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# The Al-Anfal Campaign; Genocide or Politicide?

*A literature study about the basis for the US standpoint towards the Al-Anfal campaign.*

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## **Abstract**

The purpose of this research is to understand why the US didn't recognize Al-Anfal campaign to be a genocide. A research question was therefore made: *Why did the US reject Al-Anfal campaign as a genocide?* To answer this question, the definition of both politicide and genocide had to be clearly defined to understand how a conflict could be categorized. This is in order to understand the US point of view on the conflict, and to make it easier to explain the reasons behind their unrecognition of Al-Anfal campaign being a genocide. By defining and connecting both terms up to the political conflict between the US and Iran, this master thesis will show how the US chose to cooperate strategically with Iraq to fight the Iranian revolution. These connections are important, since they describe the support Saddam Hussein received from US, which gave him the opportunity to make a revenge on Kurds who cooperated with Iran. The conclusion is that the US rejected to recognize Al-Anfal based on their cooperation with Iraq and their view of Al-Anfal as a political conflict.



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# 1 Introduction

## 1.1 Theme

Genocide as a term, is widely known through the international community (Cooper, 2008). Through history, we have seen brutal mass killings of Jews by the Nazis during World War II (Jones, 2011), and the mass killing in Rwanda (Shaw, 2015). Even though the term is well known, there are events where states disagree about whether an event could be recognised as a genocide, and Al-Anfal event in Iraq is such an example (Harff, 2003; Middle East Watch, 1993; Kaveh, 2014). In 1988 the Iraqi army attacked and killed Kurds within the northern region of Iraq and destroyed many villages. This event became what's known as Al-Anfal Campaign. Some scholars and states don't agree upon the campaign as a genocide, which is an interesting phenomenon. Since I'm interested in Middle Eastern politics, I chose to do a master thesis about the Al-Anfal campaign in Iraq. This is a broad topic, where we can find many researches regarding this field. What we can see missing within the research field, is research about why states have different opinions regarding whether to consider Al-Anfal to be a genocide or a politicide. Through this theme, I will have an opportunity of doing a research that might help other scholars, as well as it will narrow my research to have the possibility of retrieving relevant data. My main focus in this thesis is to understand why the US chose not to recognise Al-Anfal as a genocide, and whether their political involvement had an impact on their unrecognition.

## 1.2 Research question

This gave me the idea of creating the following research title: The Al-Anfal Campaign; Genocide or Politicide? A literature study about the basis for the US standpoint towards the Al-Anfal campaign. The title will make it clearer for the reader to know that my field of research would be connected to human rights, where I will look at how the US defines the terms genocide and politicide. This is where my research question comes in:

*Why did the US reject the Al-Anfal campaign as a genocide?*

Since my research question involves understanding different standpoints, including whether the campaign could be recognized internationally, I had to create a supplementary question to help me further with my thesis: What were the reasons for the Al-Anfal campaign? The question is relevant because we will have to understand the Al-Anfal campaign to know the reasons behind the US viewpoint. When referring to the United States of America, I will be using both terms “USA” and “US”. The same goes with the Al-Anfal campaign, which can be referred to as “Anfal” and “Al-Anfal”.

## 1.3 Definitions

### 1.3.1 Genocide

We can see that the definition of genocide changes after time, and that its previous definition came with the scholar Lemkin, who defined it as a planned, and coordinated destruction, that is targeting a racial, religious, national, or an ethnic group. Their aim would be to destruct their foundations in which they would annihilate them culturally or physically (Jonassohn & Chalk, 1987, p. 7; Lemkin, 1944). A three-part typology was therefore created by Lemkin, that’s based on genocide, where he describes that the focus of the first incidents of genocide that has occurred in the Middle Ages, had the focus on destroying groups or nations. The second part of genocides are mentioned to be related to the aim of destroying a specific culture of a population, without harming them physically. The third part of genocides are compared to the Nazi genocide, in which it was combined by both modern and ancient types of genocide, in which it was referred to by Lemkin as a hybrid version, where the selection of some groups and people to be exterminated, while others were selected for ethnocidal assimilation. These three parts of typology mentioned by Lemkin helps us to distinguish between different categories of genocide. What we can see is that Lemkin couldn’t anticipate changes within states that later created genocides internally within nations, where genocide from the twentieth-century became a case where states harmed specific groups physically, that consisted of their own population (Jonassohn & Chalk, 1987, p. 8; Lemkin, 1944).

Another scholar who followed the footsteps of Lemkin was Vahakn Dadrian, who mentioned five different types of genocides:

(1) cultural genocide, in which assimilation is the perpetrator's aim; (2) latent genocide, which is the result of activities with unintended consequences, such as civilian deaths during bombing raids or the accidental spread of disease during an invasion; (3) retributive genocide, designed to punish a segment of a minority which challenges a dominant group; (4) utilitarian genocide, using mass killing to obtain control of economic resources; and (5) optimal genocide, characterized by the slaughter of members of a group to achieve its total obliteration, as in the Armenian and Jewish holocausts (Jonassohn & Chalk, 1987, p. 9).

One of the scholars who have mostly contributed his work on genocide, and especially problems related to genocidal motivation and process is called Leo Kurper (Jonassohn & Chalk, 1987, p. 9). He discusses three different types of motives behind genocide, in which he mentions "(1) genocides designed to resolve religious, racial, and ethnic differences; (2) genocides intended to terrorize a people conquered by a colonizing empire; and (3) genocides perpetrated to enforce or fulfill a political ideology" (Jonassohn & Chalk, 1987, p. 10).

Kuper was mostly concerned about the increasing events of genocide within modern times. That's because the events of modern genocides happen mostly internally inside nation-states, and especially in states that consist of plural populations. He therefore mentions two kinds of groups that are excluded from the United Nations (UN) definition of genocide. One of these groups are victims who have been affected by mass political violence, while the other includes attempts of destroying a specific economic class. Kuper explains that earlier occurred cases that were related to mass political violence, could have been categorized as a genocide, if different political groups were protected through the United Nations Convention (Jonassohn & Chalk, 1987, p. 10). Through his description, we can understand that there are some unprotected and vulnerable groups, since the UN Convention has a missing part, where it doesn't protect everybody. Such an example could be related to the Al-Anfal campaign, where the discussion regarding the consideration of Al-Anfal to be a genocide is divided.

Some states such as the US, describes Al-Anfal campaign being a political conflict, and is therefore considered to be a politicide. Other states that disagrees upon the unrecognition of the event, have the same standpoint as Kuper, where they consider the events of Al-Anfal as being related to mass political violence, where it's supposed to be categorized under the Genocide Convention.

It becomes clear that the definition of genocide doesn't include the extermination of economic and political groups, which makes it difficult to measure Al-Anfal campaign up to the definition to come to a conclusion. When looking at the definition of genocide today, we will see that the UN defines it in Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide (1948) (Ishay, 2008; Jonassohn & Chalk, 1987, p. 11). Since there are many misconceptions regarding the definition of genocide, it might be wise to mention the most accepted definition, that's found "in the 1948 United Nations Convention on Genocide" (Jonassohn & Chalk, 1987, p. 11), which states the following:

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

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group (Jonassohn & Chalk, 1987, p. 11).

### 1.3.2 Politicide

Compared to genocide, the term politicide is different where it defines groups through their political resistance against the regime. If we relate politicide as a term to Al-Anfal campaign in Iraq, where it's said that Kurds were targets of genocide, we can see the difference between both genocide and politicide. While it's said that many Kurds suffered of genocide, there exist contrary facts about that many Kurds served within the Iraqi military, worked in the governmental bureaucracy, while many were members of president Saddam Husseins ruling Baath party. This situation shows us that the Baath party wasn't targeting every Kurdish citizen, and it becomes clear that Kurds who got attacked during Al-Anfal, had been either involved or supported the Patriotic Union of Kurdistan (PUK) or the Kurdish Democratic Party (KDP). From this perspective the event could be described as a politicide (Harff, 2003, p. 58). Therefore, it's said that politicide is used to preserve stability of the government, in which their solution would be to eradicate any citizen or a group whom is found to be threatening. Because of the situation, it's argued that a government would use politicide to preserve its stability, especially when the opposition create a threat against the government. That's why anyone who is targeted by a politicide is labelled by the government as a subversive (Uzony, 2014, p. 319). Aguila (2006, mentioned in Uzony, 2014, p. 319) explains that the reasons behind what constitutes the subversion isn't clear through politicide. This is because when a government feels that a group is threatening them, they will attack the whole group without facing a specific enemy. It's therefore described, and I quote:

Domestic unrest should increase the government's willingness to use politicide to keep non-militarized unrest from leading to violent challenges to the regime. In response to unrest, the government may engage in violence designed to keep the population confused and unable to coordinate resistance to the government's attacks. In this manner, the government is able to stop unrest from developing into civil war by preventing the formation of organized resistance groups through terrorizing cross-cutting segments of the civilian population with mass killings (Uzony, 2014, p. 319).

## 1.4 Academic background

My academic background is based on political science, where I wrote a bachelor thesis about the genocide in Rwanda. This gave me knowledge about how international and non-governmental organizations work, and how they deal with genocidal crimes. Genocide as a term became interesting and I wanted to study a different conflict that is more complex, in which there exist a disagreement between states about whether a specific event could be recognized as a genocide. That's when I found Al-Anfal campaign as an interesting conflict. The Al-Anfal events in Iraq has not yet been internationally recognized like for example Rwanda and studying the case would give me the opportunity to do a research which could help other scholars with insight on the conflict. To do a research on genocide and politicide through the US point of view, we might understand the reasons behind their unrecognition of Al-Anfal being a genocide. This theme is relevant for the studies of peace and conflict, since it's related to human rights.

## 1.5 Structure of the thesis

After the introduction chapter, the structure of the thesis is the following:

**Chapter 2:** A methodological chapter, where the research method is described.

**Chapter 3:** A chapter where my analysis is presented.

**Chapter 4:** Where the findings from the analysis is discussed.

**Chapter 5:** Summarizes and concludes the thesis.



## 2 Methodology

Within my master thesis, I have considered of doing a qualitative method to retrieve required data and information for my research. What's considered to be important when doing a research is to obtain information that is valid and reliable, where we can make sure that the collected data can be matched with the research question, as well as it can be matched with reality. In this chapter of my master thesis, I will be focusing on my chosen field of methodology.

### 2.1 Literature study

When I had to start collecting data, there were some decisions that had to be made. I had to consider of either doing a quantitative or a qualitative method. Since my research is related to understanding different standpoints and definitions, it was more logical to choose a qualitative research method. That's because qualitative method gives me the opportunity to study data in depth, where we will have the opportunity to study and analyse which factors played an important role regarding how the US considered the Al-Anfal conflict (Bryman, 2012; Thagaard, 2013). Of course, there are many different directions in a qualitative method, where some include interviews, while others are about doing a literature study, in which a researcher must collect, analyse and compare literature to answer a research question (Hart, 1998; Jesson, 2011). Since a literature study fits my research field, I chose to use a literature study based on published articles, books and other relevant documents.

By choosing a literature study as a method, it will give me the opportunity to analyse different publications and articles, and this will give me the possibility of comparing and analysing information (Hart, 1998; Hart, 2018; Støren, 2011). When choosing a specific method, we must go through its strengths and weaknesses to understand what we are able to achieve, and it will make it easier for me to continue my path. When I tried to gather data by searching for relevant articles, I had difficulties in finding relevant data that mentions the reasons behind the US standpoint, which regards their recognition of Al-Anfal campaign being a politicide. On the bright side, I found relevant data about how states in general consider and translate the meaning of the Genocide Convention differently, in which it gives a different understanding of the term.

## 2.2 The searching process

To collect data requires knowledge about the processes, and where I will be able to search to get the required information. When collecting data, I had to choose a valid and reliable searching engine which had to be recognized for its reliable sources. My option was to choose between different types of searching engines, in which I chose “Oria” and “Google Scholar” when going through the process. I chose “Oria” since it has a database within the University’s library webpage, that gives access to many articles, as well as books that can be ordered through the University’s library. When using the searching engine in “Oria”, I had to use specific terms within the searching engine to define what I’m focusing on finding, in which I searched for “*Al-Anfal AND genocide*” and “*Al-Anfal AND politicide*”. Here we will notice that “AND” with capital letters tells the searching engine that we are looking for literature which includes both terms. Searching after information that’s written in another language gave no limitation since I found relevant books that was written in Norwegian by searching for “*folkemord i Irak*”, which is translated into “*genocide in Iraq*”. By using this method, I had the opportunity to find books that contained information about Al-Anfal, and definitions regarding both politicide and genocide. After collecting the required information, I had to check if the sources were valid and reliable, no matter if they were collected from recognized websites. To do so, I had to compare the collected articles up to other research articles to find out about their reliability, while I had to check if the information that is showed in the article is based on reality to know whether it’s valid or not.

Another searching engine that has been used is “Google Scholar”, where I had the opportunity to find many other relevant articles. By using “Google Scholar” I found many articles that came from unknown sources, which made me sceptical, and I had to go through every single article to find out about whether if it’s valid and reliable, compared to other articles. A list of my searching keywords in both Oria and Google Scholar, are the following:

- “*The Anfal campaign*”
- *Anfal AND genocide*
- *Al-Anfal AND genocide*
- *Anfal AND politicide*
- *Iraq AND genocide*

- *Iraq AND politicide*
- *Iraq AND genocide AND politicide*
- *Al-Anfal AND USA*
- *folkemord i Irak*
- *genocide and politicide*

By collecting and reading different articles and books, I had the opportunity to see references that were used by scholars who wrote their articles. By collecting their references, I had the chance to find more literature regarding Al-Anfal, and the US perspective on the conflict. This made it more possible to find different opinions and drafts regarding the research question, which gave a deeper understanding of the situation when it came to the US, as well as the Iraqi regime and the Kurds.

When searching in Oria, I focused on choosing articles that were peer reviewed, because it would be a measure to ensure that my data material consist of articles with high quality. Likewise, the publisher of a book can be a way of uncovering credibility (Booth et al., 2016; Dalland & Trygstad, 2012). After choosing literature based on its quality, I read through the references of books and articles. This is important to find relevant information, which could be included.

### 2.3 Data material

Based on my searching process, I chose to have the following literature as my data material:

<b>Author</b>	<b>Title</b>	<b>Type of literature</b>	<b>Content</b>
Baser & Toivanen (2017)	The politics of genocide recognition: Kurdish nation-building and commemoration in the post-Saddam era	Article, published in Journal of Genocide Research	It describes the reasons for recognising Al-Anfal to be a genocide, and how the genocide recognition works.

Bruinessen (1992)	Agha, Shaikh and State. The Social and Political Structures of Kurdistan	Book, published by Zed Books	This book was used as an introduction to Kurdistan and the Kurds
Bruinessen (1994)	Genocide in Kurdistan?: The Suppression of the Dersim Rebellion in Turkey (1937-38) and the Chemical War Against the Iraqi Kurds (1988)	Book chapter in Andreopoulos' "Genocide: Conceptual and Historical Dimensions", published by University of Pennsylvania Press	Discussion regarding how to categorize the campaign through looking at the Iraqi regimes intention.
Harff (2003)	No Lessons Learned from the Holocaust? Assessing Risks of Genocide and Political Mass Murder since 1955	Article, published by The American Political Science Review	Gives an definition of politicide and genocide, and use the Al-Anfal as an example of politicide.
Hiltermann (1994)	Bureaucracy of Repression: The Iraqi Government in Its Own Words	Report, published by Human Rights Watch	Contains government documents related to the Al-Anfal campaign.
Hiltermann (2007)	A Poisonous Affair: America, Iraq, and the Gassing of Halabja	Book, published by Cambridge University Press	Contributed to the understanding of USA actions during the Al-Anfal.
Hiltermann (2008)	The 1988 Anfal Campaign in Iraqi Kurdistan	Article, published by Online Encyclopedia of Mass Violence	Introduction to the Al-Anfal campaign.

Johns (n.d.)	The Crimes of Saddam Hussein: 1988 The Anfal Campaign	Article, published by Frontline	A summary of Al-Anfal
Kaveh (2014)	Folkemord i Kurdistan – et eksempel på politiscid?	Book chapter, published in Folkemordenes svarte bok.	A discussion about the Al-Anfal campaign and politiscide.
Kelly (2005)	The Tricky Nature of Proving Genocide against Saddam Hussein before the Iraqi Special Tribunal	Article, published by Cornell International Law Journal	Discussion of the difficulties of categorizing Al-Anfal as a Kurdish Genocide and sentencing Saddam Hussein
MacDowall (2000)	A Modern History of the Kurds	Book, published by I.B. Tauris	Thorough account of Kurdish history
Middle East Watch (1993)	Genocide in Iraq: The Anfal Campaign Against the Kurds.	Report, published by Human Rights Watch.	Mentions the timeline of Al-Anfal, and the developing conflict between Kurds and the Iraqi regime. Based on their research, the book recognises Al-Anfal to be a genocide.
Montgomery (2001)	The Iraqi Secret Police Files: A Documentary Record of the Anfal Genocide	Article, published by Archivaria.	It's relevant since it mentions the link between Al-Anfal and the Iraq-Iran war.

Oliver (2006)	Saddam co-defendants deny Anfal genocide	News article, published by The Guardian	News article who covered the trial after the fall of Saddam Hussein
Power (2002)	“A Problem from Hell”: America and the Age of Genocide.	Book, published by Harper Perennial	Describes different kinds of genocide, including the Al-Anfal campaign in Iraq.
Saeedpour (1992)	Establishing State Motives for Genocide: Iraq and the Kurds.	Book chapter, published in Genocide Watch.	Explains the violations made by the Iraqi regime against the Kurdish population.
Trahan (2009)	A Critical Guide to the Iraqi High Tribunal’s ANFAL judgment: Genocide against the Kurds.	An article, published in Michigan Journal of International Law.	This article shows the convictions on former high officials in Iraq.
Tripp (2007)	A History of Iraq	Book, published by Cambridge University Press	Introduction to Iraqi history
UNPO & the Kurdish Regional Government (n.d.)	The Kurdish Genocide: Achieving Justice through EU Recognition	Paper, published by EU	UNPO & the Kurdish Regional Government appeals to the EU in an attempt to get them to recognize Al-Anfal as a Kurdish genocide



## 2.4 Triangulation

Since the literature study involves comparing and studying relevant data against each other to find an answer to our research question, I therefore had to focus on measures, to be able to evaluate different sources' validity and reliability. Through this method, I will have the possibility to read a document, as well as comparing it to the researchers' background, which includes obtaining their standpoints. Such examples could be that there is a higher probability of an individual with a Kurdish background of considering the campaign to be a genocide, while other scientists from other backgrounds might have a different opinion (Dalland & Trygstad, 2012).

Therefore, the focus of my master thesis, will regard reasons behind the US standpoint, and the causes for unrecognising Al-Anfal campaign to be a genocide. There are many opinions, reasons and perspectives behind their point of view, and I will mostly focus on their standpoint that affects their decisions. Because of the opportunity of obtaining reliable sources, it will be possible to compare them, and get the same answers, which will help us through triangulation, to find an answer to my research question (Bryman, 2012).

Through my explanation of the method, we will understand that the thesis will consist of triangulation, which derives from literature study, where it will consist of examining different scientists' standpoints regarding why the US looks at Al-Anfal conflict differently compared to other western states. Triangulation as a method, is associated with using different methods to check and compare the validity, as well as the reliability of the collected data. In my case it will be about obtaining and comparing different sources with each other (Bryman, 2012, p. 392). By using this method, I will have the opportunity of comparing if there are many scientists who has the same opinion regarding the conflict, or if there happens to be different opinions and standpoints. When there occur different understandings of the situation among researchers, it will be important to compare their reliability, as well as their background. If we notice that some of the scientists show through their work strong signs of personal opinions, we can say that it will show weaknesses, especially when it comes to its objectivity. We must therefore exclude these kinds of articles from our research. Triangulation wouldn't only help by removing unreliable sources, it will also give me a deeper and a greater understanding of the field, by comparing and analysing different opinions, perspectives and documents.

## 2.5 Genocide Convention

We can see that my master thesis is related to international laws, human rights and especially the subject area of Al-Anfal campaign, which regards USAs political standpoint, especially when it comes to whether Al-Anfal is to be considered a politicide or a genocide. Therefore, I will be focusing on mentioning an international convention. The most important convention is “the Convention on the Prevention and Punishment of the Crime of Genocide” from 9<sup>th</sup> of December 1948, which is known as “the Genocide Convention” (Genocide Convention, 1948).

## 2.6 Methodological reflection

The reliability of the thesis is related to the project’s credibility and whether the methodological implementation is reliable (Thagaard, 2013, p. 201). The validity on the other hand, deals with the interpretations made by the researcher (Thagaaard, 2013, p. 204). My data material consists of literature, which is expected to answer my research question and the supplementary question. It might be that there exist other relevant sources that haven’t been included in my thesis, but as long as I have answered my research question, this alone shows that I have an adequate data material. The chosen literature has been quality assured, which is an important measure in a literature study. These measures ensure my thesis’ reliability, as well as validity. The literature study has its interpretations based on literature, and my conclusions are therefore justified in the literature.

### 3 The Al-Anfal Campaign from an American perspective

When we try to define genocide as a term, we will notice that there are weaknesses when it comes to the genocide convention. Events that are politically motivated, such as for example mass killings, are difficult to categorize as a genocide, and this can especially be related to a specific group of victims, who resists and defend their territory against the ideology of the current state. Because of their resistance, the state will usually respond back at the resisting group, in which their response would be a counterinsurgency. This is where the term politicide comes in, where the designation of it refers to special cases, in which the state responds back at the resisting group by making goals regarding the removal of the resisting group in any way, by using any kinds of tools (Harff, 2003, p. 58; Kaveh, 2014, p. 191). Such a situation could be related to the Iraqi regime under Saddam Hussein and his Baath party, where they implemented rules and performed a massacre against Kurds who were residents within the northern region of Iraq in 1988. The Iraqi army performed military operations, with a goal to exterminate every Kurd who were still living in the northern region. After performing the operations, the event was called Al-Anfal campaign (Kaveh, 2014, p. 191). In this chapter, I will present the information from the data material to examine the Al-Anfal campaign and USAs standpoint. I will start the chapter with historical background regarding Kurds and Iraq.

#### 3.1 Historical background of Kurds in Iraq

To make it clearly, Kurdistan is the name used to refer to the land of Kurds, which is located geographically between the borders to Iraq, Iran, Syria and Turkey. It's said that the Kurds geographical location was decisive, when it came to the historical events that has happened in these areas (Kaveh, 2014, p. 192; McDowall, 2000). Here, we'll see that Bruinessen mentions that "The inaccessibility of Kurdistan and the fierce warring capacities of its inhabitants have always made it a natural frontier of the empires that emerged around it" (Bruinessen, 1992, p. 13).

Throughout the Kurdish history, we will find many power factors, such as the Persian empire, who was followed by the Ottoman, who controlled areas, and became known as the Ottoman empire. These events were the reasons behind calling Kurds to be the so-called buffers in between empires. When the border war between the two empires ended in between 1514-1638

through a treaty called Zuhab, we will therefore see the treaty as the reason for the modern borders that exist between Turkey and Iran (Kaveh, 2014, p. 192; McDowall, 2000, pp. 25-26).

As we know, Kurds were known to be organized in different tribal federations and also in principalities, in which the last principalities of Kurds were liquidated between 1800-1900 by the Ottomans (Bruinessen, 1992, p. 176; Kaveh, 2014, p. 192). It's necessary to mention that the Kurds principalities were independent, especially when it comes to their political units that leads to the creation of alliances and partnerships against their enemies, including fighting different tribes in between them. The causes of such internal conflicts between Kurds, were caused because of disagreement due to political ideologies and interests. These were some of the main factors that lead them to divide and live in Iraq, Turkey and Syria right after world war one, when the Ottoman empire disintegrated to the so-called territorial divide between the borders of the earlier mentioned states (Kaveh, 2014, p. 192).

When it came to the creation of an independent state for Kurds, it was mentioned by Sèvres agreement in 1920, the following:

If within one year from the coming into force of the present Treaty the Kurdish peoples within the areas defined in Article 62 shall address themselves to the Council of the League of Nations in such a manner as to show that a majority of the population of these areas desires independence from Turkey, and if the Council then considers that these peoples are capable of such independence and recommends that it should be granted to them, Turkey hereby agrees to execute such a recommendation, and to renounce all rights and title over these areas (Sèvres-agreement article 64, articles 62-64, mentioned in Kaveh, 2014, p. 192).

The Sèvres agreement from 1920, didn't work, mainly because of disagreements and a weak cooperation among Kurds. Another important factor to mention is the colonial policy of the great powers, and their newly created relations with the Turkish state (Kaveh, 2014, p. 192; McDowall, 2000).

### 3.1.1 The Kurdish situation from 1932-1980

Since the historical background of the Kurdish population have been mentioned earlier, which includes the impact they got from both the Ottoman and the Persian empire, it's clear that the Ottoman empire who were on the losing side with the so-called Triple Alliance during world war one, had to refrain from many territories, because of settlement. After the Turkish liberation, which also describes their victory against western powers, that's when Turkey declared in 1923, its independency, while provinces such as Baghdad, Basra and Mosul became a mandate for the Great Britain (Bruinessen, 1992, p. 275; Kaveh, 2014, p. 193).

When the known provinces which are located in Iraq, became a mandate for the Great Britain, it was unknown what the British mandate in these areas would become, while they were unsure regarding where the borders would be placed. The Great Britain had some considerations regarding the establishment of an independent government for Kurds, that wouldn't focus on materialization. Later on, Turkey came with requirements regarding these areas, until a new agreement was signed with the new unit in Iraq and Great Britain in 1926 (Bruinessen, 1992, p. 275; Kaveh, 2014, p. 193).

After the agreement, the British interest regarding the Kurdish areas became stronger, and especially after the discovery of resources such as oil in Kirkuk and Mosul. While some scholars agree upon the interest of the British becoming stronger after the discovery of oil in these areas, we will see that other scholars disagree, such as David McDowall, who rejected the theory regarding the British interest becoming stronger, while he explains that the main goal of the British was to either establish an independent state for the Kurdish population living within the northern region, or to incorporate them within a constructed state with other Arabs who lived in south, such as Shia and Sunni Arabs (Kaveh, 2014, p. 193; McDowall, 2000, p. 135).

Because of weak unity and disagreement among Kurds, as well as the interest of great powers in these areas, the result was to incorporate the Kurdish areas into the Iraqi state, which was established in year 1932 to become a kingdom (Kaveh, 2014, p. 193). The agreement upon incorporating the Kurdish areas, and the establishment of an Iraqi state didn't work properly,

since many Kurdish tribes showed dissatisfaction and went to rebellion against the state multiple of times, in which one example could be under the power of Shaikh Mahmud, while a similar case refers to Shia Arabs who were also dissatisfied and rebelled against the Iraqi government (Kaveh, 2014, p. 193).

We can through this say that the Iraqi state construction wasn't stable, where many attempts of takeovers and coups were done between 1941-1968, in which by 1968 Ahmed Hassan al-Bakr became a president right after the coup, who were followed after by the known president Saddam Hussein, who at first became the vice president through the so-called Baath party, until he took over the power in year 1979 (Kaveh, 2014, p. 193; Tripp, 2007). Similar to the earlier mentioned negotiations that happened with the Kurds, where they were promised to get local autonomy, including cultural rights through the autonomy agreement that was agreed upon in mars 1970, in which none of these promises were met (Bruinessen, 1992, p. 28; Kaveh, 2014, p. 193; McDowall, 2000; Middle East Watch, 1993, p. 5). Through the Kurds perspective we can clearly see that they went to negotiation when they had the opportunity, where the government by itself were able and willing to negotiate, and that Kurds rebelled and went to war at the governments' weakest point when their negotiations, and promises weren't met. The same situation applies to other states who also has Kurdish citizens (Kaveh, 2014, p. 193).

It's therefore said that the main cause for the war, was due to the lack of following up the agreement from 1970, which caused the conflict to escalate between Kurds and the state in 1974, where Kurdish Democratic Party (KDP) lead a Kurdish movement, which received support by the USA and Iran, both economically and military (Kaveh, 2014, p. 193; McDowall, 2000). Because of the conflict between Kurds and the Iraqi state, we can see the formation of an agreement between Iraq and Iran in 1975, that goes under the name "Algier agreement", that was related to horse trading, and to divide the river "Shatt al-Arab" between them both (Kaveh, 2014, p. 193).



The Algier agreement included that Iran would cancel their support to the Kurdish movement in Iraq, which later led to the collapse of the Kurdish movement after an agreement between Iraq and Iran. This gave the Iraqi regime success in handling the situation, and dealing with the Kurdish movement, in which the Baath party became more ambitious about changing the demographic situation of Kurdistan (Kaveh, 2014, pp. 193-194). Their ambitions were the beginning of the Arabization policies, where many Kurds were forced to move away from the northern region of Iraq to move further south. Many villages such as Nineveh, Duhok and Diyala were obliterated. In doing so, their plan was to encourage Arabs to move to the northern region, by entice them with offers like governmental support, while Kurds who were forced to move from these northern areas, had to live in controlled camps (Kaveh, 2014, p. 194).

An important part from the Algier agreement between Iraq and Iran, was to guard their own borders, to ensure stabilization between both states. That was the main reason for the Iraqi regime to try to tidy its borders between 1977 and 1978, where all villages within the radius of thirty kilometres from the borders would be destroyed, and that all the residents of these areas would therefore be moved to other areas. Because of the process, the Iraqi regime attacked many villages, which included deporting many thousands of individuals from areas around the border in summer term 1978 (Kaveh, 2014, p. 194). They created collective villages, that were named “Mujamma’at”, that consisted of gathering places for all of the deported Kurds, as well as to whom have lost their homes. The Mujamma’at were built next to the roads that were strongly controlled by the Iraqi army, or next to central cities. These kinds of measures could be compared to the measures used in Al-Anfal by the government in 1980 (Kaveh, 2014, p. 194).

The earlier mentioned Algier agreement, that was made in 1975, caused a status quo, where Iraq, USA and Iran were satisfied with the conditions, which didn’t last for long because of the changes that were done in 1979, where the Islamic revolution that appeared in Iran changed the conditions. This impaired the alliance that Iran had with the USA and the west, because of the replacement of the shah, after the Islamic revolution that was done by Ayatollahs from Teheran. Saddam Hussein saw the Islamic revolution to be an opportunity for him to regain the river “Shatt al-Arab” that was refrained to Iran through the Algier

agreement, which is known to be the main cause for the eight years long gulf war from 1980 to 1988. According to the CIA, it's said that as a result of the war, many lost their lives, where around 500.000 Iranians died, while on the other hand we can see that around 250.000 Iraqis lost their lives (Hiltermann, 1994; Kaveh, 2014, p. 194).

The war between Iran and Iraq, led the Iraqi regime to concentrate more on the conflict, where the presence of the army within Kurdistan Iraq were reduced. This gave the Kurdish Peshmerga, which is a Kurdish guerrilla, the opportunity of reopening the fight (Kaveh, 2014, p. 194). Here, we can see that the Kurds functioned as buffers within earlier conflicts, as well as in gulf war, where Kurds who lived within the northern region of Iraq, got their support from a foreign country, in which this time they got their support from the so-called post-revolutionary Iran, while after the rebellion loss of Kurds in 1975, the Kurdish Patriotic Union (PUK) was created by Jalal Talibani. This time the Iraqi regime had to be ready for two rebellious groups who was led by both PUK and KDP, whom afterwards created an alliance with Iran in 1987, which was called Kurdistan National Front (Kaveh, 2014, p. 194; McDowall, 2000, p. 351).

### 3.2 The forbidden villages

Towards the end of the Iraq-Iran war, the Baath party in Iraq implemented a campaign against every single Kurd who stayed in the northern region of Iraq. This campaign consisted of military actions, in which it was called Al-Anfal, a term taken from the holy book Quran, where the chapter is taken from, mentions how to fight infidels who are against Islam. The expression by itself makes it clear for us how the Baath party perceived the Kurdish population. The Quranic chapter describes how Muslims can demand to get assets and goods from infidels, after murdering them. We can therefore say that the Iraqi regime used the Quranic verse as a form of propaganda to call Kurds for infidels to get the fully support from their Arab population. This gave them the potential to use every tool they had, including chemical weapons against Kurds. That's when the regime started to arrest Kurdish residents, burn villages and to gather Kurds together in specific gathering places before some of them got executed and buried in mass graves (Kaveh, 2014, pp. 194-195; Middle East Watch, 1993, p. 13; Power, 2002, p. 172).

It was explained by the Iraqi regime that their motivation was based on preventing villages within the northern region to become a base for Peshmerga to recruit new members. That was their argumentation for attacking and destroying around 4049 villages. A known non-governmental organization called Middle East Watch estimated that around 100.000 individuals disappeared during Al-Anfal (Kaveh, 2014, pp. 194-195; Middle East Watch, 1993, p. 13).

The campaign started in 1987, when Saddam Hussein chose Ali Hassan Abd al-Majid al-Tikrit who is today known as “the chemical ali” to become a governor for the province in north Iraq, which of course is a region that consist of Kurds as the majority, but also with minor ethnicities and religions such as Assyrian Christians and Yazidi (Kaveh, 2014, p. 195; Middle East Watch, 1993). Middle East Watch claims that to the Kurds, Husseins cousin also goes under the name “Ali Anfal”, and he is pointed out as “the overlord of the Kurdish genocide” (Middle East Watch, 1993, p. 3). When Al-Majid received his authorization, and got the opportunity to give orders to governmental institutions that were under his disposition, he ordered in summer 1987, that northern areas where Kurds lived would suddenly become forbidden for them to be live in (Kaveh, 2014, p. 195). It was vindicated in regulations that “Within their jurisdiction, the armed forces must kill any human being or animal present within these areas. They are totally prohibited” (Hiltermann, 1994, p. 68, mentioned in Kaveh, 2014, p. 195).

Shortly after, Al-Majid came with another presumption, where it was said that the regulation has been sharpened, in which the army was ordered to attack randomly with the air force and artilleries at all times which was described as follows: “in order to kill the largest number of persons present [in] those prohibited areas” (Hiltermann, 1994, p. 72, mentioned in Kaveh, 2014, p. 195). There were also other orders regarding capturing any individual who were caught to be living in these villages, where in this situation they would be detained, questioned by the intelligence service and executed right after the interrogation if they were aged between 15 and 70. These presumptions were the foundations for the military activity during the campaign (Hiltermann, 1994, p. 73; Kaveh, 2014, p. 195).

### 3.3 The timeline of Al-Anfal

According to Kaveh (2014, p. 195) and Power (2002, p. 172), when it comes to Al-Anfal, it's mentioned that the military campaign consisted of eight phases (Kaveh, 2014, p. 195; Power, 2002, p. 172). All the events occurred within the same pattern, in which the most offensive event started through the Iraqi regime by using chemical weapons as well as the air force to attack Peshmerga that consisted of individuals who came from either PUK or KDP, as well as civilians. Afterwards, the Iraqi regime managed to surround the areas by cooperating with the Jash, which is a term used by Kurds to describe Kurds who worked with the Iraqi government, where they were seen by Kurds as traitors (Kaveh, 2014, pp. 195-196; Power, 2002, p. 202). When translating to clearly understand the term "Jash", it will be revealed that it means a little donkey, where they officially were called National Defense Battalions, while the role of the term "Jash" specifically under the Al-Anfal was ambivalent. That's why we can argue that the Jash assisted the regime in arresting, as well as deporting Kurds, at the same time as they helped saving many lives, and supported Peshmerga by giving them weapon supplies (Kaveh, 2014, p. 196; McDowall, 2000).

Further on, the demolition of the so-called settlement areas was still going, while many individuals were arrested within the specific area, and were transported to a gathering place, that was described by the regime to be a modern village for Kurds (Kaveh, 2014, p. 196; Middle East Watch, 1993, p. 38). It becomes obvious that every event that's related to Al-Anfal I-VII, targets specific areas that are located next to the Iranian borders, which was of course controlled by PUK. It's therefore said that the eight phase of Al-Anfal was done against the oppositions located within the northern area to the borders next to Turkey, which was known to be influenced by the KDP. It's therefore important to clarify these different stages within the campaign (Kaveh, 2014, p. 196).

#### 3.3.1 The first Al-Anfal (23<sup>th</sup> February – 19<sup>th</sup> Mars 1988)

When looking at the different phases of the Al-Anfal campaign, we will see that the first event occurred in 23<sup>th</sup> of February (Middle East Watch, 1993, p. 10), where PUKs headquarters that were located in Bergalou and Sergalou were bombed with what is mentioned to be conventional weapons. The first phase also covers the gas attack that has been done in Halabja, which has attracted lots of attention by the international media (Kaveh, 2014, p. 196;

Middle East Watch, 1993, p. 10). Even if the US vetoed, when the United Nations wanted to condemn Iraq for Al-Anfal, Dave Johns argues that the attack on Halabja was considered to be a separate attack, which occurred outside the prohibited areas of Al-Anfal. According to Johns, Halabja could be referred to as a crime against humanity, and could be a separate case, instead of being included in Al-Anfal (Johns, n.d., last paragraph).

It has been mentioned that an estimation between four thousand to seven thousand individuals were killed during the Halabja attack, while the Middle East Watch argued that around 3000 deaths could be the correct estimation (Kaveh, 2014, p. 196; Middle East Watch, 1993, p. 27). Like Johns (n.d.), Kaveh also argues that the Halabja attack was excluded from the campaign, which only focused on the rural of Kurdistan. No matter if the Peshmerga were exposed to the chemical attack that occurred in 1987, it's still said that the attack on Halabja was demoralizing. Because of the demoralized attack by the Iraqi regime, Halabja were seen as collective retribution which was made against civilians by the regime. This attack wouldn't be the last, in which the regime repeated its gas attacks, where it was documented that over an amount of forty attacks were done (Kaveh, 2014, p. 196; Middle East Watch, 1993).

Hiltermann argues that the use of chemical weapons was effective on removing the Iranian assaults, as well as removing Kurdish guerrilla from the countryside. What strengthens the theory regarding the cooperation between peshmerga and the Iranians in year 1988, is explained by Hiltermann, where he states that the PUK got used to the chemical attacks, and received equipments, such as gas masks from Iran (Hiltermann, 2008, p. 5). The tactic of Al-Anfal was to attack those who were allies with the enemy "Iran", in which it targeted PUK, while the Kurdish civilians had the opportunity to get moved to gathering places (Hiltermann, 2008, p. 6).

### 3.3.2 The second Al-Anfal (22<sup>nd</sup> March – 1<sup>st</sup> April 1988)

While this attack was considered to be the first attack within the Al-Anfal campaign, it was mentioned that the second event occurred within 22<sup>nd</sup> of March until 1<sup>st</sup> of April 1988, which was considered to be shorter compared to the first event. The second phase of the campaign was mainly focusing on the geography, where it was aiming at the region of Qara Dag. Here,

the regime started by attacking with their air force against the Seyw Senan village on 22<sup>nd</sup> of March, where they continued against Dukan the day after, while on the evening they would put the ground forces into these areas. This resulted in many civilians fleeing from the area. When comparing the second phase of the campaign with the forthcoming phases, we can notice that the second phase differentiates, because it didn't have any systematics within the military to handle the fleeing civilians. Some of those fleeing civilians sought shelter within Suleimania, and in villages that were located next to highways, which was seen to be a good decision afterwards (Kaveh, 2014, pp. 196-197; Middle East Watch, 1993, p. 118). The parts of those who moved to Suleimania, and especially children and women, had the opportunity to survive, while the other part that decided to flee to other areas such as to the Germiyan region were vanished without a trace (Kaveh, 2014, p. 197).

### 3.3.3 The third Al-Anfal (7<sup>th</sup> April – 20<sup>th</sup> April 1988)

Here, we will see that the third phase of the campaign was focused on the Germiyan region, which consisted of areas that were less favourable to the guerrilla warfare, rather than the region called Qara Dagh, or the valley of Jafati which were both targets for the regimes previous military operations. Regardless of the strategic disadvantage, the Kurdish resistance was organized with a strong local support, and especially within the Germiyan, since it belonged to the heartland of the PUK (Kaveh, 2014, p. 197). Here, we can see a description from one survivor who lived in Kani Qader, who said the following:

*The peshmerga had ordered each family to buy one weapon [...] It was like a law, and the people agreed with this because they saw it necessary. The armed civilians would join the peshmerga in the defense of their villages. They were referred to as the «backing force». All the villages had this type of civil defense unit. (Middle East Watch, 1993, p. 130, mentioned in Kaveh, 2014, p. 197).*

The Kurdish local defence worked to respond to the attempt made by the regime to defeat them. It's described that the nature of oppression and war has changed drastically, where the regime showed another demonstration of its power by surrounding the whole area of Germiyan with the army, which showed the civilians that the local support won't help, and

that there would be no point in resisting anymore. At this point, the army didn't leave the area before arresting certain kind of individuals who were involved in resisting and attacking the army, and took the rest of the civilians and moved them to different gathering places that were spread across the region, in which their personal information were collected at their arrival to the gathering places, as well as separating men from their families (Kaveh, 2014, p. 197; Middle East Watch, 1993, p. 152). In addition to Kurds who were arrested and later on moved to gathering places, there were some who voluntarily wanted to move to a gathering place, in which there are many reasons behind their voluntarily choice (Kaveh, 2014, p. 197; Middle East Watch, 1993, p. 154). For some of them, who decided to move voluntarily, it was because of their naïve understanding of what has occurred recently, couldn't be different from the last historical attacks. They also feared being caught being inside the illegal areas which could result in a death penalty. Therefore, one of the causes for them to voluntarily move to gathering places was the destruction and terror that could have a contributing affect (Kaveh, 2014, p. 197).

Some of the most important reasons for these civilians to surrender themselves to the Iraqi regime, was the amnesty, which means that they would be pardoned for their past offenses, which was of course something important for the civilians. These kinds of amnesty were used by the regime many times, where the agreement was broken (Kaveh, 2014, p. 197; Middle East Watch, 1993). When it comes to the third Al-Anfal, it's said that it was different from the rest of the phases, except from villages along the area called Little Zab under the fourth Al-Anfal, where children and women vanished. It was mostly males aged between 15-70, who lost their lives within Germiyan, while children and women were also killed in the southern parts of Germiyan. It's problematic to find an answer to the reason behind these kinds of actions, while one explanation could be that it has to do with the extent of Kurdish resistance that the Iraqi regime had to go through (Kaveh, 2014, pp. 197-198; Middle East Watch, 1993, p. 121).

It could be that the main reason behind the killing of children and women by the Iraqi army is because of the probability of them being involved in supporting the Peshmerga in resisting the army. This can be a good explanation since the case in other places weren't the same, in which the meeting between Peshmerga and the army wasn't harsh (Kaveh, 2014, p 198;

Middle East Watch, 1993, p. 121). That's why the actions of killing both children and women could be explained by saying that the regime did it as a revenge against the civilians who supported Peshmerga, and that this is the reason behind the killing of over 10.000 individuals in southern Geramiyan (Kaveh, 2014, p. 198; Middle East Watch, 1993, p. 170).

#### 3.3.4 The fourth Al-Anfal (3<sup>rd</sup> May – 8<sup>th</sup> May 1988)

When moving on to the Al-Anfal IV, which occurred in between 3<sup>rd</sup> of May and 8<sup>th</sup> of May 1988, we can see that the target of the fourth phase was the so-called Little Zab, where the army was harsher while attacking, since Iran had taken over Fao-peninsula (Kaveh, 2014, p. 198; Middle East Watch, 1993, p. 171). This event consisted of chemical attacks on Askar and Goktapa, despite army reports, which regarded the harsh resistance from the Peshmerga, the army successfully regained the area. This resulted in visible damages that were done to Little Zab, while the civilians who fled under the attack were spread around the area (Kaveh, 2014, p. 198; Middle East Watch, 1993, p. 177).

#### 3.3.5 The fifth to seventh Al-Anfal (15<sup>th</sup> May – 26<sup>th</sup> August 1988)

The fifth to the seventh Al-Anfal occurred between 15<sup>th</sup> of May and 26<sup>th</sup> of August 1988, where all the phases focused on targeting the same specific area which was located in the mountain areas in Rawanduz and Shaqlawa. It's therefore said that the PUK were pushed away from their traditional places because of Al-Anfal, where their influence would be at their strongest. That's why the fifth phase began within the valleys of Balisan, which was known in that time to be sparsely populated (Kaveh, 2014, p. 198; Middle East Watch, 1993, p. 193).

Because of it, the priority of the army wasn't to move civilians under this phase, but rather to force and push the Peshmerga to move forward to the northern area, in which the army would regain their control. It was clearly mentioned that when the army initiated its operation, the area was empty, in which this could be related to the earlier events that has happened, such as the chemical attack that was done in autumn 1987, which could have a connection to the escape of the people. It's also important to mention that the regime also displaced the Kurdish



population from that territory before the beginning of 1980 (Kaveh, 2014, p. 198; Middle East Watch, 1993, p. 194).

As mentioned before, since Peshmerga have got their support in the form of supplies in advance, their position was strengthened, in which they didn't have to be concerned about the civilians security within the territory, just like they were forced to in the past through the earlier phases of Al-Anfal. Because of the strong resistance by the Peshmerga, the Iraqi army had difficulties in attacking and regaining control in the territory, where they had to try and attack with two attempts before succeeding to gain control over it. Since the army had to do multiple of attempts to gain control, it was therefore named the sixth and the seventh phases of Al-Anfal (Kaveh, 2014, pp. 198-199). The politics, and the military strategy of the regime during the fifth until the seventh phase, were all similar compared to the phases that has occurred earlier, where we would see the same patterns, such as gathering Kurds into temporarily gathering places, transporting military vehicles to Kirkuk, and arrestations (Kaveh, 2014, pp. 198-199; Middle East Watch, 1993, p. 200).

What made these phases special compared to earlier phases, was the direct involvement of Saddam Hussein with the military operations at the time when it was made clear that the army was near victory. Within the last three months where the operations were going on, it was clear that a type of new development took place, in which the president of Iran Ali Khamenei sent a message and informed the international organization "The United Nations" to make them aware of their acceptance to the so-called earlier resolution that could in return end the war, but that on the other side was against the agreement they had with KDP and PUK, where the deal regarded that neither of the actors would stop or prevent the war with the Iraqi regime, without the permission of each other (Kaveh, 2014, p. 199; Middle East Watch, 1993).

### 3.3.6 The eight Al-Anfal (25<sup>th</sup> August – 6<sup>th</sup> September 1988)

Since the timeline of the Al-Anfal phases were mentioned, we can move on to talk about the last and final phase that's called Al-Anfal VIII, that occurred between 25<sup>th</sup> of August to 6<sup>th</sup> of September, where it was initiated after the truce agreement between both countries Iraq and

Iran (Kaveh, 2014, p. 199; Hiltermann, 1994). It's therefore said that the regime didn't find the last phase to be important to name it after anything, and they chose to name the last operation for the final Al-Anfal. The final phase of Al-Anfal was limited to the area of Badinan, which is located within the northern region of Iraq next to the borders to Turkey. Since the war between Iran and Iraq ended, the Iraqi regime decided to release the army, and sent them to implement the final Al-Anfal, where they encountered difficulties in regaining control over territories (Kaveh, 2014, p. 199). A general from the Iraqi army described the situation, and what the military has encountered by mentioning the following:

*The land is generally hilly with a hard terrain in its northern and eastern parts which lie parallel to the border line of Iraq and Turkey [...] This area has many rivers and valleys which run from the north and east towards the south and west, forming the streams. The movement of the forces and machinery is greatly hindered by the series of mountains, high knolls, valleys and other obstacles (Middle East Watch, 1993, p. 262, mentioned in Kaveh, 2014, p. 199).*

Here we can see that compared to the other phases, the final phase differentiates itself in which respective tribes who lived in these areas had the opportunity to sign a peace agreement, where they insured that they didn't allow Peshmerga to enter their village, and through this agreement they saved many villages from getting destructed. This agreement didn't include areas that were controlled by KDP, in which they had over five thousand armed Peshmerga. It was mentioned by Kaveh (2014) that more than 200.000 forces were sent to Badinan by al-Majid, where the specific attacks have been coordinated, in which all of the events occurred at the same time within different areas, and lead to a massive flow of refugees. When comparing the flow of refugees to the past attack on Halabja, we can see similarities, where this time, the flow of refugees drew the attention of the international media, and especially when the Peshmerga soldiers left and deserted their military posts. One of the soldiers of Peshmerga described the situation as the following (Kaveh, 2014, pp. 199-200; Middle East Watch, 1993, p. 276):

I could not find any of my fellow *peshmerga*. They had all gone to help their relatives, and the chemical weapons had created a lot of fear among the people. We did not know how to fight them. We knew how to fight tanks, how to chase a military caravan until we ambushed it, and how to escape aerial bombardements. But we did not know how to fight chemicals (Middle East Watch, 1993, p. 276).

We could through this see that the description of Peshmerga was similar to the response of KDP, where the decision was made to give up on resisting against the Iraqi army, since it won't help them with anything if the army decides to use chemical weapons. Many of the refugees who fled to and got accepted to enter Turkey, explained the situation and told their experiences to the journalists who interviewed them, where they said that many of the fleeing refugees who were unlucky and couldn't make it to the borders were killed by the army, similar to the ways that were used under the other operations of Al-Anfal. Even when many mass executions have been done under Al-Anfal phase VIII, the Middle East Watch couldn't find any survivors who have witnessed the situation (Kaveh, 2014, p. 200; Middle East Watch, 1993). Compared to Al-Anfal III, we can see that in Al-Anfal III there were around six survivors of the campaign, who told their stories. One of the survivors who was interviewed by the Middle East Watch, said that:

We received orders to kill all *peshmerga*, even those who surrendered [...] Even civilian farmers were regarded as *peshmerga* if they were working within a prohibited area. All men in the prohibited areas, aged from 15-60 [sic], were to be considered saboteurs and killed (Middle East Watch, 1993, p. 283, mentioned in Kaveh, 2014, p. 200).

It was therefore not an order to kill anyone on the spot. Despite this, such killings occurred, where one example could be the liquidation in both villages: Margeti and Koreme (Kaveh, 2014, p. 200).

### 3.4 Iraq's human rights violation

There are a number of disagreements with the USA, regarding the Al-Anfal campaign, where Middle East Watch (1993) explains the human rights violations during the campaign, with the following: “mass summary executions and mass disappearance of many tens of thousands of non-combatants, including large numbers of women and children, and sometimes the entire population of villages” (Middle East Watch, 1993, p. 4).

One of the reasons behind other states disagreeing with the USA, was because the decision of attacking, and executing civilians was against human rights. Through the first violation we can see that mass executions of innocent people who weren't involved in neither politics or with cooperation with Iran, were targeted. Therefore, the lives of innocent civilians were lost because of this campaign (Middle East Watch, 1993, p. 4). Especially when the Iraqi army targeted a whole village. Another important violation was “the widespread use of chemical weapons, including mustard gas and the nerve agent GB, or Sarin, against the town of Halabja as well as dozens of Kurdish villages, killing many thousands of people, mainly women and children” (Middle East Watch, 1993, p. 4). Their irresponsible usage of chemical weapons led to the killing of thousands of Kurds, in which many of them were children and women. One way of understanding this situation is that their excuse of using chemical weapon only to defend themselves cannot fit in this situation. This makes it clear that there were other goals behind using chemical weapons than just defending themselves.

It was mentioned by Middle East Watch (1993) another violation against human rights, which regards:

forced displacement of hundreds of thousands of villagers upon the demolition of their homes, their release from jail or return from exile; these civilians were trucked into areas of Kurdistan far from their homes and dumped there by the army with only minimal governmental compensation or none at all for their destroyed property, or any provision for relief, housing, clothing or food, and forbidden to return to their villages of origin on pain of death. In these conditions, many died within a year of their forced displacement (Middle East Watch, 1993, p. 5).

Through the occurrences we can see that the Iraqi government had violated the human rights of the Kurds within the northern region. But what's challenging is to find any evidence, which shows that the army were targeting all Kurds. When studying the conflict carefully, we will see that the Al-Anfal campaign occurred after the intervention of the Kurds, who supported and helped Iran under the conflict between Iraq and Iran. This created fear, in which Hussein's solutions weren't peaceful but rather violent. His use of power was to terrify the Kurds, and to attack those who were involved. Since the conflict was political, it's difficult to put the conflict under the category of genocide. Even when there were violations against the human rights where many civilians were killed, we can say that the government had to get punished for its violations. Through research, there were no evidence of the Baath party or Saddam Hussein ordering the army to kill all Kurds, since there were Kurds who worked within the government, as well as in the Iraqi army in that time. We will notice that the conflict will be more directed towards politicide, rather than genocide (Kaveh, 2014; Middle East Watch, 1993).

Another scholar called Saeedpour (1992) argues that the chemical attack on the Kurdish population is interpreted to be a retribution by the Iraqi regime, because of Kurds' engagement and cooperation with Iran under the Iraq-Iran war. Washington Times quoted a statement coming from the Amnesty International's London headquarters in 9<sup>th</sup> of September 1988, in which it said that:

The mass killings are part of a systematic and deliberate policy by the Iraqi government to eliminate large number of Kurds . . . as a punishment for their imputed political sympathies and in retaliation for the activities of opposition Kurdish forces (Saeedpour, 1992, p. 60).

Through this quote, Saeedpour tries to explain that the gas attack that occurred in autumn 1988, couldn't be interpreted to be a reaction to the rebellion, where Kurds allied with Iran under the conflict, but rather as a final phase where the Iraqi government planned to permanently remove all Kurds for both strategic and economic reasons. Saeedpour (1992) describes that one of the important things to examine was the geographical pattern related to

the attacks to have the opportunity to justify states actions. A report from the Senate Foreign Relations Committee staff identified that the areas which were targeted by the chemical weapons, were connected to the areas that were redrawn within a map that was prepared and contained in the Kurdish Library. It's explained that the primary motives for the Iraqi government to attack this specific region, which had a connection with the earlier mentioned report. The specific targeted areas were Zakho, Dihuk and Amadiya, in which all three facilities were important for the Iraqi government due to two major highways to Turkey and Syria, and the oil pipeline that's between Turkey and Iraq. Since the Iraqi government were dependent of the sources and the geographical location that connects them to both Turkey and Syria, this might be a strong reason behind their chemical attacks on Kurds (Saeedpour, 1992, pp. 60-61). Just like the rest of the scholars, we will find that Saeedpour also agrees upon the massive abuses regarding the human rights of the Kurds, where she mentions a report from Amnesty International, which shows "the abduction of three hundred children and youths from the city of Sulaimania by the authorities in an effort to force their relatives in the Kurdish resistance to surrender" (Saeedpour, 1992, p. 64).

Roger Baldwin, who works for the International League for Human Rights, created a statement to Kurt Waldheim who was at that time United Nations Secretary-General, in which he said that "The enclosed information evidences executions, instances of torture, mass detentions and the deportation of tens of thousands of Kurdish people in an apparent effort to destroy the Kurdish ethnic group" (Saeedpour, 1992, p. 68). From this perspective, it's clear that the Iraqi regime has violated the Genocide Convention, where it violated international protocols, which are against weapons such as poison gas (Saeedpour, 1992, p. 69).

### 3.5 The Reasons behind the implementation of these operations

After the American invasion on Iraq in 2003, and when the American army succeed in capturing Saddam Hussein (Tripp, 2007), he was then arrested and putted on trial. During this period he had to explain himself to the judge regarding Al-Anfal to defend himself and his Baath party for their earlier actions (Oliver, 2006). Under Saddam Hussein's trial, it was mentioned by Oliver (2006) that the co-defendants of Saddam Hussein, told the Iraqi court under Saddams trial that the Iraqi army only attacked Kurdish rebels and Iranian soldiers who fought together against the Iraqi regime. A commander for the Anfal task force, who also

were under trial said for his defence that their goal was to only fight armed and organized armies, in which civilians weren't targeted. Another defendant called Sabir al-Douri who was a director for the military intelligence explained that their aim was to remove and clear the northern region of Iraq from Iranian troops. He also stated that every civilian who lived within the Anfal region, were removed to safety (Oliver, 2006, paragraph 4-6).

When looking at the campaign, we will notice that the Al-Anfal doesn't stand out, when compared to the attempt of the Baath regime to change the demography within the northern region, which has also occurred in 1968, after the coup. The Baath party started to Arabize areas that were rich in resources such as oil, before the outbreak, such as Khanaqin and Kirkuk, while many Kurds were forced to move to the southern areas of Iraq in 1974 (Kaveh, 2014, p. 200; Bruinessen, 1994, p. 159). This was the strategy of the regime to give the opportunity to let the Iraqi Arabs to move to the northern region. This was their plan to change the demographical situation in the country, where they initiated a so-called cleaning of the borders at the end of 1970s. These kinds of measurements and goals that focuses on demographical homogenization isn't a new phenomenon, neither within the Iraqi regime, nor when comparing it to other states who have Kurdish citizens. Such an example could be Turkey, a country that has its border to Iraq, where many Kurds live, and where they had strict rules regarding Kurds both after and during World War I, where they were forcibly deported from eastern areas of the country, as well as moved (Kaveh, 2014, p. 200).

When examining the reasons behind these strict policies in Turkey, it will be clear that it was because Turks feared that the Kurdish tribes would create an alliance with the Russian army, similarly to the event in Iraq, where the Kurds created an cooperation with Iran at the same time as the Gulf war. Similar to the situation in Iraq, where the Iraqi regime was motivated to attack and destroy villages, to Arabize and change the demographical situation, we will see that it's laying economic reasons behind the Turks deporting policies. Kaveh (2014) mentions that because the Turkish Kurds were known to be semi-nomadic, the Turks felt that it was therefore important to make them live in a permanent residence, to have the opportunity of taxing. This wasn't the only reason, and there were other nationalistic agendas, where the Turks wanted to remove language and the culture of Kurds from Turkey, in which the term assimilation could be used (Kaveh, 2014, p. 201).

Compared to the situation in Turkey, we can argue that the Al-Anfal campaign wasn't focusing on assimilating or motivating to remove Kurds culture and language from the nation, but they did rather only target villages (Kaveh, 2014, p. 201). For Turkey, the ethnicity and territoriality were two related concepts, where they said that the territoriality of Kurds must slit. We can therefore say the same about the measures from the Iraqi regime, which regards deportation and Arabization of Kurds from the northern region. Through this, the motivation of the regime for the policies related to Arabization in the 1970s was a conflict regarding territory, and that doesn't exclude their oil interest. Even when security was the top priority of the Iraqi regime in the 1970s, we will notice that the considerations regarding the resources were more important during the conflict with Iran. Even if it's known that the Gulf war was a central factor for the previous Arabization policies in the Al-Anfal campaign, which has got a genocidal character, it would still be a mistake to exaggerate the importance of the Gulf War. The phase of the campaign that regarded Badinan was initiated after the Gulf War, and this may indicate that the campaign was about how Kurds sympathized with Iran, under the Iraq-Iran war, which is referred to as the "fifth column" (Kaveh, 2014, p. 201).

Kelly (2005) predicted that in court, Saddam Hussein would argue that the Halabja attack was aimed at Iranians and Kurds, since the area was occupied by Kurds who supported Iranian troops. Kelly also predicted that Hussein would say that for the Iraqi regime, the gassing was an attack on "enemies" who tried to occupy their land, and thus the gassing was a legit act focusing on securing land and power. Further, Kelly believed that Saddam Hussein would express that he had no intention of killing civilians, and that it was rather a counterinsurgency, and a way to take back their important area (Kelly, 2005, p. 1008).

It's important to take into account that Saddam Hussein was the only person with prevailing authority in Iraq. Furthermore, He saw the opportunity to get rid of both oppositions KDPs and PUKs, which will let him gain control over all the strategic, as well as oil rich areas (Kaveh, 2014, p. 201). David Callahan mentions three different kinds of factors, that warns us about an upcoming ethnic warfare, where he describes that; "a history of state repression of an ethnic minority [...], a history of violence among ethnic groups, and the existence of ethnic pockets within newly independent states" (Callahan, 1997, pp. 53-54, mentioned in Kaveh, 2014, p. 201).



The first factor regards former oppression from the state, regarding the ethnic minority, which existed under the Al-Anfal. This is where Callahan mentions that the conflict between the Iraqi regime and the Kurds is characterized by an asymmetric power relationship, while the oppression was used on Kurds regardless of which actor who had the power. When looking at the other factor that was mentioned by Callahan, it refers to the conflict history between ethnic groups that existed in Iraq but wasn't in the same way as in Rwanda or ex-Yugoslavia (Kaveh, 2014, p. 201). When looking at the campaign, it's clear that it was all about the state against the Kurds as a specific ethnic group, rather than a conflict between different ethnic groups. Another reason could be that when an ethnic group becomes a minority inside a newly constructed state, it could create differences and instability. This is what Callahan points out as the third factor (Kaveh, 2014, pp. 201-202).

Problems were experienced by the Iraqi regime, when they tried to include Kurds since the start. In addition to the weak construction of the Iraqi state which didn't make the situation any better (Kaveh, 2014, pp. 201-202). From this perspective, we can see that Callahan factors partially reflects themselves to the argument of the sociologist Helen Fein, who mentioned that oppression against minorities and ethnic discrimination might be a warning or a sign of an upcoming genocide. Helen Fein comes up with another concept. The concept could be relevant in our case, which is called the "implicated victims" (Kaveh, 2014, p. 202; Power, 2002, p. 191). Fein argues that most of the victims from genocide, consist of citizens who aren't involved in any political circumstances. In other situations, the leaders of a national movement takes a decision which is then used by assailants as an excuse for reacting violently towards the group. The scholar Samantha Power takes this argument further, by explaining that the situation consists of the Kurds being double complex:

Unlike the Jews of 1930s Europe, who posed no military or even political threat to the territorial integrity of Poland and Germany (given their isolation or assimilation in much of Europe), the Kurds wanted out – out of Hussein's smothering grasp and, in their private confessions, out of his country entirely (Power, 2002, p. 191).

It wasn't a secret that Kurds want to be independent and autonomous, while it was president Saddam Hussein who took the conversation up regarding their autonomy. This led to an agreement. The agreement didn't come without a reason, and when analysing the situation at that time, we will notice that the Baath regime at that time have made a coup for power and wasn't ready for another war. That's why it was necessary for the Baath regime to prevent any conflict with the Kurdish population which could lead to the loss of the regime (Kaveh, 2014, p. 202).

### 3.6 American support

The support that the Iraqi regime received from Europe and USA was a crucial factor, which made it possible for Saddam Hussein to exercise his policy. At this situation, the USA knew about the first usage of the chemical weapons in 1983 against the Iranian forces (Kaveh, 2014, p. 202). This becomes clear when the American foreign ministry expressed that they knew about how "Iraq has aquired a CW [Chemical Weapons] production capacity, primarily from Western firms, including possibly a U.S. foreign subsidiary" (Kelly, 2008, p. 128, mentioned in Kaveh, 2014, p. 202).

This makes us question the missing reaction from USA against the Iraqi regimes' usage of chemical weapons. For the USA, the main focus was to not accept Iranian as the winning part, in which the Baath regime knew that attacking with chemical weapons wouldn't lead to any reactions from the Americans side because of their fear of an Iranian victory, as well as that the international community would stand by the Americans. This situation gave the Iraqi regime the opportunity to use chemical weapons without fearing to get punished by the international community. The contradictions, as well as the inconsistency of the American foreign policy was even clearer after the invasion of Kuwait by the Iraqi regime in 1990, while the humanitarian situation and the refugee flow forced for the establishment of a fly ban on specific areas to protect Kurds. Beyond this, the USA continued selling weapons to Iraq's neighbouring country Turkey, to give them the opportunity to fight their Kurdish civilians. There is thus a context between this and Al-Majid's outbreak (Kaveh, 2014, p. 202), where he said that: "I will kill them all with chemical weapons! Who is going to say anything? The international community? Fuck them!" (Middle East Watch, 1993, p. 349).

For USA and Europe, the use of chemical weapons by the Iraqi regime was acceptable, in which they accepted to pay the price, if that meant the victory of Iraq against Iran. USA was always known to be a neutral part, and to stand against genocide, such as the holocaust, and the Armenian genocide, while they ended up supporting Saddam Hussein under Al-Anfal. USA didn't just ally with the Iraqi regime and did support them with credit valued at around 210 million dollars. These credits could be used by the Iraqis to get corn from the Iowa state in America. When Iran attempted to mention and question the chemical weapon attack done by the Iraqis at the United Nations security council, their attempts were unsuccessful, since they got blocked by the USA (Kaveh, 2014, p. 203; Power, 2002).

Through USAs power, the attention that was drawn by the Iraqi regime since the attack on Halabja, had suddenly disappeared, while USA continued to support Saddam Hussein. USA didn't bother the conflict between the regime and the Kurds and thought of the conflict as an internal matter of Iraq. Furthermore, Iraq and their neighbour Turkey attempted to put pressure on USA, to prevent them from supporting Kurds in any form. Other great powers, such as France and the Soviet Union also feared the victory of Iran (Kaveh, 2014, p. 203; McDowall, 2000, p. 350; Power, 2002).

### 3.7 Turning the blind eye to Iraq's use of gas

After all, the neutrality of the USA, doesn't come without reasons, since their worries are against the revolutionary Iran (Power, 2002, p. 176). Hiltermanns (2007) argumentation surrounds USA neutrality, claiming they remained neutral towards the Iraq-Iran war. USA wasn't positive toward Iraq and its actions but considered "neutrality" and supported Iraq as a measure to destroy their common enemy: Iran. In one way, the USAs actions were seen as unneutral when favouring Iraq, while on the other side it's argued that they didn't support Iraq in the fight directly, thus giving the world the impression of being a neutral part (Hiltermann, 2007, pp. 40-46).

USA feared that Saddam Hussein would lose the war against the revolutionary Iran, where the Iraqi oil would fall under the control of Ayatollah Khomeini. Their fear also included the destabilization that would come with radical Islam from Iran, which could destroy the

cooperation between them, the Gulf emirates and Saudi Arabia. These were some of the reasons behind the USA supporting Iraq and didn't stand against Saddam Hussein under Al-Anfal campaign, because of their need for him to fight against the revolutionary Iran. The USA provided a balance of 210 million dollars to the Iraqi government of Saddam Hussein, that could be used as credit for agriculture, where the Iraqi government are allowed to buy food, such as rice, grain and wheat from the USA. This amount increased to around 500 million dollars every year, because of high rating default, as well as poor credit rating made the banks reject giving loans to Iraq. They got many other kinds of goods from the USA, such as access to import and export credit to have the opportunity of buying goods from the USA. What is important to mention is that Iraq was removed by the USA, from the list that contained names of all countries that sponsored terrorism. This happened when Baghdad banished the terrorist group called Abu Nidal Black June. This cooperation restored and strengthened the diplomatic relations at the end of 1984, between the Iraqi government and the USA, after the occurrence of an Arab-Israeli conflict in 1967. It was mentioned that USA officials got a hold of many details regarding Saddam Hussein's extensive use of execution and torture, but the USA didn't want to see Iran win the war, and defeat Iraq (Power, 2002, p. 176-177).

Gradually, the USA realized that both Iraq and Iran were storing weapons and forming ideological dissatisfaction that could potentially hurt the USA back, but they didn't take a step further, letting both sides destroy each other in a war. Their rating was that an Iraqi victory wouldn't make much of a difference and won't be good for the USA interest. Power (2002, p. 177) describes the reasons behind the USA not fully supporting Iraq, was that if Iran collapsed, it would give Saddam Hussein the opportunity to dominate over the Gulf. That's why the USA changed their strategies by leaving the conflict between Ayatollah Khomeini and Saddam Hussein (Power, 2002, p. 177). Because Iraq had built strong diplomatic relations with the USA, the Kurds started to lose favour in the eyes of the Iraq regime, in which Baghdad continued clearing Kurdish territories in 1982. The Iraqi government expanded afterwards the inward from the borders, and they intensified their resettlements policies. All these actions were done due to lack of control over the Kurds, and that's the main reason behind targeting every Kurd who lived outside major towns or those who didn't stay next to main roads. It was therefore mentioned that when the Kurds were deported by the Iraqi

government, they received no compensation before leaving, services were cut, while Kurds who stayed were banned from trading (Power, 2002, p. 177).

Power mentions that the Kurds always had been opportunists. The Kurdish political parties took the opportunity to cooperate with Iran, when the conflict between Iran and Iraq escalated. What made it worse for the Kurds was when one of their factions which was loyal to Barzani and supported Iranian soldiers to capture the Iraqi town located next to the borders called Haj Omran. This is when the Iraqi army responded by killing over 8000 Kurds from the clan of Barzani. Among those who were killed by the Iraqi army were around 315 children (Power, 2002, p. 177). Saddam Hussein wasn't shy and admitted that his forces attacked Kurds and said the following "They betrayed the country and they betrayed the covenant, and we meted out a stern punishment to them and they went to hell" (Power, 2002, p. 178). Even if the Kurds tried to lead up their case to the USA and its allies, neither of them protested on the attacks. It was explained by Power (2002) that:

The American tendency to write off the region was so pronounced that the United States did not even complain when Hussein acquired between 2,000 and 4,000 tons of deadly chemical agents and began experimenting with the gasses against the Iranians. Policymakers responded as if the ayatollah had removed the Iranian people (and especially Iranian soldiers) from the universe of moral and legal obligation (Power, 2002, p. 178).

This was until the chemical weapons were used against Iran, in which around 50,000 Iranians were either wounded or killed. This led to psychological terror, and many well-equipped soldiers fled. The American State Department and the Congress let the chemical weapon attack slide, and it took time before the reports regarding the use of chemical weapon came to Secretary of State Shultz in 1983, when the spokesman in 1984 issued the so-called condemnation. The spokesman described the conflict of being two sided and said "While condemning Iraq's resort to chemical weapons, [...] the United States also calls on the government of Iran to accept the good offices offered by a number of countries and international organizations to put an end to the bloodshed" (Power, 2002, p. 178). Even one of

the American intelligence analysts mentioned in March 7<sup>th</sup> of 1984, that they worry about demolishing their connections to Iraq, if they take a position against the Iraqi use of chemical weapons. That's why the effort to promote and create an international treaty for banning use, transfer and production of chemical weapons were met with opposition by the Washington national security, as well as West Germany, who were profiting by selling chemical agents. USA reasoned their mild response on the Iraqi use of chemical weapons by saying that they only saw "it as a weapon of last resort deployed only after more traditional Iraqi defences were flattened" (Power, 2002, p. 179). Even if the Iraqi government were the first to use chemical weapons, it's said that their operations were seen as defensive, to disrupt and deflect Iranian offensives, and that their goal wasn't to gain ground. What the USA did as a response to the reports that regarded chemical weapon, was to claim further investigation with the case. Power explains that:

On several occasions the UN dispatched fact-finding teams, which verified that the Iraqis had used mustard and tabun gas. But policymakers greeted their reports with an insistence that both sides were guilty. Once Hussein saw he would not be sanctioned for using these weapons against Iran, the Iraqi dictator knew he was on to something (Power, 2002, p. 179).

### 3.8 Politicide?

What becomes clear is that the war between Iraq and Iran played an important role during Al-Anfal, in which it's stated by Middle East Watch that "The logic of the Anfal [...] cannot be divorced [...] from the Iran-Iraq war" (Middle East Watch, 1993, p. xiii). According to Montgomery (2001), he also has a similar view as Middle East Watch and refers to them when stating that the Al-Anfal campaign was directly linked to the war between Iraq and Iran (Montgomery, 2001, p. 76). It was mentioned by Middle East Watch (1993) that the Kurds did cooperate with Iran. PUK and KDP were supported by Iran in challenging the Iraqi regimes power. This cooperation is an example of an insurgency, and Middle East Watch claims that even though the Iraqi regime had the right to fight the insurgents, "the central government went much further than was required to restore its authority through legitimate military action" (Middle East Watch, 1993, p. xiii-xiv), and thus, resulting in committing a genocide and crimes against humanity (Middle East Watch, 1993, p. xiv).

When Barbara Harff (2003) mentions the content of politicide and genocide, she says the following:

*the promotion, execution, and/or implied consent of sustained policies by governing elites or their agents – or, in the case of civil war, either of the contending authorities – that are intended to destroy, in whole or part, a communal, political, or politicized ethnic group.* In genocides the victimized groups are defined by their perpetrators primarily in terms of their communal characteristics. In politicides, in contrast, groups are defined primarily in terms of their political opposition to the regime and dominant groups. (Harff, 2003, p. 58).

Based on Harff's (2003) definitions, Kaveh (2014) argues that for Saddam Hussein and his regime, the Kurds were seen as a politicized ethnic group, in which an example could be how Al-Anfal targets were described in the regulations of al-Majid, and in the bureaucracy in general. What's important with Harff's definition of politicide is that terms define conflicts and repression where the state itself sees the victims as a political group (Harff, 2003; Kaveh, 2014, p. 204). Kaveh (2014) argues that the military operations could be put under the category of politicide, since the regime aimed at those who were active in acting as an opposition, in which the regime chose to annihilate the population, as well as destroying their villages, and created fear as a prevention of future opposition (Kaveh, 2014, p. 204).

Al-Anfal is a complicated case, especially when it comes to the genocide convention, because Kurds ethnicity was extremely politicized, which we could see through their political opposition against Saddam Hussein. Since Kurds weren't defined by the regime as a specific ethnicity, but rather by referring to them according to political or a geographical standpoint, it will be difficult to categorize Al-Anfal operations as a genocide, when related to the articles in the Genocide Convention. There are disagreements regarding the Kurdish conflict (Kaveh, 2014, p. 204), where Hilterman argued differently:

In order to fight the rebels, most of rural Kurdistan was declared “prohibited”, and the villages in these areas were marked for destruction regardless of the question whether the inhabitants actively participated in the insurgency or in any other way offered support to the rebels. (Hiltermann, 1994, p. 41).

Even if we think that Hiltermann's arguments are correct, it's clearly mentioned by Kaveh (2014) that his conclusions are based on Hiltermann's interpretation and understanding of the Genocide Convention. Because of it, when comparing the interpretation to the campaign, we can see that even if Al-Anfal was aimed at destroying a group in partial or as a whole, the definition of the convention makes it difficult to apply genocide as a term in this context (Kaveh, 2014, p. 204). Assaultants aren't the only ones who had the opportunity to get away from the law through cases such as politicide, and that's because it doesn't get mentioned within the genocide convention. This also includes third parties, where they refer to states' sovereignty of internal affairs to avoid responsibility. In this context the USA gave its support directly to Saddam Hussein and his regime, without fearing the consequences since they could throw the responsibility to the regime, and by using sovereignty as an argument (Kaveh, 2014, p. 204).

It's therefore argued by Kaveh (2014) that it would be an understandable reaction by a state to react in a violent way, when a group stands against the regimes expectations and demands regarding territoriality, just like the Kurds who lived in Iraq. It's therefore argued that massacre and genocide within their borders is a right in which a territorial state is entitled to “...as an integral part of its sovereignty ...”. (Kuper, 1981, p. 161, mentioned in Kaveh, 2014, p. 204). A states' indivisibility is a right, where even the United Nations have confirmed this by prohibiting “any action aimed at the partial or total disruption of the national unity and territorial integrity of any other state or country” (Callahan, 1997, p. 25, mentioned in Kaveh, 2014, p. 204).

That's why it doesn't always make sense to explain mass killings, just by looking at the genocide convention, and especially when trying to understand the reasons behind the state deciding to exercise mass killing (Kaveh, 2014, p. 204-205). Just like the scholar Martin van



Bruinessen who mentioned: “As long as nonintervention in any country’s “internal affairs” remains a sacrosanct principle without further qualification, attempts to revise the definition of the term genocide are, I am afraid, bound to remain a futile intellectual exercise” (Bruinessen, 1994, p. 142).

The conduct of Saddam Hussein was intentional and resulted in mass killings on Kurds in the 1980s, but since the genocide convention has its weaknesses, and especially when trying to apply genocide as a legal term, it would be hard to categorize the conflict. This is where the Iraqi regime gets its advantage by considering the mass killings to be a politicicide, in which they will have the opportunity to cover their wrong doings by defining it as a political conflict between the regime and Kurds. Therefore, from the regimes perspective it could be argued that because of their violent behaviour as a result of political factors, the Iraqi regime had to defend itself against the rebellions, and therefore has the legitimate right to use measures in order to maintain peace by going on a counterinsurgency (Kaveh, 2014, p. 205).

### 3.9 Importance of recognition

Since we have seen that the involvement that US had to support Iraq to defeat Iran had a big impact on how they viewed the conflict between the Iraqi regime and the Kurds in the northern region, just by saying that it’s an internal conflict between the regime and its citizens, in which it has sovereignty and that no other state should involve itself. By looking at the conflict from the USAs perspective, it will be clear that since their strategy was to defeat the expansion of the Iranian revolution, by supporting Iraq, their view on the Kurds would be similar, when the Kurds cooperated and supported Iran (Kaveh, 2014; Power, 2002).

This is one point of describing it to be a political conflict, which provoked Saddam Hussein and his regime to attack the Kurdish villages to prevent their cooperation with Iran. The next question would be related to why it would be important to EU to consider the conflict to be a genocide. Since EU wasn’t involved in the same way as USA, it would be important from their point of view to consider it to be a genocide for the sake of the victims who died under the Al-Anfal campaign. It would be crucial in that way to achieve justice for those who have

been injured, died, and to those who have fled and lost their homes (Kaveh, 2014; Power, 2002).

The UK, Norway and Sweden are countries who have recognized the conflict and defines it as a genocide (Baser & Toivanen, 2017, p. 405). Through recognition, UNPO & the Kurdish Regional Government see the possibility of promotion when it comes to reconciliation, rule of law and peace within the country. By doing so, the committed atrocities by the Iraqi regime would give the opportunity to point out the failures of the international community, where they failed to protect the Kurdish population and their rights, in which under and after the atrocities were done, no pressure was made by the international community in order to prevent the regime from continuing their violations (Kurdish UK Representation, London, mentioned in UNPO & the Kurdish Regional Government, n.d., p. 7). Another important event was the statement that came from the Chair of the European Parliament's Delegation, where Struan Stevenson stated that the recognition of the campaign as a genocide against the Kurdish population would be important, because of "*In current Iraq, under the rule of Prime Minister Maliki, the danger of a genocide happening again is present and therefore it is even more important now to keep the remembrance of Halabja alive*" (Kurdish UK Representation, London, mentioned in UNPO & the Kurdish Regional Government, n.d., p. 7).

Through his statement, we can highlight that the recognition isn't only about to compensate and support the Kurds who were affected by the campaign, and that it would be important to prevent similar crimes in the future, and especially after the fall of the Iraqi regime of Saddam Hussein after the USAs invasion, which created an interethnic tension in the country. UNPO & the Kurdish Regional Government appeals to EU and argues that the recognition could create stability and make democratization possible, in which the recognition would be seen as a measure of futuristic prevention of a new genocide in the region. Through it, the EU would have the opportunity to play an important role, by promoting stability and unification between citizens in Iraq, to hinder atrocities in the future, and also to benefit the countries democratization process. The democratization process would create a peaceful and a democratic society in Iraq, by showing the society through EUs recognition that the rule of law and the human rights are to be trusted (UNPO & the Kurdish Regional Government, n.d., p. 7).

Beyond this, the Kurds suffered a lot of trauma, especially those who have been genocide victims or who have lost their families, and therefore the relationship between Kurds and the Arabs consist of distrust between both ethnicities. The recognition by EU could contribute to help and heal Kurds wounds from the events, by trying to promote for the opportunity of social reconstruction, as well as reconciliation in the country, between the Iraqi Arabs and the Kurds (UNPO & the Kurdish Regional Government, n.d., p. 7).

### 3.10 Reasons behind legally recognizing Al-Anfal as a genocide

First of all, it's important to mention that the Iraqi High Court recognized Halabja to be a genocide, and this happened after formation of the new government after the fall of the Baath regime (Trahan, 2009; UNPO & the Kurdish Regional Government, p. 5). Their recognition of it involved punishing al-Majid to death, and that for his decision to attack by using chemical weapons on Halabja. Within international law, it's found that genocide describes violent crimes which are committed with an intent to destroy, whether it's in part or as a whole, the Kurdish existence (Baser & Toivanen, 2017, p. 409; UNPO & the Kurdish Regional Government, p. 5), by five different kinds of punishable acts, such as:

1. Killing members of the group;
2. Causing serious bodily or mental harm to members of the group;
3. Deliberately inflicting on the group conditions of life calculated to bring about its Physical destruction in whole or in part;
4. Imposing measures intended to prevent births within the group;
5. Forcibly transferring children of the group to another group (BBC, 2007, mentioned in UNPO & the Kurdish Regional Government, p. 5).

When comparing these to the events under Al-Anfal, it would be noticed that Al-Anfal operations were targeting specifically Kurds from Iraq, which is a specific group of people, and because of their ethnical difference, they became the targets of the Baath regime, and went through the so-called Arabization campaign, where many villages were destroyed, and many were executed. In addition to this, when looking at the Kurds perspective of the situation, we will notice that their cooperation with Iran is understood differently. For Kurds, the northern region is theirs, and they therefore look at it as their own region called Kurdistan, which consist of Kurds. They argue that the Iraqi conflict with Kurds is about taking control over the Kurdish region, which isn't logical since Kurdish rebels controlled the area (UNPO & the Kurdish Regional Government, n.d., p. 5).

Some evidence regarding the regimes intention to commit actions that is seen as genocide could be explained through a Human Rights Watch report (UNPO & the Kurdish Regional Government, n.d., p. 6), that refers to at least three purposes for the Baath regime to use chemical weapons such as:

- To attack base camps and concentrations of Kurdish people, including Kurdish rebels;
- To inflict exemplary collective punishment on civilians for their support for Kurdish rebels. [...]
- To spread terror amongst the civilian population as a whole, flushing villagers out of their homes to facilitate their capture, relocation and killing (UNPO & the Kurdish Regional Government, n.d., p. 6).

These three purposes strengthen the theory regarding the consideration of the events to be a genocide.

## 4 Discussions

This chapter will highlight interesting discussions from the analysis. The information which has been mentioned earlier will in this chapter, be connected to clarify USAs standpoint and the unrecognition of Al-Anfal. This will be drafted upon other perspectives from the literature.

### 4.1 USA – an Iraqi ally during Al-Anfal?

All of the data collected by different scholars through the thesis shows us that the Iraqi regime had violated the human rights of Kurds, in which many were treated badly, executed, removed from their homes, and prisoned. These are serious violations, which have injured many Kurds in this period. But this doesn't mean that the attacks were directly targeting the whole population of Kurds within the northern region of Iraq. We can see that the conflict started and escalated when the Kurds allied with Iran under the conflict between Iraq-Iran, where the Iraqi regime saw upon them as traitors (Kaveh, 2014; Middle East Watch, 1993).

Through analyzation, it becomes clear that states have different meanings about the Al-Anfal campaign. When comparing US and western states, who has many common values such as democracy and human rights, we will still see that they have different views on the campaign that occurred in Iraq under the Baath regime (Baser & Toivanen, 2017; UNPO & the Kurdish Regional Government, n.d.). On one side, Kaveh (2014) and Power (2002) argues that the US was involved in the conflict between Iraq and Iran to fight the Iranian revolution, in which they had to support Iraq, by standing on their side politically and industrially. Since their goal was to defeat Iran, their focus was therefore political.

USA saw Iraq as an independent regime with its own sovereignty, who can decide what to do without the involvement of foreign countries. When Kurds who lived within the northern region cooperated and helped Iran in crossing the borders to Iraq, it provoked not only Saddam Hussein, but the whole government who saw their actions as betrayal. In the eyes of every Arab in Iraq, the northern region was a part of Iraq and was therefore ruled by an Iraqi government. To see the Kurds cooperating with Iran made them also the enemy of the Iraqi regime. From the Arabs perspective it's seen as a betrayal, while on the other side, many

Kurds saw the northern region as an area for Kurds, and they used to call it Kurdistan Iraq, where a part of Kurds and especially those who were politically involved from PUK and KDP saw Kurdistan as an independent region, in which a cooperation with Iran wouldn't make them betrayals (Kaveh, 2014).

As a summary, we can say that based on the literature study, we have found two approaches to the research question. Firstly, the US may have rejected to recognize the campaign as an incident of genocide because it was a political conflict. Based on Harff (2003), it is reasonable to assume that the campaign must be considered as a politicide. To the Baath regime, the Kurds who didn't want to move from the northern region of Iraq were seen as insurgents and allies of Iran. To stop the alliance Iraq had to act and banned Kurds from living in north of Iraq. The argument of the campaign being a politicide, is supported by the fact that Iraq's intention was to handle "a political conflict" rather than killing an ethnical group (Kaveh, 2014).

From this perspective we can understand that the conflict was political, in which Kurds aimed at cooperating with Iran, to get their independence from Iraq. This situation indicates that the conflict started as a political conflict. Afterwards, when the Iraqi army targeted a specific area in northern Iraq, it was described to be targeting a tribe which cooperated and started the alliance with Iran. Since the regime was dependent of the northern area for resources, such as oil, as well as the highway which gives them the opportunity to export and import resources through the borders with Turkey and Europe, they feared that the alliance between Kurds and Iran would impair the Iraqi regime. That was the main reason for the regime to force Kurds out of the northern region, in which their aim was to gain control over the northern region, to prevent the cooperation and to secure their borders (Kaveh, 2014; Saeedpour, 1992).

Through the explanations, we see that it was difficult to fight Peshmerga, and the Kurds who were allied with Iran, because they lived among the Kurdish population. That's why the regime created fear among the Kurdish population, to force them to move to the cities, or in camps along the highway, to gain control and fight those who were against the regime. Although, the plan of the regime wasn't successful, and not everybody was willing to move

and leave their homes. Here, we see the ignorance from the regime, where they ignored civilians who weren't involved, in which the regime didn't find any measures for them. Therefore, to target the areas, and to use chemical weapons against all civilians shows only irresponsibility. In this situation, it becomes clear that the regime had violated the human rights of many Kurds, those who moved and were interrogated, executed and poisoned, as well as those who stayed and got killed by the chemical weapons (Kaveh, 2014; Middle East Watch, 1993).

#### 4.2 A conscious choice

Secondly, the US rejection was a result of a conscious choice. One may argue that the US intentionally chose to not label it as a "genocide", in order to keep their cooperation with Iraq. Recognizing it as a genocide, would lead to sanctions against Iraq, in which it could destroy their relationship with Iraq. Sanctioning Iraq could result in weakening the Iraqi regime resulting in Iran's victory. This was understood to be the opposite of what US wanted, thus supporting Iraq would be their best option. The US had the opportunity to reject the recognition of Al-Anfal, since there wasn't an international agreement upon labelling it as a genocide (Hiltermanns, 2007; Power, 2002).

When the Iraqi regime was provoked, they took actions and used strategies to Arabize the northern region, and to force Kurds to live in cities, or in gathering places to prevent them from having the opportunity to cooperate with their biggest enemy Iran. The regime focused on attacking villages that consisted of Kurdish tribes, who were known to be cooperating with Iran, and targeted villages that were involved. If the regime had targeted every Kurd in the country, it could easily be a genocide, but in this case, we can see that only those who were seen as betrayals were targeted, while others had to move further south in the country. What is interesting to know is that many of those working in the Iraqi army, and in the government were ethnically Kurds, who worked and conducted their work against those who were seen as betrayals. From this perspective we can see that the campaign wasn't focusing on eradicating a whole or a part of an ethnic group, and only focused their attack on those who were guilty (Kaveh, 2014).

The regime warned every citizen to not live in specific areas within the northern region, but their use of chemical weapons shows irresponsibility and ignorance by the regime. Many innocent people were killed because of their use of chemical weapon, which shows us that their actions are a crime against the citizens, but that doesn't give the right to consider it to be a genocide, since the genocide convention has rules (Hiltermann, 1994; Kaveh, 2014).

What makes it hard to recognize the conflict as a genocide, was that not all Kurds were targeted, since there were many Kurds who worked within the government, inside the army, while there were others who were willing to move and lived in other cities. Since the US feared the Iranian revolution, they had to stand by the Iraqi regime and support them to fight against Iran. They had to find an ally, who had the same interest in fighting the Iranian regime. This gave US the opportunity to strengthen their diplomatic relations and to support the Iraqi regime with credit that could be used to buy resources and food from them. Because of the cooperation between the US and Iraq who had common goals, we can see that Kurds were an obstacle to their goals. The standpoint of the US was since the start political, in which they saw the Al-Anfal campaign to be politically aimed. That was one of the main reasons for the US to reject the campaign being a genocide (Kaveh, 2014; Power, 2002).

Kaveh (2014) argues that it's difficult to put Al-Anfal campaign under the term "genocide", since the Iraqi regime considered the Kurds in north as insurgents. The campaign targeted Kurds who stayed and continued living within the northern region, in which it didn't target all Kurds throughout Iraq. This argument strengthens the US standpoint of the campaign being a politicicide. On the other hand, Kurds disagree and argues that the conflict must be considered as a genocide, since Saddam Hussein targeted a specific group, who were in their eyes a part of the Kurdish group, which fulfils one of the requirements within the genocide convention. Their other argument was that using chemical weapons to kill and to create fear shows only a crime against humanity, and mentions that those who are innocent, and who were injured won't calm down until the guilty would be punished for their actions (Middle East Watch, 1993; UNPO & the Kurdish Regional Government, n.d.).



### 4.3 Genocide – a weak definition?

Since western states weren't directly involved between Iraq and Iran under Saddam Hussein's regime, they didn't have the same standpoint of the situation as the US, they therefore saw the conflict from a different perspective, and focused mostly on citizens' satisfaction, justice and democratization, in which many European countries agreed upon recognising the campaign as a genocide, not only to satisfy Kurds, but also to protect human rights and to strengthen the reputation of the international community. On one side we can see that there were different opinions regarding the actions of the Baath regime, and whether their actions were against Kurds as an ethnic group. There are many reasons which suggest that the campaign wasn't a genocide, but rather a politicide, which makes states such as the US reject considering it to be a genocide, in which one of their biggest influences was their involvement to defeat Iran, by supporting Iraq, and to back them up in political meetings to prevent the international community from intervening, and to give Iraq the opportunity to fight without any obstacles (Baser & Toivanen, 2017; UNPO & the Kurdish Regional Government, n.d.).

On the other hand, when we look at other western states such as for example Norway's perspective, we see that they base their facts upon reports from non-governmental organizations, who describe how the Iraqi regime violated human rights and used chemical weapons to kill many Kurdish civilians, who weren't involved in the conflict. Since there aren't specific meanings for the term genocide, we will see that states interpret it differently, in which it creates confusion among states. Even if the Genocide Convention mentions different violations, it's hard to categorize every conflict, and especially when the conflict is based on politics, and not on ethnic cleansing. Since the actions of the Iraqi regime were immense and led to the death of many Kurds, due to the irresponsibility of the regime, we can say that the Norwegian state considers this event to be a genocide against the Kurdish population (Baser & Toivanen, 2017; Kaveh, 2014; Middle East Watch, 1993).

It's interesting to see that the Genocide Convention has a weak definition, because states can openly define and understand it differently. This was also mentioned by Kaveh (2014) who mentioned its weakness by describing how states categorize conflicts through their own perspective, which bases it on opinions. There are contradictory opinions regarding Al-Anfal, where it becomes difficult to either accept it as a genocide or a politicide. This makes us

question if the convention could have a clearer definition, which could create a common understanding among states internationally, regarding how, and when conflicts could be categorized under the Genocide Convention.

## 5 Conclusion

This thesis is an attempt to collect relevant sources to find an answer behind the reasons regarding why the USA didn't recognize Al-Anfal to be a genocide. Many countries have a different view on whether it could be recognized because of the Kurds situation under the Baath regime. Through the collected data, it becomes clear that one of the biggest reasons for USA to not consider it to be a genocide, was because they were involved in the conflict, in which they focused on fighting the Iranian revolution, and therefore had to support Saddam Hussein and his Baath regime. Their only victory was to support the Baath regime in order to win the fight against Iran. USA feared Iran, more than Iraq, and didn't have any other choice rather than supporting Saddam Hussein. Their economic support in the form of credit for industry support showed the strong relationship that was built between Saddam Hussein and USA. This situation was misused by the Baath regime, in which they noticed that the USA needed their support to win over Iran, and they therefore misused the situation for their best. The Baath regime misused the relationship to be protected by USA in front of the international community, while they could revenge themselves on Kurds who supported and cooperated with Iran, when the Iranian army came across the borders to Iraq through Kurdish support. The revenge that could be seen through research, showed that the only group of Kurds who were attacked by the Iraqi army, were those who had an involvement, or whom supported Iran. This shows that the attack by the Iraqi regime wasn't targeting the whole ethnicity, in which it becomes a genocide, but was rather a political conflict seen from the Americans perspective. This strengthens their view and makes them see the conflict to be a politicide, rather than a genocide. What's interesting is that the Genocide Convention isn't clearly defined, in which it creates different perspectives and understandings, when it comes to the understanding of the term by different states. My recommendation for future research could be about continuing to research the terms genocide and politicide, and how different states views and understands these terms.

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