

2023

**POLICY**

**PAPER**

**NO. 46**

مركز المنصة للتنمية المستدامة  
Platform Center for Sustainable Development



# Security Violations of Iraq's Sovereignty: Domestic Challenges and Regional Power Dynamics

Hussein Ali



## A brief overview of the Iraq Policy Program

The Iraq Policy Program aims to bridge the gap between youth elites and decision-makers by training young elites to effect positive change through influencing the decision-making process. The program aims to empower participants to prepare policy papers and propose policy alternatives aimed at enhancing system performance and supporting its legitimacy. This program enables participants to communicate with decision-makers and understand the main difficulties and problems affecting the implementation and follow-up of public policies. Additionally, the program seeks to provide participants with a realistic understanding of the decision-making environment in Iraq, as well as an understanding of the opportunities and challenges of change.

## The program stages

**Preparation:** Assisting participants in acquiring the fundamental skills to prepare policy papers and effective advocacy campaigns.

**Discovery:** Clarifying important public policies in Iraq by experts through stakeholder engagement, frameworks and institutional procedures, practical realities, and discussions surrounding each public policy, as well as reform prospects.

**Engagement:** Training participants to develop promotional campaigns and coordinate meetings with government officials to initiate their campaigns.

**Enrichment:** Supervising participants to prepare a policy paper in their area of interest to enrich dialogues, develop policy alternatives, which can help address current challenges.

## About the Center

The Platform for Sustainable Development is a registered center with the Non-Governmental Organizations Department at the General Secretariat of the Council of Ministers under the number (1S2106012). It serves as a space for thought, dialogue, and action towards positive change.

## Vision

We seek to establish a platform for dialogue and policies that contribute to achieving the Sustainable Development Goals in Iraq.

## Mission

Filling the gap between the state and society to ensure the essence of democracy by engaging citizens in the decision-making process through training, monitoring, analysis, research, awareness, and advocacy.

## Strategic Goals

- Preparing a youth elite that rises to its social responsibilities through studying problems, proposing policy alternatives, and working towards their implementation.
- Utilizing knowledge outputs and encouraging youth to work towards achieving the Sustainable Development Goals
- Presenting statistics and issues that occupy the political arenas and societal circles to reflect a deeper understanding of the Iraqi reality.
- Creating a network of active, informed, and committed citizens dedicated to the project of building the Iraqi government.



## Executive Summary:

The issue of the presence of opposition Kurdish parties in Iraqi territory is a sensitive matter in Iraq's relations with its neighbors, Turkey and Iran. Turkish and Iranian violations in Iraqi territory have aimed to eliminate Kurdish opposition parties, which they consider as terrorist groups, under the pretext of protecting national security and self-defense.

One of the major factors exacerbating this issue has been Iraq's internal turmoil, including the Gulf Wars, the Kurdish issue, the transition from a dictatorship to a parliamentary system, problems in government formation, sectarianism, and the war against ISIS. Iraq has struggled with internal stability until recent years, diverting the government's attention toward domestic issues and political problems, and neglecting the issue of border violations by Turkey and Iran. The Iraqi government has consistently condemned these violations in statements and declarations, pledging to respond diplomatically. However, it has not been successful in addressing this ongoing issue. As a result of these military operations, more than 450 villages have been displaced,

civilians have been killed and injured, and there have been significant material losses and infrastructure destruction. On the other hand, Turkey has increased its military incursions into Iraqi territory, established military bases, and conducted operations. This paper proposes policy alternatives that involve the Iraqi government taking concrete steps to end the unofficial presence of armed groups on its soil and adopting a principle of reciprocity in responding to external attacks. It emphasizes the need to move beyond statements and diplomatic measures and consider economic sanctions in case of repeated violations. These alternatives aim to put an end to the recurring attacks on Iraqi territory by neighboring countries.





## Introduction:

The issue of sovereignty is a fundamental element in international politics, signifying a state's authority over its territory, citizens, and economic resources, free from external pressures or authorities unless agreed upon by the state. Sovereignty encompasses the right to independence, and no state has the right to be present in the territory of another state without its consent. The importance of sovereignty lies in its impact on a state's internal stability and various political, economic, and security aspects, particularly in relation to neighboring countries.

This paper seeks to explore policy alternatives concerning the ongoing violations of Iraq's sovereignty and security by Turkey and Iran. The study will focus on security violations by these two states in Iraqi territory post-2018, a period marked by relative internal stability in Iraq following the defeat of the terrorist organization ISIS. The analysis will begin with an examination of the root causes and drivers of the issue, followed by an exploration of the dimensions and effects of this problem on the Iraqi state. It will also assess the actions taken by the Iraqi federal government regarding this matter and the outcomes of these actions. Subsequently, policy alternatives will be presented, discussed, and the most viable alternative will be selected. The paper will conclude with recommendations to address this issue effectively.

## Background:

The security violations involving Turkey and Iran in Iraq have their roots in the Kurdish issue. In 1920, an agreement known as the Sevres Treaty was imposed on Turkey, which included provisions for granting autonomy to Turkish Kurds. However, this treaty was replaced by the Treaty of Lausanne in 1923, which nullified all the Kurdish-related provisions of the Sevres Treaty. Turkey's policy has been characterized by a refusal to grant self-autonomy to its Kurdish population, a crackdown on Kurdish aspirations for independence, and the prevention of Kurdish groups from establishing ties with their counterparts in other countries. The declaration of Kurdish self-rule in Iraq in 1970 led to the activation of Kurdish nationalist movements in Turkey.



These movements demanded similar rights for Turkish Kurds. In response, the Kurdistan Workers' Party (PKK) was founded in 1978, which Turkey has regarded as a significant threat. Tensions have persisted between Kurds and the Turkish military. In 1984, the PKK initiated armed conflict against the Turkish military in the southeastern region of Turkey. The Turkish military's advance into Iraq resulted in its presence in the Hakurk Mountains and eventually the Qandil Mountains.

Turkey exploited the Iraq-Iran war in 1984 to establish a security agreement with Iraq that allowed both countries to conduct operations against Kurdish militants within 5 kilometers of each other's borders. This agreement was limited to one year. Over the years, the PKK continued to expand its presence in the border regions with Turkey, becoming a base for cross-border attacks into Turkey and a refuge from Turkish counterattacks. Since 1991, Turkey has increasingly pursued a security and military approach to the Kurdish issue, conducting operations both within its borders and in northern Iraq against PKK militants, Iran's security violations in Iraq are also related to the Kurdish issue, particularly the Iranian Kurdish opposition.

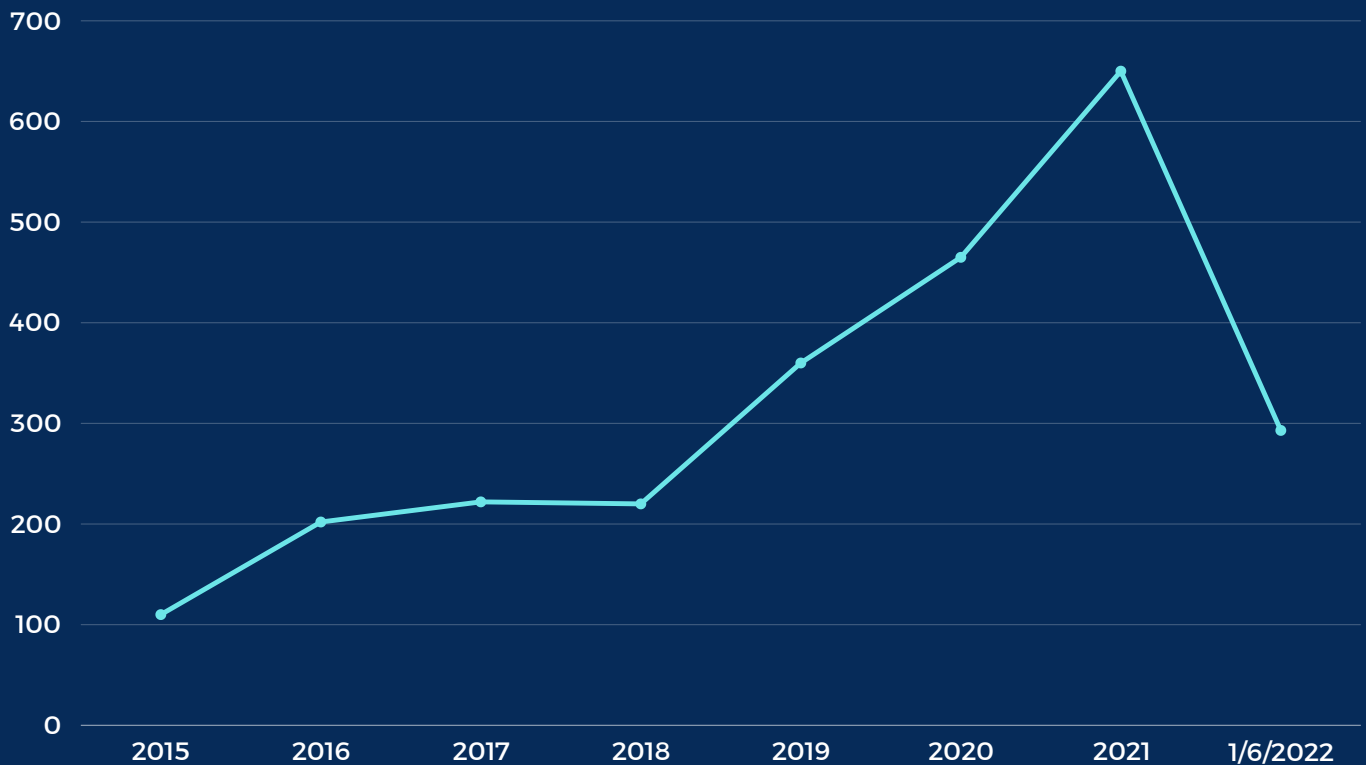
This opposition predates the 1979 Iranian Revolution and led to the movement of many Kurdish opposition figures abroad, with a significant presence in Iraq.

The main Kurdish opposition parties in Iran were the Democratic Party of Iranian Kurdistan (PDKI) and the Komala Party of Iranian Kurdistan.

These opposition groups, while in Iraq, established several leftist revolutionary parties, including the Kurdistan Free Life Party (PJAK), an armed movement seen as an extension of the PKK, founded in 2004. Their overarching goal was to establish self-governance for Iranian Kurdistan. The UN High Commissioner for Refugees estimated the number of Iranian Kurds in Iraq to be around 16,000 by 2003. Iran perceived the presence and expansion of these groups as a threat, alleging U.S. and Israeli support for these organizations to destabilize Iran internally. This perception has influenced Iran's military operations against the bases of these Kurdish opposition parties in Iraq.



Figure (1): Turkish violations of Iraqi territory between 2015-2022



In summary, the security violations by Turkey and Iran in Iraq are deeply rooted in the Kurdish issue, with both countries taking measures to counter perceived threats from Kurdish militant groups based in Iraq. These dynamics have contributed to ongoing tensions and military actions in the region. The provided data and analysis highlight the continuous violations and incursions into Iraqi territory by both Turkey and Iran. These violations include airstrikes, drone attacks, artillery shelling, and ground military operations.

### Turkish Violations (2015-2022):

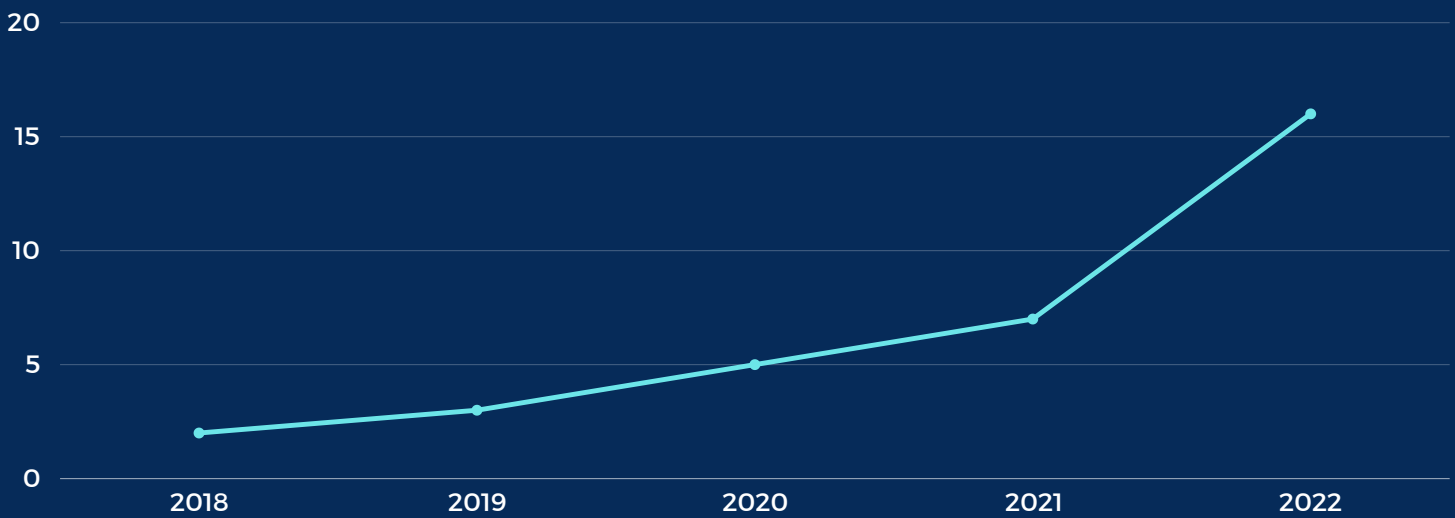
- Turkish violations have been ongoing and intensified, with a significant increase since mid-2019.
- Turkey has conducted a series of military operations, such as Operation Claw (1,2,3), Operation Claw-Eagle and Tiger, Operation Claw-Eagle 2, Operation Claw-Lightning, and Operation Claw-Lock, aimed at controlling a specific zone within Iraqi territory to prevent PKK attacks on Turkish soil.
- Iraqi Foreign Minister Fuad Hussein reported over 22,743 Turkish violations of Iraqi sovereignty since 2018, as of his statement to the UN Security Council in July 2022.



## Iranian Violations (2018-2022):

- Iranian violations started increasing in 2018, targeting Iranian Kurdish opposition groups in Iraqi territory.
- The number of Iranian airstrikes remained relatively low compared to Turkish violations but has been on the rise.
- In September 2022, Iran conducted a series of airstrikes, resulting in civilian casualties.

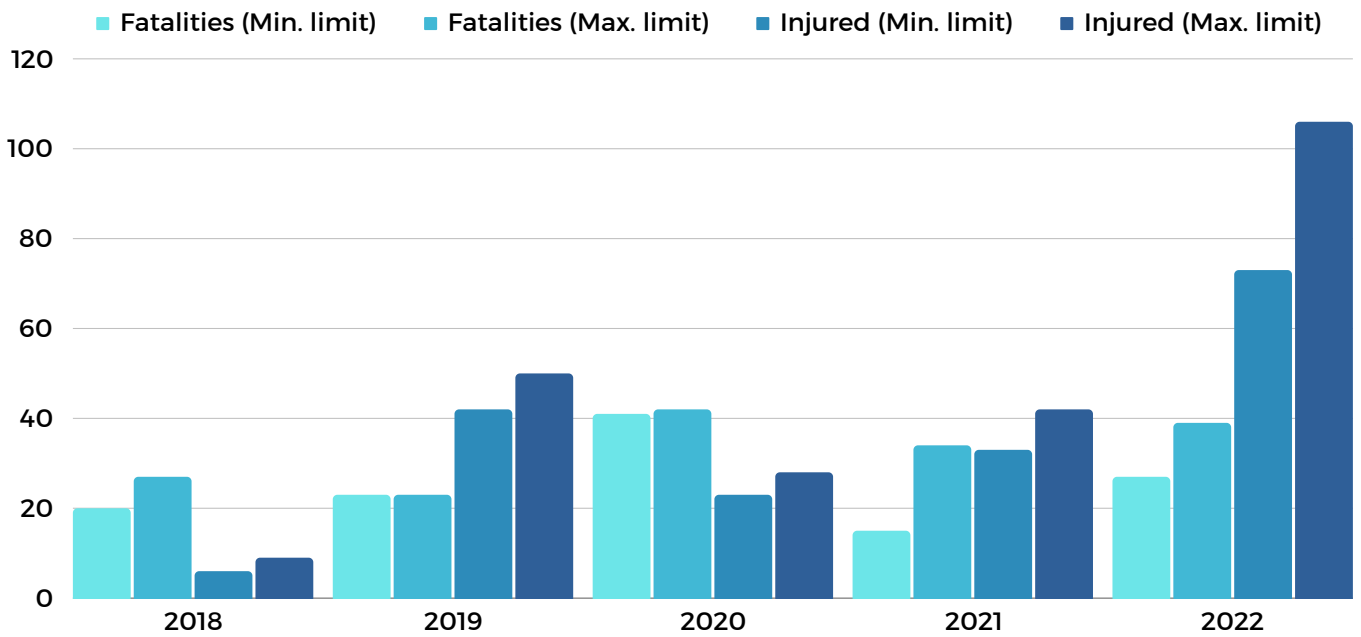
Figure (2): Iranian bombing operations between 2018-2022



Source: prepared by the researcher

We see an upsurge in bombs by Turkey and Iran in graphs 1 and 2. Despite the efforts of the government and the submission of (296) protest memoranda against the Turkish intervention since 2018, as well as the documentation of violations with (8) letters addressed to the President of the Security Council and the Secretary-General of the United Nations by the Permanent Representative of the Republic of Iraq. On July 27, 2022, the Security Council held a special and emergency session in response to the Turkish attack. This did not stop or prevent Turkish violations, which persisted despite the Security Council's condemnation, as more than (21) Turkish bombing operations were noted between the session's start date and mid-December. One of the most prominent repercussions of these operations is the occurrence of civilian casualties, material losses, damage to property and infrastructure, as well as spreading fear among the residents of those areas, and the migration of Iraqis in more than (450) villages as a result.

Figure (3): The number of civilians killed and injured as a result of the Turkish



Source: prepared by the researcher

As for Iran; Its bombing of civilians did not significantly extend until the ninth month of the year (2022), when this month witnessed the outbreak of popular demonstrations and protests in Iran, and due to the lack of international repercussions for the Turkish violations, especially after the emergency session of the Security Council on (7/27/2022), It prompted the Iranian government to launch several bombing operations on border targets in which Iranian Kurdish opponents are stationed. On the other hand, it continued bombing Iranian Kurdish opposition parties inside the Kurdistan Region. As a result of these operations, (22) civilians were killed and (68) injured in 2022.

September 28, 2022 recorded the highest number of civilian casualties and injuries that occurred as a result of the Iranian bombing of areas in the Kurdistan Region, which claimed the lives of (18) people and injured (58) others . It represented the highest number of civilian casualties and injuries conducted by the Turkish bombing on 7/20/2022, resulting in the death of (10) citizens, and the injury of (31-45) others. It should be noted that the bombing operations increase in some months of the year, as their occurrence becomes almost daily, and there are operations that continue for days. While the Iranian bombardment continued for (12) days, from 9/24/2022 to 10/5/2022.





Other effects include the expansion of P.K.K. along the Iraqi-Turkish-Iranian borders (700 km), the possession of Turkey's five main bases in northern Iraq, which are home to more than (4,000) Turkish fighters, in addition to its control of (100) points close to the regions of (Zakho, Amadiyah, and Dohuk) , and the incursion of Turkish forces deep into land (45 km) and a length of (100) km. The Turkish strikes also reached the village of Penjwin, which is (300) km from the Turkish border.

The consequences of these violations have been severe, with civilian casualties, injuries, material losses, damage to properties and infrastructure, displacement of residents from affected areas, and increased fear among the local population. Notably, Turkey maintains several military bases in northern Iraq with thousands of Turkish troops deployed there. Turkey has also advanced into Iraqi territory by up to 45 kilometers, and there are ongoing military operations along the Turkish-Iraqi and Turkish-Iranian borders.

The Iraqi central government's responses to these violations have primarily been diplomatic in nature, including condemnation, summoning the ambassadors of the offending countries, delivering protest notes, and raising official complaints with

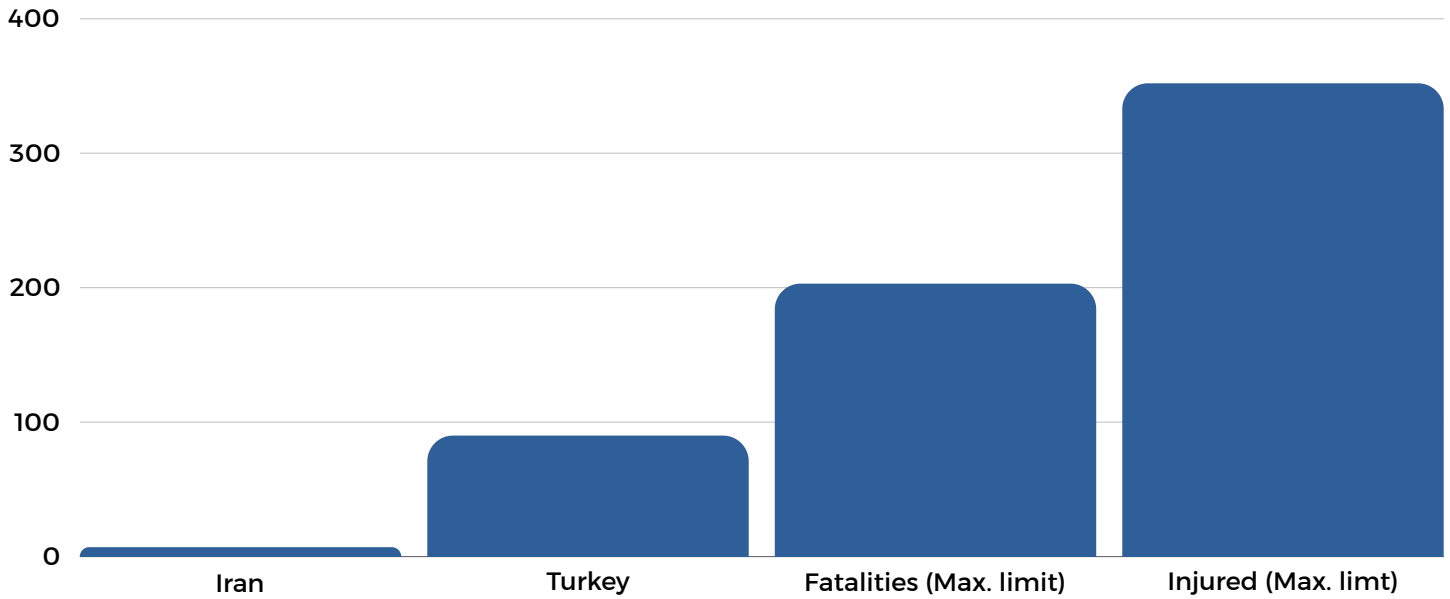
the United Nations and the UN Security Council. The Iraqi Parliament passed resolutions rejecting the presence of Turkish forces on Iraqi soil.

Despite these efforts, the violations have continued, and the Iraqi government has struggled to assert its sovereignty and protect its borders effectively. The issue remains a significant challenge, and more proactive measures or international intervention may be required to address the situation effectively.

In light of the analysis provided regarding the security violations affecting Iraq's sovereignty and the consequences they entail, as well as the observation that previous solutions implemented by successive Iraqi governments have been ineffective, it is essential to consider alternative policy options that are both feasible and practical. To do so, we need to understand the motivations and reasons behind the actions of various stakeholders:

- **The Turkish Government:** The Turkish government views the Kurdistan Workers' Party (PKK) as a terrorist organization that poses a threat to its national security. It justifies its military operations as self-defense measures to prevent the PKK from using Iraqi territory as a base for attacks against Turkey.

Figure (4): Five-Year Statistical Data (2018-2022) on the Number of Civilians Injured and Killed in Bombardments by Neighboring Countries.



## Policy alternatives:

- Collaborative Approach with Turkey: Former Defense Minister Jumaa Anad emphasized the importance of cooperation and coordination with the Turkish government. This approach could involve sharing intelligence to prevent cross-border attacks and reaching understandings about military operations. However, such cooperation has been rare in practice.
- Strengthening Control of Iraqi Borders: The suggestion to send Iraqi army and Peshmerga forces to secure and control border areas might mitigate Turkish and Iranian incursions. This approach, though, may not address the root issue of Kurdish opposition groups within Iraq
- Escalating Government Actions: Some analysts and members of the Iraqi parliament propose cutting economic and political ties with Turkey, deploying troops at the borders, or even going to war. However, these actions could exacerbate the situation and lead to unintended consequences, including further instability in the region.
- Seeking International Assistance: Iraq could seek international solidarity through organizations like the Inter-Parliamentary Union (IPU) or request the intervention of the United Nations and the UN Security Council to help mediate a solution. However, these international efforts might come into play after addressing the core issue of Kurdish opposition group presence



In conclusion, while there is no easy solution to the issue of Kurdish opposition groups on Iraqi soil, diplomatic efforts, cooperation with neighboring countries, and potentially international mediation offer more realistic alternatives compared to military escalation or drastic measures that could exacerbate tensions. Ultimately, addressing the root causes of the problem and finding common ground through negotiations may provide the most sustainable path toward resolution. The optimal alternative to address the issue of Kurdish opposition groups from Turkey and Iran operating in Iraq involves a diplomatic approach rather than escalating tensions with neighboring countries. This alternative can be outlined as follows:

- **Dialogue with Kurdish Opposition Groups:** Initiate negotiations with Kurdish opposition groups, such as the Kurdistan Workers' Party (PKK) and others, to find a peaceful solution. This should be done in partnership with both the central government of Iraq and the Kurdistan Regional Government (KRG) since most of

these groups have their bases in the Kurdistan region.

- **Disarmament:** As part of the negotiations, require these groups to disarm completely. The Iraqi government should provide assurances of their safety in exchange for this disarmament.
- **Non-interference in Neighboring Countries:** Kurdish opposition groups should commit not to engage in any activities that threaten the security of neighboring countries. This includes refraining from launching attacks on Turkey or Iran from Iraqi territory.
- **Enforcement and Monitoring:** If any of these groups violate the agreement by resuming hostilities or threatening regional stability, the Iraqi government should be prepared to enforce the agreement. This may involve arrests or other measures to ensure compliance.
- **Parliamentary Support:** To address legal aspects, it's important to seek support from the Iraqi Parliament. This includes debating and passing necessary legislation or resolutions to support the diplomatic efforts.



## The benefits of this policy alternative include:

- **Enhanced Security:** By disarming and negotiating with these groups, Iraq can eliminate the pretext for foreign military interventions and bolster its own sovereignty and security.
- **Improved Diplomatic Relations:** Resolving this issue diplomatically can improve Iraq's relations with neighboring countries, reducing tensions and the risk of conflict.
- **Economic Stability:** Improved diplomatic relations can positively impact Iraq's economy by normalizing trade relations with Turkey and Iran, potentially benefiting the Iraqi people.
- **Domestic Focus:** Resolving this long-standing issue would allow the Iraqi government to focus on domestic challenges and governance, rather than being embroiled in regional conflicts.

However, implementing this alternative is not without its challenges. It requires the cooperation of all relevant parties, including Kurdish opposition groups,

the Iraqi government, and the governments of Turkey and Iran. It also requires a commitment to peace and the ability to enforce agreements. Additionally, the Iraqi Parliament must be willing to support these efforts through legislative actions.

## Conclusion

the Turkish perception is based on the premise that the Kurdistan Workers' Party (PKK) is a terrorist organization that poses a threat to its national security. This view was articulated by the Turkish representative in the emergency session held in the United Nations Security Council on July 27, 2022. He stated that "the PKK has launched (339) attacks in the first six months of this year and (9,500) such attacks over the past five years. We will continue to exercise our right to self-defense under Article 51 of the United Nations Charter problem as long as the Iraqi government is either unable or unwilling to combat terrorist activities."

There is some validity to this viewpoint, as it has been observed that despite the Iraqi government's concern about Turkish violations, there has been little comment on the presence of PKK forces and their activities along the 700-kilometer border between Turkey and Iraq. Moreover, attacks have occurred within Turkish border areas.



Thirdly, the danger posed by the escalating Turkish military presence inside Iraqi territory, combined with the withdrawal of PKK forces deeper into Iraq, could lead to a shift in the conflict between the two parties closer to Iraqi cities. This poses a significant threat, especially considering the existence of Turkish military camps, with the most concerning being Camp Zilkan, which is only 22 kilometers from Mosul. The ongoing Turkish military interventions and the presence of the PKK in the northern Iraqi mountains impact the political relations between the two countries and may become a major threat to their future relations, potentially leading the country towards war.

Fourthly, the negligence of the Iraqi state, both the government and parliament, to address the presence of Kurdish opposition parties that challenge both Iran and Turkey and their operations, as well as the lack of border control and fortification, has exacerbated the situation.

## Recommendations

- The Iraqi government, in its pursuit of maintaining sovereignty and preventing territorial violations, must assert its authority by consolidating control over all its territories and strengthening security points along its borders.

This includes addressing the presence of Kurdish opposition parties and finding a solution to the root of the problem.

- The Iraqi parliament should expedite the inclusion of the issue of the presence of Kurdish opposition forces on Iraqi country in a parliamentary session, with the participation of relevant government, security, and military authorities. This session should produce a clear vision of the situation and the appropriate measures to be taken, followed by prompt implementation. Both the central government and the Kurdistan Regional Government (KRG) should be in agreement on the necessity of either expelling the PKK or engaging in negotiations with them.
- Turkey and Iran should be called upon to provide compensation for the material and human damages caused to civilians once the issue of Kurdish opposition forces is resolved. While Article 51 of the United Nations Charter allows for the exercise of self-defense, neither country has officially informed the United Nations of their actions. Moreover, there is no legal framework justifying the killing or injuring of civilians or conducting operations inside another country without the consent of that country.



## References:

- Dr. Saad Haqi Tuwaiq, "Principles of International Relations," 5th ed., Al-Atek Publishing Company, Cairo, 2010.
- Dr. Firas Al-Baytar, "The Political and Military Encyclopedia," Dar Osama, Amman, Jordan, 2003, Vol. 1.
- Mona Hussein Obaid, "Iraqi-Turkish Relations and Their Impact on Iraq's Stability," International Studies Journal, University of Baghdad, No. 60, 2015.
- Dr. Dina Hatif Maki, "Constants and Variables in Iraqi-Turkish Relations," Ishrakat Tanmawiyah Magazine, The Iraqiyah Foundation for Culture and Development, Vol. 7, No. 30, 2022.
- Batoul Hilal, "Iraq and Turkey: A Study in Political Relations," Journal of Political Science, University of Baghdad, College of Political Science, No. 27, 2003.
- Nawal Abdul Jabbar Al-Ta'i, "The Impact of the Kurdish Issue on Iraqi-Turkish Relations after 2003," Ishraqat Tanmawiyah Magazine, The Iraqiyah Foundation for Culture and Development, Vol. 6, No. 28, 2021.
- 
- Jalal Abdullah Mawwad, "Decision-Making in Turkey and Arab-Turkish Relations," Beirut, The Center for Arab Unity Studies, 1998.
- Full Speech of Former Foreign Minister Fuad Hussein during the Parliament Session on July 23, 2022.
- Full Speech of Chief of Staff of the Army (Abdul Amir Yarallah) during the Parliament Session on July 23, 2022.
- Full Speech of the Secretary-General of the Ministry of Peshmerga (Jabar Yawar) at the Rafidain Dialogue Forum 2021, held on August 30, 2021.
- Resolutions and Recommendations of the Parliamentary Session No. 21 held on October 4, 2016.
- Baghdad Today, Deputy Reveals the Behind-the-Scenes of the "Closed" Parliament Session on Iraq's Sovereignty, November 22, 2022.

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### HUSSEIN ALI HABIB

A fellow of the Iraq Policy Program (Third Cohort), holds a Bachelor's degree in Political Science. He works at Kufa University and focuses his interests on foreign policy