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Protection of Human Rights  
Working Group on Indigenous Populations  
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Agenda item (4a)  
**Agenda item (4b)**

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**Principal theme: “Utilization of indigenous peoples’ lands by non-indigenous authorities, groups or individuals for military purposes”**

Thank you Mr Chairperson

Honourable delegates, ladies and gentlemen, my name is Mofak SALMAN, I am honoured today to have been granted this opportunity to partake in the twenty-fourth session, Indigenous peoples and conflict prevention and resolution. My objective is to draw your attention to the current situation of Turkmen <sup>(1)</sup> and Utilization of indigenous peoples’ lands by non-indigenous authorities of Iraq and conflict prevention and resolution.

Over the centuries, Turkmen played a constructive role in Iraq, by defending the country against foreign invaders and contributing to the building of Iraqi society. Turkmen lived in harmony with all ethnic groups around them but since Iraqi independence from the British Mandate in 1932, the government of Iraq has failed to implement a democratic and pluralistic constitution and government, one that endorses, protects and secures the right of the Turkmen nation.

Commencing in 1968, the Ba’ath party rule, opened one of the darkest chapters in Turkmen history. During much of the 1970s and 1980s, the Turkmen and Kurd populations were forcibly relocated in order to bring about a change in the demographic nature of northern Iraq. A policy that is commonly referred to as *Arabisation* (“*ta’rib*”) was invoked by the Iraqi government programme where Arab families were resettled from southern Iraq to replace and dilute the Turkmen population. Many Turkmen and Kurdish villages were bulldozed, and new Arab settlements were built nearby. Turkmen were forced to change their national identity to Arabic, all Turkmen schools and cultural associations were closed and the Turkmen political leaders were arrested, imprisoned and executed.

The Ba’ath Council banned the Turkmen from acquiring real estate in Kerkuk, with its resolution number 434, dated 11 September, 1989, and its resolution number 418, dated 8 April, 1984. The Turkmen who owned arable lands were deported to the southern regions by force. The Iraqi government, under a variety of pretexts, demolished Turkmen-populated areas in Kerkuk City, in addition to a large number of Turkmen villages demolished by the Iraqi government. For example, Beshir, Kombetler and Yaychi were destroyed, and the residents of these villages were left homeless. Moreover, a large number of Turkmen houses were confiscated in order to split up the Turkmen localities. Arab families were brought to Kerkuk from the south of Iraq and resettled by force, with the financial support of the government, in order to change the demography of the area.

The Turkmen, who wanted to purchase properties or sell their properties in Kerkuk, were under the obligation to obtain official permission from governmental authorities. With the resolution number 1081, dated 27.09.1984, the Turkmen lands were expropriated and allotted to the Arabs who were brought from the south. There was a very strict ban on all sales of real estate in Turkmen regions.

Turkmen could only sell his/her land or building to an Arab. Turkmen could neither obtain building permissions on their own lands nor could they purchase real estate. These restrictions were published in official newspapers and openly enforced.

On the other hand, Arabs were encouraged to buy real estate and settle in Turkmen regions, with interest-free loans. The lands that the Turkmen owned and their title deeds were expropriated by the Iraqi regime at a price much lower than their real value. The lands expropriated in the district of Kerkuk, namely, Tisin, Hasa Timan, Beyle, Shaturlu, Sari Kehya, Gavurbagi, Arasa and the village of Bulawa, were sold to members of the Ba'ath Party, security personnel and officials of Arabic origin at low prices.

Arab families were given financial incentives to move to the oil-rich areas in the north of Iraq. The Iraqi government embarked on housing construction projects to bring more Arab families north in order to change the demographic makeup of the north and, especially, Kerkuk which is dominated by ethnic Turkmen.

The decades of state persecution of Kurds and the repeated forced displacement in the north of Iraq have tremendously contributed to the change in the demographic nature of the Kerkuk region.

After the occupation of Iraq, the Turkmen, Arab and Chaldo Assyrians had high expectations of the interim administration established after April 9, 2003. The Turkmen expected to see democracy, fairness, an end to discrimination, the right to self-determination and an end to violence. Unfortunately, the opposite has occurred in particular concerning the Iraqi Turkmen.

Presently the Turkmen have been undergoing Kurdization campaigns by the Kurds in **Turkmeneli** <sup>(2)</sup> in an often more brutal fashion than carried out on Kurds by Saddam Hussein. The Iraqi Kurds are attempting by various methods to eliminate Turkmen identity especially from Kerkuk City in order to dilute them into Kurdish society.

Despite the fact that the Turkmen had been given assurances by the US forces that the Kurdish militia would not be allowed to enter Kerkuk and Mosul, the Kurdish onslaught did take place. During the occupation of Kerkuk, the Kurds burnt the Registry Office and the land deeds for the Turkmen have been taken from the Registry Office intentionally and this makes it difficult for the Turkmen to establish the original inhabitants of the province. This orchestrated looting was a purposeful act meant to remove all official evidence proving the Turkmen presence in Kerkuk.

However, in April 2004, the Americans created the Iraqi Property Claims Commission to rule on restitution. By the end of 2004, the commission had received 10,044 claims from Kerkuk province. The commission's statistics show that judges have come to a decision only on 25 cases. The head of the commission said in an interview that only two judges, both Kurds, were working on cases in Kerkuk. The commission has been unable to assign more judges because Kurdish political parties insist that only Kurds review the claims, which limits the number of qualified people.

After the occupation of Iraq, the Kurdish authorities have controlled almost the entirety of northern Iraq using military militia with the help of the US forces. Since then, the Kurds and US forces have been using the lands of the indigenous people to finance their military machine to terrorise the indigenous people in the north of Iraq, for example;

There has been an oil exploration deal agreed between the KDP (Kurdistan Democratic Party) and the Norwegian DNO Oil Company. This exploration started to take place on November 2005 in the Border City of Zakho. It is my understanding that no approval was obtained from the central government of Iraq for this

exploration. I am deeply concerned that this situation could become potentially explosive, fostering further ethnic and sectarian tensions.

It is to my own and other Turkmen's astonishment and outrage that such a deal could be allowed to take place in light of the new draft constitution, which was approved in October 2005. Clearly the aim of the constitution is to involve all government parties in the formation of energy policy and to agree compensation for all areas of the country that were affected, deprived and damaged by the former regime.

Since the occupation of Iraq in 2003 all revenues generated by the KDP have been distributed away from the rest of Iraq, which goes totally against the remit of the constitution. In other words there is a power abuse by the Kurdish Militia generated by the absence of strong central government and the existence of occupation forces. On behalf of myself and other Turkmen, we believe that the wealth generated in northern Iraq should be equally distributed throughout the whole of the country regardless of race, religion or ethnic background.

If it is the true intention of the DNO to help the Iraqi people then surely the exploration of Iraqi oil should be part of a democratic process involving representation from all of Iraqi society. In this way the needs of the Iraqi peoples can be met without prejudice and in total agreement with the new constitution.

The DNO's action in the North of Iraq could be interpreted as treating the north of Iraq as a separate country and also encouraging the Kurds to implement their aspirations of independence while providing them with essential revenue and resources. We feel strongly that the DNO's action in the north of Iraq could be a major contributory factor to civil war.

As a result of this, Norway could be considered in the eyes of the Iraqi people as an occupying force. There is a possibility that the position of the Norwegian government would therefore be in serious jeopardy.

- The Turkmen of Iraq would like to see urgent Norwegian government involvement on the above matter in order to halt the oil exploration in Northern Iraq.
- Turkmen demand the cessation of the Kurdisation policies, changing the demography of Turkmeneli and demand a more active role from central government in Baghdad to halt both Kurdish parties from changing the demography of the North of Iraq.
- The closure and immediate evacuation of government buildings from the previous Ba'ath regime that have been utilised and converted by the Kurdish militia into interrogation, torture and imprisonment centers.
- Financial compensation should be provided to the Turkmen people who were forcibly deported from Kerkuk and the surrounding regions by the previous regime. The Governor of Kerkuk should facilitate the return of these indigenous people.

**Mofak SALMAN**  
**Iraqi Turkmen Committee**

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***Turkmen**<sup>1</sup> The Iraqi Turkmen live in an area that they call "Turkmenia" in Latin or "Turkmeneli" which means, "Land of the Turkmen. It was referred to as "Turcomania" by the British geographer William Guthrie in 1785. The Turkmen are a Turkic group that has a unique heritage and culture as well as linguistic, historical and cultural links with the surrounding Turkic groups such as those in Turkey and Azerbaijan. Their spoken language is closer to Azeri but their official written language is like the Turkish spoken in present-day Turkey. Their real population has always been suppressed by the authorities in Iraq for political reasons and estimated at 2%, whereas in reality their numbers are more realistically between 2.5 to 3 million, i.e. 12% of the Iraqi population.*

***Turkmeneli**<sup>2</sup> is a diagonal strip of land stretching from the Syrian and Turkish border areas from around Telafer in the north of Iraq, reaching down to the town of Mendeli on the Iranian border in Central Iraq. The Turkmen of Iraq settled in Turkmeneli in three successive and constant migrations from Central Asia, which increased their numbers and enabled them to establish six states in Iraq.*