

Iraq Press Conference - Transcript

UNITED STATES COMMISSION ON

INTERNATIONAL RELIGIOUS FREEDOM

PRESS CONFERENCE ON RELEASE
OF USCIRF REPORT ON RELIGIOUS FREEDOM CONDITIONS IN IRAQ

WELCOME AND
MODERATOR:

FELICE GAER,

CHAIR, USCIRF

SPEAKERS:

REPRESENTATIVE FRANK WOLF
(R-VA)

MICHAEL CROMARTIE,

VICE CHAIR, USCIRF

ELIZABETH PRODROMOU,

VICE CHAIR, USCIRF

DON ARGUE,

COMMISSIONER, USCIRF

IMAM TALAL Y. EID,

COMMISSIONER, USCIRF

RICHARD D. LAND,

COMMISSIONER, USCIRF

NINA SHEA,

COMMISSIONER, USCIRF

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FELICE GAER: Good morning.

My name is Felice Gaer; I'm chair of the United States Commission on International Religious Freedom. I'm

joined this morning by fellow commissioners and I'll introduce you to them in just a moment. First of all, thank you

for coming to this press conference in religious-freedom violations in Iraq. We are presenting you today with the conclusions of the United States Commission Policy Focus on Iraq. Joining me from this end of the table is Commissioner Nina Shea, Commissioner Richard Land, Commissioner and Vice Chair Elizabeth Prodromou and on this side Commissioner and Vice Chair Michael Cromartie, Commissioner Talal Eid and Commissioner Don Argue.

We expect

Representative Frank Wolf, co-chair of the congressional human rights Tom Lantos Commission to be joining us this morning. We have also received statements from Representative Chris Van Hollen, Senator Ben Cardin, Alcee Hastings, and the co-chairs of the Helsinki Commission; those are outside and you'll have copies of them there as well as Senator Carl Levin. We want to thank Congressman Anna Eshoo, who helped arrange our presence in this room and who had testified at an earlier commission hearing.

Today the United States Commission on International Religious Freedom is recommending that Iraq be designated as a country of particular concern under the International Religious Freedom Act of 1998. In light of ongoing, severe abuses of religious freedom and the Iraqi government's toleration of these abuses, particularly abuses against Iraq's smallest, most vulnerable religious minorities. The lack of effective government action to protect these communities from abuses has established Iraq

among the most dangerous places on Earth for religious minorities. This point was driven home once again this past weekend when seven members of a Yazidi family were gunned down in their home in northern Iraq.

The commission's policy recommendations to the United States government are contained in this report. They are voluminous, they are detailed, but they boil down to a pretty straightforward message: The United States must keep religious freedom and other fundamental human rights high on the agenda as it develops and implements policies to help Iraq and the entire Gulf region achieve stability and security. As we work with other governments we must never lose sight of the impact of these U.S. policies on people, on human

rights, on religious freedom. I'd like to turn the floor over to my fellow commissioners, who will highlight various different recommendations. They'll introduce themselves before they speak; afterwards we'll be happy to answer your questions when Congressman Wolf comes in we will also give the floor to him at some point. So we begin with Commissioner Nina Shea.

NINA SHEA: Good morning. Thank you, Madam Chair. The situation is especially dire for Iraq's smallest religious minorities, including Chaldo-Assyrian and other Christians; Sabeans, Mandaeans and Yazidis. These groups do not have militia or tribal structures to protect them and do not receive adequate official protection. Their members continue to experience targeted violence and to flee to other areas within Iraq or other countries, where the minorities represent a disproportionately high percentage among Iraqi refugees. The commission has a number of recommendations aimed at making the prevention of abuses against religious minorities a high foreign-policy priority.

We are asking the U.S. government to urge the Iraqi government to replace existing prime minister's minorities committee with one that is independent and includes representatives of all of Iraq's ethnic and religious minority communities who are selected by the communities themselves, to work with minority communities and their representatives to develop measures to implement Article 125 of the Iraqi constitution, which guarantees, quote, "the administrative, political, cultural and educational rights of the various nationalities, such as Turkmen, Chaldeans, Assyrians and all the other constituents," end of quote, in Nineveh and other areas where these groups are concentrated; to direct the ministry of human rights to investigate and issue a public report on the abuses against and the marginalization of Iraq's minority communities and making recommendations to address such abuses.

And to enact constitutional amendments to strengthen human-rights guarantees in the Iraqi constitution, including by: one, clarifying sub-clause B in Article II that no law may contradict the rights and basic freedoms stipulated in this constitution, quote, unquote, "to make clear that these rights and freedoms include the principle of equality and non-discrimination and the human rights guaranteed under international agreements to which Iraq is a state party. And two: deleting sub-clause A in Article II that no law may contradict, quote, "the established provisions of Islam," end of quote, because it heightens sectarian tensions over which interpretation of Islam prevails and improperly makes theological interpretations into constitutional questions. And three: revising Article II's guarantee of the, quote, "Islamic identity of the majority," end of quote, to make certain that this identity is not used to justify violations of the individual right to freedom of thought, conscience, religion or belief under international law.

MS. GAER: Thank you very much. (Inaudible.)

ELIZABETH PRODROMOU: Our concerns about religious-freedom conditions in Iraq of course extend beyond the country's smallest minorities. There has been some reconciliation between Shia and Sunni Iraqis since we last issued - we issued our last report in May of 2007 - but concerns remain regarding attacks and the tense relations between these two groups. Indeed, considerable progress remains to be made regarding the elimination of remaining sectarianism in the Iraqi government and in the Iraqi security forces and there also needs to be progress towards reducing sectarian violence and human-rights abuses across Sunni-Shia lines.

Now, towards these goals, our commission calls on the U.S. government to urge Baghdad, number one, to ensure that the Iraqi government revenues are neither directed toward not indirectly support any militia, any para-state actor or any other organization that's credibly charged with involvement in severe human rights abuses; number two, to suspend immediately any government personnel charged with engagement in sectarian violence and other human rights abuses; number three, to undertake transparent and effective investigations of such charges and to bring the perpetrators to justice; and number four, to continue the process of ensuring greater integration across communal lines in the government and in the security forces so that they better reflect the religious diversity of the country as a whole.

We also finally call on our government in Washington to continue to speak out at the highest levels to condemn religiously motivated violence by both Shia and Sunni groups in Iraq, including violence targeting women and likewise, to condemn efforts by local officials and extremist groups in Iraq to enforce religious law in violation of the Iraqi constitution and in violation of international human rights standards.

MS. GAER: Thank you very much.

We're going to interrupt our presentation and invite Congressman Frank Wolf to the podium. Congressman Wolf, as I - I already introduced you, Congressman, as one of the co-chairs of the Tom Lantos Human Rights Commission and one of the stalwarts of human rights and religious freedom in the Congress.

REPRESENTATIVE FRANK WOLF

(R-VA): Thank you. I apologize for being late, but thank you very, very much. I want to thank the commission for its continued work on the critical issue of religious freedom. I'm eager to read - I have not read - their complete findings with regard to the state of religion liberty in Iraq. And I stand here today ready to voice my shared concern for the plight of Iraq's ethno-religious minorities including the Chaldean Assyrian Christians and other Christians in Iraq.

I was there last year. We were up in Nineveh and we spoke to a number of the representatives of the community and heard first hand of what we all read every day in newspapers. But when you talk to somebody direct and there are soldiers and guards and guns and everything around, it sort of changes the perspective. So what is taking place that you read about is real. In fact, the reality of it, obviously, is probably much worse than what you're reading.

Back in 2006, the Iraq study group advised the administration that, quote, "The rights of all minority communities in Iraq must be protected." But we stand here today at a time of diminishing - and I say rapidly diminishing - religious pluralism in Iraq, a development which is deep the troubling for both the future of Iraq and the region as a whole. More than 500,000 Christians or roughly, they say, 50 percent have fled Iraq from 2003. Many are living in abject, miserable, rotten conditions in Syria and some in Lebanon and other places. And even though Christians make up only 3 percent of the country's population, according to the U.N. High Commissioner for Refugees, they comprise nearly half of all refugees leaving Iraq.

Again, very little is being done by this administration. Very little is being done by the Iraqi government. I would almost say nothing is being done by the Iraqi government to help the Iraqi - the Chaldean Christians who are living in slum conditions in Syria or in some other countries. Even as Iraq has continued to stabilize - and we're appreciative and thankful that it has - these minority populations, including the ancient Christian community, some of whom still speak Aramaic, the language of Jesus.

And it's interesting; the church in the West has really failed. When I see how little activity there is on behalf of the Christians and other religious minorities in the Middle East and the failure for the church to speak out and yet we see this condition here in an area that Nineveh, from the Bible and Abraham came - my first trip to Iraq, I went down into the area, the place they

told me was the actual location of Abraham's house and yet you find our government and other governments and the Iraqi government willing to just turn a blind eye and, frankly, to do almost nothing.

The minority suffered an additional blow this fall when a provincial election law passed by the Iraqi parliament was at the last minute stripped of a provision that would have guaranteed precious seats in the provincial councils to the minority. When an amendment was later adopted, it included fewer seats than originally proposed. The Chicago Tribune recently reported the following, quote, "Iraq's Christians appear powerless against greater forces and the community in Mosul was divided between those who believe this still have a place in Iraq and those who fear their days here may be numbered," end of quote.

"We normally have about 200 to 300 people attend mass," said the Reverend Peter Gethea, a priest at the Seda al Bashara Assyrian Church. And I think the former, if I recall, I remember meeting the former Catholic bishop from Basra. I believe he now lives in - in Australia, again, somebody who's had to leave yet was raised in the country. Last Sunday, he went on to say they only had 20 people. People are still scared. Their fear is understandable. All you have to do is visit and see what they go through each and every day to be a Christian. And, yet, the ironic thing is our government has spent billions of dollars and we've shed blood of some of the finest Americans that we have in this country. And the men and women who served in the military, every time I go there, how impressed you are when you see the young men and women who serve in our military and are there for freedom, and yet you find the United States government not doing a darn thing with regard to the freedom and the safety - forget even freedom, if you will - the safety of the Christians in Iraq! Just talking about it kind of makes me angry.

I mean, I think Secretary Rice has failed when it comes to this point. And I think nobody should go away thinking this is a mixed picture. They have failed. They still have an opportunity, but they have failed. And as you see what may very well take place, I think the failure is clear. And the fall - this fall was marked by chilling targeted killings in which attackers approached people and ordered them to hand over their ID cards which list religion affiliations. Once again, they were recognized as Christians. They were killed. Thousands fled in the wake of these events, and you would flee too if you were in the same situation.

And, in closing, as I made it clear throughout this comment, I've been disappointed by the administration and the secretary's lack of coherent policy as it relates Iraq's Christian minorities. And I urge the incoming Obama administration to take steps to ensure that these communities are afforded the necessary protection. We must not allow the

extinction from the Nineveh old and the Nineveh of the Bible to happen during our watch. It has been happening, clearly. So there's no misunderstanding - and I'm a Republican. It has been happening under the previous administration's watch; fact, not a debatable fact but a real fact.

The question is, will it continue to deteriorate and change during the next administration? And I hope that Secretary Clinton and the others that come in reverse and put some commitment and determination, whether you go CPC or whatever you do is a different issue, but to make sure that the administration stands up for the Iraqi Christians who go back to the days of the Bible and make sure that that community that has been there for the long, long period of time, continues to exist.

So I thank the commission for the good work. I hope the commission will meet with the new secretary. I hope you'll give them ideas of people who ought to be the assistant secretary in these areas and that you'll speak out and be bold and be controversial on these issues both with the Iraqi Christians but also to take this opportunity with regard to the Christians in China and the Christians, quite frankly, around the world that are just being persecuted - and the Baha'is and all of the other minorities: the Tibetans and the Buddhists in Tibet and all the others. But I thank the commission and look forward to - and I'll just listen to some of the other things you're going to say. Thank you.

MS. GAER: Thank you, Congressman.

We're going to continue with the presentation of our conclusions and recommendations from the report. I now turn the floor over to Commissioner Michael Cromartie.

MICHAEL CROMARTIE: Thank you, Madam Chair.

We're concerned about the provincial elections scheduled for next month. In the elections four years ago, many non-Muslims in the Nineveh Governate were disenfranchised due to fraud, intimidation and the refusal by Kurdish security forces to permit ballot boxes to be distributed. And now, most recently, the provisional elections law passed in late September 2008 by the Iraqi government was, at the last minute, stripped of a provision that would have guaranteed a set number of

seats in provincial councils for minorities.

An amendment adopted later set aside fewer seats than the original provision, leading minority leaders to denounce the law.

So to ensure that the upcoming elections are safe and fair and free of intimidation and violence, the commission recommends that the U.S. government do the following: that it lead an international effort to protect voters and voting places and to monitor the elections; that it direct U.S. military and coalition forces, where feasible and appropriate, to provide heightened security for the elections particularly in minority areas such as the Nineveh Governate where there were irregularities in previous elections; and we urge the Iraqi government at the highest levels to ensure security and to permit and facilitate election monitoring by experts from local and international NGOs, the international community and the United Nations, particularly, in minority areas such as the Nineveh Governate where there were irregularities in previous elections.

MS. GAER: Thank you.
Commissioner Argue?

DON ARGUE: Thank you, Madam Chair, and good morning. I was among the commissioners who traveled to the Kurdish region last spring. We were struck by the religious minority's plight, caught as they are in the struggle between the Kurdish - Kurdistan Regional Government, KRG, and the central Iraqi government for control of northern areas where the communities - their communities are concentrated.

The commission urges the U.S. government to: one, press the KRG, Kurdistan Regional Government, and the Kurdish officials and neighboring governates to cease alleged interference with creation, training and deployment of representative police forces for minority communities and link progress on representative policing to U.S. financial assistance and other forms of interaction with the KRG; two, demand immediate investigations into and accounting for allegations of human rights abuses by Kurdish regional and local officials against minority communities including reports of attacks on minorities and expropriation of minority property and make clear that the decisions on U.S. financial and other assistance will take into account whether perpetrators are being investigated and held accountable; and, three, work with Iraqi and KRG officials to establish a mechanism to examine and resolve outstanding real property claims involving religious and ethnic minorities in the KRG region and neighboring governance.

MS. GAER: Thank you very much. Commissioner Land will now speak on the internally displaced and refugees.

RICHARD LAND: Good morning.

The dire religious-freedom conditions outlined in our report have sparked a grave refugee crisis with up to 4 million Iraqis fleeing abroad or to other regions of Iraq in search of safety. The commission calls on the United States government to, number one, fund a much larger portion of all U.N. appeals for humanitarian assistance to Iraqi internally displaced persons and refugees; second, urge the Iraqi government to fund a much larger portion of all U.N. appeals for humanitarian assistance to Iraqis and to increase its own assistance to IDPs; and, third, utilize diplomatic efforts to urge U.S. allies in Iraq to increase humanitarian assistance to and resettlement opportunities for vulnerable Iraqi refugees and IDPs; and, fourth, amend the U.S. refugee admissions program's new P-2 category to allow Iraq's smallest, most vulnerable religious minorities direct access to the program.

In addition, family reunification should be expanded for these refugees with relatives in the United States to include not only immediate family members but, as has been done in prior refugee crisis situations, to also include extended family such as grandparents, aunts, uncles, cousins, et cetera. Also, in order for members of Iraq's smallest, most vulnerable religious minorities scheduled to be resettled to the United States not to be delayed unnecessarily, the commission recommends that the United States government provide adequate personnel to conduct background screening procedures and enforce proper application of the existing waiver of the material support bar to those forced on provide support to terrorists under duress.

Commissioner Imam Talal Eid will now read statements from Representative Chris Van Hollen and Senator Ben Cardin and Representative Alcee Hastings from the U.S. Commission for Security and Cooperation in Europe, known as the Helsinki Commission.

TALAL EID: Thanks, Commissioner Land.

From the statement of Representative Van Hollen, I will highlight two paragraphs. First, "In the last three months alone, it is estimated that about one of half of the 20,000 Christians in the largely Kurdish city of Mosul have fled that city. Since the U.S. invasion in 2003, over one-third of the Christian population of Iraq, a community of some 800,000, has left the country. According to United Nations High Commission on Refugees, while Christian made up of nearly 4 percent of Iraq's pre-war population, they make up some 40 percent of Iraq's refugees. In just over five years, a

unique religious and cultural community with roots stretching back almost 2,000 years in Mesopotamia has been ravaged and could be lost if the current trend is permitted to continue."

Second paragraph, "I join the commission in its recommendation to include Iraq among the countries of particular concern and to call for the United States to bring its unique influence to bear to change this situation."

From the statement of Congressman Hastings and Senator Cardin I will also highlight two paragraphs. First, "Religious extremism in Iraq continues to threaten all minority communities.

The decline of religious pluralism is most troubling, which has the potential of emptying Iraq of its minority communities. The Iraqi government has a moral obligation to protect the rights of all minority communities by implementing concrete solutions to ensure their safety.

Second, "The United States Commission on International Religious Freedom's report not only offers an insight for look into abuses against religious minorities but also the need to improve conditions for refugees and internally displaced persons. As their resources are depleted and did they remain stranded, jobless and deprived of essential services, they will look for any means to survive. This is a recipe for disaster. The United States must take the lead and provide a humanitarian surge in responding to this crisis. The future of the Middle East depends on it."

MS. GAER: Thank you very much.

We also received a letter from Senator Carl Levin, who is the chair of the Armed Services Committee, and I won't read all of it. We hope to make it available to you, but I'll just quote one sentence, two sentences.

He says, "The tragic situation requires the attention of the new administration and U.S. military commanders on the ground. I have urged the Multinational Division North commander to concentrate as much attention as possible on the plight of the Iraqi Christian community. It is critical that this attention is sustained as we transition to a

new administration. The timing of your commission's report will assist in keeping this issue at the forefront of the policy debate."

Now, with these in mind, you've got our report. You've got our press release. You've heard from our commissioners. You've heard from Congressman Wolf and the others who have sent statements.

We now will move to your questions.

We'd like to ask you to identify yourself before speaking. And in the interest - given that we have a very short period of time, I want to use it most effectively, please try to keep your question brief. We will try to do the same with our answers.

Yes, sir?

Q:

(Inaudible, off mike) - religious freedom coalition. One of the concerns that we have is the problem with the United Nations in that area.

They have clearly done a very, very poor vetting job. I personally have witnessed families who even work for the coalition that were not able to get through to, you know, to our embassy or our people; the United Nations is playing favoritism. There is corruption in Jordan. There is corruption in Syria. These were our - we created these refugees. Doesn't the commission see a need for the United States to do the job and not the United Nations? They didn't create the refugees; we did.

MS. GAER: Thank you very much. You'll see in our report that we call on the U.S. government to take steps to ensure the security.

Now, one has to be practical about how one ensures that security. There are Iraqi forces. There are United Nations forces. There are coalition forces. And there are U.S. forces. The job is everyone's.

Q:

I'm talking about refugees in Jordan and other places where we handed them off to the United Nations High Commissioner of Refugees and said they aren't our problem.

MS. GAER: Once again, if you'll read our report, you will see in the section on refugees, we call on the United States to take a much greater role and much larger percentage of responsibility regarding the financing. We call on others - the Iraqi government to do the same. And, obviously, there's much to be done. These people are - there are too many, too many places, and they're in too much distress.

Yes, ma'am?

Q:
(Inaudible.) I wondered if the commission had any contact with the Obama transition team - (inaudible) - on this matter?

MS. GAER: This commission report was carried out by the commission and the commission staff. And we have not had any such contact. Commissioner Argue?

MR. ARGUE: I would like to come back to the first question and affirm what Congressman Wolf mentioned this morning. I interviewed, along with fellow commissioners, refugees in Jordan. We've had people interviewing refugees in Syria and in Sweden. And their plight is horrendous. Where's their advocate? And our government has fallen far short in stepping to assist these people. So not only is it a dual issue with the United Nations, but it certainly, I would think, would be first order of our government.

MS. GAER: There was a question here? Yes, ma'am?

Q:
(Inaudible) - World Magazine. I'm wondering - this seems to be as much a condemnation of our government as it is the Iraqi government. I'm wondering if you could talk about the difficulty of declaring Iraq a - (inaudible) - when we have such a strong presence there.

MS. GAER: Well, I think our report will speak for itself as to what the causes are, first of all. Secondly, the determination of a CPC - for those of you who don't know, country of particular concern - under the Religious Freedom Act, the standards are that it has to be a country that has engaged in or tolerated particularly severe violations of religious freedom. Now, "particularly severe violations" mean systematic, ongoing, egregious violations

of religious freedom of a variety of kinds. The commission has named many other countries and recommended others as CPCs. The administration has named quite a number.

In the commission's judgment, the religious freedom violations in Iraq are serious, ongoing and egregious. And so we have reached that determination. And I think that it was not an easy - it was not done casually, let me put it like that. Nina?

MS. SHEA: Yeah, I mean, I think what you're seeing here is that the responsibility for the violence, the egregious abuses, the marginalization of the minority groups that are addressed in this report are squarely placed on the government. Sometimes, the - the federal government, the Maliki government, sometimes on the Kurdish government, but the recommendations are addressed to the U.S. government. And that's the way we are mandated to make them.

And, also, as you pointed out, the U.S. does have a big presence in Iraq even now. And so part of the solution lies in making this a high foreign policy priority. And one of the things that we're calling for to make that happen is the revitalization of an interagency task force to come up with a policy solution for this dire - what we see as a dire problem.

Q:
(Inaudible.) How do you reconcile that with trying to increase Iraq's sovereignty?

MS. SHEA: Well, the U.S. can't directly do this, but the U.S. can have a foreign policy towards Iraq like it has a foreign policy toward every other country in the world. And we've had a military policy towards Iraq. We're shifting into another relationship with Iraq where the State Department, diplomacy, soft power becomes even more important. And so the United States will have to address these very important issues of public diplomacy and aid for - our foreign aid.

Q:
Steve Coleman with Associated Press.
Question for Dr. Land or whoever
else would like to take it: How would
you respond to those who say the Christians in Iraq were better off under Saddam's
secular regime than they are under the quasi-democracy at this time?

MR. LAND: Well, I wouldn't imagine that anyone who
choose to be in either situation. I
think that they're, certainly, the people who have benefited the least from the
change have been the Christian minorities.
But our report addresses where the current situation is and how we -
recommendations that we've made to our government to make the situation better
for those who are the persecuted minorities at present.

Q:
I guess another way of phrasing it is, at least from a Christian
perspective, have we made things worse for Iraqi Christians by our invasion than
they were before?

MR. LAND: Well, you're asking for a personal
opinion. And my personal opinion is no.

MS. GAER: Yes, sir.
Oh, I'm sorry. I interrupted.

MR. EID: I'd like to add to that. I was in Jordan. I interviewed many Christian refugees. And most likely, most of them,
they also
brought this fact that they were under - they were better off under the Saddam
regime.

MS. GAER: Yes, sir?
Could you identify yourself?

Q:

I'm sorry. Keith Roberts from Christian - (inaudible, off mike). One of your recommendations was for the U.S. government to lead international efforts to protect voters and voting places. With the provincial popular elections coming up in late January, is there any indication that the U.S. government has been requested by Iraqi government to provide assistance for monitoring polling places? We met with the Iraq Embassy a couple of weeks ago, and it was a concern, but I'm not real confident that anyone has approached the United Nations or anyone has really - is really leading the effort. And I'm just wondering maybe you have some information that would be helpful.

MS. GAER: Thank you for that. In point of fact, we don't have that information. The concern is a serious concern, and I was looking for the report - which I can't seem to find - because we have an extensive section of it dealing - I held it up to you - we have an extensive section dealing with this question of the elections. It is the first of the recommendations in our report. We're very aware of the importance of that. And as Commissioner Cromartie said, there are three recommendations there. But the key - but the key point is that we want to see action that will ensure that the upcoming provincial elections are safe, free, fair and free of intimidation and violence. Now, that requires action, not inaction. And that's what our report is about.

Further questions? Yes, sir?

Q:
Just two real quick questions.
First...

MR. LAND: Identify yourself, please.

Q:
Oh, Ken Joseph with the Syrian Universal Alliance.
I'm a little bit confused as to have you had any problems with the Iraqi government. In other words, are you seeing the Iraqi government condoning these types of things? Or is this part of more a general difficulty for everybody in Iraq? And are you aware of the fact that the Iraqi government has offered monthly payments to all the refugees as well as \$9,000 per family for those returning?

And my final question is: A little bit - there's a tension between

holding out the possibility of visas, which, if you're not careful has the reverse effect of keeping all the refugees because they hold onto the hope of being able to leave. So, first of all, the Iraqi government, have you had any difficulties with the Iraqi government? Is this a part of the Iraqi government effort or - and then, also, the Catch 22 of holding out visas perpetually keeps the refugees. For example, just recently, a large number of people are coming to the embassies that have come out of Iraq requesting to go back. It might be good to speak to the Iraqi Embassy. They're getting regular calls of refugees that want to go back home after having come here.

MS. GAER: Yes, thank you very much. We're going to comment on that. We've had any number of conversations directly in the countries nearby with Iraqi and other officials on these issues. We're well aware of that and Commissioner Prodromou is going to comment on this. And then several other commissioners have asked for the floor.

MS. PRODROMOU: Regarding the first point, you asked whether or not we have any problems with the Iraqi government. I'm assuming you mean in terms of the situation as a whole or with refugees in particular. The answer to both is yes in any event. The report underscores the fact that the CPC designation is based on an evaluation of what the Iraqi government does. That's what we are, as the commission, are mandated to do, evaluate how governments perform. So, indeed, the designation is made on that basis. And if you read the report, it's a long report, but what we've tried to do with care and with great detail and thoroughness is to - to illustrate how it is both by acts of omission and commission the Iraqi government has failed to provide religious freedom adequately and uniformly for all of its citizens.

Now, with regard to the refugee issue, I was part of the group of commissioners who met with Iraqi refugees in Damascus. And what we heard quite uniformly from those refugees was that the few refugees who had actually returned and their families had returned, they had suffered violence and/or death so that the option to return was one that the refugees no longer considered feasible because fundamental security conditions on the ground did not provide them with the confidence and empirical evidence suggests that they should not have the confidence to return.

Regarding the Catch 22 that you mentioned, holding out visas as a, I think, you suggested kind of a false promise or a Catch 22 in the sense that if there's the option of visas to go somewhere else, then the likelihood of return is less, that may, indeed, be the case. But as I said, based on our interviews and the literature we've read and the many meetings we've had with refugees and those who deal with the refugees, there is demonstrable consensus that the desire to return is very low based on the poor security conditions on the ground.

Now, obviously, this is a moving picture. But at least presently, and certainly over the last year-and-a-half since we issued our last report - yes, a year-and-a-half - that's the message we've heard quite loudly.

MR. LAND: Also, I think if you'll look at page one of our report, you'll see that there's a footnote. And the footnote points out that there are four commissioners, including myself, who dissented in naming Iraq as a country of particular concern, which it was, by the way, when Saddam Hussein was in control. You know, we have moved the plight of all Iraqis down to now the plight of some Iraqis under this current government. But I want to make it very clear that there's no - there's no disagreement on this commission when it comes to the serious plight of religious minorities and the fact that they are being abused.

The only difference is whether or not the Iraqi government's capacity - the national government. Now, we're not talking here about the Kurdish government, but the national government's capacity to stop this is - and if you look at the footnote on page one, it says in other words, the requisite intent and a discernible pattern of recurring affirmative acts of abuse are not present. And so the only difference of agreement - the only disagreement here was on whether or not the Iraqi national government's failure to address this adequately is a product of will or a product of lack of capacity to do so. And so we - there were four of us who voted to keep it on the watch list, and there were five who voted to go ahead and make it a country of particular concern. But that should not, in any way, dilute the fact that we are very, very concerned and want our government to be very, very concerned about the plight of religious refugees.

And on the second point, I would say that, you know, if - if the Iraqi government wants these refugees to come home, all it has to do is make - make them - make clear to them that they will be safe once they return. And that's the Iraqi government's responsibility. And I think it's our responsibility to give these people an opportunity to make that choice which would then give them leverage with their own government.

MR. CROMARTIE: Dr. Land - Commissioner Land took the words right out of my mouth. I call your attention to the footnote on page one.

MR. EID: In my opinion, I think the issue is not that the Iraqi government did not do anything, but I think in my opinion, the issue is whether the Iraqi government has done enough or not. In my opinion, the Iraqi government has not done enough to protect the minorities, in particular. Just for example, yesterday or the day before, seven members of the Yazidi family - seven people were killed. They were targeted. So the minority - minorities are facing extinction in Iraq. And I would like to see the Iraqi government doing more efforts to protect them.

MS. GAER: Commissioner Shea?

MS. SHEA: Yes. I agree with Talal Eid on that score that it doesn't take a whole lot of very armed and determined people to terrorize a vulnerable population if the government just steps aside and lets it happen. And that's what we've seen again and again with the Christians, with the Yazidis, with the Mandeans. By the way, the Mandeans have - I've been told - reached the point of no return in Iraq. About 90 percent of them have left the country and they are not coming back, they say.

These are communities that are - have either been destroyed or are being destroyed. The government has marginalized them both in terms of security, they have been thwarted in forming a police force to guard their own communities; they - and that is being integrated into the national police force but to serve locally. When they have been allowed to enlist in the police, they've been sent to the Syrian border or to other parts of the country. And they've been marginalized economically.

And if you look at Nineveh, which is a minority center, you will see that according to the auditor for reconstruction aid, the United States, the official one comes out with a report every quarter. A fraction of the aid given - allocated toward Nineveh has actually been spent by the Nineveh Province - Governate as opposed to other - relative to other areas of Iraq. In response to the Pope speaking out to Maliki, he formed - Maliki formed a minority's council, and we've met with them, talked with them just recently. And we then spoke with the representative of the Mandaean community who had not even heard of the minority council. These people - we came away with the impression that this was basically for show, that these people really did not have a good line of communication back to their - the communities that they supposedly represent.

So we still have not seen more than words. We have not seen a determined effort on the part of the Iraq government to help these people. We've seen indifference.

MS. GAER: Well, you've energized all of our commissioners. Commissioner Prodromou wants to also comment.

Q:
(Inaudible, off mike.)

MS. GAER: Thank you.
We appreciate your work.

MS. PRODRMOU: Yeah, just a brief footnote. I think, you know, return is just the start of the story. You know, it's what happens upon return that really matters. And I think what we have found is that when people return again, their fundamental security conditions are not provided for. They're not sustainable. And the other thing is oftentimes when refugees return, they find that their property has been appropriated and/or expropriated so that their houses are no longer available. They literally have nowhere to live. So there are a host of conditions, economic as well as security, that we've seen that over time that provided a huge impediment to refugee return ergo our set of recommendations at the end.

MS. GAER: And you will see in the report the argumentation as to why these are severe violations. They are targeted violations. They are continuing. They are egregious. They are in more than one part of the country that the government has engaged in a failure to investigate, a failure to prosecute and a failure to protect in many instances. This is all outlined in the report. Thank you.

Are there further questions because we just have about three more minutes, and then we have to leave the room. Yes, ma'am?

Q:

Hi, Amanda Sully (sp) with the office of Congressman Steven Lynch. This last question seems to have really, like you said, energized folks. I just wanted to get some clarification. While I understand that there is not a consensus on whether to designate Iraq as a country of particular concern, is there a consensus on the recommendations because some of these recommendations are built on the idea that the Iraqi government is not doing enough or -

MS. GAER: Yeah, let me be very clear. The position of the commission is to recommend that this country be designated a country of particular concern. That is number one. There are some dissents. This is not the first time we've had dissents. We've had that over the years. Any commissioner can dissent. And last year, commissioners dissented when we designated Iraq as on the watch list.

Now, you must understand, there are only 20 countries in the world that have ever been on either the watch list or the CPC list. We're talking about a very small number of countries. And the distinction between these two is based on a determination. Those determinations are outlined in our report. As to your question about the conclusion, I think when you hear is there is - there is agreement on the facts. There is agreement on the conclusions. These are unanimous by the entire commission. The only question that remains is whether it falls in category CPC or category watch list.

Q:

As far as the steps to take or -

MS. GAER: As far as the steps to take, we are - we are in unanimous agreement.

MR. LAND: Felice, can I - as one who was a dissenter, let me confirm that. There's no - there's no disagreement about what we think needs to be done. There's just a technical disagreement about the Iraqi government's capacity. And so in terms of the recommendations about what the - our government and the Iraqi government need to do, there's no dissent.

MS. GAER: We're just about at the end. Commissioner Argue?

MR. ARGUE: Just a comment. It might help us if we have a definition of what it means to be a country of particular concern. And CPC is a country where the government has engaged in or tolerated particularly severe violations of religious freedom. Particularly severe violations means systematic, ongoing, egregious violations of religion freedom including violations such as: one, torture or cruel, inhumane or degrading treatment or punishment; two, prolonged detention without charges; three, causing the disappearance of persons by the abductions or clandestine detention of those persons or; four, other flagrant denial of the right to life, liberty or the security of persons by the government.
On that definition, my view was - no question - a CPC.

MS. GAER: Thank you very much. Thank you for joining us. And we look forward to staying in touch. If you have further questions, our - you can reach our staff and you can also find the reports on www.uscirf.gov.

(END)