



National Council of Resistance of Iran

**Foreign Affairs Committee**

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for Resettlement  
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October 21, 2013  
Hon. György Busztin  
Deputy Special Representative of UN Secretary General for Iraq

Dear Ambassador Busztin,

Thank you very much for your kind Eid al-Adha message. To be quite honest, your letter, 50 days after the massacre and mass execution and abduction of residents in Ashraf, which attempts to offer a report about UNAMI's achievements during this period, is rather disappointing for any fair and logical observer. This letter and the conduct of UNAMI in this period highlight the fact that no effective step has been taken to avert another humanitarian disaster in a much greater scale. Silence against GOI's open defiance to free hostages, failure to fulfill security requirements at Liberty, continuous breaches of commitments, coupled by raising baseless claims against the residents, will only serve to justify the GOI's crimes and pave the way for further brutality.

**A. The issue of resettlement**

1. Your letter starts with underscoring the importance of resettlement in third countries and also ends with this same issue. And you have asked the residents that instead of to be on hunger strike, "to engage constructively to find urgent solutions for the safe transfer to third countries of all the residents." Of course we appreciate every effort for resettlement, and have maximum cooperation with, but believe me that after 23 months of intense experience, hollow promises for resettlement do not convince anybody. You surely remember what attractive promises Mr. Kobler gave regarding quick resettlement of the residents in his meeting with Madam Rajavi with your presence 22 months ago in late December 2011.

2. While 2000 residents had been interviewed by the UNHCR till February 2013, and the remaining 1000 residents who had not been interviewed used to be considered as a 'big barrier'! against the resettlement, Madam Rajavi, with her great effort, managed to convince the remaining 1000 residents to resume interviews, and I informed this matter to the High Commissioner for Refugees on September 27. Now that this excuse does not exist anymore, it seems as if the 'hunger strike' has turned to a new excuse! For God's sake, please do not allow the fate of 3000 civilians under the protection of the 4<sup>th</sup> Geneva Convention and 3000 defenseless and unarmed human beings be played with like this.

3. Could you say what achievements you have had with regards to resettlement fifty days after the massacre and mass execution and hostage-taking in Ashraf? No new significant offers have been made during this period other than the Albania and Germany projects that had been started since last year.

4. The residents were relocated to the Liberty prison under the pretext of being a TTL upon hollow promises for resettlement. I would appreciate it if you, could give ration and timetable for the resettlement of nearly 3000 Liberty residents so I can convey it to the residents and they would know approximately when they are going to leave Iraq. Otherwise, the illusive promise for resettlement should not be used as a cover for lack of providing minimum security necessities and lack of providing humanitarian standards by the GOI, as has been done over the past two years. So far 112 residents have been killed by the Iraqi forces and 15 others have been languish to death due to medical siege.

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## **B. Liberty Residents' security**

5. Providing minimum security necessities in Liberty has been near zero since 9 February 2013, i.e. the first missile attack, and especially after the September 1<sup>st</sup> massacre. None of the promises and commitments outlined in the September 5<sup>th</sup> plan of US embassy and UNAMI and September 6<sup>th</sup> letter of Ms. Jones, U.S. Assistant Secretary of State for Near Eastern Affairs, upon which the Ashraf residents moved to Liberty have been fulfilled. Please find enclosed the letters of 8 and 10 October to Mrs. Jones and to you.

6. Let's be specific regarding the T-walls. 17,500 T-walls were taken and transferred out of the camp in 2012; they used to protect the trailers against missile and mortar attacks when the Americans were stationed in Liberty. After hundreds of meetings, letters and phone calls with the U.S., UN and Iraqi officials, only 1160 of them have been brought back to Liberty and piled up in front of the police station. Only 192 out of this figure, about 1% of the T-walls, have been installed in place that covers two small halls almost completely and one hall incompletely. The GOI prevents installing the rest of T-walls that have already been brought into Liberty. Confining installation of T-walls to only 15 locations is absolutely unacceptable. Providing a relative protection against shrapnel requires returning all the T-walls. A few days after the Camp management meeting, On 7 May 2013, at the presence of Mr. Hakki and while senior representatives and officers of Milad and Polad were also present, UNAMI informed residents' representatives that GoI has agreed that the installation of T-walls around 30 locations should be given priority. Now, these locations have been reduced to just 15.

7. Regarding the small bunkers as you remember, on February 9<sup>th</sup> and in your presence, the GOI accepted to transfer 500 small 2x2m bunkers into Liberty. The lack of bunkers is just an excuse. There are enough bunkers around Camp Liberty since the time the Americans left, but only 324 have been taken inside in addition to 32 incomplete bunkers that are not usable because of not having sidewalls. The transfer and installation of all these bunkers were done at the residents' expense. Making the residents to buy these bunkers is another example of shameful behavior of the GOI which you regrettably endorsed it practically. This is while the residents' property in Ashraf worth of hundreds of millions of dollars have been taken hostage and they steal some of it every day, whereas they have blocked all avenues to the residents for profit making activities. Would it be the next step that we should buy the 17500 T-walls which you used to receive the photos of taking them outside the camp in the daily reports of the first half of 2012?

8. However, for protection of the residents, specially the patients, elderly and the needy women, if you guarantee that the Iraqi government will not prevent a private company to station its concrete mixer in Liberty and construct the remaining 175, 2 by 2 m bunkers and install them in the spots near the containers where the residents want to take shelter during the missile attack, we are ready to review it. I am looking forward for your quick response to this issue. I want to make sure that you and we would not be faced with the troubles and new obstructions by the GoI and the military intelligence. I will share that with the residents as soon as I receive your response.

9. Of course the issue of the protection of Liberty is not bound to the T-walls. None of the rest of security requirements such as the protective helmets and vests, medical equipment, material for making roofs double layer, permission for construction in Camp Liberty and extending camp Liberty area with our costs in order to reduce its vulnerability have been met and the GoI officially opposes to those. I enclose again the list of some of the minimum security requirements which have been sent to you several times before.

10. I enclose Mr. Baraei's letter of October 15 who has requested four secondary entrances to Camp Liberty be closed as very probable entries for explosive vehicles. This request had been presented and approved in the March 12 and June 11, 2013 camp management meetings, but had remained unresolved. This is a simple thing to do and residents are prepared to pay all expenses.

11. At the end of GOI's tiresome 8 month game to provide the minimum requirements, the only solution is that UNAMI and you announce that the GOI is refusing to provide the minimum security requirement for Camp Liberty and ask the Security Council to intervene in this issue. This is the minimum effective measure that UNAMI can take and we have raised this to you several times.

12. You have written *"many of these sandbags have not been utilised by the residents to enhance their safety and protection but have been used for separating the different sections of the camp"*. The source of these repeated false claims is Massoud Durrani that I have written you about. It gives an excuse to the GOI for another massacre. In the early months of the residents' arrival to Liberty and before the first missile attack, some of the existing sand bags in Liberty and even the bags that the residents had made out of the worn out clothing and cloths were used to make private environment for the women's residential area in different sections. The reason was that even till today the GOI has never allowed any type of green net or cloths to enter into Liberty so that the residents could use them for separating the resting quarters and especially the women's residential quarters from the public quarters. Liberty is too far to meet the least humanitarian standards. We want you to convince GOI to allow these clothes to be brought in.

13. But the issue has nothing to do with the sand bags which have entered Camp Liberty after the 9 February massacre. The residents were allowed to enter only 66,000 sand bags which most part of it were used for completing a part of the bunkers. Yet the fact of the matter is that to cover all the bunkers require more than 200,000 sandbags. I ask you to go to Liberty and count the number of the sand bags in presence of the residents' representatives and jointly sign the inventory, and if the claim that the sand bags have been used for separation, turn out to be wrong, then courageously announce it to prevent GOI to misuse these false allegations.

### **C - Camp Management Meetings**

14. You have written that *"the residents' refuse to participate in the camp management meetings ... I once again call you to advise the residents to cooperate and to participate in these meetings in good faith in order to resolve issues."* No person in his right mind would oppose this general philosophy that dialogue is a good thing, but how do you expect that at a time where the 52 bodies of martyrs of September 1 have not been returned and seven hostages are under torture by Iraqi forces, residents sit down and talk with those same murderers and torturers? God forbidding, if a number of your brothers and sisters and compatriots had been murdered by a criminal gang and some taken hostage and the rest (much like my two sons, sister and seven relatives) were on the death row, would you be willing to talk with their murderers? I pray that you shall never have to face such a predicament.

15. The announced director of the camp is Colonel Hakki. George Bakoos, Maliki's Political Advisor, speaking in an official meeting in European Parliament on 19 June 2012 announced: *"Mr. Hakki is sitting here with me. He is the chairman of Liberty camp. Clear order from Iraqi government, any point any issue related to humanitarian, it will be without discussion provided to the residents without any hesitation first of all."* Here, first, you should tell us why for three months Mr. Hakki has not gone to Liberty for camp's weekly management meeting to convene? The last meeting held at presence of Mr. Hakki was on 23 July. Instead of responding to this question, residents are asked to meet with Sadeq, who has personally ordered fire to be opened on residents in the massacres of July 2009 and April 2011 and who has been summoned by the Spanish National Court and he was detained in France for 24 hours for participation in torture with the European parliament barring him from entering its compound. Time and again we have declared to you that residents would not participate in meetings chaired by Sadeq and that this is not a personal matter or out of spite and seeking revenge. Sadeq's mission is to torture the residents, impose restrictions, and make conditions intolerable for them. I am saying this both from our intelligence and our experience that participation in such meetings would turn the situation worse and more inimical.

16. Sadeq and people under his command, including henchmen such as Ahmed Khozair and Haidar Azab, daily persecute residents in a hysteric manner. Restrictions such as preventing entry of Journal powder for the hunger strikers, prohibition of entry of items needed for repair jobs on facilities, insecticides, many medicines and even band aids, etc. Preventing initiation of work by Iraqi contractors to repair Camp Liberty's dirt roads before the start of the rainy season, hurling stones at residents' containers during the night, or continuous blowing of vehicle horns to wake people up, and so on.

#### **D – The Issue of Property**

17. You have called for an Iraqi lawyer to be selected to resolve the issue of residents' property; and you write: *"Until today the residents have refused to do so despite repeated assurances by the Gol concerning the security of the Lawyers. ... I urge you once again to advise the residents to nominate Iraqi Lawyers and to allow the process to continue without further delay."* Surely these false promises, like "repeated assurances regarding the lawyer", is no better than the guarantee given for protection of 100 people in Ashraf that had UN and U.S. government sign onto it as well.

18. Why the GOI does it not allow Iraqi merchants to go to Ashraf according to US and UN plan of 5 September 2013 and purchase some of the property? Trusting that plan, residents invited Iraqi merchants to Liberty to reach agreement with them on selling part of the property, but, although their names had been given to UNAMI and Gol in advance, all merchants (around ten), who had gone to Camp Liberty for the purpose were obstructed from entering, then, threatened and returned. Moreover, in recent weeks, Iraqi forces have usurped much property in Ashraf and destroyed many buildings and facilities, including the statues at the main gate, the 35-meter-high metal Liberty Tower, and the Ashraf Square.

19. It is two years now that, Gol is planning schemes to steal residents' properties. In early 2012, Gol prevented entry of merchants to Ashraf and subsequently obstructed implementation of a contract between residents and an Iraqi company, then a contract by a British company. Subsequently, based on your suggestion, on 24 November 2012, Senator Torricelli was introduced as residents' plenipotentiary representative on the issue of properties. In coordination with you, he travelled to Baghdad on January 1, 2013, along with the U.S. jurist Professor Schneebaum; however, contrary to previous agreements, not only Iraqi authorities refused to meet with him, but he was not permitted to visit Camp Ashraf or Camp Liberty. I am again attaching for you his report on the trip and his letter to the residents.

20. If Gol has good intentions, let it allow Senator Torricelli sell residents' property in coordination with the residents, UN, U.S. and Gol. Of course, Iraqi lawyers he has hired would assist him along the way. Otherwise, in a country where the rule of law is but a myth and all international bodies consider its judicial system as void of credibility; in a country where we have systematic use of torture as a method to extract forced confessions, leaving this job to an Iraqi lawyer is a perilous ground with the end result of usurpation of residents' property and endangering security of the lawyer as well. I would like to bring to your attention assassination of PMOI lawyer Mr. Akram Naqib in Baghdad on 13 September 2012.

21. You have another indicator to assess Gol's good will as well. Despite your intervention and ample discussions by people in Ashraf, residents' representatives in Camp Liberty, and myself with you and your colleagues, this government refused to allow residents to bring along 15 boxes of the documents of ownership of properties with them to Camp Liberty. Indeed, the only objective behind this refusal is expropriation act and stealing the property of the residents. I request that you investigate the whereabouts of these 15 boxes and to return them to residents. Surely, the GOI would claim that it has no knowledge of these 15 boxes, much like its claim that it has no knowledge of the hostages.

#### **E – The Hostages**

22. The problem with the most pressing and urgent issue which is that of the hostages is that you just rely on Gol words. Problem is not "credible information regarding their fate"; rather the problem is with the

lack of a clear and resolute position on part of United Nations and United States regarding responsibility of government of Iraq in the atrocious assault of September 1 and kidnapping people. Absent such a position, Maliki will be left with much incentive to keep the hostages or extradite them as well as to impose pressure on residents and pave the way for the next massacre. Since September 10, we declared that the hostages are being kept in airport prison in Baghdad. United Nations and the U.S. government lagged in inspecting this location until the hostages were moved to Sharaf prison in the Green Zone at the end of September. After transfer of hostages to Sharaf prison, UN went on and inspected airport prison. The same thing happened with Sharaf prison.

23. Here, allow me to attract your attention to statements by Mr. Taher Boumedra who has both the experience of the July 2009 massacre and the slaughter of 2011. On 19 September 2013, he testified at UN headquarters in Geneva: *"Ashraf is highly fortified camp where nobody could penetrate into the camp without the active preparation and support of the Iraqi Police and Army... There are observation towers in every corner of the camp... Nothing could go into Ashraf without being seen... Now when I hear that there is doubt raised about who made the recent attack on Ashraf, it shocks me... It was me who did the fact finding on April 2011 attack and I talked directly to those who committed the crime in April of 2011. They tried to put the blame on the Ashrafis but in the end they recognized that they did it."* He added that there is nothing that happened to the Ashrafis that is a secret to UNAMI. There are three security institutions in the UNAMI called Polad, Milad and DSS, which are in regular contact with the Iraqi Police, Iraqi Army and the Chief of Staff of the Iraqi Army and security of the Prime Minister Office. *"I am telling you that it was done by the Iraqi Army coordinated by the Prime Minister's Office ordered by Faleh Fayaz the National Security Adviser. I could confirm in this meeting and I hope that the Press or the UN personnel would challenge what I am saying."* Speaking on location of the seven Ashraf hostages he noted: *"there is no way for UNAMI not to know. There is no way for the American embassy not to know where they are... When the 36 in 2011 were taken from Al-Khalis they disappeared and I followed them where they were. They were in Baghdad in the Green Zone 50 meters away from UNAMI headquarters also 50 meters from Iraqi Presidency in a building with a label on it 'High Council of National Education' and the National Education was used as a secret prison. I went to visit them in the presence of the Iraqi security officers. I told them now you are my neighbors and I will visit you every day. Next day I went to visit them they were removed."*

24. Edward Rendall The former leader of Democratic Party and former Governor of Pennsylvania said in a Conference in Paris 19 Oct 2013: "The State Department condemns the attack, the UN condemns the attack, the EU condemns the attack, everybody condemns the attack and they all call on the Iraqi to investigate and who perpetrated the attack. Even where there is a video in 2011 attack which shows the Iraqi federal police are the people who mowed down the people of Ashraf that day. And would anybody with half brain think that the Maleki government was not responsible for the Sep 1<sup>st</sup> attack? They were perpetrators. And there is an independent study coming out from a human rights group very soon, that will show conclusively that the Maleki government was the perpetrators".

25. We are sure that until today, i.e. 21 October 2013, the hostages are being held in Iraq under the control of Maliki and his security advisor. Of course, much like in the past, we shall inform you of any new information and details we may attain, but I repeat that UN should announce that GoI is responsible for the September 1 assault, the massacre of 52, and the kidnapping and that it should free the hostages. In this case, surely intelligence would also be more useful and will not be forgotten as in the past 50 days.

## **F - Investigations**

26. You failed to touch upon a crucial issue in your letter and that is a probe into the atrocity of September 1. This delusion that GoI would conduct such a probe is an insult to justice and impartiality. This is while UN is clearly responsible to investigate this great crime against humanity and it is unclear why is shirking its clear responsibility in this regard. Major General Shemeri who himself was the commander of the assault on the ground, sent two of his deputies, both involved in the assault, to Camp Liberty to



investigate and interview the 42 remaining residents of this atrocity. Obviously, the outcome of such a probe is to wash the hands of Maliki and other perpetrators and to change the place of victim and henchman. Even the UNAMI refused to send a representative to the police station to be present in these interviews by the murderers, to witness the "probe" and to receive a copy of the testimony from each individual so that these testimonies would not be tampered later on and the 42 can sign them with an ease of mind. I enclose my letter of 30 September to the Secretary-General in this regard.

27. Concerning the hunger strike by residents, we are suffering the most from the hardship that they are enduring. You can well imagine that any father or mother would be tormented by the hunger and gradual death of his or her child. However, residents tell Mrs. Rajavi and all of us that when by orders of Khamenei Gol executes them with their hands tied, takes them hostage, tortures them, places a siege on them and torments them to death, and as long as UN and U.S. keep their silence and refuse to act and even refuse to issue an explicit and serious warning to Maliki to free the hostages, what other option is there beside going on hunger strike to defend themselves. We had no answer to this just question and no alternative to offer; if you have any answer please tell us. Of course, do not say "end your hunger strike to be transferred to third countries", as this is sprinkling salt on our wounds and theirs since you know how unreal, without substance, and unrelated such a suggestion is.

**Mr. Ambassador**

I know that United Nations has no artillery, tanks or jet fighters to compel Gol to respect the rights of residents. However, it does possess a formidable weapon and that is to announce the truth without political considerations; to report the reality to the Security Council and get it involved in the matter. It is my hope that you and Ambassador Mladenov courageously use this weapon in line with the dire responsibility that the international community has placed on your shoulders. I repeat on behalf of Camp Liberty residents request that you immediately announce the repeated transgressions of GOI concerning its obligations vis-à-vis the residents and that you request from the Security Council to realise the following:

First: Urgent and binding call on Gol to immediately release the seven hostages, including six women.

Second: Station UN monitoring team in Camp Liberty, together with a unit of UN Blue Helmet forces.

Absent presence of a third force, no security is imaginable

Third: Obligate Gol to install 17,500 T-walls and other security provisions as enumerated in the 18 June 2013 letter. (Attachment no3)

Fourth: Swiftly carry out an independent investigation by UN in a specific time frame and bring perpetrators of this atrocity to justice; an imperative and essential step to avert another catastrophe.

Fifth: Resolve the issue of sale of residents' movable and immovable property under supervision of residents' lawful representative Senator Torricelli.

Best Regards,



M. Mohaddessin

Representative of Ashraf and Liberty residents outside Iraq

CC:

**Hon. Ban Ki-moon**, UN Secretary General

**Hon. Jeffrey Feltman**, Undersecretary General for Political Affairs