

Summary

Violation of the human rights of the Iraqi Turkmen since the Establishment of the Iraqi State

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General Information

Population

- Turkmen population size fixed to 2% of total population by English mandate during the discussions of Mosul problem after WWI.¹ This figure continuously repeated in official Iraqi statistics.

Arabic writers approximate the population size of the Iraqi Turkmen to 7%.² The same estimation was made during the opposition conferences before the occupation.

Patrick Clawson, Deputy Director for research of the Washington Institute for Near East Policy, increases this figure to 9%.³ According to Turkmen writers the Turkmen population size is more than 10%.^{4, 5}

Geography

Turkmen live mainly in the north and middle of Iraq: Kerkuk, Mosul, Erbil, Salah al-Din, Diyala, Kut and Baghdad.⁶

History

The Turkic origin of the Sumerians, who founded the first important civilisation of the mankind before about 6000 years ago in Iraq, is almost approved.⁷ In the Sasanian Iraq (224 – 651 CE) the Turks were already present.⁸ The last stage of Turkmen establishment in Iraq continued heavily from 673 until the completion of Mongol invasion after 1231.⁶

Introduction

The geopolitical changes that occurred during the establishment of the Iraqi state after the First World War marked the beginning of a dark age for the Iraqi Turkmen – the third largest community in Iraq. The Ottoman Turks left Iraq, which had been occupied by British troops, leaving the unarmed Turkmen helpless. The other two larger communities, the Arabs, who held the government, and the Kurds, who secured major international support, had already developed strong feelings of ethnic identity.

The negative attitudes, which were developed in the Arabic communities, toward the Turks continued throughout the 20th century. This was reflected indirectly on the Turkmen living in the Arabic countries, particularly in Syria and Iraq. A number of factors contributed to this resentment, including;

- A tendency to hold the Ottoman Turkish administration responsible for the failure of Arab countries to seize opportunities relating to international developments.
- Objections to the introduction of a secular political system in Turkey, instead of a religious Caliphate Rule of Ottomans.

These sentiments were exasperated as a result of later political developments. Whilst Arab States were concerned by the ongoing conflict in Palestine, Turkey established diplomatic missions with Israel and developed relations with the capitalist-democratic western Camp.

The extensive distances between Turkmen areas in Syria and Iraq and Turkey, and the widely dispersion of the Turkmen populations in between the Arab population in these 2 Arabic countries, can both be identified from the factors which hampered the engagement of Turkmen regions in Syria and Iraq with the Modern Turkish Republic. The long standing negotiations between the United Kingdom and Turkey over the status of Mosul have further worsened the situation for Turkmen living in Iraq.

Furthermore, Turkish assistance has been limited, as its foreign policy is essentially oriented towards peace, which was instituted on the principles of the founder of Modern Turkey, Mustapha Kemal Ataturk, who proclaimed "Peace in the homeland, peace in the universe". This policy has

however, in the absence of support also from the other regional and international communities, left the Turkmen both in Syria and Iraq to combat their extensive challenges entirely alone. The early rise of pan-Arabic nationalism^{9, 10} in Syria exposed the Syrian Turkmen to destructive assimilations policies, starting already in the 1930s.¹¹

Huge oil resources in Turkmen regions, and the economic rivalry this generated, have been another factor which has brought difficulties for Turkmen population, particularly in the Kerkuk region. Economic interest and competition for resources has resulted in local and government policies aimed at: marginalization, deportation, Arabification and Kurdification.^{12, 13}

As a means of detailing the source of hostility to the Turkmen in Iraq, it is possible to categorize three stages in the history of the Iraqi state. The Turkmen community has suffered differing forms of marginalization during each of these stages, as a consequence of various sources of conflict. The three stages are:

- The Kingdom Stage (1921 – 1958)
- The Republican Stage, (1958 – 2003) in turn divided into 3 further stages:
 - The Qasim period (1958 – 1961)
 - The Arif brothers period (1961 – 1968)
 - The Ba'ath period (1968 – 2003)
- Occupation stage (2003 – ...)

Kingdom stage (1921 – 1958)

The 37 year Kingdom Stage was characterized by a gradual process of assimilation. The size of the Turkmen population was severely underestimated in both British estimations of 1919 and 1921, and in the Iraqi census of 1922. In 1932, the study in Turkmen at schools in the Turkmen regions was abandoned.¹⁴ Massacres also took place in 1924, and later in 1946.¹⁵ Later, the large al-Hawije project began cultivating the vast plains to the west of Kerkuk City, aiming to settle Arab tribes in the region. The number of high-ranking Turkmen officials, Turkmen civil society organizations, and Turkmen media, was also gradually reduced. In 1937, the direct election of the post of mayor for Kerkuk was abandoned, and a Kurdish mayor was appointed for the first time. This greatly facilitated the influx of Kurds to Kerkuk region, where the oil industry was already flourishing.

Republican Stage (1958 – 2003) Before Occupation

Qasim Period (1958 – 1961)

The early period of Qasim reign (July 1958 – July 1959) constituted a critical period for the Turkmen in Kerkuk. They were openly threatened and assaulted, unjustly accused of treachery, their houses were searched, and their neighborhoods attacked by the armed Kurds. Within a few days, hundreds of Turkmen were arrested, of which many were sent to exile, site of a now notorious massacre.

Communists dominated the Iraqi administration in Baghdad. In the Kerkuk region, the Kurds invaded the communist administration, and rapidly came to control the entire legal and political machinery of the region.¹⁶ During this short period of Iraqi history, the Kurdish militant leader Mustapha al-Barazani was brought from exile and warmly welcomed in Baghdad.

Two main factors which in particular stressed relations between the Turkmen and the Communists on one side and Turkmen and the Kurds on the other side, were the religiously

conservative nature of the Turkmen community, and Kurdish attempts to occupy the traditionally Turkmen city of Kerkuk.

The Turkmen community, essentially devoid of communist ideology, won almost all syndicate and professional union elections.^{17, 18} The Kurds on the other hand controlled communist associations, organizations, unions and committees,¹⁹ exploiting the power of the Communist party to pursue their own needs. Kurdish factions also held the major posts in Kerkuk:

- The Municipality
- The General Security Office
- The Provincial Court and its Judges,
- The Secretariat of the Peace Partisans,
- The Resistance Forces,
- The Second Division of the Iraqi Army, stationed in Kerkuk,
 - The Deputy of commander
 - The Tank Section,
 - The Military Intelligence Office
 - The Police Office
 - Most of the other units

The Kurdish tribesmen were brought into the city.

A hateful anger wrapped around the Kerkuk region as the balance of power shifted dramatically away from the Turkmen people. It was against this backdrop that on 14 July 1959, a now notorious massacre of Turkmen took place. The leaders of Turkmen community were killed, often in public, with injuries also estimated at 130. In addition, more than hundred of Turkmen shops, cafes, and casinos were attacked.

During this period, Kurdish immigration continued, with new neighborhoods built for Kurdish settlers in the city, such as in Iskan and Republic neighborhoods.

Arif brother's period (1961 – 1968)

Iraq in general entered into a peaceful period when ruled by the moderately nationalist Arif brothers. The condition of Turkmen consequently improved somewhat, mainly as a result of a few crucial factors;

- Similarities between Turkmen and Government policy, as both were conservative and nationalist.
- Sympathy developed toward the Turkmen community in the aftermath of the Kerkuk massacre.
- Kurds, who had remained silent during the Kingdom Stage and the Qasim Period, began an armed rebellion against the Iraqi state in 1961.

The persecution of Turkmen was a result brought to an end, and the practice of traditional cultural activities began once more. Turkmen publications, organizations, and broadcasting were also increased as part of this rejuvenation of Turkmen culture.²⁰ A number of detrimental elements from the previous periods remained however; The existence of Turkmen in regional and governmental administration remained disproportional to their population size, and the study of the Turkmen language remain absent from schools.

Ba'ath period (1968 – 2003)

Violation of Turkmen human rights during this period was treated in detail in a SOITM report entitled "*the summary of violation of the Human Rights of the Iraqi Turkmen and attempts to assimilate them during the dictatorial Ba'ath Period*".¹³

The Occupation Stage (2003 – present)

Turkmen Economy

Since the establishment of the Iraqi state in 1921 until the institution of the Safe Haven in 1991, the Arabs had the financial power of the Iraqi Government; the Kurds got the financial support from Israel, Iran and the West. Their political institutions are developed; their civil society organizations improved and their culture remains viable.

After 1991, two events further widened the gap between the economic situation of Turkmen and Kurds:

- The Kurds obtained great sums of cash and wealth from transportation fees through the Khabur border line with Turkey after the establishment of the Safe Haven area.
- Consignment of a relatively great share from the oil revenues for the Kurds (13%) in 1990s. The Turkmen were completely deprived of such support.

This economical disadvantage with the cultural repression of the Turkmen of Iraq for decades has destroyed almost all the centers of powers in their community; predominantly the cultural and organizational abilities: their publications disappeared and their organizations became unproductive and their political unity disappeared.²¹

Turkmen in administration

The administration of Ottoman's Iraq constituted a large numbers of Turkmen officials. The number of these officials considerably decreased during the marginalization era of Turkmen after the establishment of the Iraqi states.

Removal of Turkmen from the administration and hampering with their appointments are considered from the main features of the assimilation policies of Ba'ath regime from 1968 – 2003.

Several factors play the major role to suppress the Turkmen of Iraq after occupation by both the US occupation and Kurdish authorities:

- Refusal of the Turkish parliament to participate in the war on Iraq and closing Turkish frontiers for US troops.
- Refusal of Turkmen political parties to follow the US orders.
- The absolute supports which USA grants to the Kurds, who fight to construct the great Kurdistan, which it include vast Turkmen regions.

The administration in the Turkmen region is severely Kurdified or given to Arabs: Kerkuk, Tuz Khurmatu, Erbil and Telafer: Governors, mayors, police chiefs and directors.¹²

Today, almost all the high-ranking posts are distributed between the power holder groups. Only one Turkmen was appointed in the governments established after occupation.

Almost no Turkmen staffs can be found in the following positions:

- General Directors
- Counsellors in the ministries
- Almost no Turkmen Ambassadors and consoles.
- The embassies are almost devoid of Turkmen staffs.
- High-ranking military staffs

Kerkuk Issue

Kerkuk is situated in the heart of the Iraqi Turkmen issue, which also affects the Iraqi state and regional countries. Due to its huge oil reserves, it is claimed by the Kurds and the USA aims to control it by the Kurds. Therefore, the city has been exposed to huge Kurdification policies. More than half a million Kurds were brought to establish in the city.¹² The City's electricity need has increased twofold.

Kerkuk has never been a Kurdish city. There is no a reliable reference which mentions that Kerkuk city has been Kurdish.¹⁸ The engineers of Kerkuk accounted to be 3300, after huge Kurdification, of which the Turkmen constituted 1500. In a meeting organized by the occupation authorities for Kerkuk Teachers, it was found that 12.000 of 16.000 Kerkuk teachers are Turkmen. Almost all the reliable references support the Turkmen nature of the city.²² Some independent reliable references discuss Turkmen nature of Kerkuk city in the time of Suleiman the magnificent.²³

According to the new Iraqi constitution, the fate of Kerkuk is to be determined in accordance to the will of the people of Kerkuk in a census to be held no later than 31 December 2007. In the present state of affairs, Kerkuk will unfairly but surely be given to the Kurds.²⁴

Property Claims Commission

Millions of hectares of lands were confiscated by the Iraqi governments, particularly, during the role of Ba'ath regime. To return these lands to the owners, general directorate of Property Claim Commission was established in Baghdad. The commission opened departments in each province. The Kerkuk commission was founded by the US authorities after occupation and was staffed mainly by the Kurds. This commission is refusing to return hundreds of thousands hectares of lands to Turkmen owners, while tens of thousands of Kurdish families, who entered Kerkuk from Kurdish provinces are building houses on Municipality and Turkmen lands. These lands have been legalized by the Kurdified Kerkuk administration. The number of cases which is completed by the Kerkuk Property Claim Commission is about 4841, while the total number of cases in Kerkuk city is about 36.011.

Kurdification of Turkmen Region

To diminish effectively the Turkmen nature of the Kerkuk region, the city's Land Registry and Population Registry Offices were looted and burned on two occasions (1991 and 2003). The Kurdish parties have managed to alter and transform the demography of the Turkmen regions within the last few years after occupation, what Saddam's regime had not been able to accomplish in 35 years. The administrative systems in Turkmen regions have been intensively Kurdified. Hundreds of thousands of Kurds have been brought into the Kerkuk, Tuz Khurmatu, Altun Kopru, Daquq and other Turkmen regions. The population of the oil rich Kerkuk province has increased twofold in comparison with the population prior to occupation.¹²

Elections

(31 January and 15 December 2005)

Iraqi elections took place in the sphere of war, lacking the simplest requirements of voting processes: Ineffective governmental administration, insecurity and absence of both democratic environment and mentality. The elections in Turkmen region were conducted under Kurdified administration: staffs, policemen, security agents and national guards are constituted dominantly by Kurds:^{25 - 31, 6}

- The voter lists were almost rarely used and the ink was proved to be false
- Hundreds of thousands of non-Kerkuk inhabitant Kurds voted in Kerkuk
- Various methods of multiple voting were used
- Election regulations were violated
- Manipulation of Turkmen votes to the benefit of the Kurds.
- by different methods, Turkmen were hindered from voting
- Interference with the election processes
- Unjust utilization of facilities

About 300.000 Kurdish voters were added illegally to the Kerkuk voter lists, half of these were added in the first election and the second half during the renewal of the voter lists before referendum on constitution.

It was mandatory for the observers to use the official complaint forms. Large number of Kurdish directors of Election Centers refused to give official complaint forms to the Turkmen observers.

Telafer

The Turkmen of Mosul constitutes an important part of the Iraqi Turkmen population. Their number is estimated at more than half million. They are mainly found in the Telafer district.

Similar to other Turkmen communities in Iraq, Telafer Turkmen have, too, been exposed to severe marginalization prior to occupation and hugely destructive attacks by the occupation troops and National Guards.

In a series of events, the Kurdish Pashmargas, who are dominating the National Guard in the north attempted to control the Telafer district, which has almost no Kurdish inhabitants. Due to the tribal nature of the Telafer Turkmen, they responded strongly and forced the Kurdish Parties and militants to leave the city. Provocative acts continued against inhabitants in Telafer, where local resistance gradually increased. Later, the local resistance started to be supported by other groups outside the district. After a peaceful year from the date of occupation, the resistance intensified in the Telafer region. This exposed the region to continual destructive attacks of the Occupation troops and National Guards.

Subsequently the climate has enabled other resistance groups to set themselves up in the region. Repeated destructive attacks by coalition troops and the National Guard have only served to hugely increase the casualties and escalate the crisis.

The casualties in Telafer are:

- 1350 dead and 2650 wounded, including a large number of children, women and elders.
- About seven thousand were arrested; one thousand are still in prison.
- 3658 houses, 563 shops and 469 Autos are damaged. About 500 houses are completely demolished.
- 1468 houses robbed,

Today, assassinations, kidnappings, arrests, bombing with mortars are almost daily happenings in Telafer. A police control station is found in every several hundred meters. Several quarters are repeatedly raided by troops and the houses examined. The male population aged 15 years and above are gathered and examined by veiled individuals, who identify some to be arrested and sent to unknown prisons. The infrastructure of the city is severely demolished. The municipality services greatly deteriorated. Several marketplaces are frequently closed.^{24, 32}

Erbil

William R. Hay, in his book entitled "Two Years in Kurdistan 1918 – 1920", mentions: "The only 2 Turkish speaking populations which concern us closely are Erbil and Altun Kopri".³³ "One mahalla or quarter of the town is purely Kurdish, and in the rest the lower classes resemble the Kurds in appearance and dress. All can speak Kurdish fluently, but the language of their homes is Turkish. In the upper town which contains 6000 inhabitants, the purest Turkish element is found".³⁴

In 1990s, Turkmen organizations, particularly the Iraqi Turkmen Front offices, have repeatedly been exposed to the attacks of KDP militants in Erbil and Duhok. Several Turkmen were killed.

On 31 August 1996, the troops of the Ba'ath regime invaded the area with the help of the Kurdish Democratic Party of Barazani and captured dozens of active political Turkmen. All of them have disappeared.¹³

After the liberation of Iraq, the Kurdish attempts continued through various methods to eliminate Turkmen identity in order to dilute them into Kurdish society.

Turkmen political, social and cultural activities have been severely restricted. During election campaigns Turkmen were not allowed to hang their boards and flags, except on their own buildings. In the Turkmen schools and in the education sector, Kurds imposed their will and

hegemony. Kurds as directors or head masters are appointed to Turkmen Schools. Kurdish language has been imposed in the Turkmen schools from the first class in primary schools. Cafés and public houses are prevented by the Kurdish militia from operating a Turkmen TV and radio in their premises. Turkmen are being discriminated against and are seldom appointed in governmental offices or in the university in Erbil. Books on Turkmen is almost absent in the Erbil bookshops.

On the 22 April 2005, the Kurdish militia seized the Turkmeneli printing office transmission equipments in the Turkmeneli Party building in Erbil. Moreover, armed Kurdish militia has also occupied the head office of the Iraqi Turkmen front in Erbil city, Turkmeneli Television & Radio station, Al-Shifa Dispensary building and the Turkmen Culture Association Center. The contents of these buildings have been taken. These organizations are now administered by puppet Turkmen.

Elections were hugely manipulated, despite the presence of such a large number of Turkmen in Erbil city, the votes accounted for Turkmen parties was about 2000.

Constitution³⁵

The drafting processes were severely influenced by the external actor and written by a constitutional commission of which the major groups were struggling for sectarian or ethnical rights, consequently.

Unity of the country (article 115) and authority of the central government (article 111) is almost lost in the constitution. The formation of a large Shiite region is unavoidable. This leaves the Sunnis unwillingly to form the third region. These three regions have no strong ties to form a united country, in contrary, there are fatally diverging factors.

The Kurds who constitute about 18% of total Iraqi population, according to the most reliable references, got equal rights to Arabs who constitute 65%. (Item A, B, C and D of Article 4): accordingly, the following will be written or achieved in Kurdish:

- official gazette
- Speech, conversation and expression in official settings, such as;
 - the Council of Representatives,
 - the Council of Ministers,
 - courts,
 - official conferences,
 - Recognition and publication of the official documents and correspondences
 - The Kurdish language should be studied in all Iraqi schools.
 - In any settings enjoined by the principle of equality such as bank notes, passports and stamps.

By considering the Arabic and the Kurdish languages official languages, the Iraqi population is classified into 2 classes; the higher class is the Arabs and the Kurds as and Turkmen, Chaldeo-Assyrians and other minorities as second class citizens.

Role of the religion and the state of democracy are clearly contradicting in items A, B and C of Article II. Depending on this article, which was stated in the Transitional Administrative Law, too, the Iraqi Governing Council accepted resolution 137 and concealed the personal-status law of 1959, which provided the Iraqi women with legal rights:

- Restricted polygamy
- Set the marriage age at 18
- Prohibited arbitrary divorce. Restricted unilateral right of divorce to the husband.
- Gave equal rights of inheritance.
- Allowed females to make financial claims.
- The evidence of women equalled to men.
- Fairly regulation of custody of children

No constitutional court has been established in this constitution. The mission of improving the constitution is handed to the federal Supreme Court which can easily be influenced by the power holding authorities and politicians.

Relating to Turkmen

- With the other ethnic groups, the third largest Turkmen community is considered second class citizens.
- The vague expressions in item four of article four makes the use of Turkmen language vulnerable to Kurdish suppression.
- By this constitution, hegemony of the Kurdish authority on the Turkmen population and regions has been fortified.
- The constitution has almost surely donated the Kerkuk region, which is considered the heart of the Turkmen culture, to the Kurds: by removing all items of the article number 53 and preserving the only item which facilitates the Kurds to absorb the region.

Current Situation

Feelings of defenselessness and helplessness

The primary concern of the Turkmen population, which has never established armed militias, begins with the USA authorities effectively permitting the Kurdish militant Pashmargas to raid Turkmen regions, particularly the Kerkuk province, during the occupation. Governmental offices were attacked, the contents were robbed and many buildings burned. Hundreds of houses and thousands of government buildings were taken by the militants Pashmargas and Kurdish families were settled in. The government, the municipality and the police offices started to be administered by the uneducated untrained Kurdish Pashmargas.

The suppressive intolerable administration has been protested by Turkmen in Tuz Khurmatu and Kerkuk. The protesters were shot and dozens of Turkmen were killed. By unfair procedures, Kurdish governors and other head of administrations was elected. These head officials appointed Kurdish mayors, Kurdish police and security chiefs and a large number of Kurdish directors and tens of thousands of Kurdish staffs in Turkmen region. The government projects and the municipality services were augmented in the Kurdish neighborhoods and towns, in contrary, the Turkmen regions ignored by Kurdified administration. The Turkmen schools suffer from the lack of the teaching staffs and books.

The houses are raided after the mid nights by both USA troops and Kurdish Pashmargas and Turkmen were arrested and taken to unknown places.³⁶

After Kurdification of the civil, police and security system, the military system had gradually handed to the Kurdish Pashmargas, too.

The brutal raid of Yengice,³⁷ the repeated attacks in other Turkmen regions, such as Tuz Khurmatu and Kara Tepe, had further frightened the Turkmen community. Kidnapping of Turkmen children and females and assassination of Turkmen prominent individuals which took place intermittently have added further psychological distress on the Turkmen population.

In a state of almost total insecurity in the current post-occupation era, Iraqis keep different types of simple guns (revolvers or Kalashnikovs) at home, seen as critical means to provide defense and security. About half a year ago, a decision by the Iraqi presidency ordered disarmament: the collection of guns from the Iraqi populace. Unfortunately, these orders have been practiced almost only in Turkmen regions. In several campaigns, Turkmen neighborhoods were raided by Pashmarga dominated National Guards, after the midnights and at the early mornings, the houses were broken into searching for the guns. This has largely not been the case in Kurdish neighborhoods.

The worse has been happened to the Turkmen regions in Mosul province; Telafer, Rashidiyya, lyadiyya ... etc. In addition to the raids of Kurdish militants in National Guards, the region has been subjected to the terrible attacks of the US troops.^{32, 38}

As a result the feeling of powerlessness and agitation is severely increasing in the Turkmen community and a large number of them leave Iraq for Turkey and Syria.

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