

Which Iraq is the action plan for?

When considering Iraq's contemporary history there seems to be an extreme contradiction between the continuing stability of the Iraqi regime - which by now has been in power for more than thirty years - and the constantly changing images the West has constructed of it: From an unstable powder keg in the convulsions of a military putsch to a Soviet satellite, from a model of modernisation for the Middle-East to a bulwark against the Islamic Revolution, and finally from the highly armed military partner to a diabolic terror regime, headed by a mad, satanic reincarnation of Hitler - as not a few writers and officials depicted Saddam Hussein in 1991. The changes in terms exactly reflected the changes in Western policy towards the Iraqi state, a policy likely to have guaranteed the long term consolidation and survival of that very regime. They bear but one thing in common. Up to now, each change has - with monotonous regularity - led to another tragedy for the Iraqi people: the tens of thousands who became victims of the cleansing campaigns since the beginning of Baath rule, the hundreds of thousands who have been killed during Iran-Iraq-War and the more than two-hundred thousand Kurds who became victims of an undeclared war in which the Regime tried to crush the Kurdish uprising with tanks and poison gas.

I have been asked to provide a critical analysis of the EU action plan for Iraq in a few brief minutes. Therefore, I will concentrate on the image of Iraq that the High Level Working Group constructed - this time not relating to the Iraqi regime itself but rather to its refugees.

I am very concerned that the analysis of the Iraqi human rights crisis is limited to only a few sentences. Indeed the report paraphrases the UN Special Rapporteur and states that *"the regime has effectively eliminated the civil rights of life, liberty, physical integrity, and the freedoms of thought, expression, association and assembly"*, but a closer description of the systematic oppression and persecution in Iraq is not given.

For example, the report states that *"Iraq's domestic politics are largely marked by the country's ethnic (...) heterogeneity."* The regime *"represents a minority (that) enforces its will by brutal centralism."* But the ongoing ethnic cleansing campaign against the Kurds in governmental controlled areas as well as the undeclared war against the Shiites in the Southern districts are not mentioned at all. Kurdish sources estimate a total of more than 90,000 Kurds who have been deported from the area of Kirkuk in the last few years alone. The military campaigns against Shiite civilians in the south have caused thousands of deaths and the devastation of a whole area. The British Foreign Ministry reports that *"the regime has been engaged in a massive project to drain the marshes"* and hundreds of square kilometres have been burned in military actions. Of a regional population of more than 500,000 people

in the 1980's fewer than 50,000 remain in the region today. In deliberate and indiscriminate military attacks on civilian targets numerous villages have been destroyed, an unknown number of unarmed civilians were extrajudicially executed and the UN Special Rapporteur claims that thousands of people have been deported to detention camps or simply *disappeared*.

This example makes two things clear. First of all, the systematic use of excessive force against civilians is a constituent component of the Iraqi governing apparatus. Iraq is not simply an authoritarian regime. *"The gravity of human rights violations in Iraq"* – as the UN Special Rapporteur concludes – *"has few comparisons in the world since the Second World War."* Secondly, an exact and detailed depiction of the reality in Iraq is necessary in order to comprehend the full extent of the systematic persecution and oppression in Iraq. I fear that not making this effort could mean creating a distortion. I can only suspect, that this is the reason why the High Level Working Group comes to the assumption that *"the Iraqi population has not actively tried to remove the well organised regime in Baghdad"*. Actual the numerous attempts to overthrow the Baath-government did not succeed and the uprisings of the Shiites have been crushed by excessive military force, nonetheless the Working Group should be reminded on the fact that at least the so called Safe Haven in Northern Iraq started as an attempt to remove the government.

It would seem that according to the High Level Working Group as though the Iraqi regime were a regrettable but anyhow acceptable fact, and anyway there is a safe haven in the Kurdish north. The situation in the Kurdish ruled northern Iraq is given great attention, therefore, not least because the humanitarian aid in the Kurdish areas are a central component of the action plan. Amidst all the considerations made about whom the flight alternative is designed for, the High Level Working Group seems to have forgotten one fundamental question: Is the Safe Haven in Iraq really safe? I fear it is not.

The Kurdish region in Northern Iraq is neither internationally recognised nor adequately protected. It is a frictional separated part of Iraq and its status vis-à-vis the Iraqi regime can be summarised in three points: First, the withdrawal of the Iraqi administrative structures in 1991 which in no way represented a concession of legal sovereignty on the part of the central Iraqi government. Secondly, the maintenance of the territorial integrity and the national sovereignty of the Iraqi state. All legal international measures in Northern Iraq are based on bilateral understanding with the Iraqi government as laid down in the Memorandum of Understanding. And finally the resulting non-recognition of the regional Kurdish government and administration. In 1995 the Netherlands Kurdistan Society described the

conditions of the Kurdish self rule in Northern Iraq as follows: *"The ambivalent legal and political status of the area which thus came under different kinds of international protection has prevented an adequate political settlement which provides durable international guarantees for the population's safety. The problems are treated first and foremost in humanitarian terms, at the expense of a lasting political solution. The population is kept in limbo, and the continuing uncertainty has had serious consequences for the region's economic and social rehabilitation."* Since then the fundamental conditions have not been changed while the region has erupted in inner Kurdish fighting and the military interference of Turkey and Iran which internally displaced some forty thousand persons. Amnesty International accused both of the leading Kurdish parties of using the former government apparatus for the persecution of suspected groups and persons. While considering the occurrences of the last few years I fear that I cannot share the very optimistic view of the High Level Working Group that the Kurdish Parties finally found to a peaceful co-operation. A Safe Haven which is not demilitarised is not safe at all.

But the main threat for the Kurdish region comes from the Iraqi government. The Iraqi State continues to claim its legal sovereignty over the Kurdish region. The official Iraqi statements show with no doubt that the Iraqi government is willing and able to expand its rule again in the future into northern Iraq, as it proved in September 96: In just a few hours the Kurdish Capitol Erbil was invaded by Iraqi troops and more than one-hundred wanted persons were executed during the first day of incursion. The US humanitarian assistance collapsed and some thousand Kurds were evacuated in an ad-hoc operation while others fled to Iran. This was a traumatic experience since it became evident for every Kurd that there is no international safeguarding that protects the so called Safe Haven from the persecution of the Iraqi government.

The High Level Working Group's concerns seem to be based on the assessment of the need for humanitarian assistance, a need that I do not dispute. But the human rights crisis in Iraq and the menace of the Kurdish region by Iraqi troops can simply not be solved through humanitarian assistance. The threat of Iraq hangs over the region like a Damokles sword, and it is hard to imagine the Anti-Iraq coalition reviving to defend the Kurds of northern Iraq should Baghdad's tanks roll north again.

But we were reflecting on images. ...actually we do not know.