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CHEMICAL WEAPONS USE IN KURDISTAN: IRAQ'S FINAL OFFENSIVE

A STAFF REPORT

TO THE

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LETTER OF TRANSMITTAL

SEPTEMBER 21, 1988.

The Honorable CLAIBORNE PELL,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC 20510

DEAR MR. CHAIRMAN: At your direction, we traveled to Turkey from September 11-17 to assess the situation in Iraqi Kurdistan. This mission followed the sudden influx of more than 65,000 Iraqi Kurds into southeastern Turkey and extensive reporting that Iraq was using chemical weapons on its Kurdish population.

We spent 4 days in southeastern Turkey, traveling along that country's border with Iraq. We visited every major encampment of Kurdish refugees in the region and spoke with several hundred witnesses to the events inside Iraqi Kurdistan.

Essential to the completion of this report were the contributions of Robert Finn of the U.S. Embassy in Ankara and Hamza Ulucay, a Foreign Service National employee of the U.S. consulate in Adana. Mr. Finn, a political officer with long experience in Turkey and fluent in the Turkish language, helped conduct the interviews upon which this report is based, helped evaluate the information elicited, and provided us with a typescript of his copious notes within a few hours of our return to Ankara. Mr. Ulucay, who follows political and economic developments in southeastern Turkey for the Adana consulate, was our translator in the Kurdish camps. At each refugee camp he was able to ferret out quickly important witnesses and to help us elicit the information we were seeking. We would also like to acknowledge gratefully the contribution of Yildirim Yazmur, our driver, who skillfully negotiated some of the most difficult roads imaginable in part of the over 1,500 land miles traversed during this mission.

In addition, we would like to acknowledge gratefully the assistance of Dr. Richard Preece of the Congressional Research Service, who helped prepare the background section of this report. Finally, we would note that, in preparing this report, we were also able to rely on the experience gained by Peter Galbraith during two previous visits to Iraqi Kurdistan.

While the contributions of Mr. Finn and Mr. Ulucay were critical to the preparation of this report, the conclusions are our own. This report does not necessarily reflect the views of the Committee on Foreign Relations or any member thereof.

Sincerely yours,

PETER W. GALBRAITH
CHRISTOPHER VAN HOLLEN, Jr.

SUMMARY OF KEY FINDINGS

● Overwhelming evidence exists that Iraq used chemical weapons on Kurdish civilians in a major offensive in northern Iraq that began August 25, 1988. The offensive is intended to break the Kurdish insurgency and appears to be accomplishing that objective. As reported by Kurdish refugees, cumulative civilian casualties from chemical weapons and other military operations are in the thousands. Information is available only on attacks taking place in a narrow band of territory along the Iraq-Turkey border. Virtually no refugees have been able to escape from deeper inside Iraqi Kurdistan. If the same kinds of military operations are taking place there as in the border regions, the Kurdish death toll could be in the hundreds of thousands.

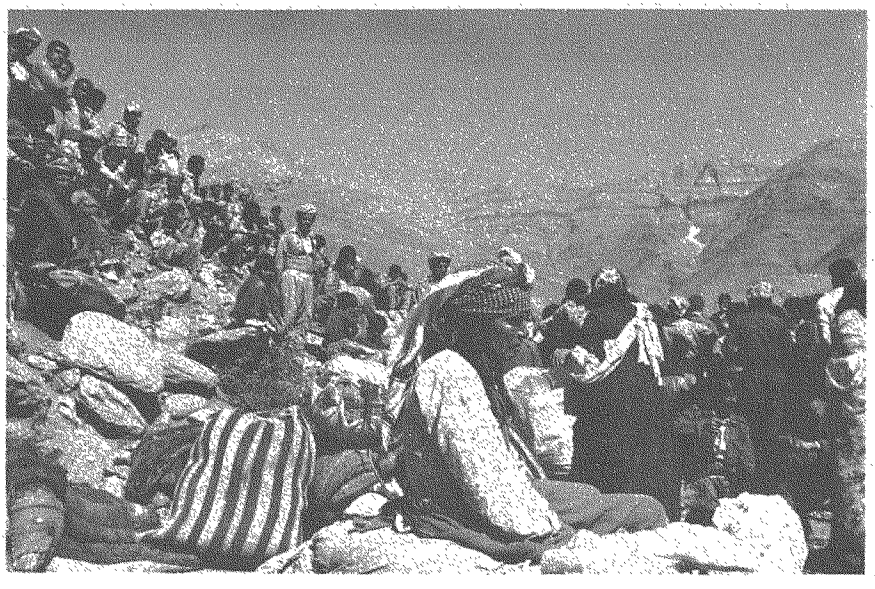
● Iraq is engaged in a military policy intended to depopulate Iraqi Kurdistan. Elements of the policy include: (1) the destruction of villages and towns throughout Kurdistan; (2) the relocation of the Kurdish population to concentrated new settlements where military control can be exercised; (3) the deportation of Kurds to areas outside Kurdistan; and (4) the use of terror tactics, including chemical weapons, to drive civilians out of the areas to be depopulated. The end result of this policy will be the destruction of the Kurdish identity, Kurdish culture, and a way of life that has endured for centuries.

● The principal evidence for the Iraqi chemical weapons attacks are the eyewitness accounts of the Kurdish refugees in Turkey. The attacks were widely observed and reported in detail with regard to location, timing, and method of attack. The credibility of these extensive firsthand accounts is enhanced when viewed in the context of Iraq's documented 4-year record of chemical weapons use in the Iran-Iraq war and in the context of its brutal Kurdish policies.

● There is physical evidence of chemical weapons attacks but the evidence available in Turkey is limited. Symptoms are hard to diagnose among the lightly injured survivors of the attacks, and only the lightly injured were able to make the rugged trek across the mountains to Turkey. However, the absence of certain physical evidence is more consistent with a chemical attack than with any other form of attack that might have driven the seasoned Pesh Merga fighters and more than 65,000 Iraqi Kurds into Turkey. Had the Iraqis launched a conventional weapons attack against the Kurds, one would expect to see bullet wounds and other evidence of such attack. Chemical weapons, by contrast, leave fewer detectable traces.

● The refugees appear to be protected and reasonably well taken care of in Turkey. However, the influx of 65,000 refugees has imposed a substantial financial burden on the Turkish Government and the country is seeking international assistance. While Turkey risked Iraqi wrath by accepting the Kurdish refugees, it is seeking to maintain cordial relations with its neighbor. Consequently, the Turkish Government is downplaying the poison gas stories—while carefully not denying their accuracy—and local authorities in the border region are following Ankara's lead.

● Since 1984 Iraq has used chemical weapons on a large scale without paying any price in political or economic relations with other countries. Global acquiescence in previous Iraqi use of chemical weapons has undoubtedly been a factor in Iraq's belief it could use gas on the Kurds with no international consequences. The Reagan administration has been denouncing Iraqi use of chemical weapons since 1984. It has not followed up with action to deter such use.



Woman with her possessions at Cigli refugee gathering point near Iraq border.

Area of chemical weapons attacks

area of CW attacks

I. INTRODUCTION

A. OVERVIEW

This report attempts to assess: (1) whether Iraq has been using chemical weapons on its Kurdish population and, if so, the extent of such use; (2) the extent to which Iraq's military campaign against Kurdish insurgents also entails a program of mass killing of Kurdish civilians; and (3) whether Iraq is pursuing a policy intended to eradicate the Kurdish presence in many of the traditional Kurdish areas of Iraq.

Our answers to these questions are based on interviews with Kurdish refugees, interviews with Turkish authorities, examination of such physical evidence as exists, observations made on a previous staff trip through Iraqi Kurdistan, and meetings with U.S. Government officials. In preparing this report, we have not relied on material gathered by the intelligence community but believe our conclusions are consistent with such material. Most important, we have evaluated the information we have gathered in light of Iraq's past behavior, including its documented use of chemical weapons in the Iran-Iraq war.

We believe a compelling case exists that Iraq used chemical weapons on a broad scale against its Kurdish population beginning August 25, 1988. Almost all the Kurdish refugees in Turkey came from regions of Iraq adjacent to Turkey. Among those who lived in villages closest to the Turkish border, there existed a substantial opportunity for escape and we believe casualties for these villagers were limited to those who died in the initial attacks. For those who lived further inside Iraq, the Iraqi Army was able to cut most of the avenues of escape and in this region the casualties could be quite high. The survivors were generally the most fit; that is, the men associated with Pesh Merga or the Kurdish insurgents. Casualties among women and children appear to have been very high. We have no information on the substantial Kurdish population that lives along the Iran-Iraq border and those at a distance of more than 50 miles from Turkey. If Iraq's conduct in the Turkish border regions has been repeated in the interior, the death toll could be very high, with no witnesses to tell the tale.

The chemical weapons attacks on Kurdish villages appear to be part of a broader Iraqi policy of ending the Kurdish insurgency by depopulating Iraqi Kurdistan. Since 1986 Iraq has been systematically dynamiting and leveling all but the largest towns in Kurdistan. The local population has been transferred to lower altitudes, where they can more easily be controlled. At a minimum, this policy is destroying a centuries-old Kurdish way of life. It has also been accompanied by large loss of civilian life, as in the case of August's chemical attacks.

Whether Iraq's policy constitutes genocide, within the meaning of the Genocide Convention, may be debated if the standard used for genocide is that of the elimination of an entire race. However, Iraq's policy in Kurdistan does appear to have many of the characteristics of genocide, as defined by the Genocide Convention. Under Article II of the Convention, genocide is defined to mean, "any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (*a*) killing members of of the group; (*b*) causing serious bodily or mental harm to members of the group; (*c*) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part."

B. METHODOLOGY

To obtain as complete a picture as possible of recent events in Iraqi Kurdistan, we traveled over a 4-day period to each of the locations where significant numbers of Iraqi Kurds were present. These include:

—a refugee camp outside Diyarbakir with a population of 8,000 at the time of our visit, but now considerably larger;

—a refugee camp at Silopi, about 1 mile from the only official crossing on the Iraq-Turkey border, with a population of 10,000 at the time of our visit;

—a refugee gathering point near Cigli, close to the Iraq-Turkey border. At the time of our visit, more than 6,000 refugees were awaiting transport from this gathering area to more secure and habitable locations; and

—two refugee camps, one to the west and the other to the south of the far eastern Turkish town of Yusekova, and now home to some 25,000 refugees.

At each camp, we were able to move freely, talking with whom we pleased. The Kurdish refugees were eager to provide their accounts of the poison gas attacks. As one might expect of a largely rural Islamic society, it was assumed that the men would do the talking and, indeed, most of our accounts came from men. We did, nonetheless, make an effort to interview women and children.

Generally, our interviews were group sessions with other refugees listening to the Kurdish speaker and eagerly awaiting their chance to speak. However, neither we nor our Kurdish translator detected any intimidation or reticence as a result of the presence of the camp leaders or of the Turkish authorities, who on some but not all occasions, followed us around the camps. Frequently, we had an opportunity for private conversations with refugees.

In addition, we examined and photographed individuals in each location who claimed to have been injured by chemical weapons. Some symptoms brought to our attention seemed more related to other health problems—exhaustion, disease, injury—but others seemed plausibly a result of chemical attack. We also visited a hospital in Hakkari and interviewed patients who claimed to be victims of chemical attack, as well as their doctors.

Our itinerary took us for some 50 miles on a dirt road that straddles the Iraq-Turkey border. There we had a chance to speak with Turkish villagers who witnessed the influx of refugees as well as,

in some cases, the chemical attacks on the other side of the mountain. On one occasion we even spoke with a Turkish-speaking Iraqi soldier from Kirkuk who crossed the border for a chat. On the main Iraq-Turkey road, we spoke with Turkish truck drivers who had just returned from Iraq, as well as storekeepers who had been receiving accounts from the Iraq traffic.

Finally, we attempted to find physical evidence of the attacks. In addition to the people who claimed injury by chemical weapons, we were shown animals that were said to have succumbed. We traveled to the remote town of Semdinli—in the rugged mountains where Iran, Iraq, and Turkey converge—to collect samples of bees said to have been poisoned in the attacks.

Overall, we spoke to more than 200 Kurdish refugees who provided eyewitness accounts of the chemical attacks. Chapter III contains excerpts from 40 of these interviews.

C. WEIGHING THE EVIDENCE

The most compelling evidence of Iraqi use of chemical weapons is the eyewitness accounts of the refugees themselves. The volume of eyewitness statements by itself is highly persuasive. The accounts are also very specific. The refugee accounts we recorded described the attacks on more than 30 different villages. For purposes of assessing the validity of what we heard, we regarded it as significant that when we found survivors of attacks on the same Iraqi villages at different refugee camps in Turkey, the description of events was essentially identical.

There are some minor discrepancies in the refugee accounts. There were differences as to the time of various attacks, the exact number of planes dropping chemical weapons, and so forth. These discrepancies are hardly surprising given that keeping time is less a part of rural Kurdish culture than of Western life and assuming that the Iraqi attacks produced (as they were intended to so do) confusion and shock.

Obviously, the leaders of the Pesh Merga, the Kurdish insurgents, have an interest in portraying Iraq in the worst possible light. To dismiss the eyewitness accounts, however, would require one to believe that 65,000 Kurdish refugees confined to five disparate locations were able to organize a conspiracy in 15 days to defame Iraq and that these refugees were able to keep their conspiracy a secret not only from us but from the world press. In any event, Iraq has a simple way to disprove the refugee accounts—it could invite neutral international investigators to the villages named by the refugees and allow them the time to make an independent investigation.

The eyewitness accounts occur in a context. This context is one of prior Iraqi use of chemical weapons and of ruthless oppression of the Iraqi Kurds. Since 1983 Iraq has used mustard gas and nerve agents with increasing effect against the armed forces of Iran. Eight separate U.N. investigations have concluded that Iraq used chemical weapons on Iran, the last attack coming in July of this year—after Iran had agreed to a ceasefire in the war. Iraqi officials, including the Foreign Minister, have admitted to the use of chemical weapons.

The eyewitness accounts also occur within the context of a brutal central government policy to suppress the Iraqi Kurds. The key feature of this policy is the depopulation of rural Kurdistan and the relocation of the people to guarded villages that have many aspects of a concentration camp. The depopulation has been accompanied by a considerable loss of life.

Finally, doubters of the poison gas attacks would have to provide an alternative explanation for the very sudden exodus of the Pesh Merga from Iraq. The Pesh Merga are seasoned guerrilla fighters who have held out against various Iraqi regimes for 30 years. Suddenly, between August 25 and September 5, 1988, the resistance totally collapsed and the insurgents fled. Something catastrophic happened and every piece of evidence points to the use of poison gas.

In sum, the eyewitness accounts occur in the context of prior Iraqi use of chemical weapons, of a brutal Kurdish policy, and of a sudden, otherwise incomprehensible collapse of the Kurdish resistance. It is in this context that we sought to evaluate the eyewitness accounts of Iraqi chemical use on Kurdish civilians, and it is this context that we found the accounts compelling and conclusive.

Diyarbakir refugee camp.

D. NOTE ON NAMES

Many of the proper names and place names in this report are phonetic spellings from the Kurdish. With regard to places, many have a Kurdish, a Turkish, and an Arab name. Where feasible, we tried to use the Turkish or Arab name. Most villages, however, did not appear on even the fairly detailed topographic map that we took with us. For these villages the only name the refugees used was the Kurdish place name (there being no Arab name or the Kurds not knowing the Arab name). We did ask the camp leaders to locate the villages on the topographic maps and in many case they were able to do so.

With the aid of our Kurdish-speaking interpreter we attempted to apply a consistent system for phoneticizing the Kurdish proper names and place names. However, this did not always work out in practice and there may be discrepancies between our spelling for proper names and place names, and those that others might use.

II. Background

A. BASIC CHARACTERISTICS

Kurdistan is a crescent-shaped region encompassing the mountainous region surrounding the junction of the borders of Turkey, Iraq, and Iran, with extensions into Soviet Armenia and into northern Syria. The greater part of this area is inhabited by the Kurds who, from antiquity, have been portrayed as a tribal people possessing their own language and cultural traditions and a historical reputation for resistance to outside rule.

The total number of Kurds is estimated at 20 million. Of these, some 15 million live in Turkey, between 2.5 and 3.5 million in Iraq, and 2 to 3 million in Iran. The majority are Sunni Muslims but there are some Shiites in Iran and Turkey. The Kurdish language is of Indo-European origin, making the Kurds linguistically and ethnically more akin to the Persians than the Arabs or the Turks.

Iraqi Kurds are concentrated in the mountainous northeast of the predominantly Arab country and represent about one-fifth of the total population. Of all Iraqi minority groups, the Kurds have been the most difficult to assimilate because of their numbers, geographic concentration, inaccessibility, and cultural and linguistic identity. The mountain Kurds are tough, hardy warriors with a tight-knit, semifeudal organization. In recent history, Kurds have migrated to the foothills and plains, many settling in and around Mosul, in the north, and in towns along the Diyala River, in the south, and these have become essentially detribalized. A smaller but increasing proportion of the Kurds is urban. They have settled mainly in Sulaymaniya and Halabja, virtually wholly Kurdish cities, and in Arbil and Kirkuk.

B. THE QUESTION OF NATIONAL IDENTITY

The Kurds have never formed an independent political entity. From the 16th to the early 20th century, Kurdistan was divided between the Ottoman (Turkish) and Persian empires. The Kurdish tribes enjoyed extensive autonomy until the 19th century when there occurred repeated Kurdish uprisings against both the Ottomans and the Persians that were put down harshly. During a revolt of 1880, led by Shaikh Ubaidullah al-Nahri, the concept emerged of uniting the Kurdish people as a nation separate from the Ottomans and Persians. However, Kurdish society is essentially tribal and on this point unity efforts have essentially foundered. In Iraq, Kurdish nationalists have always faced at least equal numbers of Kurdish tribesmen fighting on the government side (thereby receiving arms and financial aid and maintaining a degree of independence from outside interference).

With the disintegration of the Ottoman Empire in World War I, the Treaty of Sevres, signed in August 1920 by the allies and the Turkish sultan, created the independent Arab states of Hijaz, Syria, and Iraq, and offered the Kurds their first and only prospect of a separate Kurdistan. After the overthrow of the Turkish monarchy and the proclamation of the Republic in November 1922, however, the new regime under Kemal Ataturk refused to recognize the Sevres provisions. Ataturk concluded a new treaty with the allies in June 1923 in Lausanne, and this agreement contained no mention of the Kurdish question. The fixing of new national boundaries, which divided the Kurds among five states with no regard to ethnic, cultural, or economic principles, created further complications for Kurdish aspirations.

In recent years, Kurdish nationalist movements in Iraq, Iran, and Turkey have functioned largely independent of each other, although considerable cross-border activity has taken place. While both Iraq and Iran have sought to pacify their own Kurds, each has maintained an obvious interest in keeping alive Kurdish resistance in the neighboring country. Only in Iraq has the movement had the strength to pose a significant internal threat to the central government in Baghdad. Since the end of World War I, therefore, the Kurdish question increasingly has been centered in that country.

C. IRAQI KURDISH REBELLIONS IN THE INTERWAR PERIOD

Following British occupation during World War I and the subsequent establishment in 1920 of the British mandate which created the Iraqi state in its present boundaries along with the beginnings of modern government, the Iraqi Kurds became involved in recurring conflict with the central authorities. An underlying cause for such rebellion was the progressive erosion of promises for Kurdish statehood or, at the least, Kurdish cultural and administrative autonomy in the north. Unlike its neighbors, Iraq both under the mandate and as an independent state after 1930, was faced with constitutional requirements by the League of Nations for a degree of Kurdish autonomy.

The first rebellion, led by Shaikh Mahmud Barzinjah of Sulaymaniyya, began in 1919 and was put down in a month. Shaikh Mahmud, with Turkish support, declared himself King of Kurdistan in 1922 and it took the British until May 1924 to subdue the rebellion. Shaikh Mahmud continued until 1926 to conduct guerrilla warfare in mountainous terrain near the Persian border. With Iraqi independence in 1930, the Kurds, fearful of their status, demanded specific safeguards from the League of Nations. Several uprisings in the north, one led by Shaikh Mahmud in October 1930, and another led by Shaikh Ahmad Barzani in the Barzan district in November 1931 had to be put down by military force with the help of the Royal Air Force. Peace was never fully maintained in Iraqi Kurdistan and local rebellion continued, particularly in the Barzan area, until World War II. Such insurrections in the interwar period appeared in large measure to be expressions of traditional aspirations for tribal independence from the imposition of Arab central government rule, as well as of the ambitions of local leaders.

D. THE MATURING OF KURDISH NATIONALISM

The Kurdish rebellion of 1943, led by Mully Mustafa Barzani, brother of Ahmad, compelled the Baghdad government to consider administrative reforms and Kurdish cultural autonomy in the north. The rebellion flared up again in 1945 and, as government forces moved to suppress the uprising, Barzani retreated to Iran in October together with several hundred Pesh Merga and women and children of his tribe. In Iran, they joined the Kurdish Republic of Mahabad (established in 1945 in the Soviet zone) where Barzani was granted the rank of general. The republic collapsed in 1946 when the Soviets withdrew their forces from Iran and the Iranian Army moved in. Barzani and his men were forced into exile in the Soviet Union where he remained until 1959.

Comparative tranquility prevailed in Iraqi Kurdistan during the years of Barzani's exile. A Kurdistan Democratic Party (KDP) was formed in the latter 1940's by intellectuals and tribal elements that sought to lead the Kurdish national movement and to achieve Kurdist aspirations within the framework of Iraqi national unity.

E. THE KURDS AND THE IRAQI REPUBLIC

The July 1958 overthrow of the Iraqi monarchy by military officers brought to power a regime that was characterized, at least initially, by a change in the attitude of the central government toward the Kurds. Kurds were given key roles in administration, and the provisional constitution gave official recognition to Kurdish national rights within Iraq. Mulla Mustafa Barzani was welcomed back to Iraq in 1959 and the KDP was legalized. Within a year, however, relations between the Baghdad regime and the Kurds deteriorated as the regime proved unwilling to give the latter the self-rule to which they aspired. In July 1961, Barzani sent an ultimatum demanding a substantial degree of autonomy to the central government which responded at first by inciting Kurdish tribes hostile to Barzani and subsequently launching an offensive by the army. The Iraqi military failed in attempts to suppress the rebellion and a growing number of tribesmen joined Barzani's forces.

With the frequent changes of Iraqi regimes during the 1960's, the rebellion continued until 1970, interrupted by ceasefires, openings of negotiations, failures of negotiations, and resumptions of hostilities. Many Kurdish villages were destroyed in the fighting and the rural population suffered heavy losses but the Kurdish rebels never relinquished their control of the mountainous region. In effect, they achieved de facto autonomy with the institution of a Kurdish administration in the region. The KDP played a central role by integrating into the rebel forces and building a national consciousness in its ranks and among the rural population.

After the Ba'ath Party came to power in 1968, the government, faced with a stalemate and under pressure to end the war, negotiated a "Manifesto on the Peaceful Settlement of the Kurdish Issue" on March 11, 1970. It promised that the Kurds would be granted self-rule, to be exercised by a local administrative council and an elected legislative assembly. Guarantees were provided to recognize the Kurdish language as officially coequal with Arabic in

the Kurdish district and to promote Kurdish culture and traditions. The manifesto constituted a compromise between Kurdish national and Ba'athist pan-Arab aspirations. But the compromise was not destined to materialize in large part because of continuing and substantial disagreement among Kurdish leaders who were divided on the matter. An increasing number of younger Kurds were prepared to accept self-rule as embodied in the manifesto. Barzani, however, rejected the Ba'ath offer and insisted on autonomy as he understood it. In so doing, he sought external assistance from Iran, Israel, and the United States.

F. THE 1974 REBELLION

Between 1970 and 1974, the Ba'ath regime, as it consolidated its position in the country, did little to strengthen Kurdish confidence in Baghdad. Measures for achieving autonomy specified in the 1970 manifesto, including determination of Kurdish districts by census and decision as to jurisdiction over the Kirkuk oil center, were never carried out. Because of a worsening internal political situation and deteriorating relations with Iran, the Baghdad regime proclaimed unilaterally determined autonomy statute on March 11, 1974, demanding at the same time that Barzani accept the statute within a 2-week deadline and join the so-called National Front. Barzani rejected this demand and issued a counterultimatum, declaring that failure to meet Kurdish demands within 2 weeks would result in a renewal of hostilities. Behind Barzani's rejection were the promises of aid from Iran and the United States.

During the spring of 1974, the Iraqi Army moved gradually into the Kurdish area, relieving besieged garrisons and opening roads. In July and August, the Pesh Merga was pushed into the mountains along the Turkish and Iranian borders. From this time, the Pesh Merga had to rely on Iranian assistance, without which it could not resist the Iraqi offensive. The offensive resumed in the spring of 1975 but the prospect of victory by either side appeared uncertain. The Shah of Iran realized that the war appeared stalemated and there were limited prospects for a change of regime in Baghdad. With Algerian mediation, Iraq and Iran signed an agreement in March 1975 settling a series of disputes between the neighbors and closing the border between Iran and Iraqi Kurdistan. This proved disastrous to the Kurdish rebels. Barzani and the KDP leadership took refuge in Iran.

G. GUERRILLA WAR AFTER 1976

With the collapse of the Kurdish movement in 1975, Baghdad embarked on a two-pronged policy of coopting large numbers of Kurds and, at the same time, implementing drastic measures against a revival of Kurdish hostilities. The government-created autonomous region comprised only a small part of Iraqi Kurdistan, but it was favored with economic development projects benefiting much of the population. "Arabization" measures continued in the oil-producing districts by the resettlement of Kurds and their replacement by Arab peasants. In 1976 the government began evacuation of zones along the Iraq-Iran border, destroying villages, and

resettling the inhabitants near urban areas. These measures instigated a resumption of small-scale guerrilla warfare.

At the same time, the Patriotic Union of Kurdistan (PUK) was established, with Syrian support, under the leadership of Jalal Talabani in 1976. The PUK and the KDP engaged in a number of clashes in disputes over territorial control following its move to Iraqi Kurdistan 1977.

H. THE IRAN-IRAQ WAR

Following the outbreak of war between Iran and Iraq in September 1980, military operations in the south forced the Iraqi military to relinquish its close control of Kurdistan. Thousands of resettled Kurds were permitted to return to Kurdistan but many escaped to areas controlled by the Kurdish parties. The Iranian revolutionary regime gave military and financial support to the KDP, but guerrilla activity initially was at a low level. Competition for control of land and people became increasingly violent between the Kurdish parties, notably the KDP and PUK.

When Iran opened a northern offensive in 1983, the KDP joined the Iranians while the PUK declared it would resist the invasion and opened negotiations with Baghdad. After the offensive, the government took severe reprisals against Kurds associated with the Barzanis. The military presence was stepped up and Kurdish tribesmen were recruited into irregular units designed to protect their districts against Iranian invasion as well as against the nationalist forces. Negotiations with the PUK broke down in 1985 and hostilities between the government and the PUK resumed. The KDP and PUK put aside their differences in efforts to inflict damage against Iraqi territorial control and economic facilities in the region, thereby tying down a significant proportion of the Iraqi ground forces. In 1987 and 1988 Baghdad resumed its campaign of destruction of outlying villages and the relocation of large numbers of the Kurdish population to other areas of Iraq. In March 1988, Iranian forces captured Halabja, where a cyanide and mustard gas attack caused the deaths of hundreds of civilians. Subsequent reports alleged that both Iraq and Iran were responsible for using chemical weapons at Halabja.

Following Iran's acceptance of U.N. Security Council Resolution 598 on July 19, Iraqi forces stepped up their campaign aimed at crippling the Kurdish insurgency in the north and extending government control over the region, particularly in the border areas.

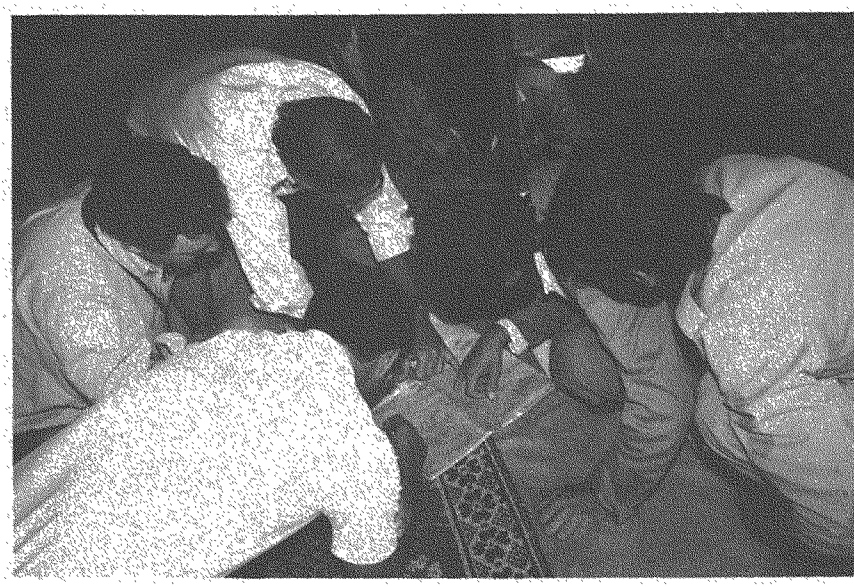
III. Iraq's Final Offensive

A. A NARRATIVE ACCOUNT

With the August 20 ceasefire in the Iran-Iraq war, Iraq initiated what it termed the "final offensive" to end the Kurdish insurgency. The following is a narrative account constructed from eyewitness accounts of Kurdish refugees who fled from Iraq to Turkey.

On August 20, 1988, the day the Iran-Iraq ceasefire went into effect, Iraqi President Saddam Hussein turned his forces against the Kurdish population in northern Iraq. Some of Iraq's most battle-tested forces were dispatched to wrest control of the area from Kurdish fighters, drop poison gas on Kurdish villagers, and destroy Kurdish villages. On August 21, the Iraqi military began building up its forces along the major roads in Iraqi Kurdistan, and on August 25 launched chemical attacks against scores of Kurdish villages. On August 28, Iraqi forces began to destroy evacuated Kurdish villages.

During the early morning hours of August 25, 1988 Iraqi warplanes and helicopters dropped chemical weapons on a series of villages in regions of Iraqi Kurdistan. In each of these regions, the Kurdish fighters, or Pesh Merga, had established camps outside of villages to protect them. For the most part, however, Iraqi bombs did not fall on these camps, as might have been expected, but on the villages themselves. In the Dihok region alone, more than 30 villages were exposed to various concentrations of poison gas. Among the villages in the Zakho, Dihok, and Amadiyah regions that suffered the most severe attacks were: Vermil, Bergini, Tika (Duka), Ekmala, Hese, Xirabe, Blecane, Siyare, Meze, Afuke, Belut, Sernae, Sivye, Zeweshkan, Mergeti, Zinawa, Dergel, Dubanche, Ermisht, Berkevre, Bergabore, Borghule, Bilejane, Warneze, Zavita, Nazdure, Berkule, Rudaniyo, Sarki, Berchi, and Ruyse.



Locating Kurdish villages subject to chemical weapons attack on the topographical map.

As described by the villagers, the bombs that fell on the morning of August 25 did not produce a large explosion. Only a weak sound could be heard and then a yellowish cloud spread out from the center of the explosion and became a thin mist. The air became filled with a mixture of smells—"bad garlic," "rotten onions," and "bad apples."

Those who were very close to the bombs died almost instantly. Those who did not die instantly found it difficult to breathe and began to vomit. The gas stung the eyes, skin, and lungs of the villagers exposed to it. Many suffered temporary blindness.

After the bombs exploded, many villagers ran and submerged themselves in nearby streams to escape the spreading gas. They placed wet cloth over their noses, eyes, and mouths to block the gas. Many of those who made it to the streams survived. Those who could not run from the growing smell, mostly the very old and the very young, died.

The survivors who saw the dead reported that blood could be seen trickling out of the mouths of some of the bodies. A yellowish fluid could also be seen oozing out the the noses and mouths of some of the dead. Some said the bodies appeared frozen. Many of the dead bodies turned blackish blue. Most of the villagers quickly abandoned the contaminated areas, leaving the bodies unburied in the sun. In some cases, they later returned to the poisoned villages to bury the bodies. The few who ventured to look at the shattered pieces of the bomb casings said they were colored green.

In every village where chemical bombs were dropped the livestock—mostly donkeys and goats—died. Birds are also reported to have "fallen out of the sky." Bees in the area are also said to have been killed by the gas.

The Iraqis continued to drop chemical weapons on Kurdish villages on August 26. Turkish villagers living less than a kilometer from the Turkey-Iraq border could see the Iraqi helicopters flying above a mountain ridge. Iraqi Kurds living close to the Turkish border left their contaminated villages to seek refuge in Turkey. Those from villages farther from the Turkish border did not immediately flee to Turkey. They first sought safety in nearby areas that had not been bombed. Many fled to the Pesh Merga camps outside the villages.

On August 27 the chemical bombs continued to fall on villages in the Zakho, Dihok, and Amadiyah regions. Villagers who had fled to nearby villages after their own had been gassed found themselves again under attack. No area in the northeastern reaches of Iraqi Kurdistan was safe from chemical attack. As a result, thousands of Iraqi Kurds from the Zakho, Dihok, and Amadiyah regions began to make their way on foot and animal back across the rough mountain terrain to Turkey.

On August 28 villagers fleeing from areas farther from the Turkish border found their escape routes almost fully impeded by deployments of Iraqi soldiers. The key east-west road from Amadiyah to Zakho was effectively blocked. Kurdish villagers south of the road suddenly found themselves trapped inside of Iraq. Those Kurds who attempted to cross the road were fired on by Iraqi soldiers. An Iraqi Kurd who managed to cross the road said, "Whatever they saw they shot—children, women, young, and old." Some still managed to make their way across the road. By September 5, however, the Iraqi troops had established camps all along the Turkey-Iraq border and the flow of refugees slowed to a trickle. More than 65,000 Kurdish refugees had arrived in Turkey. No one knows how many remain trapped on the other side. One Pesh Merga estimated that 70 percent of those who lived south of the Zakho-Amadiyah road found their way blocked by Iraqi soldiers. Information is available only on attacks that took place in a narrow band of territory along the Iraqi-Turkish border. The fate of those left behind is uncertain. If the same kind of military operations are taking place deeper inside of Iraqi Kurdistan as in the border regions, the Kurdish death toll could be in the hundreds of thousands.

In at least one village where Kurds remained—the village of Baze— survivors report that Iraqi forces opened fire with machineguns on everyone in the village and then used bulldozers to push the bodies into mass graves.

On August 28, the day the Iraqi soldiers sealed off the Zakho-Amadiyah road, the chemical bombings stopped. Iraqi forces began to destroy the evacuated villages. Turkish truck drivers who regularly use the roads in Iraqi Kurdistan report that all the villages along the road have been destroyed and the trees have dried out. Kurdish fighters said the Iraqi soldiers entered the contaminated areas with gas masks.

Children at Cigli refugee gathering point.

B. EYEWITNESS ACCOUNTS

1. Accounts from Kurdish Refugees

The Iraqi chemical attacks on Kurdish villages from August 25 through August 27 were witnessed by thousands of Kurds. Their descriptions of these attacks provide the best evidence that the attacks took place. The following are representative excerpts from interviews with eyewitnesses to the attacks. They include Pesh Merga leaders, Pesh Merga fighters, villagers, a few professionals, women, and several children.

1. Ekrem Mai of Dihok city: "I am a Pesh Merga and have spent 27 years fighting. Many have been martyred and killed. Since the Iran-Iraq war, fighting with Iraq has continued. After the Iran-Iraq ceasefire, all the chemical weapons that Iraq had were turned against the Kurdish people.

"On the 25th of August, at 6 a.m., Iraqi warplanes came to Amadiyah valley in the region of Zakho and dropped chemical weapons on four of our villages. They killed everything: ani-

mals, ladies, children. Young and old died from the weapons. We couldn't even bury them.

"The planes dropped bombs. They did not produce a big noise. A yellowish cloud was created and there was a smell of rotten parsley or onions. There were no wounds. People would breathe the smoke, then fall down and blood would come from their mouths.

"We didn't have anything to protect ourselves, not even to cover our faces. With our own means, sometimes on foot, sometimes on animal back, we made our way across the mountains to the border.

"On the 25, 26 and 27 of August, only chemical weapons were used. From the town of Beguva, on August 28, they deployed forces to the border, so that people could not escape. When the people tried to pass, they were shot. Whatever they saw, they shot—women, children, young, and old.

"The Iraqi troops occupied the road between Zakho and Beguva. Twenty-four crossing lines were cut. Most of the people south of the road remained under Iraqi control. The people on the north all crossed.

"The villages of Ruyse, Nazdure, and Zavita north of the road were attacked, but few people died. Thirty percent of the people from the south made their way across, and the rest were stuck.

"There were 20,000 to 25,000 people in the villages altogether. On August 25, at least 300 people were killed near us. I have no idea what happened in the other villages.

"Some families stayed with the Pesh Merga, because they couldn't make their way out. Then the government dispatched more troops. The Pesh Merga fought to make their way out. We are worried about the people in this region and we are afraid that most have been killed.

"We have been dealing with this government for 28 years, and we have had very bitter experiences with Saddam and his government. We know the truth about his regime. His policy is to leave no Kurds in our region. His purpose is to wipe out Kurdistan on the maps—to leave no Kurds in Iraq.

"We have come to this conclusion with the experience of the past 20 years and what he has been doing. His announcement of amnesty is just a lie and he will destroy these people. He has killed thousands of our people and we do not believe the amnesty. He destroyed our villages. It is impossible for us to meet with him. We are not going to try for Iraq with Saddam Hussein."

2. Iskender Ahmad from Bergini village: "My eyes do not work. I have trouble with my legs, and itching.

"At 6:20 in the morning, I was up. We had just woke up to have our breakfast. Six planes flew over our village and dropped 18 bombs. I saw 24 people die in front of my eyes. When I recovered a little, I got a scarf and put it over my nose and face. From my family, eight people died. From the village, 80 died, in open spaces. I wish you could provide a plane so I could show you the dead bodies."

3. Son of Iskender Ahmad: "Animals and children died. Blood came from their mouths and a yellow liquid from their mouths and noses. The noise did not sound like regular bombs. They would just drop and make a very weak sound and then this cloud. Always expanding: a yellow cloud. Those who escaped managed to go into the water."

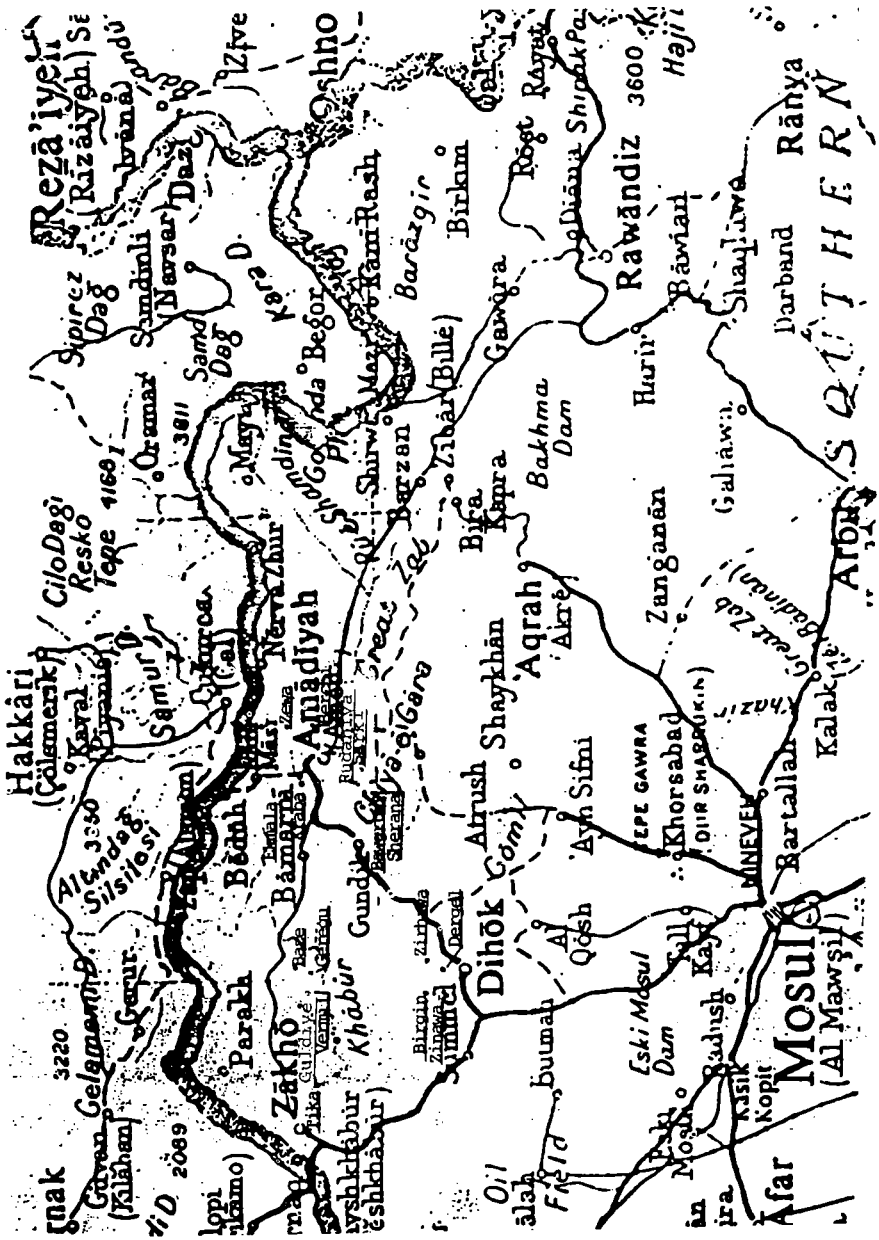
4. Behchet Naif from Berkule village: "At 6 a.m. on August 25, eight planes flew over our village. All eight dropped weapons. They dropped 32 chemical bombs. We counted them later. When they dropped the bombs, a big sound did not come out—just a yellowish color and a kind of garlic smell. The people woke up, and some of them fainted. Those who poured water on themselves lived: those who could not reach the water, died. I went into the river. Almost 50 women died. Some died who went to help their families. Seventy-five people died. My brother died. My children are OK. I won't go back as long as Saddam Hussein is there."

5. Mohammed Shefik: "On August 25, I was in the Pesh Merga camp in Dihok. At 6 a.m., six planes bombed the villages in our area—Dergel, Bergin, Zinawa, Zirhawa, Telagru, Tika (Duka), Vermil, and many others. On the 28th, the government army began its attack on the Zakho and Dihok areas. The families came to Turkey, but the Pesh Merga are still fighting. We do not know what has happened to them. I was 3 kilometers from the Bergin. There was no sound of bombs.

"They also bombed Zinawa village. The villagers fled uphill to Bergin. The people began to vomit and could barely see. There were 20 blind people in Bergin. The planes did not attack the Pesh Merga camps, only the villages.

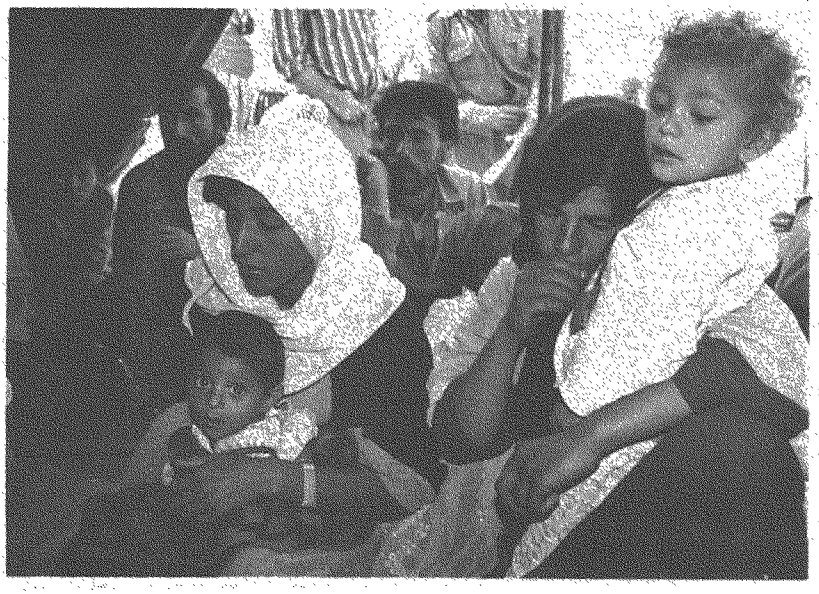
"Fifteen people died in the village of Ekmala. The wounded stayed behind in the village. In the village of Baze, 4 to 5 hours walking from Ekmala, 1,300 people were all killed. Witnesses saw graders and bulldozers burying the bodies in a mass grave later."

6. Masih Ibrahim: "On the 28th of August, around 1 or 2 p.m., I was standing on the mountain above Baze with the Pesh Merga. I saw soldiers machinegunning the women and children in the village. Bulldozers then pushed them into mass graves. I stayed until night and then escaped."



Towns and villages in the Iraqi-Turkish border area.

7. Minase from Bergini village, holding her child Hejar: "All the animals died. There were four bombs from each plane. Anyone who could not make it to the river died because of the smell. After the use of weapons, we lost our vision. We are still vomiting. He wanted to kill all of us—babies, old people, children."



Minase (on left) from Bergini village holding her child, Hejar.

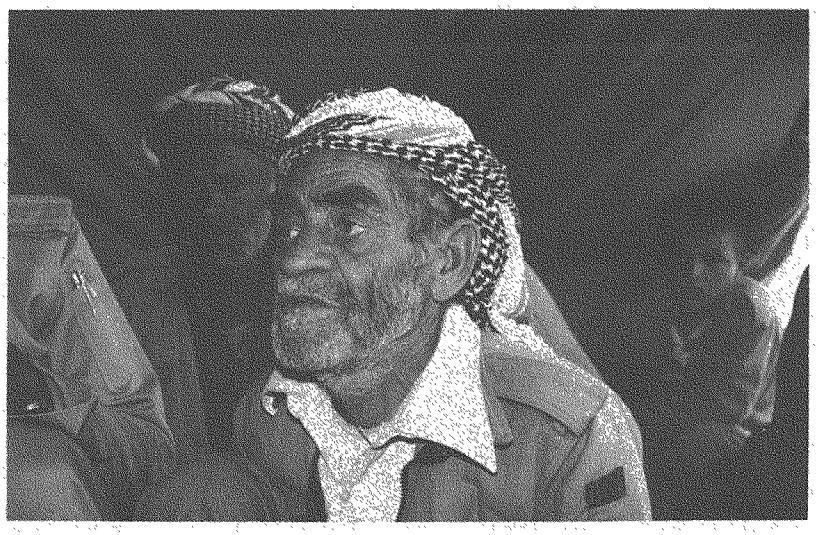
8. Omer Dibaba from Bergini village: "Eight planes attacked on the 25th. Fifteen people from my family died. We left their bodies in the sun."

9. Bashir Shemseddin and his father from Vermil village: "Four planes came over on August 25 and dropped bombs. We did not know what happened. We ran outside. We got dizzy and could not see. We fell down and threw up. In our village, 200 to 300 people died. All the animals and birds died. All the trees dried up. It smelled like something burned. The whole world turned to yellow."

Bashir Shemseddin from Vermil village, showing burns from chemical weapons.

10. Mohammed Ahmad for Guldiye village: "I am 20 years old. I am from Guldiye village near the Kabur river in Zakho. We were attacked on August 25 at 6 a.m. There were 45 people in my village. I am the only survivor."

11. Farouk Abdullah from Ekmala village: "I cannot see if there is bright sunlight. At 6:26 a.m. on August 25, five planes attacked. My friends died in the village. I saw three people die—my friends Sari Abdullah, Ekrem Sari his son, and Amina Mustafa his wife. Many people fell down, but I could not see clearly. They attacked by chemical bombs. I tried to run away from the smoke, and the wind was against me but then the wind changed. I tried to run back, but I fell and began to vomit. It is hard to breathe. My friends came and tried to take me to a safer place. There are no more animals. The leaves fell off the trees. The fish in the brook died. Anyone who touched the clothes of the dead people became blind."



Farouk Abdullah from Ekmala village.

12. Osman Khalid from Tika (Duka) village: "I left the village and 5 minutes later 14 people died—Mehdi from Kurki, Ismail Tabir, Osman Ibrahim, Ahmad Mela, Murat Ahmad, Samih Ahmad, Suleiman Hadji Haydar, Muhammad Tatar, Shahid Sadik, Suleiman Shemsettin, Azad Murad, Fatma Ali."

13. Mohammad Tahir from Berizon valley: "On August 28, my wife Asma Tahir and my brother-in-law Mohammad Mahmood were killed while trying to escape to Turkey."

14. Selam Ahmadi from Amadiyah: "I saw planes bombing the villages of Vermil, Banka, Ekmala, Bilijane, and Tika (Duka). In the morning and at 3 p.m., six planes came to these villages and destroyed them with bombs. I was in Kanebalaw in the mountains near these villages. In Tika (Duka), 50 people

were killed and all the animals died. The people left the village.

"On the 27th of August, planes and helicopters attacked the same village and nearby villages of Bergin, Zinawa, and Osmanbaze.

"I came on the 28th after all these places were covered with chemicals. Two of my friends died on the road—Mir Bazi from Berwari and another man. I saw four dead people in Ekmala: two old men and two children—one 11 years old and one 5 years old. They were all black. In Vermil, I saw 10 people dead. The Iraqi Government took them after they came to the village. I do not know where my family is. They were in a village called Haventhea. I was working at Berwari."

15. Hikmet Said from Vermil village: "August 26, 3 p.m. I was far from the village shepherding when four airplanes came and started bombing. I ran into the mountains because I was scared. Two days later, I had spots on my face. They are growing larger. I feel darkness in front of my eyes and feel shortage in my breathing. My stomach had been upset, but this has stopped."

16. Selva Ismail from Berwari, close to Vermil village: "The planes attacked between the two villages. Six planes came early in the morning. They dropped bombs that smelled of garlic and I saw a cloud, but fainted from fear. I hid myself and left the village that evening. All the animals died right away; many people died."

17. Abdulressak Salih from Banka village in Amadiyah: "I saw an attack on August 25th at breakfast time. Some say there were 15 but I saw 6 planes. They dropped in Vermil, which is very close to our village. When they dropped, a cloud of fog was formed and a smell like garlic and cologne. I didn't see any dead bodies but after I got back I saw some wounded people and dead animals."

18. Ibrahim Kurdi from Bannasira: "I cannot see and I have a sore throat. Fifteen airplanes dropped bombs in Vermil, Bilejane while I was on the back of the mountain. I ate grapes, and as I ate, threw up, had diarrhea and blood came from my mouth. Many in Bergin died and they could not bury the dead. I saw 13 dead in Duka. All the animals died. All the vegetation dried up. I fell and could not get up, and now I have a pain in my knees."

19. Ramazan Ali and his son Kurdistan from Ekmala village: "The attack began August 25. We have shortness of breath and some muscle spasms. Six planes dropped yellow clouds. Animals fell down and died. I still feel dizzy. My wife feels dizzy. We ran to the mountains. My son Emin died. He was 2 years old. He turned blue and black and he died. We could not save him."

20. Berwan Sophe from Kani Masi village: "I have small sores that keep getting bigger. Five planes attacked my village

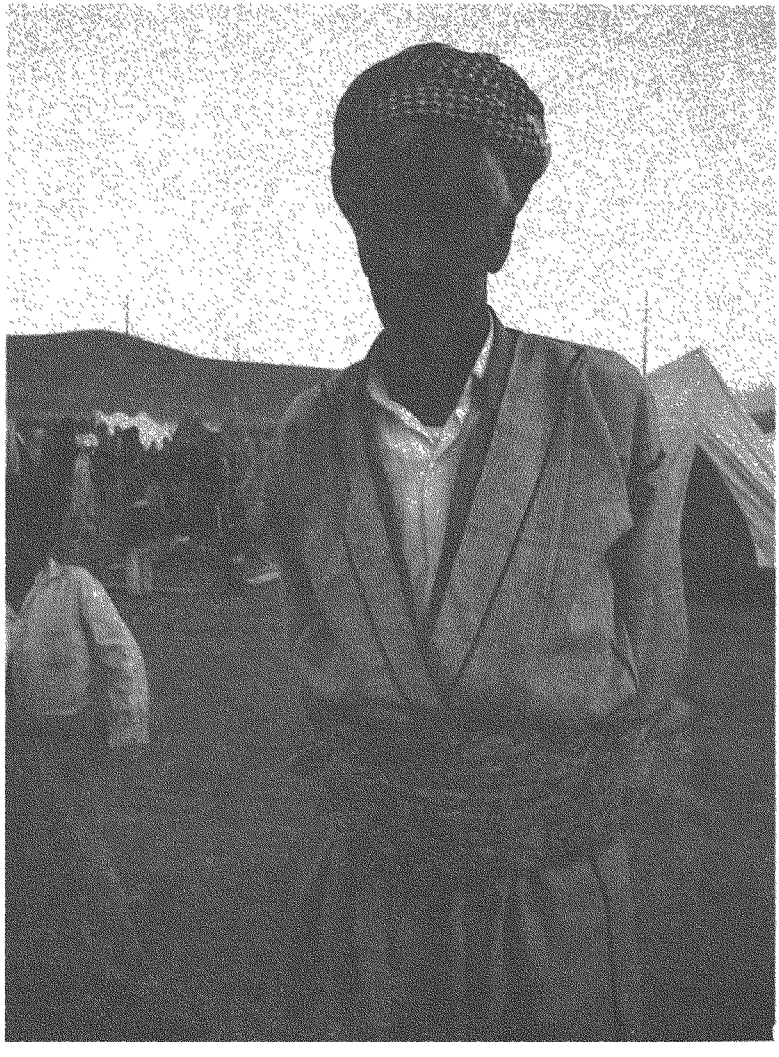
on the morning of August 25. There was a yellow cloud from the bombs. It smelled of rotten fruit."

21. Musimi Kitani, cousin of Iraqi Ambassador to the United Nations: "I saw with my own eyes. On the morning of August 25 at 9:10 in the region of Beregari, the villages of Rudaniyo, Sarki, and Shernae were attacked. People went into the river. One person died and 300 were injured. Approximately a 2- by 15-kilometer valley was bombed. The lightly wounded are here, but we have no idea what happened to the severely wounded. The villages belong to the Amadiyah area.

"On the 25th and 26th, 10 helicopters came. They bombed the whole region and the roads with chemical weapons. We were not affected when they used regular weapons, but, in the face of chemical weapons, we began to move on the 26th.

"With 50 to 60 members of my family, we reached the village of Dizga, in the region of Nerwa of Amadiyah. When they saw our fire, they fired at us with regular and chemical weapons at 10 p.m., but the wind blew the opposite way. When we awoke, we ran across into Turkey. Twenty minutes later, they bombed where we had camped. As we walked along to the border, we saw many dead birds, foxes, and more.

"If there were a committee formed outside Iraq, we could show them hundreds of dead people and animals. Since 1976 we have been fighting and were not affected by weapons, since we could go into the caves in our region and hide. But the chemical gas goes into the caves as well, and that's why we left."



Musimi Kitani, cousin of the Iraq Ambassador to the United Nations.

22. Dr. Said Ahmad Shakir from Bawerke near Sersen: "My daughter, Jivan Said Ahmad, 10 years old, was killed by artillery fire on the road to Turkey. In my village, 114 people have been wounded by chemical weapons. Their symptoms were redness of eyes, trouble breathing, and they turned yellow. They got dizzy and could not talk. None of those treated came to Turkey. They could not make their way."

23. Ahmed Ali from Rashowa village: "I was in Sirana village on the morning of August 25 when nine jets bombed around the village from 9 to 10 and then from 12 to 1 bombed the lower parts of the village. We put the families in rivers

and other shelters. When the weapons were used, I could only see 2 meters and my eyes became red. One other sign is the terrible smell. Little by little, I could see and I left, but most are still in the hands of the enemy. One person died in the village while I was there. Eighty-five bombs were dropped in the vicinity of the villages of Sirana, Rudaniyo, Beye, Keriye, and Ekmala. On the 25th and 26th, in the evening, helicopters dropped chemical bombs the same as in the morning. I ran away that evening."

24. Asiye Babir from Berchi: "I am more than 50 years old. My eyes are aching. It was in the evening and it became dark in front of my eyes. I did not see the planes, because it was dark, but I heard the noise. We went to the river and splashed water on ourselves. We left the dead people and all ran away. The animals died. We brought nothing with us. There was an unpleasant smell, like burnt nylon. Like burnt ants."

25. Esma Yaseen from Berchi: "I was with a group. There was an unpleasant smell and a bad cloud. It got dark in front of my eyes and I could not walk. I fainted and a lady helped me. My stomach got upset but I did not die. I saw 20 people dead—Haci Ahmad, Bedriye, Gul Mahmood, Gul Musa, Ahamd, Mohammad, Bedri Ahmad, Sariya Abdullah. I can see up close now, but I still can't look at the sun."

26. Hamdi Aga from Berchi: "My uncle and aunt were Haci Ahmad and Gul Musa who died. I myself have an eye problem, for which I have been treated for many days."

27. Mustafa Ibrahim from Berchi: "My eyes are all red and swollen since the attack. I got dizzy and fainted in the attack. People put wet blankets on my face. I cannot go into the sunglight. Sometimes I vomit and I have diarrhea."

28. Serbest from Berwari village of Amadiyah: "I saw in Hese village in upper Berwari an attack at 10 a.m. on August 25. Seven Pesh Merga buried the dead in the village. In the village, one child was killed, then the father when he went to help, and then the mother when she went to help. In one night there were more than 120 bombs in one region. We could count them from the heights. That night 50 families running away were killed; even the animals were killed."

29. Kahar Mikhail Mahmood from Spindar-Halfo village: "I was 5 kilometers away when I saw two jets drop bombs on the village. When I got there I saw my father was having trouble breathing. I poured water on him and realized he was dead. He had no wounds on his skin. I came to my father in an hour after the attack. When I got there, the fog was gone, but there was a smell like rotten apples."

30. Said Mudi Jemsadh from Vermil Village: "When the chemical weapons were used, most of the people fly away right away. Right now one of the ladies has died in this camp * * * about three or four more people have been buried here. The people who just have managed to make their way here were the ones who were not wounded. But you know all the wound-

ed couldn't make their way here and they died. There's another village close to us—Yekmal village—four of them have just died there and there has been others who have died on the road."

31. Salvadir Ahmed from Ekmala: "I personally was in Ekmala when they dropped the chemical weapons. I have seen with my own eyes this: at 5 in the evening, there were around 2,000 people just running away. The Iraqi forces came in and got control of the region. Approximately 10 chemical bombs were dropped on those people. Our idea was just to leave everyone behind and run away just to rescue ourselves * * * I saw about 1,500 people died in that village. In Tika (Duka), the Pesh Merga had a spot there—there were 14 Pesh Merga there. The government planes came at 6 a.m. on the 25th. There were six airplanes. Right on the spot, seven Pesh Merga were killed. The others went to bring the bodies but because of the smell from the chemicals, they also died."

32. Eauk Abubeki of Ekmala: "My body is aching and I have vision problems and breathing problems as well. On 25th of August, chemical bombs dropped by five jets. I was probably about 1 kilometer from it; if I were closer I would have died. When they dropped the bomb, a yellow cloud was formed and a smell like rotten garlic came out. I dipped my shawl in the water and wrapped myself in it. I buried 33 people. All the animals died."

33. Meshio from Rashowa: "On the 26th there was an attack. I saw five people dead in one place. They were burned and blood was coming from their mouths. Their bodies were frozen. There was fluid on their skins * * * just on their hands and faces."

34. Unidentified in Yesekovo Camp: "In order to proclaim they are treating the Kurds fairly they have prepared some houses for the Kurds. But we were patient and fighting up to the point where they used the chemical weapons. Now there are no marks of Kurdish presence. The Arabian community has protested the United States declaring that the Kurds in Iraq are in a difficult position. * * * We were of course expecting some kind of aid from the world so that we can go back to our country and fight for our own land. We still have some people, of course, who have remained here. We're still going to fight as soon as we get to our feet. * * * When we came in to the country we gave some of our weapons to the Turkish authorities, but the rest we have concealed in the mountains. All those weapons are just attained from Iraqi forces, because we didn't have any weapons. Weaponwise there is very little help from Iran. 500 Pesh Merga would be fighting 10,000 Iraqi soldiers. In one night, 280 Pesh Merga captured the weapons of 5,000 Iraqi soldiers in Konimasi; 596 captives, together with the weapons. For humane reasons we let some of them free. This was in September 1987."

35. Ahmad Mohammad from Zevko village of Spindar: "When they started using chemical weapons we started run

away. My mother and father were burnt; they just died and turned black. That night we couldn't go to the area where the bomb had fallen because the smoke was still there. After it was lifted we went and buried their bodies and ran away to the Turkish houses. I don't know which day but it was in August. As soon as they use the chemical weapon, all the leaves of the trees fall down.

2. Other Accounts

1. Fikri Elmas from Altinsu village outside Semdinli, Turkey: "Bees died since last spring when the Iraqis dropped bombs near the border. They go and do not come back. We sent a sample to Ankara for analysis 1½ months ago but have not received an answer. Honey production in Semdinli will be down from 250 tons to 5 to 10 tons this year."

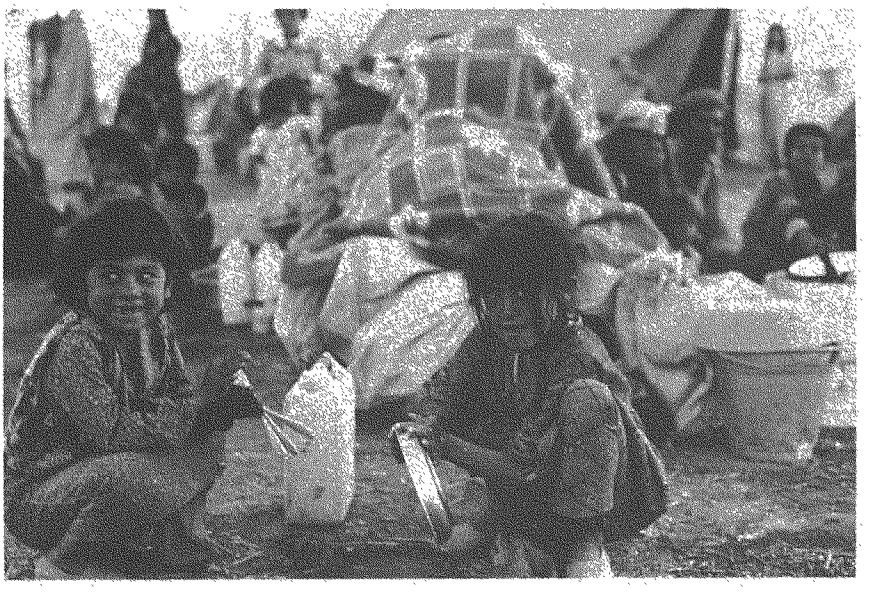
2. Beekeeper from Ortakoy village, Turkey: "After the use of the chemical weapons because of the Iraqi war, our honeybees started dying. We don't know if they were affected by the chemical gas or whatever. We make our living out of the honeybees and we wish that the government would take some measures or provide some kind of medicine for us, insecticides for us to get rid of this problem. The bees have never died at this time of year before—sometimes, probably, just in a few maybe, not like this in masses. Only this year they have done it. * * * Some of our sheep, herds, are also affected because of the chemical weapons and when we eat them we start having diarrhea and vomit. We have eaten the honey here but nothing has happened to us."

3. Villager from Ortakoy village, Turkey: "We buried four horses in this vicinity. Because of the use of chemical weapons, when the Pesh Merga arrived here the animals died. Lots of other animals died on the other side of the border, too. There are 4 that died here, but more than 20 animals have died in Cigla where they are being transported now—within 4 or 5 days after the use of the chemical weapons. Before the Pesh Merga arrived here all this area was very clean and neat. All of the sudden, about 5,000 or 7,000 people started living in this region. * * * It lost some of its beauty. About 12 days they were here. And there are 6,000 on the other village further down—5,000 here and we have only this fountain here and everybody would be forming a kind of queue to get water."

4. Turkish truck driver in Silopi town, Turkey: "I have just entered Turkey from Iraq, where I go every 3 days. All the villages along the roads have been destroyed. There are no humans, no animals; only two Iraqi soldiers guarding each village. Most of the trees have dried but some are sprouting new leaves."

5. Ismet Berk, Turkish Kurdish farmer of Arosh/Ortakoy village: "My farm is located on the river separating Turkey and Iraq. About 9,000 people crossed over near my farm. I saw many people weeping with watery skin. The villages on the

other side are 10 to 20 kilometers away, just on the other side of the mountain. All the bees in Cigli village have died."



Children at Yusekova refugee camp.

C. THE PHYSICAL EVIDENCE

The compelling testimonial evidence of the refugees is supported by (1) the symptoms exhibited by those who claim to have been exposed to chemical attack, and (2) large-scale deaths of bees on the Turkish side of the Iraq border and of animals brought by the refugees.

1. The Classic Symptoms

At least fifteen of the refugees we interviewed exhibited symptoms that are characteristic of poisoning from various types of chemical weapons. Many said they had suffered temporary blindness when the bombs exploded. These refugees still had watery eyes and complained of blurry vision. They also asserted that the gas had stung their lungs and complained of difficulty in breathing. Two of the women said they threw up after being exposed to the gas and that the vomiting spasms continued. Several refugees displayed skin discolorations which they linked to gas attacks. Some complained of severe itching. One 13-year-old boy, Bashir Semsettin, had been seriously burned on his chest and back. The skin on his chest and back had turned a bright pink, punctuated by streaks of black.

These symptoms—blurry vision, difficulty breathing, vomiting, and burned and itchy skin—are associated with various chemical agents, including mustard gas, concentrated tear gas, and vomiting agents. While none of these individual cases alone is conclusive,

they form a common pattern that lends strong support to the eyewitness accounts.

KURDISH REFUGEES.—The men on the left and right report trouble with their vision in bright sunlight as a result of exposure to chemical weapons.

2. Dead Bees

Turkish beekeepers living close to the Iraqi border have reported the widespread death of their honeybees. According to Mr. Bezergan, the District Administrator for Semdinli, honey production has fallen from 250 tons last year to an estimated 5 to 10 tons this year. Semdinli is a Turkish town located near the intersection of the Turkish-Iraqi-Iranian borders. The villagers we talked to unanimously attributed the bee deaths to the Iraqi use of chemical weapons. Mr. Bezergan said a sample of the dead bees had been sent to Ankara for analysis at the beginning of August, but that no reply had been received to date.

According to the Turkish villagers, bees fly about 4 to 5 kilometers. The villages that have experienced large bees losses fall within 4 to 5 kilometers "as the bee flies" of the Iraqi border. In addition, villagers from Ortakoy, a village far from the Iranian border but less than a kilometer from the Iraqi border, reported that their bees began to die after the chemical attacks in late August. In both cases, Turkish villagers said the bees died in sudden waves, rather than over a long period of time. (This would appear to rule out the possibility of death through such natural causes as bee mites, which—according to American scientific experts—would not produce sudden, large-scale deaths of adult bees.)

We have collected dead bee samples from three villages near the Iraqi-Turkish border—Altinsu, Incesu (both villages near the town of Semdinli), and Ortakoy. These samples have been sent to U.S. Government laboratories for analysis.

3. Dead Animals

When the Kurdish refugees fled to Turkey, they brought as much of their livestock as possible. Some of this livestock was said

to have been exposed to chemical weapons. In the Turkish village of Ortakoy, four horses that had reportedly been exposed to chemical weapons died within a few days. The horses were buried in ravines and deep pits near the village. A fifth horse looked weak and had raw burnlike marks on its side. A rash of animal deaths at the temporary refugee camp at Cigli was also said to have been caused by exposure to chemical weapons.

4. Difficulty of Obtaining Physical Evidence

The symptoms exhibited by some of the refugees, the waves of dead bees, and the sudden deaths of many animals provide physical evidence in support of the eyewitness accounts, but do not alone constitute conclusive evidence to support charges that Iraqi warplanes dropped chemical weapons on Kurdish villages from August 25 to August 27. However, the absence of certain physical evidence is more consistent with a chemical attack than with any other form of military attack that might have driven the seasoned Pesh Merga fighters and more than 65,000 Iraqi Kurds into Turkey. Had the Iraqis launched a conventional weapons attack against the Kurds, one would expect to see bullet wounds and other evidence of such an attack. Chemical weapons, by contrast, leave fewer visible traces. The scarcity of physical evidence of chemical attack is also not surprising in view of (*a*) Iraq's refusal to allow international observers to inspect the areas that were allegedly bombed; (*b*) Turkey's reluctance to allow a U.N.-sponsored team of medical experts to conduct a comprehensive examination of refugees who say they were exposed to chemical weapons; and (*c*) the inherent difficulties of diagnosing chemical weapons poisoning in individuals who are "lightly injured" and who were exposed to the chemicals several days before examination.

(*a*) Iraq's refusal to allow inspection: Iraq's use of chemical weapons against the Kurds in the town of Halabja last March was revealed after the Iranian army seized control of the town and exposed the Iraqi action. No such opportunity for public inspection exists in the current situation. In every refugee camp we visited, refugees called for the creation of a committee that would go to Iraq to investigate charges of chemical weapons use. These are not requests one would expect from individuals whose charges cannot be substantiated.

(*b*) Lack of expert examinations: The difficulty of obtaining physical evidence has been compounded by the fact that many refugees who complain of symptoms associated with chemical attacks have not been examined by doctors who are expert in the field. Because of the rarity of chemical weapons use since World War I, few doctors are able to conclusively pinpoint exposure to chemical weapons as the sole cause of some symptoms. Not surprisingly, Turkish doctors who told us they could not conclusively determine whether gas had been used acknowledged that they had no experience with patients suffering from chemical weapons attacks. Turkey has so far been reluctant to allow an international team of U.N. experts trained in chemical weapons effects to conduct a comprehensive examination of the refugees. In almost every camp we visited, the refugees asked that the "lightly wounded" refugees who had been exposed to chemical weapons be sent for expert analysis.

(c) Difficulty of diagnosing chemical use: Even with expert techniques, diagnosis of chemical warfare poisoning in humans can be difficult. The greatest difficulty in detecting such poisoning arises because those who survive a gas attack and manage to escape over the mountainous terrain along the Iraqi-Turkish border are bound to be the less severely injured. Furthermore, diagnosis of chemical poisoning becomes more difficult as the days pass and the symptoms become less pronounced. In addition, the likelihood of detecting traces of chemical gas in the body diminishes with time. Many gases react quickly in the body and are converted into other substances.

D. CONTEXT

1. Previous Iraqi Use of Chemical Weapons

Standing alone, the eyewitness accounts provide compelling evidence of Iraqi use of chemical weapons. These accounts, however, do not stand alone. Rather, they occur in the context of a documented record of Iraqi use of chemical weapons and in the context of a recent history of a particularly brutal suppression of the Kurds. That the eyewitness accounts are consistent with a known Iraqi modus operandi in the Iran-Iraq war and with Iraqi policy objectives in Iraqi Kurdistan clearly enhances the credibility of these accounts.

Iran first complained about Iraqi use of chemical weapons in a letter to the Secretary-General dated November 3, 1983. Following a February 27, 1984, Iraqi chemical attack, Iran sent the soldier/victims to hospitals throughout Western Europe for treatment. Doctors in Belgium, Sweden, and West Germany confirmed that the soldiers were victims of mustard gas.

In the 4 years following, Iraq repeatedly and effectively used poison gas on Iran. U.N. missions were sent to the region in March 1984, April 1985, February–March 1986, April–May 1987, March–April 1988, twice in July 1988, and most recently in mid-August 1988. In each instance the United Nations found that poison gas had been used, and in circumstances that clearly indicated Iraqi use.

By February 1988, Iran's military had achieved its high watermark of wartime success. Its forces occupied Iraq's Fao Peninsula in the south and substantial territory in the vicinity of Basra. In the north, Iranian-supported Kurdish insurgents had effective control of much of that rugged region's countryside, including the important city of Halabja. Feeling pressed, Iraq stepped up its use of chemical weapons and extended their use to Kurdish and Iranian civilian targets.

In March, the Iraqi Air Force attacked Halabja, a city of 70,000, with chemical weapons. The results, documented by Western journalists and television cameras, were grisly. Over 4,000 were dead, almost all Iraqi Kurds and almost all civilians. Entire families were wiped out and the streets were littered with the corpses of men, women, and children. Other forms of life in and around the city—horses, house cats, cattle—perished as well.

Iraq's use of gas on its own people in March was a mark of desperation. It also demonstrated the total ruthlessness of an Iraqi

regime manifestly willing to commit any act to defeat its foes. In this case, Iraq's ruthlessness worked.

The pictures of Halabja (and other chemical weapons victims) were shown on Iranian television. Intended to bolster the national will by showing the sins of the enemy, the pictures had an opposite effect. Recruitment into Iranian armed forces plummeted, Iranian military morale wavered, and in a few short months Iraq was able to retake its lost territory (making extensive use of chemical weapons). Iran was forced to accept an unwanted peace.

After Iran announced it would accept Resolution 598 providing for a ceasefire in the Iran-Iraq war, Iraq made one final chemical weapons attack on Iran. This time the target was an Iranian village near the two countries' border in the north. Many of the victims were Iranian civilians and the attack was seen both as a means to enhance Iraq's position at the negotiating table and as a warning to Iran against a resumption of the war.

While Iraq has hotly denounced United States allegations of chemical use on the Kurds, it has admitted using chemical weapons in the war. In a July 1, 1988, Bonn press conference, Iraq's Foreign Minister, Tariq Aziz, stated that both sides used chemical weapons and asserted a right to so do: "Every nation has the right to protect itself against invasion."

Iraq's use of chemical weapons on the Kurds in the August offensive is simply an extension of a military policy of indiscriminate use of chemical weapons against both military and civilian targets. Vehement denials of chemical weapon use in the latest offensive lose credibility in the face of this record.

The eyewitness accounts of chemical weapons use should also be viewed in the context of Iraqi policy toward its Kurdish population. Since 1985 this policy has been one of severe repression.

2. The Depopulation of Iraqi Kurdistan

Iraq's Kurdish policy provides a second context for evaluating the chemical weapons charges. The stated aims of Iraq's Kurdish policy are: (1) to deprive the insurgents of a population base from which to operate; (2) to punish those areas which attacked the motherland at its hour of supreme national crisis; and (3) to provide the Kurds the benefits of modern life. In reality, the policy is to depopulate Iraqi Kurdistan, and poison gas is an instrument of the policy. After the 1975 Algiers Accord put an end to an earlier phase of the Kurdish insurrection, the Iraqi Government created a security zone along its Iranian border. Villages within a certain distance of the border were demolished and the inhabitants relocated.

Following the intensification of the Kurdish insurgency in 1985, the Iraqi Government vastly extended the village demolition program. During a September 1987 staff trip through Iraqi Kurdistan, some 20 demolished towns and villages were observed on the roads leading from Baghdad and Baquba to Sulamanyeh (the capital of the Kurdish autonomous region) and along the road from Sulamanyeh to Kirkuk.

The scope of the destruction was impressive. Villages were dynamited and leveled with a bulldozer to ensure the population did not

return. Some of the villages were vast, with over a 1-mile road frontage.

According to the refugees, Iraqi troops have entered the gassed villages (after an interval to allow for the dissipation of the poison gas) and dynamited the villages. The pattern seems widespread and insurgent leaders provided us a list of 245 villages that have been destroyed in this manner, a list which itself represents only a small part of the total destruction.

Those Kurds moved out of the destroyed villages have been relocated to areas more securely under central government control. There they are provided building materials and told to construct new housing along a designated grid pattern. Some of these new villages are located in the lower parts of Iraqi Kurdistan. In each there is a military presence which enables the Iraqi Government to exercise control over the population's movements and to ensure docility through coercion and intimidation.

Some of the Kurds have apparently relocated to areas outside Kurdistan, including areas in Iraq's hot, flat south. For a people with millennia-old tradition of independence in a rugged mountain environment, these relocations are difficult. Many are unable to make the adjustments.

The relocation policy has been accompanied by substantial violence. Poison gas is, of course, one tool for ending resistance to such moves. More conventional atrocities also occur.

Iraqi Kurdistan is fast becoming a mountainous wasteland. Outside of Sulaymaniyya, Halabja, and two or three other large towns, there will be no permanent inhabitants. A centuries-old way of life will disappear from a region that has been continuously inhabited from near the beginning of human civilization.

Legislation passed by the U.S. Senate (S. 2763, The Prevention of Genocide Act of 1988) describes Iraq's conduct in Kurdistan as genocide. Under the Genocide Convention, the crime is defined as the destruction of a distinct religious, ethnic, or racial group. Iraq's policy of killings, gassings, and relocations does seem designed to destroy Kurdish culture, the Kurdish identity, and the Kurdish way of life. If not genocide under the terms of the treaty, Iraq's conduct certainly has many characteristics of this crime.

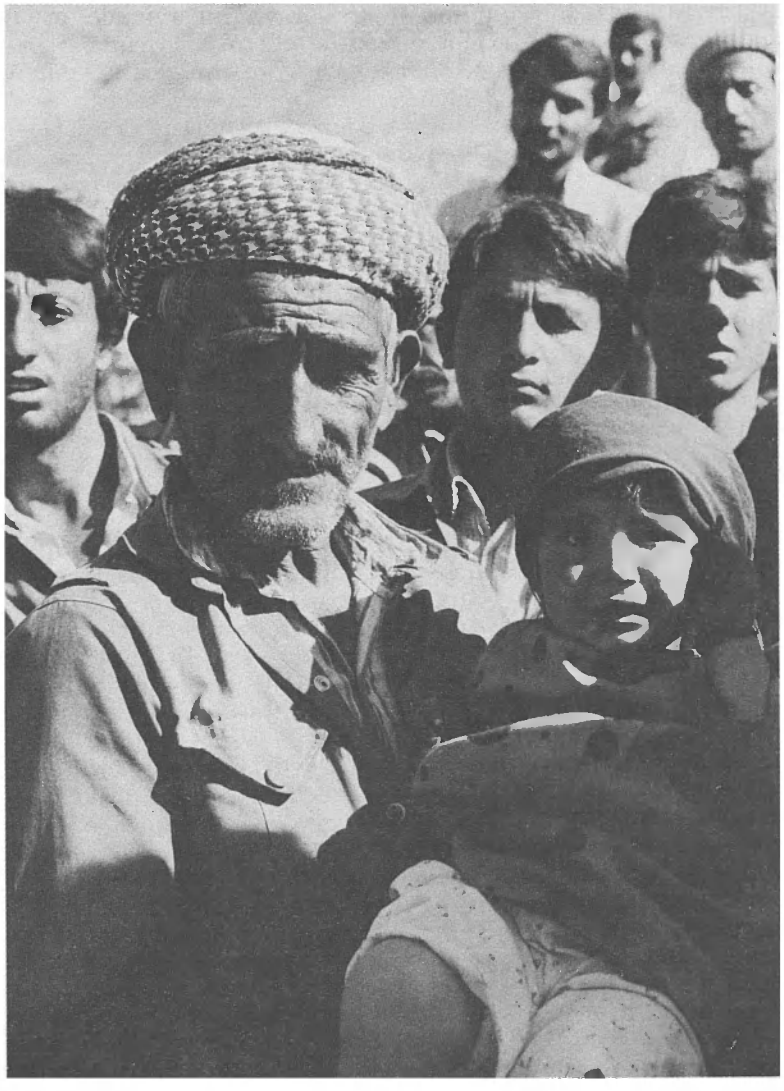
E. CONCLUSION

The powerful eyewitness accounts, the threads of physical evidence, and the pattern of past Iraqi use of chemical weapons provide overwhelming evidence that Iraq dropped chemical weapons on its Kurdish population in the northeastern reaches of Iraq from August 25 through August 27. That conclusion is supported by a September 15 New York Times report that the United States intercepted Iraqi military communications indicating that Iraq used chemical weapons against the Kurds in late August. The eyewitness accounts of the Iraqi Kurds suggest that a variety of chemical agents were used against them. Nerve gasses and lewisite, which contains arsenic, act immediately. Eyewitnesses reported that most of the gas victims died immediately. Other victims complained of the symptoms typically associated with other types of poison gas—severe nausea, vomiting, burnt and itchy skin, and blurry vision.

This portrait is consistent with earlier findings made by U.N. expert teams that investigated use of chemical weapons in the Iran-Iraq war and concluded that a variety of chemical agents were probably used.

The Kurdish Pesh Merga have been battling the Iraqi Government intermittently for 30 years. During that period they have become seasoned fighters. Like the Mujahidin who know every peak and valley in Afghanistan, the Pesh Merga know every nook and cranny in the rough mountain terrain of Iraqi Kurdistan. In 30 years of fighting, the Iraqi Army has been unable to snuff out the insurgency using conventional military means. Poison gas has provided them with a weapon of terror that the Kurdish fighters cannot hide from or defend against. As one Pesh Merga told us, before the use of poison gas "we could go into the caves in our region and hide. But the chemical gas goes into the caves as well and that's why we left."

Having used gas with effect against the Iranian Army, the Iraqis decided it could also be used to put a final end to the Kurdish insurgency. The Iraqis have not only used gas to ferret out fighters hiding in caves, they have used it indiscriminately against Kurdish villagers. The chemical massacre of Kurdish villagers in Halabja last March demonstrated the Iraqi's willingness to use chemical weapons not just as instruments of war, but as tools for mass murder. Indeed, the late August attacks were directed primarily against Kurdish villages, not the Pesh Merga camps. The Iraqi Government has concluded that if it destroys the families of the insurgents, the fighters will give up. As one Pesh Merga told us, "our families refused to stay in Iraq after the Iraqi army started using poison gas. We could not allow them all to be destroyed and we could not let them flee alone." Thus, poison gas is Iraq's ultimate weapon against its Kurdish insurrection.



Kurdish refugees at Cigli refugee gathering point.

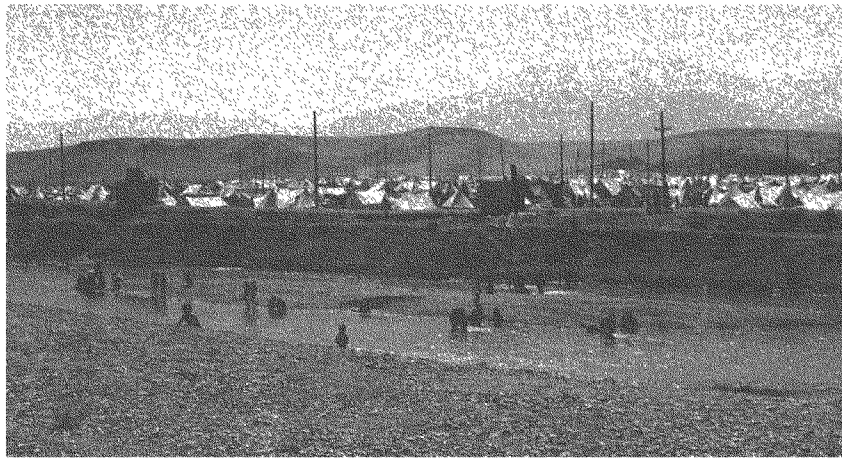
IV. The Refugee Situation

A. WELFARE OF THE REFUGEES

In the course of our investigation, we visited refugee camps in Diyarbakir, Silopi, Yusekova, and a refugee gathering point in Cigli. Together, these camps held an estimated 50,000 refugees at the time of our visit. In each of the established camps, we found the refugees well cared for by the Turkish authorities. Many of those with medical problems had been taken to Turkish hospitals. In the Diyarbakir, Silopi, and Yusekova camps, the Turkish authorities had erected tents, medical facilities, and telephones for the refugees. In contrast to these well-established camps, the refugees at the gathering area in Cigli had no shelter and little medical attention. While some of the refugees had been camping in poor conditions for almost 2 weeks, the Turkish authorities were making efforts to relocate them to the more permanent refugee camps. The refugees in every camp we visited were thankful for the refuge Turkey had provided them.

While Turkey has responded admirably to the immediate crisis, the long-term fate of the refugees is uncertain. Turkey's efforts on behalf of the refugees have already strained Turkey's limited resources. The Turkish Government has spent an estimated $4.5 million on refugee relief. The cost of caring for the refugees will climb dramatically as the cold Anatolian winter arrives and permanent shelter must be found. Prime Minister Ozal has estimated that the cost of caring for the refugees will rise to $300 million. Given that large sum, Ozal has appealed to the West to take about half of the refugees or to share the financial burden of supporting the refugees.

While the future fate of the refugees is uncertain, one thing is clear—the refugees do not want to return to Iraq under current circumstances. The refugees uniformly believe that President Saddam Hussein's promise of amnesty is a sham. No evidence exists to support the Iraqi claim that thousands of refugees have returned to Iraq. Indeed, Turkish officials said they had no reason to believe that any refugees had returned to Iraq. Nor did we encounter any evidence of refugees who wanted to go to neighboring Iran.



Yusekova refugee camp.

B. A BALANCING ACT FOR TURKEY

The refugees decision to remain in Turkey for the time being has not only placed a burden on Turkey's treasury; it has also forced the Turks to master a difficult diplomatic balancing act. Turkey has been severely criticized in the West for its refusal to allow its own Kurdish population a greater degree of cultural freedom. By accepting the Iraqi Kurds, Turkey hopes to dismiss such Western criticism and promote its ambition to enter the European Community. For this reason, Prime Minister Ozal recently said, "Turkey is a democratic country, respectful of human rights * * * Turkey's behavior in this affair is the best possible answer to accusations directed against us on this subject."

At the same time Turkey is reaching out to the West, it also hopes to maintain cordial relations with Bagdhad. Turkish businesses, particularly the excess capacity construction industry, see great profits in helping to rebuild a war-torn Iraq. Therefore, Turkey has been careful not to take any steps that could rupture its relations with Iraq. As a result, the Turkish Government is downplaying the poison gas stories—while carefully not denying their accuracy—and local authorities in the border region are now following Anakara's lead. At the time of the initial refugee influx, however, local Turkish officials reportedly told visitors they were convinced that chemical weapons had been used.

V. Policy Issues

A. THE PRECEDENT

The horrors associated with the use of chemical weapons in World War I led to the 1925 Geneva Protocol Banning the Use of Chemical Weapons in War. As 20th century war became more destructive and more deadly, this one taboo remained intact. Since 1925 the use of chemical weapons has been infrequent and usually in relatively isolated cases. Even Hitler did not employ chemical weapons, although his unique decision to respect this norm of international law was clearly motivated by a fear of allied retaliation and not altruism.

Iraq has now broken the 70-year hiatus on chemical weapons use in warfare. In its struggle with Iran, Iraq used poison gas extensively and effectively. Indeed, as suggested above, it was probably the decisive factor in the unexpected Iraqi triumph in the Iran-Iraq war.

Iraq's example is one that other countries are likely to look to. Unlike nuclear warheads, chemical weapons are easy and relatively cheap to manufacture. A country contemplating a nuclear bomb must figure out where to obtain fissile material and how to process it; the components for chemical weapons are widely and freely available. Nuclear technology can be, and is, subject to export controls and safeguards; because of the multiple use of the ingredients in chemical weapons, comparable chemical safeguards are not feasible. While nuclear weapons are state-of-the-art World War II technology, poison gas is run-of-the-mill World War I technology.

There is evidence other countries are already in the chemical weapons race. Libya, which has been frustrated in its 15-year effort to buy a nuclear bomb or to obtain mastery over nuclear technology, is now turning its efforts more successfully to chemical weapons manufacture. Iran has already developed some chemical weapons capability and is certain to want to try to match Iraq's capabilities.

B. THE MIDDLE EAST

Iraq's mastery of chemical weapon warfare has ominous implications for the Middle East. Israel has long considered Iraq the most formidable and dangerous of its Arab foes. Now it must contemplate an Iraq aimed with a weapon of mass destruction, which it has already used with military success.

Iraq is also feared by many of its Arab neighbors. For years Iraq actively claimed Kuwait as its own territory, and despite the fact that Kuwait was Iraq's most loyal ally in the war (a loyalty for which it paid a price), Iraq has refused to give up its territorial claims. Iraq's assertion of pan-Arab leadership is often resented by

other Arab nations and has occasioned a major dispute with Syria. These states, too, view Iraq's acquisition of a chemical weapons capability with alarm.

Ironically, a chemical weapons-equipped Iraq may pose a greater danger to Israel than the potential nuclear-armed Iraq that provoked the 1981 Israeli raid on a Iraqi nuclear plant. Nuclear weapons are ill-suited to the small spaces of the Middle East. The fallout from a nuclear attack on Israel could severely affect its neighbors. Chemical weapons do not pose the same problem.

Further, chemical weapons may be more usable than nuclear weapons. Nuclear weapons remain a weapon of last resort, but Iraq's conduct has dramatically lowered the threshold for use of chemical weapons.

C. AS AN ANTI-INSURGENCY WEAPON

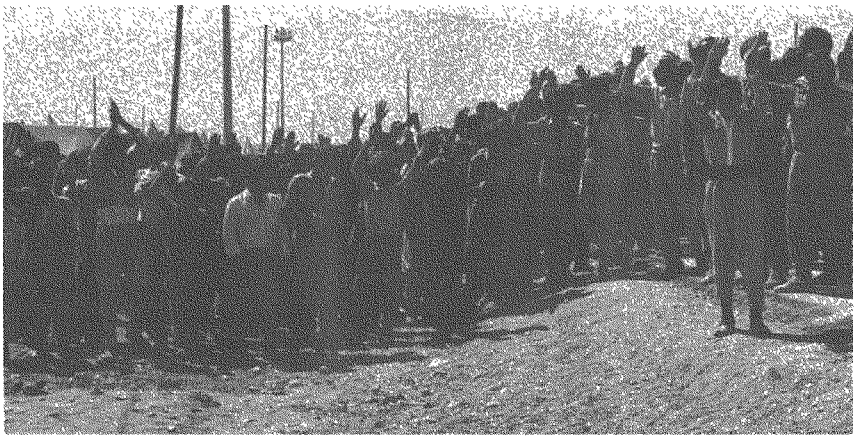
Use of chemical weapons in an international conflict carries with it the risk that an adversary will retaliate. However, this is not true when such weapons are used against insurgent or guerrilla forces, thus making chemical weapons an ideal counterinsurgency weapon.

Iraq's performance in Kurdistan is the case in point. The Kurdish insurgents have been fighting Baghdad for some 30 years. While the struggle has had its ebbs and flows (most usually related to the levels of Iraq-Iran tension), the Pesh Merga had been able to sustain their struggle until August 25.

With chemical weapons, Iraq was able to rout the Pesh Merga within a week. The effectiveness of this terror tool is attested by the fact—often cited in Turkey—that this refugee influx was the first such exodus from Iraq in 30 years of Pesh Merga struggle.

D. UNITED STATES POLICY

The Reagan administration has responded to Iraq's use of poison gas with diplomatic protests, support for a U.N. resolution, and with tough public talk. However, since the first United States comment on Iraqi chemical weapons use in March 1984, the administration has been unwilling to take any concrete, punitive action against Iraq. The Senate-passed bill (S. 2763) puts some muscle behind what has until now been only rhetoric. The legislation has clearly grabbed Iraq's attention in a way that tough talk has not. Days after the legislation passed the Senate, the Iraqi regime orchestrated anti-United States protests in Bagdhad. At the same time, while we were at the Silopi refugee camp, the Kurdish refugees erupted in a spontaneous chant of "Long Live America."



Pro-American demonstration at Silopi refugee camp (in response to U.S. Senate passage of the Iraq sanctions bill).

Nevertheless, despite the fact that Iraq's latest use of chemical attacks proves its disdain for the handwringing of the international community, the administration has called the Senate bill "premature." It opposes efforts to impose immediate sanctions against Iraq until Iraq foreswears the use of chemical weapons.

Indeed, rather than seriously pressuring Iraq to cease its unacceptable use of chemical weapons, United States relations with Iraq have warmed considerably since the first United States protests. In November 1984, the United States and Iraq reestablished diplomatic relations after a 17-year hiatus. Eager to strengthen economic ties with a country that holds the non-Communist world's second largest proven oil reserves, the administration generously provided Iraq with credit guarantees worth $600 million to purchase United States agricultural exports.

Finally, and most importantly, the Reagan administration assisted Iraq's military and diplomatic efforts to stave off defeat by Iran. Such assistance included: (1) leadership of an effort to embargo arms sales to Iran (Operation Staunch); (2) the sharing of intelligence, at least according to Iraqi Government statements; (3) the escorting of the oil tankers of Iraq's ally Kuwait, which in turn led to a United States-Iran naval confrontation; and (4) leadership in the effort to secure a mandatory U.N. resolution to end the Iran-Iraq war.

This pro-Iraq tilt was not, of course, a fully consistent policy. In 1985 and 1986, the United States was secretly assisting Iran, providing United States arms to the Iranian military. Ultimately, however, embarrassment following the exposure of the administration's arms-for-hostages policy resulted in an even stronger pro-Iraq tilt.

Under these circumstances, the Iraqi regime looked to United States actions in the wake of the chemical weapons use and not to the words.

While tough U.S. talk substituted for concrete action, the United States was nonetheless unique in at least speaking out. The rest of

the international community, focused on its opposition to Iran and on expanding economic opportunities with Iraq, was largely silent in response to the clear evidence of extensive Iraqi chemical weapons use.

As a consequence, Iraq has been able to use chemical weapons on Iran and against its own people without paying any price in its political or economic relations with other nations. The lack of international response has encouraged Iraq to make more extensive use of chemical weapons and is, of course, instructive to other nations that might contemplate developing a chemical weapons capability.

The Iraqi regime is as brutal a dictatorship as exists in the world today. Global public opinion counts for little in Baghdad. On the other hand, the Iraqis do understand more direct forms of pressure. As it seeks to rebuild after 8 years of warfare, Iraq will be looking to Western loans, to Western commercial credits, and to Western technology. Sanctions that affected Iraq's ability to borrow or to import Western goods, including technology, could make the price of continued chemical weapons use and of continuing the slaughter in Iraqi Kurdistan unacceptably high. This is particularly true since Iraq's most recent use of chemical weapons is totally unrelated to the struggle for national survival against Iran.

The fundamental question, then, is whether the world community will summon the will to exercise its very clear leverage to deter Iraq and others from the production and use of chemical weapons. Right now the Kurds are paying the price for past global indifference to Iraqi chemical weapons use; the failure to act now could ultimately leave every nation in peril.

APPENDIX

APPENDIX A

CHRONOLOGICAL COMPILATION OF STATEMENTS BY THE ADMINISTRATION ON THE USE OF CHEMICAL WEAPONS BY IRAQ

1. **March 5, 1984**
   Department Statement: Chemical Weapons and the Iran-Iraq War. John Hughes
2. **March 30, 1984**
   Department of State Daily Press Briefing
3. **April 1, 1984**
   Shultz interview: Meet the Press
4. **April 4, 1984**
   President Reagan, News Conference
5. **April 18, 1984**
   Bush address to CD in Geneva (Mentions Middle East, not specifically Iraq)
6. **May 14, 1984**
   Shultz address to League of Women Voters
7. **May 31, 1984**
   North Atlantic Council, Final Communique
8. **July 17, 1984**
   Anzus Communique
9. **September 1984**
   State Department Publication: Security and Arms Control
10. **November 14, 1985**
    Shultz news conference
11. **June 5, 1986**
    Department of State Daily Press Briefing
12. **July 31, 1987**
    Department of State Press Statement: "New CW-Related Export Controls"
13. **October 18, 1987**
    Shultz remarks at Weizman Institute, Rehorot
14. **May 9, 1988**
    Ambassador Walters Statement to U.N. Security Council Resolution 612
15. **September 6, 1988**
    Department of State Press Briefing
16. **September 7, 1988**
    Department of State Press Briefing
17. **September 8, 1988**
    Department of State Press Briefing
18. **September 8, 1988**
    Shultz meeting with Iraqi Minister of State Hammadi
19. **September 12, 1988**
    Department of State Press Briefing
20. **September 14, 1988**
    Department of State Press Briefing
21. **September 15, 1988**
    Department of State Press Briefing
22. **September 16, 1988**
    Department of State Press Briefing

APPENDIX B

KURDISH VILLAGES IN IRAQ EXPOSED TO CHEMICAL WEAPONS

1. Dubanche
2. Barhule
3. Vermil
4. Baze
5. Hese
6. Ermisht
7. Kamyabaska
8. Belut
9. Zirhawa
10. Berkule
11. Birgini
12. Afuke
13. Blecane
14. Borghule
15. Dergel
16. Sernae
17. Ekmala
18. Berchi
19. Zavita
20. Geregu
21. Khorbiniye
22. Berkeure
23. Ruyse
24. Kraba
25. Mergeti
26. Zewa
27. Spindar
28. Meze
29. Tika (Duka)
30. Nihristeki
31. Warneze
32. Bilejane
33. Rudaniyo
34. Sarki
35. Birgin
36. Sergirki
37. Bawerke
38. Nafiske
39. Sherana
40. Zewehkan
41. Gelnaske
42. Telagru
43. Bergabore
44. Xirabe
45. Sivye
46. Zevko
47. Nazdure
48. Zinawa
49. Siyare

APPENDIX C

ITINERARY

September 12
Diyarbakir—refugee camp
Mardin
Nusaybin

September 13
Departed Nusaybin
Cizre
Silopi—refugee camp
Returned Cizre
Sirhak
Ortabaz village on the Iraqi border
Spent the night with Sefik Berk and his family at Ustbeyar neighborhood of Ortaloy village.

September 14
Visited the Cigli refugee camp
Gukurca
Hekkari—hospital
Yuksekova—2 refugee camps
Overnight at Turkish Highway Department Guest House

September 15
Semdinli—Altinsu and Incesu villages
Yuksekova, Guzelsu (Hasab castle), Van

APPENDIX D

PREVENTION OF GENOCIDE ACT OF 1988

100TH CONGRESS
2D SESSION

S. 2763

Entitled the "Prevention of Genocide Act of 1988".

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 8 (legislative day, SEPTEMBER 7), 1988

Mr. PELL (for himself, Mr. HELMS, Mr. BYRD, Mr. LEVIN, Mr. FORD, Mr. PROXMIRE, and Mr. GORE) introduced the following bill; which was read the first time

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A BILL

Entitled the "Prevention of Genocide Act of 1988".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.—This Act may be cited as the "Prevention of Genocide Act of 1988".

SEC. 2. FINDINGS.—The Congress finds—

(i) the Kurdish people constitute a distinct ethnic group of some twenty million, with an ancient history and a rich cultural heritage;

(ii) three to four million Kurds are citizens of Iraq, residing in the northern part of that country;

(iii) the Iraqi Army has undertaken a campaign to depopulate the Kurdisb regions of Iraq by destroying all Kurdish villages in a large part of northern Iraq and by killing the civilian population;

(iv) conclusive evidence exists that the Iraqi Army has been and is continuing to use chemical weapons against Kurdish insurgents and unarmed Kurdish civilians;

(v) tens of thousands of Kurdish survivors of the Iraqi Army assaults have taken refuge in Turkey;

(vi) Iraq's use of chemical weapons is a gross violation of international law; and

(vii) Iraq's campaign against the Kurdish people appears to constitute an act of genocide, a crime abhorred by civilized people everywhere and banned under international law.

SEC. 3. (a) SANCTIONS AGAINST IRAQ.—The United States Executive Director or representative at all international financial institutions of which the United States is a member is instructed to vote against all loans to Iraq.

(b) The United States shall provide no assistance, shall make no sales of any kind of military equipment, shall provide no credits, and shall provide no guarantees of any credits to Iraq.

(c) No item subject to export controls by any agency of the United States shall be sold or otherwise transferred to Iraq.

(d) No oil or petroleum products produced in Iraq shall be imported into the United States.

SEC. 4. WAIVER.—The President may waive the sanctions contained in section 3 if he determines and so certifies in writing to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the United States Senate that—

(i) Iraq is not committing genocide against the Kurdish population of Iraq; and

(ii) Iraq is not using chemical weapons banned by the 1925 Geneva Conventions and has provided reliable assurances that it will not use such weapons.

SEC. 5. COMMENDATION OF TURKEY.—The Congress commends the Government of Turkey for its humanitarian decision to host thousands of Kurdish people fleeing extermination in Iraq. The President is requested to convey to the Government of Turkey this commendation.

SEC. 6. ASSISTANCE TO KURDISH REFUGEES.—It is the sense of the Congress that the United States should provide assistance to Kurdish refugees in need of medical treatment and other humanitarian aid.

SEC. 7. UNITED NATIONS.—The Secretary of State is requested to immediately bring before the Security Council of the United Nations the matter of Iraq's use of poison gas against its own nationals, most of whom are defenseless civilians, and demand that, in accordance with United Nations Security Council Resolution 620, appropriate and effective measures be taken against Iraq for its repeated use of chemical weapons.

SEC. 8. EFFECTIVE DATE.—This Act shall take effect on enactment.

O