WARID: Iraq (KDP)

STARDATE: 1 January 1986

**ENDDATE:** 31 December 1997<sup>1</sup>

Related cases: Iraq (PUK) 1985-1997<sup>2</sup>

Iraq (SCIRI) 1991-1996

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#### **Conflict overview**

The Kurdish population comprises the fourth largest ethnic group in the Middle East. Despite this, it has never obtained statehood. Geographically, the Kurds are spread across Iran, Syria, Turkey and Iraq. Kurdish dissidence in Iraq was initially led by the Kurdish Democratic Party (KDP), established in 1946 under the presidency of Mulla Mustafa Barzani. The Kurdish Democratic Party's main goal was autonomy for Iraqi Kurdistan (located in northern Iraq) and freedom for the Kurdish people to express its will, within the boundaries of an Iraqi union (Romano 2006: 190). However, the insurgency by the Iraqi Kurdish militia, the Peshmerga,<sup>3</sup> faced increasing suppression, which has led to several intrastate conflicts in Iraq since 1961 over Kurdish territory. In 1975, when the KDP had suffered a severe military defeat by the Iraqi Government, strong internal divisions led to the formation of the PUK (Patriotic Union of Kurdistan). When the war between the Government of Iraq – ruled by the Arab Socialist Ba'ath Party from 1968 to 2003 - and Iran that broke out in 1980, the number of victims caused by the combats in the Kurdish territories increased dramatically. The Kurdish population was located directly on the border region between the two warring states. In 1988, the government's attacks on the Kurdish population culminated in the 'Al Anfal' offensive, qualified by many experts as a genocidal campaign (Human Rights Watch 1993). The number

Our end date deviates from the information given by the UCDP Conflict Termination Dataset and also considers one-sided violence and ongoing violence after 1996 caused by the non-state conflict between the PUK and KDP.

One can discuss whether it makes sense to analyze the dyads government vs. PUK and government vs. KDP separately. Thus, the tabled data offers the option to merge the dyads. Such unification changes only the following variables: STARDATE=30 May 1985; WARDUR=151; FATALUC=7000; FATALOS=102000; INTENSUC=0.23; INTENSOS=3.4.

According to Fischer-Tahir (2012: 96), party activists from the cities joined the Peshmerga in order to receive ideological training, military instruction and propaganda material and to attend party conferences. Many of them quickly became full-time Peshmerga, either by choice or to avoid imprisonment by the Iraqi Government.

<sup>4</sup> Romano 2006: 197.

of victims, however, had already exceeded the threshold of 25 fatalities per calendar year in January 1986.<sup>5</sup> The year 1986 is therefore regarded as the formal onset of civil war here.<sup>6</sup>

In the course of the Second Gulf War in 1991, the Iraqi Government attacked the Kurdish population<sup>7</sup> in such a brutal manner that an international coalition led by the USA enforced a no-fly zone in order to protect the Kurdish refugees in the northern part of the country. This internationally protected area later became the de facto state of Iraqi Kurdistan (Romano 2006: 211).8 Although the Kurds in 1991 did not find themselves any closer to autonomy, disagreements over the distribution of limited resources in the Kurdish Autonomous Region led to armed clashes between the KDP and PUK in 1994 (Romano 2006: 209). Hence, while the civil war between PUK and the Iraqi Government had already reached the threshold of 25 fatalities per calendar year, the newly emerged non-state conflict between PUK and its rival faction KDP further prolonged armed combats until the end of 1997. A Turkish intervention in 1997 finally forced the PUK and KDP to cease armed struggle and enter into negotiations. The situation calmed and the Uppsala Conflict Data Program (UCDP) did not detect more than 25 fatalities in 1998 [WARDUR=144]. In September 1998, the KDP and PUK signed the Washington Agreement, finally dividing the Kurdish Autonomous Region into two areas, with the KDP administration located in Arbil and the PUK's in Sulaymaniyah. However, this agreement did not put an end to the armed conflict between the PUK and the Iraqi Government whose ending was characterized by ongoing fighting that did not surpass the threshold for an armed conflict [WARENDUC=5; WARENDOS=5].9

According to UCDP estimates, the armed conflict between the KDP and the Iraqi Government killed about 1,400 people. Around 1,200 people died in the non-state conflict between the KDP and PUK. As a separate case description deals with the KDP, only the half of the fatalities from this non-state conflict are considered here (600). Other non-state conflicts resulted in about 570 deaths. Between 1991 and 1996, the Iraqi Government was involved in two intra-state armed conflicts. Lacking more detailed information, we assume that it used one-sided violence equally in both conflicts. We derive a number of about 880 Kurdish civilians killed by the government from this situation. Again, 50% of this number (440) is

<sup>5</sup> http://www.ucdp.uu.se/gpdatabase/gpcountry.php?id=77&regionSelect=10-Middle East# (16 Jan 2015).

<sup>6</sup> http://www.pcr.uu.se/research/ucdp/datasets/ucdp\_conflict\_termination\_dataset/ (27 Nov 2014).

<sup>7</sup> The Shiites in the South were under similar attack.

A more comprehensive analysis of the various factors leading to the emergence of this de facto Kurdish state can be found in Gunter (1993).

<sup>9</sup> Romano 2006: 210.

calculated for the dyad under consideration. The total death toll amounts to 3,000 people **[FATALUC=3000]**. <sup>10</sup>

Case-specific literature, however, indicates a significantly higher death toll. Especially the number of victims caused by the 'Al-Anfal' genocidal attacks on the Kurdish population are said to have caused at least 150,000 to 200,000 deaths (McDowall 2004: 359). Human Rights Watch (1993) estimates more conservatively that 50,000 to 100,000 people died. Since case-specific literature does not indicate whether the victims of one-sided violence were affiliated with either the KDP or PUK, we divide the number (100,000) by two. Hence, we add 50,000 to the UCDP data on fatalities from non-state conflict [FATALOS=51000].

The pre-war population in the disputed territory of Iraqi Kurdistan is difficult to determine since there are no official figures. Case-specific literature indicates that the Kurdish population always constituted about 15% to 20% (Katzmann 2009: 1) or even 23% of the total population (McDowall 1996: 7). Assuming an average of 20% of the total population (15,200,000 in 1984 according to World Bank data), the pre-war population of the Kurds in northern Iraq amounted to about 3 million [PREWARPO=3000000]. As such, applying UCDP's death toll to the total pre-war Kurdish population in Iraq, the war's intensity amounts to 0.1% [INTENSUC=0.1]. In contrast, if applying the estimated total death toll from case-specific literature, the war intensity amounts to 1.7% [INTENSOS=1.7].

## The military balance at the end of war

When a no-fly zone was established north of the 36<sup>th</sup> parallel in 1991 in the aftermath of the Second Gulf War, the Iraqi army withdrew from the Kurdish territories and central governmental control over the Kurds in northern Iraq collapsed (International Crisis Group (ICG) 2002: 17). Both the KDP and the PUK finally obtained control of the de facto Kurdish Autonomous Region, whose borders were roughly equivalent to the autonomous region agreed to in the 1974 Autonomy Ley<sup>11</sup> that had never been implemented (ICG 2002: 17; McDowall 1996: 334-336). It included the governorates of Arbil, Sulaymaniyah and Dohuk but excluded Mosul and Kirkuk, the richest oil-producing areas of the country. Since the official Kurdish map of Iraqi Kurdistan covers roughly twice the size of the territory demarcated by the no-fly zone and especially including Kirkuk<sup>12</sup>, the territorial basis of a self-ruled Kurdish entity within a federal Iraqi state remained highly disputed (ICG 2002: 17).

<sup>10</sup> http://www.ucdp.uu.se/gpdatabase/gpcountry.php?id=77&regionSelect=10-Middle East# (18 May 2015).

For an English translation of the Autonomy Ley's essential articles, see McDowall (1996: 335-337).

<sup>12</sup> Kirkuk has indeed been the major source of contention between the Kurds and the government since the early 1970s (Bengio 2012: 198). The aforementioned Peace Agreement concerning Kurdish autonomy in 1970, had already broken down on account of Kirkuk (ICG 2002: 26).

The combats between KDP and the Iraqi Government were at a military stalemate at the end of war. According to Romano (2006: 210), international alliances against Saddam Hussein were so strong by that time, state forces could not remain in the Kurdish Autonomous Region for a long without running the risk of being expelled by external interventions. Therefore, neither the government side nor KDP can be regarded as the military victor of the war, even though of outcome was mainly due to the high degree of international protection of the Kurdish territories by that time [VICTORY=0].

In order to manifest their autonomy and demonstrate the capacity to run their own affairs, the KDP and PUK held elections throughout the Kurdish Autonomous Region in 1992 (Romano 2006: 2008). Control of the Kurdish territories by the KDP (and PUK) was therefore not only military but also implied a civilian presence, including the installation of state-like structures. A regional parliament was established and a federated state was declared in October 1992 (Gunter 1993: 295). Although the administrative structures in Kurdistan were de facto destabilized again by internal fights between the KDP and PUK two years later, the Iraqi army never recaptured full or partial control of these territories by the end of war in 1997 [REBTERR=1]. Since the Kurdish parties were only able to gain increasing control of the northern territories in the course of war, whereas Iraqi government forces and government personnel increasingly withdrew from the area, the KDP (and PUK) clearly controlled more of the disputed territory at the end of war [MORETERR=1].

The relative fighting capacity of the KDP Peshmerga is indicated as 'low' by Cunningham et al. (2009) [REBFIGHT= -1]. However, KDP's military strength was always dependent on outside support and the latter was quite strong at the end of war. We therefore assume that both sides could have continued fighting in more than a few areas of the disputed territory [CONFIGHT=0]. Neither side captured or killed its opponent's political leader [LEADER=0].

In sum, at the end of war in 1997, there was a military imbalance to the benefit of the Kurdish KDP [WARBAL=0.17].

# The military balance in the post-war period

Although the Iraqi military was historically been dominated by Arab Sunnis, there were distinguished members of the Iraqi military who cut across the nation's ethno-sectarian lines (Al-Marashi/Salama 2008: 203-4). However, case-specific literature indicates that as early as 1991, just prior to the Kurdish uprising, former pro-government Kurdish auxiliaries joined the

Kurdish movement, reportedly causing 60,000 soldiers to change sides (Bengio 2012: 197). Although we do not know the exact number of remaining ethnic Kurds who took part in the state forces throughout the post-war period between 1998 and 2002, considering that the Kurdish parties had separate armed forces (the Peshmerga), we conclude that most affiliates of the Kurdish nationalist parties only participated in the separate Peshmerga force. The Kurdish Peshmerga began sending large numbers soldiers to the state forces in 2004, once the new Iraqi Armed Forces had been established in the aftermath of the US-led invasion (Romano 2006: 214). As we only focus on the period until 2003, these developments fall out of our period of investigation. Hence, only the side governing at the beginning of war substantially participated in the state forces [STATEFOR 1998-2003= -1].

According to the International Institute for Strategic Studies (IISS 1999-2004), the KDP consisted of at least 15,000 troops throughout the post-war period [SEPFORCE 1998-2003=0]. Although the state forces were slightly reduced in 2001 and 2002, the shift in the troop ratio did not have significant effects on the military balance between the state and the KDP's armed forces [TROOPS 1998-2003=0; ARMS 1998-2003=n.d.]. 15

In 2003, when US troops invaded Iraq and moved towards Baghdad, KDP and PUK forces advanced into the key oil cities of Mosul and Kirkuk (Romano 2006: 213). Before that time, however, we do not detect any changes in territorial control by either side. Since the Kurdish Autonomous Region was internationally protected as a no-fly zone, Iraqi government forces did not have any opportunities to recover the northern territories, which have been officially governed by the KDP and PUK since 1992. On the other hand, the KDP's armed forces were unable to extend their territories outside the determined limits beneath the 36<sup>th</sup> latitude, as they would have lacked international military support there [TERRCON 1998-2003=0; TERRWIN 1998-2003=0].

Due to their relatively low fighting capacity, the Peshmerga were only able to wage guerrilla warfare (Romano 2006: 195). Although the KDP controlled territories that were mountainous and enabled the rebels to set up food and weapons caches and wage war through ambushes (McDowall 1996: 368), the Kurdish territories were small compared with the territory controlled by the Iraqi Government; as such, we do not assess this situation as an advantage

<sup>13</sup> However, there are no specific numbers that indicate whether these soldiers changed sides to the KDP or PUK-affiliated Peshmerga.

According to UN Resolution 1546, <a href="http://www.un.org/depts/unmovic/new/documents/resolutions/s-res-1546.pdf">http://www.un.org/depts/unmovic/new/documents/resolutions/s-res-1546.pdf</a> (8 Oct 2014).

<sup>15</sup> The corridor of insignificant changes of the troop ratio is determined by the lowest limit of 32.18 and the highest limit of 53.63.

for the KDP. Hence, the governing side is regarded as strategically less vulnerable [VULNERAB 1998-2003= -1].

There were three peacekeeping missions deployed in Iraq after the end of war: the United Nations Iraq-Kuwait Observation Mission (UNIKOM), Operation Southern Watch (OSW) and Operation Northern Watch (ONW). The UNIKOM did not relate to the dyad under study; it was established in the south of the country in order to monitor the demilitarized zone along the Iraq-Kuwait border. 16 Operation Southern Watch also addressed another dyad and established and enforced the no-fly zone below the 33<sup>rd</sup> parallel in southern Iraq. <sup>17</sup> Operation Northern Watch was a military operation charged with enforcing the no-fly zone above the 36<sup>th</sup> parallel mandated by the United Nations, with the ultimate goal of defending the Kurdish population fleeing their homes in northern Iraq as well as providing them with humanitarian aid. 18 Though the majority of the US contingent comprised of Air and Space Expeditionary Forces, it was a combined task force that also included members of the Army, Navy, Marines and Air force members as well as National Guard and reserve troops. Since the ONW was a central factor for the establishment of the de facto Kurdish autonomous region in northern Iraq, we count the ONW as relevant armed peacekeeping troops present after the war. The ONW was deployed from January 1997 until March 2003 and was established and executed by the coalition partners the USA, the United Kingdom and Turkey [PEACKEEP 1998-**2003=0**].<sup>19</sup>

While all of the above-mentioned coalition partners committed themselves to guaranteeing the security of the Kurdish population in northern Iraq, none of them explicitly announced that they would militarily ally with one of the conflict parties in the case of a new war. Although the US Government threatened to invade Iraq in order to defeat the government of Saddam Hussein, we cannot consider this as an alignment with the Kurdish KDP or PUK. The US invasion of Iraq must be considered a new inter-state conflict dyad; it only collaborated with the Kurdish Peshmerga for instrumental reasons to defeat Saddam Hussein [P5ALLY 1998-2003=n.r.].

In sum, there was a military imbalance to the benefit of the side governing at the beginning of the war and throughout the post-war period [POSTBAL 1998-2003= -0.29]. On the other hand, the average for the military balance at the end of war and the military balance in the post-war period is slightly to the advantage of the rebelling Kurdish KDP [BALANCE 1998-

<sup>16 &</sup>lt;a href="http://www.un.org/en/peacekeeping/missions/past/unikom/">http://www.un.org/en/peacekeeping/missions/past/unikom/</a>, (13 Oct 2014).

<sup>17</sup> http://www.globalsecurity.org/military/ops/southern\_watch.htm (13 Mar 2015).

<sup>18 &</sup>lt;u>http://www.globalsecurity.org/military/ops/northern\_watch.htm</u> (13 Oct 2014).

<sup>19</sup> http://www.globalsecurity.org/military/ops/northern\_watch.htm (13 Oct 2014).

### 2003=0.06].

## **Economy**

The population and the Gross Domestic Product (GDP) per capita increased after the end of the war.

Table 1: GDP per capita in post-war Iraq in current USD<sup>20</sup>

Year	Population (total)	GDP per capita	
1998	22,387,179	380	
1999	23,091,408	642	
2000	23,801,156	710	
2001	24,516,842	721	
2002	25,238,267	691	
2003	25,959,531	637	

## The scale of compromise after the war

Even though Kurdish autonomy had already been agreed upon in the 'March Manifesto'<sup>21</sup> in 1970 – when the Arab nationalist Ba'ath Party offered the Kurds linguistic rights, participation in the government and administration of their own area –, the implementation of this peace agreement encountered severe difficulties and therefore only existed on paper (Romano 2006: 193).<sup>22</sup> As a consequence of the no-fly zone established by the international coalition, the Kurdish population finally achieved de facto autonomy by 1991, which was later manifested by the first elections to the Kurdistan National Assembly, held in 1992. Hence, the establishment of an autonomous Iraqi Kurdistan (including the northern provinces of Duhok, Arbil and Sulaymaniyah) at the end of war cannot be regarded as a clear negotiated compromise between the Iraqi Government and the Kurdish KDP and PUK. The Kurdish KDP and PUK prevailed due to their persistent political and military rebellion but also on account of outside military support by that time.

However, the *disputed* territory was still larger than the territory that had effectively been *controlled* by the KDP and PUK since 1991.<sup>23</sup> As such, we conclude that both sides participated in the government of the disputed area: while the KDP (along with the PUK) formed the government of Iraqi Kurdistan (only including the northern provinces of Duhok,

<sup>20</sup> http://unstats.un.org/unsd/snaama/dnltransfer.asp?fID=9 (12 Apr 15).

<sup>21</sup> For an English translation of the Peace Accord's essential articles, see McDowall 1996: 327-328.

The most contentious issues that led to the failure of the implementation in 1970 concerned the oil-producing areas of Kirkuk and Mosul. They were reclaimed as Kurdish territories but the central government was not willing to share or relinquish those areas (Romano 2006:193).

We use the official Kurdish map of Iraqi Kurdistan as the disputed territory. As mentioned, this covers an area roughly twice the size of the territory demarcated by the no-fly zone, including Kirkuk (ICG 2002: 17).

Arbil and Sulaymaniyah), the Iraqi central government under Saddam Hussein was still in control of the province of Kirkuk [GOVERN 1998-2003=0].

There were no decisions within both disputed sub-areas of governmental control that all former warring parties had to agree to. Although there was a formal number of seats in the Iraqi National Assembly reserved for the Kurdish minority, case-specific literature indicates that the Kurdish representatives were always filled by presidential appointees (HRW 2001: 1). We therefore assume that neither side had effective veto rights in the respective part of the disputed area [VETO 1998-2003=n.r.; VETOSAT 1998-2003=n.r.].

Freedom House indicates that elections in Ba'athist Iraq were 'not free' from 1998 to 2002.<sup>24</sup> Considering this, the side governing at the beginning of war prevailed in elections that took place in the disputed province of Kirkuk, which was still under Ba'athist control. On the other hand, in the first election for the Kurdistan National Assembly held in 1992, only Kurdish parties participated. The results were considered to be basically 'free and fair' (Gunter 1993: 299). Both parties, the KDP and PUK, each obtained 50 of the total 100 seats in the Kurdistan National Assembly. However, due to the strong internal tensions and even armed combats, no further elections for the Kurdistan National Assembly were held in the following 13 years.<sup>25</sup> Since there were no (or no free) elections in either part of the disputed territory, we qualify this as a maintenance of the status quo between the former warring parties [ELECT 1998-2003=0].

The KDP's main goal was achieving autonomy for Iraqi Kurdistan within the boundaries of an Iraqi union (Gunter 1993: 297; Romano 2006: 190). Since the territories under Kurdish autonomous control were still smaller than officially demanded by the KDP (and PUK), we qualify the Kurdish Autonomous Region as a compromise-like situation concerning its borders. However, we qualify this compromise to be slightly more favorable for the rebel side **[EXBORDER 1998-2003=n.r.; INBORDER 1998-2003=0]**.

The allocation of competences among the political levels was a key demand of the Kurdish KDP. In 1992, the elected Iraqi Kurdish parliament made a 'dual declaration' concerning the allocation of competences among the political levels: first, it declared a federation for Iraqi Kurdistan and, second, it announced a federal state of Iraq (Gunter 1993: 309). The first part of the declaration indicated that all other minorities living in northern Iraq, such as the Turkomans and Assyrians, would likewise be granted a constitutional position. The second

<sup>24</sup> http://www.freedomhouse.org/sites/default/files/Country%20Ratings%20and%20Status%2C%201973-2014%20%28FINAL%29.xls (26 Mar 2014).

As a consequence of the Washington ceasefire agreement between the KDP and PUK, the Kurdish Autonomous Region was divided into two areas in 1998, with the KDP administration centered in Arbil and the PUK in Sulaymaniya (Romano 2006: 210).

part envisioned the entire state of Iraq as a federal state, with the Iraqi Kurdistan state as one its constituent parts (Gunter 1993: 309). The second demand, in particular, was directed at the central government. Though the KDP and PUK were able to obtain de facto autonomy in the provinces of Duhok, Arbil and Sulaymaniyah, this autonomous status remained provisional and lacked recognition from the central government, at least in the post-war era from 1998 to 2003. A federal state was officially declared in the new constitution of Iraq in 2005. However, we do consider the de facto autonomy of the Kurdish region as a compromise-like situation [COMPETEN 1998-2003=0].

The KDP and the Government of Iraq also fought over Iraq's oil revenues. The KDP demanded special economic programs to foster the development of Kurdish populated regions, which it perceived to be neglected (Asadi 2004: 286). Since governmental forces remained in control of the oil fields, especially in the Kirkuk region, oil revenues were not willingly shared. The UN earmarked 13% of Iraq's oil revenues created by the Food-for-Oil program for the Kurdish region. The government did not implement any economic programs but instead went so far as to impose sanctions on the area controlled by the Kurdish parties **[ECONOMY 1998-2003= -1]**. <sup>26</sup>

As Kurdish nationalist parties, the KDP's (and PUK's) overall goal was to promote the Kurdish minority and provide them with special rights, especially the right to self-determination. However, as mentioned above, a real 'Kurdish veto' was only implemented by the Transitional Administrative Law in March 2003, which stated that "if two-thirds of the population of three Iraqi governorates voted against any proposed permanent Iraqi constitution, the proposal would not pass, even if an overall majority of Iraqis voted in favor of it" (Romano 2006: 214). Since Iraqi Kurds controlled three governorates (Duhok, Arbil and Sulaymaniya), this law provided the Kurds with a substantial veto right in relation to the Iraqi central government (Romano 2006: 214). However, in the period under investigation here, we do not detect any negotiated compromise regarding the promotion of Kurdish minority rights apart from their de facto autonomy in the Kurdish region. We therefore code in favor of the governing side [SPECPRO 1998-2003= -1].

The warring parties did not fight over any other central issues nor did any new issues emerge in the post-war period [ISSUE 1998-2003=n.r.; ISSUE2 1998-2003=n.r.; NEWCON 1998-2003=n.r.; NEWCON2=n.r.].

Since we could only identify one compromise-like situation regarding the borders of the Kurdish Autonomous Region – while one side clearly prevailed on all other issues –, it is

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<sup>&</sup>lt;sup>26</sup> Stansfield 2003a: 49; Stansfield 2003b: 135.

difficult to make any judgment as to which party the compromises generally favored more. However, due to the strong outside military support of the Kurdish KDP and PUK, we conclude that the compromise regarding the borders was slightly more to the advantage of the KDP [BENEFIT 1998-2003=1; BENEFIT2 1998-2003=n.r.].

All in all, the government's interests slightly prevailed in the post-war order [COMPROM 1998-2003= -0.14].

## The stability of peace

When the US Government decided to invade Iraq in 2003 in order to overthrow Saddam Hussein's regime, the KDP (and the PUK) took advantage of the situation and presented themselves as an important ally of the US in Iraq (Romano 2006: 213). For this reason, we consider the outbreak of the primarily inter-state war between the Iraqi and the US Government (and its allies the United Kingdom and Australia) to also be a relapse into civil war for the conflict dyad under investigation. We identify similarities in both the constellation of former warring parties and the type of incompatibility that motivated the KDP (and the PUK) to ally with the USA: maintaining and increasing the autonomously controlled areas in the north of Iraq. We therefore assume that the KDP pursued similar or the same goals when allying with the US Government against the government of Saddam Hussein in 2003 [SAMEWAR=1; DATESAME=20 March 2003; PEACMON1=63]. No other renewed civil wars apart from the conflict dyad under investigation were detected in the post-war period [ANYWAR=1; DATEANY=20 March 2003; PEACMON2=63].

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### **Annex**

Table 2: Troops in post-war Iraq (IISS 1998-2003)

Year	Government	KDP	Ratio	
1997	429000	15000	28.60	1
1998	429000	15000	28.60	1
1999	429000	15000	28.60	1
2000	424000	15000	28.27	1
2001	389000	15000	25.93	1
2002	389000	15000	25.93	1