

H. Con. R. 152 – Strengths, Problems and Necessary Amendments

House Concurrent Resolution (HCR) 152 is a welcome effort by Congress to set forth essential measures addressing the genocidal violence targeting Christian Assyrians (also known as Chaldeans and Syriacs), Yezidis, Shabaks and similarly vulnerable and targeted ethno-religious minorities. While several features of HCR 152 are excellent, the strengths of the resolution are undercut by the inclusion of language that defeats the purposes of HCR 152. The following are necessary amendments to HCR 152.

A summary of the issues are provided here while the details are set out thereafter:

(1) *STRENGTHS*: (i) supporting the decision to create a Nineveh Plain Province per the Government of Iraq (GoI) decision of January 2014; (ii) emphasis on the need to enable the right of return for IDPs and refugees to the Nineveh Plain; (iii) calling for reconstruction and development of the Nineveh Plain to ensure a sustainable return for those cleansed from the area.

(2) *FAULTS*: (i) affirming the Kurdistan Regional Government (KRG) agenda to make the Nineveh Plain disputed territory *negates completely* HCR 152's core strength; (ii) omitting language prohibiting a referendum on the future status of the Nineveh Plain as either part of the KRG or a proposed Sunni Arab region until a Nineveh Plain Province is established, operational for a period of years and its ethno-religious demographics are restored to approximate pre-war levels; (iii) omitting language regarding the Iraqi Army's collapse in Mosul, the Peshmerga's deliberate disarmament of Christian Assyrians two weeks before ISIS attacked, and the Peshmerga's calculated withdrawal on the eve of ISIS's genocidal attack on the Nineveh Plain exposing the inhabitants to as much potential violence as possible.

(3) *AMENDMENTS*: (i) remove the current clause 9 and insert new language affirming the January 2014 GoI decision to create a Nineveh Plain Province as consistent with the effort to "peacefully resolve disputed internal boundary issues"; (ii) insert a new 'therefore clause' prohibiting a referendum on the future status of the Nineveh Plain as either part of the KRG or a proposed Sunni Arab region until a Nineveh Plain Province is established, operational for a period of years and its ethno-religious demographics are restored to approximate pre-war levels; (iii) insert a new whereas clause recognizing the Iraqi Army's failure to protect in June 2014 and KRG Peshmerga's betrayal in August 2014 and also amend clause 7 to specify the need for Nineveh Plain security forces to be those the returnee population can trust.

The details for the above issues are set forth below.

Declaring that the U.S. "should support the Republic of Iraq and its people to recognize a province in the Nineveh Plain" is the single best focus and foundation of HCR 152. As HCR 152 states, the Executive Branch of the GoI issued a decision on January 21, 2014 to establish a province in the Nineveh Plain. This decision reflects a first step in the political process to give Christian Assyrians a sustainable future in their homeland.

In October 2003, the newly liberated Assyrians officially declared their intention to make the Nineveh Plain a new entity as part of Iraq's federal framework. At that time, the KRG constitution made no mention of the Nineveh Plain, despite identifying areas of Iraq as part of 'Kurdistan'. In 2006 a new draft Constitution for the KRG began circulating identifying the Nineveh Plain as 'disputed territory' by the KRG. The KRG's decision to make the Nineveh Plain 'disputed territory' between 2003 and 2006 has been central to the persecution and suffering of Assyrians caught in the crossfire of the Kurdish-Arab conflict. *This must be addressed in the final resolution language, per our amendments above.*

Clause 6 of HCR 152 identifies the need to resolve Iraq's disputed internal boundaries issues, and clause 9 highlights the need for the KRG to play a role in making the Nineveh Plain an 'undisputed territory'. This open-ended language in HCR 152 *is aiding and abetting the KRG* in Iraq to show American support of a KRG expansionist agenda. The victims are the Christian Assyrians - the very population the resolution means to support.

A key strength of HCR 152 is Secretary of State Kerry's call to reconstruct areas inhabited by vulnerable ethno-religious minorities targeted for genocide. Focusing on the need to develop the infrastructure and reconstruction of the Nineveh Plain is central to any potential for success with HCR 152.

Clauses 1 - 3 rightly affirm the priority of enabling Assyrians, Yezidis, Shabaks and others to return to the Nineveh Plain and the right to "self-determination within the federal structure of Iraq". The KRG, in its efforts to annex the Nineveh Plain, is pushing for a referendum to be held within the same measure that a province is created. This is unconstitutional; cementing the expansionist aims of the KRG at the expense of marginalized indigenous peoples. It is vital for HCR 152 to make it clear that the U.S. Congress does *not* support unconstitutional, procedurally illegal measures. A new 'therefore clause' should be inserted after clause 3 indicating that no referendum on the jurisdictional alignment of a future Nineveh Plain Province should occur until the province is fully established, has been in operation for a period of years and the ethno-religious demographics approximate pre-war levels, to ensure the ethnic displacement policies of the former Iraqi regime are not continued under a new Iraq.

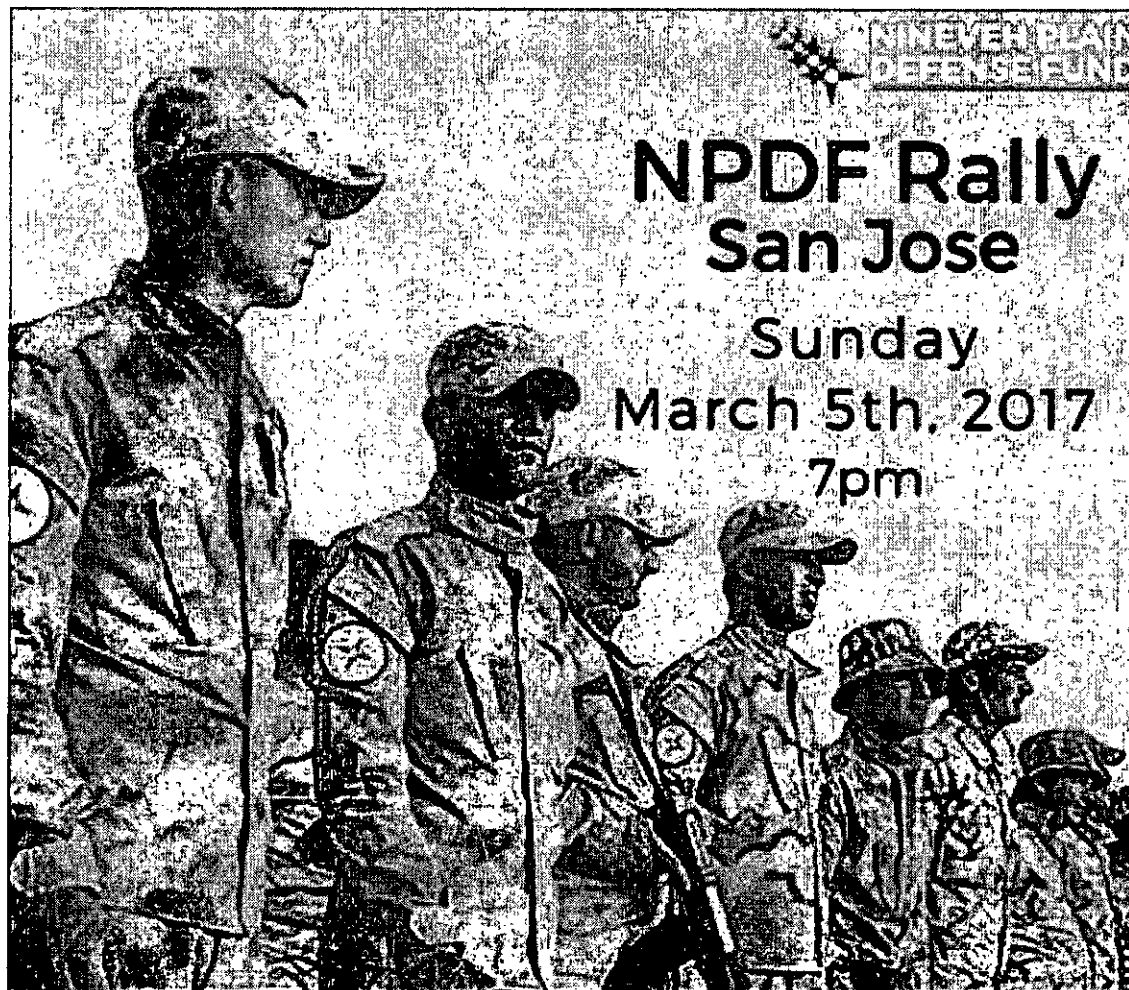
HCR 152 should acknowledge not only the right of return, but also the lack of security from the Iraqi Army and the Peshmerga disarmament-abandonment of Assyrians on the eve of an ISIS. These fundamental truths should be included in a 'whereas clause' and include a call for security forces in the Nineveh Plain that can be trusted by the civilian population.

This material represents the personal views of Michael Youash. Michael Youash is the Secretary of the Nineveh Plain Defense Fund. Both Michael Youash and the Nineveh Plain Defense Fund are registered as agents for the foreign principals of the Nineveh Plain Protection Units and the Assyrian Democratic Movement. Further information is available at the U.S. Department of Justice, Washington, D.C.

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Sunday, March 5 at 7 pm



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7pm

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San Jose, CA 95125

Contact: 773.580.8645

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March 6th, 2017
7pm

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Turlock, CA 95382

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