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# ISDP TESTIMONY

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[The following testimony was delivered by ISDP in a US Commission on International Religious Freedom Hearing in the US Senate on July 25, 2007 – which can be viewed along with the testimonies of other witnesses at the following link:

<http://www.uscirf.gov/events/hearings/2007/July/iraq%20link%20page%202.html>]

## Threats to Iraq's Communities of Antiquity: Testimony by Michael Youash

July 25, 2007

### **Introduction**

I would like to thank the US Commission on International Religious Freedom (USCIRF) for distinguishing itself yet again on the subject of religious minorities in Iraq. My mandate at this hearing is twofold. First, to draw attention to the plight of Iraq's religious minorities, particularly the Christian Assyrian/Chaldean/Syriac (herein ChaldoAssyrian) peoples in northern Iraq and Kurdistan Regional Government (KRG) controlled areas. Second, to provide solutions, which will cover the issues I raise and those raised by the persons sharing this table with me.

It is impossible to begin without first stating categorically my sincere thanks for the sacrifices of this Nation in liberating Iraq. As a human rights and democracy activist and analyst I would not even be able to return there had Saddam's tyrannical regime not been removed. Indeed, none of us here today would be able to dream of a brighter future if it were not for Saddam Hussein's demise.

I liken the dreams that our people held for the future to those of a great American political leader, the Hon. Martin Luther King, who shared with this country the dreams of his people for the future. As an indigenous, religious and ethnic minority, in Iraq, liberation held that we might not only share in that dream but fully realize it. For a variety of reasons, we are today trapped in a nightmare.

This nightmare we are trying to escape in northern Iraq is not like that of Dora/Baghdad, Mosul, Basra and other major urban centers, where full-out ethnic and sectarian cleansing is taking place. It is my task to lay-out the situation in northern Iraq and the KRG jurisdiction with respect to minority persecution, government heavy-handedness, and the implementation of prejudicial policies with impunity. We are creating a dictatorship out of an enormous American sacrifice to liberate Iraq from tyranny.

Our dreams for the future were based on statements, such as those of Secretary of State Condoleezza Rice, on August 20, 2005, at American University in Cairo. She told us, "We should all look to a future when every government respects the will of its citizens – because the ideal of democracy is universal. For 60 years, my country, the United States, pursued stability at the expense of democracy in this region here in the Middle East – and

we achieved neither. Now we are taking a different course. We are supporting the democratic aspirations of all people.”

The majority of Iraq’s indigenous Christians seem thus far to have made a mistake. We believed her. We believed the United States Government (USG). We were wrong. United States Government action (or in this case inaction) in northern Iraq says that the United States respects the will of the Kurdistan Democratic Party (KDP), the Patriotic Union of Kurdistan (PUK), and not the will of persecuted, vulnerable religious and ethnic minorities who seek to exercise their right to political, social and economic freedoms.

To date we are being told something in complete contradiction to the Secretary of State’s words. The message is that for Assyrian/Chaldean/Syriacs, their right to democracy and fundamental freedoms is the price for KRG control and perceived stability.

### **Authoritarian Pressures, State-based Persecution and Discrimination**

It is not feasible, nor appropriate, to list each incident of cold-blooded murder, assassination, land theft, illegal land seizure, official discrimination, summary detention, arbitrary arrest, among other crimes, committed with impunity. Instead, I will discuss those crimes best indicative of the trends and scope of the dictatorship being established by KRG authorities and connect them to practical, feasible solutions. Effectively, what is described below is part of a program of “soft ethnic cleansing.”

In January 2005, the Nineveh Plain area (map enclosed), a region with the highest concentration of minorities such as ChaldoAssyrians, Shabaks, and Yezidis, was disenfranchised. A Major of the United States Army described the disenfranchisement and voter fraud with major media sources. He confirmed that KDP Peshmerga denied the Nineveh Plain ballot boxes and in the one area where the US army could get ballot boxes, Bashiqa, the KDP Peshmerga entered the town, confiscated the boxes and returned them full.

This was a formative experience for Iraq’s Christians, particularly those of the Nineveh Plain. The denial of such a fundamental right, a right at the core of the liberation of Iraq and the bringing of democracy, left the community entirely scarred. Of course, their protests (in Iraq and internationally, including in the US), were dismissed. The disenfranchisement of a people in an area tied closely to their ancestral identity, rich in their distinct religious and ethnic history, was a powerful message by the KDP.

The USG’s lack of action, even proper acknowledgment of the matter is most regrettable. Indeed, the inability or unwillingness of the USG to confront the problem is evidenced clearly in the subsequent International Religious Freedoms report for 2006. In that report, the Department of State (DoS) asserts that, “Although Chaldean and Assyrian Christian communities were anticipating barriers to voting – similar to those of January 2005 – there were few documented cases of voter intimidation according to the Independent Electoral Commission of Iraq (IECI).”

Allow me to explain the complete failure on the part of the Department of State to properly understand the situation. Despite DoS's own affirmation that 'barriers to voting' existed in January 2005, they provide no evidence of what changed to somehow improve the situation. Instead, they accept the reporting of the IECI (the very institution that covered-up voter fraud in January 2005).

What happened is that voter fraud and intimidation did take place during the October 2005 referendum, and the December 2005 second parliamentary elections. The disenfranchised minorities had learned, however, from their experience in January 2005 that filing complaints and making direct appeals for assistance with the USG produces no response. Instead, one is left alone, with those who perpetrated the crimes and have the means and the will to inflict grave harm. Therefore, it is not that there were few documented cases, but instead minorities learned that standing up for their right to vote with US or Iraqi authorities only exposes them to greater persecution. Better to stay quiet. Yet the DoS interprets this as an improvement – how wrong.

The Nineveh Plain and areas within the KRG's jurisdiction are also suffering from economic discrimination and suffocation in terms of reconstruction and development, which further fuels soft ethnic cleansing. The funding that does arrive to our towns and villages comes with political conditionalities. The clearest condition is that beneficiaries must become supporters of the ruling-KDP party. Indeed, even gainful employment comes with the precondition that one become a KDP member.

On the issue of economic discrimination/persecution based on employment opportunities, the Christian ChaldoAssyrians going north are confronting the reality of forced membership in the KDP as a prerequisite. This is crushing their hope that things can get better as they flee one dictatorship only to arrive to another dictatorship.

Tangible differences in the structures built for ChaldoAssyrians (where they do have homes re-built for them) and those built for their Kurdish neighbors is telling. The basic housing structures built for ChaldoAssyrians in contrast to the more durable and generous villages built for Kurdish towns is a stark reminder of second-class citizenship.

I would like to bring you the words of Iraqi Christian refugees interviewed by ISDP during our March 2007 field mission to Jordan, Syria and Lebanon. Refugees were asked about opportunities to go to the north, Nineveh Plain, and KRG controlled areas. These are their words:

*“In the north, it's the Party [KDP], people are afraid. They have their secret police. You cannot speak, they have taken away a lot of people. It's the same as before [under Saddam] in the north.*

*“Also, if you are not with the Party ... the Kurdistan Democratic Party, you will not work ... you have to be with them.*

**Ishaya – 24 year-old, male**

*“Liberation was great – we felt a light was finally coming to us. [...]*

*“If you are not with the KDP, if you do not vote for them, you are nothing. I was there for 5 months and I could not get work because I would not join their party.”*

**Nahrain – 42 year-old, female**

*“If you are not with the Party [KDP] you will not amount to anything. Do you want work? Join their party. You cannot work if you do not.*

*I lived for 8 years in Sarsink when I left Baghdad. Our lands in our village have Kurds sitting on them. The government will not return the land to us. The Kurds on our land said we would have to take their blood to get the land back.*

*There are so many people who would go north to their lands instead of becoming refugees, but they cannot because the KDP will not give their lands back.”*

**Toma, 58 year-old, male**

Discrimination by KRG authorities is one factor, but sadly, this is matched by USG discrimination in the use of funding. Since the commencement of our work, including field missions to Iraq and reports from civil society and human rights groups, we have reported on the lack of any real USG spending in minority communities, particularly the Nineveh Plain. Communication with the Department of State, in response to correspondence from Reverend Keith Roderick of Christian Solidarity International, and followed-up subsequently by the office of Congressman Frank Wolf, revealed that effectively no funding was spent in predominantly ChaldoAssyrian areas.

Most regrettable is a common line by DoS officials that they “do not target funding on an ethnic or sectarian basis.” This is a sound policy, which no one would inherently overturn. However, the Nineveh Plain (home to Christian ChaldoAssyrians, Shabaks and Yezidis), is a geographic area. Why is it that when the area is mentioned, such an excuse is provided? It should not matter to DoS officials that Christians, Shabaks and Yezidis live there. None of them object to funding reaching Irbil, even though the primary beneficiaries are Kurds, and the same is true for money reaching Najaf, which primarily benefits Shi’a Arabs. Why is it, then, that such a response is acceptable when it comes to the indigenous Christians? The answer is simple; there is nothing acceptable in such responses by the State Department.

Arbitrary arrest, summary judgments and punishments are also wide spread. One instance is revealing. KDP members attempted to illegally take possession of a house in the Nineveh Plain belonging to a man who was not present. The man’s neighbors, two brothers, prevented the illegal property seizure. Later that night, Iraqi military (wearing the flag of the KRG on their uniforms) entered the home of the two brothers and summarily arrested one. He was accused of being a terrorist. His brother and mother

came to the holding facility. The two brothers were viciously physically beaten and jailed. Only when they renounced their actions were they released. The home of their neighbor, in the Nineveh Plain, was successfully occupied by the KDP.

This is a phenomenon observed for several years now. In mid-2005, Washington Post reporters were uncovering this same reality. One report on militias contains the following:

Luqman Mohammed Rashid Wardak, a senior member of the party's local committee who has the Kurdish sun emblem tattooed on the back of his right hand, said he hoped Qaraqosh would be ceded to the Kurds after the area "becomes normalized." In the meantime, he said, "we are presenting our political ideas to the people." Wardak said the Kurdish Regional Government has already distributed \$6,000 to poor families. "Because this area does not officially belong to the Kurdistan region," he said, the money "goes to the party and the party pays them." ... "But when largess doesn't work, the party uses force."

The report goes on to explain how KDP militia publicly beat a government official from the town who refused to obey their orders. That report concludes with the following statement: "Freedom and liberty are only words in ink on a piece of paper," ... "The law now, it's the big fish eats the small fish."

Crimes committed with impunity are the most direct actions exposing the program of soft ethnic cleansing by KRG authorities. This includes murder and the terrorizing of Christian ChaldoAssyrian communities in the Nineveh Plain. On July 17 th, 8 days ago, Fadi Nazar Habash, a teenager, was driving his tractor when he was struck by a hail of bullets from Peshmerga in Iraqi military uniform. He pulled the tractor to the side of the road when he saw the Peshmerga vehicle coming. The Peshmerga had the benefit of daylight and knew this was no threat. Most telling is that despite wearing Iraqi military uniforms, a delegation from the KDP came to the family to express their regret at the murder of their son by the KDP. There is no accountability for the crime itself, however.

The message, heard again and again, repeated on July 17 th of this year, is that the murder of Christian ChaldoAssyrians can be done with impunity.

Land theft/illegal land seizures, and the KRG's unwillingness to provide sufficient redress is perhaps one of the single-most pressing issues at this time. Indeed, in some cases, very well-placed networks within the KDP are behind the seizure of Christian lands.

From Dere, Coumaneh, Maristek, to Chembre Bethke, to Sarsink to Chaqala Latheh and Chaqala Khtatheh, we are seeing concrete examples of systematic illegal land seizures and land invasions. There are well over 100 more cases, but I would like to look at the situation of Chaqala Khtatheh as a robust case study.

The original inhabitants of Chaqala Khtatheh have their men living in a modest structure, meant to be a small school house, still farming their land, refusing to leave. The closest Kurdish town to Chaqala Khtatheh is Barifkeh. As early as 1993, a land restitution committee, which included Kurdish authorities indicated that upwards of 1 kilometer of Chaqala Khtatheh's land had been invaded. Just over one decade later, when our team arrived to assess the situation, a larger segment of the farmland of Chaqala Khtatheh was seized and land directly within the destroyed village. Chaqala Khtatheh has yet to be rebuilt while towns such as neighboring Barifkeh have been completely redeveloped.

In this case, we were fortunate to have communication from a third party working in northern Iraq indicating he would be assessing the situation and would set it right. He confirmed that matters were not individually-based or particular, but systematic; referring to Chaqala Khtatheh and Latheh as have land disputes at the village-level. Then he reported back that the source of the problem was that empty Christian ChaldoAssyrian lands were utilized by Kurds from Barifkeh, who planted tree farms and that the ChaldoAssyrian inhabitants only wanted the land when it became profitable. My organization has the files that demonstrate how the tree farms came to be planted by an Assyrian-American from California in conjunction with the Assyrian Aid Society – which planted over 120,000 trees for farming throughout northern Iraq to provide a means of economic survival.

Interestingly, when presented with this fact, and realizing how he had been completely misled by the KRG authorities, he immediately distanced himself from the entire affair.

The land seizures there have been perpetrated by persons directly connected to KRG President Masoud Barazani – for example large tracts of farmland were seized by the Omar Karim brothers, past bodyguards of KRG President Barazani. But in other towns, for example Dere, Coumaneh, and Maristek, the guilty parties behind major land seizures are KDP members. Mohamed Mohsen Falah is the KDP Regional Head for the 8 th District and his father Mohsen Falah is a member of the Kurdistan Regional Government's legislature. This makes the land seizures state business. This is something being locked into place that looks much like the programs of dislocation and dispossession perpetrated by the Apartheid government of South Africa.

This demonstrates the deliberateness of land seizures and the dispossession of a people, their uprooting, and the fact that it is done with determination and a method. In fact, the KRG is locking into place the devastating effects of Saddam's Arabization program and the horrors of the Anfal by denying Christian ChaldoAssyrians the right to reclaim all of their lands. This is a direct effort at soft ethnic cleansing.

### **Understanding the Impact**

Despite what is presented above, there are two standard responses from KRG officials, and their advisors, which must be addressed.

First, they will indicate that the KRG is building numerous churches in the north. This is most certainly true. However, another fact is the extensive flight from the north of the internally displaced Iraqi Christians, who cannot reclaim their land, who observe the authoritarianism described above, and as a result decide to leave. USCIRF Commissioner Nina Shea in mid-2006, commenting on this subject said, “KDP-controlled areas in northern Iraq could soon see parishes without parishioners.” I would like to reaffirm the validity of that policy insight.

Second, officials from the KRG will point to several ministerial positions held by ChaldoAssyrians. These include the Minister of Finance and the Minister of Tourism. In this case, I would draw attention to key comments by the Minister of Tourism as giving us an insight into the type of government that exists there. He was asked a question about illegal land seizures. His response indicates a great deal about the type of government he represents:

“Regarding your question about the stealing of land, not even one meter has been taken by force by the KRG. Not one meter. We are trying to make this clear to everybody. [...] This is propaganda used by others to destroy our people.”

The name of this Christian ChaldoAssyrian minister is Mr. Nimrud Baito. The publication in which the interview was published is the widely read Zinda Magazine. By the Minister’s own words, the clear-cut situation I have outlined in Chaqala Khatteh does not exist. Instead, this type of person must be recognized as a proxy, as a mouthpiece meant to portray tolerance and inclusiveness by the KDP. It is, in fact, a cynical exercise in undermining legitimate human rights claims and the process of building a culture of democracy, pluralism and tolerance in KRG areas.

Taken together, the impact of highly discriminatory and prejudicial policies, disenfranchisement, political intimidation and oppression, land theft and dislocation, combined with the denials by ministerial-level officials within the KRG, serves to create a climate in which people see a return of Ba’ath-style governance. While this is transpiring in northern Iraq, Iraqi Christians are being decimated in areas controlled by Sunni and Shi’a Arabs.

The result is the threat of de-Christianizing Iraq. This must not be allowed to happen. Conservatively, 1 in 5, and upwards of 1 in 4 have fled Iraq. An even greater number seek refuge by returning to northern Iraq as internally-displaced persons.

The people being lost, those such as Dr. Donny George, represent a major segment of Iraq’s professional and educated population. This is a brain drain, these are the people who can help Iraq to stand on its own two feet, and they are being bled, almost literally, from the country. This can and must stop.

## **Solutions**

The solutions to the crisis facing Iraq's Christian ChaldoAssyrians are thankfully quite simple. These are feasible and realistic. They can be done immediately and we cannot wait.

- Material support for internally displaced families, numbering in the tens of thousands, who flee to the north, the Nineveh Plain and surrounding areas is vital. A major step was taken in this respect in the House of Representatives on June 12, 2007. \$10 million dollars has been requested for getting essential aid to religious minority IDPs fleeing to the Nineveh Plain. At the minimum this must be approved in the Senate. It must be followed by other similar allocations in funding in meeting the ever-increasing number of IDPs arriving in the Nineveh Plain.
- The United States Government must press the Kurdistan Regional Government in a sustained and determined manner to end practices that are marginalizing our people and discriminate against them and other minorities.
- Provide, on an urgent basis, the minimal infrastructure and amenities to the Nineveh Plain to allow the smallest minorities to sustain themselves in their ancestral areas. This must include the building of homes, schools and clinics. It requires developing road, electrical, sewage and water infrastructure.
- The USG must stop the effort by the KRG to expand its existing borders to include the Nineveh Plain. The attempts at expanding the KRG into the Nineveh Plain is outlined in the KRG's draft constitution, article 2, section 1. This fundamentally destabilizing agenda is prejudicial to the survival of the Christian ChaldoAssyrians and other religious minorities that constitute the majority population of the Nineveh Plain. It is denying them a chance to determine their own future and they cannot be denied such a fundamental right.
- Convene the civic representatives of the Iraqi minority communities to forge a consensus regarding the political status of the Nineveh Plain territory, for example by forming an autonomous administrative district as provided for in Article 125 of the Iraqi Constitution.
- The United States Government has a moral obligation and responsibility to facilitate and drive such an agenda. There are also extensive examples of this activity by the USG. It brought together and almost forced reconciliation between major warring Kurdish factions. In 2002 the USG brought together the Iraq opposition groups. It formed the Interim Governing Council after the removal of Saddam.

Thank you.