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Item 3 (a): Reviewing the promotion and practical realization of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

Title: Violation of Human Rights of the Turkmen of Iraq

Mr. Chairperson,
Honourable delegates,
Ladies and gentlemen.

On behalf of the third largest Iraqi ethnic group, the Turkmen, I would like to thank you for this opportunity to introduce our cause to this United Nations session, under **Item 3 (a):** Reviewing the promotion and practical realization of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

The Turkmen represent the third largest ethnic group in Iraq. Their population size had been fixed to 2% of the total population by English mandate after the World War I. This figure has continuously been repeated in the official Iraqi statistics. However, in fact, the Turkmen population size is more than 10% of the Iraqi population.¹

The Turkmen of Iraq live mainly in a region called Turkmeneli, which stretches from the north-west to the east at the middle of Iraq. They are found in the following provinces: Mosul, Erbil, Kerkuk, Salah al-Din, Diyala, Kut and Baghdad. The city of Kerkuk is a well-known Turkmen city and thought-out by the Turkmen as their capital city.

Due to different geopolitical reasons, the Turkmen have remained unaided, removed from administration and underestimated since the establishment of the Iraqi state after the First World War.

Turkmen hoped that their circumstances would be improved in the new Iraq after collapse of Ba'ath regime. Regrettably, the unconditional support of the Coalition authorities to the Kurds have assisted the Kurds to Kurdify the Turkmen regions.²⁻⁵

In particular, SOITM would like to bring awareness to the violation of Turkmen human rights in the following different fields.

Marginalization of Turkmen

At the beginning of the war, the Kurdish Pashmargas were allowed to enter to the Turkmen regions. The occupation authorities established the first Kerkuk council by the Kurdish-Christian majority. The council appointed a Kurdish governor, Kurdish Mayor and Kurdish police chief. As the number of staffs in governmental offices increased twofold, almost all the new appointees have been from the Kurdish ethnicity brought from out of Kerkuk.

By allowing and accepting different kinds of manipulations and malpractices to occur in Turkmen region during the elections of 30th January 2005, the second Kerkuk Council and several others in other Turkmen towns were formed with a Kurdish majority.

It should be noted with concern that Turkmen do not enjoy fair representation, but experience discrimination in access to positions, such as:

- Local Governmental staff
- Police, security and military personnel
- High-ranking staff, for example, Ministries, general directorates and embassies

The Turkmen political parties are neglected and their leaders and activists ignored by appointing only one Turkmen from civil society, with no political background to, the government's founded after occupation.

Kurdification of Turkmen Region

Effectively diminishing the Turkmen nature of the Kerkuk region, the city's Land Registry and Population Registry Offices were looted and burned on two occasions (1991 and 2003). The Kurdish parties have managed to alter and transform the demography of the Turkmen regions within the last few years after occupation, where as Saddam's regime had not been able to accomplish in 35 years role. The administrative systems in Turkmen regions have been intensively Kurdified. Hundreds of thousands of Kurds have been brought into the Kerkuk and Tuz Khurmatu region. The population of the oil rich Kerkuk province has increased twofold in comparison with the population prior to occupation.⁶

Property Claim Commission

A large number of hectares of lands were confiscated by the Ba'ath regime. To return these lands to the owners, general directorate of Property Claim Commission was established in Baghdad. The commission opened a department in each province. The Kerkuk commission was founded by the US authorities after occupation and was staffed mainly by the Kurds. This commission is refusing to return hundreds of thousands hectares of lands to Turkmen owners, while tens of thousands of Kurdish families, who entered Kerkuk from Kurdish provinces are building houses on Municipality and Turkmen lands. These lands have been legalized by the Kurdified Kerkuk administration.

Iraqi General Elections

(31 January and 15 December 2005)

Iraqi elections took place in the sphere of war, lacking the simplest requirements of voting processes: Ineffective governmental administration, insecurity and absence of both democratic environment and mentality. The elections in Turkmen region were conducted under Kurdified administration: staffs, policemen, security agents and national guards are constituted dominantly by Kurds. Several sources document that processes of elections were manipulated:⁷⁻¹⁵

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

About 300.000 Kurdish voters were added illegally to the Kerkuk voter lists, half of these were added in the first election and the second half during the renewal of the voter lists before referendum on constitution.^{6,16,17}

The numbers of the Kurdish voters have effectively been inflated:

- The percentage of Kurdish voters in Duhok province is about 80%

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- The voters number in Kurdish neighborhoods of Kerkuk Rahim Awa, Shorja and Imam Kasim, is stated to be 160,000, despite that the total population of these neighborhoods is no more than 150,000
- The estimated voter number in Erbil and the Kurdish provinces Duhok and Sulaymaniya is 1,678,626 in 2005. The Kurdish administration presented more than 2.030.411 voters.

Almost half of the Turkmen population was prevented from casting their votes in the first election. The same violations and irregularities occurred in the Assyrian and Izdians areas in the Mosul region:¹⁰

Turkmen observers have been insulted, bitten, and prevented from entering the election centers by high-ranking Kurdish polices in the second election.

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

According to the new Iraqi constitution, the fate of Kerkuk is to be determined in accordance with the will of the people of Kerkuk in a census to be held no later than 31 December 2007. In the present state of affairs, all likelihood is indicating that Kerkuk will be unfairly given to the Kurds.¹⁸

Telafer tragedy

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

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

The following event illustrates the miserable situation of Telafer before occupation: during a telephone talk, a United States commander of Telafer told his family in United States, that he live in a region resembled a city of several centuries ago.

Telafer people welcomed the democracy bringer and hoped that the tragedy would end and the welfare would come. The occupation soldiers were freely wandering in the city. They were securely visiting the inhabitants, the governmental offices and the markets. After several months the USA troops handed the city to the local police and security agents.

In a series of events, the Kurdish Pashmargas, who are dominating the National Guard in the north, attempted to control the Telafer district, in which no more than several Kurdish families inhabit. Telafer Turkmen responded strongly and forced the Kurdish Parties and militants to leave the city. Provocative acts continued against inhabitants in Telafer, where local resistance gradually increased. Later, the local resistance started to be supported by other groups outside the district. After a peaceful year from the date of occupation, the resistance intensified in the Telafer region. This exposed the region to continual destructive attacks of the Occupation troops and National Guards.¹⁹⁻²⁰

Iraqi Turkmen Human Rights Research foundation (SOITM), **address** this assembly:

- *To ensure that Turkmen communities are not marginalized through policies implemented in their regions*
- *To call upon the UN and the international community to engage directly in the upcoming census concerning the future of Kerkuk*
- *To Study the eligibility and accuracy of the Voting processes in the Turkmen region*
- *To send a UN mission to the Telafer district to document and report on the grave human rights violations occurring there*

Thank you for your attention

References:

1. Arabic writer Faiz Sara approximates the population size of the Iraqi Turkmen to 7%. The deputy director for research of the Washington Institute for Near East Policy, Patrick Clawson, increases this figure to 9%. (http://www.eppc.org/publications/pubID.1532/pub_detail.asp) According to the Turkmen writers, the Turkmen population size is around 13%.
2. David McDowall, "A Modern History of the Kurds", I.B.Tauris & Co Ltd Publishers 1996, London & New York, P. 335.
3. Ibid, P. 329.
4. Ibid, P. 3
5. Hanna Batatu, "The Old Social Classes and the Revolutionary Movements of Iraq" , Princeton University Press, New Jersey 1978, p. 914.
6. SOITM report, "The extent of Kurdification of Kerkuk region", http://www.turkmen.nl/1A_soitm/Rep.3-A1106P.doc
7. Statement presented to the 23rd Session, Working Group on Indigenous People (16 - 22 July, 2005), United Nations – Geneva, By SOITM: <http://www.turkmen.nl/StatementPw.pdf>
8. Iraqi Turkmen Front Press release on the Iraqi National Election <http://members.lycos.nl/soitum/ITF1.pdf>
9. Some of the notes that has been presented to the office of commissioner in Kerkuk, by Turkmeneli Party. <http://members.lycos.nl/soitum/TEi1.pdf>
10. Unfair election process by Turkmeneli Party. <http://members.lycos.nl/soitum/TEi2.pdf>
11. Irregularities in Iraqi Election by Turkmen Nationalist Movement <http://members.lycos.nl/soitum/TNM1.pdf>
12. Iraqi Elections: Human Rights Concerns: Questions and Answers from Human Rights Watch. http://hrw.org/english/docs/2005/01/21/iraq10058_txt.htm
13. SOITM statement presented to the 23rd session of the Working Group on Indigenous Group (18 – 22 July 2005). <http://www.turkmen.nl/StatementPw.pdf>
14. "Letter of a Group of 12 Iraqi Community Leaders", <http://members.lycos.nl/soitum/ThBa1.pdf>
15. Iraqi Turkmen Front Elections Committee, http://www.turkmen.nl/1A_soitm/ITFEC.doc
16. Statement presented to the 11th Session, Working Group on Minorities (30 May - 3 June, 2005), United Nations – Geneva, by SOITM: <http://www.turkmen.nl/StatementP.pdf>
17. Statement presented to the 23rd Session, Working Group on Indigenous People (16 - 22 July, 2005), United Nations – Geneva, By SOITM:
18. Article number 136, "Full Text of Iraqi Constitution", <http://www.washingtonpost.com/wp-dyn/content/article/2005/10/12/AR2005101201450.html>
19. The Assault on Tal Afar, <http://www.afsc.org/iraq/news/2005/09/assault-on-tal-afar.htm>, posted on September 9, 2005
20. Peter Baker, "An Iraq Success Story's Sad New Chapter", Washington Post, <http://www.washingtonpost.com/wp-dyn/content/article/2006/03/20/AR2006032001897.html>, Posted on, March 21, 2006

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