well as Lolan, Berkma, Snin, Spiya Gla, Sura Gla, Arkay Saru, Arkay Khwaru, Shinawa, Maradu, Gali Rosur, and Khnera

02/18/09	<i>KRG representative in Tehran emphasizes stopping Iranian bombardment.</i> “The agreement became active on Feb. 14. . . the Iranian artillery will avoid bombing the villages and populated areas. The villagers. . . can now return to their homes.”
2/24/09	<i>Joint command center in fight against PKK starts operations.</i> “Turkey, Iraq, and the U.S. decided to form a joint committee in the northern Iraqi city of Erbil to combat the PKK, which launches cross-border attacks on Turkey from bases in the neighboring country, as part of efforts to boost cooperation against the terrorists.”

02/28/09	<i>Calmness returns back to Kurdistan Region border areas.</i> “The bombardments of the Kurdistan Region border areas by the Iranian artillery and the Turkish warplanes have been stopped for 20 days.”
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Date	Governorate	Village or Area	News Title	Damages Reported
03/07/09	Suleimaniya/ Soran/ Sidakan	Gali Rash & Khwa-kork	Turkish artillery resumes bombing Kurdistan region border areas	

03/08/09	<i>Turkey resumes military movements near Kurdistan region border areas.</i> “Turkish army has started military movements in Rubarok, Begzhnak, Shamzinan sub-district inside Turkey bordering the Iraqi Kurdistan region.”			
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Date	Governorate	Village or Area	News Title	Damages Reported
08/03/09	Suleimaniya/ Soran		Turkey resumes shelling Kurdistan border villages	
AFP 3/11/09	Suleimaniya/ Pshdar/ Zharawa	villages of Razgai (Rezka), Mara and Duwu	Iranian shelling kills Kurdish child on Iraq border	Iranian bombardment of border villages, killing a child and wounding his parents
03/18/09	Suleimaniya/ Pshdar/ Zharawa	Razgai and Maradu villages	Iranian artillery shells Kurdistan region territory	no casualties
03/26/09	Duhok/ Zakho	Mizori area	Turkish artillery bombs Kurdistan region territory	Material damages; no casualties.
04/04/09	Erbil/ Soran/ Sidakan	Berkma village	Iranian artillery bombards Kurdistan region border areas	
04/04/09	Erbil/ Soran/ Sidakan	Khnera, Lo-lan, Sineen, Per Khedr, Balol, etc.	Iran bombs Soran district border villages. (artillery)	

<b>Date</b>	<b>Governorate</b>	<b>Village or Area</b>	<b>News Title</b>	<b>Damages Reported</b>
04/29/09	Erbil/ Choman/ Haji Omran	Warakhat, Dawlakark and other villages	Iranian artillery bombs border villages in Haji Omran area	Material damages only; no casualties.
AFP 5/2/09	Suleimaniya/ Panjwin	Kani Saif, Jomarsi & Kara Sozi	Iran helicopters strike Iraq Kurd villages	
Reuters 05/04/09	Suleimaniya/ Panjwin	Barikayer & Narmalas	Iranian artillery continues bombing Kurdistan region borders	Damage to buildings but no casualties
05/09/09	Erbil/ Soran/ Sidakan	Khwakurk, Kawar & Dil	Unknown military aircraft flying over Kurdistan region border areas.	
05/12/09	Suleimaniya	Krmkan, Kalkan & Dolacom, in Bankrd	Two unidentified helicopters violate Kurdistan region airspace	
06/06/09	Duhok/ Amedi	Shgfta Brindary, Beda, Nerawasoto & Afasheen in Berwari Bala & Nero Rikan areas	Turkish jetfighters bomb border villages in Amedi district	the bombardment did not result in casualties because the residents evacuated their homes to avoid any damage that may occur.
06/07/09		Qandil Versant	Two unidentified jetfighters violate Kurdistan region airspace	

# Appendix 3

### *Turkish Bases in Iraq*

Duhok Governorate		Sara Sitka/Swaratka
Duhok Governorate	Amedi District	Kokhi Sabi/Kani Sark
Duhok Governorate		Daradawatia/Dara Dawatya
Duhok Governorate	Zakho District	Batufa
Duhok Governorate	Amedi District	Bamarne <sup>154</sup>
Duhok Governorate	Zakho District	Kani Masi/Barokh <sup>155</sup>
Duhok Governorate	Zakho District	Tawanish/Hare/-?- <sup>156</sup>
Duhok Governorate	Amedi District	Amedi
Duhok Governorate	Zakho District	Sarzery
Duhok Governorate	Zakho District	Galy Gly
Duhok Governorate	Amedi District	Sery (Siri)
Duhok Governorate	Zakho District	Kara Bi (Kribi) (Grebiye)
		Sinki
		Kopi
		Kamry (White Cottage)

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<sup>154</sup> Two bases or one base and one outpost.

<sup>155</sup> One base and one outpost.

<sup>156</sup> Anywhere from one – three outposts.

# Appendix 4



