

# The Impact of Cross Border Military Operations into Kurdistan, Iraq:

*An Update*

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## KHRP Briefing Paper

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### BACKGROUND

This Fact-Finding mission's aims were to investigate the effects of the continued cross border military activities by the Iranian and Turkish states and to monitor the human and environmental damage that continues to be a result of the cross border military operations.

Since November 2009, Turkish and Iranian military forces have been engaged in cross-boarder operations in northern Iraq with the aim of fighting the Kurdistan Workers' Party (PKK) and the Free Life Party of Kurdistan (PJAK), Kurdish armed groups which both states view to be a threat to their national security. While both states assert that these operations are directed towards the PKK and PJAK alone, numerous sources, including local media in the regions and first hand accounts gathered during multiple KHRP missions to northern Iraq, presents compelling evidence of the significant harm being caused to the civilian population. These operations, therefore, can be viewed as meant to further both countries long standing belief that the suppression of the Kurdish community is necessary to state security.

The continuing incursions into northern Iraq, by both the Turkish and Iranian states, have caused tremendous suffering to civilian populations in the regions. Operations are frequently carried out with

little regard for civilian safety, violating their fundamental rights. Such operations also directly contravene the sovereignty of the Iraqi state and breach the Geneva Conventions, of which both states are signatory. Further, particularly in the case of Turkey, such actions by the government further complicate the necessity to pursue democratic reforms in finding a solution to the Kurdish issues and can be seen as counterproductive and harmful to the prospect of reaching peaceful solutions in the future.

The mission witnessed that the continuation of Turkish and Iranian cross border operations is made all the more alarming by the tacit approval that seems to have been given by the United States and the lack of forceful condemnation by the wider international community. Entire families have become Internally Displaced Persons (IDP), having been forced to leave their villages and lose their homes and livelihood due to the bombardments. Despite it has been more than three years since many civilians became IDPs, a large majority still live in crowded, unclean and unsafe temporary camps. While most IDPs put up with the poor conditions in these temporary camps, others have been forced, out of economic necessity, to place themselves in impending danger by returning to their semi destroyed villages, which are still under attack by bordering countries. While the total number of displaced civilians is unclear<sup>1</sup>, more needs to be done by the international community, the Government of Iraq (GOI), and the

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<sup>1</sup> There are no official figures concerning the number of families who have been displaced from their homes by the cross-border incursions carried out by Turkey and Iran. Estimates range from 380-600 families from the sub-districts of Sanga Sar, Zharawa and Esewa of the Pshdar district, Suleimaniya governorate alone. Figures from UNHCR and Christian Peacemaker Teams (CPT).

Kurdistan Regional Government (KRG) to provide these civilians with the protection and support they require.

At a broader level, the use of military force by Turkish and Iranian forces have a detrimental effect on the promotion and protection of human rights for Kurds in Iraq and elsewhere. Beyond the direct suffering of those affected personally, the use of force disrupts the democratic initiative currently being promoted by the Turkish government. Conversely, the incursions entrench existing problems of chronic infrastructural underdevelopment and lack of self-sufficiency in the region, while also continuing to create tension between the states and their Kurdish populations. Finally, the displacement of civilians from farming communities in the border areas exacerbates the overcrowding and strain placed on urban centres, which are already home to a large numbers of IDPs. The cross-border attacks must, therefore, be seen as one amongst a number of interconnected factors that may further hinder development within Kurdistan, Iraq by placing unnecessary additional pressures on the GOI and KRG.

This fact finding mission briefing seeks to detail the ways in which these ongoing cross-border incursions carried out by the Turkish and Iranian states have detrimentally affected the lives of civilians living in Kurdistan Iraq. Regardless of the stated aims, these military operations have led to loss of life and debilitating injury, loss of livelihood and property, the destruction of traditional village modes of life and the traumatising of the affected communities, especially children, and have further contributed to instability in the region.

## I. HISTORICAL CONTEXT & CONTINUATION OF CROSS BORDER OPERATIONS

Following the Gulf War in 1991, the power vacuum experienced in northern Iraq provided the PKK and later the PJAK, to establish a presence over the Quandil area which border Turkey and Iran. This location provided the groups with an operating base, a source of affordable weaponry and an ideal launch pad for attacks on Turkish and Iranian soil.<sup>2</sup>

Since the collapse of the Baath regime in 2003, the sovereignty exercised by Kurds in the region has increased and the region has developed (albeit unevenly) in terms of economic growth, security and infrastructure. These changes have fostered concern among Iraq's neighbours, Turkey, Iran and Syria, who fear such changes might motivate Kurds living in their countries to seek greater autonomy or independence.

The current cross border operations, which began in 2007, are simply the most recent in a long series of military operations that have violated Iraq's sovereignty. The first Turkish cross-boarder attack took place on May 1983 and further operations followed in 1986 and 1987. Though these operations were made possible through a 'hot pursuit' agreement signed between the Turkish and Iraqi states,<sup>3</sup> subsequent operations during 1991-2, 1995 and 1997, were more extensive and took place in the absence of any such agreement. The Turkish state has justified its past and present use of military action

by asserting the importance of Turkish security concerns and that the state of Iraq and the KRG has been either unable or unwilling to take measures aimed at stopping the PKK.<sup>4</sup>

Despite their significant differences Turkey and Iran have been drawn closer in an uneasy alliance since 2003 when Kurdish autonomy began to increase in Iraq. The mutual struggle against Kurdish armed groups, which began in earnest in the 1990's, has continued with Iran and Turkey formalizing agreements on intelligence sharing and coordinating anti-insurgent operations.<sup>5</sup> For instance, reports gathered by KHRP from local sources and the Kurdish media have stated that Turkey and Iran had been cooperating in a joint military operation in the Şehidan region of Iraq since September 2009 and in the Kelareş region since May 2010.

As has been the case in the past, these joint operations are occurring in a context where the Turkish state, and to a lesser degree the Iranian state, link their own domestic security concerns to the Kurdish regions beyond their own borders. While all states have a right to secure their border and protect their citizens, the Turkish and Iranian cross border bombardments have operated with a distinct disregard towards the civilian population of Kurdistan Iraq. Little, if any, advance notice is provided to villagers and no efforts are made to limit damage and destruction of the agriculture and livestock that are the backbone of life in these areas. In fact, statements issued by the Turkish military and government

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<sup>2</sup> International Crisis Group, 'Turkey and the Iraqi Kurds: Conflict or Cooperation?' *Middle East Report*, No 81, 13 November 2008, p. 1.

<sup>3</sup> The 'hot pursuit' agreement was signed in 1984, and despite it remaining officially un-renewed and a 'legally grey area' since the late 1980s, it is invoked by Turkey on a regular basis.

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<sup>4</sup> Funda Keskin, 'Turkey's Trans-Border Operations in Northern Iraq: Before and after the Invasion of Iraq', *Research Journal of International Studies*, (2008), volume 8, 59-72.

<sup>5</sup> 'Iran and Turkey Sign Border Security Agreement', *Middle East Intelligence Bulletin*, vol. 1, no. 9, September 1999.

concerning the incursions, as well as first hand reports, indicate that while the operations are ostensibly aimed at rooting out the PKK, they are also very much about limiting prospects for the spread of Kurdish autonomy.

## II. CURRENT SITUATION

During recent visits to the region in both May and July of 2010, KHRP mission members met with various KRG Diplomatic officials as well as with representatives of domestic NGOs and civil society organisations. Through these formal and informal meetings, the mission was given a clear picture of the ongoing trauma being caused in Kurdistan by Turkey and Iran's cross border military operations.

As noted, both Turkey and Iran have consistently maintained that their operations have the exclusively military purpose of depriving the PKK and PJAK of their bases in northern Iraq and that they are key to safeguarding their national security interests. However, this offers only a partial explanation for the extent of their actions. Both states have strong political fears that the successful development of Kurdistan will encourage independence movements among their own Kurdish populations. Further there is compelling evidence of both states' gross negligence in protecting the civilian population in the region during bombardments. Sadly, as KHRP found during its most recent missions, this continues to be the case. This supports KHRP's view that these operations are largely designed as a show of strength to undermine Kurdish autonomy and self-sufficiency. Although Kurdistan continues to make progress and economic links with both Turkey and Iran continue to grow despite these military operations, the ongoing incursions into the

region affect innocent lives and continue to put strain on already sensitive regional relations.

In May 2010, Turkey announced the creation of additional 'temporary security zones' in Hakkari along the border area between East and South Kurdistan (Iran and Iraq). This designation has meant citizens in these areas have suffered significant disruptions to their daily lives as checkpoints, a rise in detentions and increased military activity become standard operating procedure. Further, both Turkey and Iran continue to, with the full knowledge of the international community, deploy more troops and ammunition to be use in the cross-border attacks. According to reports, the Turkish military carried over 200 trucks of munitions to the border during the last week of April ostensibly in preparation for such attacks. In June 2010 Defence Minister Vecdi Gönül revealed plans to purchase a further 27 attack helicopters and proposed hiring a 500,000 career military force to guard the country's border.

The United States, along with the larger international community, has given both passive and active support to Turkey and Iran's cross border operations by failing to condemn the ongoing violation of Iraq's sovereignty and by providing the Turkish state with airspace clearance and intelligence to for the attacks. Despite this support, the Turkish Prime Minister Recep Tayyip Erdoğan requested in June that the U.S. offer 'more than intelligence sharing'<sup>6</sup> referring to the desire for the involvement of NATO forces in Turkey's fight against the PKK. The Turkish government has also called on the Iraqi Central Government and the KRG to be more forceful in eliminating

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<sup>6</sup> *Turkish PM Erdoğan asks for more than 'intelligence sharing'*, Hurriyet, 28 June 2010.

the PKK and PJAK from their bases of operation in the Quandil region. Iraqi government spokesman, Ali Debagh, stated in July that Turkey had officially requested that the Iraqi government join the military fight against the PKK. Iraq's role, however, insisted Debagh, will be limited to helping to find a solution to the conflict and that the government will not participate in a war against the Kurdish armed groups.

In July, the U.S. again illustrated its support for Turkey's pursuit of a military solution to the state's Kurdish conflict by finally agreeing to Turkey's longstanding request to add six more AH-1W Super Cobra attack helicopters on the mission to eliminate the PKK<sup>7</sup>. Such actions are only likely to further the use of violence in the region and increase the already unacceptably high number of IDPs. Both the U.S. and the EU need to recognise devastating humanitarian and human rights impact that these attacks have on Iraqi civilians and in turn condemn the use of cross border military operations. Further, such aggressive action does nothing to alleviate the underlying historical political issues that are the cause of military aggression on both sides. Particularly in Turkey, the continuation of cross border military operations does nothing to engender trust in the State's Kurdish population and is counterproductive to the government's efforts at moving towards a peaceful and democratic solution to the Kurdish issue.

Despite KRG and Iraqi Central government insistence, Iranian forces also continue their bombardments and have troops stationed up to two kilometres over the border into Kurdistan.<sup>8</sup> The Iraqi Ministry has called

the Ambassador of Iran to the Iraqi Ministry to discuss the bombardments and has asked that Iran put an immediate stop to the shelling, although KHRP is told there has been no response from Iran. Iranian shelling, which began again in early June, has so far resulted in the death of one adolescent and the severe injury of an elderly woman. In addition, twenty-two villages with approximately 400 families have had to be evacuated as the bombardments destroyed acres of land used for agriculture. The spokesman for the Ministry of Peshmerga of the KRG insisted that the KRG does not support opposition groups, "The KRG is neutral and does not support any side. It has no relations with these organisations [such as PJAK] that are fighting Iran on the border."<sup>9</sup>

As has been reported and was observed by KHRP during its recent fact finding mission to the region, the number of Kurdish IDPs in northern Iraq has significantly increased over the last six months due to increasing attacks by the Turkish and Iranian military. Unlike previous years, the recent attacks have taken place close to populated areas, resulting in deaths, injuries, destroyed houses and farms, leaving the Kurds residing in the regions displaced. In May 2010 Iranian artillery attacks at the border of Iraqi Kurdistan are reported to have displaced over 250 families into crowded camps. Later in June 2010, ongoing shelling displaced a further 750 families (about 4,740 people), according to the United Nations High Commissioner for Refugees, who took refuge in Dolaphedhida district, a town established following the attacks.<sup>10</sup> This continuing aggression has been consistent for the past seven or eight months, from

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<sup>7</sup> Umit Enginsoy, "Americans promise new surge aid to combat PKK violence". Huriyet daily news. July 13, 2010.

<sup>8</sup> International Kurdish Press Magazine, "Iranian Troops Still on Iraqi Kurdistan Soil," Issue 11: July 2010, p 6-7.

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<sup>9</sup> Ibid, p. 7.

<sup>10</sup> "Iran/Iraq: Iranian Attacks Should Not Target Iraqi Civilians", 12 July 2010, Human Rights Watch Statement.

January 2010, and intensified during the last two weeks of May 2010 in which three civilians were reported dead, five injured and more than three villages evacuated in the Pişder region of Sulaimaniya .

In early July, Turkish and Iranian shelling of suspected militant positions in Kurdistan forced hundreds of Kurdish families to flee their villages into camps. According to reports<sup>11</sup> and Iraqi officials, 500 families were reported displaced, joining a further 250 who had fled their homes in earlier attacks. While there are some claims that some IDP are returning to their damaged villages out of necessity. Nevertheless, in such cases mission members have reported that most villages that have been the target of Turkish and Iranian bombing are currently unliveable, with homes and fields completely destroyed.<sup>12</sup> In July alone, people who spoke to KHRP mission members reported, Iranian forces shelled the area of Kurdistan bordering Iran for more than twenty days, causing thousands of civilians to flee their villages out of fear for their safety. Following the Iranian attacks, the villagers reported, Turkish forces resumed their aerial bombardments of the area. The timing of the recent attacks is particularly devastating for the people of the region, whose main source of livelihood is agriculture, since the attacks come during the short planting season. Many living in the regions villages have related to mission members that this was the third year in a row in which shelling forced farmers to leave their land when they needed to be planting and tending to their crops.

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<sup>11</sup> Iran/Iraq: Iranian Attacks Should Not Target Iraqi Civilians, 12 July 2010

<<http://www.hrw.org/en/news/2010/07/12/iraniraq-iranian-attacks-should-not-target-iraqi-civilians>>

<sup>12</sup> OCHA report on “Iraqi Kurdish Border Displacement” Situation update no. 1

< <http://www.reliefweb.int/rw/rwb.nsf/db900SID/MYAI-87C4CU?OpenDocument>>

### III. CONCLUSION

Iran and Turkey’s operations in northern Iraq reflect both states’ deeply suspicious stance

towards Kurdish autonomy in Iraq – a stance that, in Turkey’s case, is ultimately contrary to its own interests. Though Kurdistan Iraq undoubtedly still faces several significant obstacles to development, not least its own human rights and security issues, this region should be looked upon as a model for the successful and peaceful integration of a Kurdish autonomous region within the broader confines of a sovereign state.

KHRP believes these military operations into Kurdistan Iraq represent a violation of international law, particularly the Geneva conventions, by indiscriminately targeting villages, failing to adequately prevent the death and injury of civilians and through the utter destruction of homes and property. Rather than allow the operations to continue destabilizing the region, the international community should speak out forcefully against the alleged violation of Iraq’s territorial sovereignty and insist that both Turkey and Iran pursue constructive and non- military measures in coordination with the KRG in combating any credible threats to their state security.

In the case of Turkey, the recent escalation of cross border military attacks can be seen to have serious ramifications, as clashes between the military and armed groups have increased in frequency. Attacks within Turkey have not only claimed the lives of Turkish military personnel, PKK members and innocent civilians but have acted as a significant stumbling block to moving forward on the government’s democratic opening. The loss of life has helped to harden the stance of opponents who believe

peaceful dialogue and democratic solutions to Turkey's Kurdish issue are impossible.

To prevent further violations, KHRP believes that peaceful and democratic dialogue is the best way forward to ensure that Turkey is not only meeting its international human rights obligations to the civilian population of Kurdistan and respecting the territorial sovereignty of the Iraqi state while maintaining its own security. An immediate cessation of cross

border military operations would contribute greatly to peacefully resolving the Turkish states ongoing conflict with its own Kurdish population. In the case of Iran, as with Turkey, the international community must demand that attacks on civilians and villages within Kurdistan stop and that the Iranian state make efforts to work with both the Iraqi Central Government and the KRG to protect civilians from harm while combating armed opposition groups.