

BUREAUCRACY OF REPRESSION

The Iraqi Government in Its Own Words

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February 1994

Middle East Watch

A Division of Human Rights Watch

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Middle East Watch

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SUMMARY AND CONCLUSIONS

In two separate shipments in May 1992 and August 1993, eighteen tons of official Iraqi state documents captured by Kurdish parties in the March 1991 uprising arrived in the United States for safekeeping and analysis. A Middle East Watch-led team has conducted research on these documents since October 1992; to date, approximately forty percent of the materials has been catalogued and studied.

This is the first report that discusses these documents. In it, we seek to explain the purpose of the research project, and to offer an assessment of the provenance, physical condition, contents and authenticity of the documents that are currently sorted in the United States. Because of the on-going nature of the project, the findings presented here must be seen as preliminary in nature.

We are also publishing, in the Appendix, a sample of thirty-eight documents, both in the original Arabic and in English translation. This is the first time that most of these documents are being made public. Individual documents obtained by western visitors to the Kurdish region have been published in piecemeal fashion in the past two years. But this report constitutes the first attempt at a systematic analysis of a significant portion of the Iraqi state files.

The documents project is part of a wider effort by Middle East Watch to provide evidence that the Anfal campaign by the government of Iraq against its population of rural Kurds in 1988 amounted to genocide. Middle East Watch is currently working toward the bringing of a case of genocide before the International Court of Justice at The Hague; the documents will constitute one important pillar of evidence in such a case. Other evidence will consist of eyewitness testimonies collected by Middle East Watch in northern Iraq in 1992 and 1993, and forensic evidence obtained there by Middle East Watch in collaboration with Physicians for Human Rights. Significantly, we have been able to make some very important matches between documentary and testimonial evidence, one confirming the other, especially in relation to Iraq's repeated use, in 1987-88, of chemical weapons against the Kurdish civilian population.

The majority of files originate in offices of the General Security Directorate, Iraq's internal intelligence agency, or secret police. The holdings also include significant quantities of files from the military Intelligence agency, and from local offices of the ruling Ba'ath Party. The Ba'ath Party's regional headquarters in northern Iraq, the Northern Bureau in Kirkuk, has been responsible for the implementation of the regime's policies vis-a-vis the Kurds. Thus it is the Northern Bureau that had overall authority in the north for the 1988 Anfal campaign.

The files being examined by a Middle East Watch-led team include for the most part memoranda, correspondence, arrest warrants, background information on suspects, official decrees, activity and investigation reports, logbooks, minutes of meetings, membership rosters, lists of names, census forms and salary tables. Through the mechanism of referencing, the documents are linked to one another in a vast and complex administrative web. Despite their variety, they display a remarkable consistency in style. The language is dry and formal, indicating rigid bureaucratic procedures.

Among the findings presented in this report are three key documents, two of which concern the Anfal campaign, while the third offers a "plan of action" against the insurgency in Iraq's southern Marsh areas in 1989. These three documents are included in the Appendix. Generally, the documents we have found during our research constitute small pieces in a large puzzle. In addition to these three key documents, most notable perhaps among our findings is the unequivocal evidence we have been able to accumulate of Iraq's repeated use of chemical weapons against the Kurds. Likewise, we have been able to unearth an impressive documentary record on the incremental Iraqi campaign to raze to the ground all

Kurdish villages and the deportation of their populations.

Other documents cover a range of topics, including the Arabization campaign in the Kurdish areas, military operations in the war with Iran, the activities of the pro-government Kurdish militias, the Anfal campaign, and the political and human rights situation during and after the crisis over Kuwait. The documents provide evidence of collective and extra-judicial punishments, summary executions, and illegal reprisals. Concerning the crucial 1987-89 period, Middle East Watch is confident that the evidence is sufficiently strong to prove a case of genocidal intent on the part of the Iraqi government.

In their totality, the documents attest to the existence of a large bureaucracy which, by the nature of the policies that were carried out against the Kurdish population in the 1980's, was a bureaucracy of repression. Through the documents, Iraq's rulers in the Revolutionary Command Council, the Ba'ath Party and the security apparatus speak with great clarity even if their words are filtered through the bureaucratic vernacular of civil servants following a dull routine of inflexible procedures.

In this report, Middle East Watch is presenting a very small sample of the documents that were captured by the Kurds of northern Iraq in the March 1991 uprising against the regime of Saddam Hussein. They include highlights (for example, the three key documents mentioned above), as well as other documents that show the methodology and routine character of a bureaucracy of repression in action.

Although the interest of Middle East Watch in the Iraqi documents has been one of human rights, the content of these documents goes beyond issues of human rights and civil rights. They offer a unique vista on the inner workings of a sophisticated one-party police state; much analysis remains to be done by other researchers on this aspect of the files. The documents are currently being recorded electronically. Middle East Watch hopes to offer public access to the CD-ROM tapes once the work on the genocide case has been completed - hopefully before the end of 1994.

I. BACKGROUND: THE KURDISH UPRISING IN 1991

On March 6, 1991, Kurdish citizens in the town of Rania rose up in revolt against the central government of President Saddam Hussein, sparking a popular uprising that spread like wildfire throughout the Kurdish regions of northern Iraq. Soon, all the major Kurdish towns, including the important oil center of Kirkuk, had fallen under the control of the local population and Kurdish rebel parties. Within three weeks, though, Iraqi government troops supported by helicopter gunships returned and crushed the revolt, sending over a million civilians in a desperate flight across the mountains to neighboring Iran and Turkey.

In early April, the allies in the war with Iraq during the Kuwait conflict, most prominently the United States, Britain and France, intervened on behalf of the Kurds. They established a "safe haven" for the Kurds in an area of Dohuk Governorate and forced the Iraqi regime to establish a *modus vivendi* with the Kurdish rebel parties in the other parts of the Kurdish region. This permitted most of the population to come down from the mountains and return to their homes.

An unstable arrangement between the central government and the Kurds, punctured by small uprisings, lasted until the end of October 1991. Then Iraqi troops, unable to assert central government control, withdrew unilaterally from most of the Kurdish areas, excluding the important city of Kirkuk. Since that time, Iraqi Kurdistan has been under the control of the Kurdish rebels and, following elections in May 1992, of a Kurdish regional government.

II. CAPTURE AND TRANSFER OF THE IRAQI STATE FILES

These new realities on the ground provided outside observers, including human rights monitors, with unprecedented access to northern Iraq.¹ Beginning in December 1991, Middle East Watch has carried out extensive field research and, in conjunction with Physicians for Human Rights, exhumations of mass graves in the area over a period of almost two years to investigate Kurdish claims of genocide by the Iraqi regime in the 1988 *Anfal* campaign. The organization was greatly aided in this effort when, in the spring of 1992, it came in possession of a large consignment of Iraqi state files that had been captured by the Kurds during the March 1991 uprising.

In the first hours of the revolt, Kurds stormed and took control of offices of the Iraqi government and its agencies, including the various intelligence agencies and Ba'ath Party branches, throughout the Kurdish region. Here large caches of official Iraqi state documents fell into their hands. The Kurdish rebel parties succeeded in moving the majority of these documents from the towns into the mountains before Iraqi troops returned to put down the uprising.

¹ While outside observers have had unprecedented access to northern Iraq, it has not been without dangers. After the Iraqi government lost control of its northern border crossings with Turkey, Syria and Iran in 1991, it has considered the entry of persons into northern Iraq through these crossings as illegal. Numerous attacks against representatives and facilities of the United Nations and non-governmental organizations are believed to have been the work of agents of the Iraqi government.

A little over a year later, in May 1992, one of the Kurdish parties, the Patriotic Union of Kurdistan (PUK), agreed to send most of the documents that had come into its hands to the United States through a tripartite arrangement with Middle East Watch and the U.S. Senate Foreign Relations Committee. Under the terms of the agreement, the Foreign Relations Committee turned the documents into official records of the U.S. Congress and stored them in facilities of the U.S. National Archives. For its part, Middle East Watch agreed to lead research on the documents for human rights purposes, including the pursuit of a genocide case before the International Court of Justice, or World Court, at The Hague.

In August 1993, a second Kurdish group, the Kurdistan Democratic Party (KDP), entered into a similar arrangement with Middle East Watch and the Senate Foreign Relations Committee, and a large part of its documents were then airlifted to the United States as well, and stored with the PUK-captured documents. At the same time, a small consignment of six boxes of Iraqi state documents was sent to the Archives by the Unity Party of Kurdistan, since defunct. The PUK cache consists of fourteen tons of documents; the KDP cache: 4 1/4 tons. The total number of pages has been estimated at about four million.

III. PURPOSE OF THE "IRAQ DOCUMENTS PROJECT"

Since October 1992, a Middle East Watch team has led research on the Iraqi state files, which cover the period from the 1960s to the summer of 1991, with a heavy emphasis on the 1980s. As of December 1993, some forty percent of the documents had been read and catalogued. The main purpose of this project has been to determine whether the documents give evidence of a clear intent on the part of the Government of Iraq, in the 1988 *Anfal* campaign, to destroy a section of the Kurdish population because they were Kurds -- in keeping with the language of the 1951 Genocide Convention.² Middle East Watch is currently working on the preparation of a genocide case against the government of Iraq before the World Court, to be brought hopefully by another government or consortium of governments.³

In its research on the Iraqi documents, Middle East Watch has found hundreds of documents which, taken together, provide the administrative outlines of the Iraqi government's 1987-89 program to identify rural Kurds as a population to be subjected to increasingly severe penalties and, eventually, to be eliminated. The files reveal very clearly the unprecedented concentration of power in Ali Hassan al-Majid, a first cousin of Saddam Hussein and the current Minister of Defense, who, in his capacity as secretary-general of the

² In July 1993, Middle East Watch published a report presenting the first overview on the 1988 *Anfal* campaign. This report, *Genocide in Iraq: The Anfal Campaign Against the Kurds*, combines testimonial and forensic evidence collected during the various field missions to Iraqi Kurdistan in 1991-93 with the documentary evidence that had been garnered as of May 1993 to argue that the Iraqi government did indeed commit genocide against the Kurds in 1987-1989.

³ The need to bring a case before the ICJ goes beyond the important goals of establishing responsibility for the greatest of crimes -- genocide -- which occurred six years ago, and creating a deterrent for other governments that might be tempted to engage in similar crimes. The Kurds might derive practical benefits from a hearing before the World Court as well -- in the form of Court-ordered provisional measures of protection by the international community, Iraqi state reparations to the victims, and hopefully a full accounting by the Government of Iraq for those who disappeared following their arrest in the *Anfal* campaign.

Ba'ath Party's Northern Bureau in Kirkuk, became the architect of the *Anfal* campaign.⁴ To date, no single master plan to exterminate the Kurds has, however, emerged in the collection.

In addition to evidence of intent, Middle East Watch has searched for proof in the documents that genocide was in fact committed by the Iraqi government in 1988. Documentary evidence has been supplemented with testimonial and forensic findings collected in northern Iraq by teams from Middle East Watch and Physicians for Human Rights in 1991-93. Significantly, we have been able to make some very important matches between documentary and testimonial evidence, one confirming the other, especially in relation to Iraq's repeated use, in 1987-88, of chemical weapons against the Kurdish civilian population.

Finally, the team led by Middle East Watch has trawled through the Iraqi state files for evidence of other violations of basic human rights. These include extra-judicial punishments, reprisals against the families of suspected Kurdish guerrillas, torture in detention, the use of chemical weapons, large-scale destruction of homes and property, and forced relocation.

IV. THE DOCUMENTS' PROVENANCE

Virtually all the documents stored in facilities of the U.S. National Archives were captured in the three northern Kurdish governorates of Iraq: Dohuk, Erbil and Suleimaniyeh, and then mostly from the three main towns (bearing the same names) in these governorates. There is also a significant cache of files that came from the town of Shaqlawa in Erbil governorate, where they had been captured from offices of Iraq's internal security apparatus, the *Amn*, by members of the PUK. Regrettably, the Kurds succeeded in removing only a small volume of documents from the town of Kirkuk in al-Ta'mim governorate, seat of the Ba'ath Party's all-powerful Northern Bureau, before Iraqi troops returned to suppress the uprising there a mere one week after it had erupted. Finally, the holdings in the United States include a smattering of documents from the towns of Tuz Khurmatu (Salah al-Din governorate), Khanaqin (Diyala governorate), and Sheikhan and Aqra (Nineveh governorate).

The vast majority of files in Kurdish hands originate in offices of the General Security Directorate (*Mudiriyyat al-Amn al-Ameh*) in the towns of Dohuk, Erbil, Shaqlawa and Suleimaniyeh. The *Amn* is Iraq's internal intelligence agency, the secret police, which fell under the Ministry of the Interior until 1989, and from then on reported directly to the Office of the President. The *Amn* has its headquarters in Baghdad, from which it guides the work of the main *Amn* branches in each governorate. The Kurdish Autonomous Region (established by government fiat in 1974), which comprises the governorates of Suleimaniyeh, Erbil and Dohuk and is based in the town of Erbil, has a special *Amn* office (referred to as the Security Directorate of the Autonomous Region) that reports directly to *Amn* headquarters in Baghdad on Kurdish matters.⁵

⁴ Neither Ali Hassan al-Majid's predecessor as secretary of the Northern Bureau, nor his successor received the broad authority from the Revolutionary Command Council that al-Majid had from March 29, 1987 until April 23, 1989. See Document #13 in the Appendix below.

⁵ Although by rules of bureaucratic hierarchy the *Amn* offices of Suleimaniyeh, Erbil and Dohuk governorates were supposed to report to the *Amn* office of the Autonomous Region (which, as the documents show, they often did), at times they reported directly to the *Amn* headquarters in Baghdad.

The holdings also include significant quantities of files from the General Directorate of Military Intelligence (*Mudiriyat al-Istikhbarat al-Askariyeh al-Ameh*). The *Istikhbarat* falls under the direct authority of the Office of the President in Baghdad and asserts its authority in the nation through regional headquarters (*manthumat*). Two of these affect the Kurds: the Northern Sector *Istikhbarat*, which is based in the town of Erbil and covers Nineveh (Mosul), Dohuk and Erbil governorates; and the Eastern Sector *Istikhbarat*, which is based in Kirkuk and covers al-Ta'mim, Salah al-Din, Suleimaniyeh and Diyala governorates.

In the labyrinth of Iraqi intelligence agencies, there does not seem to be a clear division of labor; some agencies appear even to have been set up specifically to spy on the activities of the others. Generally, though, it can be said that the *Istikhbarat* deals exclusively with military matters, while the *Amn* focuses on the civilian domain. Thus, during the regime's counter-insurgency campaign against the Kurds in the 1980s, the *Istikhbarat* was responsible for gathering intelligence of a military nature, involving activities by and against the armed guerrillas who were based in the countryside or in neighboring Iran. If armed men were captured by the army during military operations, they would invariably be handed over to the *Istikhbarat* for questioning. It seems, though, that even civilians arrested by the army would end up with the *Istikhbarat*, not the *Amn*. By contrast, the *Amn* would operate in the towns and hunt down civilian members of the Kurdish parties, referred to in the official language as the "internal organization" (*al-tanzim al-dakheli*), or urban underground. The *Amn* might also accompany army units during actions against villages because of its specialized knowledge and expertise, and persons captured during such missions might end up in the hands of either the *Amn* or the *Istikhbarat*.

The Iraqi state files also comprise documents from local offices of the Ba`ath Socialist Arab Party (*Hezb al-Ba`ath al-`Arabi al-Ishtiraki*).⁶ Technically, these are not government files, since the Ba`ath Party is independent from the state and its structure remains strictly separate from that of state institutions. But Iraq has been ruled by the Ba`ath Party since 1968, and for all practical purposes the Ba`ath Party, through its secretary-general, Saddam Hussein, has the final word on all major issues affecting the country. The Party has a mass membership, extending throughout public institutions, the armed forces, places of work, educational institutions and local communities. Party membership is an Iraqi citizen's ticket to job promotion, but the reverse is also true: once special efforts are made to recruit a particular person, refusal to join may trigger the loss of that person's job. In higher education, the situation was worse in the 1980s: to continue one's studies beyond a Bachelor's degree was impossible if the student was not also a Ba`ath Party member.

The Ba`ath Party maintains its ideological grip on Iraq through its regional bureaus. The one affecting the Kurds is the all-powerful Office of the Organization of the North (*Maktab Tanzim al-Shimal*, the "Organization" being the Ba`ath Party) based in Kirkuk, here referred to as the Northern Bureau. The function of this office has been to implement and even formulate, the regime's policy in the Kurdish areas, especially during the mid-to-late 1980s. Under its secretary-general in 1987-89, Ali Hassan al-Majid, the Northern Bureau drafted and directed the campaign to crush the Kurdish insurgency, and thus became directly responsible for the murder of tens of thousands of Kurdish civilians.⁷ The Kurdish parties claim that

⁶ "Ba'ath" translates as "Revival." Because of common usage in English, we refer here simply to the "Ba'ath Party."

⁷ Prior to taking up his post at the Northern Bureau, Ali Hassan al-Majid served as head of the *Amn* from 1985 to 1987. In the early 1980s, al-Majid was the director of the office of the Regional Command of the Ba'ath Party. As such,

some of the most incriminating documents and audiotapes currently being analyzed were taken directly from al-Majid's home in Kirkuk. Middle East Watch has seen no files that originate in the office of the Northern Bureau, but we have found a number of original Northern Bureau documents in *Amn* and *Istikhbarat* files.⁸

The cache of Iraqi documents being analyzed by a Middle East Watch-led team also includes a sprinkling of files from the following agencies (or original items of correspondence from these agencies found in files belonging to other agencies):

- -The Presidential Cabinet of the Republic (*Diwan Ri'aset al-Jumhuriya*), the office of the President, whose executive orders are habitually signed by the office's Secretary (individual items of correspondence only).
- -The Northern Affairs Committee (*Lajnet Shu'oun al-Shimal*) of the Revolutionary Command Council (*Majlis Qiyadet al-Thawra*) in Baghdad, which oversees the RCC's policy in the Kurdish areas (individual items of correspondence only).
- -The Command of the Office of the Organization of the North (*Qiyadet Maktab Tanzim al-Shimal*), a small but powerful office based in Kirkuk that coordinates activities between the RCC's Northern Affairs Committee and the Northern Bureau (individual items of correspondence only).
- -The Central Intelligence Apparatus (*Jihaz al-Mukhabarat al-Markeziyeh*) in Baghdad, Iraq's foreign intelligence agency, whose northern branch is based in the town of Tikrit, with smaller branches in Suleimaniyeh and other towns (individual items of correspondence only).
- -The National Defense Contingents (*Afwaj al-Difa' al-Watani*), the pro-government Kurdish militias, based usually in the tribal areas from which they recruit their members (complete files).
- -The National Defense Corps Command (*Qiyadet Jahafel al-Difa' al-Watani*), the command of the pro-government Kurdish militias, which had five regional headquarters in the north (complete files).
- -The Popular Army (*al-Jaysh al-Sha'abi*), a militia largely made up of "volunteers," created to support the army by manning guardposts at government facilities, and other tasks (complete files).
- -The commands of regular army divisions, including the First Corps (*Faylaq al-Awwal*) in Kirkuk

he was the third ranking Ba'athi official in Iraq after Saddam Hussein, the secretary-general, and Izzat al-Durri, his deputy. The Regional Command is the leading organ of the Ba'ath Party in Iraq. It forms part of the Arab Ba'ath, which fell under the leadership of founder Michel Aflaq until the latter's death in 1990, when Saddam Hussein replaced him. Following his assignment in Kurdistan, al-Majid served as Minister of the Interior and as Governor of Kuwait during the brief military occupation in 1990-91. Since 1991, he has been Minister of Defense.

⁸ Kurdish rebels held the town of Kirkuk for barely a week during the uprising. According to rebel sources, they failed to remove most of the documents they had captured in Kirkuk in time because they had not anticipated their quick defeat. Some of the files of the Eastern Sector *Istikhbarat* were saved, but files from the Northern Bureau apparently were not.

and the Fifth Corps (*Faylaq al-Khames*) in Erbil (complete files).

- -The Command of Oil Protection Forces (*Qiyadet Quwat Himayet al-Naft*), a special army division charged with the protection of the town of Kirkuk and surrounding oil fields (complete files).
- -The Security Committees (*al- Lajnet al-Amniyeh*), small but powerful regional committees that combine representatives of the local government, armed forces and security agencies in a single forum to coordinate security policy, and are based in the various governorate and district capitals. They served as executive agencies of the regime in the Kurdish areas during the 1980s; they were abolished after Anfal, and then re-instituted during the crisis over Kuwait (complete files).
- -The Committees to Fight Hostile Activity (*Lajnet Mukafehet al-Nashat al-Mu'adi*), committees similar in conception to the Security Committees but operating at a local level (complete files).
- -State-controlled "popular organizations," like the Youth Union, Student Union and Women's Union (complete files).
- -Local government offices, such as the local Department of Health (complete files).
- -Kurdish "parties" set up by the regime to create the impression of Kurdish opposition to the guerrilla organizations. They include the Kurdistan Revolutionary Party (*Al-Hezb al-Thawri al-Kurdistani*) and the Kurdistan Democratic Party (*Al-Hezb al-Dimuqrati al-Kurdistani*). The latter should not be confused with the KDP currently headed by Mas'oud Barzani (complete files).

Finally, the store of documents also includes files of local Iraqi Police headquarters. More often than not, police documents deal with such mundane matters as common crimes, traffic accidents, car licensing and the like. The police do not appear to have had any role in the counter-insurgency campaign, either in the countryside or in the urban areas.

In addition to documents written and signed by officials from the above agencies, files found in their offices also often contain photocopies, carbon copies and/or handwritten copies of correspondence and memoranda from officials in other towns. These are of special interest if they include, as they regularly do, decisions from the country's senior leadership. We have found, for example, numerous copies of official decrees that were issued by Iraq's highest legislative authority, the Revolutionary Command Council (*Majlis Qiyadet al-Thawra*), under the signature of its chairman, Saddam Hussein. We have also found copies of documents from the Special Security Apparatus (*Jihaz al-Amn al-Khas*), an internal intelligence organization based in Baghdad and run by Saddam Hussein's son Qussay, which spies on the other intelligence organizations by planting agents in their midst; and the National Security Council (*Majlis al-Amn al-Qawmi*) in Baghdad, an advisory group of security experts chaired by Saddam Hussein.

V. THE DOCUMENTS' PHYSICAL CONDITION

Aside from some small bags of audiocassettes, snapshot photographs, rubber stamps and a pair of

handcuffs, as well as a collection of military maps of northern Iraq and three reels of film⁹, the Iraqi state files consist entirely of written documents. Other materials which the Kurds claim they captured, including further audiocassettes and photographs, as well as videotapes, have also found their way to the West, but do not form part of the cache of material currently stored in facilities of the U.S. National Archives.

The documents being examined by a Middle East Watch-led team include for the most part memoranda, correspondence, arrest warrants, background information on suspects, official decrees, activity and investigation reports, logbooks, minutes of meetings, membership rosters, lists of names, census forms and salary tables. These are kept in either file folders, ring binders, or bound ledgers and logs. Folders are most often held together with the help of shoe strings, and pieces of related correspondence are usually attached to one another with pins (rather than paper clips) and sometimes staples. The majority of the documents are in handwriting. The remainder, especially those written by senior authorities, are typewritten. In many cases, a typewritten version of a piece of correspondence is attached with a pin to the same letter in handwriting, the latter being the draft passed by an official to a secretary for typing and mailing.

The documents' physical condition reflects the circumstances under which they were obtained in March 1991. These tended to vary from town to town. At the start of the mass uprising, Kurdish civilians and guerrillas overran buildings housing government offices and state agencies. In some cases, heavy fighting preceded the take-over, while in others the occupants surrendered without attempting to defend themselves. As a result, some buildings were torched and burned to the ground in the heat of battle, while others sustained little or no damage.

In Suleimaniyeh, in the early days of the uprising, the civilian population engaged heavily armed *Amn* officers ensconced in their agency's headquarters in a violent battle that left scores dead or wounded. Part of the building sustained fire damage, and as a result some of the documents that survived bear burn marks. Other documents were trampled in the melee, or read and then discarded by civilian looters, and left exposed to the rainy spring weather. Only later did members of the parties attempt to gather up scattered files and transfer them to hastily established offices (and later yet, to strongholds in the mountains). The physical quality of the documents captured in Suleimaniyeh is therefore often dismal: they include crumpled, rolled up and torn sheets of paper, sometimes stuck together and with ink splashed across the page due to prolonged exposure to moisture. By contrast, documents originating in the town of Shaqlawa tend to be immaculate, reflecting the take-over there of government offices by disciplined groups of guerrillas who were clearly under orders to protect the files they found and removed.

In areas where the Kurdish guerrillas were not immediately present, civilians often carried documents home with them. Many Kurds were looking for files about themselves, so as to find out who had provided information about them to the government, and what incriminating information might be in the *Amn's* possession. They were wont to hold onto their own files, while scattering the others in their

⁹ The three reels form part of a single film showing a famous Ba'ath Party meeting in 1979, shortly after Saddam Hussein's rise to power, during which a coup plotter-turned-informer tells a large audience the details of a plot to overthrow the new president. Some of the conspirators are present in the audience, and at the mention of their names, Saddam Hussein orders them to leave the room at once. (All, including the informer, are known to have been executed). At one point, following loud exclamations and applause in support of Saddam Hussein, the president, who has been calmly smoking a large cigar, is seen to be weeping. Iraqi exiles say that after 1979, the film was distributed widely among Ba'ath Party offices in Iraq and shown to selected audiences for propaganda purposes.

possession.

Some of the files in civilian hands were retrieved following calls by the Kurdish leadership to turn them in to party offices. But, even today, significant amounts of documents are suspected to exist in the homes of individual Kurds. Some of these Middle East Watch has been able to inspect *in situ*. Because of these circumstances, we have no definitive way of ascertaining what the total volume of documents captured from the Iraqi government may have been. Likewise, we cannot confirm that indeed the vast majority of these captured documents was transferred to the United States, even though we have reason to believe that this is so. It is clear that the Kurdish parties have kept at least some of the documents in their possession, usually the ones that refer directly to Iraqi infiltration of their ranks and include the names of Kurds who at one stage or another had acted as agents or informers for the central government. Other files may have stayed behind in northern Iraq as well.

VI. THE BUREAUCRATIC WEB

The Iraqi documents currently being analyzed by Middle East Watch display a remarkable consistency in style. The language is numbingly dry, the format rigidly formalistic. A standard format would be as follows:

Regarding the memorandum from the office of so-and-so (reference number) of (date), as transmitted to us through a cable, labeled confidential and personal, from the upper command (reference number) on (date), decree number x of (date) has been canceled. Please be informed of this and act accordingly. With regards.

Written thus, the documents bespeak the daily tedium of career civil servants hewing closely to established bureaucratic procedure.

The all-pervasive Iraqi bureaucracy manifests itself in another fashion: through the simple mechanism of referencing, the documents are linked to one another in a vast and complex administrative web. Official decrees are issued from up high and passed down the ranks to the lowliest *Amn* officers in the various branches via memos and cables. Then reports are generated on the actions that were taken in accordance with the directives, and these reports are sent back up the hierarchy, triggering new memoranda, new instructions, new reports. All decrees are numbered, and so is every piece of written communication. Most memoranda make reference to preceding correspondence and orders issued in years past. In the absence of a computerized index system, this vast network was doubtless managed by diligent civil servants endowed with sharp memories who had to be able to place documents in the right subject files and store these in a logical fashion in local offices. Institutional memory must have been a prized talent among Iraqi bureaucrats!¹⁰

¹⁰ The documents captured in the Kurdish towns show no evidence that a computerized file management system existed in these regional offices. It is very likely, though, that Baghdad headquarters of the various intelligence agencies have been equipped with more sophisticated index systems. The only indication that any sort of organized file management was carried out in the governorates came in the form of a large number of standard-format index cards found in *Amn* offices. These cards invariably bear a given person's name, date of birth, place of residence, occupation and relevant activity (relevant, that is, to the work of the secret police), and they have a number that turns out to

In a fashion, the meticulous cross-referencing that is characteristic of the Iraqi documents simply reflects the complexity of daily life in a sophisticated modern state. At another level, though, the mere fact that not a single document stands alone, that every reported action can be related back to an earlier decree, attests to a deliberate strategy on the part of civil servants and other agents of the state to be absolved of any and all personal responsibility for any possible violations of the rights of others committed in the name of the Party, the Revolution, or the Republic. The *Amn* officer stalking the streets of Salah al-Din, for example, wants his superiors to know that the summary execution he carried out against one of the "saboteurs" had been ordered from up high and, secondly, that he did in fact carry out the order.

A Military Intelligence document of March 1988 offers a telling example of this. It discusses the injuring of two shepherds (one of whom was a member of the pro-government Kurdish militia, colloquially known as the *jahsh*) by an army unit. Their crime: to be found in the prohibited areas with their herd. The document explains:

The orders issued regarding that subject forbid shepherding or moving about in the areas prohibited for security reasons. The unit then opened fire on them.¹¹

Clearly, as directives stream down in a steady flow, those who carry out the orders revert accountability for their actions back onto the shoulders of central power.

The complexity of the bureaucratic web, the repetition down the ranks of orders from on high, the resulting multiplication of key documents in local offices throughout the Kurdish region, as well as the determination on the part of Iraq's medium and lower-level officials to prove that directives have in fact been carried out -- in short, the completeness and sophistication of the Iraqi archives -- have one important, unintended consequence. Together they emphasize that the documents constitute a credible, authentic expression of the state's actions against the Kurds.

VII. WHAT THE DOCUMENTS SAY

Aside from dealing with strictly administrative matters, the Iraqi state files captured by the Kurds paint in great detail Iraqi policy and practice vis-a-vis the Kurds in the 1970s and 1980s. They include research studies, instructions, decrees, arrest orders, execution orders, daily and monthly reports, death certificates, minutes of meetings, and a great amount of correspondence linking the various documents to one another and thus keeping the bureaucracy of repression in motion.

correspond to a file in that same person's name. (Each personal file has the name of one or more persons written on its front cover). Thus the *Amn* was always able to find a person's file simply by looking up his or her name in the card index. There does not seem to have been a similar system for files of directives, correspondence, reports, or matters of a strictly administrative nature.

¹¹ Letter from the Military Intelligence Directorate, Kalar, to the Military Intelligence Directorate - Eastern Sector (in Kirkuk), ref. #2228, on March 7, 1988. (MEW 2106/4-J).

Although Middle East Watch in its study of the documents has focused on the crucial 1987-1989 period -- the tenure of Ali Hassan al-Majid as secretary-general of the Ba'ath Party's Northern Bureau -- we have found strong evidence of flagrant abuses of human rights, as well as the racial animus that was to inform the 1988 Anfal operation, throughout the period covered by the documents. In the view of Middle East Watch, the evidence is sufficiently strong to prove a case of genocidal intent.

Most notable perhaps among our findings is the unequivocal evidence we have been able to accumulate of Iraq's repeated use of chemical weapons against the Kurds. To summarize the evidence: we have found several documents that report on specific air and artillery attacks carried out by Iraqi forces with chemical agents against Kurdish villages in 1987 and 1988. These documents match in precise detail testimonial and forensic evidence collected by Middle East Watch in northern Iraq in 1992. The documents are crystal clear, for example, on the issue of culpability for the chemical attack on Halabja on March 16, 1988, in which some 5,000 Kurdish civilians were killed. While some writers in the United States continue mystifyingly to insist that the attack was carried out by both Iraqi and Iranian forces,¹² the Iraqi state documents, which report widely on Iranian military actions, make no reference to an Iranian gas attack on Halabja at all. Instead, they refer to the occupation of Halabja by Iranian troops and rebel forces belonging to the Patriotic Union of Kurdistan, as well as to the subsequent "Iraqi chemical attack on Halabja."¹³ In one very explicit case, an *Istikhbarat* document states that "as a result of the bombing by our planes and our artillery on the area of Halabja and Khurmali, approximately 2,000 enemy forces of the Persians and agents of Iran were killed."¹⁴

Although we have found many references to chemical attacks, most have not been explicit. For reasons that still remain unclear, Iraqi bureaucrats most often refer to chemical attacks either indirectly, by reporting that Kurdish sources have accused the Iraqi government of having carried out a chemical attack,¹⁵

¹² See, for example, Stephen C. Pelletiere, *The Iran-Iraq War: Chaos in a Vacuum*. New York: Praeger Publishers, 1992.

¹³ For example, in a telex message from the Military Intelligence Directorate in Suleimaniyeh which refers to a videotape, being sold in several shops in Suleimaniyeh, showing "the Iraqi chemical attack on Halabja." (Ref. 10472 of April 11, 1988; MEW 2107/2-A).

¹⁴ In a letter from the Military Intelligence Directorate in Suleimaniyeh of March 27, 1988. (MEW 2106/4-I). "Agents of Iran" is an Iraqi euphemism for guerrillas of the PUK, who had actually captured the town of Halabja, with the help of regular Iranian forces, a few days before the chemical attack. This document is typical of Iraqi documents that describe the campaign against the Kurds in the 1980s in that it conflates the civilian population of Halabja with Iranian troops and rebel forces. On the matter of chemical attacks, this same document also makes reference to an attack in the Qaradagh area in which fifty guerrillas were said to have been killed. We know from our interviews in the field that this was the chemical attack on the village of Sayw Senan on March 22, 1988. (See Document 9 in the Appendix below).

¹⁵ Such references are numerous. It usually concerns reports by the *Amn* of Kurdish accusations expressed before international fora, like the United Nations. The *Amn* invariably ordered reprisals against the families living in Iraq of those making the accusations. For example, in a letter on June 25, 1987, the *Amn* directorate of Erbil governorate orders the confiscation of the property of thirteen named Kurds, whom it accuses of having participated in a protest - in front of the Iraqi embassy in London on May 1, 1987 - against "Iraq's use of chemical weapons in the towns and villages in the north." (Ref. Sh.S3/5666; MEW 70/10-F).

or euphemistically, by referring to Iraqi "special attacks" (*hujoum al-khaass*) or attacks with "special ammunition" (*`etaad al-khaass*).¹⁶ There are two ways in which Middle East Watch has been able to establish that "special attacks" are in fact chemical attacks. First, we have been able to match the documentary evidence of specific "special attacks" with our testimonial evidence of particular chemical attacks. The matches are numerous and unambiguous. In one document of early April 1988, for example, the *Istikhbarat* speaks of the recent attack on Halabja with "special ammunition."¹⁷ Second, some of the documents themselves establish the link between special attacks and the use of chemical agents, by stating, for example, that the KDP obtained 500 gas masks as a precaution against "special attacks."¹⁸

Middle East Watch has also been able to unearth an impressive documentary record on the incremental Iraqi campaign to raze to the ground most Kurdish villages - and even a number of towns. This campaign began in earnest with the border clearances in 1977-78, then was extended to all areas under government control in 1987, and culminated with the elimination of most remaining villages in 1988. Their population was forcibly resettled in government-controlled housing complexes, or deported to southern Iraq for periods of time, or, in the notorious Anfal operation, "disappeared."¹⁹

The documents present in great detail the various orders that were issued, often on a village-by-village basis, by the country's political leadership to its military forces, the pro-government Kurdish militia, and the security police charged with carrying out the destruction and relocation. The documents also show

¹⁶ Although Iraqi bureaucrats clearly tried to avoid making direct references to chemical attacks, our evidence shows that slips did occur. There may have been a general order forbidding them from using the term chemical attacks in direct reference to Iraqi forces. Middle East Watch has so far found one document that orders assignment of the classification "Top Secret" (*darajeh `aliyeh min al-ketman*) to documents that contain information about the production of chemical weapons. (Memorandum from the *Amn* directorate in Erbil to *Amn* sub-directorates, ref. S5/19299 of December 17, 1988; MEW 91/25-A).

¹⁷ In a report prepared by the Military Intelligence Directorate - Eastern Sector in Kirkuk, distributed with a cover letter on April 2, 1988. (MEW 2123/5-H).

¹⁸ For example, in a document of the Military Intelligence Directorate - Eastern Sector in Kirkuk dated June 19, 1988. (MEW 2128/6-A). It is also worth noting that Ali Hassan al-Majid himself, in one taped meeting in 1987, used the terms chemical attacks and special ammunition interchangeably. (For a partial transcript of his speech, see: *Genocide in Iraq*, p. 349). One can also draw conclusions about Iraq's use of chemical weapons on the basis of the timing of multiple references to the Kurdish rebels obtaining protective devices.

It is clear from the documents that suddenly, in the spring of 1987, the PUK and KDP began acquiring significant quantities of gas masks and ampules with chemical antidotes. This was not a coincidence: it occurred on the heels of what we know, through testimonies obtained in the field, were the first Iraqi chemical attacks against the Kurds - on the PUK headquarters at Bergalou-Sergalou, near the Iranian border, on April 15, and on the villages of Balisan and Sheikh Wasan one day later. (*Ibid.*, pp. 59-70). Finally, we have found references to Iraqi "air strikes" that, according to the documents, caused people to lose their eyesight. The only logical explanation for a medical complaint of that sort would be the use of chemical agents. (*Ibid.*, p. 71; see also Document 12 in the Appendix below).

¹⁹ The three periods mentioned here present three distinct "waves" of village destruction. But indeed villages were destroyed long before 1977 in Ba'ath-run Iraq, and even before the Ba'ath came to power in 1968. Many villages were destroyed in the Penjwin and Chuarta area during the 1980-88 Iran-Iraq war. Even after Anfal, village destruction continued, as the documents clearly show, and the large town of Qala Dizah was destroyed, along with three adjacent complexes, in the spring of 1989. For detail, see *Genocide in Iraq*.

how these orders were implemented, with what degree of efficiency, what types of snags occurred during the operation, who participated in it, and if there were any casualties among the local population and Kurdish guerrillas resisting it. There are requests from village leaders to spare their villages, citing special circumstances, such as a long history of collaboration with the regime. And there are indeed documents with instructions from the country's senior officials (the Northern Bureau in Kirkuk) which order the army to make exceptions for villages belonging to certain tribes that had consistently proven their loyalty to the regime by organizing its young men in militias. Middle East Watch has also found scores of arrest warrants for hundreds of persons who were wanted by the authorities for having left the housing complexes without official permission.

It is important to remember that the Iraqi campaign against the Kurds was in its essence and origin a counter-insurgency campaign, but one that eventually escalated to a level that transcends even the most liberal interpretation of the customary-law principle of military necessity. In the end, it led to the deaths of tens of thousands of non-combatant civilians at the hands of government forces. The documents are full of references to the Kurdish guerrillas, who are referred to as "the saboteurs" (*al-mukharrebin*), their plans, their meetings, their movements, and the names of their relatives living in areas under government control. They also include actions undertaken against them by army forces and the secret police, their arrest and execution, the deportation of their first-degree relatives and the demolition of their homes.²⁰ The files contain interrogation records, court orders, and death certificates provided by local hospitals. They include petitions by families to be permitted to return from the Arab regions of southern Iraq, where they had been transported in mass deportations in previous years, to their areas of birth, as well as letters from persons seeking information from the authorities about the fate of relatives who disappeared following an army sweep of their areas.

There are documents that speak of punishments to be meted out to those who dared to change their officially-registered ethnicity from Arab to Kurd. And there are other documents that list the means by which Arabs should be enticed to move to the predominantly Kurdish city of Kirkuk, whose surrounding district contains Iraq's most significant deposits of oil. There are policy statements concerning Iraq's small Turkoman population, and also concerning the Yazidis, a non-Muslim sect who consider themselves Kurds (and are considered by Muslim Kurds to be Kurds) but have been designated by the regime as Arabs.²¹ There are also documents about the Eastern Orthodox branch of Assyrians and Chaldeans, both ethnic groups adhering to the Christian religion who have similarly been defined as Arabs by the regime.

The documents show how policy toward minorities evolved over time: One Ba`ath Party file on a Chaldean soldier in the Iraqi army includes documents from 1982, in which the man is said to be an ethnic Chaldean; from 1985, in which he is said to be "Arab/Chaldean"; and 1990, by which time he was referred to as Arab.²²

The files contain ample references to the *jahsh* forces, the corruption that prevailed in their ranks,

²⁰ First-degree relatives include: parents, spouse, and children. It was mostly the women, children and old men who were deported, while the adult men were detained. (See Documents 16 and 20 in the Appendix below).

²¹ See Documents 1,2 and 3 in the Appendix below.

²² File of Ghazi Shabo Ilia. Ba`ath Party, Einkawa, Erbil (MEW 2188/3-A,B,C).

the Kurdish benefits they received, the duties they often sought to dodge, and despite all this, their utility as a repository for young Kurds unwilling to give their lives for their country in the war with Iran but prepared, as a lesser evil, to work with the authorities to counter the growth of the guerrilla insurgency in the countryside.

The files bring us up to the Iraqi invasion of Kuwait in August 1990, the second war in the Persian Gulf and subsequent uprisings; but these files are far and few between.²³ Fewer still are documents that speak of policies in other parts of the country. Nevertheless, Middle East Watch has so far found one significant document from 1989 that outlines the government's policy in the southern marshes. Called the "Plan of Action for the Marshes," it approves, *inter alia*, a campaign of the poisoning of the water, the burning of homes and the imposition of an economic blockade in the area.²⁴

What is notably missing from the Iraqi state files being analyzed by Middle East Watch is any direct reference to either torture and rape in detention, or the fate of the "disappeared." This means that such documents either do not exist or were considered so highly classified that they were never distributed to the branches in the north but kept under lock and key in central headquarters.²⁵ Middle East Watch is forced to

²³ There are a large number of files from the 1990-91 period, but few deal with security matters. We have found a general decline in documents dealing with security matters from 1989 on - after the Anfal campaign had been completed and the regime believed it had solved its Kurdish problem. (See Documents 30, 31 and 32 in the Appendix below).

²⁴ Report distributed by the *Amn* directorate of Erbil Governorate, ref. S5/1657 on January 30, 1989, and found by Middle East Watch in a box of files originating in Shaqlawa, accompanied by a letter from the *Amn* directorate there acknowledging its receipt. (MEW 32/1-B). The text of the document has been reproduced in full in Economic and Social Council, *Report on the situation of human rights in Iraq, prepared by Mr. Max van der Stoep, Special Rapporteur of the Commission on Human Rights, in accordance with Commission resolution 1992/71 (E/CN.4/1993/45, 19 February 1993)*, pp. 94-98.

²⁵ We know from testimonies that torture is rampant in Iraqi jails, and that rape in particular may be used as a method of intimidation. It is very likely that these matters are not openly discussed by Iraqi bureaucrats for the simple reason that torture and rape are illegal under Iraqi law. Moreover, the regime's open acknowledgment of such practices, which affect families throughout the country and are not linked to a military campaign against a specific group of people, might stir tremendous unrest among the population.

There has been some discussion in the American media about the documentary evidence of rape in Iraq. The Iraqi writer Kanan Makiya claimed in an article in *The Nation* on May 10, 1993, that the "General Security Organization" employs persons as professional rapists, offering a single document to substantiate this claim. The document in question is a printed index card with handwritten entries, bearing a man's name, profession and "activity." His profession is said to be "fighter in the Popular Army," and his "activity" is "violation of women's honor."

While there is no reason to doubt this particular card's authenticity, there is no evidence to suggest that the man mentioned on the card was in the employ of the Iraqi secret police at all, *for any purpose*. Middle East Watch has found hundreds of identical cards in the Iraqi state files. All list the name of a person and his or her profession and "activity." Many of the professions listed are jobs not in the government but in the private sector. The word "activity" is meant to refer to the main reason why the *Amn* is keeping a file on that person. Almost invariably, the handwritten entry offers one of the following types of "activities": being a "saboteur," membership in one of the rebel parties, fleeing to Iran, "returning to the national ranks," being an army deserter, "arrested in the Anfal operations," or "his father was executed."

The index cards do not constitute a record of employment by the *Amn*, and in our view neither they, or any other Iraqi government document seen by Middle East Watch, provide a shred of evidence of the use of rape as a matter of state policy in Iraq. (See also footnote 10 above).

presume the latter; it is not unlikely that the strongest evidence of genocide will only be found in the event of a change of government in Baghdad and the opening up of security archives there. Yet, we have found documents that suggest what may have happened with the people who "disappeared," and matched with the eyewitness testimonies collected in the Kurdish areas they provide evidence that the people who have failed to return were indeed killed.²⁶

In addition, the regime has made an effort to disguise some of its cruelest practices either by limiting the circulation of sensitive documents through a "Top Secret" classification; ordering the use of standard euphemisms, both in internal documents and vis-a-vis the public;²⁷ or ordering the suppression of important information. We have offered an example of the first method in footnote 16 above.

Examples of instructions to employ euphemistic language in internal documents (but likely also in public statements) include a document of the Committee to Fight Hostile Activity in Shaqlawa, which orders substitution of the term "removed villages" (*al-qura al-mazaleh*) for the term "destroyed villages" (*al-qura al-muhaddameh*).²⁸ In a clear attempt at occluding the reality about the people who "disappeared" during the Anfal campaign to the public, an *Amn* document from 1990 makes reference to instructions to replace the phrase: "They were arrested during the heroic Anfal operations and remain under arrest," with the phrase: "We don't have any information about their fate."²⁹

We have found several documents that order the suppression of information that could expose secret police methods or might reveal the names of perpetrators of illegal actions. For example, a conference

²⁶ We have found multiple documents, for example, about the mass detention of members of the Barzani tribe in 1983, who subsequently "disappeared." Documents from around the same time order employers in Erbil to consider the Barzani among their employees, who are suddenly absent from their jobs, as dismissed. During Anfal, documents attest to the arrest of thousands of persons and their transfer to Kirkuk. Some of their names match names, given to Middle East Watch, of persons who were said not to have returned home after Anfal, and even include three execution survivors interviewed by Middle East Watch in 1992. (See Document 23 in the Appendix below).

²⁷ See section VIII, "A Narrative Road Map to the Discourse of Repression," for a full discussion of official euphemisms used in the context of the Iraqi government's campaigns in northern Iraq. Some phrasing is meant to conceal unpleasant realities to the public, while at other times euphemistic language is used as a propaganda tool to further the regime's ideological objectives.

²⁸ Letter from the Committee to Fight Hostile Activity in Shaqlawa (ref. LM/135 of May 4, 1988), referring to instructions from the Northern Bureau of April 16, 1987. (MEW 92/1-T). This was at the height of the Anfal campaign, and is therefore likely to reflect an attempt on the part of the regime to conceal from the Kurdish urban population the far-reaching nature of the campaign in the countryside. During operations to relocate villagers to complexes in previous years, the army had often left the houses of villages unharmed, offering the population at least the hope of return. For the duration of Anfal, people were to be left with this illusion, probably to forestall mass protest. Incidentally, a document from 1987, during the spring campaign of village destruction, instructs Military Intelligence agents to "use the term 'amalgamation' for the deportation operation." (MEW 2126/1-S). Again, this change represents a softening of the rhetoric to be used in official documents. One year later, it should be noted, during the much more violent Anfal campaign, even the term "deportation" (or "removal") had become part of acceptable discourse.

²⁹ Memorandum, signed by an *Amn* lieutenant, that refers to instructions issued by "the respected *Amn* director," most likely the head of the General Security Directorate in Baghdad, on September 25, 1990. (MEW 102/7-A).

of the Eastern Sector Military Intelligence Directorate held on February 11, 1990 instructs subalterns "not to leak office secrets, especially those relating to the fate of the detainees in your custody."³⁰ An *Amn* document circulated just prior to the Anfal campaign cites an order from the Northern Affairs Committee of the Revolutionary Command Council:

Do not disseminate the text of the directives issued by senior authorities or mention their provenance. It is sufficient to disseminate the content of the directives with the term: "The following has been decided...", in order to permit the pertinent authorities to take their regular position in issuing directives.³¹

A note of caution is necessary, though, concerning the credibility of the information contained in the Iraqi state files. Agents of the security police and military intelligence, like their counterparts elsewhere, had a natural interest in exaggerating their accomplishments before their superiors. Thus we have found reports of Iraqi military feats and casualties inflicted on guerrilla forces that have not been substantiated by our research in the field. Likewise, the evaluation by Ba'ath Party officials and *Amn* agents of the organization, activities and morale of the Kurdish rebels tends to expose real weaknesses in their understanding of their adversaries. For example, the documents often understate the capabilities of the rebel parties in the 1980s. Not a single document should therefore be taken automatically at face value.

By contrast, documents relaying official instructions from senior authorities are of real importance, as they demonstrate an express intent on their part to carry out specific policies. To move from proving intent to proving event, methodologically one must then combine a number of sources, including the documents, the testimonies and forensic evidence collected in the field, and, by comparing the findings, try to reconstruct the events that took place.

³⁰ Contained in a letter of the Military Intelligence Directorate - Eastern Sector, ref. #168 on February 16, 1990. (MEW 2003/2-A). The order goes on to state ominously: "If such a case is found, the punishment will be severe." The "fate of the detainees" refers to standard practice in Iraq not to notify families of the arrest of their relatives, at least not until after court sentencing.

³¹ Memorandum of the General Security Directorate in Baghdad of February 10, 1988 (ref. Sh.3 Q.2 / 8970), circulated by the director of the *Amn* of Erbil Governorate on February 20, 1988, ref. #2629. (MEW 83/2-B). The desire to conceal the names of senior authorities is clear from this order, but initially, two interpretations are possible for the officials' motivation. One is that they did not wish to be held accountable at some future date for deeds that would constitute clear breaches of international law, like the mass killing that was about to take place. Another (suggested by the ambiguous phrase: "take their regular position") is that they did not want to be harangued by junior officers about the precise detail of directives. At the time of Anfal, official instructions were proliferating at a dizzying speed, and some were so strong (e.g., the order to execute all persons detained in the prohibited areas between the ages of 15 and 70) that they sowed confusion and uncertainty in the lower echelons of the security apparatus. We have found pieces of correspondence, for example, that ask for confirmation whether certain particularly severe orders should indeed be implemented.

The argument against this second interpretation is that junior officials in any case would not be permitted to address senior authorities directly, but would have to go through their immediate superiors in the regional offices. The issue addressed by the above directive is thus one of accountability for crimes.

VIII. A NARRATIVE ROAD MAP TO THE DISCOURSE OF REPRESSION

The bureaucracy of repression has evolved its own unique discourse, the purpose of which has been to criminalize the regime's opponents and their actions, while justifying and even glorifying the regime's own exploits. This discourse is marked by a number of narrative devices: euphemistic terms are employed to describe obviously illegal acts, while adversaries are assigned a number of epithets that build on Ba'athist political rhetoric, symbols of Arab nationalism, as well as a reinvented cultural and ethnic past. To understand, the true content of the Iraqi state documents, a narrative road map is necessary.

During the Anfal, specific actions to be undertaken against a previously targeted group were not spelled out again, once the original decree has been circulated through the ranks, but given a stock phrasing whose meaning must have been clear to all. Directive SF/4008 of the Northern Bureau, for example, which was issued on June 20, 1987, gave instructions to execute persons aged 15-70 who had been arrested in the prohibited areas; subsequent memoranda, sometimes referring to unspecified Northern Bureau instructions, then simply stated the need to carry out "the necessary measures" (*narjou ittikhad ma yalzem*).³² Thus, a 1988 letter from the Command of the Oil Protection Forces in Kirkuk to the Security Directorate of al-Ta'mim Governorate states:

We are sending to you the families - their numbers are given below - who surrendered to our forces in the area of Sofi Raza on April 15, 1988. Please take the necessary measures against them according to the directives of the Northern Bureau and acknowledge their arrival.³³

As the above document shows, mundane, sanitized bureaucratic language is employed to describe truly horrifying events.

Iraq's war against Iran is referred to as "Qadissiyet Saddam," or Saddam's Qadissiya, a name that evokes the first, victorious battle between the Muslims and Persians in the 7th century. The word "Anfal" (meaning "spoils") refers to an even earlier battle won by the first Muslims, also against "unbelievers," in 624 A.D. From early 1988 on, army desertion is termed an "indecency" under the law. The areas that have fallen under rebel control in the 1980s are called "prohibited areas" (*manateq mahdoureh amniyan*).³⁴ The

³² Literally: "Please, (under)take what is necessary."

³³ Letter from the Military Intelligence section of the Command of the Oil Protection Forces in Kirkuk, ref. #337 of April 15, 1988. (MEW 2110/9-A). The arrests took place at the height of the third Anfal operation in the Germian plain. (See *Genocide in Iraq*, chapter 5). The COPF's leader was Major-General Bareq Abdullah al-Haj Hunta, who commanded Iraqi forces in the third Anfal operation. The Security Directorate in al-Ta'mim Governorate, i.e., Kirkuk, is the last known place of detention of families arrested during Anfal. After this they "disappeared." Middle East Watch testimonies indicate that most were taken to sites in the western desert and killed.

The document sports a slogan in the top right-hand corner: "We Seek Justice, Not War." At the bottom, the numbers of detainees are given: sixty-nine women, one hundred children and ten men. (See also Document 23 in the Appendix below).

³⁴ Literally: "security-prohibited areas," translated here usually as "areas prohibited for security reasons."

deportation of Kurds from their villages to government-controlled housing complexes is referred to as the "amalgamation" (*tajmi*) and "relocation" (*tarhil*) of the villages to "modern villages" (*qura `asriyeh*) or "new cities" (*mudun jedideh*). Ridding an area of rebels is hailed as "purification" (*tathir*).

The Kurdish guerrillas, widely known as *peshmerga* in Kurdish (literally: "those who face death"), are never referred to as such; they are routinely designated as "saboteurs" (*mukharrebin*). By contrast, members of the government-sponsored Kurdish militias are called "fighters" (*muqatelin*). Starting in 1987, anyone who refused to move out of the "prohibited areas" to the towns and housing complexes was henceforth also referred to as a "saboteur," whether or not he or she was a combatant. The parties to which the rebels belong, when named at all, receive the prefix "agent" (*`amil*) as in: "the agent Kurdistan Democratic Party." A small Kurdish party set up by the regime is referred to as "the *allied* Kurdistan Democratic Party" (*halif*). More commonly, however, the rebel parties are referred to by different names altogether: the Patriotic Union of Kurdistan is known in the documents as "the agents of Iran" (*`umala' Iran*) while the original Kurdistan Democratic Party is referred to as "the offspring of treason" (*salili al-khiyane*).³⁵

Persons, civilians as well as combatants, who voluntarily moved from the "prohibited areas" to areas under government control are referred to in the documents as "returnees to the national ranks" (*`a'edin lil-saf al-watani*). Before Anfal, this phrase meant that they were pardoned and could move into one of the "modern villages." If, however, a "saboteur" belonging, for example, to "the agents of Iran" did not abide by the regime's summons to "return to the national ranks," he would automatically be branded an outlaw whose first-degree male relatives were subject to detention, and whose mothers and sisters might be "relocated" to "the area of the saboteurs" after they had been stripped of their Iraqi citizenship. Once resident in the "prohibited areas," they all were subject to attack, arrest and summary execution by the regime, a policy that found its apogee in the Anfal campaign.

"Saboteurs" who were defeated in combat, on the other hand, were considered to have "surrendered" (*salamu anfusahum*). Before Anfal, this usually meant that, unless they benefited from an amnesty, as army deserters (*harebin min al-khedmet al-`askariyeh*), they would be sent to their original army units for punishment.³⁶ From 1987 on, though, especially in the period after Ali Hassan al-Majid became Secretary-General of the Northern Bureau, many were killed following their "surrender." During Anfal, the regime's rhetoric could no longer keep up with events: the documents make clear that even those who were said to have "returned to the national ranks" were handed over to the Security Directorate in Kirkuk. In all likelihood, from there they were sent to their deaths.³⁷

IX. THE QUESTION OF AUTHENTICITY

³⁵ "Agents of Iran" is a reference to the alliance between the PUK and Iran, first consummated in October 1986. "Offspring of treason" refers to Masoud Barzani, whose late father, Mullah Mustafa Barzani, had been branded a traitor for fighting the central government since 1961.

³⁶ Draft dodgers (*mutekhallefin*) who "surrendered" were sent to the local army recruitment center.

³⁷ See Document 23 in the Appendix below.

The Iraqi government has on at least three occasions over the past two years publicly challenged the authenticity of the documents currently being analyzed by Middle East Watch, claiming they are forgeries. Middle East Watch rejects these accusations out of hand. For the record, though, it may be useful to rebut the Iraqi government's allegations in detail.

On March 5, 1992, the Iraqi Mission to the United Nations in Geneva wrote to Mr. Max van der Stoel, Special Rapporteur of the United Nations Commission on Human Rights on Iraq, stating in part:

4. With regard to the letters allegedly emanating from security departments at Sulaimaniya, Halabja and elsewhere, we wish to point out that, during the disturbances, hostile bodies succeeded in obtaining stationery bearing the letterhead of those departments, which they used to forge letters ostensibly emanating from official bodies. Investigations have shown that those official letters were not issued by the departments referred to and the information contained therein is wholly fabricated. The manner in which one of these letters was drafted shows that it was written by a person with a poor command of the Arabic language, thereby confirming its spurious nature.³⁸

Then, on February 5, 1993, the Iraqi Mission in Geneva referred to the documents in a *note verbale* to Mr. Van der Stoel as documents "allegedly issued by Iraqi authorities."³⁹ The *note verbale* included the official response by the Government of Iraq on the matter of the documents, the text of which reads as follows:

We wish to state that a number of falsified documents has been disclosed by unknown circles with a view to undermining Iraq's reputation, as part of the political and media [war] waged against it. Among those documents are the ones we received in connection with the events which, basically, took place during the Iran-Iraq war up to the July 1988 cease-fire.

It is well known that Iraq's eastern and north-eastern borders were scenes of military operations. It is therefore not possible to verify what went on during that period, especially with regard to activities of the saboteurs which were fully cooperative with the hostile Iranian military forces.

As regarding the documents which were sent to us, with the allegation that they are official documents - which in fact [they] are not - we wish to point out the following:

1. Following the all-out aggressive war which was waged against Iraq on 17 January 1990 [sic], the American, British and French forces occupied vast areas in northern Iraq. By the force of weapons, the invading forces assisted the irresponsible elements and saboteurs in assuming control of the area. This foreign occupation of northern Iraq led to the absence of

³⁸ *Situation of human rights in Iraq*. United Nations General Assembly, A/47/367/Add.1, 13 November 1992, p. 16.

³⁹ Reproduced in U.N. Economic and Social Council, *Report on the situation of human rights in Iraq*, pp. 52-53.

the State's official bodies. Government departments with all their stores of printing machines, stationery and official stamps bearing signatures of Iraqi officials fell in the hands of the saboteurs and American, British and French forces of occupation. Moreover, many officials, who worked in those departments, fell under the mercy of the saboteurs[] gangs and carried out their orders.

2. All that has facilitated and will facilitate for the foreign powers, and the saboteurs under their command, to carry out large-scale forgery, including what has been so far disclosed of alleged documents, and which may be disclosed in the future.

3. Furthermore, the violent and successive events which were imposed on Iraq, during the Iran-Iraq war or during the aggression perpetrated by the allied forces against Iraq, along with the control by the saboteurs of the northern area, and the preceding riots, have all inflicted damage and loss of most of the official documents in the northern area, rendering the competent Iraqi authorities unable to verify the validity of any information or claims requiring response.

Apart from the charge that they are fabrications, the key point in the Iraqi government's position on the documents is the admission that the events in the Kurdish areas in the spring of 1991 led to "damage and loss of most of the official documents" there. From this statement, two possible conclusions flow. If "loss" is meant to denote that the government "lost" the documents, or "lost control" of them, this would suggest that these same documents might well have survived the events in the north and could conceivably -- and, indeed, would in all likelihood -- be in the possession of someone other than the Government of Iraq. If this is the correct interpretation, then the government's statement that most of its documents were lost would contradict its accusation that the documents the Kurds claim they captured are all forgeries. The government cannot have it both ways: either the documents represent a 4-million page forgery on a scale previously unseen in history, or they are indeed the documents which the government has admitted losing. In the latter case, there can be little question as to the authenticity of these documents in their totality.⁴⁰

If, on the other hand, "loss" is meant to denote that the documents were "irreparably damaged," by fire or other form of destruction, then the question arises by what strange coincidence it would be possible for several tons of stationery to survive the uprising relatively unscathed, at a time when the government's undoubtedly vast inventory of written reports, correspondence, personal files and other official documents somehow perished in its totality.⁴¹ Moreover, the Iraqi claim flies in the face of overwhelming testimonial evidence, collected by Middle East Watch, that large holdings of written documents were found in and taken from government offices in all the major towns captured by the Kurds during the March uprising.

The Special Rapporteur, in his report to the forty-ninth session of the Commission on Human

⁴⁰ For the authenticity of individual documents, see below at pp. 30-31.

⁴¹ Not all the documents are written on stationery. The files include many handwritten letters and even notes scribbled on regular sheets of paper. This is particularly true for *Amn* and Ba'ath Party offices in smaller towns, but not so much for the *Istikhbarat*. The reason is not immediately clear. Perhaps it was an issue of cost, since the stationery had to be brought in from one of the larger centers; or perhaps there was seen to be no need to write inter-office correspondence concerning matters of a purely local nature on official stationery.

Rights in February 1993, pointed at a second contradiction in the various statements made by the Iraqi government on the subject of the documents.⁴² On February 20, 1992, the representative of the Government of Iraq addressed the Commission on Human Rights, claiming that the documents were forgeries because "paper forms carrying the formal emblems" had fallen into "hands not qualified to use them," and that these documents were "written in very bad Arabic and it seems that they were drafted by people who do not master the language, a fact that confirms counterfeit."⁴³ In his reply, the Special Rapporteur made clear that, again, the Iraqi government could not have it both ways: either the documents were slipshod counterfeit produced by poorly educated Kurds, or they were forgeries made with mirror-image precision by captive government employees working under duress. Middle East Watch and others who have examined the documents are wholly convinced that neither is the case.⁴⁴

The following features support the argument that the documents are authentic in their totality:

1. The sheer quantity of the holdings transferred to the United States: 18.25 metric tons.
2. The variety and complexity of the material, both in form and content: The files include carefully maintained bound ledgers containing codes or journal entries; thick folders comprising hundreds of chronologically organized pieces of correspondence that are carefully dated and numbered, and refer to previous pieces of correspondence and official orders; personal files that offer detailed life histories of thousands of persons under investigation; salary ledgers with carefully worked out calculations; etc.
3. The nature of the material: The documents provide an extremely detailed view of the nature and scope of Iraqi intelligence operations in the Kurdish region over a period of thirty years (though most of the documents stem from the 1980-1991 interval), *but few have self-evident value in human rights terms*. At least a third of the documents are entirely administrative in nature, chronicling the workaday world of government employees with their constant demands for vacations, promotions or appointments with senior officials. Some fifty percent of the documents relate to investigations of persons and events, but offer no evidence of crimes. Only a small portion of the documents contain specific orders to undertake actions that would constitute clear violations of international law and human rights, and reports of such actions indeed having been carried out. The vast majority of the documents are completely bereft of utility to anyone interested in seeking legal action or redress against President Saddam Hussein's government, and it would appear to be an act of sheer folly to go about re-creating such an immense store of administrative paperwork merely to indict the regime.

There are other questions of a more logical nature: Why would forgers go to the trouble of

⁴² Ibid., pp. 55-57.

⁴³ Mission Permanente de la Republique d'Irak aupres de l'office des Nations Unies a Geneve, *Response of the Iraqi Delegation to the Report presented by the Special Rapporteur of the Commission on Human Rights in Iraq at the 48th Session*. (Geneva, February 20, 1992), p. 7.

⁴⁴ Moreover, the documents are in fact written in excellent Arabic, clearly the product of native Iraqis who are fluent in the Iraqi dialect and its attendant vernacular. Not only that, the consistency of these documents also indicates that without a shadow of a doubt they were written by bureaucrats, and indeed by bureaucrats who were well-versed in the official discourse of the Iraqi state apparatus.

manufacturing both handwritten and typewritten drafts of the same document, however innocuous in nature, and even include scribbled notes that must have formed the rudimentary outline for these drafts, if it were only the final, official and signed version that could conceivably be used to bring charges against the regime? Why would they include documents that might potentially be a source of embarrassment to themselves, for example the numerous references to kidnappings for ransom of Kurds suspected of pro-government activity by Kurdish guerrillas? And why would they create large amounts of documents, only to then hold onto some of these themselves, claiming that these are of no significance to human rights organizations but only have internal value for their own movement?⁴⁵

All these points suggest that a large-scale counterfeit operation would not just have been extremely unlikely, but was indeed completely impossible, especially taking into account the chaotic conditions that prevailed in northern Iraq following the March 1991 uprising. Iraqi forces succeeded in reconquering the area within three weeks, driving the Kurds into the difficult mountainous terrain along the borders with Iran and Turkey. In the wake of government announcements of an amnesty and promises of protection by the allied forces, Kurds began trickling back into the towns, most of which were now firmly under government control, in the late spring. The area remained under government control throughout the summer. Finally, at the end of October 1991, Iraqi forces withdrew voluntarily from most of the area, leaving the Kurds in charge of the major towns, Suleimaniyeh, Erbil and Dohuk, and their surrounding countryside.

Clearly, no large-scale counterfeit operation could have been staged until this date, if at all. But already in November 1991, western visitors were able to inspect the enormous caches of documents held by the Kurds. Middle East Watch itself inspected huge quantities of PUK-held documents in an abandoned school building in Mawat, near the Iranian border, in February 1992. Stored in grain sacks and ammunition boxes, they were covered with dust and showed no sign of having been disturbed in months.

To prove that any individual document is authentic is a more difficult, but by no means insurmountable, problem. First, the possibility exists to verify the age of the ink and paper used to produce the documents. If a case against the Iraqi government or its officials ever comes to court, such physical authentication would be helpful.

Secondly, if the Kurdish parties themselves wished to indict the Iraqi regime, they would want to prove the regime's intent to commit genocide and crimes against humanity. In the absence of resources to manufacture large amounts of incriminating documents, it would be logical that they would draft a few documents that, by their explicit nature, would promptly be recognized as "smoking guns." These would then be inserted into the captured files so as to make it appear that they had always been there. In fact, the evidence Middle East Watch has been able to collect so far is highly fragmented in nature: it is incomplete and spread out over an enormous number of files. But this evidence, however fragmentary, displays a remarkable consistency, and the tiny bits of evidence in fact turn out to constitute so many small pieces in a gigantic jigsaw puzzle. The task of Middle East Watch has been to assemble this puzzle. After examining some forty percent of the documents, the evidence can already be shown to be so compelling as to dispense with the need for anyone to insert one or more "smoking guns."

The two genuine "smoking guns" already found, both of them orders issued by the Ba'ath Party's

⁴⁵ The PUK and KDP shipped most, but by no means all, of the documents in their possession to the United States for safekeeping.

Northern Bureau, under the signature of its Secretary-General Ali Hassan al-Majid, in 1987, must in our view be authentic. Middle East Watch has found multiple copies of these orders, sometimes with slight variations, in different boxes of varying provenance. The question this finding raises is: Why would forgers go to the trouble of manufacturing multiple copies of the same order, if a single one would have been enough to do the trick; and how would they be able to distribute these copies through the files in various localities, sandwiching them chronologically between documents of similar but different content, while still maintaining the degree of internal consistency these files invariably exhibit?

Frequent references to one of these key documents, the Northern Bureau's letter no. SF/4008, are made in later documents. Throughout the fall of 1987, in 1988 and even during 1989, the order to kill all inhabitants aged 15-70 caught in the prohibited areas by its blatant nature apparently filled unit commanders with uncertainty and hesitation as to its sweeping nature. The order therefore needed to be restated on several occasions, including in an apparently annoyed manner, by headquarters. The hesitation, the annoyance, and the numerous other nuances that mark the general narrative of the documents bespeak a degree of complexity that would be impossible to falsify.

One should also ask why, if the Kurdish parties indeed produced fake "smoking gun" documents and inserted these into the files, they did not produce clearer proof of the top authority's responsibility. Why do most of the documents originate in *Amn* and *Istikhbarat* offices if it is the Ba'ath Party that had final authority in the Anfal campaign? Moreover, some of the most egregious violations -- rape and torture in prison, and the mass killings of non-combatants arrested during the Anfal campaign -- are either left unaddressed in the documents, or are alluded to in indirect and obscure terminology.

Finally, there simply is no physical evidence in the rebel-controlled region of northern Iraq that the Kurds were at any time engaged in a logistical exercise of such monumental proportions. It would have been very difficult to conceal such an enterprise, what with the direct and untrammelled access independent observers had to the area at the time.

There is not a shred of evidence that any one of the documents in the possession of Middle East Watch was falsified, much less all four million of them. Apart from the Government of Iraq, no one has claimed that they were forged. And, to date, Baghdad has presented no evidence that the Kurds have done so.

X. ABOUT THE DOCUMENTS INCLUDED IN THE APPENDIX TO THIS REPORT

In this report, Middle East Watch is presenting a very small sample of the documents that were captured by the Kurds of northern Iraq in the March 1991 uprising against the regime of Saddam Hussein. They include highlights (for example, the two main "smoking gun" documents), as well as some documents that would be considered of lesser significance for any legal case against the government of Iraq, but are helpful all the same in showing the methodology and routine character of a bureaucracy of repression in action.

The thirty-eight documents in the Appendix below include documents captured by the Patriotic Union of Kurdistan, the Kurdistan Democratic Party, and the Unity Party of Kurdistan. They have been organized in the following categories:

- Arabization: Documents 1-3.
- Policy Toward the Prohibited Areas: Documents 4-5.
- Destruction of Villages and Towns: Documents 6-8.
- Chemical Attacks: Documents 9-12.
- The Administrative Framework of Anfal: Documents 13-19.
- The Anfal Campaign: Documents 20-29.
- The War Over Kuwait and the Subsequent Domestic Uprisings: Documents 30-32.
- Other Documents of Interest: Documents 33-38.

In most cases, documents have been translated in full, but at other times they have been excerpted to reflect the essential information. Editorial comments by Middle East Watch appear in [square brackets]. Some text had to be translated freely to convey the meaning intended in the Iraqi dialect of Arabic when no direct equivalent existed in English. For dates, the Iraqi system has been observed: day/month/year.

DOCUMENT 1
PAGE 1

[Cover letter:]

In the Name of God, the Merciful, the Compassionate

Confidential and Personal

Subdirectorates of Military Intelligence, Northern Sector

Ref.: /Sh.3/Q.4/1603

Date: 21 October 1985

To: General Directorate of Military Intelligence (Third Section)

Re: Study

In reference to your confidential and personal letter ref. 18887 of 28 August 1985: Enclosed is a study about the practical way of establishing groups of fighters from the Yazidi sect, as you requested.

Please be informed.

Enclosures: Study

[In handwriting:] Salman, 20/10

[Signature]

Lt.-Colonel

Deputy Director of Military Intelligence, Northern Sector

[In handwriting:] Nuri, 20/10

[Main document:]

[EXCERPT:]

C. Special Detachments

The Special Detachments are deemed to be the best format for the recruitment of the fighters from the Yazidi sect, but the number of each detachment should not exceed 50 fighters. There are many reasons why this is the preferred [method]:

First: The ease with which the Special Detachments can be controlled because of their small size and unity of command.

DOCUMENT 1
PAGE 2

Second: The success of the Special Detachments that were formed in the Sinjar sector and their outstanding [performance in] pursuing and attacking the saboteurs in that sector.

Third: Information gathering in the entire sector, especially about the sect itself. [Free translation].

Fourth: The conditions of accepting the fighters in the Special Detachments, which enabled us to select the good elements who are capable of fighting. In other words, quality over quantity.

Fifth: The crumbling of the centers of power and authority among the leaders of the Yazidi sect, as the loyalty of their sons [i.e., members] has a sectarian and ethnic base.

Sixth: The enrichment of an Arab nationalist sentiment among the sons of that sect.

[The above is an excerpt from a longer report prepared for and circulated by Iraq's military intelligence agency. It concerns the Yazidis, a Kurdish group that, unlike the majority of the Kurds, does not adhere to Islam but constitutes a syncretist sect that worships the Peacock Angel. The Ba'ath regime has arbitrarily designated the Yazidis as Arabs, and for that reason has undertaken efforts to split them from their Muslim Kurdish brethren. One of the tactics is discussed in this document: to set up Special Detachments for them, separate from the National Defense Battalions whose members are all Muslim Kurds. The purpose of these detachments is to battle the Kurdish guerrillas, and in addition, according to paragraph 6, membership is supposed to stir sentiments of Arab nationalism among the Yazidis. The document, in other words, expresses the complete denial on the part of the regime of the Kurdish ethnicity of the Yazidi sect.

During Anfal, Yazidis were singled out for special punishment on the accusation that they, by preferring to continue to live in the "prohibited areas," had chosen to be Kurds and not Arabs. Unbeknownst to them, they had been excluded from the "general amnesty" of September 6, 1988, which the regime had referred to as an amnesty "for all the Kurds." (See *Genocide in Iraq*, pp. 312-17). MEW].

(MEW ref.: 2061/9-B).

DOCUMENT 2
PAGE 1

-Confidential and Urgent Message-

Date and Time of Issuance:

31/8/1988

To: Security Directorates of the Branches

From: Security of Erbil

Ref.: SH.S.5//13069//

We were informed as follows:

1. There are elements from the Shabak [tribe] who joined the National Defense Battalions and who changed their ethnicity from Arab to Kurd and are residents of Nineveh Governorate.
2. The Struggling Comrade Ali Hassan Al-Majid, head of the Northern Bureau, has ordered the destruction of all their houses and their deportation to the housing complexes in our governorate. They will absolutely not be compensated.

For your information. Take whatever measures are necessary, and keep us informed.

[Signature]

Colonel of Security

Director of Security of Erbil Governorate

[In handwriting:] This should be circulated

[Signature]

1/9

[In handwriting:] 2445

1/9/1988

[In handwriting:] 31/b

[While the Iraqi government encouraged Kurdish tribes to change their stated ethnicity to Arab, the reverse was firmly punished, especially after 1988. The Shabak had always considered themselves to be Kurdish prior to the October 1987 national census, when some altered their self-designation to Arab under official pressure. The regime accused the Shabak tribe of choosing to be Kurdish so that they would be able to join the pro-government Kurdish militia and thus not be sent to the front in the war with Iran. Now that the war had ended, in August 1988, the regime had its hands free to take revenge. MEW]

(MEW REF.: 45/5-B).

DOCUMENT 3
PAGE 1

Part 1

One Arab Nation With an Immortal Message

[In handwriting:] 19/6/87

The Socialist Arab Ba`ath Party
Dohuk Branch Command
Sersank Section Command
Sersank Division Command

Ref.: 1/950
Date: 16/6/87

To: All the Party Organizations
Re: The Arab Citizens

Comradely Greetings:

[Concerning] the letter of the Sersank Section Command, ref. 1/1679 of 14/6/1987, letter of the Dohuk Branch Command, ref. 1/4776 of 9/6/1987, in reference to the letter of al-Ta'mim Governorate / the Office of Citizen Affairs / Personal and Confidential / ref. 1347 of 24/5/1987, based on the letter of al-Ta'mim Branch Command, personal and confidential, ref. 55/6312 of 3/6/1987, and according to the directives of the Comrade, member of the Regional Command of the Party, the director of the Northern Bureau Command, of 11 April 1987:

It has been decided to include the Arab citizens residing in the governorates in the transfer of their registration records to al-Ta'mim Governorate, and to include them in the agreed benefits (land, the agreed money grants).

Please be informed. With our regards.

Keep Up the Struggle.

[Signature]
The Comrade
Mut`eb Assaf al-Sa`doun
Secretary of Sersank Division Command

[In handwriting:] [Signature]

22/6

DOCUMENT 3
PAGE 2

Part 2

Decree

In accordance with the provisions of Article 42, Paragraph (a), of the Constitution, the Revolutionary Command Council has decided the following:

First: An Iraqi [citizen] who is not from the governorates in the Autonomous Region has the right to own residential land in the Autonomous Region according to the laws in force regarding the distribution of [public] land to citizens, in addition to what he owns in his place of birth. He is eligible to receive a loan from the Real Estate Bank on an exceptional basis.

Second: An Iraqi [citizen] residing in the Autonomous Region has the right to own residential land in the city of Baghdad and in the other governorates, except Nineveh, al-Ta'mim and Diyala, in addition to what he owns in his place of birth. He is eligible to receive a loan from the Real Estate Bank on an exceptional basis.

Third: This Decree shall be published in the Official Gazette and shall supersede any text that conflicts with its provisions.

Signature
Saddam Hussein
Chairman of the Revolutionary Command Council

[Underneath: Accompanying cover letter from the Director of the Security Directorate in Suleimaniyeh Governorate to all the branches, referring to the decree, which is Revolutionary Command Council Decree #529 of August 24, 1989].

[These two documents highlight the Iraqi regime's policy of inducing Arabs to move to the Kurdish areas (in the Autonomous Region), while placing restrictions on where Kurds (here referred to as Iraqis "residing in the Autonomous Region") are permitted to own land. The mechanism by which this was done was the distribution of public land and attendant benefits, and the key area barred to Kurds consisted of the three governorates that border on the Autonomous Region: Nineveh (capital: Mosul), al-Ta`mim (capital: Kirkuk) and Diyala (capital: Khanaqin). These three governorates were especially marked for Arabization, a policy that is continuing to this day in those traditionally Kurdish districts under government control. The first document is important for its explicit reference to the ethnic criterion that is being employed by the regime. MEW]

(MEW ref.: 191/10-C and 2045/3-A).

DOCUMENT 4
PAGE 1

[Main document:]

(Copy of a letter of the Northern Bureau Command, ref. 1/2713 of 10/4/1987)

In accordance with the authority granted to the Struggling Comrade Ali Hassan al-Majid, member of the Regional Command and Secretary of the Northern Bureau Command:

His Excellency has ordered that [legal] cases of people from the villages prohibited for security reasons or cases of the saboteurs, regardless of their nature not be heard, and to freeze the cases that have already been heard.

Please be informed and take the necessary measures. With regards. Keep Up the Faith and Struggle.

The Comrade
Radhi Hassan Salman
Deputy Secretary of the Northern Bureau Command

[Underneath: Accompanying cover letter from the Deputy Director of the Security Directorate of Suleimaniyeh Governorate to all the branches]

[Soon after Ali Hassan al-Majid was appointed secretary general of the Ba'ath Party's Northern Bureau in Kirkuk and given special powers by President Saddam Hussein (see Document 13 below), orders started streaming down the ranks. They enabled a broad range of measures aimed at defeating the Kurdish insurgency, and in the end sought to crush the rebels by destroying the entire Kurdish countryside. The above order is an example of the type of measures that were imposed against the Kurds living in the "prohibited areas": in addition to an economic blockade (see Document 5 below), they also faced an administrative boycott, including a complete halt to accepting judicial cases from claimants in the "prohibited areas" before the courts. At the same time, Middle East Watch has found orders issued by the Revolutionary Command Council stating that citizens of other Arab countries were permitted to bring legal cases to Iraqi courts. MEW]

(MEW ref.: 5/12-A).

DOCUMENT 5
PAGE 1

[Above: Cover letter from the Deputy Director of the Subdirectorates of Military Intelligence, Eastern Sector, to all the branches, referring to a letter from the Central Security Coordination Committee of al-Ta'mim Governorate of August 2, 1986]

[Main document:]

In accordance with the letter of the Presidential Cabinet, ref. 28189 of 2/8/1986, it has been decided to continue and intensify the blockade on the villages and the areas that are prohibited for security reasons. In accordance with the central directives issued for that purpose, it is completely prohibited for food and other supplies to reach there. Please take the necessary measures and keep us informed. With regards.

cc. The Commands of the First and Fifth Corps
All the Branch Commands [Ba'ath Party]
The Security Directorate of the Autonomous Region
The Subdirectorates of Military Intelligence, Northern and Eastern Sectors

Please be informed for the same purpose. With regards.

[This document expresses in no uncertain terms the precise nature of the "blockade" on the "prohibited areas" in 1987, one year before the Anfal campaign: no foodstuffs or other goods were allowed to reach the people living there. The measure was enforced through army checkpoints on the roads leading out of the towns, where food and other commodities were confiscated from persons who carried identity cards indicating they were from a village in the "prohibited areas." The population was thus dependent for its food and kerosene supply on night smuggling, with all the attendant risks to life and limb. (See chapter 2 of *Genocide in Iraq*). MEW]

(MEW ref.: 2128/7-C).

DOCUMENT 6
PAGE 1

In the Name of God, the Merciful, the Compassionate

Confidential and Personal

Headquarters of the Security Committee in Shaqlawa
Ref.: /Security/55
Date: 5/4/1987

To: The Security Committee of Erbil Governorate
Re: Minutes of Meeting

Enclosed are the minutes of the meeting of the Security Committee of Shaqlawa district, held at 19:00 on Wednesday 1/4. Please be informed.

[Signature]
Colonel
The head of the Security Committee in Shaqlawa

cc. Command of Division 45 / For your information. Enclosures:
Minutes of the meeting
District Administrator of Shaqlawa }
Party Division of Shaqlawa }
Police Directorate of Shaqlawa }
The Security Directorate of Shaqlawa / For your information.
Enclosures: Minutes of the meeting

Confidential and Personal

[In handwriting:] 1440

9/4

Minutes of the Meeting of the Security Committee at 19:00

on Wednesday 1/4/1987

1. The Security Committee of Shaqlawa district held a meeting at 19:00 on Wednesday according to the directives of the Governor to the chairmen of the Security Committees and the Administrators of the districts and subdistricts in his meeting with them at 11:00 on Wednesday in the Governorate's Cabinet. The

Security Committee studied the following subjects:

DOCUMENT 6
PAGE 2

a. The Villages Prohibited For Security Reasons

First: The villages which are prohibited for security reasons are those villages that are located outside the protective cover of the armed forces.

Second: Those villages became havens for the saboteurs and reconnaissance centers for sabotage activity inside the towns, as well as resting areas for their bands and a source of food, drink and clothing for them.

Third: For the above reasons, the Security Committee suggests that agreement be reached on the total elimination of all the villages that are prohibited for security reasons.

b. Villages Not Prohibited For Security Reasons

There are many villages that are not prohibited for security reasons, especially those that are close to the towns. The saboteurs use these as a source of supplies and a path to go back and forth. Some of their inhabitants provide assistance to the bands of saboteurs. The Security Committee therefore suggests the following:

First: To warn the inhabitants of the villages that are not prohibited for security reasons to prevent all types of assistance to the saboteurs for whatever reason.

Second: The villages that are not prohibited for security reasons are [to be] treated the same as the villages that are prohibited for security reasons if they do not implement the first [paragraph] above.

2. [Concerning] the letter of the Security Committee of Erbil Governorate, confidential and personal, ref. 870 of 15/3, and the letter of the Security Committee of Erbil Governorate, confidential and personal, ref. 1040 of 28/3, the Security Committee suggests the elimination of the poultry farms mentioned in the above letters, for the following reasons:

a. They have become havens for the saboteurs and reconnaissance centers because these farms are close to the town of Shaqlawa, and [thus] became places for their [i.e., the saboteurs'] nighttime rest.

b. The owners of these farms provide food and fuel to the saboteurs, and they are forced to do so in order to protect their property because the army bases are far away.

d. [sic]. The saboteurs used these farms to meet with [members of] the internal organization [i.e., the guerrillas' underground network].

c. [sic]. They have become stations for the loading of smuggled supplies during the night.

3. A plan has been prepared to eradicate the phenomenon of smuggling in the district.

DOCUMENT 6
PAGE 3

4. A plan of action has been discussed in the event any incident takes place in the sector of [our] jurisdiction. The following has been decided:

a. Communication will be established at once between the chairman of the Security Committee and the members of the Committee.

b. A decision will be made to act at once to deal with the incident.

5. The Security Committee discussed the matter of the necessity to ensure the complete protection of tourism during the year. It also discussed the holes in the protective cover during the past year. The Committee then discussed the force that is available and that which is required. It reached the conclusion that it is absolutely necessary to charge a section of the Popular Army with the creation of an internal security parameter for the town and the protection of tourist and government facilities in the center of the district [i.e., the town of Shaqlawa].

[5 signatures]

Major	Lt.-Col. Mr.	Mr.	Colonel	
Director of Security, Shaqlawa	Director of Police, Shaqlawa	Secretary of Shaql. Division	District Administrator Shaqlawa	Chairman of Security C'tee in Shaqlawa district

[The meeting held in Shaqlawa in essence constituted a rehashing of instructions received from the Governor of Erbil, who in turn, according to the regular chain-of-command, would have received his orders from the Northern Bureau. The first item of discussion offers the key to an understanding of how a counter-insurgency campaign was allowed to become a campaign of genocide: 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. In the 1987 campaign of village destruction, all villages that the military forces were able to reach were destroyed. Significantly, they included a large number of villages that were *not* located in areas that had been designated as "prohibited." The next stage was Anfal, in which the remaining villages were destroyed and their inhabitants were detained and killed, again regardless of whether they themselves belonged to the rebels or not. MEW]

(MEW ref.: 70/10-J).

DOCUMENT 7
PAGE 1

Ref.: 3324
Date: 14/5/1987

From: Halabja Security Directorate/Sh.3
To: Suleimaniyeh Security Directorate/Sh.3

We were informed by the Subdirectorate of Security in Halabja, in its message ref. 2858 of 14/5/1987, that they were informed by the Command of the Fifth National Battalion, in its message ref. 945 of 13/5/1987, of the following:

The Commander of the First Army Corps issued an order as requested by Comrade Ali Hassan al-Majid to execute the wounded civilians after the Party Organization, the Security and Police Departments and the Intelligence Center have confirmed their hostility toward the authorities; to use earth movers and bulldozers to excise the Kani Ashqan neighborhood; to let the Security, Police and Army take care of any gatherings; to impose a curfew from now until further notice; and to destroy with tanks and bulldozers any house from which fire is opened.

For your information. With regards.

[Signature]
Director of Security, Halabja

[This document refers to reprisals to be taken against the residents of the Kani Ashqan quarter in Halabja following an anti-government demonstration there, one year before the chemical attack that killed thousands. The situation in Halabja, as well as other Kurdish towns, was tense in May 1987 in the wake of the chemical attack on the villages of Balisan and Sheikh Wassan on April 16 - the first major Iraqi chemical attack against the Kurdish civilian population. The orders to execute wounded civilians and raze to the ground an entire neighborhood (reportedly, some 1,500 homes) are particularly egregious. MEW]

(MEW ref.: SP-1).

DOCUMENT 8
PAGE 1

Confidential and Personal

[In handwriting:] 23/6
77

From: Rania
To: The Northern [Sector Subdirector of Military Intelligence]

Ref.: Sh.3/Q.2/1416/

[Concerning] our letter, confidential and personal, ref. 1405 of 20/6:

The deportation of Qala Dizeh district has been completed today. The [construction] equipment of Division 24 has commenced the destruction of the houses. There have been no incidents.

Please be informed.

[Signature]
First Lieutenant
Director of the Military Intelligence Center in Rania
23 June 1989

[In handwriting:] [Signature]
Hashem/Yunis
2040

[This short handwritten note speaks volumes of the continuing policy of destruction one year after the Anfal campaign. Qala Dizeh, with an estimated population of 70,000 in 1989, was destroyed probably because it was the only large town that still remained in the vicinity of the border with Iran. The four surrounding housing complexes (Sengaser, Tuwasuran, Pemalek and Jarawa), whose population had been forcefully removed from the rural areas in earlier campaigns of village destruction, were destroyed at the same time, and their residents, along with those of Qala Dizeh, were moved to complexes near Suleimaniyah and Erbil. In 1990, the town of Sidakan in Erbil Governorate was also razed to the ground. If the war over Kuwait had not taken place, it is a matter of conjecture to the Kurds which town would have been slated for destruction next. MEW]

(MEW ref.: 3001/9-E).

DOCUMENT 9
PAGE 1

[Cover letter:]

In the Name of God, the Merciful, the Compassionate

[Emblem of Iraqi Military Intelligence]

[In frame:] Please refer to the full number

The Martyrs Remain More Generous Than All of Us

Presidency of the Republic
Secretary
The General Directorate of Military Intelligence
Subdirectorates of Military Intelligence, Eastern Sector
Intelligence Center of Kalar

Confidential and Personal

Ref.: Q.3/Qadissiyat Saddam/404
Date: 26/6/1988

[Stamp, partly illegible:] ref.: 12935
date: 27/6/1988

To: Subdirectorates of Military Intelligence, Eastern Sector (Sh.3)
Re: Quarterly Report About the Saboteurs

Enclosed is the quarterly report about the saboteurs' movements within our sector during the first half of 1988.

Please be informed.

Enclosures: 1 quarterly report

[Signature]
Captain
Director of the Intelligence Center of Kalar

[In handwriting:] To be shown, and ask the other centers
27/6

(1 of 1)

Confidential and Personal

DOCUMENT 9
PAGE 2

[Excerpt of quarterly report. Only the marked area on page 6 of the report has been translated here:]

Top Secret

b. During the month of March 1988, our aircraft bombed the headquarters of the sabotage bands in the villages of Saywan (4596) and Balakajar (4294) in a chemical strike. This resulted in the death of 50 saboteurs and the wounding of 20 other saboteurs.

c. At 19:15 on 19/6, an unknown person threw a handgrenade at the house of the citizen Saleh Muhammad Aziz in Kalar district, Bengird neighborhood. There were no casualties or damage to the house.

[Etc.]

[Signature]
Captain
Kifah Ali Hassan
Director of the Intelligence Center of Kalar

(6)

Top Secret

[This document contains the first, but by no means only, direct reference in the Iraqi state files to a chemical attack carried out by Iraqi forces. The attack in question took place, according to eyewitnesses interviewed by Middle East Watch in the summer of 1992, in the Qaradagh area on March 22, 1988, at the beginning of the second Anfal operation. The casualties, which local inhabitants put at between seventy-eight and eighty-seven, were almost all civilians, as the rebels had their bases outside the two villages mentioned here. (Please note that Saywan is referred to as Sayw Senan by the Kurds). The numbers in parenthesis following the villages are the coordinates given to them by the military. Middle East Watch has seen maps which list all the villages by number rather than by name. (For further information on the chemical attack in the Qaradagh area, see chapter 4 in *Genocide in Iraq*). MEW]

(MEW ref.: 2123/5-C).

DOCUMENT 10
PAGE 1

In the Name of God, the Merciful, the Compassionate

[Emblem of Iraqi Military Intelligence]

[In frame:] Please refer to the full number

The Martyrs Remain More Generous Than All of Us

Presidency of the Republic
Secretary
General Directorate of Military Intelligence
Subdirectorates of Military Intelligence, Eastern Sector

Confidential and Personal

Ref.: /Sh.3/Q.1/Qadissiyat Saddam/16093
Date: 13 December 1988

To: General Directorate of Military Intelligence (Sh.3)
Re: Information

The following is the information that we received from source no. 202 about the sabotage movements:

[Excerpted. Translated here is only point 10. a. on page 5:]

10. The following is information from the source regarding the journalists who visited the saboteurs in Iranian territory.

a. After the expulsion of the saboteurs of the First Section of the Barzani band [i.e., the KDP] in the Badinan Sector by our forces during the Final Anfal operation, six British journalists arrived in the triangular border region of Iran, Iraq and Turkey to see the saboteurs who had come from the above sector via Turkish territory and interview them about the chemical strike undertaken by our forces.

(5 of 7)

Top Secret

[This is a second document making a direct reference to chemical attacks undertaken by Iraqi forces, this

time during the Final Anfal in Badinan. Along with the attack on Halabja

DOCUMENT 10
PAGE 2

in March 1988, the attacks in Badinan in August 1988 were the only attacks that attracted any measure of international attention, largely owing to the ability of foreign journalists to interview refugees in Turkey and Iran. (For a description of the chemical attacks on Badinan, see chapter 10 in *Genocide in Iraq*). MEW]

(MEW ref.: 2123/6-A).

DOCUMENT 11
PAGE 1

[Cover letter:]

In the Name of God, the Merciful, the Compassionate

[Emblem of Iraqi Military Intelligence]

The Martyrs Remain More Generous Than All of Us

[In frame:] Please refer to the full number

Presidency of the Republic
Secretary
General Directorate of Military Intelligence

Confidential and Personal

Ref.: M.5/Sh.3/Q.2/9879
Date: 18 May 1988

To: The Subdirectorates of Military Intelligence, Eastern Sector
Re: Report

[Stamp:] Subdirectorates of Military Intelligence, Eastern Sector
Ref.: 1034
Date: 19/5/1988

Enclosed is our special report about the Northern Region for the month of April 1988. Please be informed.

Enclosures: 1 report.

[Signature]
Brigadier-General
Deputy Director, General Directorate of Military Intelligence

[In handwriting:] For the information of the director when he returns.

[Signature]
Lt. Colonel
20 May 1988

(1 of 1)

Confidential and Personal

[In handwriting:] On vacation
21/5

[Main document. From the 6-page report, only page 4 has been included here:]

Confidential and Personal

b. Once the pressure of the Anfal operation was focused on the band of the agents of Iran [i.e., the PUK], which caused them heavy losses, the organizations [i.e., members] of that band began discussing why the government was aiming to eradicate their band and not the other bands.

c. After the special strikes against the villages where the headquarters and bases of the agents were, their organization distributed a quantity of medical supplies against chemical strikes (injections and pills) among the inhabitants of those villages as well as neighboring villages.

d. The leadership of the agents established headquarters near the town of Halabja to coordinate [activities] with the Iranian enemy forces that were present in the Shahrzour plain. Their headquarters are now in Zammaki complex, Anab complex, Jalila village and Hawar village.

e. After the Anfal operations, the leadership of the band of the agents of Iran held a number of meetings and studied the status of their band in the wake of those operations. The following are the most important matters that were discussed:

First: the reasons for their defeat by our forces. They reached the conclusion that the reasons are the following:

- (1) The false promises of the Iranian regime, who had promised to send them forces, weapons and ammunition in the event our forces were to attack them.
- (2) The lack of concern on the part of some of the officials of their band, and their negligence during the operations.
- (3) [The fact that] the intensity of the artillery bombardment by our forces and the use of "the special ammunition" led to heavy losses among them.
- (4) They reached the conclusion that they must utilize small detachments in carrying out their sabotage activities, and not face our forces directly.

(4 of 6)

Confidential and Personal

DOCUMENT 11
PAGE 3

[The significance of this document lies in the explicit link it draws between "special attacks" and medical supplies obtained by the Kurds as an antidote to chemical poisoning. In the time before we found specific references in the documents to chemical attacks, we had found many documents mentioning either "special attacks" or the use of "special ammunition." Through our eyewitness testimonies it can be deduced from the dates of these attacks that the term was, in fact, an Iraqi euphemism for chemical attacks. The above document is the first document providing concrete evidence of this. Please note the reference in paragraph b to "the other bands" which had been spared from attack as of the middle of May 1988: the KDP was attacked later - during the Final Anfal, in August 1988. MEW]

(MEW ref.: 2128/6-B).

DOCUMENT 12
PAGE 1

In the name of God, the Merciful, the Compassionate

Confidential

General Security
Security Directorate of Erbil Governorate
Ref.: Sh.Sh./4947
Date: 11/6/1987

To: Security Directorate of Shaqlawa
Re: Information

We were informed that:

1. On 27/5/1987 our aircraft attacked the villages of Malakan, Talinan, Kandor, Bileh Aliya and Bileh Sufla in Khalifan subdistrict, which harbor some saboteurs. As a result of the bombing, Omar Abdullah, brother of the criminal Mustafa Abdullah, who had been an adviser [*mustashar*] of Battalion 88 [of the National Defense Battalions, a pro-government Kurdish militia] and later joined the saboteurs, lost his eyesight. A number of saboteurs were killed and about 30 people lost their eyesight as a result of the bombing, including the family of Kamal Haji Khidr Agha, the commander of the 12th [PUK] division. They were all sent to hospitals in Iran.
2. Some of the families of the saboteurs have traveled to Iran and the Iranian government has resettled them in complexes in Bakhtaran and Sanandaj districts.
3. Some members of the National Defense Battalions, especially the newly created ones in the Harir and Khalifan sectors, are saying that if the authorities eliminate their villages, they will attack the deportation committees and then join the saboteurs.

[Signature]
Director of General Security of Erbil Governorate

[It is clear from this handwritten memorandum that the attack referred to in paragraph 1 must have been a chemical attack, because the victims lost their eyesight. After we found this document, we were able to locate and interview one of the victims mentioned here, Kamal Haji Khidr, in Kurdistan in March 1993. He confirmed that he and his family had been temporarily blinded in a chemical attack on May 27, 1987; he added that an 18-month old nephew later died from the effects of the chemicals in a hospital in Europe. Paragraph 3 is also of interest, because it shows that the regime was destroying *all* villages, i.e., not only those in the "prohibited areas" but also those belonging to the pro-government militias living under their control. The government's target, in other words, was not the rebels, as it has claimed, but the Kurds as such.
MEW]

(MEW ref.: 54/4-F).

DOCUMENT 13
PAGE 1

In the Name of God, the Merciful, the Compassionate

[Emblem of the Iraqi Republic]

In the Name of the People
Revolutionary Command Council
Number of the Decree: 160
Date of the Decree: 29/3/1987

DECREE

In accordance with the provisions of Article 42, Paragraph (a), and Article 43, Paragraph (a), of the Constitution, and in order to execute what was decided in the joint meeting of the Revolutionary Command Council and the Regional Command of the Ba`ath Party on 18/3/1987,

The Revolutionary Command Council decided in its meeting on 29/3/1987 the following:

First: The Comrade Ali Hassan al-Majid, member of the Regional Command of the Ba`ath Party, will represent the Regional Command of the Party and the Revolutionary Command Council in implementing their policies in all of the northern region, including the Autonomous Region of Kurdistan, in order to protect security and order and guarantee stability and the implementation of the Autonomy Law in the region.

Second: The Comrade, member of the Regional Command, will have authority over all the state's civil, military and security apparatuses to carry out this decree, in particular the authorities of the National Security Council and the Northern Affairs Committee.

Third: The following authorities in the northern region fall under the Comrade's authority and must implement all the decisions and directives issued by him, as by this order:

1. The Executive Committee of the Autonomous Region of Kurdistan.
2. The Governors and the heads of the administrative units under the Ministry of Local Government.
3. The Foreign Intelligence apparatus, the Internal Security Force, and Military Intelligence.
4. The Commands of the Popular Army.

Fourth: The military commands in the region must respond to the Comrade, member of the Regional Command, concerning everything pertaining to the first paragraph of this decision.

DOCUMENT 13
PAGE 2

Fifth: This Decree goes into effect on the date it is issued until further notice, and any regulations contradicting this Decree are suspended.

[Signature]
Saddam Hussein
President of the Revolutionary Command Council

[Revolutionary Command Council Decree 160 of March 29, 1987, contains the all-important order authorizing Ali Hassan al-Majid to take charge of all affairs in northern Iraq. In it Saddam Hussein spells out the extent of al-Majid's authority over all other security, military and civil organs. It was immediately after the appointment of al-Majid that the chemical attacks against Kurdish civilians began and the campaign of village destruction went into high gear. Decree 160 was revoked on April 23, 1989, through Revolutionary Command Council Decree 272 (MEW ref.: 82/4-E), after Ali Hassan al-Majid had completed his job: He had defeated the Kurdish insurgency by erasing almost all the Kurdish villages from the map and killing most of their inhabitants during the Anfal campaign. MEW]

(MEW ref.: 42/5-L).

DOCUMENT 14
PAGE 1

One Arab Nation With an Immortal Message

The Socialist Arab Ba`ath Party
Iraq Region
Northern Bureau Command

Ref.: 28/3650
Date: 3/6/1987

Top Secret and Personal

To: Governorate of
 Commands of First, Second and Fifth Corps
 Commands of Branches of the Bureau
 Command of the Salah al-Din Branch
 Command of the Diyala Branch
 Directorate of Security of the Autonomous Region
 Directorate of Security of Erbil Governorate
 Directorate of [Foreign] Intelligence.....
 Directorate of [Military] Intelligence

Re: Decree

1. It is totally prohibited for any foodstuffs or persons or machinery to reach the villages that have been prohibited for security reasons that are included in the second stage of amalgamating the villages. Anyone who so desires is permitted to return to the national ranks. It is not allowed for relatives to contact them except with the knowledge of the security agencies.
2. The presence of people is completely prohibited in those areas of the villages prohibited for security reasons that were relocated in the first stage, and also in the areas included in the second stage until June 21, 1987.
3. Concerning the harvest: after the conclusion of the [harvesting of the] winter [crop], which must end before July 15, farming will not be authorized in [the area] during the coming winter and summer seasons, starting this year.
4. It is prohibited to take cattle to pasture within these areas.
5. Within their jurisdiction, the armed forces must kill any human being or animal present within these areas. They are totally prohibited.
6. The persons who are to be included in the relocation to the complexes will be notified of this decision, and they will bear full responsibility if they violate it.

DOCUMENT 14
PAGE 2

For your information and action, each within his jurisdiction. With regards.

Keep Up the Struggle.

[Signature]
The Comrade
Ali Hassan al-Majid
Secretary General of the Northern Bureau Command

[This is one of the two main "smoking gun" documents found to date about Iraq's policy toward the Kurds. This key directive, from June 1987, reinforces the existing total embargo on designated "prohibited areas" throughout those parts of the Kurdish-inhabited countryside outside full government control. It also, in paragraph 5, institutes a shoot-on-sight policy in those areas. What is interesting here is that, while such a policy, according to our eyewitness testimonies, had already been in effect for several years, this is the first explicit expression of the regime's intent in this regard. The document also refers to the policy of amalgamating villages that had remained under government control. The inhabitants were forcibly moved into housing complexes and their villages destroyed. This campaign was well under way at the time this order was issued. MEW]

(MEW ref.: SP-2).

DOCUMENT 15
PAGE 1

Northern Bureau Command
The Secretariat

Date [sic]: 28/4008
Ref. [sic]: 20/6/1987

[In handwriting:] Sh.3 810
23/6/87

From: Northern Bureau Command
To: First Corps Command / Second Corps Command / Fifth Corps Command

[Stamp:] 3
12533
23/6/87

Re: Dealing With the Villages That Are Prohibited For Security Reasons

In view of the fact that the officially announced deadline for the amalgamation of these villages expires on 21 June 1987, we have decided that the following action should be taken effective 22 June 1987:

- (1) All the villages in which the saboteurs -- the agents of Iran [i.e. the PUK], the offspring of treason [i.e. the KDP], and similar traitors to Iraq -- are still to be found shall be regarded as prohibited for security reasons.
- (2) The presence of human beings and animals is completely prohibited in these areas, and [these] shall be regarded as operational zones in which [the troops] can open fire at will, without any restrictions, unless otherwise instructed by our headquarters.
- (3) Travel to and from these zones, as well as all agricultural, animal husbandry and industrial activities shall be prohibited and carefully monitored by all the competent agencies within their respective fields of jurisdiction.
- (4) The Corps Commands shall carry out random bombardments using artillery, helicopters and aircraft at all times of the day or night in order to kill the largest number of persons present in those prohibited areas, keeping us informed of the results.
- (5) All persons captured in those villages shall be detained because of their presence there, and they shall be interrogated by the security services and those between the ages of 15 and 70 must be executed after any useful information has been obtained from them; keep us informed.

DOCUMENT 15
PAGE 2

(6) Those who surrender to the government or Party authorities shall be interrogated by the competent agencies for a maximum period of three days, which may be extended to ten days if necessary, provided that we are notified of such cases. If the interrogation requires a longer period of time, approval must be obtained from us by telephone or telegraph or through comrade Taher al-Ani.

(7) Everything seized by the advisers [*mustashars*] or fighters of the National Defense Battalions [i.e., the pro-government Kurdish militias] is considered theirs to keep, with the exception of heavy, mounted and medium weapons. They can keep the light weapons, notifying us only of the number of these weapons. The commands of the Battalions must promptly bring this to the attention of all the advisers and company and brigade commanders, and must provide us with detailed information concerning their activities in the National Defense Battalions.

cc. Head of the Legislative Council; Head of the Executive Council; [Foreign] Intelligence Agency; Chief of the Army General Staff; Governors (Chairmen of the Security Committees) of Nineveh, al-Ta'mim, Diyala, Salah al-Din, Suleimaniyeh, Erbil and Dohuk; [Ba`ath Party] Branch Secretaries of the above-mentioned Governorates; General Directorate of Military Intelligence; General Directorate of Security [*Amn*]; Directorate of Security of the Autonomous Region; Subdirectorates of Military Intelligence, Northern Sector; Subdirectorates of Military Intelligence, Eastern Sector; Security Directors of the Governorates of Nineveh, al-Ta'mim, Diyala, Salah al-Din, Suleimaniyeh, Erbil and Dohuk.

For your information and action within your respective fields of jurisdiction. Keep us informed.

[Signature]
The Comrade
Ali Hassan al-Majid
Member of the Regional Command, Secretary General of the Northern Bureau

[This pre-Anfal memorandum, our second "smoking gun" document about the Iraqi regime's policy toward the Kurds, sets the framework for the Anfal campaign of 1988 by turning the "prohibited areas" into free-fire zones; by ordering the arrest, interrogation and summary execution of all those aged 15-70 who are found in the "prohibited areas"; and by giving permission to the pro-government Kurdish militias to keep everything they might seize in those areas, not only light weapons but also personal belongings, thereby giving true meaning to the word "Anfal," or "spoils." The instruction, in paragraph 5, to summarily execute all those between the ages of 15 and 70 who were detained by the military forces

DOCUMENT 15
PAGE 3

was so blatant that it caused confusion in the ranks, and the Northern Bureau was forced to repeat it on several occasions to remind the soldiers of their duties (see, for example, Document 28 below). During Anfal, the above order was generally observed. Documents from that period show that all the people from the villages in the "prohibited areas" were rounded up and sent on to the authority of the Security Directorate in Kirkuk, whose agents were asked to carry out the "necessary measures" according to the directives of the Northern Bureau, (see, for example, Document 23 below). We know from eyewitness testimonies that from there, most were taken away and killed. MEW]

(MEW ref.: 93/1-B).

DOCUMENT 16
PAGE 1

Part 1

[In handwriting:] 171

-----Security
15/9/87

[In handwriting:] 184

C

Urgent and confidential /12/9/

From: First Corps / R./Sh.I.D./

To: Division 24 / 27 / 28 / 34 / 36 / 39 / Command of the National Defense Corps Forces 1 / Division 44 /
Division H.N. / Headquarters of First Corps / the First Forces

Ref.: 4198

[Concerning] the confidential letter of the Northern Bureau Command, ref. /435/ of 8/9, the following has been decided:

In view of the meeting that was held on 6/9/1987, led by Comrade Ali Hassan al-Majid, General Secretary of the Northern Bureau:

1. The Security Committees in the northern Governorates must submit a survey of the families of saboteurs. This must be done during the period of 6/9 to 15/9. Immediately after the completion of the survey, the deportation of these families to the areas where their saboteur relatives are must be commenced, except for the male [members], between the ages of 12 inclusive and 50 inclusive, who must be detained. The families who have martyrs, missing persons, prisoners of war, soldiers, or fighters in the National Defense Battalions [among their sons/husbands/fathers] are excluded from these measures. In this case, the mother only must be deported to the side of the saboteurs.

2. Public and administrative meetings must be held. In these meetings, the importance of the census, which it was decided will be held on 17/10/1987, must be pointed out. Be certain to clarify that anyone who does not participate in the operation [i.e., the census] without a reasonable excuse will lose his Iraqi-ness [i.e., his citizenship] and will be considered to be an army deserter, and [in this case] Revolutionary Command Council Decree #677 of 26/8 will apply to them.

3. The return of the saboteurs without their weapons is not acceptable between 6/9 and 17/10. After 17/10, their return is not acceptable even if they bring their weapons.

DOCUMENT 16
PAGE 2

Please be informed, take the necessary measures, and let us know.

[In handwriting:] R.A. [i.e., Chief of Staff]
Please be informed and disseminate
16/9 [initialed]

[In handwriting:] The commander
Please be informed
Approve for dissemination
16/9 [initialed]

[In handwriting:] I.S. [i.e., Military Intelligence]
1. To be disseminated
2. Put together the responses as soon as possible and inform the First
Corps

[In handwriting:] It has been disseminated
16/9

DOCUMENT 16
PAGE 3

Part 2

One Arab Nation With an Immortal Message

The Socialist Arab Ba`ath Party
Iraq Region
Erbil Branch Command
Salah al-Din Section Command

Ref.: 60/2648
Date: 12/9/1987

To: Erbil Branch Command
Re: Minutes of Meeting

Comradely Greetings:

On 12/9/1987, the Salah al-Din Section Command held an extraordinary meeting at the headquarters of Salah al-Din Section Command. Comrade Ashour Shahab Ahmad, the Secretary of the Section Command, chaired the meeting. The Comrades, members of the Section Command, attended the meeting. The meeting addressed the following [issues]:

1) The letter of Erbil Branch Command, ref. 34/11521 of 18/9/1987 [sic; date must be wrong], decision [sic]. The Section Command studied the contents of the above letter and suggests to help Comrade Adnan Hamdan Alwan, member of the Koysinjq Division [of the Ba`ath Party], with 250 Iraqi dinars because he has a limited salary and a big family.

2) The Section Command studied all the survey and evaluation forms of the families of saboteurs who arrived from the Division Commands. After checking all the forms, the Section Command proposes the following:

First: To detain and deport members of the saboteurs' families according to the regulations included in the letter we received from the Branch Command, ref. 38/11540 of 9/9/1987, and the message of the Northern Bureau Command, ref. 435 of 7/9/1987. There are 111 families [i.e., according to the survey] who do not have a martyr, prisoner of war, soldier, fighter in the National Defense Battalions or fighter in the Popular Army [among their male members].

Second: To deport the saboteurs' mothers or their oldest sisters in accordance with the regulations contained in the message of the Northern Bureau Command. There are 103 families who have a martyr, prisoner of war, missing person, soldier, fighter in the National Defense Battalions or fighter in the Popular Army [among their male members].

DOCUMENT 16
PAGE 4

Third: To strip the families who joined the saboteurs with all their family members of their Iraqi citizenship, and to confiscate their movable and immovable property. There are 82 forms.

Please be informed. With regards.

Keep Up the Struggle.

[Signature]
The Comrade
Ashour Shahab Ahmad
Secretary of the Salah al-Din Section Command

[In handwriting:] I was informed / For keeping

[Signature]
14/9

cc: The Comrades, respected members of the Section Command / Please be informed. With regards.

[These two documents highlight an important policy announced in the fall of 1987 and subsequently implemented. The Iraqi population census of 1987 (the census is held every ten years) became a key event in the build-up to the Anfal campaign. As is clear from paragraph 2 of the first document, all those who failed to register in the census would lose their Iraqi citizenship. In reality, this meant that all persons living in the "prohibited areas" were excluded from the census; to be registered they would have had to move from their ancestral villages into government-provided housing in one of the complexes. Needless to say, very few people were prepared to leave their land and homes (essentially denying themselves their livelihood) only to be included in the census. The result was that they were stripped of their citizenship and overnight became virtual outlaws living on their own land. At this time, when Iraq was at war with Iran, to be considered an ex-Iraqi, a virtual traitor to the Iraqi cause, was particularly dangerous. During Anfal, the people who had failed to register in the census were rounded up and killed. (Please note that an amended version of RCC Decree 677, mentioned in paragraph 2, is included as Document 19 below).

Paragraph 1 of the first document highlights another important policy: that of deporting the wives, mothers and children of alleged guerrillas to the "prohibited areas." They, too, were stripped of their Iraqi citizenship, and subsequently became the victims of Anfal. As the document shows, some exceptions were made for families who had at least one member in the Iraqi armed forces or the pro-government Kurdish militias. The second document shows how this policy was being carried out with meticulous care by local Ba`ath Party officials (see also Document 20 below). MEW]

(MEW ref.: 56/52-A and 2192/5-A).

DOCUMENT 17
PAGE 1

[In handwriting:] 6573

---- Q.3

22/5

LLLLL

From: M.Is. Kalar [i.e., Military Intelligence Center Kalar]

Confidential and Personal

22/5/1987

[Stamp:] Subdirectorates of Military Intelligence, Eastern Sector

Ref.: 15577

Date: 22/5/1987

To: /M.IS.M. Eastern/Sh.3

Ref.: Q.3/10/2101/Q.S./Maps Tuz Khurmatu/Qal'at Shirwana 1/100,000

[Concerning] your confidential and personal letter ref. Sh.3/Q.3/9062 of 21/5/1987:

The number of deported families from 13/5 until the present is 1,500 families. Some of these families joined the saboteurs, [i.e.] agents of Iran saboteurs [the PUK]. Their number is estimated to be 450 families. Most of them are from the villages of Omerbel / 9948, Kopan Arab / 9742, Qara Qojali / 1252, Biyasijr / 1653, Rotin / 1354, and Melasur / 1350. The other part [i.e., families], whose number is estimated as 1,050 families, have been resettled with their relatives in towns and villages that are not prohibited for security reasons. A residential complex was assigned to the deported families from the district of Kalar near the village of Shakal / 1935, and was named Sumoud neighborhood. Pieces of land have been distributed to them. Please be informed.

Sender / N.Dh. [i.e., non-commissioned officer] Hussein

Recipient / Hamed

LLLLLLL

1249

LLLLLLL

[In handwriting:] Q.3

The center must be asked for details: "How many families deserted every day"

DOCUMENT 17
PAGE 2

Put together with the answers of the [other] centers
[Signature]
23/5

[In handwriting:] It will be written to the center
[Signature]
22/5

[This document is important because it shows how in subtle ways the Iraqi bureaucracy was criminalizing innocent people. The document refers to some 450 families who "joined the saboteurs." We know from our testimonial evidence that families never joined the guerrillas; only the men did. Families living in the villages might support guerrillas who passed through by feeding them, but the concept of "joining the guerrillas" did not really exist for families. What is meant here is something entirely different, which is also consistent with evidence we have found in other documents: People who evaded the campaign of village destruction and deportation in the spring of 1987, thereby refusing to be moved to one of the government housing complexes, and who fled from areas of government control into the "prohibited areas," were henceforth equated with the guerrillas, regardless of their loyalties. From that moment on, they would also be treated like the guerrillas, a policy that found its apogee in the Anfal campaign (see also Document 22 below). MEW]

(MEW ref.: 2104/12-O).

DOCUMENT 18
PAGE 1

[Main document:]

The head of the Presidential Cabinet has decided as follows:

1. The names of persons who are subject to a collective judgment must only be disseminated in separate memoranda.
2. Such memoranda, when disseminated, should be accorded the greatest secrecy.

Please take whatever measures are necessary, and act accordingly.

Signature/ ..

The Dep. Minister of Interior

[Cover letter:]

In the Name of God, the Merciful, the Compassionate

General Security
Directorate of Security, Erbil Governorate

Secret, Personal and Urgent

Ref.: Sh.S.5/14314

Date: 1/11/1987

To: All Directorates of Security Branches and Political Sections

Re: Secret Documents

The above is a copy of the Interior Ministry's memorandum -- Directorate of Secret and Political Affairs -- ref. 17903 of 15/10/1987. Please act accordingly.

[Signature]

Major of Security

The Dep. Director of Security, Erbil Governorate

[In handwriting:] 3423

8/11

[Signature]
To be disseminated

DOCUMENT 18
PAGE 2

[While Kurds deported from villages or taken into government custody were being dealt with collectively, their cases were itemized individually by the Iraqi bureaucracy. The significance of this document is that the regime apparently wanted to have a complete record of all those who were subject to collective punishments. For example, during the Anfal campaign, persons were sorted out for deportation and execution based on their place of capture rather than as a result of an individual judgment following interrogation and/or trial, and each person arrested during Anfal was therefore briefly questioned about matters of personal status, place of residence, etc. MEW]

(MEW ref.: 70/4-A).

DOCUMENT 19
PAGE 1

In the Name of God, the Merciful, the Compassionate

[Emblem of the Iraqi Republic]

Revolutionary Command Council
Number of the Decree 10
Date of the Decree: 3/1/1988

Decree

In accordance with the provisions of Article 42, Paragraph (a), of the Constitution, the Revolutionary Command Council, at its meeting held on 3/1/1988, decided as follows:

First: Revolutionary Command Council Decree No. 677 (six hundred and seventy-seven) dated 26/8/1987 (twenty-six August of the year nineteen hundred and eighty-seven) is hereby amended to read as follows:

1. The Party organizations shall carefully examine the situation of military deserters and draft dodgers who are captured.
2. The death sentence shall be carried out by the Party organization, after that examination, on every deserter or draft dodger who is captured if the duration of his desertion or draft evasion exceeds one year or if he has committed the crime of desertion more than once.
3. A draft dodger or deserter who returns repentant or whose period of draft evasion amounts to one year or less, even if captured, shall be handed over to his unit to be dealt with in accordance with military law and regulations.
4. The provisions of this Decree shall apply to all persons who evaded military service prior to its date of promulgation and who do not present themselves for re-enlistment within 30 days from the date of its publication in the Official Gazette.

Second: This Decree shall be published in the Official Gazette and shall supersede any text that conflicts with its provisions.

[Signature]
Saddam Hussein
Chairman of the Revolutionary Command Council

DOCUMENT 19
PAGE 2

[This document demonstrates both the toughening stance of the regime in early 1988, less than two months before the start of the Anfal campaign, and the supreme power of the Ba`ath Party in implementing the new policies, including the execution of army deserters and draft dodgers. It was the Ba`ath Party that presented itself as the final authority in the Anfal campaign, which was marked by mass executions of combatants and non-combatants alike, including army deserters. MEW]

(MEW ref.: 175/4-K).

DOCUMENT 20
PAGE 1

[In handwriting:] Fatima Ahmad Omar

(Confidential and Personal Message)

To: The Security of Autonomous Region
From: Security Dohuk / Sh.S.64

Ref.: 13075
Date: 15/9/1987

According to the directives issued by the Northern Bureau Command regarding the deportation and detention of families of saboteurs, deserters and draft dodgers, the following is the situation today, 15/9/87, for those families who were deported and detained within our Governorate after their photographs were taken and all their official identity cards proving their Iraqi-ness were taken away from them. Please be informed. With regards.

[In handwriting:] 15154

[Signature]
Director of Security of Dohuk Governorate

First: The deportees who are from Sersank subdistrict in Amadiya district

1. The family of the criminal deserter Ibrahim Yusef Mustafa:
Miriam Abd-al-Rahman Abdullah / his mother / housewife / 1907 / She has been deported.
2. The family of the criminal deserter Muhammad Ali Abd-al-Majid:
Zimrud Abdullah Muhammad / his mother / housewife / 1930 / She has been deported.
3. The family of the criminal deserter Mustafa Saleh Omar:
Fatma Muhammad Alo / his mother / housewife / 1930 / She has been deported.
4. The family of the criminal deserter Hassan Taher Mirkhan:
Halima Birmus Hassan / his mother / housewife / 1916 / She has been deported.
5. The family of the criminal deserter Mustafa Abba-Bakr Hassan:
Hamra' Fakhri Birmus / his mother / housewife / 1917 / She has been deported.
6. The family of the criminal deserters Esmat and Iskan Muhammad Hassan Osman:
Zulekha Muhammad Mustafa / their mother / housewife / 1916 / She has been deported.
7. The family of the criminal deserter Ibrahim Rashid Budagh:
Guli Suleiman Amin / his mother / housewife / 1920 / She has been deported.
8. The family of the criminal deserter Ahmad Muhammad Abd-al-Qader:
Fatma Bapir Hassan / his mother / housewife / 1925 / She has been deported.
9. The family of the criminal deserters Zubeir and Ayed Muhammad Ali Sheikho:
Amina Yusef Hamid / their mother / housewife / 1936 / She has been deported.

(More)

DOCUMENT 20
PAGE 2

[Only page 1 of the document has been included here. The full document lists 86 families. The document makes very clear how the policy enunciated in Document 16 above was being carried out. Elderly women, mothers of alleged guerrillas, were being stripped of their Iraqi citizenship in the fall of 1987 and deported to the "prohibited areas," apparently guilty of no crime other than association with wanted persons. As inhabitants of the "prohibited areas," they were included in the Anfal campaign the following year. MEW]

(MEW ref.: 2014/7-B).

DOCUMENT 21
PAGE 1

In the Name of God, the Merciful, the Compassionate

Command of the Fifth National Defense Forces
Administration
Ref.: A./3/163
Date: 26/4/1988

To: List (1) Contingent 81
Re: Implementing the Death Penalty

[Concerning] the memorandum from the Presidency of the Republic, the Secretary to the President for Party Affairs, ref. Sh./H./78 of 20/1/1988, conveyed in memorandum ref. 106 of 2 February 1988 from the Army Chief of Staff, as relayed in the memorandum of the Command of the First National Defense Forces ref. D.Q./2/1879 of 30/3/1988, which was a cover letter to the original memorandum of the Office of the Minister of Defense, Top Secret, ref. 2041 of 28 January 1988, and contained the agreement of the Comrade, the Struggling Leader, the Secretary-General of the country and Secretary-General of the Military Bureau (May God Protect Him) [i.e., Saddam Hussein], to implement orders issued by the Party headquarters and branches regarding the execution of the condemned: Army units must not make any delays in implementing these [orders], and they should not reopen the files.

Please be informed of this, and implement it accordingly.

[Signature]
Captain
Jiyad Mahdi al-Khadr
Dep. Commander of the Fifth National Defense Forces

[The order referred to in this document, which was issued barely a month before the start of the Anfal campaign, uses an important word that sheds light on what was about to take place during Anfal. The document refers to "the condemned," a deliberate choice of words favored over the more usual: "those who have been convicted." This choice seems to imply the existence of a blanket order to execute a certain group of people without due process of law. This should not be a surprising discovery, given the language of paragraph 5 of Northern Bureau directive SF/4008 (see Document 15 above), which mandated mass executions. MEW]

(MEW ref.: 125/24-A).

DOCUMENT 22
PAGE 1

One Arab Nation with an Immortal Message

The Socialist Arab Ba`ath Party
Salah al-Din Section Command
Rawanduz Division Command
Ref.: 52/461
Date: 19/4/1988

To: All Membership Cells
Re: Directives

Comradely Greetings:

Below are the directives issued by the Section Command. They are as follows:

1. The families who have arrived from the areas of the saboteurs should be treated in the same way as the saboteurs [are treated]. The Party organizations should carry out searches and gather information, and if families are found, they should inform the security authorities about this.
2. The Party apparatus is responsible for the expurgation of the geographic area in which it operates with regard to the families who are mentioned in Paragraph 1. Each mukhtar [village or neighborhood head, appointed by the government] should be informed that if any family lives in his area and he does not inform us about them, he and his family will be detained and his house will be demolished. If he was not aware [that there were families in his area], he will be detained for three days.
3. If five or more families are found in the neighborhood of the mukhtar's jurisdiction, the neighborhood mukhtar will be executed.
4. It is strictly forbidden to hand over any saboteur to the National Defense Battalions [the pro-government Kurdish militia]. They should only be handed over to the Security. As for the Party agencies, they, too, should hand over saboteurs who surrender with their weapons to the Security.
5. Mobilize the religious leaders and meet with them so as to induce them to erode [the support of] the saboteurs and their collaborator commanders.
6. The Party organizations should collect information about those who have joined the saboteurs, using special lists on which all information should be written.

DOCUMENT 22
PAGE 2

The collection of information should include [members of] the internal organizations [i.e., the guerrillas' urban underground] and their families according to where they reside, and every family's survey form should be done separately. This form should be presented to the Division Command within one week.

Please be kindly informed. With regards.

Keep Up the Struggle.

[Signature]
The Comrade
Zaydan Atiyeh Akmoush
Dep. General Secretary of the Rawanduz Division

[Stamp:] Socialist Arab Ba`ath Party
Salah al-Din Section Command
Rawanduz Division Command
Unity, Liberty, Socialism

[In handwriting:] Bring it up in the meeting.

[This document from the time of Anfal addresses two important matters. First, it defines all women and children fleeing the "prohibited areas" as "saboteurs." We know from other documents (for example, Document 23 below) as well as from eyewitness testimonies that families were in fact treated the same way as the men (many of whom were not combatants either, but civilian inhabitants from the villages). Second, it shows that the regime went after the people from the "prohibited areas" even after they had managed to reach the towns and complexes. There they were hunted down, arrested and forwarded to the Security police in Kirkuk, much as the people who had been captured during the military campaign in the "prohibited areas" before them. (See also Document 25 below). Although a number of families were able to survive Anfal because they found safe shelter with relatives, intimidation tactics like the ones mandated above vis-a-vis the appointed neighborhood officials (the *mukhtars*) enabled the regime to detain many others. MEW]

(MEW ref.: 2161/17-A).

DOCUMENT 23
PAGE 1

[In handwriting:] 603
Sh.3
14/4

In the Name of God, the Merciful, the Compassionate

We Seek Justice, Not War

Command
Oil Protection Forces
General Staff
Intelligence
Ref.: 289
Date: 11 April 1988

Top Secret

[In handwriting:] 238
-----Q.2
14/4/88

[In handwriting:] 321
Sh.3 [Signature]

[Stamp:] Subdirectorate of Military Intelligence
Ref.: 7205
Date: 14/4/1988

To: Directorate of Security of al-Ta'mim
Re: Sending Families

We are sending you the families who surrendered to our military forces on 11 April 1988 and whose names are in the appended list.

Please take the necessary measures according to the directives of the Northern Bureau, and acknowledge receipt.

Enclosures: 11 lists with 307 names

[Signature]
Brigadier-General Q.Kh. [i.e., Special Forces]
Bareq Abdullah al-Haj Hunta
Commander of the Oil Protection Forces

DOCUMENT 23
PAGE 2

cc: First Corps Command (Sh.Id. and Is.) [i.e., Administrative Section and Military Intelligence]. Enclosed is a copy of the list. Please be informed.

M. Is. M. Eastern [i.e., Subdirectorate of Military Intelligence, Eastern Sector]. Enclosed is a copy of the list. Please be informed.

[In handwriting:] Mark for correspondence

[Signature]

15/4

The Captain

(1 of 1)

Top Secret

[This may be one of the most important documents we have found to date. Above, only the cover letter has been included. The remainder of the document offers a list of 139 families (or 307 individuals). There were several other, similar lists in the same file, including hundreds of names. These lists have proven to be extremely significant, because we were able to match names listed there with the names of people who, according to the information we obtained during our field research in the Kurdish areas, never returned home following their arrest by the army in Anfal. If 58 is a relatively small number, this merely reflects the limited scale of our field research. Matching the names on the lists with the names collected systematically by Kurdish human rights organizations could prove to be a much more valuable corroboration of those who 'disappeared' in government hands.

The importance of the lists goes further: Not only were we able to make 58 positive matches of names, we also found the names of three of the execution survivors we had interviewed in the summer of 1992. (See chapter 9 in *Genocide in Iraq*). Through the testimony of these three survivors, we are now able to conclude with a high degree of certainty that virtually all of the people named in the lists were in fact executed in 1988. The survivors mentioned several persons whose names appear on the lists as having been in their company at the time of the executions. This proof concerning their fate would confirm the nature of the "necessary measures" ordered by the Northern Bureau: in all likelihood the document is referring to Northern Bureau directive SF/4008 of June 20, 1987.

The Iraqi government has yet to account for the persons it has admitted having arrested in 1988. MEW]

(MEW ref.: 2110/9-A).

DOCUMENT 24
PAGE 1

[In handwriting:] 3584

-----Q.3 /321
17/4

[In handwriting:] 1233

-----Q.3
17/4

[Stamp:] Subdirectorate of Military Intelligence, Eastern Sector
Ref.: 11029
Date: 17/4/1988

LLLLL

Confidential and Urgent 17/4

From: M. Is. Chamchamal
To: M. Is. M. Eastern /Sh.3
Ref.: 663

[Concerning] our confidential and urgent letter, ref. 641 of 14/4:

For the reasons mentioned in our above letter, we suggest the release of some of the saboteurs and deserters who are currently detained in the camps, as well as some families, at the discretion of the Investigation Committee in each subdistrict and district, so as to encourage the remaining saboteurs wishing to return. Most of them are seeking refuge in the forests and are awaiting the outcome of the detainees [i.e., waiting to find out what has happened to those who were detained previously]. Please be informed.

Sender: Ibrahim
Recipient: Muwaffaq
Time: 9:30

[In handwriting:] The Director of the Section

Please be informed
Above is a suggestion from the director of the Istikhbarat Center in
Chamchamal re: encouraging the saboteurs to return to the national ranks.
Please instruct.
[Signature]
17/4
The Captain

[In handwriting:] To be read
[Signature]

18/4

DOCUMENT 24
PAGE 2

[This document is of special interest because it mentions one of the ploys used by the regime to convince those who had fled the advance of the troops during Anfal to come down from the wooded hills and caves, and surrender. It also matches the testimonies of Anfal survivors collected by Middle East Watch in 1992 and 1993. The fate of most of those who surrendered is known: They were arrested, deported and killed. MEW]

(MEW ref.: 2110/9-I).

DOCUMENT 25
PAGE 1

Confidential and Urgent Time of Issuance And Day
17/4

From: The Committee to Fight Hostile Activity in Shaqlawa
To: The District Administration in Shaqlawa, Division Command of the Leading Party, Directorate of Police in Shaqlawa, Directorate of Security in Shaqlawa

Ref.: L.M./102

[Concerning] the letter of Erbil Governorate (the Committee to Fight Hostile Activity), confidential and urgent, ref. 2538 of 12/4:

In view of the contents of the letter from the Northern Bureau Command, ref. 413 of 10/4/88, (1) to detain all the families who have come to the towns and the complexes [after] stealing out of the villages that are prohibited for security reasons; and (2) to activate all the Security, Party and Army organs, and inform us of their names [i.e., of the families] immediately. The Security Directorate is in charge of detaining them. Please take the necessary measures and let us know.

[Signature]
The Colonel
Commander of Salah al-Din Sector
Chairman of the Committee to Fight Hostile Activity

[In handwriting:] Q.

The contents of this letter must be copied to the base of Salah al-Din Sector. They must be asked to urge the headquarters of the Battalions to monitor these matters, and let us know [so that we can] take the necessary measures [i.e., detain those families].

[Signature]
17/4

Confidential and Urgent

[This document highlights who the targets of the Anfal campaign were: not just the Kurdish guerrillas but all the Kurdish inhabitants of the "prohibited areas," even if they had left those areas to seek shelter in the towns and complexes. Many families were rounded up in raids on neighborhoods after Anfal, and they too were taken and disappeared. (See also Document 22 above). MEW]

(MEW ref.: 92/1-J).

DOCUMENT 26
PAGE 1

In the Name of God, the Merciful, the Compassionate
Secret and Personal

Qaradagh Section Command
([Military] Intelligence)
Ref.: I.S./28/56
Date: 31/5/88

To: All the Units
Re: Elimination of Villages

[Concerning] the letter of the First Corps, secret and personal, ref. 208 of 25 May 1988, of which we were informed in the letter from the First Forces Command, secret and personal, ref. 97 of 28 May 1988, the following was decided:

1. The information we received makes clear that there are villages and separate houses in the prohibited areas which were covered by the Anfal operation but have so far not been eliminated as required.
2. It was decided to speed up the destruction and elimination operation for all the villages and scattered houses as soon as possible, and to give this matter top priority within a time frame not exceeding 10 June 1988.
3. Groups of the Corps Intelligence and the Command Intelligence will check the villages that were not eliminated.
4. Please provide us with the list that includes the coordinates of the villages, marked and unmarked, which have not yet been eliminated. Please state your engineering requirements so that we can help you in the elimination of these villages. This request should be hand-delivered to us within 48 hours because of the importance of the matter.
5. Please follow up and acknowledge receipt of this letter.

[In handwriting:] [Signature]
I was informed, 1/6

[Signature]
Colonel
Fahmi al-Sayed Adel Rashid
Qaradagh Section Commander

cc.

C.M.H. Abd-al-Hassan//..

DOCUMENT 26
PAGE 2

[This Military Intelligence memorandum from the middle of the Anfal campaign, in May 1988, indicates that the destruction of all villages in the area of the second Anfal (which ended on April 1) had not been completed on schedule. In dry bureaucratic language, the fate of Kurdish villages is decided here. None survived. MEW]

(MEW ref.: 234/9-A).

Confidential and Urgent Message

Date

6/10/1988

From: The Committee to Fight Hostile Activity in Suleimaniyeh Governorate
To: Sub-Committees to Fight Hostile Activity in the Districts

Ref.: 1650/ [Concerning] the message of Northern Bureau Command / Secretariat Bureau, ref. 2946 of 4/10/1988, the following:

Because the end of the period of the amnesty is approaching, the respected Struggling Comrade Ali Hassan al-Majid, head of the Northern Bureau, has decided:

- 1) All the Returnee Reception Committees must terminate their work at 6:00 [a.m.] on 9/10/1988.
- 2) Starting 9/10/1988, the returnees to the national ranks must be sent to the Secretariat of the Northern Bureau after coordinating with the Secretary of the Northern Affairs Committee.
- 3) The military authorities will be in charge of escorting those who are mentioned in Paragraph 2 to the Secretariat. Please take the necessary measures and let us know. With regards.

[Signature]
Ja'far Abd-al-Karim al-Barzinji
Chairman of the Committee to Fight Hostile Activity
in Suleimaniyeh Governorate

[In handwriting:] To be copied to the subdistrict of Bazian

6/10

cc: Suleimaniyeh Branch Command
of the Leading Party }
Directorate of Security
Suleimaniyeh Governorate } For the same above purpose.
Military Intelligence Center in } With regards.

Suleimaniyeh Governorate }

DOCUMENT 27
PAGE 2

[This is an important document because it indicates once again who holds final responsibility for the people who "disappeared" during Anfal. On September 6, 1988, the regime had declared a general amnesty "for all the Kurds." The amnesty lasted for a little over one month, ending in the early hours of October 9. Eyewitness testimonies indicate that most persons who surrendered to the authorities within this period were set free, though forced to live in one of the government-controlled housing complexes. By contrast, persons who surrendered after the expiry of the amnesty were transferred to the authority of the Northern Bureau in Kirkuk - and from there disappeared without a trace. MEW]

(MEW ref.: 258/2-D).

DOCUMENT 28
PAGE 1

Confidential and Urgent Message

The Time and Day of Issuance
22/11/1988

[Scribble:] Shaqlawa

To: The Directors of Security Branches / Q.S.M.
From: Security of Erbil

Ref.: Sh.2/17983. In accordance with the directives of senior authorities, it has been decided to apply Paragraph 5 of the message of Northern Bureau Command, ref. 4008 of 20/6/1987, to anyone present in the prohibited 'no-man's land' areas [*muharram*] and the areas banned for security reasons [*mahdour*], without exception. Please be informed, take the necessary measures, and carry out [the order]. Let us know.

[Signature]
Dep. Brigadier-General of Security
Director of Security of Erbil Governorate

[In handwriting:] To be disseminated
[Signature]
24/11

C./0012

[In handwriting:] 3175

24/11/1988

[Two-and-a-half months after the end of Anfal, it apparently was still necessary to remind officers in the lower echelons of the Security police that Northern Bureau directive SF/4008 of June 20, 1987 remained in force. In other words, the Anfal campaign was over in name only. One point of clarification: In the above document, the writer is using two different words in Arabic (*muharram* and *mahdour*) to express the concept "prohibited" in English. The border zones cleared of all population in the late 1970s were designated by the regime with the first term, used to denote the empty land between two warring forces, while the vast areas demarcated during the 1980s received the second term meaning that all human presence was prohibited in them.

(MEW ref.:44/1-C).

DOCUMENT 29
PAGE 1

To the Honorable Director:
Greetings

On 25/9/1990, the Honorable Director issued the following directive:

The phrase "We do not have any information about their fate" will replace the phrase "They were arrested during the victorious Anfal operation and remain in detention."

The purpose of this is to be accurate in dealing with such an eventuality.

[Signature]
Director of Security
Officer N.M.R.

[In handwriting:] It was raised in the monthly conference

[Signature]
Political Officer
18/10/1990

[This order indicates that after Anfal, the regime absolved itself of all responsibility for those who had been arrested during the Anfal campaign. Government offices had been besieged by people wishing to know what had happened to their relatives, and this was the official response from the government that had arrested and killed them: "We have no information about their fate." MEW]

(MEW ref.: 102/7-A).

DOCUMENT 30
PAGE 1

In the Name of God, the Merciful, the Compassionate

[In handwriting:] 74

-----Q.3
23/1

[Emblem of Iraqi Military Intelligence]

The Martyrs Remain More Generous Than All of Us

[In frame:] Please refer to the full number

Presidency of the Republic
Secretary
The General Directorate of Military Intelligence
Subdirectorates of Military Intelligence, Eastern Sector

Top Secret

Ref.: Sh.3/Q.3/Qadissiyat Saddam/978
Date: 6/Rajjab/1411 H.
Corresponds to: 22 January 1991 M.

[In handwriting:] Meetings of the Agents of Iran [i.e., PUK]

To: General Directorate of Military Intelligence (Sh.3)
Re: Information

The informer at our subdirectorates in Suleimaniyeh, Muhammad Mahmoud Mamand, who is related to the criminal Rasoul Mamand, the head of the Kurdistan Socialist Party band, has provided us with the following information and publications, listed below, which he obtained from the saboteurs when he went to get food supplies in Suneh [i.e., food smuggled from Iran]:

[section not translated]

2. The leadership of the agents of Iran band [i.e., PUK] has placed its saboteurs on alert and a state of readiness, and [told them] to remain close to their bases. It was also decided to suspend all leave at the current time. The leadership of the agents distributed heavy and light arms, as well as protective masks against chemical weapons, to its saboteurs.

[remainder not translated]

DOCUMENT 30
PAGE 2

[The above excerpts, based on informer reports, from a military intelligence document suggest that after the start of the allied air war over Kuwait and Iraq in the middle of January 1991, the Kurdish leadership expected that their guerrillas might be drawn into the conflict and might again become targets for an Iraqi chemical attack. Hence their decision to distribute gas masks. MEW]

(MEW ref.: 2104/11-A).

DOCUMENT 31
PAGE 1

[Main document:]

In the Name of God, the Merciful, the Compassionate

[In handwriting:] 63

12/4

The Revolutionary Command Council
Number of the Decree: 64
Date of the Decree: 21 Sha`ban 1411 H.
9 March 1991 M.

Decree

In accordance with the provisions of Article 42, Paragraph (a), of the Constitution, the Revolutionary Command Council has decided the following:

First: To grant the Comrades, members of the Regional Command of the Socialist Arab Ba`ath Party, or members of the Revolutionary Command Council who supervise directly the forces and columns that face resistance from the groups of traitors and agents who are supported by Iran, the powers of the President of the Republic to reward and punish.

Second: To grant the Vice-Chairman of the Revolutionary Command Council the powers of the Chairman of the Revolutionary Command Council for the purposes mentioned in Paragraph 1 of this Decree.

Third: To grant the Minister of Industry and Military Industrialization the powers stated in Paragraph 1 of this Decree.

Fourth: This Decree shall be in force from the day it is issued until the end of the crisis.

Fifth: The Ministers and pertinent authorities must implement this Decree.

Saddam Hussein
Chairman of the Revolutionary Command Council

[Cover letter:]

[Scribble:] [Signature]
13/4

DOCUMENT 31
PAGE 2

[Scribble:] [Signature]

M. the Battalion

To be disseminated to all the units for their information

12/4/1991

[Scribble:] [Signature]

R.A.

In the Name of God, the Merciful, the Compassionate

The Headquarters of Infantry Brigade 846

Administration and Supplies

The Administration

Ref.: A/267

Date: 12/4/91

To: List A. F.1

Re: Decree

The above is a copy of Revolutionary Command Council Decree number 64, of 9 March 1991, which was transmitted in the letter of the Presidential Cabinet, top secret, ref. 3139 of 9 March 1991, transmitted in the letter of the Cabinet of the Ministry of Defense, top secret, ref. 1723 of 10 March 1991, conveyed in the information from the Army Chief of Staff, ref. 4955 of 11 March 1991, conveyed in the letter of the Administration Office, top secret, ref. 508 of 12 March 1991, transmitted in the letter of the Fifth Corps, ref. 126 of 26 March 1991, transmitted in the letter of Division 38, ref. 699 of 6 April 1991. Please take the necessary measures.

[Signature]

The Captain

Abd-al-Hakim Abd-al-Majid Muhammad

Deputy Commander of Infantry Brigade 846

[This document shows the seriousness of the political crisis in Iraq in the wake of the regime's defeat in Kuwait and the start of the popular uprisings in the south and in the north. Unable to control the situation, President Saddam Hussein was forced to delegate authority by granting senior Ba`ath officials presidential powers in suppressing the uprisings.

MEW]

(MEW ref.: 80/68-D).

DOCUMENT 32
PAGE 1

Confidential and Urgent

Time and Date of Issuance

12/6

From: The First Battalion, Infantry Brigade 22, Security
To: All the companies (3)
Ref.: /Security/78

[Concerning] the letter of First Corps (Sh.I.D. - H.), S.F. 90 of 31/5/1991, transmitted in the letter of Infantry Brigade 22, S.F. 80 of 12/6/1991:

In order to prevent incidents of sabotage and to assert control over the towns, we have decided the following:

- [1.] To kill any armed or unarmed Kurd who tries to insult military personnel.
2. From 15:00 on 31/5, Brigade 22 and Commando Brigade 2 of the Corps will move to assert complete control over the town of Suleimaniyeh and impose a prohibition on the movement of people and vehicles.
3. To execute any soldier who leaves his position.
4. All the units and formations will make an inventory of the weapons, and execute any soldier who lost his weapon.
5. To prohibit any gathering of more than 10 persons.
6. To kill any person who walks in the town of Suleimaniyeh and tries to disturb the peace and refuses to obey orders.
7. To explain the above to every soldier.
8. First Battalion 15 and First Infantry Brigade 20 must stay at the entrance of Suleimaniyeh and be prepared to move into the town when required. Infantry Brigade 22 and Commando Brigade 2 of the Corps will occupy selected positions in the town. Each position should be occupied by not less than one platoon, and preferably by a company.
9. The movement to the abovementioned locations must be done in quiet and with full control.

Ended.

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PAGE 2

[Signature]
The Captain
Dep. Commander of First Battalion, Infantry Brigade 22
June 1991

[The importance of the above document lies in the army's use of the phrase "any...Kurd." In the documents from before and during Anfal to date, we have found no direct references to the Kurds being targeted *as Kurds*. The language of the September 1988 amnesty made clear for the first time that it was the Kurds as a group who were being targeted. The above document repeats this.

[After the allied forces had established a safe haven in a small part of Iraqi Kurdistan as well as a no-fly zone north of the 36th Parallel in April 1991, the Iraqi regime and the Kurdish rebel leadership worked out an arrangement of joint control over the Kurdish towns and complexes. The situation remained very tense throughout the summer, as the above document shows, and following a series of smaller uprisings the regime finally decided, at the end of October, to withdraw its troops from most of the Kurdish region altogether. MEW]

(MEW ref.: 3003/1-A).

DOCUMENT 33
PAGE 1

[In handwriting:] Shaqlawa

Confidential, Personal and Urgent Message

Time and Date of Issuance

4 Muharram 1410 H.
5/8/1989 M.

To: Security of the Sections / The Political Branches
From: Security of Erbil

Ref.: /Sh.5//11655/

The Presidential Cabinet has informed us of the following:

It has been decided to inform all the responsible officials not to refer to the matter of the number of enemy prisoners-of-war when speaking to the media or others, because this would place responsibility on Iraq before the International Committee of the Red Cross and other international organizations who are concerned with the matter of prisoners-of-war, and could be exploited by the Iranian regime and its well-known tactics in the matter of prisoners-of-war. Please take the necessary measures.

[Signature]
Colonel of Security
Director of Security of Erbil Governorate

Ibrahim/..

[In handwriting:] It will be disseminated by telex to the Security officers of the regions.

[Signature]
7/8

[In the aftermath of the devastating eight-year war between Iran and Iraq, one of the most difficult matters that remained unsettled has proven to be the issue of prisoners-of-war. Some prisoner exchanges have taken place, but until today, both countries continue to hold enemy POWs. Both sides have attempted to conceal pertinent information; the above document is a clear statement of intent on the part of the Iraqi government not to release information about Iranian POWs held in Iraq. Forensic field research conducted by MEW and Physicians for Human Rights in Iraqi Kurdistan, in 1991 and 1992, indicating that some Iranian POWs were executed extrajudicially, and clandestinely buried. MEW]

(MEW ref.: 52/2-E).

DOCUMENT 34
PAGE 1

In the Name of God, the Merciful, the Compassionate

Secret

Security Directorate of Shaqlawa
Ref.: Sh.S.T./1326
Date: 30/12/1987

To: All the officers of Security in the region
Re: Bodies of the Convicts

The General Directorate of Security, Crimes Section, has informed us in letter ref. 20926 of 24/12/1987 that the Ministry of Labor and Social Affairs, Legal and Administration Bureau, has indicated in their letter ref. 3357 of 7/12/1987 that one of the main reasons why the bodies of convicted persons are being kept in the morgues beyond the latter's capacity is the delay by the staff of Special Security in informing the relatives of the convicts. This in turn has led to a delay in the executions of other convicts.

The director of General Security was informed about the above, and he [lit.: the respected sir] has ordered that the relatives of the convicts be informed.

Please follow up this matter personally, and implement the directives.

[Signature]
Lt.-Colonel of Security
Director of Security in Shaqlawa

[In handwriting:] Q.
We have read and implemented the above
[Signature]
30/12

[In handwriting:] 3061
31/12

[This gruesome document speaks for itself. Perhaps it is significant that it dates from December 1987, only two months before the start of the Anfal campaign. Limitations on morgue capacity presented a bottleneck to the quick disposal of executed guerrillas and other persons, and thus may have informed the policy during Anfal of lining people up in front of trenches and then shooting and burying them. MEW]

(MEW ref.: 77/11-C).

DOCUMENT 35
PAGE 1

Part 1

One Arab Nation With an Immortal Message

The Socialist Arab Ba`ath Party
Iraq Region
Northern Bureau Command
Secretariat

(Confidential and Personal)

Ref.: 1035
Date: 13 Rajjab 1409
19/2/1989

To: Subdirectorates of Military Intelligence, Northern Sector
Re: Review

Comradely greetings:

[Concerning] your letter S.3/Q.3/221 of 5/2/1989:

1. It has been decided to carry out the death penalty against all the criminals whose names are listed in your above letter. There is no need to send them to the Investigation Court of the General Directorate of Military Intelligence.
2. As for the family of the criminal deserter Abbas Bayez Balou, who are now in Erbil, we will instruct you how to deal with them in the future.

Please take the necessary measures and let us know. With regards.

[Signature]
Abd-al-Rahman Aziz Hassan
Secretary of the Northern Affairs Committee
19/2/1989

[In handwriting:] Detailed and urgent review

[Signature]
22/2

DOCUMENT 35
PAGE 2

Part 2

In the Name of God, the Merciful, the Compassionate

[Emblem of Iraqi Military Intelligence]

Presidency of the Republic
Secretary
General Directorate of Military Intelligence
Subdirectorates of Military Intelligence, Northern Sector

Confidential and Personal

Ref.: /Sh.3/Q.3/324
Date: 23 February 1989
17 Rajjab 1409 H.

[In handwriting:] 60

S.3
24/2/89

To: Northern Bureau Command / Secretariat
Re: Implementation of Sentence

[Concerning] your personal and confidential letter, ref. 1035 of 19 February 1989:

On 23 February 1989, we carried out the death penalty against the criminals whose names are listed below, and who were referred to in our confidential and personal letter, ref. 221 of 5 February 1989:

1. The criminal Qader Khidr Hamad
2. The criminal Sheikh Ma`rouf Sheikh Isma`il
3. The criminal Haji Agha Bayez Balou
4. The criminal Muhammad Abdullah Ali
5. The criminal Khaled Ahmad Abdullah
6. The criminal Abdullah Agha Abdullah

Please be informed. With regards.

[Signature]
The Colonel
Director of the Subdirectorates of Military Intelligence, Northern Sector
23/2/89

(1 of 1)

Confidential and Personal

DOCUMENT 35
PAGE 3

[The above two documents display the interaction between the all-powerful Northern Bureau in Kirkuk and local officers of the military intelligence agency. The Northern Bureau responds to a letter from military intelligence, saying that there is no need to take certain arrested "criminals" to court; they can be executed summarily. A few days later, military intelligence responds that the executions were carried out. The word "criminal" is routinely used to denote political cases, including the cases of army deserters and guerrillas. MEW]

(MEW ref.: 93/1-D).

DOCUMENT 36
PAGE 1

In the Name of God, the Merciful, the Compassionate

[Emblem of the Iraqi Republic]

Presidency of the Republic
Secretary
General Directorate of Security

Ref.: Sh.A.H./Q.4/783
Date: 29/4/1989
23 Ramadan 1409 H.

Confidential and Personal, For Addressee Only

To: The Security Directors of the Governorates
Re: The Census Forms

In reference to our previous directives that the Security Directorates must have background information on all Iraqis, which, at a minimum, would be the minimum information available to the Subdirectorates of Security. As the census of 1987 has provided an opportunity to prepare this record [of information], and in consideration of its extreme importance in obtaining the information in the easiest and speediest way, we have decided that once the distribution of the census forms has been completed you must act as follows:

1. To supervise their distribution [i.e., of the forms] to the Subdirectorates and to follow up personally all aspects.
2. To emphasize to the Subdirectorates that the enclosed special instructions concerning the use of the forms must be implemented.
3. To appoint no fewer than two cadres, one working in the other's absence and [both] supervised by the officer of the Subdirectorate, to organize and [classify] the forms and keep them in good order.
4. To prepare a room to store the forms.
5. To prepare wooden shelves for the forms.
6. To prepare records for cataloguing the forms according to the user's manual so as to organize them and facilitate the return of a requested form [to the shelf], and also to organize the circulation of a form during its use.
7. The Directorate of the Computer Section will train your officers in the use of the forms and the user's manual. They will visit you regularly to follow up on implementation.

DOCUMENT 36
PAGE 2

We hope that everyone will act accordingly and with precision because of [the project's] importance. Each Directorate must inform us after having carried out the necessary steps.

[In handwriting:] M. Administrative

[In handwriting:] Installations

[cc.] The Director of the section of the General Director's office
M.M.A. [i.e., Director of the Directorate of Security] for Political Affairs
M.M.A. for the Autonomous Region
The Directorate of Administrative
Affairs - Supply Section } Take the necessary
The Directorate of Administrative measures for
Affairs - Finance Section } implementation

(2 of 2)

Confidential and Personal, For Addressee Only

[The importance of this document lies in its first paragraph: Original forms of the nation-wide 1987 census were obviously used by the Security Directorate for its own purposes, i.e., the policing of Iraq's citizens. Among the shipment of documents captured by the PUK from the *Amn* offices in Shaqlawa are seven boxes filled with original census forms, each one for an inhabitant of Shaqlawa. It is indicative of the priorities of a government when original census forms are found in the offices of its internal security agency rather than of the Ministry of Planning. This is the only reference we have found to date to the computerization of security information. It is noteworthy that in 1990 the computer section in Baghdad was offering training to provincial offices. No physical evidence of computer files is known to have been discovered during the March 1991 ransacking of security offices in northern Iraq. MEW]

(MEW ref.: 79/17-A).

DOCUMENT 37
PAGE 1

[Main document:]

In the Name of God, the Merciful, the Compassionate

Revolutionary Command Council
Number of the Decree: 840
Date: 4/11/1986

Decree

In accordance with the provisions of Article 42, Paragraph (a), of the Constitution, the Revolutionary Command Council, in its meeting on 4/11/1986, has decided the following:

First: To amend the text of Article 225 of The Law of Punishment No. 111 of the Year 1969 as follows:

Article 225

1. To sentence to life imprisonment and confiscate the movable and immovable property of any person who insults in any public fashion the President, or anyone acting on his behalf, or the Revolutionary Command Council, or the Socialist Arab Ba`ath Party, or the National Assembly, or the Government; to sentence him to death if the insult or attack was of a barefaced nature and was intended to incite public opinion against the authorities.
2. To sentence to a prison term of not less than seven years, or to sentence to prison and impose a fine on any person who insults in any public fashion the Courts, or the Armed Forces, or any other public authorities, or government offices or institutions.

Second: To cancel Article 226 of the Law of Punishment.

Third: This Decree will be in force from the day of its publication in the Official Gazette.

Signed/..
Saddam Hussein
Chairman of the Revolutionary Command Council

[In handwriting:] I was informed
[Signature]
1/12

[Cover letter:]

DOCUMENT 37
PAGE 2

In the Name of God, the Merciful, the Compassionate

May God Have Mercy On the Revered Martyrs

General Security

Directorate of Security of Erbil Governorate

D.Q.

Ref.: 2396

Date: 25/11/1986

To: All the Directorates of the Sections [i.e., in the Governorate] and Branches of the Center [i.e., in the town of Erbil]

Re: Amendment of a Law

The above is a copy of Revolutionary Command Council Decree 840 of 4/11/1986, which was transmitted to us in the letter of the General Directorate of Security / Legal Office, ref. 12340 of 19/11/1986. Please take note of its contents, and please take the necessary measures to mark it up [i.e., to make the change in their copy of the law].

[Signature]

Dep. Director of Security of Erbil Governorate

[In handwriting:] 26/11

[In a totalitarian state, one does not poke fun at the president, as the above document so graphically demonstrates. Apparently, the Iraqi regime has felt sufficiently insecure to find it necessary for the Revolutionary Command Council, the country's highest legislative organ, to devote time to writing laws aimed at protecting the nation's president and institutions from public ridicule. MEW]

(MEW ref.: 56/1-C).

DOCUMENT 38
PAGE 1

Ref.: 871
Date: 8/2/1989

To: Security, Erbil / Sh.5
From: Security, Shaqlawa

In reference to your letter ref. 1657 of 30/1/1989:

We have studied and benefited from the information contained in our security plan of action. For your information. With regards.

[Signature]
First Lieutenant of Security
Dep. Director of Security, Shaqlawa

In the Name of God, the Merciful, the Compassionate

General Security
Directorate of Security, Erbil Governorate

Ref.: Sh.5/1657
Date: 30/1/1989

Personal and Confidential, For Addressee Only

To: The Director of Security, Shaqlawa
Re: Plan of Action for the Marshes

Having assessed the current security situation in the Marshes and studied the outcome of the large-scale operations that have been carried out against deserters and hostile elements, we have found that these elements are still engaging in sabotage activity, exploiting the Marsh areas as launching pads for these operations. It has also become clear to us that those groups are still operating in accordance with political organizational directives received from Iran through intermediaries who infiltrate for that purpose.

In fact, the criminal Muhammad Baqr al-Hakim, the head of the so-called "Supreme Council of the Islamic Revolution in Iraq," considers those elements to be the nucleus of the so-called Islamic Army for the Liberation of Iraq and has increased his support for them in his public statements. Moreover, following the failure of their plans in the northern region, all the hostile movements based in Iran are now concentrating their efforts on the dispatch of a number of their Iranian-trained agents to contact the hostile groups in the Marshes with a view to using them as a new playing card to destabilize our country's security situation, particularly after the changes that have been made in the Iranian regime's policy as a result of its acceptance

of the cease-fire agreement, which has affected the activities and operations of the hostile movements

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PAGE 2

inside Iran. Accordingly, we must reassess our actions, study the plan of action that was approved last year, examine the positive action that has been taken with a view to its intensification, and evaluate the negative results so that we can ascertain their causes.

[In handwriting:] We have studied and benefited from the
information contained in the security plan of action
[Signature]

-More-

// P. 2 //

On 5/12/1988, a conference was held at the headquarters of the Directorate of Security of the Governorate of Basra in the presence of the respected general director. The conference discussed the security situation in the Marsh areas, as well as courses of action to be taken in order to put an end to the hostile presence there, and the duties of the security services in the southern region during the coming phase. The following topics were discussed:

First: The directives which the hostile groups in the Marshes have received from Iran through its agents, namely:

1. Action must be continued in the Governorate, while maintaining operational security and secrecy.
2. The groups must inflict the greatest possible damage on the authorities without themselves suffering any losses.
3. Operations must be conducted outside the Marshes in order to deflect suspicion from the Marsh groups and maintain their operational security, i.e., one operation must be conducted in the Marshes while a number of operations must be carried out in other areas by the same groups so as to deflect suspicions.
4. The groups must be tested by instructing them to carry out an operation and then having it carried out by a different group in order to see whether any of the other groups claim to have carried it out themselves.
5. Details of the operations must be reported accurately, giving special attention to time and place.
6. Information must be gathered on important personalities.
7. Every means must be used to discover the methods employed to expose the freedom fighters.
8. Relationships must be established with military personnel, giving special attention to their rank and units.

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PAGE 3

9. Information must be transmitted in code.

10. Liaison must be established between the groups dispersed in the Dhi Qar, Misan and Basra Marshes in order to coordinate their activities.

11. The groups must be instructed to obtain confidential telegrams, as well as the codes and transmission frequencies used by military units.

-More-

// P. 3 //

12. Persons who collaborate with the authorities may be killed and their property may be seized and used for Islamic action. When they are taken prisoner, they may be tortured in order to obtain information from them. Such prisoners may be killed and their children may be kidnapped in order to further the objectives of the so-called freedom-fighters.

13. Foreigners working for foreign companies may be kidnapped and killed, particularly those from non-Islamic countries, since they are working to strengthen the regime.

14. Persons who surrender to the authorities and inform on the believers may be killed.

15. Army deserters who are killed during the campaigns are to be regarded as martyrs whose bodies do not need to be washed and shrouded before burial.

Second: Emphasis was placed on the plan of action for the Marshes, which was adopted in 1987 and approved by the President and Commander-in-Chief (May God Protect Him), and which included the following:

1. Strategic security operations (such as poisoning, explosions and the burning of their houses) must be conducted against the saboteurs in the Marsh areas through friends and trusted persons in order to show them that the Marsh areas are not safe havens.

2. A number of competent and trustworthy deserters living in the Marshes must be selected and assigned to assassinate hostile elements and carry out missions to further our security activities in return for the granting of a pardon in respect of their desertion and evasion of military services and all the legal consequences thereof, provided that they carry out the assignments.

3. Carefully planned operations must be conducted in areas in which hostile groups are concentrated, provided that we can guarantee the secrecy and effectiveness of those operations, and provided that their results are commensurate with the size of the military units participating therein.

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PAGE 4

4. The Popular Army duties of persons living in or on the periphery of the Marshes shall be confined to the maintenance of security in those areas, particularly in the governorates of Basra, Misan and Dhi Qar.

-More-

// P. 4 //

5. Vehicle traffic between the town centers and the Marsh areas must be controlled by the Security Committees in the governorate.

6. Punitive and deterrent operations, such as the burning and demolition of houses, must be conducted from time to time against residents of the Marshes who are found to have collaborated with the saboteurs so as to deter others.

7. The joint committees that have been formed to track down deserters and draft dodgers must intensify their activities.

8. The principle of economic blockade must be applied to the villages and areas in which saboteurs are operating. This will be achieved in the following manner:

- [through] the withdrawal of all food supply agencies;

- [through] a ban on the sale of fish;

- by taking the most severe measures against persons who smuggle foodstuffs to deserters, outlaws and hostile groups;

- by prohibiting goods traffic from entering those villages and areas.

At the same time, the tribal chiefs and prominent personalities in those areas must be summoned and given to understand that these measures will not be lifted unless they cooperate effectively in ending the presence of the deserters.

9. Consideration must be given to the possibility of regrouping the Marsh villages on dry land, which is easy to control, and opening roads and points of access deep inside the Marshes.

10. Launches and motorized barges operating in the Marshes and nearby areas must be confiscated and totally banned.

11. Helicopters, supported by military aircraft, must be made available, if requested by the Security Directorates concerned, in order to help them discharge their duties in this regard.

-More-

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// P. 5 //

12. The Committee chaired by our Comrade, the Secretary of the Southern Bureau, shall be responsible for the full supervision of dealings with the inhabitants of the Marshes and for the formulation of clearly defined guidelines to which everyone must adhere.

13. Emphasis must be placed on the role of the Party and mass organizations in educating the inhabitants of the Marshes and strengthening their nationalist spirit.

Third: The above-mentioned conference stressed that the action taken during the coming stage must be in accordance with the following guidelines:

1. Action taken against the hostile groups in the Marshes must be commensurate with the threat that they pose, since they are disrupting security and stability in the southern region.

2. Continued efforts must be made to infiltrate those groups by sending undercover agents to join their ranks.

3. Sophisticated security operations must be undertaken against subversive elements in the Marsh areas.

4. The locations of deserters and hostile groups must be accurately determined through air reconnaissance in conjunction with information received from confidential sources.

5. The economic blockade must be maintained in a more effective manner in view of its positive role in suppressing the activities of the criminal elements in the Marshes by restricting their access to the vital requirements of everyday life.

6. Various security methods must be used to lure the hostile elements so that we can capture them and track down their supporters inside and outside the Marshes.

7. There must be continued coordination with the Air Force so that maximum use can be made of helicopters in operations to hunt down deserters.

8. A search must be made for new sources [of information] located in the depths of the Marshes.

-More-

// P. 6 //

9. The Security Directorates in the southern governorates must schedule interviews with agents after gathering full information on them, particularly in regard to the following aspects:

- the tribe to which the agent belongs;

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PAGE 6

- his previous political background and affiliations;
- whether he is a native of the Marshes or a deserter who took refuge there;
- an evaluation of the security performance and usefulness of each source.

For your information and benefit. Please acknowledge.

[Signature]
Lt.-Colonel of Security
Dep. Director of Security in Erbil Governorate

[In handwriting:] 30/1/1989

..

[The above document is one of the "smoking guns" found by Middle East Watch among the 18 tons of documents stored in the United States. Though found in the offices of the Security Directorate of the Kurdish town of Shaqlawa, it does not concern the Kurds but the population of the Marshes in southern Iraq. It outlines a "Plan of Action" to regain control over the Marsh areas, where many army deserters had found refuge during the protracted war with Iran. Among others, the document refers to official approval for policies ranging from imposing an economic blockade to the poisoning of opponents and the burning of homes. The existence of such policies has indeed been confirmed in eyewitness testimonies. The senior authority in the southern governorates is the Southern Bureau of the Ba'ath Party, which plays a role similar to that of the Northern Bureau in the Kurdish areas.

In the above translation, MEW has benefited from an earlier version that appeared in the report of the United Nations Special Rapporteur on Iraq, Mr. Max van der Stoel (*Report on the situation of human rights in Iraq*, pp. 94-98) to the U.N. Commission on Human Rights, February 19, 1993, E/CH.4/1993/45). MEW]

(MEW ref.: 32/1-B).

