



Iraqi Turkmen Human Rights Organizations Assembly - Europe

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Minutes of the meeting between the Turkmen members in the province council, General Gay hard, commander of the American Troops in Kerkuk

Written by: Turkmeneli Party

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Place / Kerkuk governorate

Time / Date 16 / 6 / 2005 11:00

The people present from both parties:

Turkmen members of Kerkuk council

1. Mrs. Jala Naftachi – independent - the chair
2. Mr. Majeed Izzet – Independent
3. Mr. Ali Mahdi - Deputy of Turkmeneli party
4. Mr. Mohammed Mahdi al-Bayati – representative of northern section of al-Badr Islamic Organization
5. Mr. Kasim al-Bayati – Member of the political bureau of al-Wafaa Turkmen Party
6. Mr. Hasan Turan – member of the Politic Bureau al-Adala Turkmen party

From the American side:

1. General Gayhard - commander of the American Troops in Kerkuk

At the beginning of the meeting, the general Gayhard welcomed the Turkmen members of Kerkuk council and thanked them saying: I know that you are busy but I have some important subjects to discuss with you.

Firstly: The report which you presented in the conference with the security representatives from the American troops of Kerkuk Mr. Waikham and his associates. We had discussed these subjects before, which you are aiming to realize.

Secondly: The security file and the events which took place in Kerkuk during this week.

At the moment, I do not want to talk about the topics which are set under the first item, but I want talk about the increasing number of terrorist attacks in the province.

We note that the number of strangers or terrors is increasing in Kerkuk. It seems that they are relating to all the ethnics groups, for example, the explosion which took place in al-Hawija and we had seen also Kurdish attacks on the Kurds. These terrorist attacks are not due to the ethnic conflicts but are perpetrated by the terrorists against the citizens. Most of the strangers are not Iraqi citizens; they are supported by the remnants of Baath elements. They try to create mischief between the sections of the Iraqi community. I would ask you to protest against such events and terrorist attacks. Besides, there are many other topics which are still not solved. If the chaos and disarrangement remain, the Iraqi citizens will be the most harmed. The citizens and I also ask your help. You are the politicians and members of the province council. I would ask you to condemn these terrorist attacks and enlighten the citizens by the press, TVs and Radios, and mosques. To stop terrorism is the duties of every citizen.

The next issue which I would talk about is failure of construction of Kerkuk government, despite several months have passed since the date of elections. I know the reasons which cause divergence and disagreements between the groups. You have now the Iraqi government. It is the responsibility of the Arabs, Turkmen, Kurds and Cheldo-assyrians to help to constitute the Kerkuk government. I and also the citizens are asking you why the Kerkuk government is still not constituted. When the citizens ask me I have no answer to give them. You know also that the building of Kerkuk is the responsibility of the Kerkuk government. Delaying the formation of the government means delaying the building of the province. The other provinces had constituted their governments and received the sums of money and started building their cities. A new building and development program and commission are established. 10 million dollars were assigned for the province. The absence of the Kerkuk government deprives the population of the province from the benefits. Those who boycotted the elections have now no impact. The council of Kerkuk is going to constitute the Kerkuk government even without the Turkmen, and then the Kerkuk government will be ineffective. There are many projects from which the Turkmen are going to benefit. Their absence of Kerkuk government will deprive the Turkmen community from many projects. I know what is happening in the council and I have suggestions but I could not interfere due to the presence of the elected government. I advice you to participate in the construction of Kerkuk government and I hope that you will not remain out of it.

When Mr. Gayhard completed his talk Mr. Ali Mahdi began to talk:

As the Turkmen group in Kerkuk council, we thank you for inviting us to talk about these important subjects and to present our opinions. We have condemned the terrorist attacks against our citizens and we are doing our best to resist them. For a year and a half, we have presented regularly reports and made known that if you don't interfere to stop injustice the terrorist attacks will happen in this province. I agree with your idea that the terrorist actions have increased and the terrorists are coming from out of Kerkuk. There are groups of emigrants forming a problem and causing harmful events. We as the Turkmen of Iraq are peaceful people and had never used the weapons against the Iraqi governments or those who helped the Iraqi state from the date of establishment of the Iraqi state before 85 years. We had previously presented reports about the terrorism to the American Troops and counselor, Kerkuk and Iraqi council and we are ready to fight the terrorism by all means.

Before ending my talk, I would like to comment on the causes which increased the terrorist actions in our province:

- Arrest of the Kerkuk inhabitants and sending them to the prisons in the North of Iraq.

- The presence of non official security and inspection apparatuses of the Kurdish parties in Kerkuk.
- Violation of the rights of the inhabitants of Kerkuk in the offices and streets.
- Infringement to the properties, homes and lands of the peoples of Kerkuk and particularly Turkmen.
- The delay of establishment of Kerkuk government affected badly the situation

Mr. Ali asked general Gayhard to talk to the press and TVs about the peculiarity of Kerkuk city and its Iraqi Nature..... and about the transportation of the Kerkuk people to the prisons in the north and the actions which they are going to hold.

Relating to the constitution of the Kerkuk government, Mr. Ali said that we support the formation of the Kerkuk government and we requested that directly after the election. The reason of inability to establish the Kerkuk government is that related to disagreement between PUK and PDK parties. They do not want to establish a new government because all the higher posts (Governor, deputies and vices: Irfan, Hasip Rojbayani and Ali al-Salihi) in the province are hold by them and they benefit from the present situation and do not want no lose these positions. We are asking governor deputy position. Neither Turkmen nor Arabic groups can be accused of delaying the formation of the Kerkuk Government.

General Gayhard:

In a general meeting and in the meeting with you before about 4 month ago, I talked to each of you and heard your opinions. I said that you and the other should minimize the disagreements in order to find a solution for the constitution of the Kerkuk government. You have all agreed, but after I left the hall you and the Arab group left the hall directly after me. At that time the solution was much easier then today. The stipulations of each of you gradually increased.

I know your situations but I could not interfere because you have an elected government. You Turkmen should take your rule in Kerkuk government for your citizens. Leaving the council is a mistake.

Mr. Ali: -

Our presence in the hall at that time was to respect you, after that day we have never entered that hall for conference. From the first day we said to the Kurds and Arabs that we will attend the conferences after distribution of the posts in the province. I am saying once again that our attendance in that conference was only to respect you as USA military authority. We are in agreement with the Arab group in the above mentioned goals.

Regarding the constructing programs, the Governor with Mrs. Hura who have no official position in the new Kerkuk council are working illegally and randomly on the construction of programs. They established recently an illgal commission called development commission without asking Kerkuk council. This commission made 5 decisions. We are not seeing developments in Kerkuk.

General Gayhard: -

If you don't participate in Development Commission, Council and Government, the development will be not taking place and the Turkmen citizens are going to loss and not benefit from the projects.

Mr. Ali Mahdi: -

We believe that in shared administration by all the lists, the Kerkuk government will remain unsuccessful if any section was deprived from participation. Our belief is unchangeable in this field, while the Kerkuk Brotherhood list wants to hold all posts. As you see that we are not against the formation of Kerkuk Government.

General Gayhard: -

Is this also the opinion of the Arabs?

Mr. Ali Mahdi: -

Yes, we don't agree to originate new high posts such as four governor deputies. We believe in Temporary Government Administration Law, in which there should be a governor, Deputy and president of the council. We insist on the posts about which we informed Kerkuk Brotherhood List

General Gayhard: -

If we discuss the subject all day I could not change anything, but I ask you participate to have a part from the projects.

Regarding the arrested people, I would ask you to read the article of the Washington Post on the transportation of arrested people to the northern cities. I have never participated in this procedure and not supported that. The important point is that these people should be brought to the court. Forty of them were already returned to Kerkuk and 20 of them are Turkmen. The number of arrested people is 180. As part of my duties, I am in contact with the north to return all of them to Kerkuk. As regards to Mr. Ali Cawad Kerim I am in contact with the police, National Guards in Kerkuk, Erbil and Sulaymaniya to find his place. I pay attention to the problems of the citizens and detainees.

Mr. Majeed: -

We, as the Turkmen, ask the coalition troops to interfere with injustice behaviors. You have been carefully watching and investigating the situation for the last 5 months after the Iraqi General Election. If you believe that we are behaving wrongly, please tell us. If the others are wrong, you should tell them. With your interference, the problems could be solved and the Kerkuk government could be constituted. When they asked us about our demands, we said that we should have the governor deputy post and the appointment commission. These are simple requests and suitable for all groups. We said that if you, as the winner list, don't agree then you could constitute alone the Kerkuk government. Therefore, no one can be accused of interfering with formation of Kerkuk council. We want you tell the Kurds if they don't agree with our demands then they can constitute the Kerkuk government and we will be in the opposition.

General Gayhard: -

Although I can decide in this subject, I am not going to interfere with the formation of Kerkuk government. You are Iraqis and you have a legal government. I can present my opinions, but the best way is to sit with each other and discuss the problems. At the time of temporary government, I had the authority, but now I have no authority. I ask you and the Arabs to cooperate with the others.

Mr. Mohammed al-Bayati: -

They want to hold the posts and asking us to attend the council meetings without any influence.

Generla Gayhard: -

All groups should participate to make decisions.

Mr. Mohammed Mahdi: -

The council is now constituted and we are meeting each other everywhere. We are not attending the meetings of council, because we do not agree about the distribution of the posts. If we have no any influence in the decision making mechanism of the Council, why do we attend the council?

Mr. Ali: -

Kerkuk Brotherhood List has the ability to solve the problems. If you want to encourage the process of constitution of Kerkuk government, you can talk or give advises to this list.

General Gayhard: -

Kerkuk citizens had elected Kerkuk Brotherhood List and I think also your list.

Mr. Ali:

They were elected illegally.

Mr. Mohammed Mahdi: -

I don't think that the Turkmen had voted for this List. They behaved foolishly in different situations; as a result, they lost the trust of the Turkmen population.

Mr. Gayhard: -

Democracy and freedom are two important subjects. It is difficult to apply them without experience.

Mr. Ali Mahdi: -

They claim that they have been living democracy for 15 years, but they frequently violate the Human Rights.

General Gayhard: -

It is difficult for you to practise democracy; it needs a long time before it adapted.

Mr. Ali Mahdi: -

We could not apply the western democracy in our country. We insist about the equality in the political process as it happened in the formation of the Iraqi Government.

General Gayhard: -

Democracy should be applied even to start from zero. No any group can expose hegemony and dominate the system. Each group should be ready to sacrifice some of his rights for the sake of an effective cooperation. This can only be verified with meeting together and discussing the problems.

Mr. Mohammed Mahdi: -

Do you think that we want to realize completely the demands of Turkmen? We aim to realize as much as we can. The Kurds had constituted their parliament yesterday with the help of you and other international powers.

General Gayhard: -

I want you to encourage the others to attend the meeting of the council, we had proposals to be discussed.

Mr. Mohammed Mahdi: -

We are ready to meet for discussion, but we will never attend the meeting for election of the Kerkuk government, if our demands are not accepted.

General Gayhard: -

The citizens are suffering because there is no one to represent them in Baghdad. It depends on you.

Mr. Mohammed Mahdi: -

Our voters have the opinion as us.

Mr. Ali Mahdi: -

I would give an example on the illegal behaviors and inability of the present administration to control the illegal events. For the last 3 days, the Kurdish flag was erected instead of the Iraqi flag. The government of Kerkuk did not take any actions to raise the Iraqi flag. We are dealing with undemocratic people. There are armed militants wondering freely in the building of the government. If we participate in this government my people will blame me. The administration system is chaotic. I could not share this chaos and the undemocratic people.

Mr. Hasan: -

I am going to talk on another subject than the Kerkuk government. United States try to improve his image in the Arab and Islam. These were talked by the American congress. The Iraq case is the most difficult exam to achieve the goal. The contrary is happening in Kerkuk. The group who obtains the support of American troops are illegally arresting innocent Turkmen and Arabs and transporting them to the Kurdish prisons in Erbil and Sulaymaniya. This is being done by the Kurdish security elements Asayish with the acceptance of the American troops: Colonel Khattab confirmed in a television speech. Such an event creates malice against the American troops. You should announce that you are not responsible for these problems and you are against such events.

General Gayhard: -

He pointed out to the article of the Washington newspaper about the arrested people and asked us to read it.

Mr. Hasan: -

We want that our people read it and hear your declarations.

General Gayhard: -

We will diffuse it in Kerkuk to be read by all. I can also talk to TVs.

Mr. Ali Mahdi: -

The television is ready to meet you.

General Gayhard: -

I do not hesitate to talk to TVs. I have talked to the Turkmeneli TV before 6 weeks and I said that Kerkuk city has a special status and is not part of Kurdistan.

Mr. Ali Mahdi: -

A minister from the government declares inside the government building that Kerkuk is part of Kurdistan.

Mr. Hasan: -

A Kurdish newspaper wrote that Mr. Gayhard announced in Erbil city that he is supporting the Kerkuk Brotherhood List to constitute the Kerkuk government.

General Gayhard: -

Do you know why I went to Erbil city? I went to Erbil to talk to the authorities and to solve the problem of the arrested people. I support all groups to sit around the table and solve their problems.

Mr. Kasim: -

I would like to talk about a different subject than what has been discussed. The Ownership Trial Commission, which was established by the coalition authorities, is making totally unfair decisions. This commission supports the decision of Saddam's regime - which appropriated immense Turkmen lands inside Kerkuk city - and considers the confiscation as a legal process. It was decided not to return thousands of Hectares of Turkmen lands, which were forcedly confiscated by Saddam's regime, to the Turkmen owners. These lands were taken forcedly from the Turkmen owners and given to the Arabs from south of Iraq (under the Arabization policy), on some parts of these confiscated lands huge military camps and Ba'ath party centers were built. The commission took the decision not to return these lands to the rightful owners, pretending that they are for the public benefit. We ask you to reconstitute the commission with decent and independent people. The American troops have also recently usurped Turkmen lands in the old Tisin neighborhood; the land of the airport and the area around it which you considered to be a forbidden area which could not be approached. You have prevented these people to cultivate their lands and to live from it. For political reasons, which every one knows in Kerkuk city, you are an

obstacle preventing the rebuilding of Kerkuk city and the return of the forcedly evicted people. I ask you to stop these unfair processes and return the boundaries of the Airport to the boundaries of 1968 to permit the return the forcedly immigrated people.

Clarification by the translator: The Ownership Trial Commission was instituted by the Americans at the beginning of the occupation. The two most important personnel of the commission are Kurds. The Head is called Tahsin and the judge is called Najat Fakhri. These two Kurds made a decision by which they did not return thousands of Hectares of Turkmen lands, which were forcedly confiscated by Saddam regime, to the rightful owners. The most striking point is that all these Turkmen land and houses are now occupied by the Kurdish militants (Pashmarga) families and by the Americans!

General Gayhard: -

Today, I met the head of Air Force colonel Misn to discuss this subject. Relating to the other cases I would ask you to follow it by the commission. I will investigate the other cases which presented.

Mr. Kasim: -

I would meet colonel Misn to explain the situation in details and present him with the documents and certificates.

General Gayhard: -

I hope success for you.

Mr. Ali Mahdi: -

Thank you for the meeting and the declarations.

End of meeting

General Gayhard talked to Turkmeneli TV for five minutes.

The duration of the meeting was 90 minutes