

**Arshad Al-Hirmizi**



**The Turkmen  
Reality in Iraq**



**KERKŪK VAKFI**

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**Arshad Al-Hirmizi**  
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## **Introduction**

A report of the International Crises Group (ICG) indicates the existence of racial, religious and cultural differences in Iraq that may later develop into fissures affecting the united structure of the Iraqi society. ICG is an international, non-profit and multinational organization, the employees of which operate in the five continents, and whose board includes many prominent figures in the fields of politics, diplomacy, business and media. Its headquarter is in Brussels.

The warning of the Group is totally justified, for Iraq has long suffered from a suppressive government that followed a series of incompatible regimes, all of which failed to produce a unified constitution for the Iraqi people; and a decade's boycott and political isolation has further damaged the social fabric of the nation and obstructed the movement toward building new and civilized Iraq.

The question that arises here is: will wisdom and insight inspire the people of Iraq, so that they will come together in a unified and civilized march toward building a modern Iraq? Or, will racial and tribal inclinations for immediate material benefits for each disparate group defeat any conclusive and permanent solution?

Kana'an Makeyya, in an interview with ICG, believes that the upcoming Iraqi constitution must: "put Iraq before any other factor, so it will be able to express what is common among all of us", and "we must avoid the formulas that prioritize certain groups, and that say neither "Iraq is an Arab country with Kurds minority" nor "Iraq is an Arab and Kurdish country with other minorities in it".".

When she was a member in the Group of the Principles of Democratic Work, Rand Rahim Franki suggested two

crucial aims. The first enables the different ethnic groups to live together in peace with no group being superior to the others, and which the benefits of all groups being equally balanced. The second aim is to create a strong Iraqi identity, and a sense of joint Iraqi citizenship.

The truth that must be revealed here is that the Turkmens have been articulating such aims for a long time. Reason leads us to accept, as Iraqis, that Iraqi citizenship must be inclusive of everyone, without any single minority or group having special privileges; always provided that the right to express political and cultural differences and opinions is guaranteed.

This book aims at two things, the first to prove the actual existence of the Turkmens in Iraq, and to reply to those who considered them extraneous to the Iraqi consciousness, by presenting solid evidence of their geographical and demographic existence; and to show their participation in Iraqi affairs and prove their inclusion in the Iraqi nation.

The second aim is to prove that racial and cultural diversity enrich Iraq society, and that all efforts must be directed towards serving a free, united, varied and democrat Iraq, where the rule of the law and human rights and dignity are maintained.

The aspirations of civilized nations have proven that respect is not something you can earn by the number of people overpowered, or by thinking in terms of majorities and minorities. Rather, human dignity is a guaranteed right and must be respected at all times without discrimination.

I hope this humble effort will be considered another contribution aimed at highlighting the Turkmen people,

who comprise the third basic element of the Iraqi nation. And I hope this work will be another incentive for our brothers of other nations to get to know this important sector of the Iraqi people, its literature, art, culture and its serious participation in the Iraqi civilization over centuries.

I must acknowledge a great debt of gratitude to the many friends who contributed to this study by their dedicated involvement, for example, in translation and editing. In particular, I must single out for special commendation Dr. Shaheen Al-Nakeeb, Dr.Hussein Al- Falahi, Rami Qassim and Ian Rennie.

And God Bless.

Arshad Al-Hirmizi  
2005



## **Chapter One**

### **The truth about the Turkmen Territories in Iraq**

Despite the fact that almost everyone knows the ethnic nature of such territories, there has been big debate about the identity of the Turkmen's' territories in Iraq. Different Iraqi ethnicities had lived in these territories and met the sons of the Turkmen population, which is one of the major ethnicities. They learned their language, sang their songs and studied their literature and poetry.

Political and economical situations led some people to try to change the national identity in the above-mentioned territories, either by evacuating the natives or by flooding it with immigrants who enjoyed security and peace in these territories.

So many people have introduced, with conclusive proof, their evidences about the fact of these territories, many books and articles have been published in the same context and shed light on this matter.

My previous book "The Turkmen and the Iraqi Homeland" dealt with the question of the Turkmen's' territories, and cited a lot of references and resources that talked about the truth of the Turkmen territories. This research, however, will deal with this issue from a different angle, which depends on citing the non-Turkmen and non-Turkish writers who dealt with the subject, and support all that with the appropriate international maps and documents.

1- The map of the national diversity in the north territories of Iraq, which was prepared by the British, showed the regions of the Christians, the Arabs and the Kurds. It also indicated the regions where there were more than one minority<sup>1</sup>.

In the region separating Arabs and Kurds, the map indicated with a different colour (Brown) the city centers and boroughs inhabited by the Turks or the Turkmens as stated by the map illustration. The Turkmen's' Territories were defined as follows:  
Telafer, Mosul villages, Erbil, Altunkopru, Kirkuk, Kifri, Karatepe, Hanekin, Kizlarbat, Mendeli

2- Miss Gertrude Bell, the oriental secretary of the British Higher Commissioner in Iraq, mentioned, in her famous letters published by Elizabeth Bourgwen in London in 1961, and translated later into Arabic by Jaffar Al-Khayyat; her observations about Iraq and its political climate.

Miss Bell, said in her letter dated 14<sup>th</sup> August 1921 sent to her father:

“The referendum was carried out, and Faisal was chosen by consensus, save Kirkuk did not vote. The residents of Kirkuk's cities and towns are Turkmens, and the villages are inhabited by the Kurds; and both parties refuse the Arab authority”.<sup>2</sup>

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<sup>1</sup> British National Archives, London. File No. F.O.925/41335, see Appendix 1

<sup>2</sup> Iraq Fi Resail al-miss Bell “Iraq in Miss Bell's Letters, 1917-1926,” Translation and Commentary by Jafaar Al-Khayyat, Dar Al-Mawsuat al-Arabiyya, Beirut 2003, P.383.

3- Mohammad Dhaifallah Al-Mutairi, a Kuwaiti writer, mentioned the following in his book “The Problems of Mosul and Iskenderun and the Arabic-Turkish Relations”:

“Turkmens are spread over a curved geographical line that starts from Telafer on the Iraqi-Syrian borders and ends at Mendeli on the Iraqi-Irani borders through Kirkuk, the center of the Turkmens with the highest density of Turkmen population, and Erbil, which was one of the old settlements for the Turkmens, and the second city after Kirkuk in respect of number of Turkmens. Telafer is the biggest district in Mosul which includes about two hundred villages in addition to several cities like Nenawa, Tazehurmatu, Dakuk, Kifri, Hanekin, Kizlarbat, Mendeli, Saadiyeh, Shahraban, and Altawah”.<sup>3</sup>

4- Geoff Simons in his book “Future Iraq” says that “Turkmens are carrying political problems resulted from the geographical borderlines imposed by foreign countries, and Turkmens speak a Turkic Language with Oguz dialect”.<sup>4</sup>

5- In his book “Opposites Struggle- Iraqi opposition after Gulf War”, Dr. Ali Mohammad Al-Shemrani

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<sup>3</sup> Mohammad Dhaifallah Al-Mutairi: Muskilata Al-Mosul wal-Iskandarona wal-Ilaqat al-arabiyya-al-Turkiyya “Problems of Mosul and Iskandarona and the Arabic-Turkish Relations”. 1<sup>st</sup> print, Al-Misriyyah Company of Printing, Cairo 2003. Page 71.

<sup>4</sup> Geoff Simons “Future Iraq: US policy in reshaping the Middle East”. Translated by Saeed Al-Adhm, 1<sup>st</sup> print. Saqi books, Beirut 2004. Page 64.

states his opinion that the most of Kirkuk, before the immigrations, was totally Turkmen. Moreover, he includes some data about the nature of Turkmen citizens living in Iraq:

“Turkmens of Iraq are part of the Muslim Turkmens living now in Turkmenistan and the adjacent territories in the Central Asia and Syria. And as it is the case for Arabs, Turkmens are divided between them according to sectarian or doctrinal bases. Whereas some of the Turkmen living in Telafer, Dakuk, Tazehurmatu, and Kizlarbat are Shia’a Muslim; the majority of those living in Kirkuk, Altunkopru and Kifri is Sunni Muslim.

It is for sure that the Turkmens of Kirkuk were the majority until the mid of the 20<sup>th</sup> century, when the number started to decrease to the half or less due to the Kurd immigration from the neighbouring villages. The number of Kurd immigrants increased later on because of the prosperity of the petrol industry in Kirkuk”.<sup>5</sup>

6- The Columbia Encyclopedia states that the population of Kirkuk in 1987 was 418624 distributed among Turkmens, Arabs and Kurds. It also states that Kurds became minority there since most of them have been departed.<sup>6</sup>

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<sup>5</sup> Dr. Ali Mohammad Al-Shemrani: Sera’a al-Adhdad, Al-Muaradha Al-Iraqiyya ba’ada Harbil Khaleej, “Opposites Struggle- Iraqi Opposition after Gulf War”. Al Hikma Publishers, London 2003. Page 134.

<sup>6</sup> <http://www.encyclopedia.com/html/k/Kirkuk>.

7- As for Orient Encyclopedia, it says that the populations of Kirkuk are Kurds, Assyrians, Turkmens and Arabs.<sup>7</sup>

8- The Microsoft Encyclopedia says about Kirkuk: Kirkuk is the center of petroleum industry in Iraq and is linked with pipelines that are used to transfer oil to the ports of the Mediterranean Sea. The majority of population in Kirkuk is Turkmens in addition to Kurds, Arabs, Assyrians and Armenian.<sup>8</sup>

9- One of the encyclopedic studies I would like to mention here is the Encyclopedia of Vernacular Architecture of the World published by the University of Cambridge. This encyclopedia touches the national status of Kirkuk when it discusses this subject, and states that the majority of Kirkuk's population is Turkmens, and the actual number of them in Iraq is no less than two and a half million.<sup>9</sup>

10- The Illustrated Atlas of the World mentions languages used in Iraq, and they are: Arabic, Kurdish and Turkmen.<sup>10</sup>

11- The Reader definitely remembers what have been mentioned by the Encyclopedia Britannica

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<sup>7</sup> Encyclopedia of Orient.

<sup>8</sup> Microsoft Encyclopedia. Global security. org

<sup>9</sup> Paul, Oliver, Encyclopedia of Vernacular Architecture of the World, Cambridge University Press, Cambridge, 1977.

<sup>10</sup> Illustrated Atlas of the World, by Readers Digest Association, 2001. Page 1977.

which mentioned in earlier editions the actual status of Kirkuk, for it stated that Kirkuk basically was a Turkmen city although there were people speaking Arabic and Kurdish there. So many claims and demands led the Encyclopedia to change that statement. And since the Encyclopedia is fair and enjoys integrity, it mentioned, in its latest editions, that Kirkuk has a mixture of people, Turkmens, Arabs and Kurdish; putting the Turkmens first.<sup>11</sup>

12- In his book “A History of Iraq”, Charles Tripp mentioned that the Washington Accord clearly stated the ethnic diversity in the Kurdish territories and in the country as a whole, and had equally recognized the ambitions of the other minorities like the Turkmens, Assyrians and Keldanians exactly like the Kurdish.<sup>12</sup>

13- Kristina O’Donnelly in her book “The Horseman” states through one of her novel’s characters, Burhan; whose wife told him that she left on his desk a bulky file about Turkmens, the Third largest minority in Iraq which expatriated before more than one thousand year from Central Asia to reside in Al Mosul, Kirkuk and Erbil; and that no one remembers their tragedy. She adds in her diaries: don’t those aggrieved people have any rights? Are they second type people, for why do the successive governments have neglected mentioning their real number of population that exceeds the two millions?

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<sup>11</sup> <http://www.britannica.com/eb/>

<sup>12</sup> Charles Tripp, A History of Iraq, CUP, London 2002, P.274

For God's Sake! Don't you know that those people descend from Turkish origins like those who live in Turkey and the previous southern former Soviet Unions republics? They were subject to extensive genocides by some Iraqis. This report mentions that minorities' right declaration issued by the ruling party was preached again, and the protesting Turkmens, especially students and educated people, were arrested and tortured; and in most cases executed.<sup>13</sup>

14- If we look closely at the official correspondences and the governmental circulars in Kirkuk we notice that the language used to address the residents was Turkish language only. The British High Commissioner, for example, had issued a communiqué in Kirkuk in Turkish Language only after the events of the Kirkuk massacre carried out by some members of the Levy Army of the Teyarian on the 4<sup>th</sup> of May, 1924. Abdulrazzaq Al-Hasani, a historian, justified that by saying that Turkish was the dominant language in Kirkuk.<sup>14</sup>

15- The records kept at the British National Archives include many correspondences, we mention here as an example the circular issued by the Governorate of Kirkuk in the occasion of Eid Al Adha (Sacrifice Feast) in 1933, which included the

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<sup>13</sup> Kristina O'Donnely, *The Horseman*, Rose Intl. Publishing House, USA 2003, P.554-555.

<sup>14</sup> Sayyed Abdulrazak Al-Hasani: *Tarikhul Wazarat Al-Iraqiyya* "History of Iraqi Cabinets". Public Cultural Affairs Dept., Baghdad, Part 1, 7<sup>th</sup> edition 1988, P.206.

schedule of the occasion's ceremony and the official receiving the head of tribes and other people for the occasion. The circular was issued in Turkish only and a copy of it was sent to the British Counsellor in Kirkuk.<sup>15</sup>

16- The law of Local Languages was issued as recognition for both the Kurdish and Turkmen languages in the regions inhabited by the people of each language. Some research papers state that the law was issued in 1931. We know that the statutes of the law were approved by the Cabinet in its session of the 5<sup>th</sup> of August 1930<sup>16</sup>, and the law was labeled as Law No. 174 of 1931. In accordance with this law, trials were permitted in Turkish and Kurdish languages in Duhok and Shekan of Al Mosul governorate; Erbil and Makhmour in Erbil governorate; and Kirkuk and Kifri in Kirkuk governorate. Article five of the law stated that the language used at home for most students, whether that language was Arabic, Turkish or Kurdish, is the language of learning at elementary schools. The schools of Kirkuk and other adjacent regions started teaching using Turkmen language, and the reference of this matter can be traced in the documents of the Royal Court in Iraq, file no. C/2/7 of the year 1931.<sup>17</sup>

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<sup>15</sup> British National Archives, London, File F/O/624/1

<sup>16</sup> Dr. Ibrahim Khalil Ahmad, *Tattawur al-Taleem Al-Watani fil Iraq* "The Development of National Education in Iraq (1869-1932)", Center of Arab Gulf Studies at Basra University 1982. P.193.

<sup>17</sup> The law was published in the *Waqae' Newspaper* on 1<sup>st</sup> June 1931. See: *Tarikhul Sadaqa Baynal Iraq wa Turkiya* "History of friendship



17- The Declaration endorsed by the Deputies Council in its session of May 1932, was addressed to the League of Nations, and concluded Iraq's obligations designated by the League's committee of the 28<sup>th</sup> of January 1932. Article 9 clearly stated that the majority in Kirkuk and Kifri (i.e. Kirkuk Governorate) are Turkmens, and Turkish and Kurdish languages in addition to Arabic were all official languages in that region.<sup>18</sup>

18- A report from the British Ambassador in Iraq Mr. J.M. Trulbil addressed to the British Minister of Foreign Affairs, Anthony Eden, about the former's visit to Kirkuk, Suleimaniya and Erbil during the period from 10-14 May stated the following:  
"The issue of minorities in Iraq is based on the relationship between the Arabs and non-Arabs, and this relation is evident now than ever before. The

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between Iraq and Turkey", Shaker Saber Al-Dhabit, Dar Al Maarefa Publishing House, Baghdad 1955.

<sup>18</sup> See Sayed Abdulrazzak Al-Hasani in the pervious reference and also see Satee' Al Hosari: Muthakkaraty fil Iraq "My Diaries in Iraq" part 2 1927-1941, Al Taleaa House, Beirut, 1<sup>st</sup> edition 1968, p.550 See Dr. Walid Hamdi: Al-Kurd wa Kurdistan fil Wathaik Al-Britaniyya "Kurds and Kurdistan in the British Documents", Sejel Al Arab Publishers 1992, P.234. See Dr. Aziz Al Hajj: Al-Khadiyya Al-Kurdiyyah fil Ishrinat "Kurdish Issue in the Twenties" Arab Institute of Studies and Publishing, 1<sup>st</sup> print 1984, P. 208. See Awni Farsakh, Al-Akkaliyyat fil Tarikhul Arabi "Minorities in The Arab History", Riyadh Al-Rayyes for Publishing, 1<sup>st</sup> print 1994, P.397, See also: Nashatul Iraq Al-Hadeath "Rise of Modern Iraq" by Henry Foster, translated by Saleem Taha Al-Tekriti, second part , Al-Fajr for publishing and distribution, 1<sup>st</sup> print, P.472.

coexistence and harmony is clearly demonstrated in Kirkuk, for Turkmens constitute the majority of the population in that region and they live with Arabs and Kurds side by side".<sup>19</sup>

19- In 1957, The Ministry of Social Affairs – The General Census Dept- printed a special guidebook in both Arabic and Turkish to be distributed to those working in registration in Kirkuk and other Turkmen regions. Moreover, registration form 1 of 1957 was printed as well, and it included the registration data in Arabic and Turkish in separate forms. Having concluded the (Education and Language) not (Nationality) caused contradictory in the registration numbers for most people indicated Arabic as their first language since it was the official language of the state.<sup>20</sup>

20- If we go to (Four Centuries of Modern Iraq) book by Hemsley Longrigg, we find that the book discussed the residence regions of Turkmens, for it says: the remaining scattered groups of the Turkmen immigrants were grouped in Telafer, in along line of villages from Deliabbas to the Great Zab, and most of them were in Kirkuk.

The book mentioned that Kirkuk was a charming city that had not changed over two centuries, nor had the long line of Turkmen villages spread all over the

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<sup>19</sup> British National Archives, London, File No. F.O/173/98738, report of the Oriental Dept. E/1018/2

<sup>20</sup> Guidebook of registration: Arabic script was printed at Al-Tamadon printing House, while the Turkish one was printed at Al-Rabeta Publishers, Baghdad 1957.

Great Road, nor did the distant villages whose residents were farmers. It stated, as well, that there was an increasing Turkish influence wherever there was a majority of Turkish people and Turkish Creed. Longrigg deliberately mentioned Kirkuk in his book, and mentioned that the language of Kirkuk's people was Turkish.<sup>21</sup>

21- If we closely look at another book of Longrigg, we notice that he had described Turkmens as farmers with no tribe, and that they exist in large numbers in Kirkuk, Altunkopru, Erbil and Kifri. Furthermore, they have existence also in Tazehurmatu, Karatepe and Dakuk along the road between Baghdad and Mosul. A number of them existed in the middle road between Mosul and Sinjar. Longrigg also mentions the Turkmens' merger in the general life of Iraq after the issue of Mosul was settled, he says, none of the Turkmens in Kirkuk, Kifri and other adjacent villages ever tried to provoke the mystery that has a lot of benefits, for they did not make any troubles once the issue of Mosul was settled.<sup>22</sup>

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<sup>21</sup> Stephen Hemsley Longrigg, "Four Centuries of Modern Iraq History" Translated by Jafar Al-Khayyat, 4<sup>th</sup> print 1968, Sharif Radi Publications, Kom-Iran. P. 21, 122, 361.

<sup>22</sup> Stephen Hemsley Longrigg, "Modern Iraq from 1900-1950" Translated by Salim Taha Al-Tikriti, Al-Fajr Publishers, Baghdad, 1<sup>st</sup> print 1988. Pp 30, 315. The translator mentions here that the author of the book occupied the position of the British Political Governor of Kirkuk for a while. He was fully acquainted with Turkmens situation, their behaviors and villages. Thus, his judgments were built upon observation and experience.

22- In reference to the clash about the ownership of Mosul Region, Vladimir Minorsky clearly mentions in his article "Defining the Clash Region", that Turkmens constitute the majority along the historical road (Silk Road) that crosses south of Mosul and passes most of its villages like Telafer, Erbil, Altunkopru, Kirkuk, Tuzhurmatu, Dakuk, Tazehurmatu, Kifri and Karatepe.<sup>23</sup>

23- Khairi Amin Al Omari who has so many studies in the history of modern Iraq, said, while discussing the struggle over the throne of Iraq, that Kirkuk is inhabited mostly by Turkmens.<sup>24</sup>

24- Abdulmajeed Hasib Al-Qaysi said in an interview with the Al-Hayat newspaper on 1<sup>st</sup> of June 2000 while replying to a critique of his book titled (The Assyrians) that his interest in studying the political modern history of Iraq began 50 years ago, he mentions in his above-mentioned book that Kirkuk is a Turkmen city, that most of its residents are of Turkish origins and that their neighbours are the tough Kurdish people.<sup>25</sup>

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<sup>23</sup> Vladimir F. Minorsky, "Mosul Question" Translated by Salim Shahen, Kurdish Studies Center, Istanbul 1998, P.22.

<sup>24</sup> Khairi Amin Al-Omari, Hikayat Siyassiyah min tarihil Iraq Al-Hadeeth "Political Tales from Modern Iraq History", Afaaq Arabia for Publishing and Distribution, Baghdad, 2<sup>nd</sup> Edition, P. 66.

<sup>25</sup> Abdulmajeed Hasib Al-Qaysi: Hawamesh Ala Tarikhul Iraq Al-Siyasi Al-Hadeeth, Al-Athuriyyoun "Footnotes of the Modern political History of Iraq, The Assyrians", Global Encyclopedias Center, London, 1<sup>st</sup> print 1999, P.41.

25- Fareeq Al-Muzher Al-Faron, one of the 20's revolution's leaders, discussed the national structure of Iraq. He mentioned that the minority that is originally non-Arab is in the north and they are: Kurdish in Suleimaniyah and Erbil, Turkish in Kirkuk and some Armenians, Assyrians and Nestorians in Mosul.<sup>26</sup>

26- David McDowell, however, says: although Mosul's population is mostly Arabs, Turkish-speaking Turkmens once inhabited all the cities and villages along the road to Baghdad.<sup>27</sup>

27- Sati Al-Hosari in his book "My Diaries in Iraq" says, upon his clash on 1921 with Captain N. Farell, the Counselor of the Ministry of Education, when the former refused the job of secretary of the Director of Education, that Captain Farell proposed another suggestion that was:

"Go to Kirkuk, and be the director of education there. They speak Turkish there and so do you!" And this very suggestion was proposed by Farell to Rostom Haidar, Director of the Royal Court Office, based on the claim that people of Kirkuk speak Turkish.<sup>28</sup>

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<sup>26</sup> Fareeq Al-Mozher Al-Faron: Al-Hakaik Al- Nase'a fil Thawral Iraqiyyah sanat 1920 wa Nataijuha "The Truth about the Revolution of 20s and its Results" Balagh Institute- Najah Publishers, Baghdad, 2<sup>nd</sup> print 1995, P21.

<sup>27</sup> David McDowell, "A Modern History of Kurds", I.B. Tauris, New York, 1996, P. 144.

<sup>28</sup> Sati'e Al-Hosari, previous reference, part one 1921-1927, Pp: 140-142.

28- While discussing the diversity and regional nature of the population in Iraq, Seyyar Jamil mentions that: "As for the Turkmens spread over designated regions in the north of Iraq, they have chosen the village and towns of Kirkuk to the east of Tigers River and Telafer to the west of Tigers River. The origins of those people go back to the Turkmen State that ruled in some of Iraq's regions".<sup>29</sup>

29- If we look at Munther al Mousli's book "Political and Party Life in Kurdistan" we see that he is citing the American journalist William Eaglton Jr.'s book "Mahabad Republic-1946 Kurdish Republic". This states that there is a region suitable for the give and take principle, i.e. Kirkuk, for it is equally divided between Turkmens and Kurds; whereas the region located to the West and North West where the oil wells are, contains a mixture of Arab and Turkmen villages.<sup>30</sup>

30- If we look deeply into the political literature, we find that the book which contains the diaries of Late Nadhim Tabakchali, commander of the Second Battalion that was in Kirkuk, illustrates the political view at that time. According to him, being the

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<sup>29</sup> Siyar Jamil: Zu'ama wa Affandiyyah, Al-Pashawat al-Uthmaniyyoun wal Nahdhawiyyoun al-Arab "Leaders and Gentlemen, Ottoman Basha's and Renaissance Arabs" Al Ahliya for publishing and distribution, Amman-Jordan, 1<sup>st</sup> print 1999, P/ 131.

<sup>30</sup> Munther Al-Musli: Al-hayatul Siyassiyah wal Hizbiyya fi Kurdistan "Political and Party Life in Kurdistan- Arabic vision of the Kurdish case", Riyadh Al-Rayyes Publishers, London, 1991, P.38. Mousli described Eaglton as a friend of the Kurds and referred to Georges Fathallah's Translation of the book, P.75.

commander of the troop, he reported to the General Military Governor in Iraq about the racial clash in Kirkuk between Kurds and Turkmens.<sup>31</sup>

Tabakchali refers in another report to the decisions of the First Teachers Convention held from 2-5 February 1959, which stated that Kurds had never been the majority in Kirkuk, but rather a minority up until then.<sup>32</sup>

31- If we look at the British document of the Ministry of Foreign Affairs No. 134255/371, we can see that it refers to a telegram sent by the British Embassy in Baghdad to the Eastren Dept. on 18<sup>th</sup> of July 1958, and states that: "Kirkuk residents speak Turkish to a great extent".<sup>33</sup>

32- Another document of the British Ministry of Foreign Affairs, document No. 134212/371, which contains a classified letter No. 1286 dated 12 August 1958 and is addressed to the Ministry of Foreign Affairs, say that "Kirkuk region has a Turkish majority".<sup>34</sup>

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<sup>31</sup> Lawyer Jasim Mukhlis: Dhikrayat Nadhem Al-Tabakchali wa Mudhakkarat al-Muhami Jasim Mukhlis "Memories of Nazim Tabakachali and Jasim Mukhlis" Al-Asriyah Bookstore, Saida-Beirut 1969, P. 420, Report of Tabakachali to the General Military Governor E.S/56/363 dated 14-15 February 1959.

<sup>32</sup> Previous reference, part 2, P.50.

<sup>33</sup> Lawyer Jasim Mukhlis, Previous reference, P. 423.

<sup>34</sup> Al- Iraq fil Wathaik al-Britaniyya " Iraq in British Documents 1958-1959, translated and commented by retired brigadier general Khalil Ibrahim Hasan, Baytul Al-Hikma -Baghdad, 1<sup>st</sup> print 2000, P. 158.

33- In his third book about Iraq, the researcher Hanna Batatu says that “Kirkuk, which is an oil center, is located 180 miles (280 km) to the north of Baghdad. It was literally a Turkish city until very recently. Kurds had moved to it gradually from the neighboring villages, and began intensive immigration to it by the time the oil industry was flourishing. And by 1959, Kurds formed one third of the region in the time the number of the Turkmens decreased drastically to less than half. Other Turkish cities such as Erbil had witnessed similar situations. Erbil itself became very Kurdish in a very peaceful manner, while Kirkuk people were quite stubborn and kept strong and intimate cultural bonds with Turkey, and had unified themselves through a deeper sense of the Turkmen identity”.<sup>35</sup>

Batatu has also discussed the geographical distribution of the basic religious-national minorities, and says:

“On the old mail road of Baghdad-Mosul-Istanbul, one can find a line of Turkmen settlements such as Telafer, Tazehurmatu, Dakuk and Karatepe which are Shi’a Muslim; and Kirkuk, Altunkopru and Kifri, which are Sunni Muslim”.<sup>36</sup>

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<sup>35</sup> Hanna Batatu: Iraq, AL- Kitabul Al-Thalith, Al-Shiyouyyoon wal Baathiyoun wal Dhubattul Ahrar “Iraq-The Third Book, Communists and Baa’th and Free Officers”, translated by Afif Al-Razaz, Arabic Researches Institution, 1<sup>st</sup> Arabic print- Beirut 1992, p.224.

<sup>36</sup> Hanna Batatu: Iraq, Al-Kitabul Awwal, Al-Tabakatul Ijtimmayiyya wal Harakatul Thawriyya minal Ahdul Opthmani hatta Kiyam Al-Jumhuriyyah” Iraq- The first book, Social classes and revolutionary movements from Ottomans to the Republic” translated by Afif Al-Razaz, Arabic Researches Institution, 1<sup>st</sup> Arabic print- Beirut 1990, p.58-58.



34- In his book "The Republican Iraq", Dr. Majeed Khadori describes Kirkuk, Altunkopru and Telafer as districts inhabited by Turkmens.<sup>37</sup>

35- Dr. Ali Al-Wardi, the eminent Professor of Sociology, discusses the Turkmens regions of residence in Iraq, and mentions them residing in cities and villages layed out vertically, thus separating the regions of Kurds from the rest of Iraq.<sup>38</sup>

36- Dr. Qassam Al-Jumaily mentions in his book "Iraq and the Kamalian Movement" which is prepared to be printed by Dr. Izzat Oztoprak, that British official Henry Dobbs had visited Kirkuk in 1923 after the spread of the news about the Turkmens stand in Kirkuk and other adjacent towns and villages, and their intention to boycott that elections of assigning Faisal as a king for Iraq. Mr. Dobbs met with the Turkmen tribal chiefs, and expressed the British preparedness to acknowledge the national and cultural rights of the Turkmens in Iraq without limits.<sup>39</sup>

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<sup>37</sup> Dr. Majeed Khadori: Al-Iraqul Jumhuri "The Republican Iraq", Sharif Radi Publications, Kom-Iran 1968, P.201.

<sup>38</sup> Dr. Ali AL-Wardi: Dirasa fi Tabiatul Mujtama Al-Iraqi "Study on the nature of the Iraqi Society, Al-Haidaria Bookstores, Baghdad 1996, P. 143.

<sup>39</sup> AL-Jumaily, Qassam Kh., Irak ve Kemalizm Hareketi (1919-1923), Ataturk Arastirma Merkezi, Ankara, 1999, P.108.

37- Dr. Fadhel Al-Ansari states in his book "Residents of Iraq" that Turkmens are the third nationality in Iraq and are spread over the region from Telafer to Mendli in a line that separates Arabs and Kurds; and that most of the Turkmens reside in Kirkuk.<sup>40</sup>

38- The Iraqi writer, Meer Basri, in his book "Great Figures in Modern Iraq Literature" says that the Turkmen literature is still prospering in Kirkuk and neighbouring regions, as is the Kurdish literature in Suleimaniyah.<sup>41</sup>

39- Dr. Jamil Mousa Al-Najjar states in his book titled "Ottoman Administration in Baghdad" that the Turkmens stayed in the north-western territories( of Baghdad region) in Kizlarbat, Hanekin, Shahraban, Mansoriyah, Deliabbas, Kazania, and Mendeli; and says that they also lived in great numbers in the cities and villages of Mosul.<sup>42</sup>

40- The Egyptian author, Dr. Hassan Bakr Ahmad, in one of his books: "Arab-Turkish relationships: Now and in the Future" estimates the number of Turkmens

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<sup>40</sup> Dr. Fadil AL-Ansari "Residents of Iraq". Baghdad

<sup>41</sup> Meer Basri: Aalamul Adab fil Iraqul Hadeeth "Modern Iraq literature Great Figures", part 1, wisdom house, London 1994, P.27.

<sup>42</sup> Dr. Jamil Mousa Al-Najjar: Al-Idaral Othmaniyya fi Wilayat Baghdad "Ottomanic Administration in Baghdad Wilaya", Madbouli Bookstores, Cairo 1990, P.116.

in Iraq to be from two million to two million and a half.<sup>43</sup>

41- Thamer Abdulhasan Al-Amri mentions in his 9 part encyclopedia "Encyclopedia of Tribes in Iraq" that Turkmen in Iraq have a great common identity, especially in Kirkuk and some other northern territories, they are gathered by the spirit of brotherhood and citizenship with their Arab and Kurdish brothers under the common sky of Iraq. They practice different jobs and crafts, and they own different sports, cultural, artistic and social clubs. Some of them were brilliant and eminent in the fields of literature, art, education and other fields.<sup>44</sup>

42- Abdullatif Al Shawwaf in his book "Eminent Figures" says that the Turkmen element has gradually settled in the north western plains to the north of Iraq in the region that separates Iraq from the Iranian regions in Sheherzor region, and they have settled on the both sides of the line that connects Kirkuk with Tazehurmatu, Kifri, Shahraban, south of Deyala up north to Altunkopru, Erbil, Mosul and then Telafer.

AL Shawwaf mentions this while introducing Suleiman Fattah, the first Governor of Kirkuk after

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<sup>43</sup> Hassan Bakr Ahmad: Al-Ilaqatul Arabiyya –Al-Turkiyya baynal Hadher wal Mustaqbal "Arab-Turkish Relationship Now and in the Future", Emirates Center for Strategic Research, Abu Dhabi 2000, p. 49.

<sup>44</sup> Thamer Abdulhasan Al-Amiri, Mawsuatul Asha'ir al-Iraqiyya "Encyclopedia of Tribes in Iraq", part 9, General Educational Affairs Dept., Baghdad 1995, P.216.

the establishment of the state. Fattah is of Turkmen origin, and his father Suleiman lived in the Teseen village in Kirkuk suburbs.<sup>45</sup>

43- The Human Rights Report issued by the Immigration and Citizenship Department in the U.K. indicates that Kirkuk is a major center for the Turkmens in addition to residences in Erbil, Mosul and Deyala. It also indicates that while some sources claim that they number about three hundred thousand people; while the actual number is about two million. The report discusses they are deprived of their cultural rights and the use of their own language even in the regions where they are the majority.<sup>46</sup>

44- Reinhard Fischer in his MA thesis at Berlin University titled "Turkmens in Iraq", mentions that the most important center for the Turkmens in Iraq is Kirkuk. Moreover, he points out that Kirkuk has the biggest Turkmen community in Iraq.<sup>47</sup>

45- W. R. Hay in his book "Two Years in Kurdistan" tells the experiences of a political employee between 1918-1920 in two of the most important cities in the Small Zab region, namely Kirkuk and Suleimanyah. He says that the first city (Kirkuk) in addition to Erbil

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<sup>45</sup> Abdullatif Al Shawwaf: Shakhsiyyat Nafidha "Eminent Figures", Kofan Publishers, London 1993, Pp70-72.

<sup>46</sup> Human Rights Report, Immigration and Citizenship Dept. London, U.K.

<sup>47</sup> Fischer, Reinhard, Die Turkemenen Im Irak, Frei Wissenschaftliche arbeit zur erlangung des grades eines. Magister Artium, Universitat Berlin.

is inhabited by the Turkmens while Suleimaniyah is a Kurdish city. Hay mentions in the same book that Kirkuk is the center of the Turkmens who form the majority in the city.<sup>48</sup>

46- Scott Taylor mentions that Turkmens in Iraq are about two million and are the second largest minority in Iraq. They are different from Arabs and Kurds, for they are descend from Turkish origins and some of them remained in the region where the Kurds separated themselves from Saddam Hussein.<sup>49</sup>

47- Abdulrazzak Al-Hilali said that the British-Iraqi Treaty concluded in 1922 stated in Article three that no discrimination based on national, religion or language should take place against any of the residents of Iraq. The same treaty also guaranteed minorities' rights to establish their own schools and teach students using their own languages.

When the law relating to elementary school was issued, an article was added, stating that: "Arabic is the language of teaching in all governmental Schools. As for the regions where Arabic is not the language; the language of teaching shall be decided by resolution from the Cabinet".

On the strength of that, teaching was conducted in Kurdish where Kurds are the majority, and in Turkish in the regions speaking Turkish. Despite that, the Arabic language was taught at the 5<sup>th</sup> and 6<sup>th</sup> grades.

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<sup>48</sup> Hay, W. R Two Years in Kurdistan, London. Sidegwick& Jackbson Ltd. 1921.

<sup>49</sup> Scott Taylor, Spinning on the Axis of Devil, Turkish Translation by Dr. Mohammad Zia, Jati Publications, Istanbul 2004.

The elementary, secondary and high school students of the latter regions had to sit for the Ministerial exams, were conducted in Arabic; therefore, students started to see how difficult it was to pass these exams since they do not speak Arabic very well, and they complained to their parents. Kirkuk's High School Principal was the first to think of a solution for this problem. On 10/8/1927, he sent the following report (No.78) to the Director of Education in the northern region:

"For a long time, teaching in Kirkuk schools was conducted in Turkish with respect to the local language, but students in the high school classes and students in senior elementary classes are behind their fellow colleagues, and fail the exams conducted in the Capital, especially the Baccalaureate, which is necessary for the continuation of their studies. This is in spite of the fact that they spare no effort. It is evident for me that the obstacle they face is being deficient in the use of Arabic Language, for there is not the slightest difference between the two curricula and their teachers are highly qualified. Being deficient in Arabic has prevented them benefiting from the higher education. At the same time, we should not forget the loss of great books of literature and arts in the Turkish Language, which weakens the studies in that language. Therefore, the only way to keep teaching in the first four classes in Turkish, while the last two classes and high school must be in Arabic, thus allowing students to register in Baghdad, Beirut and Egypt's universities and colleges, and advance and increase their general knowledge. It will also bridge the gap created by the loss of Turkish books.

This way is the most beneficial to them, and guarantees their future more, if you approve it. I pledge to you to intercede on this issue with whoever is concerned, so they can implement it commencing next academic year. Thus our nation and youth will benefit from their natural capabilities of absorbing modern sciences and knowledge.”

The Director of Education in his turn forwarded the letter to the Municipal Council, which decided on 11 August 1927 to send the subject with recommendation of approval to the Governor of Kirkuk.

The Governorate submitted the proposal to the education committee, which agreed to it and returned it to the Municipality Council that submitted the proposal on 18 August 1927 to the Ministry of Interior. After studying the proposal and its justifications, the Ministry of Interior submitted it to the Cabinet. The proposal was discussed on the Cabinet's meeting on 31 August 1927, upon Cabinet approval, the Ministry of Education initiated the proposal from grade five and upper in Kirkuk's schools.

The Municipal Council of Erbil had submitted the same proposal on 25 December 1927 since education there was in Turkish or Kurdish, thus the new system was applied starting 21 April 1928.<sup>50</sup>

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<sup>50</sup> Abdulrazak Al Hilali: *Tarikhul Taleem fil Iraq fi Ahdul Intidabil Britani 1921-1932* “History of Education in Iraq during British Mandate Era 1921-1932”, Public Educational Dept., Baghdad 2000, Pp 128-133.

## **Chapter Two**

### **The Stand of the British Government During the Negotiations of the Mosul Question**

There were many discussions about the the Mosul questions, and different kinds of evidence presented by both sides, the Turkish and the British, when dealing with the question of Mosul in Lausanne Conference.

Moreover, there are a lot of books that cover this issue in details, and include the proposals of Ismet Pasha, head of the Turkish delegation to the negotiations, and those of his counterpart, Lord Curzon.

The most important thing to notice about these books is that they all deal with the public discussions of the conference and neglect the pre-public conference negotiations, although reports on the conference state the existence of such discussions.

I tried hard to get any detailed signal of those pre-public conference discussions, especially the British memorandum sent by Lord Curzon to the Turkish delegation days before the open sessions. All that I could find was very brief signals from small parts of these memorandums, but never had the full text.<sup>51</sup>

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<sup>51</sup> Henry Foster: *Nashatul Iraq el-Hadeeth "Rise of Modern Iraq"*, Translated by Salem Taha Al-Tikriti, part 1, AL Fajr for publishing and distribution, Baghdad 1989, P. 232. Mohammad Hamdi AL-Jafari: *Britaniya wal Iraq "Britain and Iraq"*, Public Educational Dept., Baghdad 2000, P.41. The most important signal was mentioned in the



Therefore, I decided to include here the full text of the British memorandum because it includes the Turkish arguments, and the British reply on them.

It is noticeable that the Turkmen issue occupied a large part of this memorandum, but the hushing up blocked these facts so researchers and other interested people would not use them. We have to notice, in addition, that the document abounds with historical and factual mistakes that can be proved wrong through the facts of the region; and we will indicate these after dealing with the scripts of memorandum in details.<sup>52</sup>

**Dear Ismet Pasha,**

In our various conversations about Mosul, you mentioned to me the grounds, racial, political, strategic, historical, &c., on which you're Government rested their claims for the return of the Mosul Vilayet. I told you in reply that I contested each one of these claims, and I now send you a memorandum with the reasons for which I do so, and which-quite apart from the fact that Great Britain cannot give back a country of which she is a mandatory under the League of Nations- render it quite impossible for my Government to contemplate the surrender of the Mosul Vilayet.

I am, &c.

CURZON OF KEDLESTON.

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book of Fadel Hussein: Muskilat Al-Mosul "Mosul Problem", Ishbeliah Publishers, 3<sup>rd</sup> print, Baghdad 1977, P.30.

<sup>52</sup> Memorandum No. E 14103/13003/44, British National Archives, London, File No. F.O./286/869.

**Enclosure in No. 1 .  
Memorandum on Mosul.**

THIS memorandum is submitted by the British delegation in order to summarise the reasons for which the demand made by the Turkish delegation for the restoration to Turkey of the Mosul Vilayet cannot possibly be entertained.

These reasons are racial, political, historical and economic. In each case they contradict and destroy the arguments, based on the same considerations, upon which it is understood, from such explanations as have been received, that the Turkish delegation relies in support of its case.

**1. Racial.**

The population of the Mosul Vilayet consists of Kurds, Arabs, "Turks" (Turkmens) and Christians, with some thousands of Yazidis. The number of these various elements may be deduced from two tables of statistics, which were compiled by British officers employed in the vilayet, who, partly on horseback, and partly with the aid of the roads made and the motor transport introduced since the British occupation, visited most of the corners of the vilayet in the years after the war. Table A is an estimate made in 1919, in which the population of the vilayet is shown by religions. Table B is an estimate made in 1921, as the result of a close and more prolonged investigation. The population in this table is divided according to race.

The total population of the Mosul Vilayet is returned as 703,000 odd in the 1919 estimate and 785,000 odd in the 1921 estimate, the difference being due to an increase in the population in the Mosul plain area, formed by the Mosul plain and the surrounding hills, arising from.

The return of large numbers of the population from the Turkish or Arab armies.

The return of still larger numbers of families to villages which, owing to the state of starvation resulting from war conditions, had been abandoned before the British occupation.

The settlement of a large number of Assyrian refugees.

It was established by these investigations that the whole of the great town of Mosul, the whole of the country north of Mosul on the right bank of the Tigris as far as the boundary of the vilayet, the whole of the country south of Mosul on the right bank of the Tigris, and most of the country south of Mosul on the left bank of that river as far as the Erbil – Kirkuk – Kifri road, is Arab.

As to the “Turks” they are not Osmanli Turks, they call themselves Turkmens, and the Turanian language they speak resembles Azerbaijani rather than the Turkish of Constantinople. They are undoubtedly descendants of Turkmens who came to Iraq long before Osman founded the Ottoman Empire, probably from those Turkmens whom the

Abbasid Caliphs hired to defend their territory. The theory that the Turkmens are descendants of what was formerly a foreign mercenary garrison is supported by their distribution. Tall Afar, an almost exclusively Turkmen town, stands guard 45 miles west of Mosul on the border of the Syrian desert. Except for this town and the neighbouring Turkmen villages, and for a few scattered Turkmen villages in Mosul plain, the whole of the Turkmen population is distributed along the eastern road from Mosul to Baghdad, notably in and around the towns of Erbil, Altun Kupri, Kirkuk, Tazehurmatu, Dakuk, Tuzhurmatu, Kifri and Qaratepe. The estimates of numbers are:-

Tall Afar and surrounding villages	10,000
Villages in the Mosul plain	4,895
	14,895
Kirkuk and surrounding Villages	25,000
Kifri, Tazehurmatu, Dakuk, Tuzhurmatu and Qaratepe	10,000
	35,000
Erbil and Altun Kupri	15,000
Grand total of "Turks " (The few in the Suleimaniyah area Being Omitted)	64,895

The proportion of “Turks “to Arabs can be shown most effectively by the statement that the “Turks “in the whole of the Mosul Vilayet are less numerous than the Arabs in the town of Mosul alone.

The Kurds are estimated to be more than twice as numerous as the Arabs in the Mosul Vilayet, and about seven times as numerous as the Turkmen. They are separated from the Arabs by a line which follows roughly the line of Turkmen towns mentioned above and north of that the foothills of the mountains. They are believed to be descended from the Medes, who were so closely identified with the Persians in early times, but whether this is true or not, they speak an Iranian tongue closely allied to Persian and resemble the Persians for more closely than either the Turks or the Arabs.

Of the non – Mahommedan populations, though in the aggregate they outnumber the Turkmen considerably, it is not necessary to speak in great detail. The estimates are:

Yazidis (probably of Kurdish origin, but holding a non Moslem belief)

30,000

Christians (mainly Assyrians

– some Nestorian, some Catholic) 62,225

Jews 16,865

The main body of the Yazidis live in Jebel Sinjar, but there are many Yazidi villages north – east of Mosul. The Christians are to be found mainly in Mosul city, in the Erbil area, in a string of prosperous villages (of which Al Qosh and Tall Kaif are the largest) to the east of the Tigris, and in the Dohuk – Amadiyah

country. Most of the Jews live in Mosul city, but Jewish communities are to be found in the Kurdish and Turkmen towns, and isolated individuals or families among the Kurdish tribes.

The case of the Turkish delegation in so far as it is based on ethnic consideration comes, therefore, to this:-

They ask that there should be united with the Turks of Asia Minor a population consisting as to one – twelfth of Turkmens, with whom they may be admitted to have some racial affinity, as to nearly seven – twelfths of Kurds, who have no more affinity with the Turk, except the possession of a common religion, than have the Chinese, as to three – twelfths of Arabs, who not only differ from the Turks in race and language, but are connected by the strongest bonds of language, race and sympathy with the population of Baghdad and Basra, and as to more than one – twelfth of non – Moslem elements, which, however much they may differ from each other, have not a single bond – racial, linguistic, religious or cultural – with the Turks.

Table I- POPULATION of the Vilayet of Mosul by Religions according to an Estimate made in 1919.

Division	Sunni	Shiah	Jewish	Christian	Other Religions	Total
Mosul	244.713	17.180	7.635	50.670	30.180	350.378
Erbil	96.100	-----	4.800	4.100	1.000	106.000
Kirkuk	85.000	5.000	1.400	600	-----	92.000
Suleimaniyah	153.900	-----	1.000	100	-----	155.000
Total	579.713	22.180	14.835	55.470	31.180	703.378

Table 11. – POPULATION of the Vilayet of Mosul by Races according to an Estimate made in 1921.

Division	Arabs	Kurds	Turks	Christians	Jews	Total
Mosul	170.663	179.820*	14.895	57.425	9.665	432.468
Arbil	5.100	77.000	15.000	4.100	4.800	106.000
Kirkuk	10.000	45.000	35.000	600	1.400	92.000
Suleimaniyah	-----	152.900	1.000	100	1.000	155.000
Total	185.763	454.720	65.895	62.225	16.865	785.468

\*Including 30.000 Yazidis.

## 2. Political.

The next claim of the Turkish delegation is that the population of the Mosul Vilayet desires to return to Turkey because of its Political or historical affinities with Turkish rule. Even if this were true of a majority of the inhabitants of the Turkmen towns who, under Turkish rule, enjoyed a position of privilege by no means warranted by their numbers, it cannot possibly be sustained in so far as the Kurds, the Arabs and the non – Moslem elements of the population are concerned. It is undeniable that the Arabs of Mosul are enthusiastic supporters of the new Iraq State and of King Feisal. The result of a plebiscite conducted throughout Iraq in 1919 gave a unanimous vote on the point that Basra, Baghdad and Mosul should be united and form one State. Since then, on the arrival of the Emir Feisal in the country, the Mosul Arabs showed quite unmistakably their desire to be connected with the Arab Government at Baghdad and to be under the rulership of King Feisal. They received the Emir with acclamation, they voted unanimously that he should be King; they swore allegiance to him this latter

plebiscite included the whole of the vilayet except the Kurds in the Suleimaniyah, Raniya and Rowanduz areas, who, being a compact body of people of an entirely different race and language, obviously required separate treatment. The Arab areas with the Kurdish districts adjacent to them, and the Turkmen towns, all gave their votes, and with the exception of Kirkuk all voted for inclusion in the Iraq State and for the accession of Feisal to the throne of Iraq.

As to the Kurds, they are a people with a keen sense of nationality, a deep pride in their race and language, and a desire to be as free to manage their own affairs as their pursuit of economic progress will allow.

It is said to be the contention of the Turkish delegation that the Kurds of the Mosul Vilayet are one with the Turks of Asia Minor in aim. Two points may be stated in reply:

It is perfectly well known to people who lived in Iraq before the war that communications between Suleimaniyah on the one side and Baghdad and Mosul on the other were constantly cut, that Turkish officials appointed to Suleimaniyah often waited at Mosul for months before they could venture to set out on their journey, and that when such Turkish officials reached their posts in Southern Kurdistan they were frequently helpless in the face of the determination of the Kurds to brook no interference from the distant Government of Constantinople.



The Kurds of the Mosul Vilayet showed, throughout the war, that from being united with the Turks in aim, they regarded the Turkish quarrel with the Entente as none of theirs. The Turkish delegation can be challenged to produce any evidence that the Turkish forces in Iraq ever received any assistance from the Kurds against the British. A small Kurdish tribal contingent was present with the Turkish force at Shuaiba, near Basra, in the spring of 1915. They were present, but they took an insignificant part in the operations, they returned to their homes after the battle, and from that time the Turks got no more help from the Kurds than they did from the Arabs. The Kurds of the Kifri and Kirkuk areas left their homes and lands in great numbers to avoid conscription, and as soon as those areas were occupied by British troops thousands of local Kurds came down from the hills whither they had fled to avoid having to identify themselves with aims of Turkey.

Finally, there remain the large Christian element (mainly Nestorians and Caldenians) and the Yazidis. If the claim of the Turkish delegation is weak in so far as the non-Turkish Moslem population is concerned, it is still weaker as applied to these non-Moslem communities. It is to Turkish misrule, active and passive, that the Yazidis attribute the enormous reduction in their numbers which has occurred during the last generation. The Caldenians remember too well what their co-religionists in the Diarbekir, Mardin – Jazirah area suffered during the war to desire the restoration of the Turkish rule. And finally, the Nestorians, who were driven from the region of Julamerk and the Persian border by Turkish troops

during the war, who died in thousands in their fight to Iraq, and who have settled in that alien country rather than submit to Turkish rule in their own land, would fight to the death rather than permit the return of their new homes to a people who to them are the symbol of misrule and oppression.

### **3. Historical.**

The Turkish contention that the long historical connection of Mosul with the Ottoman Empire justifies their demanding its return would apply with equal force to Baghdad: for, except for insignificant periods when it was under Persian rule, Baghdad was part of Turkey as long as Mosul. Both are Arab towns built by Arabs and maintaining their Arab character, in spite of their long inclusion in the Turkish Empire. In point of fact, the close connection between Mosul and Baghdad was recognized by the Turks to this extent, that the Mosul Vilayet was formerly part of the Pashalik of Baghdad. Even as late as the eighties of the last century, when Midhat Pasha was Vali of Baghdad, Mosul was included in his governorship. The conversion of Mosul into a separate vilayet in Turkey, depending upon Constantinople, was a measure dictated by administrative convenience only.

The argument from history is therefore not one to which importance can properly be attached. It could equally be applied to a demand from Turkey for the return of all the territories and States which she has lost. It would justify the demand by any country for any city or province of which it had been deprived as the consequence of defeat in war.

#### **4. Economic.**

If we turn to the economic argument, it is the weakest of all. The economic relations of the Mosul Vilayet are entirely with Baghdad and with the Arab City of Aleppo, both of which cities the National Pact itself leaves outside the boundaries of Turkey. If we take the three chief towns in the vilayet, viz, Suleimaniyah, Kirkuk and Mosul, the exports of Suleimaniyah all go to Baghdad, whence all its requirements in foreign goods are obtained in exchange, Kirkuk lives mainly on the carrying trade between Baghdad on the one hand, and Mosul and Suleimaniyah on the other, and its prosperity depends on the maintenance of the connection between the three, as for Mosul, which, being nearest to Turkey, should present the most favourable case for the argument of the Turkish delegation, it is notorious that the trade of Mosul is almost entirely down – river with Baghdad and across the desert with Syria. The imports of the vilayet are piece goods, tea, sugar and coffee. Not one of these is produced in Turkey or could even be obtained through Turkish territory except with great difficulty and by diverting trade from routes which it has followed for centuries. As to the exports, the principal are grain, wool and hides, and tobacco, and the smaller but still important exports are timber, gum tragacanth and gall – nuts. Every ounce of the tobacco grown, except the relatively small quantity needed for local consumption, goes to Baghdad and is consumed in the Baghdad and Basra Vilayets, the surplus grain of the Mosul Vilayet goes to feed the

people of Baghdad, and the timber to build houses in Baghdad. The wool, the hides and the gum, and the gall - nuts which are an important ingredient in the manufacture of European ink, go entirely to foreign countries. How could Mosul dispose of grain, wool or hides in Turkey, when Turkey itself is a large producer of all these products or of tobacco in a country which has large tobacco producing areas of its own? Baghdad is dependent on the Mosul Vilayet for its wheat supplies to such an extent that during the war, when the two vilayets were separated by military operations, the British military authorities had to import wheat from India to feed Baghdad city and district. A striking instance of the manner in which economic considerations cut across ethnic boundaries is the fact that the Erbil – Altun Kupri district, which is partly Turkmen as to the towns and mainly Kurdish as to the agricultural areas, lives almost entirely on supplying Baghdad with grain. It is hardly an exaggeration to say that if the country north of the existing boundary between Turkey on one side, and Syria and Iraq on the other, ceased to exist, the economic life of the Mosul Vilayet would hardly be disturbed at all. Iraq, as it is, can do without Turkey, but Mosul is indispensable to Baghdad.

##### **5. Strategic.**

It is further urged by the Turkish delegation that the southern boundary of the vilayet of Mosul, which runs along the Jabal Hamrin in a south – easterly direction as far as the River Diyalah, and then align the Diyalah as far as the Persian frontier, would constitute an excellent strategical frontier between Turkey and Iraq. This contention cannot be accepted

for one moment. The adoption of the Jabal Hamrin – Diyalah line would in fact make the position of the Iraq State untenable. In the first place, the Power occupying Mosul need only hold up the export of grain from that place to cut off the capital of Iraq from its main source of wheat supply. Secondly, a day's easy march would enable any such Power to cut the sole road between Iraq and Persia, a road which is vital to the economic life of Baghdad and Basra, whose people live very largely on the Persian trade. Thirdly, the position of an Arab Government in Baghdad, which is some 560 miles by river from the southern limit of the Iraq State, would be quite impossible if the frontier of a possibly unfriendly State were only 70 miles distant. Lastly, there appears to be no particular reason why the Arab State of Iraq or Great Britain as the Mandatory Power, should hand over to the Turkish Government a place where it might think fit to maintain an army corps as a menace to the surrounding regions.

#### **6. The National Pact.**

Lastly it has more than once been stated by the Turkish delegation that their claim for the recovery of the Mosul Vilayet, or at any rate of Mosul town, is supported by the first article of the National Pact, passed by the Turkish Chamber of Deputies on the 17<sup>th</sup> February, 1920. It can easily be shown that this is not the case. The article reads as follows:-  
Inasmuch as it is necessary that the destinies of the portions of the Turkish Empire which are populated exclusively by an Arab majority, and which on the conclusion of the armistice of the 30<sup>th</sup> October, 1918, were in the occupation of enemy forces,

should be determined in accordance with the votes which shall be freely given by the inhabitants, the whole of those parts, whether within or outside the said armistice line, which are inhabited by an Ottoman Moslem majority, united in religion, in race and in aim, imbued with sentiments of mutual respect for each other and of sacrifice, and wholly respectful of each other, s racial and social rights and surrounding conditions, form a whole which does not admit of division for any reason in truth or in ordinance.

In the first place it is both a novel and a startling pretension that Power which, has been vanquished in war should dictate to the victors the manner in which they are to dispose of the territories which they have wrested from the former. It would be interesting to know if a single instance can be found in history in which the Turks having conquered any territory by force of arms have ever encouraged the vanquished to demand a plebiscite in the area in question or have expressed a willingness to abide by the result of such a vote.

But let us examine the argument a little more closely in reference to the present case. The first proposition of the article is that the plebiscite is to be held in area "populated exclusively by an Arab majority. " It is difficult to understand how any area can be populated exclusively by a majority since the existence of a majority implies the existence of minorities also. But further it is the contention of the Turks themselves that the Arabs are not in a majority in the Mosul Vilayet, but that they are outnumbered

by the other elements in the population, viz, Kurds and Turks and that this is the case is shown by the figures of the second table to which reference has been made, and which reveal a total of 454,720 Kurds and 65,895 Turks or Turkmens, as compared with 185,763 Arabs. Therefore, if the Turks are to claim a plebiscite, it would seem that their argument does not admit of its being applied to the Mosul Vilayet, because the Arabs are not in a majority there.

But, thirdly, supposing the argument to apply to the entire area, irrespective of majorities or minorities, it has already been pointed out that such a plebiscite has already twice been held and that on each occasion it has resulted in a verdict hostile to the Turkish claim. In 1919 the inhabitants of the Mosul Vilayet voted unanimously in favour of continued incorporation with Baghdad and Basra. In 1921 the whole of the Arabs, the Kurds of the adjacent districts and the whole of the Turkmens (with the exception of Kirkuk) voted again for inclusion in a State of Iraq, and chose the Emir Feisal as their King.

But the article in the Pact introduces another and still more fantastic distinction. According to it, only those portions of territory which were occupied by enemy forces on the 30th. October, 1918, are to be allowed thus to decide their destinies. On the south from Mosul, which they entered immediately afterwards. We are thus led to this absurd result that the Arabs who live in the entire territory south of the armistice line are to be invited to dispose of their fate four years later by plebiscite, while the Arab population of

Mosul town itself, who form more than one – third of the Arab population of the whole vilayet, are to be deprived of that right. The case has only to be stated to demonstrate the absurdity of such a claim. It is perhaps unnecessary to add that armistice conditions have nothing to do with the provisions of peace treaties and that no European peace treaty made since the armistice of 1918 has attempted to follow the lines of occupation laid down in the armistice which preceded them.

Finally, a claim, equally untenable and even more incomprehensible, is put forward in the second half of the article, which reads : The whole of those parts, whether within or outside the said armistice line, which are inhabited by an Ottoman Moslem majority, united in religion in race and in aim, imbued with sentiments of mutual respect for each other and of sacrifices and wholly respectful of each other, s racial and social rights and surrounding conditions, form a whole which does not admit of division for any reason in truth or in ordinance. It be remarked in passing that the word “Ottoman “is not easily understood in this context. The sympathy which unites Moslem peoples is generally recognized, it is a matter of religion, but it is difficult to appreciate what unity of race can link together Semitic Arabs, Iranian Kurds and Ural – Altaic Turks, or why the fact that they have once been forced to submit to Ottoman rule should bind them to remain in the Ottoman Empire for all time. In fact, the Turkish Government and the Turkish people are apparently ready at one moment to concede the free determination of their future destinies to the Arab peoples, and at the next



moment to demand that territories inhabited by an Ottoman Moslem majority - a phrase which, if it means anything at all, applies equally to the Kurdish, Turkish and Arab populations of the former Turkish Empire- should not be divided "for any reason in truth or in ordinance."

It would appear, therefore, that the claim for the restoration to Turkey of the Mosul Vilayet is not only prohibited by the considerations, racial, political, historical and economic, which have been enumerated in the earlier part of this memorandum, but that it is quite inconsistent with any interpretation that can possibly be applied to the first article of the National Pact.

Lausanne, December 14, 1922

**Lights on the Memorandum:**

The British memorandum and its subsequent discussion by the British delegation throughout the meetings of negotiation of the Mosul question represents a typical psychological and mental orientation of any occupying power throughout the ages, for it sees things from one perspective only, totally ignore the suppressed people's aspirations, and classify any liberation movement as either intellectual stupidity or treason.

**Population tables:**

The British mentioned that they collected the special population tables of the region by means of British officers visiting every single part either on horseback or by other means of transportation.

The British presented this argument to oppose the official census carried out by the Ottoman State, which used accredited statistical bases and did not need to tamper with the origin and nationality of the people. The British, however, insisted that their statistical means were more accurate, despite the fact that the British themselves stated that they were incapable of entering the Suleimaniyah region because of the post World War One events and the resistance movement against the British occupation.

A crucial fact was ignored by most researchers, which is: the Ottoman and British census figures depended on the map of Mosul; and the borders of this region are wider than the distribution of the modern Iraqi state. Readers will find later on this document a full illustration of these maps that reveals the nature of these distributions that showed Kurdish existence in some regions to be greater than they actually were, if we exempt the residents of the regions that were within the map at first, and subsequently became part of the Turkish lands.

The memorandum claims that during the time of the alleged census, the number of Christians was greater than the number of Turkmens in the whole country. I believe no one agrees with this claim, and none of the Christian sects, whether Keldo-

assyrians, Yazediyah or Sabi'a, have supported such a claim. Moreover, we notice that Erbil and Suleimaniyah were presented as being bigger than Kirkuk, the fourth biggest district in Iraq after Baghdad, Mosul and Basra.

**Defining the Turkmen Language:**

The memorandum mentioned that the language of the Turkmen in Iraq is the Turanic language, that it is similar to the Azerbaijan language and is not the language used in Istanbul. We mention Istanbul, the center of the Ottoman Empire because the memorandum and speeches of Lord Curzon persistently and continuously referred to it as Constantinople, the old name of the city before it was conquered by Sultan Muhammad Al-Fatih in 1435, and later became known as Istanbul in the Islamic and Western worlds.

The memorandum purposefully refused to mention that the dialect used in the Turkmen regions of Iraq, Azerbaijan and in Anatolia is the same; and if the dialect of the Kirkuk people is not different from the one of the Azerbaijani people, then it is not different from that of the people in the Turkish towns of Urfa or Arzurum. This fact did not prevent the differentiation between the language of the Anatolia region from that of Istanbul, Istanbul, whose dialect is considered the base of the Turkish language.

**The Stand against the British Occupation:**

The memorandum ignored the stand of the Iraqi people against the occupation, and presented a faked claim that Arabs, Kurds and Turkmens were sympathetic to the British Administration, and that all the Arabs refused Turkish rule for this reason.

The memorandum, moreover, ignored the serious events in Iraq after the British occupation; they mainly ignored the public revolution known as the Twenties Revolution, which embarrassed the British occupation authorities two years before the negotiations of Mosul began. The memorandum showed that the Kurds showed no sympathy towards the Turks, and their sympathy was merely for the British. And there is a clear contradiction when describing the Arabs' stand concerning the fate of the Mosul district, and their attitude to the British Occupation in this memorandum and in other British official correspondence.

We see Miss Gertrude Bell, the oriental secretary of the British Custody Authorities in Iraq, say ,in her letter dated 14 March 1920, that the Kazimiyah tribal chiefs believe in the principle of Islamic Unity and fight the British by every possible means. The most famous tribe is one called ALSADER. In another letter dated 5 September of the same year, Miss Bell says that the problem for the British is that the tribes do not want to be part of the unified state, and that the cities cannot proceed without them.

Bell says, in her letter dated 28 September 1922: Turks are preparing, may God disgrace them, to

attack Akrah this time; and the tribes think that the Turks are the only ones who have power. And she continues by saying at the time "we were all concerned with the Turkish Propaganda; we did not recruit any national elements in the ministry."

In another letter dated 20 February 1924, Miss Bill says that Mushref Al-Dandal and Raees Al-Okedat are connecting with the Turks. "I know that because I have known those people personally since 1907, as I know their neighbor in the North East, Mustafa Pasha Al Juburi, one of the Turks strongest supporters."<sup>53</sup>

In addition to that, Miss Bell in her letter dated 21 August 1921 said that one of the Northern Shammar Tribe chiefs, Ajeel Al-Yawar, came to meet the British early in 1917, but he went back to the Turks. "After that, when Mosul was with us, he came to us; and suddenly went back to the Turks without us knowing why."

After accurately describing Ajeel Al-Yawar, she says that she told him once that they were sorry he always went to the Turks, and asked him why he did that. Ajeel answered that the reason was Legman. "When I came to Mosul answering his invitation, I tried to speak with him and he asked me to remain silent. He told me that I was like a woman and that he does not recognize my status in my tribe, being

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<sup>53</sup> Iraq in Miss Bell's letters, *ibid*, P.580, 511, 195, 141

head chief. I went back to my tribe, and what else could I do?"<sup>54</sup>

If the memorandum says that all Turkmens, save the Turkmens of Kirkuk, were sympathizing with the British Authorities, Miss Bell in her letter of 7<sup>th</sup> of June 1920 says:

"Shammar Tribe, upon provocation from the Sherief and his senior officers, went to Telafer located 40 miles to the West of Mosul, and asked the people of Telafer to declare their joining the Arabic government and to prove it by killing the English. Therefore, they killed Captain B. Stewart, a wonderful man who won the Ice of War medal with two other English officers (Jafar Al-Khayyat, translator, says that those two men were Sgt. Lawer and Sgt. Walker), and other people with him. The villagers, in addition to that, captured Captain Parlo, Political Governor Assistant, and sent him to Telafer two days later, where they deliberately killed him in front of his house (Jafar Al-Khayyat, translator, corrects this by saying that Captain Parlo was killed two miles away from Telafer).

A discipline campaign was sent at once. We couldn't catch the Shammars because they were in Nusaibeen. All the people of Telafer will be expelled and asked to go to other villages and plains, and all houses will be demolished, and we will not permit any rebuilding of the town.<sup>55</sup>

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<sup>54</sup> Ibid P.390

<sup>55</sup> Ibid P.156

As far as the Kurds are concerned, Miss Bell says, when talking about the Suleimaniyah people refusing joining the new country, and when talking about the Rowndoz incidents, that the British bombarded it with 20 aircrafts, and they hoped that the Kurd tribes would not help the 300 Turks on the borders who formed the Rowndoz camp.<sup>56</sup>

Janet Wallach in her book titled “Desert Queen” states that the pro-Turks Kurds were demanding that their district be joined to the Turkish lands before the conference of Luzan began, for they felt nearer to Turkey and Iran than they did towards Iraq and the Arabs.<sup>57</sup>

A report by the officer of the special services department in Suleimaniyah sent on 14 October 1925 to the Command Base of Air Forces in Baghdad showed his opinion about the tribal chiefs in Suleimaniyah who supported Turkey and the fight against Britain. He mentioned Ahmad Saeed Beek, Kader Afandi Karadaghli, Tawfiq Aziz Agha, Faris Afandi, Saleh Lawa, Shiekh Mustafa, Saleh Wardian, Nouri Mohammad, Sayed Nouri Sayed Ahmad Bab Rasol, Sayed Kareem Ahmad Sayed Bab Rasol, Sayed Nouri Nakib, Sayed Mohammad Kajala, Aref Baba Rehan, Amin Habib Agawhajji, Saleh Qassim, Mulla Khalid Imam, Ahmad Amin Attar, Majid Beek Hajji Rasol, Shiekh Salih Sershkam, Ahmad Hajji Mahmoud Rash, Hajji Fatah Kadir, Tawfiq Dawlmnd,

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<sup>56</sup> Ibid P.476

<sup>57</sup> Janet Wallach, Desert Queen, First Anchor, New York 1999, P330.

Sultan Afandi, and Abdulrahman Lolo. In addition, certain tribes were mentioned like the Hamawand, Zenkenah, Jibari and Talbani tribes. And he mentioned certain tribal chiefs like Sheikh Mustafa Abdulkadir, Mohyieldeen Kani Kawa, Najimeldeen Kalarkah, Saeed Taymar, Sayed Ahmad Khankah, Kadir Ahmad Khanakah, and Raof Furkan.<sup>58</sup>

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<sup>58</sup> British National Archives, London, File No. AIR/23/396



### **Chapter Three**

#### **Occupation Powers look at Kirkuk and Kifri Figures**

The reports submitted by the British Intelligence services show total ignorance of the real situation in the Turkmen areas and about the figures who lead the civil society. Instead of cooperating with those leaders in order to comprehend their way of thinking and to find the best way to make use of their powers, the British authorities adopted the policy of marginalizing them and declaring them traitors, claiming that he who doesn't join their herd is disloyal to them.

The contradictions included in these reports are self-revealing, for we see them describing an eminent figure in the city as being a man of his word and of influence; and later describing the same man as being ignorant, lazy, and imbalanced simply because the intelligence services loathed his political and local influence upon the people. We notice that the report refers to one of the national local community leaders, the late Khairallah Hassan Afandi, who was infected by a serious disease. The report writer deems it necessary to include in his report the phrase that he wishes him to die soon.

And due to the special circumstances affecting Iraq in that era - the affects World War One, the Mosul issue and the Lausanne Conference - Britain categorized the world into two categories, pro-Britain and anti Britain, i.e. those who did not accept the occupation and fought against the British greed, and

who became to be known later as trouble makers and rioters. It was noticed that the overwhelming majority of the Turkmen society was on this side. It is worth noting that the intelligence reports, after being de-classified, showed that those who were said to be pro-British were in fact great freedom fighters who were actually organizing resistance forces. Unfortunately, the wrongful charge of being on the side of the British resulted in them being rejected and abused by their fellow citizens.

The report presented by the special services department in Kirkuk on 27 November 1925 and addressed to the Central Command of Air Forces in Baghdad gave information about who the department calls “bad figures” in Kirkuk, and those “bad figures” were the civil society leaders.<sup>59</sup>

**The figures the report mentioned are:**

### K I R K U K

#### IZZET PASHA

Aged about 50 Brother – in – law of NAZIM Beg. Hates King FAISAL and his Diwankhaneh is a meeting place for all pro – Turks and disgruntled elements though he usually avoids committing himself publicly. Was a rallying point for the pro-Turks during the visit of the League, s Commissioners in 1925. Some time previously had a mutual arrangement with SAMI Beg (q. v.) JEMAL

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<sup>59</sup> Classified report No. S.K/49 in File No. AIR/23/396 in the British National Archives, London.

Effendi (q. v.) KHAIRULLAH Effendi (q. v.) and Haji HASSAN of TEL ALI whereby they were to combine efforts and institute an organized system of propaganda for the Turks. In April 1925 was reported to be hand in glove with Mullah RIZA (q. v.) in a scheme for advancing the Turkish case vis a vis the League's commission. Has much expense and little happiness in his present domestic circle and is developing symptoms of miserliness.

SAMI BEG (NAFTCHEZADEH)

S / 0 SALEH Pasha, the great man of the NAFTGEZADEHS in Turkish times. Aged 28. Clever and unscrupulous. His Diwankhaneh is a focus for pro-Turks in Kirkuk but he takes the most careful precautions to exclude anybody in whom he has not got the complete confidence.

Was spokesman for the Turkish party on the occasion of the League's commissioner's visit?

Has recently made submissive overtures to the Mutasarrif.

HOSSEIN BEG (NAFTCHEZADEH)

Aged about 50. Has a large house in the BEGLER quarter of KIRKUK. Though bucolic and blunt-witted he is recognized as the head of the NAFTGEZADEH family.

He is seldom in KIRKUK now and spends most of his time in TOPZAWEH a village which was searched for rifles on the 15th April 1925 with but meagre result. He frankly prefers the Turks to the Arabs but does

not appear to take a very active part in pro – Turkish intrigue or propaganda.

QARA HOSSEIN AGHA

Aged about 45. Related to the NAFTGEZADEHS through his mother and lives in the BEGLER Quarter. Is perpetually engaged in pro – Turk intrigue and propaganda.

Owns a fair amount of property in KIRKUK and neighbouring villages but is not wealthy.

MAHMOUD BEG S/O SALEH BEG  
(NAFTCHEZADE)

Aged about 50. His father commanded a Turkish Gendarmerie Battalion.

Was appointed Census Official in KIRKUK in August 1924 and subsequently dismissed.

Is described as being a cowardly fool.

QAMBER AGHA

Lives in the BEGLER Quarter, aged about 50, was imprisoned together with JEMAL Effendi (q .v.) and SHUKRI KAPANCHES (q. v.) for seditious activities in September 1925. His son SHAKIR Agha accompanied NAZIM Beg to Turkey in March 1925 after the League, s commissioner's visit.

### IBRAHIM EFFENDI

Formerly Mufti, in which appointment he succeeded his father, and appointed Qadhi of KIRKUK in February 1925.

Was formerly much identified with the pro – Turk party in KIRKUK but of late appears to have come into line with his brother – in – law ABDUL MAJID Effendi the present Mutasarrif.

In no way to be trusted.

### ABDUL MAJID EFFENDI

Aged about 30. Lives in the SARIKISH Quarter near IZZET Pasha's house. Youzbashi on Turkish Staff. Fair Knowledge of English. Was prisoner of war 1918, employed in the KIRKUK Serai 1920 – 21 transferred IRAQ Army training School 1921, where he obtained a commission but avoided having to fight against the Turks in the ROWANDUZ operations by malingering. Was permitted to resign.

Schoolmaster in the ILMIYEH IN 1923. Too sly to air his opinions publicly he is nevertheless an out and out pro – Turk who requires watching. Is a great friend of one SALEH Effendi.<sup>60</sup>

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<sup>60</sup> Obviously it is Sai Kahya quarter where Izzet Pasha used to live also.

ANAYAT EFFBNDI ( TEKRTLIZADEH )

Relative of Haji IBRAHIM Beg and cousin of WAHAB Beg (q. v.) Aged 65. Lives in the SARIKAHYEH Mahallah Relative of Haji IBRAHIM Beg and cousin of WAHAB Beg (q. v.) Aged 65. Lives in the SARIKAHYEH Mahallah Turkish Qaimmaqam of AZEZIEH and subsequently a member of the committee of "Union & progress "Believed to have led the JEBOUR into refusing to participate in the elections in 1924.

His wife owns a quarter share of the crops at BUTAM and MAHUS (JEBOUR) wears a white poulrice round his fez. Failing health and disinclined for active pro – Turk endeavour. Is much disliked owing to his foul temper.

MOHAMMED SHAKIR EFFENDI (S/O MOHAMMED JEMIL)

Native of SULAIMANI. Lives in the AKHIR HOSSEIN Quarter. Mudir of SHUAN 1919. accountant KIFRI 1920. Treasury officer KIRKUK 1921. Utter failure, lazy and weak minded. Pensioned 1922. Suspected of being one in whose house a certain number of offensives pro – Turk posters are produced.

### RASHID AKIF

Aged 30. Qorieh Quarter. Step brother of AHMED NAJI. Schoolmaster, and would be poet. Arrested for sedition 17 – 3 – 23, expelled from KIRKUK and believed to have gone to BASRAH.<sup>61</sup>

### SAEED DABBAGH. (KIRKUKLI)

Aged about 50. Was business agent to FARHAN AL RODHAH (q. v.) with whom he proceeded on a visit to Shaikh MAHMOUD when the latter adopted the title of king early in 1923, a visit at which Shaikh MAHMOUD was highly elated as seeing the extent of his "Kingdom "and the distances which great Arab chiefs were prepared to come in order to pay homage to him.

Returned to the ALBU ALI with FARHAN in February 1923. FARHAN soon tired of him however and SAYID DABBAGH fled to SULAIMANI after receiving a severe beating at the hands of his master. He was then wanted by the police and disappeared for a matter of about two years having proceeded; it is said, to Turkey. Recently reported as having returned with letters from the Turks to RIFAAT Beg of the DAOUDA, FARIS Beg of the BAYAT, SAID KHALIL Agha of the KAKAI and to various tribal leaders of the UBAID proceeded to Shaikh MAHMOUD in September 1925.

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<sup>61</sup> Rashid Akif Al-Hirmizi, the known poet, Died 1973

### FAKHRI BEG

Aged about 40. (KIRKUKLI). Two years assistant Mal Mudir under the Turks at KOI and then did two years as full Mal Mudir at ROWANDUZ. Sacked by Hay in the spring of 1919. Since the British occupation, he has been a well known anti – British and anti – IRAQ Government agitator.

Sentiments entirely pro – Turk though it is difficult to see what he could gain through a return of the Turks to KIRKUK. Was arrested on 15 – 1 – 24 and sentenced to four months, imprisonment for corresponding with sheikh MAHMOUD regarding political events, strengths and movements of troops etc. In conjunction with his two brothers, KHARI Beg and ABDULLAH Beg (q. v.) runs a shop in their house where they sell motor spares, petrol, paraffin and oil.

### KHAIRI BEG S/O ALI BEG

MAHALLAH SHATERLU KIRKUK.

Aged about 40. Has an uncle JELAL Effendi (q. v.) who is Mudir H OSPITAL KIRKUK. Has two brothers FAKNRI Beg (q. v. ) and ABDULIAH Beg ( q. v . ) with whom he shares a house worth approximately Rs, 5 , 000/- where they run a shop for motor spares, petrol oto.

Has a third brother KAMIL who is a Revenue clerk under the Turks at SILKA. Was before the war a clerk in the sharia court KIRKUK and served with the Turks in the ranks during the war. Is with his two brothers, a noted pro – Turk and, together with the eldest FAKHRI, was sentenced in March 1924 to four



months, imprisonment for corresponding with sheikh MAHMOUD.

#### ABDULLAH BEG

Aged about 30 years.

Entirely illiterate, was during the war, a private in the Turkish Army. Has two brothers FAKERI (q. v.) and KHAIRI (q. v.) )

#### MUSTAFA BEG

Aged about 45. Lives in the SHATERLU Quarter. Cousin of SIDDIQ Beg (deceased) whose position in the SHATERLU BEGZADEHS he has succeeded to, a pro – Turk and intensely embittered against Government over the death in exile of SIDDIQ Beg. On intimate terms with KHAIRULLAH Effendi. Has a certain religious standing and, though parsimonious and mean, he is much respected in KIRKUK.

#### JEMAL EFFENDI (YAKUBIZADEH)

Lives on the QALAH. EX – Mudir press KIRKUK. Diligent and indefatigable pro – Turk seditionist and propagandist and propagandist for which propensities he lost his job and has on three occasions seen the inside of the KIRKUK “ lock – up “ somewhat lacking in sense – a fact which was amply demonstrated when he edited the “ KIRKUK STAR “

### SAADULLAH EFFENDI (MUFTIZADEH)

Aged about 28. Lives in the AKHIR HOSSRIN Mahallah. EX – schoolmaster. Of a retiring disposition but prone to giving voice to seditious utterances which have on four occasions landed him in the KIRKUK Jail.

A great friend of JEMAL Effendi (q. v.) the one time press Mudir.<sup>62</sup>

### SAEED EFFENDI

Aged about 40. Sometime contractor to the public works Department. Lives in the SHATERLU Quarter. A pro – Turk but timid and impoverished and of little account. frequents the Diwankhaneh of KERIM the judge.

### SHUKUR KAPANCHER.

Aged about 45. Lives in the QORIEH Quarter. Was a water guardian under the KIRKUK Municipality but dismissed by the present Mutasarrif who was then Rais Baladiyah. Sometime Levy Contractor. Recklessly outspoken and a well known pro – Turk. Imprisoned for fifteen days in September for seditious utterances.

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<sup>62</sup> A well known Turkmen poet (1895-1972)

### MULLA RIZA EFFENDI

Aged about 60. Lives in the PIRYADEH Quarter of KIRKUK. Much identified with the 1920 disturbances. Has of late been noticeably circumspect in his utterances from the pulpit but would undoubtedly become inflammatory were there any serious trouble in KIRKUK.<sup>63</sup>

### ALI AGHA (AWJIZADEH) S/O SABIR AGHA

Aged about 28. Owns a little property in CHARDAKLU village but is somewhat impoverished. Formerly professed loyalty to Government but is somewhat impoverished. Formerly professed loyalty to Government but is now identified with the pro – Turks and particularly with said AHMED KHANAQA. No particular ability. His mother is a sister of FARIS Beg of the RAYAT.

### HAJI HASSAN (AWJIZADEH)

See page 41. “Personalities “Aged about 60. Has a house in the AWCHI Quarter of KIRKUK but lives at TEL ALI in the JEBOUR. Has two sons, MOHAMAED and HOSSEIN.

Was appointed Mudir of the MELHA Nahieh in Turkish times which post he held for eight years until eventually dismissed for taking bribes. Was a member of the wali of MOSUL’s Mejlis up till 1913.

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<sup>63</sup> Known as Mulla Riza Al-Waeth, appointed later on as manager of Kirkuk Endawments, Was the father of Iraqi dignity Nouredin Al-Waeth, former Mayor of Kirkuk.

During his Government service he acquired by some means or other much property in KIRKUK and in the NELHA Nahieh.

Is considerably cleverer than the rest of the AWJIZADEHS, he as a family are notoriously lacking in sense, and has been reported as being in the pay of the Turks as a secret service officer. In this connexion, one of his servants, by name ISMAIL QAMBAR, is reported as frequently being sent to Turkey with correspondence. Is on intimate terms with said AHMED KHANAQA and with the NAFTGEZADEH family.

#### MUSTAFA EFFENDI (YAKUBIZADEH)

See page 72. "Personalities" younger brother of ABDUL MAJID the Mutasarrif of KIRKUK. Due doubtless to indigence he formed a pro- Turkish committee in KIRKUK in January 1923. Appointed Mudir of TAUQ Nahieh in August 1923.

Appointed acting Qaimmaqam of CHEMCHMAL in August 1924. which post he resigned on the 10th August 1925.

#### KHAIRULLAH EFFENDI

See page 54. "Personalities" Aged about 55. Lives on the QALAH. Owns the village of SHEMSAR near TUZ and also a large part of the village of BUSHIR. Has a certain amount of property in KIRKUK. Is on good terms with most of the "ASHRAF" and the leading pro – TURKS of KIRKUK. Particularly friendly with Haji HASSAN Effendi (q. v.) and with said

AHMED KHANAQA and is one of the most fervid pro-Turks in KIRKUK. Has tuberculosis and “DEO VOLENTE “will not last much longer.”<sup>64</sup>

WAHAB BEG (TEKRITLI)

Aged about 55. Lives in the BEGLER Quarter, grandfather Turkish Binbashi and father Yuzbashi of Gendarmerie, himself a chawush in ARBIL. Killed a man in a private quarrel and to avoid imprisonment took to the road. Net with much success as a highwayman until, under a more enlightened Mutasarrif, he accepted a salary for himself and men as road guards. Was standard bearer to the troop of irregular cavalry raised by NAZIM Beg until wounded at the battle of SHUAIBA. Reappeared as agent to the British local purchase officer in KIRKUK in 1919 and made a good thing out of it by illicit partnership with contractors. Being a “tough” was appointed Mudir of ZAB Nahieh in 1922 and did well. Qaimaqam of CHEMCHEMAL in July 1925. Taken seriously ill in November 1923, was admitted to Hospital in KIRKUK. It was then found that with his son KHORSHID (police Inspector) he had been indulging in peculation on a large scale and he was ultimately permitted to resign. In partnership with FARHAN AL RODHAN (q. v . ) became the Multazim of JEBBL HAMRIN salt in 1925 and has latterly attached himself to the anti – Government party Non much identified with the leading pro – Turks in KIRKUK.

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<sup>64</sup> Father of Turkmen Leader and martyr Atta Khayrullah who assassinated during Kirkuk Massacre 1959.

### ABDUL RAHMAN NAJI

Aged 55. Lives in the INAM QASSIM Quarter His father was judge in KIRKUK. Very wealthy and is an outstanding personality of considerable importance. Identified with KHAIRULLAH Effendi. A good man though pro – Turk. Quiet and well spoken.

### JELAL

Mudir Civil Hospital. Heavy drinker. Did five years in the Accounts, Office KIRKUK, one and a half years Mal Mudir SHARBAZHIR, and one and a half years Mal Mudir RANIA, all under the Turks. Frequents Theca Company of AHMED NAJI and ABDUL KARIM the judge. Cousin of ABDULLAH Beg, KHAIRI Beg & Co. and also brother – in – law to them. Pro – Turk but not openly for fear of loosing his job.

### AHMED NAJI EFFENDI

Aged about 32. Ex– Mudir TAHRIRAT KIRKUK a good scribe and reputed clever but is in decidedly penurious circumstances. His wife and the wife of HOSSEIN Beg NAFTGEZADEH are sisters of the murdered Qaimmaqam of KIFRI BEHJET Beg. Owns the village of YERAMGEH near ALTUN KEUPRI. Has a particularly evil cast of countenance. Morose and surly and a heavy drinker. Distinguished himself in a moment of pot valiant frenzy by ordering the proprietor of a Teashop opposite his house to cease playing Arabic records on his Gramophone and

confine his attentions solely to Turkish airs. His orders being complied with, NAJI, transported with patriotic fervour and throwing both his fez and discretion to the winds – pirouetted round the Tea – shop emitting beery vivas for MUSTAFA KEMAL and the Turks, This ebullition on his part was a contributory factor in the acceptance of his resignation shortly afterwards.<sup>65</sup>

#### ALI FUAD

Aged 35. A relative of IZZET pasha. Ex – clerk in the Serai. Dismissed for dishonesty and now associates with the pro – Turkish party. Was an official in the Maliyeh in Turkish times and acquired property and riches while in office.

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<sup>65</sup> Ahmed Naji Al-Hirmizi, member of Iraqi Parliament until his decease 1952

## K I F R I

### SAYID MUHSIN AGHA

Aged about 60, owns considerable property in KIFRI. Actual head of the TALISHANI family. Related to JEMIL Beg BABAN (q. v.) and one of the wealthiest men in KIFRI most prominent pro – Turk and voted so to the League, s Commission in March 1925. keeps a large Diwankhaneh. Is in touch with all Turkish intrigue in KIFRI. Is uncle of Sayid QADIR and cousin of Sayid , OMER Agha.

### HAJI RASHID CHELEBI

Aged 50. KERMANJI kurd. Is uncle of IBRAHIM YOUSUF BABAN. The wealthiest merchant in KIFRI. Has pro – Turk tendencies.

### SAYID QADIR – Y – HASSAN AGHA

Aged 30. Lives in KIFRI and owns the village of TILLISHAN (7 miles south of KIFRI) Sister of ALI HASSAN is wife of Sayid, OMER who is a cousin of Sayid QADIR.

His mother is sister of JEMIL Beg BABAN. Net overburdened with sense. Related to the ZANGANA (like other KIFRI Sayids) Alleged to have assisted in the hold up of the train at CHRMEN KEUPRI in 1920 and was in correspondence with the rebel bands operating in the KIFRI area in Aug. and Sept. 1925.



### SAYID OMER AGHA

Recognised head of the TALISHANI family in all business matters. One of the wealthiest men in KIFRI and reputed to be very fair and straight in business matters has pro – Turk sympathies.

### OSSMAN EFFENDI

Ex–Mal Mudir. Aged about 50. Pro – Turk. Befriended IBRAHIM YOUSSEF BABAN (q. v.) the murderer of the Qaimmaqam of KIFRI. Was found guilty of peculation and malconversion and convicted on 27–11– 21, but IBRAHIM YOUSSEF (q. v.) procured his release and sheltered him whilst a fugitive from Justice, sending many applications on his behalf to Government.

### SHAIKH RASHID

Aged 70. Ex – Qadhi KIFRI. ROWANDUZI. Pensioned in July 1925. Inadequately sentenced IBRAHIM YOUSSEF BABAN ( q . v. ) to a paltry fine when the latter was before him on trial. Turkish propagandist.

### JEMIL BEG BABAN

Aged 45. Lives in his village of KANGERBAN just outside KIFRI. A keen cultivator and farmer and one of the most powerful and influential men in the XIFRI

area. Elected Deputy to the "IRAQ Assembly in 1924 and resigned through fear.

MOHAMMED SAEED EFFENDI (Ex – mufti)

Aged about 60. Ex – Mufti and Qadhi of KIFRI. Pro – Turk.

ABDUL MAJID EFFENDI

(Ex – katib Tahrirat at KIFRI)

Was suspended on the 18th February 1925 for failure to attend Office and for having given vent to public utterances that the Turks were shortly returning to KIFRI. A heavy drinker and suspected of previously indulging in the lucrative traffic of a "GOWARD "

## **Chapter Four**

### **Kirkuk Massacre in 1924 and Terrorizing Kirkuk People**

No light was shed on the first massacre the Turkmens suffered less than one year after the young Iraq state was established. This massacre was a clear message from the British Administration of Iraq and its allied powers to the sons of Kirkuk who defended their national values.

In response to the growing national awareness in Kirkuk and other Turkmen regions, the British forces arranged for effective massacres that would silence the Turkmen voice. They started the massacre as was planned, supported by members of the Teyarian Army, who started a fight at the Grand Market in Kirkuk on the morning of the 4<sup>th</sup> of May 1924. As a result, the British troops retreated from the place and came back with bigger force, giving the Teyarians the freedom to rob, kill and do whatever they like. In addition to that, the British troops followed the Turkmen activists to their houses and murdered them, shooting them in front of their families.

Iraqi police forces intervened, and imposed a curfew especially after the government noticed that other Turkmens were flooding into the place to help their fellow brothers; therefore, the officials tried to prevent them from entering the city by imposing the curfew. In addition to that, the government distributed flyers asking the people to control themselves and remain rational.

By reading the British documents we were given access to, we were able to see that the whole process was aimed at subjugating the Turkmen lion in Kirkuk, and satisfying the instinctive greed of some sick people who were after quick material benefits. Some of these evil spirited people played a vital role in this massacre and were rewarded.

In support of the claim that these incidents were carefully engineered, or at least expected, is the fact that the Teyarians involved had shortly before committed a crime in Mosul, in the Atma Market. However, the government did not punish them, but rather transferred them to Kirkuk as a kind of invitation to commit another crime.<sup>66</sup>

**British Intelligence Report:**

On 8 May 1924, the officer of the special services department in Kirkuk sent a classified report to his headquarters in which he illustrates the reasons that led to the hostility between the people of the city and the Teyarians, who were full of pride at being members of a British troop. The report states that even Kurds hated this troop. It is noticeable that when referring to the Turkmen, the officer uses the word (The Kirkuklies).

It is also obvious that the officer is trying to absolve the incomers, and blame the natives for making up troubles to have the Levies removed from Kirkuk.

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<sup>66</sup> Abdulrazzak Al Hasani: Tarikhul Wazarat al-Iraqiyya “History of Iraqi Cabinets”, part 1, 7<sup>th</sup> print, Educational Affairs Dept., Baghdad, 1988, P.206.

The report mentions that the incident started when one of the Teyarian soldiers was shopping in the market from a grocery shop that sold sugar and coffee; and eyewitnesses said that both parties were quite provocative. The report adds that, because of Ramadan, the long month of fasting that causes fatigue and stress, the shopkeeper's temper was frayed and he started to swear at the soldier's beliefs and religion. The Teyarian soldiers, who understood the insults, dealt harshly with some people in a manner that was disrespectful to Islam.

The report mentions the details of the return of the soldier involved, and his testifying after taking the Bible Oath that the shopkeeper started attacking him and intentionally made him angry by swearing at his religion. As a result of that, the Assyrians, who were filled with anger that made them forget the discipline imposed on them by the British officers, hurried to the market where the fight was.

The report adds that the merits of the incident were not clear before the investigation of the specialized. One should note that the Assyrians sheltered in the houses of the castle, which overlooked the police station and markets. Gunfire broke out, and as a result 50 Muslims were shot, some because of random shooting and others as result of the settling of old scores. Several cases were recorded that indicated shooting at planes flying over the city.

Incidents of robbery on the 5<sup>th</sup> of May are mentioned in the report, for the report claims that the shops and houses of the Christians were robbed; and that the

stealing that started early in the morning did not stop until very late. Moreover, the report claims that 8 or 9 Christians were killed and that Muslims took advantage of the incidents for material benefit.

In addition to all that has been mentioned, the report describes the situation in the streets of Kirkuk as disgusting. Sick people are said to have started collecting anything of value, and that sewing machines (Singer brand) were carried on donkeys by some of the Levies. Gentlemen were barely walking because of the heavy clothes they stole. The garbage of the Grand Market was covered with silk and satin. Even children were bargaining with people to sell them piles of stolen goods.

The report states that the compensation claims to be submitted would consume Iraq's annual revenues, for every single resident in the city participated in the festival-like incidents. It states it was difficult to know the truth, for there were so many counter witnesses, and both thief and the victim could submit compensation claims without evidence to support them. The report mentions that most of the Levies participated with the residents, for the first robbed and the second stored.

The report concludes that there were attempts to embarrass the government, and that the supporters of Sheikh Mahmoud and the pro-Turks had started these events for political reasons. It supports this argument by stating that the Levies was in the city for six months and no similar incident happened; and that the Turkmens did not doubt those people and

that any struggle could be taken to the local authorities. In addition to that, the incidents started at the time when most of the troops involved were in Chamchamal, and the rest were with their families or originally resident in the city. Starting the incident at the time of Eid clearly reveals the purpose intended behind sending the troops outside the city center.<sup>67</sup>

Time has proven most of these claims wrong since the Iraqi government adopted certain measures to prevent such incidents occurring again; the Levies in Mosul did not reveal any hint that their troops were involved in later reports. For example, a report dated 24 June 1924 was sent by Colonel Dofreen, commander of the Iraqi Levies, to the Central Command of the Air Forces in Baghdad. It states that the report of the officer of special services in Kirkuk who claimed that the Levi Army members were involved in the robbing and stealing was incorrect, for most of the Army's member were away from the city, and those who remained there were controlled by the commander of the second batch and by British officers, and it concludes that the opinions of Intelligence were totally mistaken. Not only that, he says that he was in Kirkuk during the incident, and saw the services officer many times in the morning, and he was in the dormitories when that officer came and stood on the balcony of the building mentioned in the claim about the Levies stealing anything.

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<sup>67</sup> Officer Anson Report on 8 May 1925, saved in file No. AIR23/569 in the British National Archives, London.

The Colonel continues by saying that two men were caught stealing by the commander of the garrison, and they were whipped by orders of the garrison commander and with his personal approval. The report adds that the commander of the First Brigade strongly denies any serious involvement of the Levies in the incidents of theft included in the report mentioned earlier. And he agrees what Colonel Shepard said since he was onsite that day<sup>68</sup>

The matter the afore-mentioned Colonel tried to hide is mentioned by Officer G.A. Anson, the same officer who sent the first report immediately after the incidents. Certain parts of that report were sent to the Levied Army Command Center in Mosul to be studied. In the second section of that report we read: "My grounds for this statement were provided by personal observation. At about 10.15 A.M on Monday the 5<sup>th</sup> May, I was returning from the aerodrome and, when opposite the fort, noticed two troopers from the Iraq Levies accompanying a donkey with a sewing machine near shop which I was subsequently informed had been broken into a few minutes previous to the incident above recorded. Approximately half an hour later I observed another trooper from the Iraq Levies leading a donkey bearing a Sewing Machine. This was on the road leading to the aerodrome from the Beglar quarter, and the man and donkey were proceeding in the

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<sup>68</sup> Report No. E.L.8637 from the Levi Command Center to the Air Base Command in Baghdad, File AIR. 23/569 in British National Archives.



direction of the house of Hossein Beg (Naftjizade)>  
As I had previously reported, both to the Inspecting Officer of police and the o/c 1<sup>st</sup> Regt., that looting was being carried out on all sides, I considered that it was not desirable for me to involve myself further in the affair.”

In the third section also we read:

“During the course of the morning of May 5<sup>th</sup> I observed many incidents of looting. In a large number of cases men from the Iraq Levies were assisting the townsmen. Noticed Levies selling bottles of drink to the townsmen in the middle of the street opposite the fort, and from the balcony of the officer’s mess in the Fort I saw shops being broken into further up the street by parties of Iraq Levies. Articles such chairs and tables were being carried away by townsmen while the more portable commodities were divided up amongst the Levies.”<sup>69</sup>

These attempts did not succeed in hiding the truth behind the terrorizing of the people of Kirkuk in such hard times while establishing the young Iraqi state. Confessions that contradict the attempts to blame the locals for what happened started to flow in; thus, the government formed special investigation teams to reach the truth of what really happened. It is evident that the special services officer was fully acquainted with what really happened, and he gave a full testimony about the violations that took place

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<sup>69</sup> The report has been attached to the letter of Baghdad Air Forces Head Quarter to Levies Command in Mosul no. Air/579/740 on 2<sup>nd</sup> June 1924 asking for a response, British National Archives, London, File Air23/569

against the locals, correcting most of what had been mentioned in the first report. The officer wasn't satisfied with that, so he recorded his testimony and revealed the truth about people involved in the incident. It was clear that the Levi Army couldn't hide the truth that appeared in the government documents later on.

It appeared later that only 11 out of 102 shops damaged were non-Muslim, and 2 out of 84 people whose goods were burnt were non-Muslim. As for the 13 residents that were robbed, they were Turkmen.

The Saray Kirkuk report No. 340 dated 20 May 1924, and which is signed by Captain Miller, the administrative inspector at the Ministry of Interior in Kirkuk; and addressed to Consultant of the Ministry of Interior as a reply to the consultant's enquiry on the 14<sup>th</sup> of the same month, mentioned clearly:  
"The only witnesses who can be of any use in identifying Asstrians are:

1. Wali s/o Abdullah, Tailor, who can identify Officers Apram and Maxut and Sergt. Elia because he has worked for them. He states that these three entered his house on the Qala'a in Hamam Mohalla (next to the Christian Quarter) where he saw them seize his mother who gave them money.
- 2- Mother of the above, who from behind her door saw these same men shoot the young son of their neighbor Sayid Amin.
- 3- Wife of sayid Amin(now deceased) who, whilst possibly unable to identify individuals, saw the same

men as entered her next-door neighbor's (Wali Abdullah) come into her house and kill her son and wound her husband.

4- Chaiji Yahya who from a little distance witnessed the shooting of the son of Sayid Amin. He has described and thinks he can identify one Assyrian officer and states that one of the Assyrians wore a police brassard.

5- Shukri Effendi, i/c Municipal Soda and Ice Plants, who saw an Assyrian Officer named Aga zari collect some men round him after the Parade was dismissed, harangue them in a wild manner and throw his hat on the ground. He then drew his revolver and fired in the air."<sup>70</sup>

The British Higher Commissioner had issued a communiqué in the Turkish language addressed to the people of Kirkuk. He said: "I was deeply touched by what happened yesterday. And starting today, we will remove the Assyrian soldiers, who will be evacuated from the city, and sent to remote areas; and the elected British officers will be subjected to investigation, and I promise you, if any one is proved guilty of involvement, we shall save no one from punishment. Moreover, proper compensations will be paid

March 5, 1924

British Higher Commissioner,  
H. Dobbs<sup>71</sup>

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<sup>70</sup> The report K.340 on 20 May 1924, British National Archives, File Air 23/569

<sup>71</sup> *ibid*, P.206

On 11 May 1924, the Iraqi government issued a communiqué signed by the director of publications, in which it says: "We announce with deep remorse and regret, that two batons of the Assyrian Levies in Kirkuk were furious on the 4<sup>th</sup> of May, and their condition resulted in a number of deaths among both the locals and the Levies.

The reason behind that anger is that a disagreement arose over the prices of certain goods between two soldiers of the Levi and some shopkeepers. After that the soldiers went back to their camp and told their colleagues about the humiliation they had suffered in the market. When the British officers of the Levies heard about that, they reviewed the soldiers, unarmed them and announced that the shopkeepers would be punished. They then dismissed the soldiers after this reassurance.

It was bad luck that the Levies passed a café, and exchanged insults with people there, and attacked them. After that they rushed to the city and were prevented by the police from crossing the bridge to the city. They went back to the camp stole their weapons and came back to the bridge and passed over it into Kirkuk against the will of the police. The clash with the locals resulted in many dead people. When their officers were able to muster them, they were removed from Kirkuk to Chamchamal; and British troops were sent by air to maintain peace in the city. The next day, his Excellency the British Higher Commissioner was flown to Kirkuk. Comprehensive investigations were carried out, and no effort was spared to identify the criminals, and to punish them and compensate those who were

injured. In addition, the Iraqi government is interested in arranging for the trial of those criminals in accordance with the Iraqi law.<sup>72</sup>

The government, upon local pressure, had to establish a committee to count the damages, human and material, the Turkmens suffered; and promised fair compensation. The government did allocate cash money for compensating the registered people, but the Mayor and the Municipal council used the money, and so little was distributed.

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<sup>72</sup> *ibid*, P.207

## **Chapter Five**

### **Gavurbaghi Massacre in Kirkuk**

#### **12 July, 1946**

The Turkmens have always, through their history, suffered from different kinds of suppression and torture; but have never given up their national identity.

The massacre of Kirkuk on 12 July 1946, which came during the strike of the Oil Company's employees between 3-16 of July, is considered a clear example of the policy of racial suppression, and of phony reasons for denying the legitimate demands required by civilized human rights.

As any great power, the British, who were stealing the resources of Iraq, blamed the "trouble makers" to avoid satisfying the fair and humanitarian demands of the people of Kirkuk. The government used to say that these legitimate demands would not exist if it weren't for either "Communist Powers", or support by foreign parties from outside Kirkuk.<sup>73</sup>

In this chapter, we will try to shed light on this important history the details of which remained secret because of the "hushing up" policy adopted to conceal it, and to prevent the media talking about it

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<sup>73</sup> Stephen H. Longrigg mentioned that the strike instigated by people from outside Kirkuk, "Modern History of Iraq 1900-1950", translated by Salim Taha Al-Tikriti, AL Fajr Publishers, Baghdad 1988, P. 553. In addition to that, the British Embassy, while corresponding the Iraqi government, used to describe situations in this manner.

fearing that the truth would reach the free press and the international community. And to this end, the government of Arshad Al-Omari closed a lot of newspapers in Baghdad after they published the injustice the citizens suffered, and the random shooting of the unarmed striking employees.<sup>74</sup>

I believe that the Turkmen and Iraqi society did not have the chance to look at these details because of the blackout policy surrounding the incident. Moreover, the information published in the newspapers and that mentioned in the book of the famous researcher Abdulrazzaq Al-Hasani were inaccurate, for they heavily depended on governmental documents and special letters sent directly to the author. The demands of the workers mentioned were quite inaccurate since the book lacks the proper background of the incident. The truth is that a secret struggle between the government and the British Embassy in Baghdad took place, because the Embassy didn't like the implied approval of salary raises mentioned in the government's communiqué, and adopted a policy of threats to end the whole situation.

We believe that light can be shed on the true nature of this incident by the following: the documented details available in the British documents that we were able to see at the Ministry of Foreign Affairs, and the correspondence of the British Embassy in

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<sup>74</sup> Sayed Abdulrazak Al-Hasani: *Trikhul Wazarat al-Iraqqiya* "History of Iraqi Cabinets", 7<sup>th</sup> print, Educational Affairs Dept., Baghdad 1988, P.118.

Riyadh that is stored at the British Historical Manuscripts Commission in London, and which we believe are being distributed for the first time. Previously, certain details exposed for the public, whether in the government's communiqué or in the company's negotiations, proved to be wrong. Moreover, the demands of the labors were transferred orally with no clear definition, and there was no accurate census for the number of the killed and wounded.

The demands of the Oil Company labors during the strike were:

- 1) The Company shall build comfortable residences for the labor, or grant them housing allowances.
- 2) Social Security system against unemployment, aging and disability.
- 3) Define the minimum payment for labors by 250 Iraqi Fils per day plus 170 Fils as living expenses raise, so the daily wage will be 420 Iraqi Fils.
- 4) Transportation to and from the place of work.
- 5) Treat them equally like their colleagues in the Haifa branch by granting them war risk allowances that is equivalent to 72 working days allowances each year.
- 6) The company shall stop the arbitrary dismissals and not oppose union work.



The number of the laborers who participated in the strike reached five thousand<sup>75</sup>, which proves the usefulness of the Embassy and government's claim that foreign parties were influencing the laborers of Kirkuk. The strike of the 12<sup>th</sup> of July was a demand to release the detainees and prisoners who were locked up because they had demanded their legitimate rights.<sup>76</sup>

In a classified letter No.6350, dated 16 July 1946, which is the same day the strike was ended by declaring the response to some of the laborers' demands, Sir Stonehewer Bird, the British Ambassador in Baghdad, wrote to the British government that labor demonstrations took place on the 12<sup>th</sup> of July against the orders of the Mayor of Kirkuk, and that shooting occurred between the police forces and the protestors the result of which was 5 dead labors and 14 wounded, and 6 wounds suffered by the local police.<sup>77</sup>

The Ambassador informed his central administration that Mr. Odesly the Labor Counselor in the British Embassy at Cairo, who was responsible for handling the situation, had visited Kirkuk on 13 July and met with the Mayor of Kirkuk and representatives from

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<sup>75</sup> Hanna Batatu: Iraq, Al-Kitabul Thani, Al-Hizbul Shiouey "Iraq-Second Book- Communist Party", translated by Afif Al-Razaz, Arabic Researches Center, Beirut 1992, P. 190.

<sup>76</sup> Mohammad Hanafi Jaffar: Britaniya wal Iraq, Hikba minal Sir'aa 1914-1958 "Britain and Iraq-Struggle Era 1914-1958", Educational Affairs Dept, Baghdad 2000. P.159.

<sup>77</sup> British National Archives, Foreign Ministry File 371/52456

the oil company. The report mentions, in addition to that, that Mr. Odesly thought that the Mayor's actions were correct.<sup>78</sup> Moreover, it states that the Labor Affairs Director at the Ministry of Social Affairs, along with an inspector from the Ministry of Interior and a number of senior police officers visited Kirkuk in the evening of the same day, and a relatively small demonstration took place in the evening of 13 July protesting against what was going on. The Ambassador ended his report by saying that the strike was over, and security had been restored again.<sup>79</sup>

On 20 July 1946, Ambassador Bird addressed a five-page letter No. 456 to His Excellency Dr. Fadhil Al-Jamali, Iraqi Minister of Foreign Affairs as follows:

**My dear Doctor Jamali**

I am rather disturbed to see that, according to the press, the prime Minister stated at his press conference on July 18th that the Government supported the demands of the Iraq petroleum Company workers. I feel that I should perhaps take this opportunity to explain the position as I see it. I know that you yourself are already familiar with its outlines after the interview you were good enough to accord to Mr. Audsley, but a week has passed since then and there have been developments deserving of comment.

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<sup>78</sup> The Mutasarrif "Governor" at that time was Hasan Fahmi.

<sup>79</sup> The Ambassador refers here to the crowds that escorted the funeral of those killed, and the demonstration that accompanied it.

You will remember from your conversation with Mr. Audsley that he began by dealing with the six demands put forward by the workers. I will take these in order.

**First: Housing.** The workers demanded either that the Iraq Petroleum Company should build accommodation for them or that rent allowances should be granted. I understand that at the moment the only Iraqi Government Departments which provide accommodation for their workers are the Iraqi State Railways, the Basra port Directorate and the Department of Irrigation. As far as I can ascertain no other employer of labour in Iraq, Governmental or private, makes any arrangement for housing its workers, nor is any such arrangement laid down by Iraqi law. The Company are already discussing with the Government arrangements for the accommodation of workers where this is possible, but owing to shortage of materials it will be some time before the scheme is completed. Meanwhile it is suggested that they should recompense the workers for the rents they have to pay. These are unfortunately high, as they are throughout Iraq owing to the complete absence of any governmental control of rents. If therefore the Company were to meet the workers' demands under this head in full the immediate result would be that workers all over the country would make similar demands on their employers (whether the Iraqi Government or private individuals). In fact the question is one which does not touch the I.P.C alone, it should not be regarded as a question peculiar to Kirkuk but as a national question and I trust that the Government will take

early steps to examine the question of rent control on a national basis. Meanwhile the Acting Manager of the Company at Kirkuk has proposed to London that a rent allowance be granted. If this proposal is approved by the Company there can hardly fail to be repercussions throughout Iraq.

**Secondly: Social Security.** The workers demanded that the Company should make payments for unemployment etc. As Mr. Audsley pointed out to you, no employer whether governmental or private in the United Kingdom or the U.S.A. (which countries, I am sure you will agree, may be reasonably regarded as advanced in these matters) makes such grants to workers. This is a State question and the Company feel, and I entirely agree, that the Iraqi Government should investigate this national affair under Article 30 of the Iraqi Labour Law No. 72 of 1936.

**Thirdly: Increases in wages.** The Company had already increased the high cost of living allowance with effect from the 1st July last, and as a result of requests made subsequently have agreed to propose to London that instead the basic rate of pay should be raised. It will give you some idea of the nature of the workers, demands when I repeat what Mr. Audsley told you, namely that the original minimum wage was 80 fils per day basic rate plus 120 fils high cost of living allowance, total 200 fils. Which the Company of their own accord had raised to 250 fils. The demand of the workers was for 250 fils basic pay plus 170 fils high cost of living allowance, total 420 fils. I know you agreed with Mr. Audsley that this question of wages was a most serious one for the

country as a whole. If there is a considerable increase in wages in Kirkuk the immediate effect will be inflation in the town, that is to say prices will rise astronomically and those who are not employed by the Company and whose wages have therefore not been increased will find themselves in a parlous condition. Furthermore it is impossible to limit this sort of inflation to one area. Demands will be made elsewhere in Iraq for similar increases of wages and as it will be difficult to refuse these, if they have already been granted by the I.P.C., there will be a general rise of prices throughout the country though only industrial workers will have benefited by the rise in wages. The immediate result is that the agricultural workers who form the vast majority of the population will be unable to buy the ordinary necessities of life and there will be serious, and I venture to say justifiable, discontent. Furthermore the whole external economic position of Iraq will be affected by any indiscriminate rise in wages since the prices of Iraqi products which are already in general much higher than elsewhere in the world will rise, and the difficulties of selling Iraqi goods elsewhere and thus obtaining foreign exchange will be immeasurably increased. I cannot therefore sufficiently stress the vital importance in my view of the Iraqi Government, in taking urgent steps to fix nationwide rates of pay and see that they are enforced on employers throughout the country and not in one area alone. In fixing such rates the Government will, I am sure, bear in mind the dangers of considerable increases to which I have drawn attention.

**Fourthly: Transportation.** The workers demanded that the Company should provide transportation from their homes to their places of work. At the moment the Company provide transportation from their central assembly point just outside the municipal area to the places of work, and they are prepared to continue to do this though they are experiencing grave difficulties owing to the shortage of suitable vehicles and tyres. They do not however feel that it is reasonable for them to run a bus service within the municipal limits. This I consider is the responsibility of the Municipality, and I understand that Mutasarrif himself agrees in principle with this. I am told, however, that subsequent to Mr. Audsley, s visit the Director of Labour in the Ministry of Social Affairs has taken the line in Kirkuk that it is impossible for the municipality to run a bus service. Why Kirkuk should be exceptional in this respect I do not know, but I venture to express the hope that the difficulty will be overcome. I should add that the demand of the workers for transportation from their residences to the assembly point is in any case rather exaggerated since the distance is 1.2 kilometres or, say, a quarter of the length of Rashid Street. While therefore I agree that any Municipality should run an adequate bus service in its area, I feel that the demand may perhaps have been inspired more by a desire to embarrass the Government and the Company than by real necessity.

**Fifthly:** The workers having ascertained that the I.P.C. employees in Haifa had received 72 days, war bonus allowance, demanded a similar payment. In the first place I must make plain my view that

payments made in Haifa are related to conditions in Palestine which are entirely different from those in Iraq. There is no more reason for Iraq to follow Palestinian practice than for her to follow the practice of oil Companies in, say, Burma. The bonus given by the I.P.C. in Haifa was according to Palestine Law and was granted by all other employers of labour throughout Palestine. The Company Kirkuk are of course, bound by Iraqi Laws and regulations which provide for the payment of 45 days, basic pay without allowances. In fact the I.P.C. in Kirkuk paid very considerably more, namely 60 days, pay without allowances (up to a maximum of ID. 30) and 36 days, pay with allowances. I am confident that no other employer in Iraq, whether Government or private, was so generous to its employees.

**Sixthly:** the workers requested that there should be no victimization of those who went out on strike. This assurance the Company were delighted to give, and you may be certain that it will be honoured.

As Mr. Audsly told you, the Company and the Mutasarrif felt that the time had come when the Mutasarrif should issue a statement in Kirkuk somewhat on the lines of the foregoing paragraphs and such a statement was indeed drafted for the approval of the Minister of Economics and the Director – General of Labour in the Ministry of Social Affairs, who were expected to visit Kirkuk shortly. The Minister unfortunately found it impossible to stop in Kirkuk but though, as you remember, the prime Minister stated at our interview on July 17th that the statement had been published, I now learn that no such full explanation of the attitude of the Company

and the Mutasarrif has yet been given to the public. The only statement which the Mutasarrif has been authorized to give is a brief one merely explaining that the Company had asked London for authority to raise the basic rate of pay instead of the high - cost of living- allowance and in addition to grant rent allowances.

I am sure you will agree with me that this leaves us in an unsatisfactory position. The Company have every reason to believe that 90 per cent of their workers are completely loyal and that they have only been led away by agitators, many of whom did not even come from Kirkuk and the majority of whom have only been in the employment of the Company for a month or two. As Mr. Audsley told you, it is important that an early opportunity should be taken to inform the loyal workers that they are being blackmailed into striking by outside pressure and to make clear to them the attitude of the Company which, as I have stated above, is purely that, while they will never fail to carry out in both letter and spirit any laws or regulations passed by the Iraqi Government and applicable to the whole country, they cannot be expected to deal with the labour problem in Kirkuk as if it were entirely separate from that in any other part of the country.

The vast majority of the workers are returning to work and it is I think important to seize this moment to explain the position fully to them. I trust therefore that that the Cabinet will authorize the Minister of Economics to instruct the Mutasarrif to issue a statement on the lines agreed between him and the Company. If this not done at an early date I think that



the Company will themselves feel justified in making the position clear to their workers, since they cannot reasonably be expected to bear the responsibility for increasing wages and allowances and providing other facilities at considerable expense, thus fostering inflation in Iraq and inevitably giving rise to similar demands from other workers throughout the country. These matters can only be decided by the Government and the Company can be relied upon to assist to the limit of their ability. I need hardly say that this Embassy will also be delighted to help in any way possible.

In this connexion your Excellency mentioned to Mr. Audsley that it might be useful if he could advise on such social matters. I understand that Mr. Audsley informed you that he had been sent to the Middle East by Mr. Bevin specifically in order to assist and advise any government which was interested. He is already working in areas as widely separated as Persia and the Sudan, but he will I know be prepared to return to Iraq to discuss the question as soon as his many other engagements permit. Mr. Audsley also suggested that if the Iraqi Government desired a permanent adviser he would do his very best to ensure that an expert from the British Ministry of Labour was procured without delay. I need hardly say that I regard this question also as one for the Iraqi Government, and I am therefore not taking steps at the moment to ask Mr. Audsley to return or to inform Mr. Bevin that we require the services of a member of the staff of the Ministry of Labour. The Iraqi Government will no doubt inform me in due course if they are in favour of this proposal.

Before I bring this letter to a close I feel it important to mention two further matters.

As I have already stated, there is no doubt that the agitation at Kirkuk was largely, if not entirely, inspired by outside sources. The names of the individuals are known to the Mutasarrif and I am strongly of the opinion, which I understand that Mr. Audsley expressed to you, that the Government will be wise to take immediate steps to see that all such agitators are removed from the Kirkuk area. I do not suggest that it will be necessary to do anything so drastic as to imprison them. It would suffice if they were obliged to live under surveillance in other areas.

Secondly, it is obviously of vital importance that the workers should be well led and that the places of the agitators who have been removed should be taken by solid citizens who have had experience of the Company ( the Company themselves suggest that three years should be considered the minimum service for this purpose and I consider this reasonable ) I am sure that if the Mutasarrif is given instructions to this and he will find that the Company will be only too willing to collaborate with him in proposing suitable candidates whom the workers could be induced to elect as their representatives.

I would like to take this opportunity of reiterating Mr. Ardsley's view that the Mutasarrif of Kirkuk and his assistant have behaved throughout this difficult period with great viadon and restraint. Mr. Audsley has had more 35 years, experience of industrial

disputes and I am much impressed by his remarks about the Mutasarrif.

In conclusion I should state that I have thought it best to address this letter to you rather than to the Minister of Economies because, owing to the short time at his disposal, it was only with you that Mr. Audsley was able to have an interview and you are therefore familiar with the background of the case. I would like to report what Mr. Audsley said to you, namely that our position in this matter is not that of protecting a British interest in Iraq. Our only desire is to help in ensuring in our mutual interest that stable conditions for workers are achieved throughout the country as rapidly as possible. Until such conditions obtain, there will I fear always be the gravest risk of disturbances which would have a devastating effect on the political as well as on the economic situation in the country. (It is for instance perhaps worth bearing in mind that the Iraqi Government drew some 11,000 per day from the Iraq Petroleum Company as Loyalties. When, as during the recent strike, production had to be reduced by some 50% the Iraqi Government were losing some 5,000 a day for which I am sure they could have found fruitful employment for instance in starting a municipal bus service in Kirkuk) I would also like to urge the importance of speed in this and all other matters connected with social reform. I entirely agree with His Excellency the Prime Minister that it is a wise thing to plan ten years in advance, but those who for their own ends wish to see chaos in Iraq will not rest idle at this time and I am sure you will agree that it is of vital importance for the Government to remove

justifiable causes of discontent by giving immediate tangible evidence of their intention to improve the social condition of the people. I would for example suggest that the work of recovering the victims of the recent floods in Bagdad be started forthwith, as such capital can undoubtedly be made by political agitators and trouble makers out of the truly deplorable conditions in which these people are now existing.

**Yours very sincerely  
(Signed) Hugh Stonehewer Bird.**

This letter tells us that both the British government and the Iraq oil company were dissatisfied with the calls for improving the laborers' conditions, as they did not like the government's way of calming things down by listening to and answering the demands of the labors, or even granting them the least of their legitimate rights. Moreover, it appears from this letter that the Iraqi government's claim that the laborers presented their demands to the Minister of Economics is incorrect, for the Minister did not visit Kirkuk because he was in a visit for the northern territories.<sup>80</sup>

The same accusations that the whole incidents were engineered by foreign elements were repeated in a periodical report issued by the Oriental Department

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<sup>80</sup> That was mentioned in the government's declaration issued by the government on 13/7/1946 , Sayed Abdulrazak Al-Hasani, *ibid*, P.115. The mentioned Minister of Economics was Baba Ali Sheikh Mahmoud.

of the Ministry of Foreign Affairs, dated 16 September 1946 and presented to the Minister under the number 9317 as a reply to the enquiry whether the oil company treated its employees equally or not. Moreover, special emphasis was laid in this report on annual labor wages being raised to 260 Fils with daily housing allowances ranging between 50-75 Fils without raising the living expense allowances.<sup>81</sup>

The Iraqi government delegated the Deputy Director of Appeal in Baghdad, Judge Al-Sayyed Ahmad Al-Taha to investigate the merits of the incident. He submitted a report, and “Lewa’ Al Istiklal” (Independence Banner) newspaper was able to get a copy and published it on 4 October 1946. The content of the report was:

- 1) The Striker’s actions were negative, not positive; i.e. they did not resort to violence.
- 2) The meeting wasn’t a security potential hazard.
- 3) The police knew about them and they were watching them, and they did not anything more in the last day of the strike.
- 4) They were all unarmed.
- 5) All that they did was stone the policemen after the latter attacked them with sticks and shot at them.
- 6) Most the dead and the wounded were shot while they were leaving.
- 7) The police’s actions were beyond reasonable limits while trying to end the strike.

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<sup>81</sup> British National Archives, London. *ibid*

8) The administration had suspended innocent people who had nothing to do with the strike.<sup>82</sup>

Mr. Abdullah Al-Kassab, Minister of Interior, proposed that the Mayor and the police chief of Kirkuk be transferred from Kirkuk, but the Prime Minister did not do it although he agreed initially. It was rumored at that time that the reason why he did not do it was pressure from the British Embassy. It is worth noting that the Mayor Hasan Fahmi was killed in an accident on 18 November 1946<sup>83</sup>, and that the police chief, Abdulrazzaq Fattah, was fired.

It was difficult for the Minister of Interior to accept the shooting of the striking labors without properly punishing the guilty. When the Prime Minister refused his demand, he resigned.<sup>84</sup> Shortly afterwards, the whole Cabinet resigned on 16 November 1946.

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<sup>82</sup> Sayed Abdulrazak Al-Hasani, *ibid*, P.118.

<sup>83</sup> The next Governor was Mr. Abduljalel Berto.

<sup>84</sup> Sayed Abdulrazak Al-Hasani, *ibid*, P.119.

## **Chapter Six**

### **Kirkuk Massacre 1959**

#### **The Incident and the Truth**

The ever bleeding wound of the massacre of 1959 that the Turkmens witnessed is still evident, and its scars will remain forever to remind them of their leaders and beloved ones who died.

A lot has been written about this bloody massacre, and we do not intend to re-open wounds here, but history must record what happened in Iraq during that era, since many officials denied any responsibility for this horrible massacre, and others tried to distort the truth and blame others.

The following study will try to clarify everything, and present the Iraqis with the truth, and will extend an idea about the nature of that bloody incident, supported with documents shown to the public for the first time after being classified for so long.

Nadhim Al-Tabakchali, the commander of the second division of the army in Kirkuk was arrested subsequent to the uprising of Colonel Al-Shawaf in Mosul, and was replaced by Brigadier Dawood Al-Janabi. The latter gave the green light to communist gangs to virtually run the affairs of the city. Initially he ordered the closure of all Turkmen newspapers (“Al-Bashir, Al-Afaq”) and Kirkuk’s municipality newspaper. Furthermore, most of the journalists working for those newspapers and many political activists opposed to the government were arrested and exiled to the southern provinces. Included

among them were many lawyers, physicians, civil servants and businessmen. Some were kept under house arrest while others were sent to prisons in Baghdad. Having achieved these objectives, Al-Janabi was encouraged to issue arrest warrants allowing trespass into and search of exclusively Turkmen homes and businesses. He also ordered the military police to arrest those on whose premises a gun was found. This policy was aimed at disarming the Turkmen and rendering them helpless to defend themselves, although mysteriously soon afterwards, the communists began to relax their pressure on the Turkmen. In June 1959, discriminatory court orders were cancelled and the exiled Turkmen began to return home, unaware of the fate in store for them within just a month of their return.

Clandestine communist pamphlets instigating violence and intimidating the Turkmen and the Arabs were presented to the Security Directorates. Some of those pamphlets were even offered to Abdel Kareem Qassim and the Chief Military Commander. Nevertheless, both ignored the consequences and did not take any action to stop them. After a review of the affairs in the city of Kirkuk, Qassim recalled Brigadier Al-Janabi to Baghdad. This angered the communists and the "Party" (the name given to the Kurdish political party) members. Civilian delegations representing both parties went to Baghdad to meet Qassim, the President, and demanded the return of Al-Janabi to Kirkuk. Qassim denied their request and assigned Colonel Mohammed Abdel Razzak to command the second division.



Preparations to celebrate the anniversary of the coup that ousted the royal family were enthusiastically carried out all over the country. On July 14, 1959, representatives of the Turkmen Civil Service, labor unions, bar association, medical society and other guilds and organizations, prepared to take part in a march organized in accordance with the directive of a special government committee. Obviously, the majority of the participants in the procession were Turkmen, representing as it did the ethnic composition of the population in Kirkuk. Those citizens not participating, including students, the youth, businessmen and others, organized another general procession and arranged to merge with the official march to show their support for the new government and to add to the celebration. The official marchers arrived at the site of the old bridge at the end of the big market and started to move towards the Qoria district through Atlas Street. Simultaneously, the popular marchers came from Majidiye Street and turned around the police headquarters to merge with the official marchers at the top of Atlas Street. At this juncture, with the arrival of the advance guard of official marchers at the entrance to Atlas Street in the area between the Western Middle School and 14<sup>th</sup> of July Café, the sound of discharging firearms could suddenly be heard, followed immediately by the firing of automatic weapons. The immediate reaction was, understandably, chaos and panic among the marchers, terrified by their fear of what might ensue. In fact, unknown to the marchers, interspersed among them were individuals posing as supporters,

carrying banners; as if at a pre-arranged signal, they threw down their banners and suddenly produced firearms. One group attacked the 14<sup>th</sup> of July Café and murdered the proprietor Othman Khidir who was busy distributing water and soft drinks to the marchers, with no inkling of what was happening. The authorities promptly imposed a curfew while allowing the mob, for three terrible days to go on a rampage while hunting for the political leaders and the activists among the Turkmen. Innocent citizens were taken out from their homes, killed and then their bodies dragged through the streets in the most gruesome manner. Many of the victims had their legs tied to the fenders of cars, which were then driven away with the bodies trailing behind them. This was a re-enactment of the of the previous year's bloody events during the coup in Baghdad. Most Turkmen businesses were looted. Two movie theaters (the "Atlas" and the "Al-Alamain") were shelled by mortars, and meanwhile, all the entrances to the city were cordoned off to prevent anyone escaping, or rescuers coming from neighboring Turkmen or the government. Martyr Abdullah Abdul Rahman was able to escape from the city, and managed to reach Baghdad and inform the President, Abdel Kareem Qassim, of the dreadful crimes and atrocities being inflicted on the population of Kirkuk. Some accounts of the incident point out that Colonel Mohammed Abdel Razzak was then under the surveillance of the Communists and members of the "Party". He called Qassim and requested rescue forces. A brigade of infantry was dispatched but, regrettably, it arrived only on the third day of the massacre, after the perpetrators had for

the most part succeeded in killing and terrorizing the Turkmen and their leadership. Numerous buildings were set on fire by the mobs and the army commander requested help from the Iraqi Petroleum Company. Immediately, available fire engines were dispatched. The mob prevented the engines from reaching the burning building and even some of the engines were set on fire. The Commander of the Army called the local hospital requesting ambulances to come and remove the corpses of citizens that had been dragged in front of the Army Headquarters and left hanging there on posts in the heat of July for three days. Yet again, the mobs prevented the ambulances from arriving and there were even attempts to burn them. With the arrival of military reinforcements from Baghdad in Kirkuk, the 4<sup>th</sup> Brigade's forces were disarmed. By this time, it was clear the Kurds had previously planned the massacre and had accomplished their objective: Turkmen citizens of the city were the sole victims with 25 dead and 140 wounded. Many business premises were completely destroyed. The names of the martyr-victims of this appalling atrocity are listed below:

Retired Major Ata Khyrullah  
Physician Major Ihsan Khayrullah  
Qassim Neftchi  
Salahaddin Awchi  
Mohammed Awchi  
Jahed Fakhruldin  
Othman Khidir  
Emel Fouad  
Jihad Fouad  
Nihad Fouad

Nurradin Aziz  
Abdullah Bayatli  
Ibrahim Ramadhan  
Abdul Khaliq Ismail  
Hassib Ali  
Juma Qanber  
Kadhim Abbas Bektash  
Shakir Zeynel  
Haji Nejim Mohammed  
Anwer Abbas  
Adil Abdul Hamid  
Zuhair Izzet  
Kemal Abdul Samad  
Fathula Yunis  
Seyid Ghani Al-Naqib

A special commission was dispatched from Baghdad to investigate the events, and in a very short time they reported their findings, supported by photos, to Abdel Kareem Qassim. In a speech on the occasion of the opening of the Mar Yousif Church on July 19, 1959 he described the atrocities committed in the city of Kirkuk. He threatened to retaliate and to take a tough stand against the perpetrators. He emphasized that Turkmen, Kurds and Arabs were brethren in Iraq, and therefore "we should not do injustice to each other". Later on July 29, 1959, at a press conference, he presented photographs of the mass graves, bulldozers filling the graves as well as corpses hanging from light posts and the archway at the entrance to the Army's Second Division Headquarter in Kirkuk.

Qassim described the crimes perpetrated on the Turkmen as barbaric and comparable to the bloodthirsty crimes committed by Hulaghu Khan, who had sacked Baghdad in 1258. He said "Neither Hulaghu in his time nor the Zionists had committed such atrocities". He asked, "Can this be the action of organizations that claim to be democratic?" He also offered his deepest condolences to the Turkmen people whom he described as "peaceful and traumatized citizens." He also warned that the culprits who had committed those crimes would be held accountable. In another speech, delivered after a few days, on the occasion the opening of a new studio for the Iraqi Radio Station, he suggested naming the studio: "Turkmen Studio," as a gesture of sympathy to the Turkmen for what they had suffered.

Qassim ordered an investigative commission headed by Staff Colonel Abdul Rahim Abdul Sattar, Director of Military Operations to investigate the massacre. Many witnesses were interviewed and comprehensive accounts of the principle events were documented, along with an additional mass of evidence. One of those witnesses, with the courage to testify to the events, was Staff Colonel Esmail Hamdi Al-Janabi, first staff officer of the second division during at the time. He outlined his version of what had actually happened and informed the commission that all the crimes perpetrated against the Turkmen could not be justified on the grounds of any provocation whatsoever from their side. Furthermore, he condemned the negligence of government agencies and responsible authorities, who had failed to consider serious warnings received

about of the possibility of such a massacre. This courageous individual, a man of integrity and honesty, was eventually penalised for his stand in defence of the Turkmen, by having his (well-earned) promotion to the rank of brigadier denied. He subsequently resigned from the military and took up the practice of law.

Unfortunately, after surviving an assassination attempt in November, 1959, Qassim reneged on his promises and pardoned those communists and partisans who had formerly been condemned, and in January 1960, during a press conference in Salam Hospital, officially repatriated them, blaming the United Arab Republic (Egypt) and the Baath Party for all that had happened.

The majority of those responsible were court-martialled and, after lengthy deliberations and reviews of convincing, incriminating evidence relating to many of them, 28 criminals were sentenced to death. Accomplices and those who had provided them with shelter were sentenced to various terms of imprisonment. However, the death sentences were not implemented until June 23, 1963 during the administration of the First Arab Socialist Baath Party, which ordered the execution of the communists who had previously been sentenced to death. In addition, Brigadier Dawood Al-Janabi was sent to the gallows on February 11, 1963

On 18 July 1959, the Turkmen citizens presented a memorandum to the Iraqi Prime Minister then, Abdulkareem Qassim, as follows:

“The only crime we committed during the republican era, which was a reason in addition to other reasons for the recent massacre of Kirkuk and which resulted on the death of a lot of people, is that we did not indulge in, join or even support certain groups. We are confident now that these groups are willing to start a racial genocide against the Turkmen, whom they believe are an obstacle in front of their separative aims. The previous incidents in Kirkuk during the reign of the nation’s traitor and the vehicle of colonialism, the previous commander of the second brigade Dawood Janabi, stand as examples for intentions of the devastators and anarchists, and their supporters. Kirkuk has witnessed a gloomy cloud of terrorism and suppression in their country in its worst of days, and that cloud was deliberately directed against us, the Turkmen. The previous mentioned commander had arrested more than a thousand Turkmen, detained them, and subjected them to different ways of torture that was carried out by the officers and higher ranks in the corridors of the camp of the second brigade. That torture was carried out under the eyes and ears of the commander, and under the supervision of the investigation governor, Botrous Marouki, the court president, Awni Yousef and the deputy of security director, Sheikh Rida Al-Kolani. All which did not satisfy the officials; therefore, they ordered a comprehensive investigation hoping that they would find arms and ammunition so they could convict the

detainees of treason, but God's justice is greater than everything, and good intentions do look white as snow in front of people; they did not find anything more than some licensed hunting rifles and pistols. The result was that the officials went crazy at that, distorted the truth and demanded supreme commissions in Baghdad arresting those people, exiling them from the district, dismissing tens of military and civil employees, and transferring a lot of them, mostly teachers, upon the recommendation of the public organizations and unions directed by opportunism. At the same time, there was an active movement organizing and mobilizing the anti-republic people from the Kurds and communists. Thus, huge amount of arms, including the licensed ones stolen from citizens, were distributed to the civil defense troops and sabotaging organizations. Moreover, it is needless to remind you that the robbing and blackmailing of the rich through threats and terrorism were continuous and paved the way to genocide of the Turkmens in Iraq".

**Merits of the case:**

We can browse the pages of this tragedy through the following points:

1. At the time that the National Front, which constitutes the Communist Party and some of the Partisans, boycotted the ceremonies of the 14<sup>th</sup> of July, most Turkmens organized extensive parades and celebrations and built triumphal arches all over the city. More than 130 arches were decorated with the picture of the only leader and the Iraqi flags.



2. The public democratic organizations and the National Front started to harass the Turkmen citizens everywhere by holding the Russian flags, shouting and holding ladders and chains (We are the National Front...Iraqi-Soviet friendship for ever), (Turkmens will die) or (We are the National Front, no retreat and no change). All the Turkmen did was shout (No leader but Kareem....No leader but Kareem).

3. At half past seven in the evening on 14<sup>th</sup> of July, the grand parade organized by the Turkmen, and in which the organizations of the national front participated for certain aims, passed the street. And suddenly, some opportunists started to attack the people lining the pavements, using pre-prepared stones and sticks. The parade dispersed, and the people escaped to their houses, frightened. After that, the troublemakers attacked the triumphal arches, broke and burnt them down although they were decorated with our only leader's pictures and the dear Iraqi flags. They attacked all the arches save that of the (People's Union), which belongs to them. In addition to all that, they attacked the Café of the 14<sup>th</sup> of July, Bayat café and Al-Alamain cinema, killing their owners, dragging them onto the streets and hanging them on trees.

4. At nine o'clock, an announcement cited by the second brigade imposed curfew on the city. Thus, streets were empty, safe for the armed members of the organizations of the national front who attacked the Imam Qassim police station and seized all the

weapons in there. It is worth knowing that the Reserve Lieutenant Nouri Jamil Al-Talabani had ordered members of the military discipline troop to arm the unarmed members of the national front party.

5. Those people started to sabotage everything in the city, for they attacked the Turkmens' shops and houses. They stole everything and burnt what they could not take. The robbing and burning continued until three o'clock in the morning.

6. In the morning of the next day, i.e. on 15/7/1959, the troublemakers started attacking individual houses, killing the people in them, dragging them onto the streets and hanging them from trees and posts. These barbarous actions continued for three days until army troops arrived from Baghdad and controlled the situation.

Evidence that proves that this incident was engineered by the National Front:

**First:** Rumors were spread all over the city that a disaster would happen on 12/7/1959. But the troublemakers did not do anything that day in order to reassure the citizens and encourage them to participate in the celebrations of July the 14<sup>th</sup>, so they could victimize a larger number.

**Second:** Some members of the National Front indicated to their Kirkuk-residing families and friends the importance of evacuating children and women from the city before the 14 July. As for the men who

wished to stay, they should dress like Kurds, soldiers, or wear the National Front special costume. A proof of that is what Marouf Barazanji, Mayor of Kirkuk, said to Namiq Agha Al-Dawoudi. It is important to note here that the Mayor used the slaughterhouse's car to carry people from neighboring Kurdish villages, a matter that forced the commissioner of Karahasana region to seize the car and the driver.

**Third:** On 12<sup>th</sup> of July, many delegations of Kurdish tribes, representatives of public organizations and members of rural associations arrived at Kirkuk to participate in the massacre of Gavurbaghi, because these delegations remained in the city after the 14<sup>th</sup> of July.

**Fourth:** Members of the National Resistance Party did not participate in the evening march of July the 14<sup>th</sup>, but they came as quick as they could, and fully armed when the incident began, thus ignoring the Military Governor's communiqué that prevented them from possessing any weapons.

**Fifth:** The National Front did not participate in any ceremony organized by the Turkmens or any other loyal minority, for they did not participate in building the triumphal arches, parades, and they did not even show joy on that day.

**Sixth:** All the communiqués issued by the National Front were printed at the printing house of the Municipality by a direct order from the Mayor, who is a member. Moreover, he (the Mayor) designated

nearly all of the pages of Gavurbaghi newspaper that belongs to the Municipality, especially for the Party and its propaganda.

Evidence that proves the involvement of some of the army's units:

**First:** All the communiqués issued by the National Front were cited by loudspeakers from military cars.

**Second:** The dead bodies were dragged in the streets by military cars.

**Third:** All the money and goods stolen from the Turkmen's shops and houses were carried by military and civil cars.

**Fourth:** What proves that the militants were involved is that they did not arrest any robbers at all.

**Fifth:** Military Discipline unit members were visiting the special houses with members of the Front, arresting people by claiming that they had an official warrant from the center. After that they killed them and handed their bodies to the Front members to drag on the streets. We mention here, for example, what happened with the late Retired Colonel Ata Khairullah and the late Mr. Qassim Naftchi.

**Sixth:** The curfew was imposed only on the Turkmen citizens, while the members of the National Front and those who were dressed like Kurds were allowed to wander freely in the city.

**Seventh:** Both the Atlas and the Al-Alamain cinemas were bombed by the artillery of the army under the supervision of members of the Front.

**Eighth:** The orders issued by the National Front to the military personnel were carried out to the letter. Evidence proving that these incidents were engineered by the Separatists and Anarchists:

1. Most of those killed and dragged were Turkmens, although there were some killed and wounded among of the soldiers and members of the Front. Deaths among the Front members were due to their struggle while robbing and dividing the shares from the money and goods stolen from the Turkmens houses and shops.
2. Some members of the soldiers and the national resistance party were seen holding the Soviet red flag that represents Separatism, and the Russian flag was on the building of Democratic Youth (over their sports club).
3. All the cheering glorified the Anarchists and called for the death of the opposing parties.
4. A lot of communiqués had been issued by the National Front. One of these communiqués offered a reward of 2000 Iraqi Dinars for any one bringing the head of administration of the second battalion, Colonel Abdullah Abdulrahman, for he was a Turkmen who disappeared after the Front seized command of the Battalion.

5. After anarchists controlled the city, the army closed all the roads leading to the city except Suleimaniyah road, in order to allow more anarchist troops, Kurds and others, into the city when needed.

**The way of dealing with the situation, and the restoration of security:**

That situation left a very terrifying impact in the souls of the Turkmen citizens to the degree that most of them started to think of migrating and leaving the city. They were anxious to the degree that their inner peace and calm would never be restored unless the following measures were adopted, which are sufficient to heal the situation arising from the recent incidents. The following measures were urgently demand by the Turkmen to restore their rights:

1. Assigning one of the most loyal army officers as commander for the second battalion, and assigning a very strict Governor.
2. Forming an investigative committee from loyal and neutral men, provided that the committee should include a Turkmen elected by them.
3. Severely punishing those responsible for the massacre, so they will be an example for others with intentions of doing similar actions.
4. Developing the System of Administration in the army and police in Kirkuk from the anti-regime elements since the current elements were controlled by anarchists.
5. Returning all the citizens, employees and teachers who were exiled by Dawood Janabi.

6. Dissolving the National Resistance Front and other organizations in Kirkuk.
7. Compensation for the losses.
8. Returning the phone lines taken by the second battalion to their original owners.
9. Ensuring that Kirkuk shall not be attached to the jurisdiction of Kurdistan's Educational Directorate, because Kirkuk has never been a part of Kurdistan.
10. Some Kurdish groups manipulated a text in the interim constitution indicating that Arabs and Kurds are partners in this country, and they started to interpret that to claim that the constitution did not mention any rights for the Turkmens. But the practical actions were in the favor of the Turkmens, so we wish a more comprehensive text that includes all the people of Iraq to be substituted for that text. We hope this letter will be treated with concern on your part, and that you will accept our deepest gratitude and thanks.

The Turkmen Citizens.<sup>85</sup>

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<sup>85</sup> Dr. Nouri Abdulhamid Al-Ani :Tarikhul Wazarat fil Ahdul Jumhuri "History of the Iraqi Cabinets in the Republican Era", volume 3,Darul Hikma Publishers, 2001, p. 47.

Moreover, the Turkmen citizens wrote a letter to the General Military Governor as follows:

“The Honorable General Military Governor,  
We believe that you comprehend that there is no difference between he who actually carried a gun and he who encouraged carrying a gun, especially if that was for the sake of committing a massacre, the result of which was the death of citizens loyal to their nation and president, and this was clearly stated in the president’s speeches and press conferences. And since all the powers concerned, at the head of which the president, you and members of the investigation committee of the Kirkuk massacre, have done your best against those who participated in the horrible massacre of Kirkuk; and whereas some of those who encouraged and planned for the massacre, and gave the orders to both the military and civil troops are still free, and weren’t included in the legal procedures that are intended against them; we, and as a kind of participation for the sake of justice and to help the committee in their task, extend you this letter showing in it the names of the master brains of the massacre provided by the following evidence:

1. The communiqué of the National Front dated 16 July 1959, that is the second day of the massacre. The attached copy is clear evidence that all the organizations and private members of the Front are directly responsible, and in other words, carried out the lion’s share of the massacre; and this communiqué was a preamble for all of that.
2. The communiqué of the Front distributed to the people of Kirkuk days before the massacre is



evidence of the intentions of the members. Attached is a copy of the communiqué.

3. Members of the National Committee of Peace in Kirkuk, who are well known to the authorities, issued a call to arouse the people against whom they call (reactionist) or (followers) and who were exiled or detained. The call was distributed on 14 July 1959, and attached is a copy.

4. Itihad Al Sha'ab in its issue No.147, dated 18 July 1959 published a letter with the names of the representatives of the democratic organizations in Kirkuk, whom the Prime Minister refused to meet after the massacre, for they wrongfully accused the Turkmen citizens of conspiring against themselves, and of faking the massacre as being carried out by the Zionists. Attached is a copy of the letter.

5. You know that the army went into the city, and some officers and privates participated in the massacre, and robbed people. And you know that some of those officers still retain their positions.

6. Most of the names mentioned in this letter have been accused, but the rest remain without charges or any indication of responsibility. We hope that this letter will be treated accordingly by you since it can only help in achieving justice".<sup>86</sup>

Two lawyers and a retired soldier signed this letter.

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<sup>86</sup> Ibid, P.51- and Lawyer Jasim Mukhlis: Dhikrayat Nadhem Al-Tabakchali wa Muthakkarat Jasim Mukhlis "memories of Nazim Tabakachali and Lawyer Jasim Mukhlis" Asriyah Bookstores, Saida-Beirut 1969.

Things weren't good at all, since unfortunately Abdulkareem Qassim, after being subjected to an assassination attempt, exculpated the Communists and Partisans. For he held on 2 January 1960 a press conference at Assalam Hospital, when tried to rehabilitate the Communists and Partisans whom he had previously condemned, and blamed the United Arab State and the Ba'ath party.

Most of the people involved in the massacre were presented for trial in military courts, which conducted long trials. Evidence proved the charges, and most of the accused were convicted. Twenty-eight of those convicted were sentenced to death, and the rest were sentenced to different periods of imprisonment. The sentences, however, weren't put into effect until 23 June 1963 during the reign of the first Ba'ath party, who executed all those among the communists who were sentenced to death, after executing Dawood Janabi on 11 February 1963.

#### **Merits of the Massacre in the British Documents:**

The British government, like the government of the U.S.A, whom the British said had a different report, followed the developments of the massacre of Kirkuk. Moreover, the situation was of concern to other neighboring countries, which asked for clarifications from the Iraqi government.

On 18 July 1959, the British Embassy sent a report to the British Ministry of Foreign Affairs, which said:<sup>87</sup>

“You will have seen press reports of trouble in Kirkuk. It is difficult to get accurate information. Iraq petroleum Company employees in the fields are not affected. The town is sealed off. Rocket – firing aircraft are said to have been used against parts of it and there has possibly been mortar fire. No trains have been running in or out of Kirkuk. Trouble is apparently continuing. Eastern Bank has been closed today. The Bank’s employees are all right.

The trouble started on July 13 when a Turkish café was set on fire by a Kurdish crowd and several Turks were killed. An official figure of twenty five killed has been given to the Turkish Military Attaché by the Iraqi DMI, but the numbers are probably higher. There are unconfirmed reports that troops of the Second Division, largely composed of kurds, sympathized with the rioters.<sup>88</sup>

Sporadic incidents with probably a few deaths continue in Baghdad. A number of sources report that Colonel Shamseddin, the president of the First Military Court, was forced to fire on communists in self defence after he had given refuge to a Nationalist. The office of the anti – Communist

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<sup>87</sup> Telegram of Sir Trivilian to the Ministry of Foreign Affairs No. 973 on 18/7/1959, saved at file F.O. 371/140919 at the British National Archives, London.

<sup>88</sup> The commencing date of the massacre reported mistakenly by the Embassy and corrected later on.

newspaper “Baghdad” has been wrecked, though its press seems to have survived.

Recent incidents in the countryside have been reported by Chancery letter. We do not yet know whether they have continued over the celebrations. Kerbala observed the Shiah month

Of the four new members of the Government probably the only actual member of the Communist party is the lady. Abdul Qadir Ismail has told my Pakistani colleague that. In spite of the prime Minister’s promise to license parties in six months time, the Communists will not suspend party activities”.<sup>89</sup>

And On 19 July 1959, the British Embassy sent a report to the British Ministry of Foreign Affairs and stated in it:

“According to reports to the Turkish Embassy here by the Turks from Kirkuk who have now arrived in Baghdad, the trouble began in the evening of July 14, although preparations may have been made by the Kurds earlier. After the Turkish café was set on fire, a Kurdish mob, swelled by members of P.R.F., attacked houses of the leading Turks, some of whom were killed. Kurdish troops of the second division joined in and for the whole of July 15 the situation was out of hand. Some Turks took refuge in the Citadel, from which dissident Kurdish troops tried to dislodge them with mortars.

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<sup>89</sup> She was Nazeeha Dulaimi who has been appointed as Minister of Municipalities.

During July 16 order was restored by armoured and infantry units from other divisions and the situation is now described as under control and calm. The P.R.F. are off the streets. Casualties are thought to be not more than 50. Aircraft were only used for dropping leaflets.”<sup>90</sup>

In a telegram addressed as “Kirkuk Riots” on 20 July 1959, the Embassy has mentioned as follows:

“The Chief of the General Staff told me that casualties were 31 killed and 130 injured. The most severe measures would be taken against those responsible and a Committee of Enquiry had already gone to Kirkuk. The Foreign Minister told me that the trouble was started by deliberate Communist provocation. Some of the troops had failed to act and it had, therefore, been necessary to send troops to Kirkuk from outside. Everything has been quiet for the last two days. All foreign nationals were safe.”<sup>91</sup>

Later on the same day and as a response to the requirement of the Foreign Office, the Embassy has reported as follows:

In a speech by the prime Minister on July 19 to the Catholic communities, the following points were included:

a) Recent incidents in some towns and villages, and particularly in Kirkuk, were condemned. He would

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<sup>90</sup> British Ambassador’ telegram 978 dated 19 July 1959. *ibid*

<sup>91</sup> British Ambassador’ telegram 983 dated 20 July 1959. *ibid*

bring to severe account those responsible, punishing only the offenders.

b) The Government had at their disposal forces capable of crushing any anarchic elements.

c) The People were urged to stop actions of provocation against each other.

d) Fanaticism for community, sect, creed or ideology was condemned as a source of disunity.

e) The Government were determined to see to it that the people of Iraq lived in peace and security.

f) People should not heed exaggerated allegations of plots to undermine the Republic.

g) To those who said "no freedom to the enemies of the people" he said that the enemies of the people could only be identified by the authorities and law and not by scattered individuals who spread fear among the people.

h) The Army, police and the night watchmen were there to protect the people.<sup>92</sup>

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<sup>92</sup> Telegram of British Embassy 984 on 20 July 1959, *ibid.*

The British Embassy sent a detailed report on 24<sup>th</sup> July 1959 which says:

#### July 14

Outbreak of violence when a Kurdish mob supported by the P.R.F. attacked a Turkish coffee shop because they objected to some Turkish writing on a decorative arch. The coffee shop was destroyed and the owner killed.

This led to a general attack on the Turkish quarter in which a number of leading Turks were killed and shops and public buildings were set on fire. The mob had obtained arms from a police station which they had attacked.

Kurdish troops of the Second Division joined with the mob and the P.R.F. in attacks on the Turks. A curfew was imposed by the Government but this was ignored by the Kurds. Some of the Turkish community managed to barricade themselves inside an old fort.

#### July 15

Kirkuk remained in the hands of the Kurdish mob and the P.R.F. throughout the day.

The mob tried to attack the Turks in the fort and they were supported by dissident troops of the Second Division.

### July 16

Government reinforcements arrived under the command of Colonel Abdul Rahman Arif (Director of the Armoured corps and brother of the late Deputy prime Minister). He ordered troops of the Second Division to barracks and the P.R.F. to their homes. Preliminary steps to restore order were taken and the Turks were persuaded to leave the fort.

The commander of the 19<sup>th</sup> Infantry Brigade (Qasim, Brigade) Abdul Karim Mohammed, arrived from Baghdad and took over command of the Second Division.

### July 17 – 19

Law and order was restored.

In piecing together our evidence, it seems that the riots did begin as a clash between the Kurds and the Turks but the Communists took full advantage of the disturbances. It is not unlikely that they expected disturbances to take place and made certain preparations beforehand. It is a matter for speculation whether there was in fact a well laid Communist plot or whether, as seems more likely, it was a case of skilful Communist use of a disturbed situation which they had expected beforehand.

We have heard no further estimate of the casualties than that given to the Ambassador by General Abdi – i.e. 31 killed and 180 injured. Of course there are the usual wildly inflated rumours.



There is no doubt that the government takes a serious view of the situation. Their determination to enforce law and order was emphasized by the Prime Minister in his speech on July 19. A number of measures to this end have been taken during the last few days and it is significant that General Abdi, the Military Governor-General, and the military authorities are involved in most of these measures. Examples are:

The Committee of Enquiry in Kirkuk itself. This seems to have got going quickly and yesterday General Abdi issued an appeal to the refugees from Kirkuk to return home so that they could give evidence before the Committee and help in the punishment of the guilty.

The appointment of military officers for various districts of Baghdad to help to expedite the existing judicial procedure. This practice may be followed in other parts of the country. It may well lead to violent Communist reactions but it shows that the Government means business.

The law about public assemblies (Chancery letter No. 1647/4/59 of July 23) is extremely timely.

The vigour with which the wimpeys' strike at Basra was dealt with by the authorities is a welcome indication of the Government's intentions.

As might be expected, the Communist press has published its own version of Kirkuk. The Communist line is set out in a memorandum which a delegation

from Kirkuk is supposed (according to Ittihad al Shaab) to have tried to hand to the Prime Minister but were “unable to do so” I enclose a copy of the full text of the memorandum for the record. As you will see, it takes the line that reactionary elements attacked forces loyal to the Republic when they were celebrating the 14<sup>th</sup> July. These forces are alleged to have attacked the P.R.F. and the loyal troops of the Second Division. Because of the pro – Communist line taken by some elements of the Second Division the memorandum is able to suggest that the Army was on the side of the true patriots in opposition to reactionaries.

I should mention one other possible consequence of Kirkuk. Cairo Radio seems to have made the most of the Kirkuk uprising, describing it as the “most serious event since the Mosul revolt last March” and suggesting that there were at least a thousand killed and wounded. I had an opportunity to speak to the Minister for Foreign Affairs for a few moments this morning. He told me that the line taken by Cairo Radio, which has not so far resulted in counter – attacks by Baghdad Radio, would if it was continued make more difficult the chances of a truce between the U.A.R. and Iraq.<sup>93</sup>

In a similar telegram from the British Embassy in Ankara to the Eastern Department of the Foreign Office on 25<sup>th</sup> July 1959, the British Ambassador in

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<sup>93</sup> Confidential report 10133/6/59 dated 24 July 1959 to Foreign Office, British National Archives, File F.O 371/140920

Turkey referred to the British Ambassador in Baghdad telegrams 973 and 978 and said:

“The accounts which the Ministry of Foreign Affairs have received from their Ambassador at Baghdad seem to tally almost exactly with Sir Humphrey Trevelian, s reports. Kunalp, the Deputy Secretary–General at the Ministry, informed the Baghdad pact Deputies on July 23 that 25 Turks had been killed. The only part of his account of the trouble which did not coincide with Sir Humphrey Trevelian, s was that the Turkish Ambassador at Baghdad thought that one of the main purposes of the disturbance was to upset friendly Turkish – Iraq relations and that the Communists were behind it all.

Kunalp said that since the reaction of the Iraqi Government had been correct, and since they had gone to some pains to make it clear that they disapproved of the Kirkuk events and would take steps to punish the offenders, the Turkish Government did not intend to take any action vis- a- vis the Iraqi Government.”<sup>94</sup>

About the reaction of the Iraqi Prime Minister Abdul Kareem Qassim and how he was about to precede, a telegram of the British Embassy in Baghdad on 30<sup>th</sup> July 1959 said:

(1) It is significant that the prime Minister feels able to hold press conference in advance of the findings of

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<sup>94</sup> British Embassy in Turkey telegram to Foreign office no. 365/10/10210 dated 25July1959,ibid

Kirkuk committee of enquiry. One object must have been to prepare the people for the sharp sentences which are likely to be imposed on those found guilty.

(2) Qasim is said to be greatly shocked at the brutality revealed by the committee, s investigations and to have decided, quite apart from political considerations, that the guilty must be severely punished. He told the press off the record that casualties so far amounted to one hundred and twenty one killed and one hundred and forty seriously injured – all Turks.

(3) As usual, Qasim is careful not to mention Communists by name – indeed he refers to action against parties – but the Communists are the obvious target. Spokesman of Ministry of Foreign Affairs appears to have told the press that this was most severe attack yet on the Communists. When I saw the Minister of Education about Cultural Convention this morning he said it was a most important step against Communists.

(4) As a result of revelations during the police raids on Students Union and elsewhere, Government seems determined to begin a move against Communist influence in the Students Union, trades unions and peasants Federation. Soon after the press conference a telegram was broadcast from twenty five members of one union calling for the dissolution of them – and of the General Federation of Trades Union because they followed “guidance of a particular political party”. Members called for fresh election.

(5) The prime Minister's criticism of the press seems mainly to have been a "lead – in" since Communist press has been comparatively mild during the past week. "Ittihad al Shaab" has confined itself to querulous complaints about Kirkuk and a reasoned advocacy of national unity.

(6) Two new statements by Military Governor reported in my telegram No. 1025 make up a list of such statements which must be unprecedented in number and scope since the revolution. Abdi is reported to have made a tough speech at the press conference.

(7) Some routine military precautions appear to have been taken in Baghdad but at present all is quiet.

(8) Editorial on press conference in "Ittihad al shaab" agrees that attacks on citizen's freedom should be firmly checked. The paper had not condemned "brutal violations" in Kirkuk because it had not sufficient information about them. The Communists along with other democratic organizations had appealed to the people to obey the curfew proclaimed in Kirkuk by the army. The rest of the Communist press takes a similar conciliatory line.

(9) The Turkish Ambassador who had been instructed by his Government to seek information about Kirkuk told me yesterday that he had been given much helpful information by Hashim Jawad. He leaves for Ankara today.

(10) I am to see the Minister for Foreign Affairs on August 3.

The Embassy has attached an annex of the statements of the Military Governor- General, Ahmad Salih Al-Abdi in serial order:

July 19

Disturbances have taken place in Kirkuk. The situation is now normal. A special committee has been sent to investigate. Offenders will be brought to justice.

July 19

Senior Army officers representing the Military Governor – General, s office have been appointed in six Baghdad districts to regulate and expedite complaints submitted to police departments and judicial authorities.

July 21

Call to Kirkuk refugees to return home and give evidence before the investigating committee.

July 22

Carrying of all firearms (whether licensed or not) and of all offensive weapons prohibited. Army, police and security services authorized to search persons suspected of carrying such weapons.

#### July 25

Persons in official and semi – official departments have assumed the name of Committees for the Defence of the Republic and have interfered in matters which do not concern them, thus obstructing other officials and harming the public interest. All officials and employees are therefore called on to confine themselves to their own work. Responsibility for supervising the work of employees rests exclusively with the heads of departments who alone can take disciplinary action.

The Government has not so far licensed the so – called Committees for the Defence of the Republic. Therefore anyone assuming this name or interferes with employees or terrorizes them is liable to punishment under the penal Code. Officials must at once inform their heads of department of any interference with their duties from any source. The officially appointed purge committees will assist heads of departments. The Prime Minister has ordered that all employees should have their rights and their future assured and should know that all measures affecting them will be taken justly and without discrimination.

#### July 29

In view of the postponement of P.R. F. training and the relieving of the P.R.F. all duties throughout the country, the wearing of P.R.F. uniform is prohibited. The Army and security authorities are empowered to arrest offenders.

Law No. 151 of 1959 regulating and restricting public assemblies was published on July 20 (Chancery letter 164/4/59). Objections rose by the Communists when it was circulated in draft in May, have been ignored.”<sup>95</sup>

Another telegram on 31<sup>st</sup>. July 1959 the British Embassy in Baghdad addressed to the Foreign office has stated its comments on the press conference of the Prime Minister:

Qasim’s press conference on July 28 (our telegrams 1024 and 1025) was fully reported the next day by all the local press. With one exception, all papers followed the official handout. We have not sent you this as you will have been provided with it by the B.B.C. Monitoring Service. Al Thawra, however stuck its neck out by publishing an unexpurgated version of the proceedings. The main additions, as published by it, are:

Show me one killed from the opposite side. The enemies of the people are those who know who dragged the sons of the people. (He also showed photographs of women and children.)

Sawt al Ahrar (i.e. voice of the Free) or Sawt al Fascist, the important thing is that the newspaper should not deviate.

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<sup>95</sup> Telegram of the British Embassy in Baghdad No.1029 dated 30 July 1959, British National Archives F.O 371/140920



A plot was planned against the people of Kirkuk, and they were dragged from their houses by cars. Some are still alive, and under treatment.

I will show maps drawn by the Students, Union dividing Baghdad into sectors for dragging the sons of the people. For example: the house of so – and – so – “to be dragged” (under suspicion) and many names, some “under suspicion” and some “to be dragged” A whole row marked “to be dragged”, including the house of Kamil al Chadirchi. Mulla Mustafa al Barzani's house in Karkh was marked “to be dragged” Is this the duty of the Students, Union?

He specifically referred to Ittihad al Shaab's constant mention of plots, when saying that newspapers should plot alone.

He gave more details about the way in which these maps were marked up, both in Kirkuk and in Baghdad, and attacked the Union for interfering in party politics.

When you mention imperialism, do not specify it, but just say imperialism.

The peasants Association is to solve the problems of the peasant ..... We miscalculated the situation. The Ministry of the Interior should have licensed the associations according to the law, and then organized elections. The existence of Kadhim Farhood does not mean that he can behave according to his fancy, and not issue licences without

consulting his party. We did not come for such things.

Believe me; I became ill on account of the barbaric acts committed in Kirkuk in conditions of terrorism.

The organizations there (i.e. in Kirkuk) did not, I regret to say, work liberally.<sup>96</sup>

The Daily Telegraph Newspaper in London stated on 31<sup>st</sup>.July 1959 that: IRAQI anarchists, feeling the effect of the attack on them last night by Gen. Qassim, the Prime Minister, are beating a tactical retreat. Already, inside 12 hours, there have been a substantial number of resignations from Left – wing trade unions.

The newspaper quoted the speech of Qasim saying that the Kirkuk atrocities, as he declared, had made him feel sick, they had kept him awake at night.<sup>97</sup>

A remarkable telegram of the British Envoy in Istanbul-Turkey on 3<sup>rd</sup>.August 1959 stated:

“I asked M. Zorlu on July 30 whether he regarded the Kirkuk incident (in which a number of the Turkish minority in Iraq were killed and injured) as having been disposed of between the Iraq and Turkish Governments. He said that he regarded the matter as closed. He was satisfied that the Iraq Government

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<sup>96</sup> Telegram of the British Embassy to the Foreign Office No.1013/321/59 dated 31<sup>st</sup>. July 1959, *ibid*.

<sup>97</sup> Daily Telegraph, London, 31 July 1959

were sincere in their statement of deep regret at the incidents and had taken all possible measures to find out what had occurred and to punish those responsible. He added that the Turkish Government had had considerable difficulty in restraining the Turkish Press from pursuing the subject too vigorously.”<sup>98</sup>

The British Embassy in Ankara has sent also a telegram on August 8<sup>th</sup> 1959 which stated:

“I asked the Director of the Asian Department of the Ministry of Foreign Affairs here the other day whether he had any new information on the situation in Iraq, either from the Turkish Ambassador at Baghdad or from the Delegation which had gone to Baghdad for the July 14 celebrations.

Benler analysed the situation very much on the lines of telegrams we have seen here from Baghdad and nothing worth reporting special to you emerged. He did however say that he was collecting views in Ankara with a view to briefing the Turkish permanent representative on the North Atlantic Council for a discussion on Iraq there. The Turkish Government would be particularly interested to know at that discussion what their Allies thought on the two following points:

What impression had Communist action in Kirkuk had upon Qassim personally. He had counter – attacked strongly but the Turks still felt that he would

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<sup>98</sup> Telegram No.6 on 3<sup>rd</sup>. August 1959, *ibid*.

probably have to continue to try to balance Communists and ultra – Nationalists.

Had Moscow really wanted the Kirkuk riots to happen on the scale they did at this particular juncture or had the Iraqi Communists gone further than their masters wanted? The Turkish Government had a feeling that it was definitely engineered from Moscow as the Soviet Government was worried about Turkey's friendship with Qassim."<sup>99</sup>

Minutes of meeting are prepared in the Eastern Department of the British Foreign Office about the letter received from the Political Adviser of Gulf & Europe Company Mr. Copland, who was based in Beirut. This is one of the reports which the Foreign Office used to receive from what we believe were special sources to enrich its political researches.

The Minutes indicate as to regard to Kirkuk incidents that the information of this report is quiet accurate, detailed and more realistic than the other sources, though it put reservation on the concentration of the report on some dissidences in the Army at the time of this incident and non abidance of some battalions to the military discipline and to communist influence. However the report thinks that the racial trend was more effective.

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<sup>99</sup> Telegram of The British Embassy in Ankara No. 10210/380 dated 8 August 1959, British National Archives, London- File F.O 371/140921

We also observed that the British intelligence reports defers from the United States analyses adopted by the Ministry of State with regard to Kirkuk riots. The British trend admonishes the optimistic view of the United States sources toward the developments in Iraq in spite of the prime uncertainties in the Iraqi politics and the control of the communists in regard to politic affairs.

The report suggests that Abdul Kareem Qassim knew what is going on in Kirkuk from the first hours of the incident; however he did not deliver any speech to the reporters or the diplomats for four days and waited to know the result in order to decide his stance.

The report which was drafted on 31<sup>st</sup> July 1959 is interesting because it has gathered the semi confirmed information from western, Turkish, Egyptian, Lebanese and Iraqi sources.

The report refers to Kirkuk incidents as follows:

“Turkoman in Kirkuk claim that they knew “something was up” as much as ten days before the troubles. First, they observe that the mayor of Kirkuk, a Kurdish gentleman by the name of Berezanji whom they hated, was supervising the storing of a lot of military equipment (uniforms and, presumably, small arms.) second, the Turkoman learned that Berezanji had tipped off some of his Kurdish friends that they should get out of town before the 14<sup>th</sup>. Whether the Turkoman were right or wrong in their forebodings, it seems clearly established that they were keyed up

by the time the 14<sup>th</sup> arrived and were expecting trouble.

During the early part of July 14 parades took place without incident and both Turkoman and Kurdish groups participated. There were also a large number of nondescript individuals who have later been described as “communists” but it is not known how many actual “card – carrying communists” were among them. Judging by the placards they carried, however, it seems a safe presumption that these individuals were getting direction from the communists at least so far as their propaganda was concerned.

The first hint of trouble occurred on the afternoon of the 14<sup>th</sup> at about 4:00 PM when army trucks began blaring out insults to the Turkoman through loudspeakers carried on the vehicles. (The army also called out praise for the National United Front, which has been a pet project of the communists for the past month or so.) According to Turkoman sources, the Turkoman retired from the parade on hearing the army insults, according to other sources, at least some of the Turkoman took great exception to these insults and least on one occasion attempted to turn over an army truck. At any rate, after about two hours observers noted that army trucks had discontinued their insulting blasts against the Turkoman and were taking the line that we are all friends and that all minorities should take equal part in the festivities.

Apparently the first incident of violence occurred about 7:00 PM on the evening of the 14<sup>th</sup> when a

group of civilian Kurds (there is no reliable information one way or another as to whether or not they were communists) converged on the 14<sup>th</sup> of July coffee house which was owned by a Turkoman named Osman. The Kurds instructed Osman to remove certain slogans he was displaying inside and outside the coffee house and threatened him with rough play if he didn't. Osman proceeded to cover up the slogans and the group went away. Later, however, the emotions of the Kurdish mob got out of hand and they returned, dragged Osman out of the coffee house and killed him.

We do not have reliable information on what other incidents were occurring about the same time in Kirkuk but we believe it probable that while Osman was being dragged out and killed there were one or two other incidents occurring simultaneously. At any rate, the "14<sup>th</sup> of July coffee House" incident and whatever others there quickly generated a spread of hysteria, during which the popular Resistance Forces came into action. Somewhere between 6:00 and 8:00 o'clock during the evening of the 14<sup>th</sup> a group of the PRF took over the Imam Qasim police station and seized its arms. This group of PRF joined up with the Kurds who were dragging Osman's body and proceeded with them to loot Turkoman shops in the area.

Only minutes after the incident of the "14<sup>th</sup> of July coffee house" Colonel Mahmoud Abdel Rezzaq, Acting commander of the second Division, ordered units under his command into action against the crowds. Apparently these units went willingly enough

into action until they observed that the Kurds and the “Communists” (copeich use quotes throughout their account to make the point that the extent and nature of Communist participation in the Kirkuk incident has not been established) clearly had the upper hand over the Turkoman and that their mission, therefore, was to attack the Kurds and the “Communists” rather than simply to restore order. At this point, number of junior officers and rop-commissionend officers of the 4<sup>th</sup> Brigade mutinied against their commanders and joined the Kurdish civilians and the PRF in their attack on the Turkoman quarter which by that time, was being defended by the 2nd Division troops which bad not mutinied. There are conflicting reports about what happened immediately there after one report says that a group of officers tromped Colonel Razzaq’s office and at gunpoint demanded that he rescind the orders he had issued earlier, but it is clear that the morale and discipline of the entire 2<sup>nd</sup> Division was in shambles within only a few hours after they were to go into action, and that the PRF and the mutinying soldiers had the upper hand in Kirkuk.<sup>100</sup>

It is also clear that one factor contributing to the mutinous attitude of many of the men was their loyalty to the previous commander, Daoud Salman Janabi, reportedly a communist or pro-communist, and resentment at Colonel Abdel Razzaq for having replaced him. Reports that Colonel Janabi was

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<sup>100</sup> There is a note on the report written by the concerned people in the department says: No, only one battalion.



somehow behind the mutiny have not been confirmed.

Under the orders of Colonel Razzaq the army was supposed to go into action between 8:00 and 9:00 PM on the evening of the 14<sup>th</sup> and it appears that army discipline disintegrated somewhere between 10: 00 and 11: 00 PM of that same evening. By somewhere around 11: 00 o'clock the PRF and the mutinying soldiers announced a curfew throughout Kirkuk and during this "curfew" they joined the Kurdish mob which was making its way through the Turkoman quarter looting houses until about 3: 00 o'clock in the morning, gangs of PRF, Kurds, soldiers and "communists" made their way from house to house in the Turkoman quarter dragging out leading Turkoman notables (including Atta Hairoollah, senior Turkish nationalist dignitary) and hanging them or pulling them along behind jeeps.

By the morning of the 15<sup>th</sup> of July large numbers of Turkoman, Assyrians and Armenians had taken refuge in the citadel. On the morning of the 16<sup>th</sup> the PRF began attacking the citadel with mortars and bazookas. They did considerable damage, but it is unknown how many casualties they caused reportedly, there were few, if any.

It was apparently not until the morning of the 15<sup>th</sup> that orders went out for army reinforcements to be moved into Kirkuk. Due to the many conflicting reports on the subject, one point concerning the Kirkuk development still remains unclear: what went on in

Qassim's office and higher military quarters from the time the Kirkuk incident was reported to the time reinforcements were ordered to move to Kirkuk. Only one thing appears certain: that the offices of Qassim, Abdi, and other senior officers in Baghdad were in turmoil while these officers debated as to what units could be trusted and what units could not. Finally, a decision was taken to put on Colonel Aref in charge of the relief forces. (Reports are confused as to which Colonel Aref- there are three of them in the Iraqi army- commanded the relief forces, but it is by now almost certain that those reports are in error which alleged that he was the Colonel Aref who is the brother of Abdel Salam Aref. These relief forces were composed of units from Jalullah (a small encampment outside Kirkuk), Rashid camp of Baghdad, and Musayieb (a town 40 kilometres south of Baghdad.) These units began arriving late the afternoon of the 15<sup>th</sup> and began to take vigorous action during the 16<sup>th</sup>. As colonel Aref surveyed the situation late in the afternoon of the 16<sup>th</sup>, a large number of men of the 4<sup>th</sup> Brigade (mostly Kurds) had deserted and fled, and all other officers and men of the 4<sup>th</sup> Brigade were confined to their barracks, and the PRF had been dispersed. During the afternoon of the 17<sup>th</sup>, there were only a few minor clashes, and by noon of the 18<sup>th</sup> the situation was under control.

During the whole period of the Kirkuk incident officers of all ranks in the Iraqi army had been watching developments, and there are impressive indications that had the reinforcements been unsuccessful in restoring order there would have been desertions and possibly mutinies throughout the entire Iraqi

army. By the evening of July 18<sup>th</sup> it was clear to senior commanders in Baghdad that the situation was under military control, and this fact encouraged them to insist that Qassim take certain and forceful actions. Although Qassim had already made two statements deploring the situation in Kirkuk, he had apparently been reluctant to take concrete steps until pressed to do so by senior army officers. There are grounds for suspicion, in fact, that Qassim, like many Iraqi officers who were “on the fence”, wished to see how things came out in Kirkuk before committing himself too deeply to one side or the other.

In conclusion all reports on the Kirkuk incident emphasise the Turkoman versus Kurds aspect of the struggle and the absence of indications that there was anything “communist” on either side. They also point out that actions of the Iraqi government to quell the disturbances have been “order versus disorder” and that there has been little evidence that Qassim or other senior officials of the Iraqi government have considered that their efforts to quell the disturbances have been “anti-communist” actions. (It is interesting to know that in all public utterances referring to the Kirkuk incident, Qassim has not used the word “communist” a single time, but that in private talks with Arab diplomats in Baghdad he has blamed the incident on “pseudo-communists.”)

In the course of their reporting on the Kirkuk incident, the report have furnished notes saying that There are between 70,000 and 80,000 Turkoman living

actually in Kirkuk, and about 20,000 more living in the outlying areas<sup>101</sup>

The report mentions also that there are additional scatterings of Turkoman in a number of small towns between Kirkuk and Mosul and there is quite a large number of Turkoman in Mandeli.

The report also mentions that after the Kirkuk incident Qassim retired the 880 reserve officers who had graduated in April, and who were supposed to replace those officers who were dismissed after the Mosul Rebellion.

The report says That the news indicated that IPC guards plaid a prominent part in dealing with the trouble – makers were reported only by Foreign Reports, and on the basis of what other sources have said (including IPC officials who were in Kirkuk at the time of the troubles) it is probable that the Foreign Reports version is greatly exaggerated and that IPC officials say that these guards did a fine job in protecting IPC personnel and property but they said that if these guards took the offensive at any time the company is officially unaware of it.)<sup>102</sup>

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<sup>101</sup> The report mistakenly thinks that for some reason the Iraqi Government uses the word “Turkoman” to designate not only those who are actually of Turkic ethnic origin, but those Armenians and Assyrians who speak Turkish. Probably that was because of the existence of a Christian Turkmen minority in Kirkuk used to be described as Qa’laa Christians.

<sup>102</sup> The report of the Eastern Department, British National Archives, London, File F.O 371/140921

### **The Iraqi Communist Party reaction from the Massacre of Kirkuk:**

Reactions towards the massacre of Kirkuk varied, at first. The Communist Party adopted a very defensive stand, blaming the malicious colonial powers for what had occurred.

The representatives of the Communist Party committees and organizations sent a letter to Abdul Kareem Qassim in which they described the events of Kirkuk the way they wanted, and attacked the victims of the massacre, accusing them of conspiring against the nation, supporting the manipulative oil companies and jeopardizing the national earnings. And they demanded that Qassim stand against the conspirators. Itihad Al Sha'ab wrote an article titled "More Austerity for the Anarchists of Kirkuk" and another article on 18 July 1959 titled "The Aim of Repressing the Colonial Conspiracy in Kirkuk".<sup>103</sup>

The same newspaper, on 22 July 1959, published an article in which it claimed that Kirkuk was the active center of the agents of the oil companies, along with agents of countries allied to Baghdad Pact. The article claimed, moreover, that the conspiracy was being engineered in the city, and benefited the powerful republican powers. They were alert and struck Kirkuk, the cradle of conspiracy, as strongly

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<sup>103</sup> Sameer Abdulkareem: *Adhwa ala Al-Haraka Al-Shiyoueyya fil Iraq* "Lights on the Communist Movement in Iraq", volume 2, Mirsad Publishers, Beirut, P.121.

as they did when they crushed the Shawwaf conspiracy.<sup>104</sup>

And after the declarations of Abdul Kareem Qassim that condemned the brutal actions in Kirkuk, and after the press conference held by him in which he tried to absorb the nation's anger, the Central committee of the Communist Party held an abridged meeting in which they declared that what happened in Kirkuk and other Iraqi cities was "an irrational zealotness raised from the crowd's fear of losing their rightful earnings; and which led to many transgressions and wrongful actions resulting in deaths".<sup>105</sup>

The reactions of the Communist Party fluctuated between denying responsibility for the actions and considering them as arising from irrational zealotness, and withdrawing these declarations and blaming the victim for the actions.

One of the Party's leaders, Aziz Mohammad, who was responsible for the Northern Region of the Party, said: "I can accurately testify what happened. It was the eve of the first anniversary of the revolution, and the climate was tense. Our Turkmen brothers wanted to start a parade for themselves, which is their right; but at that tense climate that did not appear acceptable to other parties which we were not among them.

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<sup>104</sup> *ibid*, P.122

<sup>105</sup> *Itihad Al-Sha'ab* Newspaper in 3 August 1959, *ibid*, P.123.

“The parade was shot at, and no one knows who did it and caused the disorder, the hysteria I would say. The situation was out of hand, and a lot of the violations and killing was directed at the Turkmens. We as a party had nothing to do with that. On the contrary, we did our best to stop that blood bath; but we weren’t successful”<sup>106</sup>

This testimony just apposes with another of a member of the same party, Adel Al-Masri (Abu Suroud), who was, during the massacre, a member of the local communist party committee in Kirkuk. Al-Masri says: “the participation of all minorities made the agents of the oil company angry because they have failed in everything they did to sabotage the parade. But it appeared later that they were planning a massacre against the innocent and unarmed participants in the parade. When the parade entered Atlas Street and reached Al-Shabab café and Atlas cinema (!); it was attacked with stones thrown at it from the roofs, and soon these stones changed to be bullets from one of the houses that overlooked the street in which the parade was crossing. People were surprised by these brutal actions, and rushed through the narrow street seeking shelter; and others were looking for the source of fire. Streets were flooded with people in chaos. The scenery was distressing, especially seeing small children and

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<sup>106</sup> An Interview with the secretary of the Communist Party published by AL Wasat magazine in London on 4 August 1979 under the name “Notebooks of the Communist Party”, Issue No. 288, Thamina Naji Yousef, Nizar Khalid: Salam Adel – biography of a fighter”, Al Mada printing house, Damascus 2001, P.67.

women being stepped on in the streets, but luckily none of them died. Things were developing so rapidly that no one could control it, and certain elements from the oil company, which were prepared, started to wander the city and encourage sabotage breaking into and robbing shops, killing people and setting houses and shops on fire, especially the Turkmens' houses and shops. People's rage reached a degree that made any suspicious person a target for killing.

Shooting continued from the castle of Kirkuk for three days, and didn't stop until the army and the Public Resistance Party combed the castle. The participation of the Public Resistance Party came as a reply for a request from the second battalion which was ordered by Baghdad to put an end to the actions of the reactionist elements that opposed the republic. What happened in Kirkuk in the eve of the calibration of the revolution was a mere aggressive attack engineered by the agents of the oil company and the blasphemous powers in the city".<sup>107</sup>

We can sense from the previous testimony that the stones and bullets were directed at the peaceful and unarmed citizens participating in the parade; but those who were killed and dragged on streets were the attackers, not the victims. Al-Masri did not answer the crucial question of Abdul Kareem Qassim: show me one person killed from the other side; why are all the killed Turkmens?

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<sup>107</sup> The interview was published in: Al-Thaqafa Al-Jadida "the New Culture" Magazine, September 1983, *ibid*, P.69.



By not answering this questions, most of the witnesses missed the chance of self criticism and of condemning the killing and torture for political reasons. They ignored the humanitarian side of the case and all the neutral reports that diagnosed the subject and the attackers accurately.

### **Was Abdul Kareem Qassim a Communist?**

This question was a puzzle for the political analysts, and the western intelligence departments were divided concerning revealing the truth of the loyalty of Abdul Kareem Qassim. We have noticed that the report presented by the agents and informers of the British government had stop thinking of Abdul Kareem Qassim as a registered communist or even a supporter of the Iraqi Communism Party.

However, a report presented to the British authorities by a businessman known as E.D.Reni supports the claim that Qassim is a communist. The report says: "Abdul Kareem Qassim joined the Party on 1937, and was dismissed from it in 1945 because of his alcohol and gambling addiction; but he was reaccepted in 1951."

This claim was indirectly supported by Abdulkadir Ismael Al-Bustani, chief editor at Itihad Al Sha'ab newspaper, the mouthpiece of the Communist Party, through a detailed communiqué after Qassim's refusal to allow the political parties again.<sup>108</sup>

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<sup>108</sup> Memorandum of the businessman E.D. Reni, File F.O. 371/140922 British National Archives, London.

## **Chapter Seven**

### **The Demographic situation of the Turkmens in Iraq**

The demographic structure of the Turkmens in Iraq is very different from those of the Arabs, Kurds and other minorities. For the tribal system, with its advantages and disadvantages, is rooted among Arabs and Kurds. The blind loyalty to the tribe resulted in granting the tribal chiefs absolute powers, which led to the birth of the feudal system that removes debate from decision-making and creates a lack of equal opportunities.

The Turkmens, however, are more family oriented, for they have intimate feelings for descendants from a grand grandfather who hold the same family name. Although the family system has created a kind of family equilibrium in the Turkmens villages and cities, and found a kind of respect for some well known families, known as "Ashraf" which is the same name used by the British during the colonial era. The family system, however, did not prevent any member from getting his share of respect, honor and fame due to a religious, academic or professional status.

This very difference, which was neglected by many researchers, may be the reason behind the ignoring of the role of the Turkmen family in the structure of the Iraqi society.

Many researchers dealt with the family and tribal facts of Iraq, and some discussed the demography of the Turkmens; but most of them neglected much

information, either because they do not know or they did not do their research well.

If we choose to put aside the books written about Bedouins in Iraq, the most important of which is the four-part book of Baron Max Von Obenheim, the serious studies of the Iraqi tribes and families, through which we can trace the origins of the Turkmen families that resided in the Turkmen regions, we find that the number doesn't exceed five. They are:

1. Iraq's Tribes, by Sayed Abbas Al-Azzawi
2. Brief of the History of Turkmens in Iraq, by Shaker Saber Al-Dhabit
3. Dictionary of Iraqi Tribes, by Thamer Al-Amri
4. The Encyclopedia of Iraqi Tribes, by Abed Oawn Al-Rodan
5. The Turkmen existence in Iraq, by Dr. Suphi Saatci

The first four books are all in Arabic, while the fifth is in the Turkish language.

Now we will briefly mention what has been included in these studies concerning the Turkmens' regions and family origins.

**First: Iraq's Tribes by Sayed Abbas Al-Azzawi:**

Mr. Azzawi wasn't successful in identifying the Turkmen situation in Iraq, and his book, which was one of the very first in that regard, is considered incomplete. It tended to mix facts and certain times because the writer couldn't identify the roots of the

designated tribes, so that he indicated wrong roots for those tribes. It is evident that the writer did not care much about the branches of the families and tribes among the minorities of Iraq, and that most families have the same name whether they belong to the same root or just the name are alike. Al-Salihi, for example, is a Kurdish tribe and a Turkmen family; therefore, one should not mix between the Kurdish Salihi (saleyi) that reside in Erbil, Omermandan and some villages in Altinkopru; and the Turkmen Salihi that reside in Kirkuk, Tazehurmatu and Karatepe.

The Tatrans were mentioned in this book as Tartars and it was said that they are like the Kurds. He said that their language is Turkish and that they reside in Karatepe and Alisaray; and that they have a quarter in Baghdad named after them.

Moreover, Azzawi mentioned that the Kara Ulus tribe is a Turkmen tribe, but that they used to communicate using the Kurdish language because they were living near the Kurds in Mendli. Moreover, he mentions the Bajelans and says that they were known as Bajanaks, and they are a Turkmen tribe that came from the Ural Mountains. Azzawi adds that some of them lived in Mosul and became to be known as the Bajwans.<sup>109</sup>

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<sup>109</sup> Abbas Al-Azzawi: *Asha'er al-Iraq "Iraq's Tribes"*, Ma'aref printing house, Baghdad 1947, Pp158-185

## **Second: Brief of the History of Turkmens in Iraq, by Shaker Saber Al-Dhabit:**

In this book Shaker Saber Al-Dhabit, studied the Turkmens in Iraq from the year 54 AH (673AD) until 14 July 1958. His main source was the book of Al-Azzawi; therefore, he mentioned the Kara Ulus. When he mentioned some of the moieties of this tribe like Naftchi; he said that part of this moiety represented by the family of Naftchi were residing in Kirkuk, However, this family is one of the oldest families that took its name from the oil companies that it owned; and that this family had nothing to do with the ones living in Mendli suburbs.

In addition to that, he cited a lot of Al-Azzawi's wrong information about the Tatrans and Bajelans. However, he mentioned Father Anstas Al-Karmali and Ahmad Hamid Al-Sarrafi; and mentioned the names of villages of the Bajwans and Shabaks.

Al-Dhabit mentioned the Sarleyah and Sarulliyah tribes, and mentioned that part of the Mawliyah tribe live in Mosul and Telafer And he mentioned the Shabaks, and they accord to the Ahmad Hamid Al-Sarrafi groups of Turks living in more than 20 villages on the eastern part of Mosul. Al-Moktataf magazine, as well, has mentioned the Shabaks and the names of their 50 villages in Mosul.<sup>110</sup>

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<sup>110</sup> Shaker Saber Al-Dhabit: Moujez Tarikhul Turkman fil Iraq "Brief of the History of Turkmens in Iraq", Ma'aref Publishing House, Baghdad 1960, Pp 95-116.

### **Third: Enceyclopedia of Iraqi Tribes, by Thamer Al-Amri:**

This nine-volume book is one of the most accurate ones that dealt with the subject of Turkmens. The writer, in the introduction of volume number 9, said that volume nine included many additions and avoided many mistakes, and that the number of volumes of this encyclopedia would increase in the future and might exceed 15 volumes because researches and studies proved to him that there was a great number of Iraqi tribes and families that needed to be contacted and included in the encyclopedia.

He designated a whole chapter for the Turkmens and started it by researching their origins, history, nationalisms and the states they established in Iraq. After that, he concluded research about more than 30 tribes and families found on the Turkmens territories in Iraq like Kirkuk, Mosul, Dayala and Erbil. We intend here to correct some of the names mistakenly concluded by the author who probably does not know Turkish. It is worthy of note that the author did not pay attention to the social structure of the Turkmen people and that they have switched from the tribal system to the family one, although he mentioned that he probably forgot to mention many families in his book.

1. Bayat Tribe: entered Iraq with the Saljuks, Oguz tribes. At first they were called Bayawoot. And Bayat means glorious and magnificent. Some people say that the name Bayat came from Bayat Bin Khon

Khan, one of six sons of Oguz Khan. Al Bayat family is classified within the Bouz Ouq tribe that ruled the Oguz tribes, and that branch to the Bastamli Tribe, Karah Naz, Birawchli and Khasderahly.

2. Ali Khan Bek Tribe: one of Telafer tribes, they are named after their great grandfather who was a military and tribal governor in Telafer in the reign of the Ottomans, and their roots are connected with Sayyed Ali (Abu Turab).

3- Birender Tribe: one of Telafer tribes, whose name is said by some people to come from Beran village, one of Diyar Bakr regions from which the sons of tribe migrated during the Ottomans' reign. Another opinion says that Berendar means (The Boss) of a group or tribe. The name of the family appeared some times as Beer Nadr or Beer Nizar. The only thing taken for granted about them is that they entered Iraq with Sultan Murad the Fourth in 1637AD.

4- Al-Daodi Tribe: one of the oldest tribes that inhabited Telafer, and they are considered the remnants of the Tatar Turkmens although some of them belong to Kelhar tribes. The moieties of this tribe include Beikat tribe, Ahmouli, Mehdi, Al-Faris and Dawodleyah.

5. Al-Hammat Tribe: one of the Turkmen tribes that entered Iraq with Sultan Murad the Fourth, and resided in Telafer and became related by marriage to the Arabs. They belong to Hassan Hammat, who lived in Hasan Koy. Moieties of this tribe include Albo

Hayesh, Albo Yass, Albo Abbas, Albo Azzam, Albo Sheza, Albo Ajam and Albo Shrow.

6. Farhat Tribe: an ancient Turkmen tribe in Telafer, named after their grandfather Farhat. The branches of the tribe include Al Younus, Al Hassan, Al Wahab, Al Farhat, Al yateem, Al Yasin, Al Bakr, Al Barkali, Al Asi, Al Khado and Al Joban.

7. Bander Tribe: One of the Tuzkhurmatu tribes. They belong to their great grandfather Bander Ali and they are originally from Azerbaijan and entered Iraq in batches.

8. Chayer Tribe: They came to Iraq from Central Asia. Their great grandfather is Kanbar Chayer. They live in Tuzhurmatu as a big family.

9. Dalalwah Tribe: a branch of Al-Bayat tribe. There is a great argument about the truth of their name whether it is Wali Ali or Deli Ali, for the first means the wise man Ali and the second means Ali the crazy. (Crazy is a title for some Sufi people.) Their homes are spread over Tuzhurmatu, Suleiman Bek, Al-Hafria and Lukom.

10. Asafi Tribes: part of the Turkmen Bayyati tribe Iraq. Researches show that they migrated from Azerbaijan 4 centuries ago. And they live currently in Tazehurmatu, Suleiman Bek and other places.

11. Kara UlusTribe: some studies indicate that this tribe is part of the Turkmen tribes that came with the Tatar, and some of them are Kurdish. Studies say



that they have lost their native language since they neighbored the Kurdish in Mendli. Moieties of this tribe include Kajina, Kaitol, Naftchi, Germo Nadeyah, Selly, Hawasiyah, Betkoker and Kabrat.

12. Khatlan Tribe: one of the oldest Turkmen tribes that lived in Iraq. It is said that they were supervising the horses and stables of Al Muotasem, the Abbasid Khalif, and that the Khalif liked them to the degree that he started to dress like them. The author says that he could not find them any modern traces, and that they have merged with other families over years.

13. Jalili Tribe: a very distinguished Turkmen Tribe who left their original place near Mosul and moved near Dakuk. It is claimed that they are the sons of the Jalilian Princes who ruled Mosul for a long time. The moiety that lived in Dakuk came to be known as Kahya, that means the distinguished and generous; and through time they became to be known as the Kahya Family or Kahya of Dakuk. They mainly live in Dakuk, Mosul, Kirkuk and Tuzkharmatu.

14. Elkhanly Tribe: they are the remnants of the Elkhanlian State that occupied Iraq in 656 AD and ruled for 85 years until they were defeated by the Jalaerians. They mainly live in Dakuk, Kirkuk, Mosul and Deyala. There is a quarter in Dakuk named the Elkhan that contains most of them.

15. Demerjy Tribe: one of the Turkmen tribes in Dakuk. Demerjy in Turkish means (Blacksmith). They entered Iraq early in 1411 AD. There is a

quarter with their name in Dakuk. They mainly live in Dakuk and other places like Telafer, Mosul, and Kirkuk.

16. Shiekhler Tribe: the name of this Turkmen tribe means Sheiks. It is claimed that this tribe is part of the Turkmen tribes that occupied Iraq in 1411 AD and resided there. They live in Dakuk, Kirkuk and other places. Moieties of this tribe include Baba Hassan, Sheikh Ahmad, Sheikh Mahmoud, and Sheikh Sofi.

17. Sfouk Tribe: this tribe settled in Taza ages ago, and it is said that the other Turkmen tribes that lived near them, although they were originally Shammar, influenced them.

18. Haskaly Tribe: a Turkmen tribe which is believed to have migrated from the Hasaka region in Syria, which was inhabited by the Turkmens. Part of the tribe entered the region in 656 AD. Their residences are distributed over Taza in Kirkuk. Moieties of this tribe include Albo Ahmad, Beikat, Astawat and Alobosh.

19. Muradly Tribe: they belong to the Bayyat tribe that entered Iraq hundreds of years ago, and was known as Kehlar, that is Kehyat. They came later to be known as Muradly after the grandfather of the tribe, Murad. Moieties of this tribe include Albo Hamad Kahya, Albo Ahmad Kahya and Albo Mustafa Kahya.

20. Srayleyah Tribe: one of Tuzhurmatu tribes that migrated from Central Asia, and lived near the Elkhanian Tattran. Their native language is Turkish.

21. Tattran Tribes: one of the Turkmen tribes that entered Iraq in 656 AD. There is no certainty about their origins, for some people say that they are Masers or Masters from the Kahtaniah. But they are mostly Turkmen Tatars. Some people say that this name of the tribe comes from a Tatar link.. They live in Qaratepe, Alisray, Kokajan, Telafer, and there is a quarter in Baghdad named after them.

22. Qara Qoyunlu Tribe: a Turkmen tribe that ruled in Iraq under the name of the Baranya State, or the state of the Black Sheep as translated in Turkish. They continued ruling in Iraq until a second Turkmen tribe, Ak Qoyunlu, that is the White Sheep in Turkish, defeated them and established the Baynadreya State. This tribe lives in Sherien Khan, later Sherikhan, and Rashidiyah. Their residences used to know as Upper Qoyunlu and Lower Qoyunlu.

23. Saryliyah Tribe: a Turkmen tribe that resides in more than 15 villages from Mosul to Erbil on both sides of the Zab River. Some of them reside in Tel al Laban, Basatliyah, Kibrly and Kharab Al-Sultan in Mosul. This tribe was mentioned in the old manuscript of Abdullah Fathallah Al-baghdadi as a Turkmen tribe.

24. Al-Amri mentioned further names for Turkmen tribes, but did not go into detail about them because they are mixed with each other. These tribes include:

Kanbor Agha, Band Ali Shah, Sewan, Maragha, Kelbani, Yakobiyah, Dakirah, Wandawi, Sedler, Kasabliyah and Jijan.<sup>111</sup>

Although this encyclopedia is considered one of the most prominent publications dealing with the Turkmen social structure, the author did not check what he cited and mentioned. He mentions, for example, that the Oguz tribes are 22 in number, and mentioned the names of 23. Both numbers are incorrect because the correct number is 24. Al-Amri, when mentioning the names of these tribes, was citing the book of the late Shaker Saber Al-Dhabit. Therefore, most names cited were wrong, or with spelling mistakes.

In this connection, Al-Amri mentioned Kayi Tribe, to which the Ottomans belong, as Keigh, although he cited this name elsewhere. Moreover, he mistook many names of tribes: Yefa tribe became Rafa, Salor as Selgar, Bakdely as Belketly, Boz duz as Bekdoz, aymur as Aymir, Kara Awli as Karablek, Alka'a Awli as Alkablek, Eghder as Akder, Owakeer as Airker, Yazghor as Yerker, Dodorghah as tuqa, Olay Ontlo as Olayndlig, doger as Toker, Jawder as Jolder, and Jaroklo as Jarlakh. In addition to that, he did not know that the name of the 24<sup>th</sup> tribe is Karkin.

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<sup>111</sup> Thamer Abdel Hasan Al-Amiri: Mawsuatul Asha'er Al-Iraqiyya "Encyclopedia of Iraqi Tribes", Volume 9, Public Educational Affairs Dept., Baghdad 1995, pp 212-245.

The name of the Kara Ulus tribe was mentioned in the encyclopedia, and the author mentioned that Kara in Turkish means Black, while Los means the flat land. By doing that, the author did not recognize that the tribe was Kara Ulus, not Kara Los, and that Ulus means people or tribe, and that name in Turkish means the Black Tribe. There are still families in Kirkuk with this name. It is important to note that Abed Own Rodwan cited this name from Al-Amri, but this is something we will discuss later.

We notice that Al-Amri rectified these mistakes in another book, for he added the Germond to the Kara Ulus tribes, but said that the name meant the White Complexion tribe not the Black tribe. We can see this in his book "Al-Amri Encyclopedia of Families and Sects in Iraq".

Moreover, Al-Amri, in volume one, mentioned that Al-Bayat tribe is an Arab tribe, although he showed in detail its Turkmen roots and origins, and that it belonged to the Oguz tribes in other places. Furthermore, he mentioned the moieties of that tribe, which are: Amirli, Bestamli Tribe, Kara Naz, Birawchli and Khasedrahli, which are current names for Tuzhurmatu villages and settlements.<sup>112</sup>

In addition to all that, Al-Amri mentioned in volume six of the encyclopedia Al-Salihi Tribe. The author should have distinguished between the Tribe and the Family, for Al-Salihi is a common name for families

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<sup>112</sup> Thamer Abdel Hasan Al-Amiri, *ibid*, Volume 1, Baghdad 1992, Pp 48-53.

in Iraq, exactly like Al-Nakeeb that may be Turkmen, Kurdish or Arab depending on the name of the great grandfathers of the families that had the same position in the past.

Al-Amri did pay attention later to that difference, and said that AL-Salihi family speaks Arabic-Turkmen and Kurdish depending on their place of residence in Iraq's governorates, for Al-Salihi of Kirkuk speak Turkmen.<sup>113</sup>

We also notice that the author did not mention the Shabak Tribe in this book, but rectified that by mentioning them in another valuable book, that is "Al-Amri Encyclopedia of Families and Sects in Iraq", in which he calls them a sect, and shows their variant Arabic, Kurdish and Turkmen roots. The Amri, however, mentioned neither the names of their villages, nor the names of their sacred books: Manakib and Buyruk that are written in Turkish.<sup>114</sup>

Furthermore, Al-Amri mentioned in this book the Turkmen family Awchi, which is one of the best known Turkmen families residing in Kirkuk and belongs to the Turkmen Michak tribe.<sup>115</sup>

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<sup>113</sup> Thamer Abdel Hasan Al-Amiri, *ibid*, Volume 6, Baghdad 1993, P/196.

<sup>114</sup> Thamer Abdel Hasan Al-Amiri: *Mujam Al-Amiri lil Qaba'el wal Asha'er wal Tawa'ef fil Iraq* "Encyclopedia of Families and Sects in Iraq", Wifaq Publishers, Baghdad 2002, P.177.

<sup>115</sup> Thamer Abdel Hasan Al-Amiri, *ibid*, p30.

In addition to all that, he mentioned the Turkmen Kirkuk Sari Kahya Tribe, and connects it to “Sari Mustafa Pasha”. He also mentions that the Ottoman Sultan gave him lands in the region called Sari Yer at the coast of the Bosphoros in Istanbul, and that his grandson, Sari Mohammad Pasha, was a member of the Sultan Murad campaign, and was granted the Shehrzor district over which the Sari Kahya quarter was built in Kirkuk.<sup>116</sup>

Other than what he mentioned, Al-Amri could not reach the origins of many Turkmen families that lived in the region, and nothing new was added to his new book save some indications he included in his encyclopedia about the Damergy, Berende, Bajwan, Sarliyah, and Kara Qoyunlu.

It is worth noting that there is volume two of “Al-Amri encyclopedia of Families and Sects in Iraq” in which there is no mention of the Turkmen and their families.<sup>117</sup>

#### **Fourth: Encyclopedia of Iraq’s Tribes, by Abed Oun Al-Rowdan:**

This twp-volume encyclopedia depended on the alphabetical order when enumerating the tribes; therefore, we will mention here the Turkmen tribes and families as mentioned in the encyclopedia:

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<sup>116</sup> Thamer Abdel Hasan Al-Amiri, *ibid*, P.194

<sup>117</sup> Thamer Abdel Hasan Al-Amiri, *Al-Amiri encyclopedia of Families and Sects in Iraq*, volume 2. This print has no place or date of Publish.

1- Bajalan: the author, like Abbas Al-Azzawi, said that this tribe is originally Kurdish or Turkish and became later on Kurdish. It is said that they either came from Khabour, or Tatars from the Ural Mountains. The name of the tribe is Turkish and it is like Bag Allan, and it means (Fees Paid), and this indicates, according to the author, the Turkish origin of the tribe.

Al-Rowdan says that the residence places of this tribe are Korato, Kazania, Galola', Saediyah and Hanakin (all in Deyala Governorate), and some of them reside in Nenawa and Baghdad Governorates. He adds that the tribe has 17 branches including the Kazanlo family who are the chiefs of the tribe.

Al-Bender: One of the Turkmen tribes that was named after their grandfather Bender Ali. Their history goes back in time to the days of their arrival as batches fleeing from Azerbaijan. Their number became greater at the time of Shah Ismael Safawi.

2- The Bender, says the author, belong to Tuzhurmatu region in Kirkuk and are either from Azerbaijan or Caspien areas.

3- The Bayat were mentioned in this book after the annual classified report of the British Intelligence Dept. about tribes and politics published in 1917. This reports states that the Bayat is an Arab-Kurd mixed tribe, and some people refer them to Marra family of Rabia'a tribe of Tay'. The author mentions the reason why the tribe was called (Tay), which is because the members of this tribe were welcoming who ever was visiting them at night and sleeps over their places without being asked anything.



The writer did not check on the reason why he mentioned that the tribe speaks both Arabic and Turkish, because if he did check on the origins of this tribe he would have found that it is one of the 24 Turkmen Oguz tribes most of its people migrated to Iraq during the Turkmen settlement in Iraq. It is worth to note here that the author in other parts of the book mentions, while talking about the Muradly tribe, that the Bayat are Turkmen and came to Iraq centuries ago.

4- Ali Khan Bek Tribe: one of Telafer tribes, and were named after their great grandfather Ali Khan who was a military and tribal governor in Telafer during the Ottomans reign.

5- Berander Tribe: migrated from Nuseibin in Turkey and settled in Telafer. It is said that they belong to the Beran Tribes in Diyar Bakr. Some people say, however, that they are the remaining soldiers of the army of Sultan Murad campaign in 1637.

6- Dawdi Tribe: one of the tribes of Telafer. There is an opinion that says that they are Tatar Turkmens. Moieties of this tribe include Bekat, Ahmoli, Al-Mahdi, Al-Fares and Dawdeloyah.

7- Hammat Tribe: one of Telafer tribes that entered Iraq with the campaign of Sultan Murad. Their grandfather Hassan Hammat chose Hasan Kewi village as his residence.

8- Farhat tribe: a Telafer tribe named after their grandfather Farhat. Moieties of this tribe include Al

Yonus, Al Hassan, Al Wahab, Al Farhat, Al Yatim, Al Yasin, Al Bakr, Al Barkli, Al Asi, Al Khado and Al Joban.

9- Haskaly Tribe: One of the Turkmen tribes in Iraq that came from the Levant, namely from Hasaka in Syria. They reside in Tazehurmatu near Kirkuk and branch into Albo Hamad, Bekat, Ustawat and Oyosh families.

10- Sheikler Tribe: it is believed that they are the remaining of Turkmen State in Iraq. Most of them live in Dakuk, and other live in the canter of Kirkuk. Moieties of this tribe include Beit Baba Jafaar, Beit Sheikh Ahmad, Sheikh Mahmoud and Sheikh Sofi.

11- Jalili Tribe: one of the Dakuk Turkmen tribes. They are known also as Kahya, and they live in Dakuk, Tuzhurmatu, Kirkuk and Mosul.

12- Damerji Tribe: a Dakuk tribe that lives in Dakuk, Kirkuk, Telafer, Mosul and other places.

13- Elkhanly Tribe they are the remaining of the Elkhanian State that occupied Iraq in 656 AD and ruled for 85 years when they were defeated by the Jalaerians. They mainly live in Dakuk, Kirkuk, Mosul and Deyala. There is a quarter in Dakuk named the Elekhan that contains most of them.

14- Dalalwah Tribe: a Turkmen tribe that is connected to the Bayat tribe. They were named after

their grandfather Deli Ali. They reside in Tuzhurmatu, Suleiman Bek and Hafria.<sup>118</sup>

15- Shabak Tribe: one of the biggest Mosul Turkmen tribes. There is a big dispute concerning their name and its meaning, and the origin of this tribe. There is an opinion that says that they are originally from the remaining Turkish who entered Iraq during the Ottomans reign; and were among the Sultan Murad the Fourth Army which opened Mosul. Their places of residence are distributed between Mosul, Hamdaniah, some places in Kirkuk and Deyala. The author says that this tribe has 46 moieties.

16- Tattran Tribe: originally a Tatar tribe which resided near the Kurdish tribes and almost lost their native Turkish language. They speak both Arabic and Kurdish because of their place of residence. This tribe reside in the mountains of Hemren Mountains that overlooks the Great River, and some of them reside in Qaratepe, Alisray, Ainlayla, Kokakhan and old Baghdad, especially in Rashid Street where there is a quarter named after them.

17- Kara Ulus: original a Tatar Turkish tribe that became to be, according to Al-Rowdan, a Kurdish tribe since they gradually lost their native Turkish language because of their neighboring of the Kurdish.

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<sup>118</sup> Abed Own Al-Rodwan: Mawsuat Asha'er al-Iraq "Encyclopedia of Iraq Tribes", volume 1, Al-Ahliyah for Publishing and Distribution, Amman-Jordan 2003.

The author, citing the encyclopedia of Thamer al-Amri, mentioned that Kara in Turkish means Black; but did not mention, due to his lack of knowledge in Turkish language, mention that Ulus means people or tribe and thus the name of the tribe means “The Black Tribe”. This tribe lives mainly in the hills of Hemreen Mountains, Hanakin, Mendli, Kiruk, Mosul, Telafer and Baghdad. The moieties of this tribe include Hejnah, Ketol, Naftagi, Hermo Nadeya, Selly, Hawasiyah, Betkoker and Kabrat.

18- Kara Qoyunlu: a wandering Turkmen tribe. The name of the tribe’s means in Arabic the Black sheep, and their counterparts are the Ask Queenly Tribe. Both tribes ruled Iraq after their arrival from Western Turkmenistan and remained in power until 1465 AD. This tribe lived in the countryside of Mosul in Shrike (Sherien Khan), Rashideyah that was known as the Upper Kara Qoyunlu and Kubbah that was known as Lower Kara Qoyunlu. The moieties of this tribe include Jamwa, Korash, Haswa, Khdosh, Babawat, Mousa Telha, Komurji, Yacine, Sedler and Koja.

19- Muradly: one of the Turkmen Bayat Tribes that entered Iraq hundreds of centuries ago. They were previously known as Kehalar, i.e. Al-Kehayat is the plural of Kehaya that is the Boss or Chief, and changed later to be Muradly after their courageous grandfather Murad. This family lives in Taza, and its moieties include Albo Ahmad Kahya, Albo Hamad Kehaya, Albo Mustafa.<sup>119</sup>

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<sup>119</sup> Abed Own Al-Rodwan , ibid, volume 2. Al-Ahliyah for Publishing and Distribution, Amman-Jordan 2003

As it can be seen, Al-Rowdan depended totally on the previous two authors to the degree that he cited their obvious mistakes. However, what distinguishes this encyclopedia is that it ordered the tribes according to the alphabetical order, and by that making it easy to refer to any tribe.

**Fifth: The Turkmen existence in Iraq, by Dr. Suphi Saatchi:**

What makes this Turkish written book special is that it discussed in one of its chapters the issue of the Turkmen in Iraq in more details. And since the author is a Turkmen, his book gained special feature that came from the clarity and the practical experience, and because the author is well known for his academic integrity.

At the time Dr. Saatchi simplifies the names and roots of the Turkmen tribes, he mentions in more details the Turkish immigration to the region, and mentions the families and tribes that still exist in the region including the Bayat tribe. Moreover, he mentions the name of Bayat villages such as Upper and Lower Alisray, Sendeeg, Bustamli, Beer Ahmad, Abbod, Amirly, Sayyad, Donbalan Derrah Kubrah and Sughrah, Albo Hasan, Beer Awchili, Khas Darali, Yeshel Tabah, Kurnaz, Ankle, Bashagelen, Jurdhagli, Muradli, Besas, Bablan, Yankejah, Uch Tabah, Koshji, Dalalwah, Al Boghmaz, Suleiman Beek, Elanjiya (Yalanjia) and Jasim Beek.

As for Mosul, the Bayat lives in Abzah, Basan, Kara Yatagh, Salamiyah, Shnef, Shierakhhan, Teez Kharab and Yarmajeh.

In addition to all that, Dr. Saatchi mentions other tribes like Yeefa Tribe, Kara Qoyunlu and Doger that he says there are two families with this name in the villages of Tuzhurmatu, namely Beer Ojili and Yankijah.

Furthermore, the author mentions Jibing, Aynor, Kharbandahli, Saloor, Bakdeli, Olashlo, Ogoshlo, Kokagli, Beer Ojili, Kara Naz, Muradiyah, Bajwan, Ulus Tatar (Known in the previous books as Tattran), Kara Bogha, Salihi, Yaghmour, Tatlo, Maweli, Sariliyah and Yaghji. We can clearly notice here the great influence of the Oguz Turkmen tribes on their villages for their villages carried their families' names. Moreover, Dr. Saatchi has concluded a list of the Turkmen families in Iraq and their places of residence. This list is comprehensive and organized for it was put forward upon authenticated and accurate data, and almost included all the Turkmen families, and this is very unprecedented by any book. The author could enumerate 372 families living in the Turkmen territories in Iraq and indicate the names of their villages and towns. And this unprecedented effort revealed the fact and shed the light on the Turkmen issue.<sup>120</sup>

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<sup>120</sup> Dr. Suphi Saatchi: Tarihi Gelisim icinde Irak'ta Turk Varligi "The Historical Development of the Turkmen existence in Iraq" Historical Research and Establishing Documentation Center. Istanbul 1996.

Dr. Saatchi later on modified his list to include all the Turkmen families and their towns and villages as in a unique effort.<sup>121</sup>

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<sup>121</sup> Dr. Suphi Saatchi: Irak Turkmenleri, Yerlesme bolgeleri, Boylari ve Oymaklari, "Turkmens of Iraq, Their tribes, families and residence areas, Publications of Kirkuk Foundation , Istanbul 2005.

## **Chapter Eight**

### **Tuzhurmatu 1954-2004**

One of the historical events the Tuzhurmatu witnessed was the Intifadah of the 6<sup>th</sup> of June 1954. The people of the district and the adjacent villages were frustrated by the election game practiced by the Iraqi government, which was assigning its supporters in the Parliament as representatives for the different constituencies.

The Turkmen residents of Tuzhurmatu decided to show their unity, and try to prevent by all means possible the rigging of the election results. Therefore, they demanded free and integral elections, away from the government's influence and the government candidates.

In the 1954 elections, there were two candidates, Jihad Al-Wandawi and Zainalabedeem Al-Hajj Kanbar Agha, who were accepted by the Tazehurmatu people to represent them in the parliament.

Election centers in the constituency were in:

1. Employees' Club
2. Elementary Tuzhurmatu School

The elections started at six o'clock in the morning. After few hours, it was evident to the people that the government was supporting and proffering Jihad Al-Wandawi, thus ignoring the principle of neutrality and implementing the orders of the central power in Baghdad. The supporters of the other candidate



objected to the authorities that there were people being brought to vote for Al-Wandawi more than once.

The people of Tuzhurmatu objected in writing to the District Commissioner, demanding that he investigate the issue. The Commissioner issued his orders to arrest the campaign manager of the Turkmen candidate, Hajj Mubarak Hassan. The people realized that things were going from bad to worse, and in their fury they attacked the election centers and destroyed the poll boxes.

People noticed that in the first election center in the employees' club there were armed forces trying to intimidate the crowds and prevent them from advancing, but that was of no use, for the crowds continued marching. The unarmed protesters started to stone the armed troops in the club, thus forcing the troops to seek shelter in the gardens near the club.

Clashes continued between the people and the outsiders who were totally committed making the government's candidate win the elections. The troops started shooting at the protesters, and killed Suleiman Ali, one of the original inhabitants of Tuzhurmatu. This was a clear evidence for the Turkmen of the denial of the process of forging the will of the Iraqi people in General and the Turkmen's will in particular.

Fate plays its role again and makes Tuzhurmatu relive the same experience after 50 years. On 22

and 23 of August 2003, the Tuzhurmatu people wanted to renovate the sepulcher of Imam Murtada on the top of the Tuz Mountain that overlooks the Aksu River. Some malicious elements decided to destroy it. The result was crowded demonstrations in the district. The people went to rebuild the sepulcher when they were attacked by crowds of malicious troops who shot at the people and killed some protestors. Other bloody events that caused a lot of riot took place during the burial of the martyrs. Among the martyrs of these events:

- 1- Ismail Yaychi
- 2- Hashim Asker Mohammed
- 3- Ahmad Ramzi Rahman
- 4- Hussein Mohammed Hasan
- 5- Hasan Zenalabidin Qambar
- 6- Ahmad Abdulhussein Demirji.
- 7- Ashraf Muzhir Qassim Kanna
- 8- Ahmad Hasan Al-Bayati

## **Chapter Nine Erbil in History**

Erbil is considered one of the oldest inhabited cities in the world, older than the City of Babylon. Different tribes and families ruled the city. Old inscriptions dated back to 200 B.C. indicating Erbil as Arbiliom. The author, Professor Wali in his book titled "The Sumerians" says that Erbil is a Sumerian city and Sargon the Akkad tried to rule it.

Erbil was interconnected with the Akkadis, and considered the Koteyons who opened Babylon part of their people; and this caused Erbil to flourish and develop socially and economically.

When the dynasty of Oar the Third ruled, it made Arbiliom an important district. Nevertheless, the city witnessed some liberation movements trying to get rid of slavery; but the Oar kings prepared armies to destroy these movements.

After that, the city was ruled by Hamourabi (1723-1686 B.C.), and thus became a Babylon city. The name of Erbil is indicated in the cuneiform alphabet as Kshan Klamma.<sup>122</sup>

The name of the city was mentioned in the Babylon writings as Arba-Elo. This name continued to exist

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<sup>122</sup> The name means "The House of the First Lady", Dalil Mawtin Al-Hadharat Al-Qadeema "Guide of Old Civilizations", Taha Baker & Foad Safar, Ministry of Education and Information Publications, Baghdad 1965.

even after the Assyrians ruled the city. The Assyrians considered Erbil a sacred city for it is the homeland of their goddess, Eshtar. Therefore, they built the Assure Temple in the city, and changed the name of the city to be Eshtar-Arbella. In addition to that, there were found in the Erbil castle the Ashor Banibal writings, a statute of Eshtar and a statute of the Third king of Assyrians, Asward.<sup>123</sup>

Moreover, the city was named Arbilets, or as the Zabines called it Adyabeen. And this is the same province that was named Land of Erbil, according to Arab geography scholars. During the last half of the second century B.C., a small kingdom was established that maintained its independence during the reign of the Ashkananies.<sup>124</sup>

And since Erbil enjoyed a prominent rank during the reign of the Assyrians, Sinhareeb established for the city a unique system of irrigation started from Bestora to Erbil, and he did the same in Nenawa.

After the collapse of the Assyrian state, the Persians occupied Erbil. Since then, the city witnessed the most important battle ever, for in 331 B.C. a war started between Dara the Third (Darius Kodomanos) and Alexander the Great. The battle was in a plain located 20 miles to the North of Erbil. This battle was known as the Battle of Gaugamela or the Battle of

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<sup>123</sup> Ibid.

<sup>124</sup> Dairatul Maarif al-Islamiyyah "Islamic Encyclopedia", volume 1, Arabic Version, Ahmad Al-Shemshawi, Ibrahim Zaki Khoursheed and Abdulhamid Younus. Dar Al Fikr, Cairo, 1933.

Erbil. The result of the battle was Alexander the Great entering the city victorious.

In addition to all that, the city of Erbil witnessed a long- term struggle between the kings of Seleucus and the Persians, who won the war and occupied the city in 139 B.C. Most of the Persian kings are buried in Erbil.

One of the dynasties that ruled Erbil was Hedyab, which recognized the Persian power over the region. In 83 B.C., however, the Arman, under the command of their King Tekran, took over the city and remained under their power until the Persians, who made an ally with the Byzantines, occupied the city after 10 years. The Byzantines, however, were determined at re-occupying the city.

In 115 A.D., the Byzantium king Tarjan entered the city, paving the way for many successive rulers. The situation remained in the hands of the Byzantines until 226 A.D., when the famous Sassanian King Ardashir succeeded in getting the Byzantines out of Erbil.

The Turkmens, under the command of Zeyneddin Ali Kucuk, established a state in Erbil. And in 1168, upon the death of Kucuk; Muzafareddin Saeed Gokboru succeeded him. Muzafareddin was

displaced by his youngest brother Zeyneddin Yusuf, who was supported by Mugahiddin Kaymaz.<sup>125</sup>

As for Muzafareddin, he followed the army of Saifiddin Al-Ghazi at first and then the army of Saladin. When Zeyneddin Yusuf passed away, Muzafareddin became the ruler of Erbil again.

In the reign of Muzafareddin, Erbil witnessed a magnificent development, for the landscape of the Sultanate expanded to include the lands of Azerbaijan.<sup>126</sup>

The minaret of the mosque built by Muzafareddin still exists to this day. Muzafareddin passed away in 1233, and in that way Erbil became to be an Abbasid city.<sup>127</sup>

After that, the Mongols occupied Erbil, for Hulaco conquered the city as he had done with many Iraqi cities before. After that, Erbil witnessed a Turkmen ruler presented by the Sefavids State, and another Turkmen ruler in 1433, when Shah Mohammad of Kara Qoyunlu Tribe ruled until 1435 when his brother Prince Aspa succeeded the throne. Furthermore, the

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<sup>125</sup> Lawyer Abbas Al-Azzawi: Tarikhul Iraq Bayna Ihtilalain "History of Iraq between two occupations", volume 1, Baghdad 1939, p 213-216.

<sup>126</sup> Hussein Namiq Orkon: Turk Tarihi "Turkish History", part 3, Ankara 1946, P.95.

<sup>127</sup> Yilmaz Oztuna: Baslangictan Bugune Turk Tarihi "Turkish History from the Beginning to Now", volume 2, Hayat publications, Istanbul 1946, P. 276.

Ak Qoyunlu tribe, as well, ruled Erbil, for Uzun Hassan entered the city heading to Azerbaijan, and thus became the governor of Erbil.<sup>128</sup>

Erbil returned to the Turkish power after all these years of being under the power of the Persians, for it returned to the Ottoman Empire when Sultan Murad occupied it in 1637. Erbil remained thus until the British occupation to Iraq, and was handed to Iraq after independence.

#### **The Geographic and Demographic Facts:**

Erbil is located 96 kilometers to the north of Kirkuk, and 86 kilometer to the southeast of Mosul. The total landscape of the city was 15870 square kilometers before the changes took place during the Ba'ath reign. The total population of city center in 1974 was about 30,000 people, most of them Turkmens, but continued immigrations to the city from the adjacent villages changed the national status of the city.

In 1961, the population of Erbil was 282,487 people, including 100,668 people from among are Kurds, according to governmental records.<sup>129</sup>

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<sup>128</sup> Lawyer Abbas Al-Azzawi, *ibid*, part 3, P. 237.

<sup>129</sup> *Al-Hukumat Wataniyyah wa Masalat al-Shimal* "The National Government and the Issue of the North", Publications of Dar Al-Jomhoreyah, Baghdad 1965. and See *Turk Kulturu* (Turkish Culture), publications of Turkish Culture Publications Dept., Ankara 1968, Issue No. 68, September 1986.

The researcher Hanna Batato noticed this fact and mentioned in his book "Iraq":

"Other cities witnessed the same as Erbil and became Kurdish. Erbil itself became Kurdish, and the transfer was done in a very peaceful manner".<sup>130</sup>

Erbil gave birth to great and eminent intellectuals and scientists like Mulla Afandi, and was the cradle of famous writers and poets like Yakoub Agha, Razzaq Agha, Garebi, Sheikh Asa'ad Afandi, Hashim Nahid Erbil, Tawfiq Jalal and Orkhan. Contemporary poets include Nesrin Erbil.

Among the famous Erbil families that enjoy excellent reputations we mention, Aghalar (it includes 3 big families), Asfaly, Allaf, Awchi, Bakkal, Beklr, Banna', Bozorkhan, Bazzaz, Jaweshli, Jalabi, Demerji, Derziler, Dogramchi, Khaffaf, Khayyat, Halwaji, Elkhamki, Kalekji, Kabkabji, Kassab, Kolji, Kojak Mulla Afinyar, Kuraji, Mufti, Najjar, Nakshabandi, Nalbendli, Bambokgi, Benderji, Sarraj, Sawwaf, Sedler, Shekarji and Yougortaji.<sup>131</sup>

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<sup>130</sup> Hanna Batatu, *ibid*, Third Book, P.224.

<sup>131</sup> Dr. Suphi Saatchi, *ibid*.



### **Conclusion**

The question that arises now is whether the Turkmen political speech did reach the Iraqi audience in all its minorities or not, especially since there is much talk about the eclipse the Turkmen issue experienced, as well as the prevention of the Turkmen vision from reaching the discussion table or decision makers.

How do the Turkmen view the different Iraqi issues, and how do they assess the crises and problems that are surrounding their political, geographical and national existence?

The true Turkmen movement is free from narrow calculations and selfishness. It has occupied itself with reality and shown through the years stability in its political speech, and true and mighty beliefs that eschew egoism and political immaturity.

The political movement adopted this creed in the beginnings of the Iraqi state, and vowed to its leaders to steadily apply this creed. This was represented 45 years ago in the form of "The Turkmen Brotherhood Club" that was established as an intellectual and political movement under the umbrella of which all the Turkmen thinkers and educators worked, and organized the intellectual and political orientation of the Iraqi Turkmen.

The concepts of the political movement of Iraqi Turkmen can be illustrated by basic intellectual facts that led the Turkmen movement, which adopted the Iraqi solution and was loyal in all its concepts to the Iraqi state. Moreover, it distinguished between the tyrannical state and the ideal state, as it

distinguished between certain political suppressive movements and the Arab and Kurdish people that shared with the Turkmens their happiness, sadness and aspirations.

These political facts can be clearly demonstrated by the principals of the intellectual and political movement that was propagated by the Elders and adopted by the Youth. They are facts that we hope will extend a bridge of trust and connection among the sons of Iraq in their different creeds, minorities and nationalisms. These facts can be demonstrated by the Turkmen Covenant.

## **The Turkmen Charter**

The Iraqi proposition sailed through stormy events that were created by various consecutive brutal dictatorial regimes that subsequently caused considerable hardship in all aspects of the Iraqi social order. Unfortunately, and despite the clear statements of the International Human Rights Declaration that was proclaimed on 10<sup>th</sup> of December 1948, the assured freedom and respectable life for everyone in the world was not reflected in the progression of events in Iraq for many decades.

The Turkmens had opposed dictatorial and repressive regimes throughout the recent history, which led these governments to marginalize the role of the Turkmen in the political arena and that of decision-making within the government. In order to obtain independence for the country of Iraq during the royal rule, the government pledged allegiance to the League of Nations in May 30<sup>th</sup> 1932, and hence assured the inclusion of prominent Turkmens in the early governments and confirmed the recognition of the major ethnic groups of Iraq as being made up of Arabs, Kurds and Turkmen. From the commencement of Iraq as a nation, the Turkmen were subjected to excessive oppression and, during the republic era and even under the western protection of Northern Iraq, the Turkmen cities were plundered more than once. All these events did not shake the Turkmen citizens' resolve of allegiance to their citizenship, and they kept working with the Arabs, Kurds and Cildo-Asserians to establish a civil order in the country and to build a strong society that

practices freedom, provides an honourable living and affords mutual respect to all ethnic components of the nation.

### **1. Ideology of the Turkmen movement:**

The Turkmen movement is an ethnic movement that believes in the moral tenants of Islam and strives to sustain the dignity of the Turkmen and all other Iraqi ethnicities. It rejects all ethnic approaches that admit the superiority of one ethnic group over the others.

The Turkmen movement is an inclusive ethnic movement that rejects racism, schisms, and local, regional and national factions. It is a civilized foundation that assembles the Turkmen in various cities, towns and villages regardless of their diverse views, under a broad umbrella to guide them to mutual coexistence and brotherhood among the Iraqis. This is a broad proclamation that embraces all of the vast groups of the Turkmen with its variety of social and/or intellectual opinions, and it also represents an ideological union to confront future events that face all Turkmen citizens.

### **2. Turkmen's vision of the Iraqi citizenship:**

From the inception of today's Iraq, the Turkmen were firmly bound to their conviction of being citizens of this nation and of having toiled in their political actions to advance the nation, even though many of the consecutive governments resorted to obstructing their rights and benefits and preventing their intellectuals from reaching the level of decision makers in Iraqi society.

Historically, the Turkmen have proved their allegiance to the Iraqi land and to the nation, and never joined or supported groups or movements that promoted harmful separation of or infidelity to the unity of Iraq. During the previous century there has never been any record of mass departure of the Turkmen from Iraq, even under the most brutal and tyrannical regime.

The Turkmen proudly declared their resentment towards any movement that would disrupt the unity of Iraq and they consider the sacredness of all the Iraqi territories, from the extreme North to the extreme South, which they would defend by any means. As they proclaimed their intention, they also invited all the Iraqi citizens regardless of their ethnicities, factions and ideologies to hold firmly onto this understanding and agreement regarding the principles of preserving the unity of the Iraqi nation.

### **3. Turkmen citizens' view of the Iraqi ethnicities:**

It is the firm belief of the Turkmen that the ideal solution for the ethnicity problems in Iraq will come to fruition only when the process builds on a solid foundation that embraces all the ethnicities and groups, and considers them all as first class citizens and partners in one nation. Selection of a free and sovereign united government system should be according to the resolve and free will of the Iraqis.

There should be no attempt to push aside any ethnic group or sect of people or exaggerate the role of one

group over the others because of certain exceptional states of affairs. Any solution that resorts to and implements the principles of the International Declarations of Human Rights according to the current situation would become a transitional solution, and could not represent wholeheartedly the blessing of the Iraqi people.

The Turkmen citizens affirm their respect for a comprehensive decision by the Iraqis that should take into consideration all the Iraqi ethnic groups who should exercise equal rights in shouldering similar duties in the regions that they inhabit, and that this should be conditional on a credible and just demographic census under the supervision of the United Nations.

The Iraqi Turkmen predict a united, democratic, pluralistic and parliamentary Iraq, in which the government will be chosen by a free and credible election according to international standards, and will not be subjected to narrow-minded ethnic determinations in the distribution of authority or governmental positions. In public service, the Turkmen believe that efficiency, qualifications, experience, and clear vision should become the standard.

The Turkmen agree on other solutions that affirm all Iraqi ethnic groups' right to carry out fully all of their national, cultural and administrative rights within principles that prescribe to local self determination or to a decentralized mode of governance or any other organizational system that would provide the

Turkmen with automatic equal rights without any discrimination or bias.

The Turkmen citizens completely realize the current situation of the unfair political manoeuvres that favours the interest of one group over the others, or those that attempt to smear other ethnicities or nationals as conspirators. They vow not to fall into this trap and, they call on other ethnic groups to adopt a similar stance towards the Turkmen citizens of Iraq.

#### **4. The Turkmen's View on the Arab Nations' Issues:**

The Turkmen view the Arab Nation as an important resource that enriches the Turkmen culture. They have been intertwined in the same fabric throughout history, and made to face the same destiny and struggle for coexistence while sharing their cultural and intellectual resources. Thus the Iraqi Turkmen citizens shared the inspirations, feelings and pains of their Arab brothers and stand with them to face the same objectives, especially with regards to Palestine, which is considered an important Arabic, Islamic and regional issue.

The Turkmen affirm that the Palestinians should strive to attain all of their legitimate rights and the establishment of a sovereign nation, with Jerusalem as its capital city. Furthermore, they hold onto the concept of the rights of all the nations in the Middle East to peaceful coexistence, and support all the Arab Nations intellectual and regional actions and

inspirations. They support the successes of the Arab Nations in achieving the goals of freedom and democracy according to systems of their choice. This will definitely influence the outcome of peace and stability in the region and, in return, will lead to security and tranquillity for all the people of the Middle East.

The Turkmen movement supports the efforts of the Arab League to sustain the security and sovereignty of the Arab nations, the promotion of alliance and cooperation with the nations of the region, and they strive to strengthen the cultural and intellectual relations with the Turkmen according to the principles of the Arab League and the Cairo Declaration of Denouncement of Racial Discrimination for the year 2001. The movement also declares to all of their Iraqi Arab brothers to encourage and cooperate in cultural and intellectual arenas by supporting the translations of literary works and intellectual books from the Turkmen language to Arabic. Moreover, they will organize periodic forums that include the participation of Arab and Turkmen elite to enlighten all the citizens on the Turkmen culture, wisdom, literature, folklore, music and theatre.

#### **5. The Turkmen's View on the Aspiration of the Kurdish Citizens:**

The Turkmen movement considers the aspirations of the Kurdish citizens in Iraq to be legitimate, and such as would certainly increase the intellectual and ideological Iraqi alliance. The Turkmen movement considers the Iraqi Kurdish citizens as being a vital



element in defending the achievements of the entire nation and, that the Kurdish people as having a reputable heritage, and deserving all their legitimate political, cultural, and national rights, including their rights to self governance, for a united Iraq.

The Turkmen movement holds no animosities or disrespect for the Kurds, and both of their movements are analogous and parallel. In return, the Turkmen expect the same civilized stance from the Kurdish political leadership in respecting the Turkmen's distinctiveness, and their support for Turkmen aspirations to political, cultural and national rights, without any preferential treatment or favour of one faction over the other. They expect good will and cooperation in attaining mutual achievements for both the Turkmen and Kurds in Iraq.

The Turkmen movement invites the Kurdish leadership and all Kurdish political, cultural, and ideological organizations to a dialogue based on mutual respect and courtesy, and they will reject all sorts of coercion or monopoly regarding the rights of others.

The long and rich history of the coexistence in Northern Iraq between the two peoples, as practiced in their villages and towns, invites the leadership and politicians of both movements to consider seriously the divisive issues, and focus on strengthening the bonds of mutual trust and facilitate cooperation with the Cildo-Asssirians inhabitants of Northern Iraq and all the Arab citizens of the nation. This would lay a strong foundation for building a civilized model for

healthy coexistence and integration in the Middle East region.

#### **6. The Turkmen's View on the Iraqi Governance System:**

The Turkmen movement believes firmly in the process of the selection of a form of government that should be decided by the Iraqis without being totalitarian. The Turkmen like other ethnic people of Iraq have rejected such dictatorial regimes in the past, and the movement advocates a democratic system and peaceful utilization of the authority according to a fair and credible election in line with the civilized manner that is practiced in democratic countries.

The Turkmen movement supports a pluralistic, constitutional and democratic republic. The Iraqi constitution should come out of the nation's consciousness and should assure all Iraqi citizens freedom in practicing their political, civil, social, and cultural privileges. These include freedom of speech exercised in terms of publishing newspapers and magazines, establishing radio and television stations, creating political parties, and the establishment of an intellectual organization within a moral code that would foster unity and prevent divisions within the country.

The Turkmen movement supports a strong central government in the capital of Baghdad, and considers it an assurance for the unity and the stability of Iraq for granting local governments and municipalities the

maximum flexibility in governing their affairs. Moreover, the Turkmen movement respects the Iraqi decision of selection of a government system either federal or united, with the condition that such a decision should consider the inclusion of all the ethnic groups of Iraq. Such decisions are vital and grave, and not should be granted to one group; the entire components of the Iraqi nation should be consulted on this issue.

#### **7. The Turkmen's View on the Religious and Sectarian Diversity:**

The Turkmen movement considers that the diversity of religious sects in Iraq has always enriched the religious and the cultural events of the Iraqi Turkmen. Religious beliefs or practices have never been a source of disagreement or intellectual conflict among them. The Turkmen realize that resorting to the religious practices of following the famous and ancient Islamic scholars is a personal spiritual choice that has contributed to the enrichment of the faith in the hearts of the Muslims. The Turkmen have the same opinion of leaving such matters to individuals or group choice and providing necessary support for religious organizations and places of worship to all Muslim categories.

The Turkmen confirm and believe in the Islamic principles of religious tolerance and respect for others religious characteristics. Citizens of various religious affiliations have lived along with the Turkmen and established humanistic bonds, interacted with them courteously and demonstrated

due mutual respect to each other. Among the Turkmen there is a Christian sect that lives in Kirkuk, especially in the historical fortress, and their identity should be revered, and their intellectual contributions and relics protected.

#### **8. The Turkmen's View on the Neighbouring and Regional Nations:**

The Turkmen movement affirms that in order to catch up with the progress of civilization and globalization, Iraq has to continue to work with all nations, especially with the neighbouring and regional countries, to benefit from their intellectual, economic and cultural resources. Iraq should not be in isolation from the rest of the world, but should continue the active role that has been followed since its inception, in cooperating and contributing in both the regional and international arenas according to mutual respect. However, this should not lead to interference in the internal affairs of other nations.

The Turkmen movement desires to see the Iraqi government established a harmoniously broad spectrum of relations, which strengthens the bonds with neighbouring and regional countries. The government should allow people from other countries to visit the holy shrines or the historical sites, and the process of granting permission should adopt a civilized and pragmatic order. The same should apply to the Iraqi citizens who would like to travel to other countries for religious, business, training and cultural reasons. This should apply to all countries, but particularly to Turkey and Iran.

The Turkmen share with Turkey and other Asiatic Turkic speaking nations their culture, language and heritage. Thus they consider improving these relations as important elements for the enhancement of their cultural activities in literature and publishing. The Turkmen categorically reject false assumptions in this direction, and confirm that this relation is absolutely cultural and intellectual and does not have any political merit. The same applies to the relations of other ethnic groups, such as the Arabs in Iraq, as they establish similar ties with neighbouring Arab nations. The Iraqi Turkmen also call for improving relations with other regional nations in the Caucasus and central Asia to benefit from their cultural and artistic experience. It must be clear that the political decisions of the Iraqi Turkmen originate from the Iraqi land, along with those of other ethnic brethren in the country.

#### **9. The Turkmen's View on family and Women:**

The family is considered the most important pillar of the Iraqi and Turkmen society, and it is the responsibility of the government to provide the family with all the civil rights that maintain its unity and enhance its role in the creation of a unique civil society. The Turkmen view women as the most vital element for the cohesiveness of the family, and to the raising of upright generations. Therefore, they call for complete support for the rights of the Turkmen and all the Iraqi women, for their protection from exploitation and suppression. Legislation that assures women dignity and rights should be enforced

comparable to what has been set for men and in accordance to the articles of the Treaty on the Abolishment of all Forms Discrimination Against Women as adopted by the United Nations General Assembly on December 18, 1979.

The Turkmen movement invites all the government agencies to utilize this civilized course in dealings with family matters, to provide women with a noble status in society and to protect her rights in job markets, ownership, commerce, cultural and social activities.

#### **10. The Turkmen's View on Education:**

The implementation of compulsory education at least to middle school level for all the sectors of the Iraqi populace is regard by the Turkmen as an important issue that has to be addressed and achieved by the government with prudence and sensitivity. Private schools that cater for the special needs of various sectors of the society should be considered prudently, and standards set for a complete central administration of such educational institutions for the entire country.

The Turkmen movement strongly advocates the adoption of local languages for teaching in all the sectors of Iraq, with full and sustained governmental support of their curriculum and schools.

Furthermore, the Turkmen movement advocates the expansion of vocational education, and the preparation of a technical force that would take an active role in rebuilding Iraq, improving higher

education, and utilizing a systematic and statistical means of balancing studies in science and the humanities.

The Turkmen movement also advocates the adoption in all the Turkmen regions of the Turkmen language in teaching at all levels of education, according to an established curriculum with the emphasis on teaching the fundamentals of the language and maintaining selected lessons for Turkmen language and literature in the higher classes. The teaching of Arabic should be maintained at all levels of education.

The use of modern (Latin) letters in the study of the Turkmen language as adopted by educators in the field of Turkic languages is preferred. This will facilitate catching up with progressive trends in education and teaching, as it provides vocal similarities to these languages. Furthermore, special attention should be paid to the study of the Turkmen language in Arabic script, and to obtaining permission for literary forums to publish in these languages, and even to reprint old publications of Turkmen literature for the enrichment of thought and knowledge.

## **11. The Turkmen's View on the Economic factors and Market policies:**

The Turkmen Movement believes in free economic policies and the adaptation of free market practices to achieve the best economic growth and development in a manor that prevents interferences or monopolies whether from the State or individuals.

The Turkmen Movement supports and encourages the movement of assets and free investments as long as it does not affect or harm the national security. In this regard, the Turkmen Movement stresses the limitation of the State's control on major economic issues and to free the currency policy and privatize the economic activities which were directed by the State like Banking, Insurance, Airways and telecommunication sectors. The role of the Government in these activities should me be restricted to auditing and other supportive measures that extend the activities of these sectors in order to create the necessary balances that lead to free market practices.

The Turkmen Movement calls for the promotion and rehabilitation of national industries. Development of institutions that are required for improving the export means, adoption of the freedom of foreign trade and elimination of restrictions on the imports in order to allow the free market to organize itself with own mechanisms and compete with the imported materials and goods are important issues that need considerable energy and organization.



The Turkmen Movement draws the attention to the importance of establishing a High Planning Authority which supports local industries, promotes the foreign investment and prevents all restrictions on hard currencies in order to reach the suitable flotation value of the Iraqi currency.

In the meantime, the Turkmen Movement considers feasibility studies for national projects, separating these industries on wide geographic area within the Iraqi homeland, the use of the raw material with efficiency and introduce into the developing areas of the country vital industrial and service projects in order to achieve proficiency and profit. Thus the Movement asks for real attention to be paid to Turkmen areas to support and encourage the development of industrial and economic facilities including the petro -chemical industries in the proper parts of the country.

### **Summary:**

All the Turkmen in Iraq are invited to rally behind the articles of this charter, and to support the coalition of actions and cultural affairs. The Turkmen movement firmly believes that all political actions and decisions should sprout genuinely from Iraqi soil and from the reality of the Turkmen presence in Iraq, and should be immune from any external influence whatsoever. The Iraqi Turkmen are more aware of their affairs, problems and aspirations than others, and they

should be the model and motivator of the Iraqi Turkmen.

The Turkmen movement earnestly calls on the entire Iraqi population to proceed with the collaboration of the political and cultural movement of the Turkmen. They should adhere to the principles of this charter, and should present this narration as an assurance for future collaboration with the entire Iraqi population for a free and civilized nation.

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## **Appendix 1**

## **Appendix 2**

### ***Law of Administration for the State of Iraq for the Transitional Period***

*Based on the text published by the Coalition Provisional Authority (CPA).*

#### **Preamble**

The people of Iraq, striving to reclaim their freedom, which was usurped by the previous tyrannical regime, rejecting violence and coercion in all their forms, and particularly when used as instruments of governance, have determined that they shall hereafter remain a free people governed under the rule of law.

These people, affirming today their respect for international law, especially having been amongst the founders of the United Nations, working to reclaim their legitimate place among nations, have endeavoured at the same time to preserve the unity of their homeland in a spirit of fraternity and solidarity in order to draw the features of the future new Iraq, and to establish the mechanisms aiming, amongst other aims, to erase the effects of racist and sectarian policies and practices.

This Law is now established to govern the affairs of Iraq during the transitional period until a duly elected government, operating under a permanent and legitimate constitution achieving full democracy, shall come into being.

## Chapter One -- Fundamental Principles

### Article 1

This Law shall be called the "Law of Administration for the State of Iraq for the Transitional Period," and the phrase "this Law" wherever it appears in this legislation shall mean the "Law of Administration for the State of Iraq for the Transitional Period."

(B) Gender-specific language shall apply equally to male and female.

(C) The Preamble to this Law is an integral part of this Law.

### Article 2

(A) The term "transitional period" shall refer to the period beginning on 30 June 2004 and lasting until the formation of an elected Iraqi government pursuant to a permanent constitution as set forth in this Law, which in any case shall be no later than 31 December 2005, unless the provisions of Article 61 are applied.

(B) The transitional period shall consist of two phases.

(1) The first phase shall begin with the formation of a fully sovereign Iraqi Interim Government that takes power on 30 June 2004. This government shall be constituted in accordance with a process of extensive deliberations and consultations with cross-sections of the Iraqi people conducted by the Governing Council and the Coalition Provisional Authority and possibly

in consultation with the United Nations. This government shall exercise authority in accordance with this Law, including the fundamental principles and rights specified herein, and with an annex that shall be agreed upon and issued before the beginning of the transitional period and that shall be an integral part of this Law.

(2) The second phase shall begin after the formation of the Iraqi Transitional Government, which will take place after elections for the National Assembly have been held as stipulated in this Law, provided that, if possible, these elections are not delayed beyond 31 December 2004, and, in any event, beyond 31 January 2005. This second phase shall end upon the formation of an Iraqi government pursuant to a permanent constitution.

### Article 3

(A) This Law is the Supreme Law of the land and shall be binding in all parts of Iraq without exception. No amendment to this Law may be made except by a three-fourths majority of the members of the National Assembly and the unanimous approval of the Presidency Council. Likewise, no amendment may be made that could abridge in any way the rights of the Iraqi people cited in Chapter Two; extend the transitional period beyond the timeframe cited in this Law; delay the holding of elections to a new assembly; reduce the powers of the regions or governorates; or affect Islam, or any other religions or sects and their rites.



(B) Any legal provision that conflicts with this Law is null and void.

(C) This Law shall cease to have effect upon the formation of an elected government pursuant to a permanent constitution.

#### Article 4

The system of government in Iraq shall be republican, federal, democratic, and pluralistic, and powers shall be shared between the federal government and the regional governments, governorates, municipalities, and local administrations. The federal system shall be based upon geographic and historical realities and the separation of powers, and not upon origin, race, ethnicity, nationality, or confession.

#### Article 5

The Iraqi Armed Forces shall be subject to the civilian control of the Iraqi Transitional Government, in accordance with the contents of Chapters Three and Five of this Law.

#### Article 6

The Iraqi Transitional Government shall take effective steps to end the vestiges of the oppressive acts of the previous regime arising from forced displacement, deprivation of citizenship, expropriation of financial assets and property, and dismissal from government employment for political, racial, or sectarian reasons.

#### Article 7

(A) Islam is the official religion of the State and is to be considered a source of legislation. No law that contradicts the universally agreed tenets of Islam, the principles of democracy, or the rights cited in Chapter Two of this Law may be enacted during the transitional period. This Law respects the Islamic identity of the majority of the Iraqi people and guarantees the full religious rights of all individuals to freedom of religious belief and practice.

(B) Iraq is a country of many nationalities, and the Arab people in Iraq are an inseparable part of the Arab nation.

#### Article 8

The flag, anthem, and emblem of the State shall be fixed by law.

#### Article 9

The Arabic language and the Kurdish language are the two official languages of Iraq. The right of Iraqis to educate their children in their mother tongue, such as Turcoman, Syriac, or Armenian, in government educational institutions in accordance with educational guidelines, or in any other language in private educational institutions, shall be guaranteed. The scope of the term "official language" and the means of applying the provisions of this Article shall be defined by law and shall include:

(1) Publication of the official gazette, in the two languages;

(2) Speech and expression in official settings, such as the National Assembly, the Council of Ministers, courts, and official conferences, in either of the two languages;

(3) Recognition and publication of official documents and correspondence in the two languages;

(4) Opening schools that teach in the two languages, in accordance with educational guidelines;

(5) Use of both languages in any other settings enjoined by the principle of equality (such as bank notes, passports, and stamps);

(6) Use of both languages in the federal institutions and agencies in the Kurdistan region.

## Chapter Two -- Fundamental Rights

### Article 10

As an expression of the free will and sovereignty of the Iraqi people, their representatives shall form the governmental structures of the State of Iraq. The Iraqi Transitional Government and the governments of the regions, governorates, municipalities, and local administrations shall respect the rights of the Iraqi people, including those rights cited in this Chapter.

Article 11

(A) Anyone who carries Iraqi nationality shall be deemed an Iraqi citizen. His citizenship shall grant him all the rights and duties stipulated in this Law and shall be the basis of his relation to the homeland and the State.

(B) No Iraqi may have his Iraqi citizenship withdrawn or be exiled unless he is a naturalized citizen who, in his application for citizenship, as established in a court of law, made material falsifications on the basis of which citizenship was granted.

(C) Each Iraqi shall have the right to carry more than one citizenship. Any Iraqi whose citizenship was withdrawn because he acquired another citizenship shall be deemed an Iraqi.

(D) Any Iraqi whose Iraqi citizenship was withdrawn for political, religious, racial, or sectarian reasons has the right to reclaim his Iraqi citizenship.

(E) Decision Number 666 (1980) of the dissolved Revolutionary Command Council is annulled, and anyone whose citizenship was withdrawn on the basis of this decree shall be deemed an Iraqi.

(F) The National Assembly must issue laws pertaining to citizenship and naturalization consistent with the provisions of this Law.

(G) The Courts shall examine all disputes arising from the application of the provisions relating to citizenship.

#### Article 12

All Iraqis are equal in their rights without regard to gender, sect, opinion, belief, nationality, religion, or origin, and they are equal before the law. Discrimination against an Iraqi citizen on the basis of his gender, nationality, religion, or origin is prohibited. Everyone has the right to life, liberty, and the security of his person. No one may be deprived of his life or liberty, except in accordance with legal procedures. All are equal before the courts.

#### Article 13

(A) Public and private freedoms shall be protected.

(B) The right of free expression shall be protected.

(C) The right of free peaceable assembly and the right to join associations freely, as well as the right to form and join unions and political parties freely, in accordance with the law, shall be guaranteed.

(D) Each Iraqi has the right of free movement in all parts of Iraq and the right to travel abroad and return freely.

(E) Each Iraqi has the right to demonstrate and strike peaceably in accordance with the law.

(F) Each Iraqi has the right to freedom of thought, conscience, and religious belief and practice. Coercion in such matters shall be prohibited.

(G) Slavery, the slave trade, forced labor, and involuntary servitude with or without pay, shall be forbidden.

(H) Each Iraqi has the right to privacy.

#### Article 14

The individual has the right to security, education, health care, and social security. The Iraqi State and its governmental units, including the federal government, the regions, governorates, municipalities, and local administrations, within the limits of their resources and with due regard to other vital needs, shall strive to provide prosperity and employment opportunities to the people.

#### Article 15

(A) No civil law shall have retroactive effect unless the law so stipulates. There shall be neither a crime, nor punishment, except by law in effect at the time the crime is committed.

(B) Police, investigators, or other governmental authorities may not violate the sanctity of private residences, whether these authorities belong to the federal or regional governments, governorates, municipalities, or local administrations, unless a judge or investigating magistrate has issued a search warrant in accordance with applicable law on the basis of information provided by a sworn individual who knew that bearing false witness would render him liable to punishment. Extreme exigent circumstances, as determined by a court of competent jurisdiction, may justify a warrantless

search, but such exigencies shall be narrowly construed. In the event that a warrantless search is carried out in the absence of an extreme exigent circumstance, the evidence so seized, and any other evidence found derivatively from such search, shall be inadmissible in connection with a criminal charge, unless the court determines that the person who carried out the warrantless search believed reasonably and in good faith that the search was in accordance with the law.

(C) No one may be unlawfully arrested or detained, and no one may be detained by reason of political or religious beliefs.

(D) All persons shall be guaranteed the right to a fair and public hearing by an independent and impartial tribunal, regardless of whether the proceeding is civil or criminal. Notice of the proceeding and its legal basis must be provided to the accused without delay.

(E) The accused is innocent until proven guilty pursuant to law, and he likewise has the right to engage independent and competent counsel, to remain silent in response to questions addressed to him with no compulsion to testify for any reason, to participate in preparing his defence, and to summon and examine witnesses or to ask the judge to do so. At the time a person is arrested, he must be notified of these rights.

(F) The right to a fair, speedy, and open trial shall be guaranteed.

(G) Every person deprived of his liberty by arrest or detention shall have the right of recourse to a court to determine the legality of his arrest or detention without delay and to order his release if this occurred in an illegal manner.

(H) After being found innocent of a charge, an accused may not be tried once again on the same charge.

(I) Civilians may not be tried before a military tribunal. Special or exceptional courts may not be established.

(J) Torture in all its forms, physical or mental, shall be prohibited under all circumstances, as shall be cruel, inhuman, or degrading treatment. No confession made under compulsion, torture, or threat thereof shall be relied upon or admitted into evidence for any reason in any proceeding, whether criminal or otherwise.

#### Article 16

(A) Public property is sacrosanct, and its protection is the duty of every citizen.

(B) The right to private property shall be protected, and no one may be prevented from disposing of his property except within the limits of law. No one shall be deprived of his property except by eminent domain, in circumstances and in the manner set forth in law, and on condition that he is paid just and timely compensation.



(C) Each Iraqi citizen shall have the full and unfettered right to own real property in all parts of Iraq without restriction.

Article 17

It shall not be permitted to possess, bear, buy, or sell arms except on licensure issued in accordance with the law.

Article 18

There shall be no taxation or fee except by law.

Article 19

No political refugee who has been granted asylum pursuant to applicable law may be surrendered or returned forcibly to the country from which he fled.

Article 20

(A) Every Iraqi who fulfils the conditions stipulated in the electoral law has the right to stand for election and cast his ballot secretly in free, open, fair, competitive, and periodic elections.

(B) No Iraqi may be discriminated against for purposes of voting in elections on the basis of gender, religion, sect, race, belief, ethnic origin, language, wealth, or literacy.

Article 21

Neither the Iraqi Transitional Government nor the governments and administrations of the regions, governorates, and municipalities, nor local

administrations may interfere with the right of the Iraqi people to develop the institutions of civil society, whether in cooperation with international civil society organizations or otherwise.

#### Article 22

If, in the course of his work, an official of any government office, whether in the federal government, the regional governments, the governorate and municipal administrations, or the local administrations, deprives an individual or a group of the rights guaranteed by this Law or any other Iraqi laws in force, this individual or group shall have the right to maintain a cause of action against that employee to seek compensation for the damages caused by such deprivation, to vindicate his rights, and to seek any other legal measure. If the court decides that the official had acted with a sufficient degree of good faith and in the belief that his actions were consistent with the law, then he is not required to pay compensation.

#### Article 23

The enumeration of the foregoing rights must not be interpreted to mean that they are the only rights enjoyed by the Iraqi people. They enjoy all the rights that befit a free people possessed of their human dignity, including the rights stipulated in international treaties and agreements, other instruments of international law that Iraq has signed and to which it has acceded, and others that are deemed binding upon it, and in the law of nations. Non-Iraqis within Iraq shall enjoy all human rights not inconsistent with their status as non-citizens.

## Chapter Three

### **The Iraqi Transitional Government**

#### Article 24

(A) The Iraqi Transitional Government, which is also referred to in this Law as the federal government, shall consist of the National Assembly; the Presidency Council; the Council of Ministers, including the Prime Minister; and the judicial authority.

(B) The three authorities, legislative, executive, and judicial, shall be separate and independent of one another.

(C) No official or employee of the Iraqi Transitional Government shall enjoy immunity for criminal acts committed while in office.

#### Article 25

The Iraqi Transitional Government shall have exclusive competence in the following matters:

(A) Formulating foreign policy and diplomatic representation; negotiating, signing, and ratifying international treaties and agreements; formulating foreign economic and trade policy and sovereign debt policies;

(B) Formulating and executing national security policy, including creating and maintaining armed forces to secure, protect, and guarantee the security of the country's borders and to defend Iraq;

(C) Formulating fiscal policy, issuing currency, regulating customs, regulating commercial policy across regional and governorate boundaries in Iraq, drawing up the national budget of the State, formulating monetary policy, and establishing and administering a central bank;

(D) Regulating weights and measures and formulating a general policy on wages;

(E) Managing the natural resources of Iraq, which belongs to all the people of all the regions and governorates of Iraq, in consultation with the governments of the regions and the administrations of the governorates, and distributing the revenues resulting from their sale through the national budget in an equitable manner proportional to the distribution of population throughout the country, and with due regard for areas that were unjustly deprived of these revenues by the previous regime, for dealing with their situations in a positive way, for their needs, and for the degree of development of the different areas of the country;

(F) Regulating Iraqi citizenship, immigration, and asylum; and

(G) Regulating telecommunications policy.

#### Article 26

(A) Except as otherwise provided in this Law, the laws in force in Iraq on 30 June 2004 shall remain in effect unless and until rescinded or amended by the

Iraqi Transitional Government in accordance with this Law.

(B) Legislation issued by the federal legislative authority shall supersede any other legislation issued by any other legislative authority in the event that they contradict each other, except as provided in Article 54 (B).

(C) The laws, regulations, orders, and directives issued by the Coalition Provisional Authority pursuant to its authority under international law shall remain in force until rescinded or amended by legislation duly enacted and having the force of law.

#### Article 27 [Iraqi Armed Forces]

(A) The Iraqi Armed Forces shall consist of the active and reserve units, and elements thereof. The purpose of these forces is the defence of Iraq.

(B) Armed forces and militias not under the command structure of the Iraqi Transitional Government are prohibited, except as provided by federal law.

(C) The Iraqi Armed Forces and its personnel, including military personnel working in the Ministry of Defence or any offices or organizations subordinate to it, may not stand for election to political office, campaign for candidates, or participate in other activities forbidden by Ministry of Defence regulations. This ban encompasses the activities of

the personnel mentioned above acting in their personal or official capacities. Nothing in this Article shall infringe upon the right of these personnel to vote in elections.

(D) The Iraqi Intelligence Service shall collect information, assess threats to national security, and advise the Iraqi government. This Service shall be under civilian control, shall be subject to legislative oversight, and shall operate pursuant to law and in accordance with recognized principles of human rights.

(E) The Iraqi Transitional Government shall respect and implement Iraq's international obligations regarding the non-proliferation, non-development, non-production, and non-use of nuclear, chemical, and biological weapons, and associated equipment, materiel, technologies, and delivery systems for use in the development, manufacture, production, and use of such weapons.

#### Article 28

(A) Members of the National Assembly; the Presidency Council; the Council of Ministers, including the Prime Minister; and judges and justices of the courts may not be appointed to any other position in or out of government. Any member of the National Assembly who becomes a member of the Presidency Council or Council of Ministers shall be deemed to have resigned his membership in the National Assembly.

(B) In no event may a member of the armed forces

be a member of the National Assembly, minister, Prime Minister, or member of the Presidency Council unless the individual has resigned his commission or rank, or retired from duty at least eighteen months prior to serving.

#### Article 29

Upon the assumption of full authority by the Iraqi Interim Government in accordance with Article 2 (B) (1), above, the Coalition Provisional Authority shall be dissolved and the work of the Governing Council shall come to an end.

### Chapter Four

#### Article 30 [National Assembly, Elections]

(A) During the transitional period, the State of Iraq shall have a legislative authority known as the National Assembly. Its principal mission shall be to legislate and exercise oversight over the work of the executive authority.

(B) Laws shall be issued in the name of the people of Iraq. Laws, regulations, and directives related to them shall be published in the official gazette and shall take effect as of the date of their publication, unless they stipulate otherwise.

(C) The National Assembly shall be elected in accordance with an electoral law and a political parties law. The electoral law shall aim to achieve the goal of having women constitute no less than one-

quarter of the members of the National Assembly and of having fair representation for all communities in Iraq, including the Turcomans, ChaldoAssyrians, and others.

(D) Elections for the National Assembly shall take place by 31 December 2004 if possible and in any case no later than by 31 January 2005.

#### Article 31

(A) The National Assembly shall consist of 275 members. It shall enact a law dealing with the replacement of its members in the event of resignation, removal, or death.

(B) A nominee to the National Assembly must fulfil the following conditions:

(1) He shall be an Iraqi no less than 30 years of age.

(2) He shall not have been a member of the dissolved Ba'ath Party with the rank of Division Member or higher, unless exempted pursuant to the applicable legal rules.

(3) If he was once a member of the dissolved Ba'ath Party with the rank of Full Member, he shall be required to sign a document renouncing the Ba'ath Party and disavowing all of his past links with it before becoming eligible to be a candidate, as well as to swear that he no longer has any dealings or connection with Ba'ath Party organizations. If it is established in court that he lied or fabricated on this score, he shall lose his seat in the National Assembly.



(4) He shall not have been a member of the former agencies of repression and shall not have contributed to or participated in the persecution of citizens.

(5) He shall not have enriched himself in an illegitimate manner at the expense of the homeland and public finance.

(6) He shall not have been convicted of a crime involving moral turpitude and shall have a good reputation.

(7) He shall have at least a secondary school diploma, or equivalent.

(8) He shall not be a member of the armed forces at the time of his nomination.

#### Article 32

(A) The National Assembly shall draw up its own internal procedures, and it shall sit in public session unless circumstances require otherwise, consistent with its internal procedures. The first session of the Assembly shall be chaired by its oldest member.

(B) The National Assembly shall elect, from its own members, a president and two deputy presidents of the National Assembly. The president of the National Assembly shall be the individual who receives the greatest number of votes for that office; the first deputy president the next highest; and the second deputy president the next. The president of the National Assembly may vote on an issue, but may

not participate in the debates, unless he temporarily steps out of the chair immediately prior to addressing the issue.

(C) A bill shall not be voted upon by the National Assembly unless it has been read twice at a regular session of the Assembly, on condition that at least two days intervene between the two readings, and after the bill has been placed on the agenda of the session at least four days prior to the vote.

#### Article 33

(A) Meetings of the National Assembly shall be public, and transcripts of its meetings shall be recorded and published. The vote of every member of the National Assembly shall be recorded and made public. Decisions in the National Assembly shall be taken by simple majority unless this Law stipulates otherwise.

(B) The National Assembly must examine bills proposed by the Council of Ministers, including budget bills.

(C) Only the Council of Ministers shall have the right to present a proposed national budget. The National Assembly has the right to reallocate proposed spending and to reduce the total amounts in the general budget. It also has the right to propose an increase in the overall amount of expenditures to the Council of Ministers if necessary.

(D) Members of the National Assembly shall have the right to propose bills, consistent with the internal

procedures that drawn up by the Assembly.  
(E) The Iraqi Armed Forces may not be dispatched outside Iraq even for the purpose of defending against foreign aggression except with the approval of the National Assembly and upon the request of the Presidency Council.

(F) Only the National Assembly shall have the power to ratify international treaties and agreements.

(G) The oversight function performed by the National Assembly and its committees shall include the right of interpellation of executive officials, including members of the Presidency Council, the Council of Ministers, including the Prime Minister, and any less senior official of the executive authority. This shall encompass the right to investigate, request information, and issue subpoenas for persons to appear before them.

#### Article 34

Each member of the National Assembly shall enjoy immunity for statements made while the Assembly is in session, and the member may not be sued before the courts for such. A member may not be placed under arrest during a session of the National Assembly, unless the member is accused of a crime and the National Assembly agrees to lift his immunity or if he is caught *in flagrante delicto* in the commission of a felony.

## Chapter Five

### Article 35

The executive authority during the transitional period shall consist of the Presidency Council, the Council of Ministers, and its presiding Prime Minister.

### Article 36

(A) The National Assembly shall elect a President of the State and two Deputies. They shall form the Presidency Council, the function of which will be to represent the sovereignty of Iraq and oversee the higher affairs of the country. The election of the Presidency Council shall take place on the basis of a single list and by a two-thirds majority of the members' votes. The National Assembly has the power to remove any member of the Presidency Council of the State for incompetence or lack of integrity by a three-fourths majority of its members' votes. In the event of a vacancy in the Presidency Council, the National Assembly shall, by a vote of two-thirds of its members, elect a replacement to fill the vacancy.

(B) It is a prerequisite for a member of the Presidency Council to fulfil the same conditions as the members of the National Assembly, with the following observations:

- (1) He must be at least forty years of age.
- (2) He must possess a good reputation, integrity, and rectitude.
- (3) If he was a member of the dissolved Ba'ath Party,

he must have left the dissolved Party at least ten years before its fall.

(4) He must not have participated in repressing the intifada of 1991 or the Anfal campaign and must not have committed a crime against the Iraqi people.  
(C) The Presidency Council shall take its decisions unanimously, and its members may not deputize others as proxies.

#### Article 37

The Presidency Council may veto any legislation passed by the National Assembly, on condition that this be done within fifteen days after the Presidency Council is notified by the president of the National Assembly of the passage of such legislation. In the event of a veto, the legislation shall be returned to the National Assembly, which has the right to pass the legislation again by a two-thirds majority not subject to veto within a period not to exceed thirty days.

#### Article 38

(A) The Presidency Council shall name a Prime Minister unanimously, as well as the members of the Council of Ministers upon the recommendation of the Prime Minister. The Prime Minister and Council of Ministers shall then seek to obtain a vote of confidence by simple majority from the National Assembly prior to commencing their work as a government. The Presidency Council must agree on a candidate for the post of Prime Minister within two weeks. In the event that it fails to do so, the responsibility of naming the Prime Minister reverts to

the National Assembly. In that event, the National Assembly must confirm the nomination by a two-thirds majority. If the Prime Minister is unable to nominate his Council of Ministers within one month, the Presidency Council shall name another Prime Minister.

(B) The qualifications for Prime Minister must be the same as for the members of the Presidency Council except that his age must not be less than 35 years upon his taking office.

#### Article 39

(A) The Council of Ministers shall, with the approval of the Presidency Council, appoint representatives to negotiate the conclusion of international treaties and agreements. The Presidency Council shall recommend passage of a law by the National Assembly to ratify such treaties and agreements.

(B) The Presidency Council shall carry out the function of commander-in-chief of the Iraqi Armed Forces only for ceremonial and protocol purposes. It shall have no command authority. It shall have the right to be briefed, to inquire, and to advise. Operationally, national command authority on military matters shall flow from the Prime Minister to the Minister of Defence to the military chain of command of the Iraqi Armed Forces.

(C) The Presidency Council shall, as more fully set forth in Chapter Six, below, appoint, upon recommendation of the Higher Juridical Council, the

Presiding Judge and members of the Federal Supreme Court.

(D) The Council of Ministers shall appoint the Director-General of the Iraqi National Intelligence Service, as well as officers of the Iraqi Armed Forces at the rank of general or above. Such appointments shall be subject to confirmation by the National Assembly by simple majority of those of its members present.

#### Article 40

(A) The Prime Minister and the ministers shall be responsible before the National Assembly, and this Assembly shall have the right to withdraw its confidence either in the Prime Minister or in the ministers collectively or individually. In the event that confidence in the Prime Minister is withdrawn, the entire Council of Ministers shall be dissolved, and Article 40 (B), below, shall become operative.

(B) In the event of a vote of no confidence with respect to the entire Council of Ministers, the Prime Minister and Council of Ministers shall remain in office to carry out their functions for a period not to exceed thirty days, until the formation of a new Council of Ministers, consistent with Article 38, above.

#### Article 41

The Prime Minister shall have day-to-day responsibility for the management of the government, and he may dismiss ministers with the approval of a simple majority of the National Assembly. The

Presidency Council may, upon the recommendation of the Commission on Public Integrity after the exercise of due process, dismiss the Prime Minister or the ministers.

#### Article 42

The Council of Ministers shall draw up rules of procedure for its work and issue the regulations and directives necessary to enforce the laws. It also has the right to propose bills to the National Assembly. Each ministry has the right, within its competence, to nominate deputy ministers, ambassadors, and other employees of special grade. After the Council of Ministers approves these nominations, they shall be submitted to the Presidency Council for ratification. All decisions of the Council of Ministers shall be taken by simple majority of those of its members present.

### Chapter Six -- The Federal Judicial Authority

#### Article 43

(A) The judiciary is independent, and it shall in no way be administered by the executive authority, including the Ministry of Justice. The judiciary shall enjoy exclusive competence to determine the innocence or guilt of the accused pursuant to law, without interference from the legislative or executive authorities.

(B) All judges sitting in their respective courts as of 1 July 2004 will continue in office thereafter, unless removed from office pursuant to this Law.



(C) The National Assembly shall establish an independent and adequate budget for the judiciary.

(D) Federal courts shall adjudicate matters that arise from the application of federal laws. The establishment of these courts shall be within the exclusive competence of the federal government. The establishment of these courts in the regions shall be in consultation with the presidents of the judicial councils in the regions, and priority in appointing or transferring judges to these courts shall be given to judges' resident in the region.

#### Article 44

(A) A court called the Federal Supreme Court shall be constituted by law in Iraq.

(B) The jurisdiction of the Federal Supreme Court shall be as follows:

(1) Original and exclusive jurisdiction in legal proceedings between the Iraqi Transitional Government and the regional governments, governorate and municipal administrations, and local administrations.

(2) Original and exclusive jurisdiction, on the basis of a complaint from a claimant or a referral from another court, to review claims that a law, regulation, or directive issued by the federal or regional governments, the governorate or municipal administrations, or local administrations is inconsistent with this Law.

(3) Ordinary appellate jurisdiction of the Federal Supreme Court shall be defined by federal law.

(C) Should the Federal Supreme Court rule that a challenged law, regulation, directive, or measure is inconsistent with this Law, it shall be deemed null and void.

(D) The Federal Supreme Court shall create and publish regulations regarding the procedures required to bring claims and to permit attorneys to practice before it. It shall take its decisions by simple majority, except decisions with regard to the proceedings stipulated in Article 44 (B) (1), which must be by a two-thirds majority. Decisions shall be binding. The Court shall have full powers to enforce its decisions, including the power to issue citations for contempt of court and the measures that flow from this.

(E) The Federal Supreme Court shall consist of nine members. The Higher Juridical Council shall, in consultation with the regional judicial councils, initially nominate no less than eighteen and up to twenty-seven individuals to fill the initial vacancies in the aforementioned Court. It will follow the same procedure thereafter, nominating three members for each subsequent vacancy that occurs by reason of death, resignation, or removal. The Presidency Council shall appoint the members of this Court and name one of them as its Presiding Judge. In the event an appointment is rejected, the Higher Juridical Council shall nominate a new group of three candidates.

#### Article 45

A Higher Juridical Council shall be established and assume the role of the Council of Judges. The Higher Juridical Council shall supervise the federal judiciary and shall administer its budget. This Council shall be composed of the Presiding Judge of the Federal Supreme Court, the presiding judge and deputy presiding judges of the federal Court of Cassation, the presiding judges of the federal Courts of Appeal, and the presiding judge and two deputy presiding judges of each regional court of cassation. The Presiding Judge of the Federal Supreme Court shall preside over the Higher Juridical Council. In his absence, the presiding judge of the federal Court of Cassation shall preside over the Council.

#### Article 46

(A) The federal judicial branch shall include existing courts outside the Kurdistan region, including courts of first instance; the Central Criminal Court of Iraq; Courts of Appeal; and the Court of Cassation, which shall be the court of last resort except as provided in Article 44 of this Law. Additional federal courts may be established by law. The appointment of judges for these courts shall be made by the Higher Juridical Council. This Law preserves the qualifications necessary for the appointment of judges, as defined by law.

(B) The decisions of regional and local courts, including the courts of the Kurdistan region, shall be

final, but shall be subject to review by the federal judiciary if they conflict with this Law or any federal law. Procedures for such review shall be defined by law.

#### Article 47

No judge or member of the Higher Juridical Council may be removed unless he is convicted of a crime involving moral turpitude or corruption or suffers permanent incapacity. Removal shall be on the recommendation of the Higher Juridical Council, by a decision of the Council of Ministers, and with the approval of the Presidency Council. Removal shall be executed immediately after issuance of this approval. A judge who has been accused of such a crime as cited above shall be suspended from his work in the judiciary until such time as the case arising from what is cited in this Article is adjudicated. No judge may have his salary reduced or suspended for any reason during his period of service.

### Chapter Seven –The Special Tribunal and National Commissions

#### Article 48

(A) The statute establishing the Iraqi Special Tribunal issued on 10 December 2003 is confirmed. That statute exclusively defines its jurisdiction and procedures, notwithstanding the provisions of this Law.

(B) No other court shall have jurisdiction to examine cases within the competence of the Iraqi Special Tribunal, except to the extent provided by its founding statute.

(C) The judges of the Iraqi Special Tribunal shall be appointed in accordance with the provisions of its founding statute.

#### Article 49

(A) The establishment of national commissions such as the Commission on Public Integrity, the Iraqi Property Claims Commission, and the Higher National De-Ba'athification Commission is confirmed, as is the establishment of commissions formed after this Law has gone into effect. The members of these national commissions shall continue to serve after this Law has gone into effect, taking into account the contents of Article 51, below.

(B) The method of appointment to the national commissions shall be in accordance with law.

#### Article 50

The Iraqi Transitional Government shall establish a National Commission for Human Rights for the purpose of executing the commitments relative to the rights set forth in this Law and to examine complaints pertaining to violations of human rights. The Commission shall be established in accordance with the Paris Principles issued by the United Nations on the responsibilities of national institutions. This Commission shall include an Office of the Ombudsman to inquire into complaints. This office shall have the power to investigate, on its own initiative or on the basis of a complaint submitted to it, any allegation that the conduct of the

governmental authorities is arbitrary or contrary to law.

#### Article 51 [Incompatibility]

No member of the Iraqi Special Tribunal or of any commission established by the federal government may be employed in any other capacity in or out of government. This prohibition is valid without limitation, whether it be within the executive, legislative, or judicial authority of the Iraqi Transitional Government. Members of the Special Tribunal may, however, suspend their employment in other agencies while they serve on the aforementioned Tribunal.

### Chapter Eight -- Regions, Governorates, and Municipalities

#### Article 52

The design of the federal system in Iraq shall be established in such a way as to prevent the concentration of power in the federal government that allowed the continuation of decades of tyranny and oppression under the previous regime. This system shall encourage the exercise of local authority by local officials in every region and governorate, thereby creating a united Iraq in which every citizen actively participates in governmental affairs, secures in his rights and free of domination.

#### Article 53

(A) The Kurdistan Regional Government is recognized as the official government of the territories that were administered by that government

on 19 March 2003 in the governorates of Dohuk, Arbil, Sulaimaniya, Kirkuk, Diyala and Neneveh. The term "Kurdistan Regional Government" shall refer to the Kurdistan National Assembly, the Kurdistan Council of Ministers, and the regional judicial authority in the Kurdistan region.

(B) The boundaries of the eighteen governorates shall remain without change during the transitional period.

(C) Any group of no more than three governorates outside the Kurdistan region, with the exception of Baghdad and Kirkuk, shall have the right to form regions from amongst themselves. The mechanisms for forming such regions may be proposed by the Iraqi Interim Government, and shall be presented and considered by the elected National Assembly for enactment into law. In addition to being approved by the National Assembly, any legislation proposing the formation of a particular region must be approved in a referendum of the people of the relevant governorates.

(D) This Law shall guarantee the administrative, cultural, and political rights of the Turcomans, ChaldoAssyrians, and all other citizens.

#### Article 54

(A) The Kurdistan Regional Government shall continue to perform its current functions throughout the transitional period, except with regard to those issues which fall within the exclusive competence of the federal government as specified in this Law.

Financing for these functions shall come from the federal government, consistent with current practice and in accordance with Article 25 (E) of this Law. The Kurdistan Regional Government shall retain regional control over police forces and internal security, and it will have the right to impose taxes and fees within the Kurdistan region.

(B) With regard to the application of federal laws in the Kurdistan region, the Kurdistan National Assembly shall be permitted to amend the application of any such law within the Kurdistan region, but only to the extent that this relates to matters that are not within the provisions of Articles 25 and 43 (D) of this Law and that fall within the exclusive competence of the federal government.

#### Article 55

(A) Each governorate shall have the right to form a Governorate Council, name a Governor, and form municipal and local councils. No member of any regional government, governor, or member of any governorate, municipal, or local council may be dismissed by the federal government or any official thereof, except upon conviction of a crime by a court of competent jurisdiction as provided by law. No regional government may dismiss a Governor or member or members of any governorate, municipal, or local council. No Governor or member of any Governorate, municipal, or local council shall be subject to the control of the federal government except to the extent that the matter relates to the competences set forth in Article 25 and 43 (D), above.



(B) Each Governor and member of each Governorate Council who holds office as of 1 July 2004, in accordance with the law on local government that shall be issued, shall remain in place until such time as free, direct, and full elections, conducted pursuant to law, are held, or, unless, prior to that time, he voluntarily gives up his position, is removed upon his conviction for a crime involving moral turpitude or related to corruption, or upon being stricken with permanent incapacity, or is dismissed in accordance with the law cited above. When a governor, mayor, or member of a council is dismissed, the relevant council may receive applications from any eligible resident of the governorate to fill the position. Eligibility requirements shall be the same as those set forth in Article 31 for membership in the National Assembly. The new candidate must receive a majority vote of the council to assume the vacant seat.

#### Article 56

(A) The Governorate Councils shall assist the federal government in the coordination of federal ministry operations within the governorate, including the review of annual ministry plans and budgets with regard to activities in the governorate. Governorate Councils shall be funded from the general budget of the State, and these Councils shall also have the authority to increase their revenues independently by imposing taxes and fees; to organize the operations of the Governorate administration; to initiate and implement province-level projects alone or in partnership with international, and non-governmental

organizations; and to conduct other activities insofar as is consistent with federal laws.

(B) The Qada' and Nahiya councils and other relevant councils shall assist in the performance of federal responsibilities and the delivery of public services by reviewing local ministry plans in the afore-mentioned places; ensuring that they respond properly to local needs and interests; identifying local budgetary requirements through the national budgeting procedures; and collecting and retaining local revenues, taxes, and fees; organizing the operations of the local administration; initiating and implementing local projects alone or in conjunction with international, and non-governmental organizations; and conducting other activities consistent with applicable law.

(C) Where practicable, the federal government shall take measures to devolve additional functions to local, governorate, and regional administrations, in a methodical way. Regional units and governorate administrations, including the Kurdistan Regional Government, shall be organized on the basis of the principle of de-centralization and the devolution of authorities to municipal and local governments.

#### Article 57

(A) All authorities not exclusively reserved to the Iraqi Transitional Government may be exercised by the regional governments and governorates as soon as possible following the establishment of appropriate governmental institutions.

(B) Elections for governorate councils throughout Iraq and for the Kurdistan National Assembly shall be held at the same time as the elections for the National Assembly, no later than 31 January 2005.

#### Article 58

(A) The Iraqi Transitional Government, and especially the Iraqi Property Claims Commission and other relevant bodies, shall act expeditiously to take measures to remedy the injustice caused by the previous regime's practices in altering the demographic character of certain regions, including Kirkuk, by deporting and expelling individuals from their places of residence, forcing migration in and out of the region, settling individuals alien to the region, depriving the inhabitants of work, and correcting nationality. To remedy this injustice, the Iraqi Transitional Government shall take the following steps:

(1) With regard to residents who were deported, expelled, or who emigrated; it shall, in accordance with the statute of the Iraqi Property Claims Commission and other measures within the law, within a reasonable period of time, restore the residents to their homes and property, or, where this is unfeasible, shall provide just compensation.

(2) With regard to the individuals newly introduced to specific regions and territories, it shall act in accordance with Article 10 of the Iraqi Property Claims Commission statute to ensure that such

individuals may be resettled, may receive compensation from the state, may receive new land from the state near their residence in the governorate from which they came, or may receive compensation for the cost of moving to such areas.

(3) With regard to persons deprived of employment or other means of support in order to force migration out of their regions and territories, it shall promote new employment opportunities in the regions and territories.

(4) With regard to nationality correction, it shall repeal all relevant decrees and shall permit affected persons the right to determine their own national identity and ethnic affiliation free from coercion and duress.

(B) The previous regime also manipulated and changed administrative boundaries for political ends. The Presidency Council of the Iraqi Transitional Government shall make recommendations to the National Assembly on remedying these unjust changes in the permanent constitution. In the event the Presidency Council is unable to agree unanimously on a set of recommendations, it shall unanimously appoint a neutral arbitrator to examine the issue and make recommendations. In the event the Presidency Council is unable to agree on an arbitrator, it shall request the Secretary General of the United Nations to appoint a distinguished international person to be the arbitrator.

(C) The permanent resolution of disputed territories, including Kirkuk, shall be deferred until after these measures are completed, a fair and transparent census has been conducted and the permanent constitution has been ratified. This resolution shall be consistent with the principle of justice, taking into account the will of the people of those territories.

## Chapter Nine -- The Transitional Period

### Article 59

(A) The permanent constitution shall contain guarantees to ensure that the Iraqi Armed Forces are never again used to terrorize or oppress the people of Iraq.

(B) Consistent with Iraq's status as a sovereign state, and with its desire to join other nations in helping to maintain peace and security and fight terrorism during the transitional period, the Iraqi Armed Forces will be a principal partner in the multi-national force operating in Iraq under unified command pursuant to the provisions of United Nations Security Council Resolution 1511 (2003) and any subsequent relevant resolutions. This arrangement shall last until the ratification of a permanent constitution and the election of a new government pursuant to that new constitution.

(C) Upon its assumption of authority, and consistent with Iraq's status as a sovereign state, the elected Iraqi Transitional Government shall have the

authority to conclude binding international agreements regarding the activities of the multinational force operating in Iraq under unified command pursuant to the terms of United Nations Security Council Resolution 1511 (2003), and any subsequent relevant United Nations Security Council resolutions. Nothing in this Law shall affect rights and obligations under these agreements, or under United Nations Security Council Resolution 1511 (2003), and any subsequent relevant United Nations Security Council resolutions, which will govern the multinational force's activities pending the entry into force of these agreements.

#### Article 60

The National Assembly shall write a draft of the permanent constitution of Iraq. This Assembly shall carry out this responsibility in part by encouraging debate on the constitution through regular general public meetings in all parts of Iraq and through the media, and receiving proposals from the citizens of Iraq as it writes the constitution.

#### Article 61

(A) The National Assembly shall write the draft of the permanent constitution by no later than 15 August 2005.

(B) The draft permanent constitution shall be presented to the Iraqi people for approval in a general referendum to be held no later than 15 October 2005. In the period leading up to the referendum, the draft constitution shall be published

and widely distributed to encourage a public debate about it among the people.

(C) The general referendum will be successful and the draft constitution ratified if a majority of the voters in Iraq approve and if two-thirds of the voters in three or more governorates do not reject it.

(D) If the permanent constitution is approved in the referendum, elections for a permanent government shall be held no later than 15 December 2005 and the new government shall assume office no later than 31 December 2005.

(E) If the referendum rejects the draft permanent constitution, the National Assembly shall be dissolved. Elections for a new National Assembly shall be held no later than 15 December 2005. The new National Assembly and new Iraqi Transitional Government shall then assume office no later than 31 December 2005, and shall continue to operate under this Law, except that the final deadlines for preparing a new draft may be changed to make it possible to draft a permanent constitution within a period not to exceed one year. The new National Assembly shall be entrusted with writing another draft permanent constitution.

(F) If necessary, the president of the National Assembly, with the agreement of a majority of the members' votes, may certify to the Presidency Council no later than 1 August 2005 that there is a need for additional time to complete the writing of the draft constitution. The Presidency Council shall then

extend the deadline for writing the draft constitution for only six months. This deadline may not be extended again.

(G) If the National Assembly does not complete writing the draft permanent constitution by 15 August 2005 and does not request extension of the deadline in Article 61 (D) above, the provisions of Article 61 (E), above, shall be applied.

#### Article 62

This law shall remain in effect until the permanent constitution is issued and the new Iraqi government is formed in accordance with it.



This book aims at two things, the first to prove the actual existence of the Turkmens in Iraq, and to reply to those who considered them extraneous to the Iraqi consciousness, by presenting solid evidence of their geographical and demographic existence; and to show their participation in Iraqi affairs and prove their inclusion in the Iraqi nation.

The second aim is to prove that racial and cultural diversity enrich Iraq society, and that all efforts must be directed towards serving a free, united, varied and democrat Iraq, where the rule of the law and human rights and dignity are maintained.

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