

Assyrian Foundation Organization

A speech given by Mr. Yako Ballo a representative at the European Parliament Meeting (23 June, 2008) on "Kirkuk and article no.140 of the Iraqi Constitution"

God is all-forgiving and may forgive those who bombard a defensive, level a castle, or even invade a country, but to oppress a people and force civilians to leave their homes is an evil deed that a devil himself cannot tolerate.

Ladies & gentlemen,
May peace be with you

Let me start with a rhetorical question: Is Kirkuk an Arab, Kurdish, Assyrian, Turkmen, or Ayzidi city? Undoubtedly, the answer is positively all of these names. And, surely, any Iraqi city ought to be characterized as such by definition. So would it be fair to discuss the issue of Kirkuk on the agenda and leave out all other Iraqi cities? We all acknowledge the oppression faced by certain segments of Kirkuk population during the reign of the previous regime, but it had not been more notorious than the cruel deeds exercised at other areas by those who call for the implementation of article no.140 of the Iraqi Constitution. Take the hundreds of Assyrian villages and districts in Duhok province as an example. Has anything significant and tangible been done about the indigenous population to return to their homes? That is unfair.

Ladies & gentlemen,

We are justice seekers and look forward to seeing mutual love and respect between all parties concerned. Since the fall of the regime in Baghdad, a massive number of articles and treatises have been published on the so-called "Kirkuk issue" whose billions of words, if turned into bricks, could have built a new and flourishing Kirkuk. The "Kirkuk" we are talking about here must be defined; which Kirkuk exactly? Are we considering the city before and after the 1957 census, Kirkuk after 1968, or Kirkuk after Saddam's fall? For, demographically each era has its own peculiarities. It took me some time to draw a vivid picture of the present-day Kirkuk about which I am talking as a co-existing Iraqi citizen who is concerned about home unity. In all the sources and documents I consulted, I came up with the undisputed conclusion that Kirkuk has been the home of co-existing ethnic Iraqi groups for centuries long, but which is historically an Assyrian city. And as is well-known, the Assyrians, unlike other human waves, had not settled in Mesopotamia as a consequence of invasions; rather they were the pioneers in shaping present-day Iraq. Ironically, they are considered outsiders today, suffering marginalization and expulsion by force. I do not wish to generalize, but tyrannical powers have the upper hand in making decisions and passing laws that run counter to the ethical stance supported by evidence as outlined above.

We have gathered here today with good intentions, as a token of calling for a unified Iraq despite the existing ethnic and religious differences. Please feel free to express your opinion about Kirkuk and the implementation of article 140 of the Iraqi Constitution which we, as Assyrians, have our own reservations about many of its paragraphs, a belief based on overriding interests: those of oneness. So I ask the distinguished delegates that once we leave this auditorium we are supposed not to disclose our ethnic identities as either Arabs, Kurds, Assyrians, Turkmen, Ayzidis, Mandaeans or any other affiliation groups; for we are all required to work together for one peaceful and unified Iraq.

Dear audience,

We do not wish to remind you of the bloody, shameful and disgraceful activities taking place on the streets and roads of Iraqi cities and villages, but we would like to stress the fact that the claim made by supporters of the implementation of article no. 140 is unfounded; for it can in no way stop the prevailing atrocities and blood-shed, whether in Kirkuk or elsewhere. Rather, our unity as citizens of one undivided country is the only safeguard and way out of the dilemma. That some influential

politicians have been trying to brainwash the uneducated for their own advantage has grave consequences on the future of Iraq. A true Iraqi, we strongly believe, cannot be deceived by such vicious moves.

Prior to the flourishing oil industry in the area, Kirkuk was inhabited by different ethnic groups, the main section of population being the Turkmen. Any claim made against this fact is counterfactual because the 1957 census is well-preserved and documented. But since oil revenues have made the city flourish economically, lust for resources grew gradually; the 1959 massacres carried out by certain factions were, contrary to what had then been reported, a consequence of lust for property. But since 1968 the ruling regime in Baghdad managed to translate its ideological "Arab Nationalism" line on ground, starting with Kirkuk and extending it to other areas in order to create an ethnic balance between the Arabs and other segments of the Iraqi society. Thus, the then government facilitated the re-settlement of thousands of families in Kirkuk, consequent of generous lures offered to them, not to mention the fact that certain groups of the population underwent repression for political reasons and had to leave Kirkuk in search for a more secure refuge.

A cursory look at the demographic structure of the city a couple of decades earlier would tell us clearly that a lot of inhabitants had moved from the provinces of Sulaimaniya, Erbil, Mosul and other cities and settled down in Kirkuk then. This obviously means that an Iraqi citizen was basically free to move around and settle anywhere without being put under the mercy of material temptation and oppressive means such as those exercised by Saddam's ruling regime. At the time we condemn such evil practices, we must equally call for the freedom of Iraqis to settle anywhere they like; for if we restrict this freedom by legislating unjust laws, we will end up with ethnic territories.

The invasion of Kuwait, best described as a melodrama, had serious consequences on Iraqi cities; chaos spread everywhere, especially in Kirkuk where some factions broke into the Civil Affairs offices and got hold of registries in an attempt to change facts and figures of life as documented for the purpose of re-shaping the city's demographic structure. One need not be too smart to figure out why. Well, the insufficient, but reliable, documents made available to us state that the Kurds deported by Saddam's regime were around 13,000 persons, while the same sources reveal that the size of population in the whole city up to the day of Saddam's fall, viz. 9 April 2003, was roughly three quarter of a million people. Today the media double the figure, which implicates an illogical multiplication of birth rate at their places of re-settlement. A very simple arithmetic formula would tell us that no more than 4% growth in population can be true of the expelled Kurds from Kirkuk. If we multiply such rate of growth by the total number of years being away from their home, we shall find the current figure circulated by the media is beyond statistical reasoning. A figure like this is obviously fabricated and too much exaggerated, the purpose of which is to meet the ends of certain factions.

Added to this is the news reporting in an assuredly affirmative tone that a considerable number of population inhabiting Kirkuk today speak a language alien to the ears of the Arabs, Kurds, Turkmen or Assyrians (please note that order of labels is irrelevant to us). Evidence to our claim abounds; the news was publicly disclosed during the last parliamentary elections. Despite the restricted freedom the election commissioners entertained in the country, they were able to discover many forged votes in Kirkuk. Such notorious acts and maneuvers extend analogically to other areas and aspects of life. In fact, those in control of power in Kirkuk today could also affect the elections held in Mosul plains adversely; thousands of Assyrians were made to vote for pre-selected MP nominees under certain disguises to meet their vicious ends, the details of which are well-known to us and the desperate Assyrian people.

Article 140, para 2 of the Iraqi Constitution runs as follows:

"Second: The responsibility placed upon the executive branch of the Iraqi Transitional government stipulated in Article 58 of the Transitional Administrative Law shall extend and continue to the executive authority elected in accordance with this Constitution, provided that it accomplishes completely (normalization and census and concludes with a referendum in Kirkuk and other disputed territories to determine the will of their citizens), by a date not to exceed the 31st of December 2007".

The above-quoted section of article 140 is by no means drafted by the Iraqis themselves; for the Iraqis had no option but accept the wording of the invader whose strategies, rather than the welfare of the Iraqi people, are prioritized. Well, let's accept the invader's logic for a while. At the time we are made to believe that the invader helped the Iraqis get rid of the tyrant Saddam Hussein out of love

and sympathy and that we necessarily ought to be grateful, let's discuss the essential condition on which the dictated article is based. It simply says: **normalization, census, then referendum**. And to accomplish this task, a follow-up commission, which included representatives of all concerned parties, except for the indigenous Assyrians, was formed. It was only when anti-formation protests were heard that an Assyrian name had been added up to the list. But this representative had been selected for his allegiance to the faction that nominated him, not as a legitimate representative of the Assyrian people.

However, we had waited for long to see what the commission would come up with, but nothing had materialized up to the deadline, viz. 31 December 2007, which legally means that article 140 is itself dead, null, and no longer effective, as it were. Yet because Iraq is experiencing hard times at the moment, the Iraqi people have no role to play whatsoever in decision-making as long as the country is ruled by battling forces. The Iraqis are much worried about the still-much-debated article 140 of the Constitution. If wisdom and logic do not work, let's bring the issue of Kirkuk down to earth. Suppose that the commission could carry out its prescribed mission. But would any rational human being accept their findings at the time securing data, processing figures, obtaining reliable and fair census figures largely depend on security? Could anyone imagine how far and freely commissioners can walk along the streets and avenues unless they are guarded by a large number of military troops? Can any neutral commission assess accurately the whereabouts of people amid the turmoil prevalent in and around Iraqi cities in the absence of the central government?

We, the Assyrians, strongly believe that in the absence of the central government all the calls persistently made by some factions for the implementation of article 140 would only yield unpleasant outcomes. As a people, the Assyrians are worried about the endeavors that seek to politicize article 140, which will ultimately meet the ends of one group to the exclusion of other groups. Not only this, but once implemented, it may turn into a costly and bloody game. Therefore, we sincerely call for an intimate and objective dialogue between all parties in order to come up with convincing, unbiased and just resolutions that would safeguard the unity of Kirkuk's people irrespective of their diverse ethnic affiliations.

So in light of the foregoing, the Assyrians believe that the future of Kirkuk must be subjected to a realistic and comprehensive study to be carried out by a team representative of the Iraqi society as a whole and not according to quota pertinent to current population density. The members of the team must be carefully selected on the basis of integrity and high-quality academic standing so that historical facts are not ignored or at best marginalized at the expense of personal desires. Such a sincere call is based on our conviction that Kirkuk has never been the home of solely one ethnic group for over the bygone centuries. Diversity in this city has remained a positive landmark which all Iraqis are proud of. That a unique nativity was once a reality in the history of the Assyrians, it no longer holds in present-day Kirkuk. Rather, Kirkuk must remain a symbol of co-habitation and unity for all Iraqis.

Last but not least, we are told by Moses through the Old Testament that Iraq was chosen by the Almighty God to be Eden's Paradise on earth. It is our belief that the earth and sky will eventually perish, but the names of God and Iraq shall survive threats and the notorious "divide-and-rule" schemes. The name of Iraq, Mesopotamia, shall always remain lofty, we pray.

What I have said is the truth, the whole truth, and nothing but the truth. So help me God.