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CAMP ASHRAF: IRAQI OBLIGATIONS AND STATE DEPARTMENT ACCOUNTABILITY

JOINT HEARING

BEFORE THE

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

AND THE

SUBCOMMITTEE ON THE MIDDLE EAST AND SOUTH ASIA

OF THE

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CAMP ASHRAF: IRAQI OBLIGATIONS AND STATE DEPARTMENT ACCOUNTABILITY

WEDNESDAY, DECEMBER 7, 2011

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEES ON
OVERSIGHT AND INVESTIGATIONS,
AND THE MIDDLE EAST AND SOUTH ASIA,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittees met, pursuant to notice, at 2:55 p.m., in room 2172, Rayburn House Office Building, Hon. Dana Rohrabacher (chairman of the Subcommittee on Oversight and Investigations) presiding.

Mr. ROHRABACHER. This joint hearing of both the Oversight and Investigations and Middle East and South Asia Subcommittees will come to order.

Ladies and gentlemen, thank you very much for coming today. I want to thank my colleagues for joining us.

We are going to open up this hearing with an introduction to the subject matter with a video shot earlier this year showing the events just before and during and after the April 8 attack on Camp Ashraf by Iraqi soldiers operating under the orders of the Baghdad government of Prime Minister Maliki. It is a short video, about 1 minute. It was filmed by a resident of Camp Ashraf and edited from a much larger collection of film recorded during those days.

The narrative is that while U.S. military personnel were present the Iraqi forces were held in check, but when the U.S. soldiers were ordered to leave the area, the Iraqi troops attacked. Later confirming the casualties of the attack, U.S. personnel did return to give aid to the wounded and take witness of those who had been killed.

And, again, this hearing is a hearing of two subcommittees. We will be giving opening remarks after this short video.

[Video shown.]

Mr. ROHRABACHER. I would like to draw attention also to the posters underneath the monitors. If you noticed during the video, you saw that gentleman aiming his rifle and shooting. That was what we call premeditated murder. The people who were being targeted by that individual, who was aiming his gun, were unarmed civilians. This, in itself, is—I guess when they kill one or two people, it is murder; when you kill tens of people, it becomes an atrocity and perhaps even a war crime. And the fact that this was being done by—at least with the approval of the Iraqi Government is something that is of great concern to the United States, especially

when the beginning of the video shows U.S. troops exiting the area just prior to this atrocity.

This hearing is the last chance for Congress to impress upon the State Department the gravity of the crisis that we face and the stain on American honor that will result if action is not taken to avert another massacre of unarmed civilians in Camp Ashraf. If that bloodletting happens, it will be a crime perpetrated by a conspiracy between Iraqi Prime Minister Maliki and the Iranian theocracy which is pulling the strings.

Whatever has been going on for two decades, since the arrival of U.S. forces in 2003, Camp Ashraf has been a peaceful community of political dissidents and refugees which is certainly a community—since we have arrived there in 2003—which does not deserve the label of terrorist, as we have been told by the U.N. High Commissioner for Refugees that the U.S. terrorist designation—and this is representatives of the U.N. High Commissioner, I might say—have in the past told us that the terrorist designation is a major obstacle to finding safe places to relocate Camp Ashraf's residents outside of Iraq.

If these people in Camp Ashraf are forced to stay in Iraq, the United Nations High Commissioner for Refugees believes the Maliki regime may pull 50 to 60 individuals out of Ashraf and deport them to Iran. This because the mullahs in Tehran have listed them as a terrorist organization and these people that they would pull out have been designated by Tehran as terrorists with Interpol. And the United States' listing of the MEK as terrorists will be used by Maliki to justify his murderous cooperation with Iran.

Why are we, the United States, being an accomplice to this crime? If they are deported or subjected to another massacre, the blood in the sand will also stain the Gucci shoes of our U.S. State Department.

At the end of the year, which is only 24 days away, all American military personnel will have left Iraq. On that same day, the Baghdad government of Prime Minister Maliki has decreed that Camp Ashraf is to be closed. For more than 20 years this camp has been home to 3,400 members of the People's Mojahedin Organization of Iran, also known as the MEK, a secular opposition group in exile working against the bloody Islamic mullah dictatorship in Iran.

Maliki will disperse the residents to new camps which may, in reality, be prisons. His objective is to deport the Iranian dissidents or at least their leaders to Iran where they will be imprisoned and, it is easy to predict, imprisoned, tortured, and killed.

Maliki's alignment with the vicious Iranian theocracy is clear. To please his Tehran masters, he has already inflicted violence and death on the Camp Ashraf population. As we have just seen, in the early hours of April 8 this year, units of the Iraqi Army numbering 2,500, including armored vehicles, assaulted unarmed Iranian civilians at Camp Ashraf, murdering at least 34 residents and wounding hundreds more. As we saw in the video, this wasn't just random shooting. There were individuals who were picking out targets, unarmed people, and shooting them, as if they were deer in a deer hunt, as we just saw.

We also just saw that American military personnel were pulled out of the camp just hours before that attack. What does that tell us? What does that tell us? Someone made that decision. This was an atrocity and a crime against humanity.

Some media outlets have noted that the attacking troops were "armed and trained by the United States." And when you see that and you see that group of dead bodies and you notice that all of these people were unarmed, this is a shame on them and a shame on us.

Camp Ashraf residents had been promised protection under the Fourth Geneva Convention by senior U.S. commanders in Iraq. There is a poster right there that is showing an ID card that was issued to a camp resident and the agreement—I guess that is what this one is that I was pointing to before we started. This poster shows the agreement between the camp and the United States, trading a pledge of peace and disarmament for American protection.

The reason the camp was disarmed, the reason these people had no means of defending themselves was that they had made an agreement with the United States Government to disarm and, thus, they were shot down as if they were deer being hunted by hunters, no way to defend themselves.

When sovereignty was turned over to Iraq, the transfer of responsibility for Camp Ashraf to the Baghdad government was conditioned on a direct promise that the residents would continue to be protected. In April, the United States utterly and completely failed its responsibilities after making that promise to the people of Camp Ashraf.

After the attack, the State Department asserted that a "crisis and loss of life was initiated by the Government of Iraq and the Iraqi military." But what about before the attack, as I just mentioned? The U.S. Embassy and the commander of U.S. forces undoubtedly knew of the Iraqi military build-up outside the camp. Was the Iraqi Government then contacted? We need to know that. If so, what was the Iraqi response when we contacted them?

And as I mentioned before as well, the U.S. military unit deployed near Camp Ashraf was ordered away just before the attack. Well, obviously—if not obviously, perhaps on the face of it, it appears to be that there was a conspiracy, including our Government and the Maliki government, to commit murder, to take the lives of unarmed people.

So who in our Government knew about this? What type of agreement was made? And why was nothing done to prevent it if we did know about it? We wanted to ask the State Department officials these questions but were told no one was available to testify at the hearing of this subcommittee on July 7.

Late yesterday, we finally received a letter in partial response to the questions we have sent to the State Department over 5 months ago. We will consider the response and may ask for more clarification and information after today's hearing.

Our priority is now to learn what will happen in the future. Will we be turning away again? What can people expect? Will we turn away? And what happens if there is another massacre in the making? We are just going to walk away then? What will be our posi-

tion if there is another massacre? And will the residents just end up in concentration camps or in jail or being tortured in Iran or Iraq itself? Will we and can we, are we even trying to evacuate the residents of Camp Ashraf in the next 3 weeks?

America has spent its blood and treasure, $1 trillion, the blood of thousands of our young men and women, only to allow a government to come to power in Baghdad that is the puppet of the Iranian mullah dictatorship, the most dangerous enemy of America and threat to peace and stability in the Middle East; and the government that we have fought and paid for and bled for in order to bring into existence has now become their ally.

In his recent op-ed in The Washington Post, Prime Minister Maliki cited the U.S. listing of the MEK as a terrorist group and called them "insurgents," using this justification for his intransigence toward Camp Ashraf. So if the Iraqi Prime Minister cannot discuss U.S.-Iraqi relations without mentioning Ashraf and cannot mention Ashraf without mentioning the terrorist listing, how can we deal with this issue without talking about our Government's listing of the residents of Camp Ashraf as being terrorists?

In 1997, Iran persuaded the Clinton administration to put the MEK on the State Department's Foreign Terrorist Organization List. This naive gesture was supposed to improve relations with Tehran. But the relations did not improve, and Iran continues to support violence across the region and crush dissent at home and develop nuclear weapons capabilities that we have no idea whether we are the target or Israel or some of the other countries which the mullah dictatorship doesn't like.

We have been told that the State Department is re-evaluating the MEK's designation as terrorists. In her appearance before the Foreign Affairs Committee on October 27, Secretary of State Clinton acknowledged that the European Union has taken the MEK off its terrorist list, which it did in 2009. The State Department hasn't taken them off the list. But the Europeans have done so. And the clock is running out.

The U.S. should continue to insist that the promise given by the United States to the residents of Camp Ashraf and the promise then given by the Iraqi Government to us must be respected and upheld. This is not just a matter of decency but of the credibility of the Maliki government and the honor of the people of the United States. The Iraqi Government must allow the U.N. High Commissioner for Refugees to fulfill his mission in moving the residents of Camp Ashraf out of Iraq to safe havens in other countries with the full support of the United States.

But as I mentioned before, I have been personally told by UNHCR officials that this terrorist designation maintained by the United States is an impediment to finding places to relocate the residents of Camp Ashraf outside of Iraq.

I hope that our State Department witnesses can assure us today that these objectives will be accomplished before the end of December when the absence of U.S. troops will change the reality and that the residents of Camp Ashraf will be at the mercy of Iraqi forces under the command of a political leader who is in cahoots with the Iranian mullah dictatorship.

All of our other members will be given time for opening statements. But, Mr. Carnahan, would you like to proceed with your opening statement?

Mr. CARNAHAN. Thank you, Mr. Chairman; and thank you for your dedicated work on this issue. Thank you for having this follow-up hearing, as promised.

In light of recent events, the trip you led to Iraq a few months back and the scheduled departure of the U.S. military in just a few short weeks, this hearing provides a timely opportunity for us to once again assess not only the precarious humanitarian situation at Camp Ashraf but also to consider the broader issues of the U.S.-Iraq policy going forward.

I am fortunate to represent an active Iranian American community back home in St. Louis who care deeply about family members and residents at Camp Ashraf. I am glad to have some of them here today. Welcome again and thank you for your advocacy and being part of this effort.

In 2003, the residents of Camp Ashraf were granted protected status under the Geneva Convention. Pursuant to the status of forces agreement between the U.S. and Iraqi Governments, however, jurisdiction of the camp has been under Iraqi jurisdiction since 2009. With the draw-down of U.S. forces in Iraq and the Iraqi Government's repeated calls for the residents to leave Iraq, there is a serious concern about the safety and welfare of the residents. The administration has raised concerns about their safety, and I will be interested to hear what progress has been made through our bilateral and multilateral efforts.

In addition to ensuring that the rights of the residents are maintained, I am also interested in an update from our last hearing on relocation efforts. Several hundred have returned to Iran with the help of the international Red Cross, and the U.S. has offered to help relocate residents prior to internationally coordinated closure of the base.

I would like to hear the witnesses discuss what options are available moving forward, what implications those options have on U.S. policy to Iraq as well as Iran. Specifically, would it be beneficial to know what other countries have shown a willingness to admit residents?

Turning to the broader issues of U.S. policy toward Iraq following the troop withdrawal at the end of this month, I would like to hear each witness discuss the challenges ahead as our policy in Iraq shifts to becoming a State Department- and USAID-led effort, focusing on diplomacy and development.

The safety of residents at Camp Ashraf poses immediate concern, but I am also interested to hear what our continued efforts in the country will look like. I look forward to the hearing today. Again, Mr. Chairman, thank you for your continued efforts to champion a humanitarian solution for this issue.

Mr. ROHRABACHER. Let me just note that these humanitarian and human rights challenges that we face are confronted by a united Congress in the United States, and the bipartisanship that has been demonstrated by Mr. Carnahan and my fellow colleagues is an example to the rest of the world where people who believe in freedom can work together.

And I would like to ask for unanimous consent that Mr. Filner, Congressman Filner from San Diego who is not a member of this committee but has been very active on the issue, be permitted to sit in with us and be treated as a member of the committee for today.

Hearing no objection, so ordered.

We now would like to call on Representative Chabot, the chairman of the Middle East and South Asia Subcommittee, who is officially the cosponsor or is cochairing this event. And we appreciate hearing your opening statement, Mr. Chabot.

Mr. CHABOT. Thank you very much. Good afternoon.

Let me begin by thanking my colleague, the gentleman from California, the chairman of the Subcommittee on Oversight and Investigations, Mr. Rohrabacher, for calling this timely and important joint hearing with the Subcommittee on the Middle East and South Asia that I happen to chair.

This hearing was scheduled to begin at 2:30. We got started a little bit late, and I have another meeting that I have to be at at 4 o'clock. So I am going to have to leave then, but my staff will be here and remain and make sure that we hear everything that has been said here today.

In January 2009, the Iraqi Government took the sovereign control of Camp Ashraf and responsibility for the 3,400 residents living in it. Since then, there have been several extremely disturbing incidents, one of which we just saw, which resulted in the deaths of Camp Ashraf residents. I am particularly disturbed by the deaths of as many as 35 residents of Camp Ashraf, resulting from clashes with Iraqi forces on April 8, 2011, again.

Reports of shortages of food, fuel, and medical supplies are also very concerning. This is simply unacceptable. The Iraqi Government must take all necessary and appropriate steps to prevent the loss of life.

Although the status of the individuals residing at Camp Ashraf continues to pose a deeply problematic challenge, it is incumbent on all parties to ensure that no harm comes to its residents. Accordingly, the overriding objective of the Obama administration's dialogue with Iraq on the matter of Camp Ashraf should first and foremost be to encourage the protection of the camp residents, ensure appropriate humanitarian aid is provided for the residents, and ensure that the Iraqi Government lives up to the obligations which underlie the transfer agreement. As the international community works to resolve the difficult dilemma, no further harm must come to the camp residents.

As we work to resolve this situation, however, it is incumbent on all parties to remember that the 3,400 residents are not just words on a page but people, human beings. The status of the residents of Camp Ashraf is a complex issue and one that requires an international solution which takes into account the desires of the actual residents.

Correspondingly, I would like to echo recent calls to push back the December 31 deadline to close Camp Ashraf. I fear that trying to rush a solution only risks further harm to the camp residents. Although permanent homes for these residents will certainly take time to find and, as such, patience will be required on the part of

all concerned parties, it is critical that the international community understand the urgency of the situation and proceed expeditiously.

I want to again thank Chairman Rohrabacher for calling this hearing. I look forward to hearing the testimony of the witnesses. I yield back my time.

Mr. ROHRABACHER. Thank you very much.

Ms. Chu, do you have an opening statement?

Ms. CHU. Well, I would like to ask unanimous consent to be a guest and to be able to——

Mr. ROHRABACHER. To be last? Yes, no problem. To ask unanimous consent to be first is a difficult one.

I would like to recognize Congressman Poe.

Mr. POE. Thank you, Mr. Chairman.

We have a crisis that is taking place halfway around the world, and the United States should be aware of this crisis and the impending deadline. December 31st in the United States comes with fireworks, New Year's Day, but there also may be fireworks and fire in Camp Ashraf unless the United States intervenes to make sure something bad does not happen.

In 24 days, the Iraqi Government has promised to close down Camp Ashraf. Where the residents will be forced to go, we really don't know. They could be expelled to Iran, where many of them will face death, in my opinion. The little tyrant from the desert Ahmadinejad and his Iranian regime have already murdered hundreds of their family members. Those people in Camp Ashraf could be located to another place in Iraq.

And why would the Iraqi Government want to close down a camp and just move them to another camp in Iraq? Well, because the Iraqi Government knows that the phrase "Camp Ashraf" is known throughout the world as a place of refuge for Iranian freedom fighters. Iraq knows if it attacks the residents while they are in Camp Ashraf they will face worldwide condemnation, like they did in 2009 and 2011 when they massacred over 40 unarmed civilians. As related by my colleagues, those were people that were killed. They are not statistics. They were real people. And these 47 people are dead because the Iraqi Government killed them. Two times, two assaults on the camp.

Is this what is going to happen on January 1 unless the United States intervenes? We don't know. But do we allow this to occur? I hope not. And it is unfortunate—or maybe fortunate—that some of the family members of these 47 people are here with us today, pleading that Congress act to prevent another massacre of citizens in the camp.

The residents of Camp Ashraf said they don't trust the Iraqi Government. I don't blame them. They have invaded their camp twice. I have a letter here to a member of the European Parliament by members of the camp who believe that on January 1, unless something occurs, they will face certain death, and they will not go away voluntarily. They won't resist, but they will not go away voluntarily. They do not want to be moved because they think it is certain death.

What the residents want is to be moved to another country besides Iran. The residents of Camp Ashraf have applied to be recognized as political refugees by the United Nations. Iraq knows that

if the residents get refugee status, they won't be able to violate their human rights without more serious consequences. So with strong pressure from the Iranians, Maliki and his thugs are closing the camp on December 31 before the U.N. refugee process can finish.

As you know, Mr. Chairman, I went with you on June 11 to Iraq, along with the ranking member and others from this committee, and you asked Maliki if we could go to Camp Ashraf and see what happened, get the residents' point of view of what is taking place. He was indignant. He refused to let us go to Camp Ashraf. In fact, the reason he used was because our Government has labeled the MEK as a foreign terrorist organization. Therefore, he closed the camp to us.

He was so incensed that what occurred later made the international press—primarily in Europe; it wasn't mentioned in the United States—but while we were flying to another portion of Iraq, we found out through the State Department that we had been evicted from Iraq for asking the question to go to Camp Ashraf. And of course we stayed as long as we wanted to. But that is Maliki's point of view and his reaction to the question that was asked, if we could visit the camp.

On December 12, Maliki will be in the United States. He will be in Washington, DC. I am gathering a letter with signatures to the President urging him to raise the Camp Ashraf issue during this meeting. We have 47 signatures. We hope to have more.

The clock is ticking. The days are numbered. I hope the witnesses today can exactly outline specifically what will be done by this administration to protect the residents of Camp Ashraf. I hope we don't hear, as in my opinion we have heard in the past, more comments about why our Government continues to side with the Maliki government and the interests of Iran over the freedom fighters in Camp Ashraf. And I yield back.

Mr. ROHRABACHER. Thank you very much, Your Honor. And I always appreciate the members of my committee following my lead and taking a soft-spoken approach to these challenges.

Congressman Rivera.

Mr. RIVERA. Thank you, Mr. Chairman. But I believe just previously Congresswoman Chu was asking unanimous consent to be a guest, not to be last.

Mr. ROHRABACHER. Was that last or a guest?

Ms. CHU. It was a guest.

Mr. ROHRABACHER. How about both?

Mr. RIVERA. I will certainly yield to the gentlewoman from California. Ladies first.

Mr. ROHRABACHER. Please continue, Mr. Rivera, with your opening statement, and then our two guests will be permitted to have opening statements as well.

Mr. RIVERA. Perfect. Thank you, Mr. Chairman. And I will adhere to your 2-minute admonition as well.

My main question I would like answered during this hearing, Mr. Chairman, particularly from Ambassador Fried, is this issue of the arbitrary December 31 deadline and what is the United States doing to avoid what can only be referred to as a New Year's Eve massacre occurring at Camp Ashraf?

Because we know what is coming. In this particular case, the past is prologue. We have seen previously psychological torture around the camp, utilizing noise-making mechanisms to try and provide an ambiance that can only be described as torture there for the residents. Physical deprivation. We saw the videotape at the beginning of this hearing.

We know what is coming. What is the United States doing to avoid that massacre that we know is coming?

The December 31 deadline I believe is simply a pretense to carry out the forced repatriation of these residents, forced repatriation to brutality, to torture, and to an environment of death. So we must do all in our power to avoid this New Year's Eve massacre. And I want to know and I hope this hearing will shed light and provide answers to this important question.

And I will yield back, Mr. Chairman.

Mr. ROHRABACHER. Thank you very much, and I apologize for mishearing my colleague. Let me just note, I have what you call a surfer's ear. It is in this ear from jumping into the cold water too many times.

But, Mr. Filner, would you like to proceed with an opening statement?

Mr. FILNER. I am glad to hear that you can only hear from the left.

Thank you, Mr. Chairman. Thank you for the honor of being a part of the committee today.

What is happening, by the way, is rare in committee meetings that are going on around the Hill today; and I hope, Ambassador and Ms. Leaf, you will report this back to Mrs. Clinton. Usually, you see the two sides just fighting each other, rather than coming to any agreement or consensus. And I think we are all together on this side, and I appreciate the chairman's leadership on it.

I would associate myself—God may strike me down for this—but with all the remarks that Chairman Rohrabacher said. And rather than try to interrupt Ambassador Fried's testimony, because I was a little upset by it, I will just say some things now about it. I found your testimony a little bit troubling.

You start off by saying, "a common understanding of the facts is important." I agree with you. I am not sure your statement has led to that or helped us toward that common understanding.

In your paragraph to try to destroy the credibility of the MEK, you said, "by 1980, Iraq dictator Saddam Hussein had established a relationship with the MEK, cooperating with it to advance his efforts to undermine the Iranian Government." How evil. The dictator Hussein established—just substitute "the United States Government" for "the MEK."

I mean, come on. Who was there supporting Hussein in all his efforts during this period of time? It was the United States. But now it is because he worked with the MEK they are the bad guys?

There has been credible reporting—and there has also been credible reporting on the reverse—that the MEK militarily supported Hussein's violent suppression of groups in Iraq which opposed his regime. Well, so did the United States.

You are looking at me rather strangely, as if we did not participate in the Hussein regime. He was our ally against Iran. I am not

saying it is right or wrong. But you are saying—you are taking Hussein's bad image, giving it over to MEK. Where were we in all of this? Where was the United States?

If you want to say that the MEK should be on a terrorist list, put the U.S. Government there, too. And in fact I have heard the first Secretary of Homeland Security, Secretary Ridge, say publicly that nothing ever crossed his desk, the Secretary of Homeland Security, which showed the MEK to be anything of a terrorist organization. The Attorney General Mukasey said the exact same thing, he never saw anything about that. The chief of staff of the President of the United States, Andrew Card, said the exact same thing. They never saw anything that, in their judgment, would lead to thinking of the MEK as a terrorist organization.

So all of the facts on one side is just at least arguable, if not false. So I find it strange that you are going to try to—and I can say this because I have a Ph.D. In history, so I am allowed to say it is historically inaccurate.

So, please, let us try to be factual here. Let us try to look at, as my colleague said earlier, this is a group of people who support our policy against Iran, that they want, as we want, a democratic, secular, nonnuclear Iran. We should find every way possible to work with them, not find every way, which you said in your statement, every way to have problems with them.

I want to know from you, Mr. Ambassador, what are we going to do to help them survive, not all the problems that are there that make it difficult. We know the problems. Let's find a place for the refugees. Let's protect them if necessary.

You left 5 or 10 troops in there. That is not very many. Leave 5 or 10, I bet you that changes the whole situation.

Put a resolution in the Security Council saying the U.N. troops should be there to protect Ashraf. That is not easy to do. But let's show where the United States stands on this stuff. Take some leadership. Show some aggressiveness. Don't just give us bureaucratic stuff that says, oh, the place is so difficult. It is so complex. We have got all these problems. I am not sure we can do anything by December 31.

That is baloney. We can. Show some leadership. Don't be so timid. Show that we care about—that this is the most critical place in the world, and we want a change in Iran, and we should be doing everything we can to help make that true.

Thank you.

Mr. ROHRABACHER. Congresswoman Chu.

Ms. CHU. Thank you so much.

Well, I was elected in 2009, and my time here feels like it has been marked by events at Camp Ashraf. It was then that residents in the camp suffered their first bloody attack at the hands of Iraqi forces where 11 were killed and over 300 injured. Hundreds of armed security forces used bulldozers to force their way into the camp. They used tear gas, water cannons, and batons against unarmed residents who tried to stop them from entering.

I was even more horrified to see the full videotape of the events of April, 2011. Iraqi forces were shooting at unarmed women, men, and children. Thirty-four people were killed, and over 320 residents were injured. I could not believe the way in which it showed sol-

diers shot indiscriminately at people as if though they were just objects that they were looking at through target practice.

I am here today to be a voice for the families who worry about their loved ones. The U.S. will leave Iraq at the end of the year on the same timeline that President Maliki is planning to close Camp Ashraf. Once U.S. forces leave, there will be no way to protect these residents. After these two attacks, and with Iraqi forces continuing to surround these camps, I cannot have it on my conscience or the conscience of the United States for these 3,400 residents to be harmed when we could have stopped it.

I believe that the State Department and the President should use its position and influence to extend the December 31 deadline for the closure of Camp Ashraf, that we should push the Iraqi Government not to relocate Camp Ashraf residents to places all over inside Iraq, and we need to urge the Iraqi Government to allow the U.N. High Commissioner for Refugees to do its work in helping the residents of Camp Ashraf find a safe place to go when the camp is closed. That is the least that they deserve.

Mr. ROHRABACHER. Thank you very much, and let me just make one correction for my colleague. That was not "indiscriminate" shooting. That was worse. That was very discriminate. That was very pointed and very aimed shooting at the specific individuals who were murdered that day, including women and minors who were unarmed. They were targeted. They went through the sites. It wasn't just somebody shooting into the air and accidentally hitting somebody. This is premeditated murder, and that is one of the reasons that we are here today.

Now that we have all had our say, it is time to hear some explanations and hopefully have some questions and answers and some dialogue to shed some light on what you can see is legitimate outrage on the part of the Members of Congress who understand what is going on here.

So first let me note we have two fine witnesses from the State Department, two professionals who have dedicated their lives to serving their country and to serving the interests of the United States of America overseas and developing an expertise on how to deal with foreign governments and with such situations.

Daniel Fried is a career Foreign Service Officer. He started in 1997. And over his career our paths have crossed many times in many different locations, and he is a pro. And that is why he is here today, because the State Department felt they needed someone to be here and to discuss this issue who had the depth of knowledge and the ability to look at this and to enlighten the Congress. Because he has got in-depth knowledge of this incident, this situation as well as America's dealings in that part of the world, in the Balkans and everywhere else.

Barbara Leaf is currently the Deputy Assistant Secretary of State for Iraq in the Bureau of Near Eastern Affairs; and she has actually taken this post as of August, 2011. However, prior to that, she has been very deeply involved in her career in that part of the world, including Iran and Iraq and the Balkans.

So, again, we have two State Department pros, professionals, and we are anxious to hear your testimony and to conduct a dialogue with you afterwards.

So who would like to go first?

Mr. Fried.

STATEMENT OF THE HONORABLE DANIEL FRIED, SPECIAL ADVISOR ON ASHRAF, U.S. DEPARTMENT OF STATE, ACCOMPANIED BY MRS. BARBARA LEAF, DEPUTY ASSISTANT SECRETARY FOR IRAQ, BUREAU OF NEAR EASTERN AFFAIRS, U.S. DEPARTMENT OF STATE

Ambassador FRIED. Chairmen Rohrabacher and Chabot, Ranking Member Carnahan, thank you for the opportunity to testify and to report to you on the substantial ongoing efforts of the United States to address this serious humanitarian issue.

The Government of Iraq has announced that Camp Ashraf must be closed by the end of this year, and arrangements for the security and humane treatment of the residents have not been finalized. With time short, all parties must cooperate and accept the credible proposals being put forward by the United Nations for a humane, secure, and mutually agreed relocation of the residents.

Vice President Biden stressed during his recent trip to Baghdad the importance the United States places on a peaceful and secure resolution of the situation at Camp Ashraf. The Secretary has tasked me to ensure that the U.S. Government is taking every responsible action possible, working with the Government of Iraq, the United Nations, and our allies and partners and in contact with the residents of Camp Ashraf and those who speak for them to achieve a safe and secure relocation of the residents of Camp Ashraf. We are working urgently.

Still, it is important to be clear about the history of Camp Ashraf. Camp Ashraf is operated by, and its residents led by, members of the Mojahedin-e-Khalq , the MEK. The MEK sought the violent overthrow of the Shah of Iran and during the 1970s used terrorist tactics, including the assassination of six Americans, among them three U.S. military officers. And the MEK supported the occupation of, and hostage taking at, the U.S. Embassy in Tehran.

Shortly after the Iranian Revolution, the MEK shifted its tactics toward the new Iranian regime. By 1980, Iraqi dictator Saddam Hussein had established a relationship with the MEK; and, in 1986, Hussein invited the MEK to Iraq. Approximately 7,000 MEK members resettled in camps in Iraq, including Camp Ashraf. Saddam Hussein's government provided funding, training, and military equipment to the MEK; and, in exchange, the MEK served as a private paramilitary group for the Saddam Hussein regime.

There has indeed been credible reporting that the MEK militarily supported Hussein's violent suppression of groups in Iraq which opposed his regime, including shortly after the first Gulf war. This explains how the U.S. military came across this armed group in Iraq during Operation Iraqi Freedom, some of the reasons why the MEK was added to the Foreign Terrorist Organization List in 1997 and the animosity felt toward the MEK by many Iraqis.

In 2003, U.S. military forces negotiated a ceasefire and disarmament with the MEK leadership in Iraq. MEK camps and bases were consolidated to Camp Ashraf. U.S. commanders stated that they considered Camp Ashraf residents as protected persons under

the Fourth Geneva Convention. This does not mean that the residents were considered refugees, but the United States afforded the residents of Camp Ashraf their rights under the Geneva Convention as protected persons and ensured to the extent possible that they were protected from hostilities. The U.S. military did this at great risk.

Once a sovereign Iraqi Government was established in June, 2004, Camp Ashraf's residents were no longer protected persons as a legal matter. Nevertheless, for the duration of the authorities under U.N. Security Council Resolution 1546 and subsequent resolutions, U.S. forces continued to treat the residents of Ashraf as protected persons as a matter of policy, the right call, given the unsettled and violent conditions in Iraq and the hostility of many Iraqis toward the MEK. And we conveyed this to the camp's residents.

When our U.N. mandate expired on January 1, 2009, U.S. military remained in Iraq at the invitation of the Iraqi Government. It had no authority to provide protection for the residents of Camp Ashraf and accordingly transferred security responsibility for the camp to the Iraqi Government.

The leadership at Camp Ashraf was informed that the U.S. military would no longer play a role in the camp's physical protection. Concurrently, at the U.S. Government's request, the Iraqi Government provided assurances of humane treatment. In addition, the Iraqi Government allowed U.N. and U.S. officials to monitor the well-being of the camp's residents.

As everyone here knows, the Iraqi Government has probably expressed its decision to close Camp Ashraf by the end of this year. Yet the exercise of a sovereign right does not obviate the need for care and restraint.

We have seen and condemned the terrible loss of life as a result of past attempts, including last April, by Iraqi police and security forces to enter the camp. The United States has stated publicly—and I want to reiterate now—that we expect the Iraqi Government to refrain from the use of violence.

In addition, the United States has been consistent in urging the Iraqi Government to resolve the humanitarian and security issues at Camp Ashraf expeditiously and before the closure of the camp. This in particular was part of the Vice President's message to the Iraqi leadership in Baghdad during his latest visit. At the same time, the camp leadership must respect and recognize Iraqi sovereignty as we seek to resolve this matter.

In addition, as we have conveyed and continue to convey to the leaders of Camp Ashraf and to those who communicate with the MEK's Paris-based leadership, the MEK must act responsibly and not put any Ashraf residents or ask any Ashraf residents to place themselves in harm's way.

A humane and secure relocation is possible, but it will take intense and serious efforts by all parties. The Iraqi Government has been working with the U.N. on a resolution of the situation at Camp Ashraf. Some encouraging progress has been made. We welcome this. We hope that the MEK and Camp Ashraf leaders will engage constructively as well and work with the U.N. on its approach. A solution is possible if all work seriously to reach agree-

ment on proposals that allow for the safe and mutual determination of each resident's individual legal status and his or her desire to leave Iraq while respecting individual rights and all in a context of security and humane treatment.

The State Department has, is, and will continue to work closely with the U.N., its assistance mission in Iraq led by Ambassador Martin Kobler and the UNHCR to help achieve a humanitarian resolution. These U.N. organizations are playing a serious and constructive role in the urgent efforts to craft a solution. The European Union is supporting these efforts as well.

Our goal is to help find an expeditious and humane resolution to the closure of Camp Ashraf. We will continue to engage intensively at the highest levels to head off any actions that could result in violence and will continue to encourage the residents to accept the reasonable, humane, and secure proposals crafted by the U.N. to relocate them from Ashraf.

Thank you for the opportunity to speak to you today about this urgent issue, and I welcome your questions. And, Mr. Chairman, I would also welcome the dialogue that you suggested.

[The prepared statement of Mr. Fried follows:]

Testimony of Ambassador Daniel Fried on Camp Ashraf
House Foreign Affairs Committee
Subcommittees on Oversight and Investigations and Middle East and South Asia
December 7, 2011

Chairmen Rohrabacher and Chabot Ranking Members Carnahan and Ackerman thank you for the opportunity to testify here today. I welcome the opportunity to report on the substantial, ongoing efforts of the United States to address this serious humanitarian issue. We face a serious and complex problem: as December 31st draws near and the government of Iraq has announced that Camp Ashraf must be closed by the end of this year, arrangements for the continued security and humane treatment of the residents have yet to be finalized. The Iraqi government and residents of Camp Ashraf both have expressed concerns regarding the closure plan, but with December 31 drawing near, it will be imperative for all parties to work to bridge these divides and accept credible proposals put forward by the United Nations, and for all parties to support a humane, secure and mutually agreed-upon relocation of the residents.

It is under these circumstances that Secretary of State Clinton asked me to assume responsibility in the Department of State for coordination of the Department's ongoing efforts regarding Camp Ashraf. The Department and other parts of the Executive branch have been engaged for years in efforts to find a humanitarian solution for the residents of Camp Ashraf. Indeed, Vice President Biden stressed during his recent trip to Baghdad the importance the U.S. places on a peaceful and secure resolution of the situation at Camp Ashraf.

The Secretary has tasked me to report to her, using experience I have as a career foreign service officer of 34 years, to ensure that the U.S. government is taking every responsible action possible, working with the Government of Iraq, the United Nations, and our allies and partners, and in contact with the residents of Camp Ashraf and those who speak for them, to assure that any relocation of residents from Camp Ashraf is done

humanely, with our principal concern being the safety and well-being of the residents.

We are working urgently. Nevertheless, in this setting, it is important to be clear about the history of Camp Ashraf. A common understanding of the facts is important to promoting an informed public dialogue and sound policy.

Camp Ashraf is operated by, and its residents led by, members of the Mujahedin-e Khalq (MEK). The MEK, founded by students in Tehran in 1965, originally espoused Marxist and Islamist ideologies and sought the violent overthrow of the then-leader of Iran, Shah Mohammed Reza Pahlavi, whose government was supported by the U.S. During the 1970's, the MEK used terrorist tactics against the Shah's government and those whom they associated with it. MEK actions included the assassination of six Americans, including three U.S. military officers, and the bombing of U.S. companies in Iran.

The Shah's government fell in 1979. The occupation of, and hostage-taking at the U.S. embassy in Tehran, which was supported by the MEK, took place later that year. Shortly after the Iranian revolution, the MEK shifted its violent tactics towards the new regime in Iran. By 1980, Iraq dictator Saddam Hussein had established a relationship with the MEK, cooperating with it to advance his efforts to undermine the Iranian government. In 1986, Hussein invited the MEK to formally relocate to Iraq. MEK leadership accepted and, as a result, approximately 7,000 MEK members resettled in camps in Iraq, including Camp Ashraf. Saddam Hussein's government provided funding, training, and military equipment to the MEK and, in exchange, the MEK served as a private paramilitary group for Hussein during the Iran-Iraq war. Thousands of MEK members' lives were reportedly lost in combat with the Iranian military. Over the years, there has been credible reporting that the MEK militarily supported Hussein's violent suppression of groups in Iraq which opposed his regime, including shortly after the first Gulf War. In April 1992 the MEK became one of the few groups to attempt an attack on U.S. soil when it launched

near-simultaneous attacks in thirteen countries, including against the Iranian mission to the United Nations in New York.

This background is important for three reasons: it explains how the U.S. military came across this armed group in Iraq during Operation Iraqi Freedom; it outlines some of the reasons why the MEK was added to the Foreign Terrorist Organization (FTO) list in 1997; and it also explains the animosity felt toward the MEK by many Iraqis.

When U.S. military forces encountered the MEK in Iraq in 2003, a cease-fire and disarmament were negotiated with the MEK leadership in Iraq. At the request of the U.S. military commanders then in the field, the various MEK camps and bases were consolidated to Camp Ashraf. At its height, approximately 3,900 people resided in Camp Ashraf. Until the end of the Coalition Provisional Authority and establishment of a sovereign Iraqi government in June 2004, U.S. commanders of the Multi-National Forces stated that they considered the Camp Ashraf residents as "protected persons" under the Fourth Geneva Convention, which governs the conduct of states in international armed conflict and occupation. This does not mean that the residents were considered "refugees" – that status has never been conferred on them as a group. "Protected person" is a legal term for particular persons in an armed conflict or occupation. During the period for which it was an occupying power, the United States afforded the residents of Camp Ashraf the rights accorded to them under the Geneva Conventions as protected persons and ensured, to the extent possible, that they were protected from hostilities. The U.S. military did this at great risk.

As you know, UN Security Council Resolution (UNSCR) 1546 and subsequent resolutions established the international legal basis for U.S. military presence in Iraq to maintain "security and stability" in Iraq. To be clear: once a sovereign Iraqi government was established in June 2004, Camp Ashraf's residents were no longer "protected persons" as a legal matter. Nevertheless, for the duration of these UNSCR authorities, U.S. forces continued to treat the residents of Ashraf as "protected persons," as a matter of policy and conveyed this to the Camp's residents.

At this time, hundreds of Ashraf residents chose to leave the Camp, some receiving refugee status from the office of the UN High Commissioner for Refugees (UNHCR) and finding their own solution inside or outside Iraq, and others voluntarily returning to Iran. The U.S. military and the State Department also learned more about the Camp leadership and its relationship with the residents. International observers visiting the Camp published reports that the leadership was using various systems of control, such as forced divorce and family separation, and group pressure to manage residents' lives. This of course raises important questions about the means by which some individuals found themselves at Camp Ashraf, and the circumstances under which they currently reside. Mindful of this and of the MEK's history, we regard the residents there not simply as uniform members of a group, but as individuals, and this informs both our own approach and our discussions with partners as we seek solutions to the current problem.

When the UNSCR mandate expired on January 1, 2009, the U.S. military was permitted to remain in Iraq at the invitation of the Iraqi government. It had no authority to provide protection for the residents of Camp Ashraf and accordingly transferred security responsibility for the Camp to the Iraqi government. In 2008, prior to that transfer, the United States joined the Iraqi government, the UN, and other nongovernmental parties in meetings with Camp Ashraf leadership to ensure that the handover of the Camp to the Iraqi government was conducted in a responsible and humane manner. The leadership at Camp Ashraf was informed that the U.S. military would no longer play a role in the Camp's physical protection. In addition, the Camp leadership was informed that although individual residents maintained rights under Iraqi and international law, the residents, as a group, possessed no status or collective rights.

Concurrently, at the U.S. government's request, the Iraqi government provided assurances of humane treatment in accordance with Iraqi and international laws, including that it will not transfer residents of Ashraf to a

country where they may have reason to fear persecution for their religious or political beliefs, and it will not expel, return, or extradite any resident to any country where there are substantial grounds for believing that he or she would be tortured. In addition, the Iraqi government allowed UN and U.S. officials to monitor the well-being of the Camp's residents.

The Iraqi government has publicly expressed its decision to close Camp Ashraf – a decision it regards as a legitimate exercise of its sovereignty – by December 31, 2011. Yet the exercise of a sovereign right does not obviate the need for care and restraint. We have seen and condemned the terrible loss of life as a result of past attempts, including last April, by Iraqi police and security forces to enter the Camp; these attempts have consistently been met with resistance by the Camp residents who reject the Iraqi government's right to do so. The United States has stated publicly -- and I want to reiterate now -- that we expect the Iraqi government to refrain from the use of violence. In addition, the United States has been consistent in urging the Iraqi government to resolve the humanitarian and security issues expeditiously and before the closure of the Camp. This, in particular, was part of the Vice President's message to the Iraqi leadership in Baghdad during his latest visit.

At the same time, the Camp leadership must respect Iraqi sovereignty and refrain from acts of provocation, as we seek to resolve this matter. In addition, as we have conveyed and continue to convey to the leaders of Camp and to those who communicate with the MEK's Paris-based leadership the MEK must act responsibly and not put any Ashraf residents, or ask any Ashraf residents to place themselves, in harm's way.

A humane and secure relocation is possible, but it will take intense and serious efforts by *all* parties.

Since the transfer of Camp Ashraf to the Iraqi government, we have consistently engaged with the Camp's leadership to find a peaceful and durable solution for the residents. We have repeatedly seen, and regret, intransigence by Camp Ashraf leadership to agree to any relocation plan

other than *en masse* relocation outside Iraq as refugees. This would require a foreign government to take them, and thus far none has agreed to do so. To resettle them in the United States as a group would require an act of Congress; immigration prohibitions would likely prevent many Ashraf residents from being admitted to the United States, regardless of the MEK's designation as a Foreign Terrorist Organization.

While we recognize Iraq's sovereignty, we press them to exercise their authority responsibly. The Iraqi government has been working with the U.N. on a resolution of the situation at Camp Ashraf, and progress has been made. We welcome this. We hope that the MEK and Camp Ashraf leaders will engage constructively as well. A solution is possible if all sides display the necessary level of seriousness about proposals that allow for the safe and neutral determination of each resident's individual legal status, and his or her desire to leave Iraq, while respecting individual rights, and all in a context of security and humane treatment for the people now resident at Camp Ashraf.

The Department has and will continue to work closely with the UN, its Assistance Mission in Iraq (UNAMI), and the UNHCR to prepare the way for a humanitarian resolution. These UN organizations, especially UNAMI, are playing a leading role in the urgent and ongoing efforts to craft a solution. The European Union is supporting these efforts, as well. There is wide recognition on all sides that this is a serious situation requiring full attention and support at the highest levels.

Our goal is to find an expeditious and humane resolution to the closure of Camp Ashraf. We will continue to engage intensively at the highest-levels to avoid any actions that could result in violence, and encourage the residents to accept reasonable, humane, and secure proposals to relocate them from Ashraf.

Thank you for the opportunity to speak to you today about this urgent issue, and I welcome your questions.

Mr. ROHRABACHER. I understand that Deputy Secretary Leaf is here to help with questions but doesn't necessarily have an opening statement; is that correct?

Ms. LEAF. That is correct, sir.

Mr. ROHRABACHER. Thank you very much. Then I will proceed with some questions, and then we will go on to the others.

First of all, Mr. Ambassador, you just stated several times in your opening statement that each party has to do its part and that it will take an intense effort by all parties to get out of this situation. Let me ask you this: Do you believe that the United States is doing all we can? Are we involved in an intense effort when we can't even get ourselves to take the MEK off the terrorist list?

Ambassador FRIED. Should I answer?

Mr. ROHRABACHER. Yes. Tell me. On the face of it, that seems very contradictory. We can't even get ourselves to make a redesignation, and you are suggesting that all of us have to have an intense effort? How intense is it to have to make a policy for our own Government in order to diffuse the situation?

Ambassador FRIED. Certainly the efforts of my office and my colleagues at the Near East Bureau are intense. Secretary Clinton was explicit that she wants me to work flat-out on this issue, and that is what I and my colleagues, Ambassador Jeffrey in Baghdad are doing. That is a directive from the Secretary. We are all engaged. I can assure you that is happening.

It is not my place to comment about the process of the foreign terrorist organization designation. My office is not playing a lead role in that process. I know it is moving along, and I am very mindful of the arguments you made——

Mr. ROHRABACHER. How long has it been moving on? How long has it been moving on?

Ambassador FRIED. This process has been some months. But, again, it is not my office engaged in it.

Mr. ROHRABACHER. Well, let me just note——

Ambassador FRIED. Yes, sir.

Mr. ROHRABACHER [continuing]. That intense effort does not in any way accurately describe the State Department's activities in dealing with just a simple chore that they themselves have responsibility for of redesignating the MEK and taking them off the terrorist list, as our European allies have already done.

So I am sorry, but you are not representing your department in the State Department. You are here representing the State Department, and the State Department isn't operating intensely on this issue. Because on the face of it, they haven't—maybe it is an intense pace for a snail. Snails may think that they are really intensely trying to get across someplace, but they are going to get splashed because they are a very slow creature.

Let me ask you this: Do you know of any cases in history where revolutionary organizations have fought against tyrannical regimes and later became very respectable democratic forces in society?

Ambassador FRIED. In history? Certainly.

Mr. ROHRABACHER. Maybe you could mention a few.

I mean, I remember Jomo Kenyatta was a terrorist. Oh, boy, they frightened the whole world with terrorism about him. And

didn't he and his organization become a very positive democratic force in Kenya after the British colonialists left?

Mr. FILNER. Thomas Jefferson.

Ambassador FRIED. There is ample evidence in history of exactly the kind of transformation you are referring to. Certainly. No question about that.

Mr. ROHRABACHER. Right. So we know it has happened in history, and we know that our European allies have already redesignated the MEK as a nonterrorist organization. So what is it with the State Department? They don't know history? Or they just aren't as intense as our friends in Europe?

Ambassador FRIED. I know that the process is continuing. The Secretary's decision will be made on the basis of the facts and the law. I know that we are working hard for the interagency process to get this done. And more than that, because it is in process, I can't say. With your permission, I will carry back your views and what the views of this committee are.

Mr. ROHRABACHER. I would like you to carry back another message; and that is if, indeed, you are correct and what I am seeing is not an accurate picture—what I am seeing is roadblocks and not an intense commitment. But my observation—I hope I am wrong. Please carry back the word that I will apologize to you and to the State Department for thinking the worst of you, for just believing that the reason why the Secretary of State has not come through with the documents that she has promised to come through with about Camp Ashraf, that you know I have just been actually not giving her the benefit of the doubt and thinking that maybe there is something wrong here that she is trying to cover up.

But if you are able to succeed in a peaceful evacuation of Camp Ashraf, saving the lives of these people, I will then go back to always giving our friends at the State Department the benefit of the doubt. You can carry that message. I don't know what kind of incentive that is.

But let me just note, I recognize the work that you do. Both of you have worked all your lives and have worked really hard for our country. But I happen to believe the State Department is an organism that quite often does not know one end of the organism from the other, frankly; and, in this case, it seems to be a closed loop where we ask for information and we don't get it.

I mean, we asked—Secretary Clinton sat right where you are sitting and told us we would have the documents about Camp Ashraf. Now can you tell me, whereas you are representing the State Department, why we don't have those documents yet? Or was it a little difficult to get over to the file and take them out and send them over to Congress because you were too busy being intensified in something else?

Ambassador FRIED. If I understand the request that you have made, the letter which you have just received answers some of your questions, as you said. I believe that that letter contains an offer of a classified briefing to give you more information in addition to the classified briefing you received at our Embassy. So I believe that offer is on the record, and I repeat it now.

Mr. ROHRABACHER. Okay. Let me for the record note that over the years—in the 1990s, I was on this committee. I have been on

this committee for 20 years. And I remember asking then-Secretary of State Albright for the documents that would pertain to American policy toward the Taliban. And at that time, which we have learned since, the United States Government had cut a deal with Pakistan and Saudi Arabia that we were basically supporting the Taliban. And none of those documents were ever made available to this committee, even though the Secretary of State made a commitment to make those documents available. Is it the policy of the State Department to make commitments for providing documents to the Foreign Affairs Committee of the United States House of Representatives but to do so with an intent of not fulfilling that pledge?

I thought you would say that, thank you.

Okay. What I am going to do is let me colleague, Mr. Carnahan, proceed with his questions. We have about 15 minutes to go and then we will break for votes on the floor and come back for the second panel. Mr. Carnahan.

Mr. CARNAHAN. Thank you, Mr. Chairman. And thank you all for being here, I guess I want to get back to this redesignation issue, Ambassador, and describe for the committee that process, where exactly the process stands, let's start with that.

Ambassador FRIED. I appreciate and accept the chairman's comment that I am representing the whole Department, so I take that on board. With that said, I am not an expert in the process but I will do my best to answer your question straightforward as I can. The process involves interagency input that is nearly complete, then exhaustive and comprehensive package goes up to the Secretary for her consideration, I believe. I believe this will happen soon. I can't promise you a timeline and I don't believe in making promises I can't keep, but I can tell you that the—issue of redesignation is one that is much on the Secretary's mind, and she knows this is coming.

Mr. CARNAHAN. And is it anticipated that will be done before or after the December 31st deadline?

Ambassador FRIED. I can't say. I can't say and I can't give a promise——

Mr. CARNAHAN. I am not asking for that, I am just asking for your best knowledge and information.

Ambassador FRIED. Um——

Mr. CARNAHAN. You can't say, I understand.

Ambassador FRIED. There are—because this is not—this is based on the facts and the law and I can't—to make a promise that I couldn't keep is something I am loath to do or commit.

Mr. CARNAHAN. I am not asking you that. So let's move on, the other timeframe I want to ask you about, and maybe you can elaborate more on is this December 31st deadline with regard to the efforts that you describe are underway, and again, I would appreciate those efforts. I think they are urgent and I certainly want to be sure. I think everybody here wants to be assured that there is not another humanitarian crisis or massacre because of inaction or delay. So my question is with regard to that timeframe, do you foresee us being able to process those 3,000-plus people who have applied to get that process completed before that deadline?

Ambassador FRIED. As a practical matter, unfortunately no, that is not. Now, yesterday—but if you want, I can elaborate on the issue of the timeline and the problem it poses.

Mr. CARNAHAN. Please do, in an additional follow-up. So within that process, is part of the effort that you are undertaking now, discussions to extend that deadline to allow proper time for this to happen? And if you would talk about that as well.

Ambassador FRIED. Certainly. Yesterday, the U.N. Security Council had a session on Iraq, and a large portion of it was devoted to exactly this issue. Afterwards, the head of the U.N. mission in Iraq, Martin Cobler, who is leading these efforts with the Government of Iraq had flown in from Iraq for this session. Told the press that he believes the Government of Iraq should extend the deadline. He also said that the leaders at Camp Ashraf and the leaders of MEK in Paris should fully participate—I am not quoting, but I am paraphrasing—fully participate in his efforts, and he also reminded the world that the responsibility for a peaceful resolution lies with the country whose sovereign in Iraq, that is, the Iraqi Government.

We are working—the State Department is working very closely with Ambassador Cobler. It is true as I said simply practical and factual matter that all of the refugee processing cannot be completed by December 31st.

Mr. CARNAHAN. Can you give an estimate of what would be an amount of time when that processing could be done?

Ambassador FRIED. I will do that, but I should say first that we will be in a far, far stronger position urging the Iraqi Government to take Cobler's advice and extend the deadline, if, in fact, there is an active, if the MEK comes to the table, figuratively, I mean, and helps work out arrangements for secure relocation. Time is needed, but the question is time for what? And it has got to be—the answer to that ought to be time for arrangements to be made so that the people at Camp Ashraf can be moved in conditions that are safe rather than chaotic. And that cannot happen unless they agree to it, because if it is forcible, it ends very badly. I am sorry about the long answer but I wanted you to know.

Mr. CARNAHAN. I see my time is about up. If we are negotiating what that time needs to be to do that, what should that request be in terms of do we need 2 months? Six months? If they are talking about an extension, what kind of extension are we really needing to request?

Ambassador FRIED. My colleague may have something to say, but it would be—I suspect it would be a matter of months, but our ability to get that extension is far stronger if there is an active process underway.

Ms. LEAF. Sir, if I could add, since I have been working this account a bit longer than Ambassador Fried, to underline what he said earlier about the intensity of efforts and sort of across the board, we have several people at our Embassy in Baghdad who make regular visits out to the camp. And in addition to the Ambassador's interventions and discussions over the course of the last couple months, there has been great intensity of discussions with the U.N. agencies about how they might approach this so that we might best buttress their efforts.

I wouldn't be willing of course to speak in lieu of them in terms of what time frame they need, but we have been very encouraged in this most recent period with the discussions that Ambassador Cobler has had with the Government of Iraq and very operational, practical discussions. So we are, of course, letting him lead in terms of the mechanics of it, and we are coming full bore in behind in a political sense, both here in Washington in discussions at high level with Iraqi officials as well as out there on the ground.

As Ambassador Fried said, what will be useful now to take it to another stage is for the leadership of the camp to engage in that vein. We took a variety of attacks on this issue over the course of the spring and summer on the U.S. basis as opposed to following U.N. lead. And we were stymied in a sense in being able to move forward because the residents of the campus existed on sort of a block approach to resettlement. And we are simply not aware of any country that is willing to take on that responsibility. And indeed, UNHCR's approach is on this matter, I am paraphrasing here, is that they will not accord group status.

Finally there was a breakthrough on this some weeks back, and residents began forwarding individual applications, but time is of the essence here for the residents of the camp and leadership of the camp to engage forthrightly with Ambassador Cobler so we can make good headway on this. Thank you.

Mr. CARNAHAN. Thank you.

Mr. ROHRABACHER. Thank you very much. And Judge Poe will be our next questioner. But just one more question from the chair, how much aid are we providing Iraq this year and next year? Military and development aid?

Ms. LEAF. I don't have the figures right at hand, I will get those to you. The aid request in terms of economic support funds that we requested this year were, I think, in the range of $325 million. The FMS amounts are considerably higher. Iraq has put its own money toward that as well, but I would be happy to get you those.

Mr. ROHRABACHER. And the military?

Ms. LEAF. On the FMS, it is in the range, I want to say $4 billion, but I will get you the exact figure, sir.

Mr. ROHRABACHER. Over $1 billion?

Ms. LEAF. Yes, well over, sir.

Mr. ROHRABACHER. Well over $1 billion. Just know that there with a program just here in our committee about training the Iraqi police, which was going to be a $900 million program over a certain number of years. And I would suggest that if we are so intense in our efforts to get to see a solution to this, that maybe we should suggest that they are not going to get some of our money. Maybe they doubt our sincerity when we don't make a threat like this. And I would now yield to Judge Poe.

Mr. POE. Thank you, Mr. Chairman. As far as I know I have seen all the classified briefings that the State Department has shown us on the issue of the designation of the MEK. I have read everything that has come to our attention about the designation.

I am not convinced that the MEK ought to stay in the Foreign Terrorist Organization by the United States. Ambassador, you alluded to another classified briefing. Is there more information that this committee hasn't seen regarding why the MEK is still on the

designation? Is there recent information or is there just—what are you talking about that you will furnish another classified briefing on the issue?

Ambassador FRIED. My reference to a classified briefing was to the chairman's question about the events of last April and the questions he raised in his letter to Secretary Clinton. It was not—my offer was not with respect to the FTO issue.

Mr. POE. Okay. I wanted to be clear on that because there is no more information. As far as you know, the State Department has furnished all that information to us either here or in classified briefings; is that correct?

Ms. LEAF. Sir, I'd be happy to take that question back, but they are looking at it actively now.

Mr. POE. So there is more information?

Ms. LEAF. I'd be happy to take that back.

Mr. POE. What does that mean?

Ms. LEAF. I'd be happy to take your question back and respond to you in writing.

Mr. POE. So you won't tell me here in this hearing whether there is or is not more information that the committee hasn't received about the designation.

Ms. LEAF. What I can tell you is that they have been working on the package for some months as you are aware. I can't speak to every detail and what you have been briefed on previously, but I will be happy to take that back.

Mr. POE. Well, as far as I know of the information you have allowed us to see, you haven't convinced that the FTO designation should remain. That is the key to why we are having this problem. You—we want these residents to be safe, they want to be able to get refugee status, and they want go to foreign countries, and foreign countries won't take them because the United States still labels them as FTOs, Foreign Terrorist Organizations.

Now my question to you, Mr. Ambassador, as Malaki told us, the reason he acts the way he does toward Camp Ashraf is because we as the United States Government keep them on the FTO list. That is why he wouldn't let this committee go to Camp Ashraf, that why he wants to have them relocated because of our designation, that is what he says, that is what he tells us. So I would hope the State Department would reach a decision as our European friends have that they should be removed from the FTO list and the delay, the delay, the delay costs lives.

My question now is April 11th—April of 2011, 36 folks in the Camp Ashraf were killed. Are we investigating that? Are we holding anybody accountable for that? Is the United States?

Ambassador FRIED. We condemned a loss of life and the killings at Camp Ashraf. We have raised this repeatedly with the Iraqis, and it is out of concern for further violence that Secretary Clinton has asked me to take on this assignment.

With respect to——

Mr. POE. Are we holding anybody accountable? That is my question. Has anybody held—has the Malaki government, the soldiers that came in using American equipment, has anybody to this date been held accountable or are we just talking about it?

Ambassador FRIED. We have made very clear our deep unhappiness at those killings.

Mr. POE. I am sure—excuse me, I am sure that the people whose family members are present and if they were killed in Camp Ashraf are glad that we are deeply concerned. My question is, has anybody in the Iraqi Government or anybody anywhere been held accountable for the deaths of those people by our Government? That is all my question is.

Ambassador FRIED. Our Government? I am not aware of it.

Mr. POE. We haven't.

The concern is the deadline, December 31st as people on this committee have alluded to and has stated, that is the day of reckoning, people at Camp Ashraf are afraid for their lives. Does the United States, our Government, the State Department, support relocation of the residents to another camp in Iraq?

Ambassador FRIED. Yes, we do.

Mr. POE. How do we know it is going to be safe for the people of Camp Ashraf to be moved to another place?

Ambassador FRIED. That is exactly the subject of the detailed negotiations underway. Trust but verify is a good principle to have.

Mr. POE. Do you think they will, in the next 24 days, we will be able to assure some kind of agreement with the Malaki government that whatever happens to these folks, they will be safe?

Ambassador FRIED. I very much hope so, and it is our intention to work with Ambassador Cobler, who has got the lead. To support the conclusion of such an agreement, that cannot happen if the U.N. is working only with the Government of Iraq. The leaders at Ashraf and people at Camp Ashraf have to be part of this process, and we encourage them to step forward and work so that there can be a mutually-agreed arrangement rather than something that is unilateral. Unilateral doesn't work, it can end very badly, so we are pushing hard for exactly this, and it is our view that if either an agreement can be reached or enough progress can be made, that we could get the time we need to get that kind of agreement. We, in this case, is the U.N., they have the lead, but we are working actively.

Mr. POE. I see my time has expired. I will ask unanimous consent to submit other questions to the Ambassador and Ms. Leaf.

Mr. ROHRABACHER. And I would, at this point, suggest if there are other questions that members have will be submitted in writing, we would hope that you would answer them forthwith. We still have a few minutes left. It is the intention of the chair to have Mr. Rivera and the other members of the committee have their questions as much time as we have got. Non members of the committee who are sitting in are welcome to join us. As soon as the full members of the committee are done with their questions, will be given a chance if we have time. We will break, however, just before the next vote, meaning the votes will happen, we have 15 minutes to get down there, we will take 10 minutes to finish up this business, give our colleagues hopefully a chance to ask questions. And then our two witnesses from the State Department will be dismissed and we will have a second panel starting right after the last of the votes in this series.

I want to take this opportunity to thank both of you. I am very aggressive in my questioning, and I do not mean that to be in disrespect, because I do want to you know that down deep, I know you folks work really hard and I am very grateful and appreciative to the work you have done in your life to make things work overseas. This is an important issue and so we get a little passionate about it too. Mr. Rivera you may proceed.

Mr. RIVERA. Thank you, Mr. Chairman, and I apologize for having, we had our weekly meeting with the Speaker that we had to attend for just a few moments. If I am repeating a question that was asked previously, again, I apologize. But before I left I had said the main answer I want to get from this hearing is what is the Obama administration doing? What is this government doing to prevent the massacre on December 31st?

Ambassador FRIED. There was some discussion of this in the back and forth, but I will repeat it. It is the critical question, of course. We are focused now on the process of negotiations being led by the United Nations with the Government of Iraq for a mutually-agreed departure of the residents from Camp Ashraf and their safe, secure humane relocation inside Iraq in a way that will allow the UNHCR process them.

Mr. RIVERA. Have we made it clear to the Iraqi Government or to the officials at the United Nations that such a repatriation upon the December 31st deadline is unacceptable?

Ambassador FRIED. Repatriate?

Mr. RIVERA. Have we made it clear that the December 31st deadline of what the Iraqi Government has announced that that is unacceptable to this government?

Ambassador FRIED. It is the U.N.—I was saying earlier, but I will repeat it. Ambassador Cobler, heading the efforts for the U.N. yesterday after a Security Council session devoted to this issue, said that the deadline needs to be extended, but he also said that the leaders at Camp Ashraf and the MEK leaders in Paris need to participate in the process, they need to step up and help come to a mutually-agreed solution.

Mr. RIVERA. So the deadlines needs to be extended, that means the deadline must be extended. That is our position, the position of the Obama administration, that deadline must be extended; is that correct?

Ambassador FRIED. It is impossible to get everything done before the deadline. However, our ability to get an extension of the deadline, to convince the Iraqi Government to extend the deadline is going to depend on whether there is a serious process underway and that is why we call on the leaders at Camp Ashraf to get into this process so that we have the best chance of a peaceful outcome, which is what we all seek.

Ms. LEAF. Congressman, if I could just add something, we had been engaged in some months earlier in efforts to work out arrangements facilitated by the U.S. Government, the U.S. military while it still existed in some numbers there, to do a safe and secure relocation of the residents with assistance from UNHCR so that UNHCR could begin processing. There were a number of impediments to doing so, one of the which was the insistence of the residence that UNHCR do all of its refugee interviewing at Camp

Ashraf, and UNHCR took the stance it could not do so for a number of reasons, among which it viewed it as a coercive environment.

So we were engaged in very intensive discussions throughout the course of months, however, when the new head of UNAMI Martin Cobler arrived in Iraq in early fall, he really took this issue over and in a very activist way and began discussions with all parties. And this is an effort, as Ambassador Fried said, that we fully support. We have made very clear that to the Iraqis in discussions here and out there in Baghdad that the U.N. is the best and necessary partner on this effort and that it is incumbent on the government to work——

Mr. RIVERA. With respect to our Government, there is no doubt from our Government that the fate of the residents of Ashraf is dire, unless we intervene and make it clear that their fate is our concern. Do we have any doubt about that?

Ambassador FRIED. No. There is no doubt that this situation is serious, we are worried about the possibility of violence, and working flat out to ward it off.

Mr. RIVERA. Thank you. I will yield back, Mr. Chairman.

Mr. ROHRABACHER. We may even be serious enough to cut off certain funds if we are still giving them billions of dollars to people who won't commit to us if they are not going to murder unarmed people in a refugee camp.

Mr. Turner, do you have some questions?

Mr. TURNER. Thank you, Mr. Chairman. A question for Ambassador Fried, what, in your opinion, is the biggest obstacle to the State Department listing the—delisting MEK as a terrorist organization.

Ambassador FRIED. It is not a question of obstacles, it is a question of a review of the facts and the law in this case. And that decision will be made by the Secretary, the memo is in preparation, will be a long package of documents. It will be sent to her, she will have to make that decision, that is all I can say at this time, sir.

Mr. TURNER. When did the EU delist this organization, do you recall?

Ambassador FRIED. I would have to get——

Mr. TURNER. It has been quite awhile.

Ambassador FRIED. Over a year, I believe.

Mr. TURNER. Are there any different facts that——

Ambassador FRIED. We have our own data and we have own legal standards. We are, of course, aware of what the EU has done, and it is obviously timely to review that. The Clinton administration, the Bush administration decided this one way, and this administration is looking at the issue now.

Mr. TURNER. Thank you, I yield back.

Mr. ROHRABACHER. All right. And Mr. Filner.

Mr. FILNER. Thank you, Mr. Chairman. Just briefly if I may, I know we have to adjourn. The absurdity of the listing of the MEK as a terrorist organization is shown by your testimony. On the one hand, we are treating them as terrorists. Then you are saying they have to engage and sit at the table, and they have to take a role. You are treating them in a way that says oh, yeah, there are legitimate parties here. If they are legitimate parties, delist them. I don't know why you think you can have it both ways, you are call-

ing someone a terrorist and saying please be engaged in this process, you terrorists, we don't trust you at the table, because you may take out a gun and shoot us, but please sit down. That is absurd. The whole thing of—you talk about urgency, all your stuff is on process, you can't promise time lines. I mean, you are presently now, if I understand, your official position is envoy about the closing of Guantanamo? Is that your title?

Ambassador FRIED. Special envoy for closure of Guantanamo, yes, sir.

Mr. FILNER. Oh, good. I hope we don't move as slow as we did on that one in this case. Look you 25 days, we haven't closed it, right?

Ambassador FRIED. We can get into the reasons.

Mr. FILNER. We haven't closed it, have we?

Ambassador FRIED. No.

Mr. FILNER. Okay. So 2 years from now, I hope you say well, we were trying to deal with Ashraf, but they were complexities there. You have 25 days. I don't hear from you the assurance that many of these people would like to hear, because they have relatives there, and they have close friends there, that somehow the United States is going to take action that does not depend on all these other complexities. If you just recommended today, half dozen troops stay there at Camp Ashraf or recommend today that the Security Council take this action or recommend today that the U.N. take some specific action, you are not doing that. You keep talking about the complexities and the timelines and you can't comment on this and there's this and that. Give us some assurance that what you just said, you think the situation is dire. I don't see any evidence that you think the situation is dire. It takes months for us to get a letter from the Secretary on these issues. We tried to visit Camp Ashraf, they won't let us. How do we know the situation is dire?

Mr. ROHRABACHER. Give the Ambassador a chance to answer the question.

Mr. FILNER. I yield back.

Mr. ROHRABACHER. And hopefully we will give Ms. Jackson Lee a chance to ask a question. Mr. Ambassador, would you like to answer that?

Ambassador FRIED. It is hard to know where to begin, but we do regard the situation as serious, and the word "dire" is appropriate.

Mr. FILNER. Then do something today which shows that. What can you tell us today that the United States is going to do to protect those people?

Mr. ROHRABACHER. If you want him to answer your question.

Mr. FILNER. He goes on with bureaucratic baloney.

Mr. ROHRABACHER. We got a couple of minutes. Mr. Ambassador, you have 15 seconds, we are going to give Jackson Lee a minute and then we have run off and vote.

Ambassador FRIED. The best way to resolve this peacefully is to work with the U.N. to get a negotiated solution quickly so that the people there can leave the camp in safety and security, that is what we are aiming at, and we are indeed working intensely every single day.

Mr. ROHRABACHER. Okay, Ms. Jackson Lee, did you have a question?

Ms. JACKSON LEE. Mr. Chairman, I have to take a second to thank you and Mr. Carnahan. This is a miracle to believe that we have a full hearing on Camp Ashraf is absolutely a miracle and a tribute to the Iranian Americans that are sitting in this room. But let me say on April 8th, the Iraqi arm and police under the command of Mr. Malaki attacked Camp Ashraf with ammunition and weapons, I believe, from the United States. At least 34 people were killed and 8 women were killed. At the end of this month, Mr. Malaki determines to close this. Ambassador Fried, and to Ms. Leaf I thank you for your service, I have this question for you immediately. Just what is the United States intending to do? I want you to cut off funds from Malaki, I want Malaki, as he comes, I appreciate the sovereignty and I appreciate the dignity of his office, but I believe he should not have an oval office meeting with the President until he agrees before he walks into that oval office that he will not murder, kill and maim the people of Camp Ashraf. He does not deserve a seat with our President if he is not going to agree before that meeting.

What are you prepared to do to stop the bloodshed? Are our soldiers going to be there? Are you going to insist that if there is an extension? What are you intending to do, if I may have that answer?

Mr. ROHRABACHER. Ms. Jackson Lee asked a really important question. Will you take that message back and give us an answer, will this President meet with Prime Minister Maliki even if he hasn't made an agreement on this issue, come to an understanding?

Ms. JACKSON LEE. Can I just add, will you have soldiers there, are you going to absolutely stop them from closing it?

Ambassador FRIED. After many years and the expense of blood and treasure, our soldiers are leaving Iraq. We are working flat out to support arrangements for the safe and secure humane relocation of the residents of Camp Ashraf. We are doing so on an urgent basis, very mindful of the calendar and the ticking clock. That is where our efforts are focused.

Mr. ROHRABACHER. Could you go to address Ms. Jackson Lee's original question, is the President of the United States going to be meeting with Prime Minister Maliki, even if he has not reached an understanding on this issue and if you do not know the answer, will you take that to the State Department and let them know how concerned we are about it?

Ambassador FRIED. First, I will certainly take back the concern of this committee, absolutely, sir. And secondly, I will say that in my judgment, the best way to convey the gravity of the situation and the concerns of this committee is to have that meeting and go forward with it.

Mr. ROHRABACHER. With that said, this hearing will be adjourned in one moment when I just leave the thought, actions speak louder than words. You are talking to somebody, whose going to understand that that is weakness, rather than if you don't talk to him.

Ms. JACKSON LEE. It is a human rights issue, Mr. Chairman.

Mr. ROHRABACHER. Thank you, Ms. Jackson Lee, this part of the hearing is in recess until after the next vote. Thank you.

[Recess.]

Mr. ROHRABACHER. We will assume that our friends on the other side of the aisle think it is okay for us to proceed and talk to Ranking Member Carnahan. Prior to the break he said he was inundated with some things, so I am sure he will be here. So this hearing will come to order again.

For our second panel we have with us three fine witnesses, and I think the first panel certainly gave us a lot of things to think about, and I think we have a now shed light on a very serious issue. And just doing that hopefully will help us find a solution before another tragedy occurs.

Our first witness is Ambassador Lincoln Bloomfield who has a long, long history of being active professionally and helping the United States in its diplomatic efforts. Assistant Secretary of State, Deputy Assistant Secretary of State, Assistant Secretary State Political Military Affairs you name it, it is that long. We are very happy to have you. And today he is chairman of the Henry Stimpson Center here in Washington, DC.

We have Wes Martin who is a retired Army Colonel. In combat he served as a senior antiterrorism force protection officer for all coalition forces in Iraq during Operation Iraqi Freedom and has a long history in the area of National defense. We also have with us one of those prose from the academics from the think tanks here in Washington, Elizabeth Ferris from the Brookings Institution.

We welcome all of you and what we would—perhaps, move forward if you could summarize your testimony in 5 minutes, that would be great then we will go on for some dialogue and hopefully some other members will be joining us, but also, if members are not joining us you should be aware that they are available. We hope you are available for questions that we could send you in writing that you could answer back in writing. So Ambassador Bloomfield, you may proceed.

STATEMENT OF THE HONORABLE LINCOLN P. BLOOMFIELD, JR., CHAIRMAN, HENRY L. STIMSON CENTER

Ambassador BLOOMFIELD. Thank you, Mr. Chairman, good afternoon. I have prepared a statement and would ask it be entered for the record.

Mr. ROHRABACHER. So ordered.

Ambassador BLOOMFIELD. I would be pleased to discuss it in response to your questions. By way of introduction, I will make three brief points. I will start with the last point I discussed in my prepared statement. You will be aware that many retired military leaders have publicly called for the U.S. Government to ensure that the residents of Camp Ashraf are unharmed as U.N. agencies try to process them for onward disposition. The motives of these senior leaders have been publicly questioned.

Having worked as a civilian in the Pentagon, White House the State Department on defense and security issues for many years, I know most of these officers, and believe the criticism of them to be misguided. Their sole concern is the honor of the U.S. military, which extended a promise of protection to the residents of Camp

Ashraf 8 years ago. That promise has twice been violated by Iraq's military forces, and a third attack could occur by the end of this month.

U.S. laws governing arms transfers and security assistance, the Arms Expert Control Act and the Leahy Law enforcing human rights standards, would appear to have been violated and must be upheld. Above all, our military forces, who, along with their families, have paid such a high price for their service in Iraq must be permitted to exit Iraq with honor. That is the bottom line American interest at stake in the Camp Ashraf situation. And if some American journalists have been slow to grasp it, I have no doubt that Iran's leaders see a strategic opportunity here to harm our reputation and credibility as a superpower at a time when the future the Middle East is being contested.

Second, you will find in my prepared remarks reference to an independent assessment I wrote in August which will, I hope, be part of the electronic record of this hearing. For much of this year, I have been critically examining the factual record that commonly attaches to the Mujahedin-e Khalq, the entity listed since 1997 as a Foreign Terrorist Organization with which the residents of are Camp Ashraf are affiliated.

In the interest of time, I will leave it to the members to pursue any questions from my research, which relies on the most credible sources I could find and calls into question many of the most damaging allegations commonly made against the MEK. I offer the members my prepared testimony as an alternative narrative of recent history that has major implications for U.S. policy. And I respectfully recommend that the Congress formally seek a cleared intelligence community assessment of my findings to confirm or credibly rebut them item by item with hard facts, and to report back to Congress.

Why is this important? And this is my final point. I am persuaded that three decades of history involving the MEK which Americans have viewed exclusively through the specialized prism of terrorism is, in fact, a deadly war between two groups over political rights in Iran. Americans have had little interest in this story mainly because we are told that these people were the ones responsible for killing American officers and contractors in Tehran in the 1970s. If I still thought these were the people who killed Americans, I probably would not have looked much further myself. But my research indicates that the Americans were killed by a different group than the MEK of Massoud and Maryam Rajavi.

So I have pursued this story further, and what I see is a contest for Iran's future that Ayatollah Khomeini won in 1981 by jailing and executing tens of thousands of people who opposed dictatorship. The European court cases dismissing terrorism charges against the MEK did not say that the MEK had repented and ceased its terrorist behavior. They said that the MEK's violent actions over two decades from 1981 to 2001, all aimed at the regime in Tehran, had never been terrorism.

What do we miss when we look at the actions of only one party in a conflict? Obviously, the other side's actions. Whether or not the MEK and its political affiliate have any prospect of being a player in Iran's future, and you won't find a single Washington expert

who thinks they do, it is indisputable that for three decades, the regime in Tehran has treated them as a first-order threat to its own legitimacy and survival in power. I am very concerned that the American people are not informed about Iran's worldwide intelligence activities, deceptive information operations, and leveraging of hostages, trade opportunities, and nuclear talks in an effort to make Western governments accomplices in its war against these exiled regime opponents.

The residents of Camp Ashraf are in danger today, but so is American influence in the Middle East if we do not connect the dots, widen our aperture, and better understand Iran's actions and strategic political objectives on all fronts. I thank you, sir.

Mr. ROHRABACHER. Thank you very much, Mr. Ambassador.

[The prepared statement of Mr. Bloomfield follows:]

Testimony of Amb. Lincoln P. Bloomfield, Jr. before the House Committee on Foreign Affairs, Subcommittee on Oversight and Investigations and Subcommittee on the Middle East and South Asia "Camp Ashraf: Iraqi Obligations and State Department Accountability," December 7, 2011

My thanks to the Committee on Foreign Affairs for inviting me to testify today, and to the Chairman and Ranking Minority Member of each subcommittee for welcoming me to this hearing. It is an honor to be invited to testify to the Subcommittee on Oversight and Investigations and the Subcommittee on the Middle East and South Asia.

The focus of today's hearing is the fate of 3,400 unarmed persons at Camp Ashraf, Iraq who may face imminent danger from Iraqi and Iranian forces. UN officials are working hard to uphold protocols and guidelines in seeking to resolve the status and future of these Iranian exiles as they would help any at-risk population. But the United States' role is more complicated. For this is not a group of people without any connection to the US. Rather, it is a group of people belonging to an organization – the Mujahedin-e Khalq (MEK) – that our government lists as a Foreign Terrorist Organization and has long accused of heinous actions against America and patterns of behavior deemed despicable by civilized standards.

At the same time, it is a group of people who were targeted in 2003 by American forces in fulfillment of an assurance explicitly sought and received from US diplomats by the Iranian government at the negotiating table in Geneva prior to Operation Iraqi Freedom. I have been told that about 120 bombs were fired by the US on Camp Ashraf, killing 50 MEK personnel, even though, as the US Government later confirmed, the MEK were not belligerents in that conflict. US forces negotiated and signed a cease-fire agreement with MEK representatives at Camp Ashraf, removed all their weapons, facilitated individual investigative interviews with each resident by US law enforcement and intelligence personnel, collected signed contracts from each resident forswearing violence, and granted each resident a protected persons identity card. When the US handed control of Camp Ashraf over to Iraqi authorities in January 2009, the Commander of the US/Coalition Force, General Petraeus, sought and received assurances from the Iraqi government that the security of Camp Ashraf residents would continue to be be guaranteed.

Nearly three years later, the readiness of the US to honor the pledge it made to uphold the security of Camp Ashraf's residents is in serious doubt, as fatal attacks on Camp Ashraf's residents by Iraqi armed forces trained and equipped by the United States have already occurred, in July 2009 and April 2011. Leaders and ministers of Iraq and Iran have made a very public bilateral agreement under which Iraq has committed to close Camp Ashraf by the end of 2011. Some in the US have questioned the legal judgments in Washington that formed the basis for the US military's promise of security to Camp Ashraf residents in 2003; there have been suggestions that "protected persons" status is nothing more than a standard caution that military forces in combat should take care not to target civilians, including the entire population of Iraq. Still others have suggested that in any case, any such US obligation had its full effect only when the US was the occupying power in Iraq, and certainly did not carry over past the turnover of sovereign control to Iraq at the end of 2008.

I am here today to place these issues, and the related subject of Iran and the MEK, in a substantially different light than the narratives offered by the government and the American media. I do this with one purpose in mind: to help ensure that America's reputation and standing are enhanced, not diminished, by our handling of the drawdown of forces in Iraq and our posture toward Iran going forward.

I do not claim professional expertise on Iran, having never traveled to Iran and not having the ability to speak or read Farsi. However, Iran's actions have continuously touched my career, from the 1979 revolution itself to the 1983 Marine bombing, hostage-taking and similar terrorist actions in Lebanon in the 1980s, to the arms-for-hostages scandal, to the Argentina terror bombings, the mining of the Persian Gulf by Iran and reflagging of Kuwaiti tankers by the US, the accidental US shoot-down of the Iran Air flight, the role of Iranian irregular forces in helping Saddam Hussein smuggle oil out of Iraq in violation of UN resolutions, the rise of Hizballah and the facilitating role of Syria, the growing missile and rocket threat to Israel from Lebanon and Gaza, Iran's support to elements feeding instability in Iraq, Bahrain and Yemen, and of course its provocative quest for a nuclear weapons capability in violation of its international obligations under the Nuclear Non-Proliferation Treaty.

Like many Middle East experts, I have always had some awareness of the MEK – an entity that has been around for nearly 50 years and been on the US list of Foreign Terrorist Organizations for the past 14 years. But I only began to develop real knowledge about the MEK this year, when Akin Gump Strauss Hauer & Feld LLP, a law firm where I serve as a part-time consultant, began representing an American citizens' group seeking to have the MEK removed from the terrorism list. I am not a lobbyist and have not advocated a policy position relative to the MEK.

Instead, beginning this past spring, I have examined what the government, the press and outside commentators were saying about this group, and investigated the factual basis for those claims. For many years, very negative things have been said over and over again about the MEK – that it killed Americans in Iran in the 1970s and participated in the prolonged seizure of the American Embassy; that it was a combatant against American forces in Iraq, and helped Saddam Hussein's forces with their bloody suppression of the 1991 Kurdish and Shi'a uprisings; that it is a serial abuser of its own members' human rights – a secretive cult; and that it is committed to violent, anti-American, anti-democratic beliefs, no matter what it says. The two main themes are that the MEK has always been, and remains, a terrorist group by nature; and that it is universally rejected and even despised by the Iranian people, and thus should have no place in the conversation about Iran's political future.

My independent assessment of these allegations, dated August 16, which I have provided to the Committee, cited the most credible official and unofficial information sources I could find on these subjects; and in virtually every case, the allegations do not align with the facts. Moreover, my report cited repeated instances in which Iran's Ministry of Intelligence and Security was found to be secretly placing many of these allegations into trusted information outlets in Europe, Canada, the US and Iraq – to say nothing of the state-controlled media portrayal of the MEK within Iran since 1980. Additionally my assessment showed that since the mid-1980s the government of Iran has been explicitly negotiating

with the US and other Western governments to have the MEK labeled as a terrorist group and restricted accordingly.

My August report did not claim perfect knowledge about the MEK and its activities. I took care to note that there might be classified information clearly implicating the MEK in recent or planned terrorist activities. But the report was a challenge to anyone giving voice to these allegations about the MEK to back up their claims. If credible proof exists and my inquiry missed it, I fully expected the MEK's critics to point out gaps in my research and offer unimpeachable sources to the contrary, in which case I would stand corrected. That offer still holds.

Last month I spent five days in France, witnessing a public event regarding the circumstances of the 3,400 MEK individuals at Camp Ashraf. I was invited by the French National Assembly to discuss my report at a hearing of the Foreign Affairs Committee. I met many Iranian exiles and heard their individual stories, and also French officials including the former head of the DST, the French counter-intelligence service. I conducted an extended conversation with Mrs. Maryam Rajavi. I visited the broadcast studios of Iran National Television, which is sympathetic to the National Council of Resistance of Iran. And I brought back notes, books, articles and videos that together with my earlier assessment point to a materially different picture of reality than what one receives here in Washington from trusted sources such as the current State Department terrorism Country Report on the MEK, the recent New York Times front-page feature article on the MEK, and the common portrayal of the MEK by 'Iran experts' in the Washington policy community.

So one conclusion I offer to the Congress today is that there is a major untold story here. My experience with Iranian exiles sympathetic to the MEK, after asking literally hundreds of questions in recent months, is that no question has been too sensitive or off-limits, people welcome the scrutiny, and the MEK has a substantial database of information to support its answers. Am I saying that all of the MEK's claims are true? No, that is not for me to judge. If information offered by the MEK is fabricated or fraudulent, that should not be too hard to prove; and one of my purposes here is to put some of that information to the test of official and public examination. The same goes for revelations on this subject by French journalists and ex-officials. One could only speculate as to why our network television correspondents, mainstream journalists, and leading strategic analysts of Iranian affairs have not critically examined this issue. But they have not.

Why does this matter? Some say that it makes no difference whether or not the MEK are terrorists, killers of American citizens, and human rights abusers: no matter who they are or what they may have done, the people at Camp Ashraf are still a population at risk, just like any population at risk, and the proper agencies of the UN are working to resolve their situation, with cooperation from the US Government. Further, US officials have said that the inability of the US to offer refuge and asylum to any of these people due to the MEK's status as a listed Foreign Terrorist Organization and related restrictions, has no bearing on the willingness of other governments to take in greater or lesser numbers of Camp Ashraf residents. When one considers the larger backdrop of US-Iran relations and the deepening concern about Iran's nuclear program, with political turmoil rampant in neighboring Arab countries, it is understandable that US policymakers want to avoid further friction points and

provocations with Tehran, and focus our diplomatic efforts on the sanctions aimed at curbing Iran's nuclear program.

The problem with this cautious perspective is that it obscures the full scope of Iran's thirty-year campaign to eliminate the MEK, and the significance of a failure by the United States in particular to protect Camp Ashraf's residents from harm at the hands of either Iraqi forces or the Iranian regime.

Consider, even theoretically, an alternative reality to what Americans have been told for many years. What if an objective, unfiltered examination of the conflict between Iran's successive rulers and those who opposed repressive monarchy and religious dictatorship yielded a significantly different explanation of recent Iranian history? To wit:

- What if the organization today known as the MEK (and its political umbrella group the National Council of Resistance), including Massoud and Maryam Rajavi, had no involvement in the killing of Americans in the 1970s? (see below)

- What if the MEK record of violence against the Tehran regime from 1981-2001 that the US in 1997 termed "terrorism" was but one side of a two-way war that began in earnest in June 1981, with a half-million supporters of democracy rallying in Tehran alone, when Ayatollah Khomeini sent his forces out to conduct mass arrests and executions of all suspected MEK sympathizers? (As my assessment noted, the French Investigative Magistrate's decision in April 2011 dismissing all charges against the National Council of Resistance of Iran said, *"The dossier does not contain any evidence indicating an armed activity that would intentionally target civilians. If such evidence were available it would confirm terrorism and would annul any reference to resistance against tyranny...."*)

- What if the regime in Tehran has always feared the MEK/NCRI more than any other opposition party or movement because the MEK undermines the regime's ability to leverage Islam to retain power? (The MEK's rights-based program incorporating religious tolerance, separation of church and state, and – most significantly – gender equality, poses a direct challenge to the core principle, hence the legitimacy, of Iran's fundamentalist dictatorship – the doctrine called *velayat e faqih* – which reposes unchallengeable authority over executive, legislative, judicial, social and religious affairs in the person of the Supreme Leader.)

- What if the devotion of MEK members at Camp Ashraf and elsewhere that many view as evidence of a brainwashed cult, is instead the sacrifice and commitment of mostly educated exiles whose family members were executed for their political beliefs by the Iranian regime, and whose families in many cases are today separated inside and outside Iran for as long as the current regime is in power? (Estimates of MEK members and suspected sympathizers killed by the regime in 1981 and the ensuing decade number in the many tens of thousands, possibly as many as 120,000; Mrs. Maryam Rajavi, initially a student movement leader who ran for Parliament in Tehran in 1980 and received a quarter-million votes, lost two sisters: one was

executed by the Shah's secret police, and a second sister who was pregnant at the time was tortured to death in jail by the Khomeini regime.)

- What if no western government has ever labeled or imposed restrictions on the MEK as a terrorist group as a counter-terrorism policy response to MEK terror acts, but rather without exception these labels and restrictions have been imposed as diplomatic concessions in response to continuous demands from the government in Tehran? (Details below)

- What if the MEK in Iraq never fired on US forces? (The April 15, 2003 Cease-Fire Agreement co-signed by the local US/Coalition unit commander – the final text of which was negotiated between the US and MEK – includes the statement *'The NLA/PMOI [MEK] state that they have not fired even a single bullet against US/Coalition forces in the war because their only enemy is the religious dictatorship in Iran. NLA/PMOI also state that they have never been involved in the war or any act of hostility with U.S./Coalition forces."* On July 26, 2004, the State Department spokesman said of the MEK: *"[W]e have determined that they were not belligerents in this conflict…."*)

- What if the commonly repeated allegation that the MEK in Iraq was an integral part of Saddam Hussein's forces that brutally suppressed the northern Kurdish and southern Shi'a uprisings in Iraq is false? (Eight years after the US intervention cleaned out the entire database of Saddam Hussein's regime, not one item of confirming evidence from DoD or the Intelligence Community has yet surfaced in public, and the State Department does not stand on this allegation, citing only press reporting.)

What if, in other words, the leading state sponsor of terrorism, Iran, has successfully persuaded Western governments including the US that it is in their interest to perpetuate institutionalized disdain, and accept only perfunctory responsibility, for the safety and security of the MEK personnel at Camp Ashraf, largely on the basis that these people have brought their predicament upon themselves and are undeserving of more consideration? This is not to minimize the difficulty of arranging for the protection, orderly processing and onward placement in third countries of these exiled Iranian regime opponents. But one wonders, if a population of dissident Syrian civilians fleeing the Assad regime in Damascus were holed up at Camp Ashraf, unarmed, having been promised by the US that we would assure their security, with the strong possibility of being attack by Iraqi forces by year's end – would our national effort be the same?

To be clear, I support my government and want elected leaders on both sides of the political aisle to represent America's interests with strategic vision and resolve. The sensitive questions I am raising are intended not to demean or embarrass, but to give the Administration and Congress some "top cover" to expand and reassess the body of information and analysis that form the basis for US policy.

While I lack the resources to verify or rebut important aspects of this tragic, violent chapter in recent Iranian history, I offer the following as a potentially more accurate rendering of what has led our government and others to the current dangerous impasse at Camp Ashraf. If true, these conclusions

have larger implications for US policy. Perhaps others have proof to the contrary; but finding no such proof in the open sources available to me, I urge the Congress to request the intelligence community to confirm or credibly disprove the following points:

- From its inception in the mid-1960s the MEK was a political movement of students seeking an Iran freed from external coercion and dependencies. The MEK today and its umbrella organization the National Council of Resistance of Iran (NCRI) are the followers of Massoud Rajavi (the one original top organizer of the MEK not killed by the Shah's regime) and his wife Maryam Rajavi. The MEK's base of support from the start was university students sharing strong nationalist and post-colonial liberationist aspirations that had been frustrated when Prime Minister Mossadeq was deposed in a CIA-led coup in August 1953 that restored the Shah to power. While the antagonism between the MEK student movement and the Shah's regime turned repressive and violent, the fight was over political rights and an end to authoritarian rule.

- Massoud Rajavi and the original MEK were not behind the killing of Americans in Tehran in the 1970s. While Massoud Rajavi and surviving followers were imprisoned in the 1970s under the Shah, a splinter organization with ties to Marxist groups in Cuba and Oman as well as George Habash's PFLP-GC appropriated and modified the MEK name and symbols, clashing with original MEK members, and killed Americans in Tehran. They were caught, confessed and were executed. (The 2005 State Department Country Report on the MEK correctly attributed the killings, as did reporting by the Washington Post at the time of the killings.)

- Ayatollah Khomeini met once with Massoud Rajavi to explore political collaboration but the latter would not accept Khomeini's terms for the Iranian Revolution. Not until Khomeini took power after his return to Iran in 1979 did he make clear that there would be no democracy or individual rights in Iran. Massoud Rajavi, once freed from prison, attracted thousands to his rallies in Tehran preaching democratic philosophy. Ayatollah Khomeini at first disqualified Rajavi from seeking elected office, then issued a secret *fatwa* ordering his execution. Pro-fundamentalist armed groups (the predecessor to the *bassij* militias that enforce social and religious restrictions) attacked MEK publication houses throughout Iran and harassed large MEK rallies. When in June 1981 it became clear that Massoud Rajavi's message of individual rights was popular and posed a threat to consolidating the revolution, Khomeini's regime engaged in mass arrests and executions, driving the MEK into hiding initially in Iranian Kurdistan, then France, later Iraq.

- The Shah's brutal security service, SAVAK, was not disbanded but rather co-opted by Ayatollah Khomeini's regime after the 1979 revolution. Veteran intelligence professionals with worldwide liaison relationships were given a choice to keep their properties and wealth in Iran under the new leadership in return for working as the foundation of the mullahs' Ministry of Intelligence and Security, known as VEVAK. Yves Bonnet, former head of the French counter-intelligence service (DST), has written a book, VEVAK – Au Service des Ayatollahs (2009) detailing this history. (Note – I have met with Mr. Bonnet, and only read portions of his book given the

limitations of my French language capacity.) This raises legitimate counter-intelligence questions of possible regime influence over outspoken Iranian experts resident in the west whose backgrounds might not otherwise suggest any affinity for the fundamentalist regime – particularly those who travel regularly to Iran without difficulty.

- In 1986, Massoud Rajavi and MEK personnel were expelled from France to Iraq not because of terrorist activity, but rather as a quid-pro-quo with the regime in Tehran in which France hoped to free 6 hostages in Lebanon. In the end, only two of the six French hostages were freed. This occurred not long after the US-Israel-Iran arms-for-hostages affair during which correspondence cited in the Tower Commission report included American compliance with Iran's request that Washington denounce the MEK as terrorists, which the State Department did in 1985. France made a second effort to recover hostages in Lebanon in 1987, exiling a number of MEK personnel to Gabon; this effort came undone as MEK supporters staged public hunger strikes, and France enlisted Saddam Hussein's intervention with Massoud Rajavi to quiet the controversy as the exiles were returned to France.

- The 2003 police round-up and arrest of 160 MEK (National Council of Resistance) individuals in France was not a French law enforcement response to terror activity, but rather was a diplomatic concession by France to Iran linked to the *Total* oil concession, the nuclear issue, and a planned visit to Iran by President Chirac. Jean-Claude Maurice, former senior reporter and editor of the Journal du Dimanche, accompanied French Foreign Minister Dominique de Villepin on a visit to Iran in 2003. As chronicled in his 2009 memoir, Si vous le repetez, je dementirai...Chirac, Sarkozy, Villepin ("If you repeat it, I will deny it"), after the press was dismissed at the outset of Minister Villepin's meeting with Iran's Foreign Minister Kamal Kharrazi, Mr. Maurice went back into the meeting room to retrieve his briefcase but was locked in as the doors were closed. His account of the conversation includes Foreign Minister Kharrazi explicitly requesting that France take action against the MEK, and asking that Iran's Ambassador to France coordinate with then-Interior Minister Sarkozy. Shortly thereafter, as Mr. Maurice recounts the story, French authorities staged a spectacular raid on the National Council of Resistance (MEK), arresting Mrs. Maryam Rajavi and many others in their homes. (The most recent US State Department report on the MEK says of this event: *"In 2003, French authorities arrested 160 MEK members at operational bases they believed the MEK was using to coordinate financing and planning for terrorist attacks."* The final verdict on France's 8-year counter-terrorism investigation of the MEK, quoted above, dismissing all charges, is not mentioned.)

- The EU-3 (British, French and German) diplomatic effort in 2003-2004 to negotiate a resolution of Iran's nuclear activities accommodated Iranian demands that these governments take action against the MEK. Details are discussed in Mr. Maurice's book (previous item); the IAEA Information Circular of November 26, 2004 (INFCIRC/637), entitled "Communication dated 26 November 2004 received from the Permanent Representatives of France, Germany, the Islamic Republic of Iran and the United Kingdom concerning the agreement signed in Paris on 15 November 2004" and signed by Ambassadors of the four governments, contains this sentence:

"Irrespective of progress on the nuclear issue, the E3/EU and Iran confirm their determination to combat terrorism, including the activities of Al Qa'ida and other terrorist groups such as the MeK."

- Iran's Ministry of Intelligence and Security has for years conducted an extensive and continuous campaign in foreign countries through agents and financial inducements, to introduce defamatory portrayals of the MEK's beliefs, organizational culture and alleged activities with the goal that journalists and non-governmental entities outside Iran will condemn the MEK as a serial abuser of human rights and a cult. My August 16 assessment contains several references, including from allied security and intelligence services, court documents, UN reports and mainstream press reporting, in support of this conclusion.

If each of the above points is substantially correct, Americans should at a minimum recognize that the Ashraf issue is not isolated from larger equities. Whatever else one thinks of them, these people are survivors of a long, violent and tragic conflict between one group that successfully consolidated power in Iran and another group that suffered grievous losses and fought back against a religious dictatorship that continued to execute sympathizers at home while pursuing their supporters worldwide. Since 2001, sources seem to agree, the MEK has not engaged in violent tactics. As noted, the residents of Camp Ashraf voluntarily disarmed and accepted the protection of US forces in 2003.

Eight years later, US forces are exiting Iraq as the final act in an eight-year military intervention. Our President will receive the elected Prime Minister of Iraq in Washington in the coming week. US policymakers are working hard to manage an array of sensitive issues with Iran, foremost the effort to curb the latter's nuclear weapons program.

It is, on the surface, a respectable and correct scenario. I repeat my abiding regard for all who serve the American people in the executive and legislative branches of our government, and respectfully cite the following concerns in the hope that leaders in the Administration and Congress will support – indeed demand with urgency – a deeper look at Iran's campaign for regional influence, its strategies for regime maintenance, and the significance of Iran's intelligence, informational and diplomatic activities to US and allied interests.

- As stated in my August assessment, the lethal Iraqi military attacks on unarmed residents of Camp Ashraf in July 2009 and April 2011 require the Administration to report to Congress under Section 3 of the Arms Export Control Act as to whether US weapons were utilized for purposes other than those authorized by the terms of transfer to the Iraq Armed Forces. Upholding US law governing arms transfers is essential to America's reputation as a superpower.

- Further, the so-called Leahy Law requires that the State Department and the US Embassy in Baghdad investigate these attacks and judge whether any Iraqi military personnel have engaged in gross violations of human rights, and if so those personnel must be prohibited from ever receiving training and education from the US military. Here again our reputation is implicated.

- Beyond the legal requirements triggered by the two previous Ashraf attacks, I wish to associate myself with the many retired senior military leaders who have forcefully urged that the residents of Camp Ashraf be protected. The motives of these senior leaders in taking this stance, including three former Chairmen of the Joint Chiefs of Staff, have been publicly questioned. I respect these officers and believe their sole motive is to preserve the honor of the United States, by living up to the commitments made by US military forces in a theater of combat. Any harm that would befall a single resident of Camp Ashraf at the hands of Iraqi or Iranian government forces, either within Camp Ashraf or elsewhere in Iraq, would constitute a promise not kept by America as our forces depart the country. Having paid such a heavy price for their service in Iraq, our military must be allowed to exit Iraq with honor.

Some Americans may not grasp the weight of these propositions, the spectacle of the US soft-pedaling its legal requirements on arms transfers, trying to extricate itself from a sense of duty to an unloved group of at-risk civilians, hoping that these and related inconveniences do not mar the tableau of the President's welcoming of the Iraqi Prime Minister next week to signal a new era. But I have no doubt that the leaders of Iran fully understand the symbolism of America's exit from Iraq and will miss no opportunity to degrade America's reputation and diminish our influence in Iraq and the region. Operation Iraqi Freedom may be over, but the future of the Middle East is being shaped right now. Iran is advancing its political and security agenda in many ways, in many places – are we connecting the dots?

I have obtained photographs, maps and videos of 300 loudspeakers arrayed around Camp Ashraf broadcasting death threats in Farsi 24 hours a day (except when international representatives visit), and yet I see no mention of this in the public domain. Can we not confirm the MEK's claims that 200 of the Camp's residents are wounded and yet medical supplies are not allowed in by Iraqi forces? That computer equipment for internet service has similarly been blocked from entry? That infrared jamming devices manufactured in Tehran are posted outside the Camp to block transmission of signals to the residents? The MEK alone is accused of human rights abuses against its own members there, including blocking access to information as a form of mind control.

Beyond the circumstances at Camp Ashraf, I am further mystified that so much information relating to this issue is so readily accessible in Europe, from credentialed French sources as well as Iranian exiles, and is common knowledge in French political circles, yet so little of this has surfaced in the US. Perhaps our correspondents and analysts are concerned that their ability to travel to Iran will end if they report this information and give a voice to the families of the Ayatollahs' many victims.

As with all the questions raised in this statement, I do not wish to see Americans divided against themselves or set against their government on this issue. Without doubt, Americans in and out of government want to know as much as possible about Iran's activities, particularly those aimed at influencing our policies to its advantage through indirect means. I thank the Committee and Subcommittees for the opportunity to participate in our national conversation about US policy and American interests, and I look forward to the Members' comments and questions.

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Mujahedin-e Khalq (MEK/PMOI) and the Search for Ground Truth About its Activities and Nature

An Independent Assessment by Ambassador Lincoln Bloomfield Jr.

August 16, 2011

Ambassador Bloomfield is a former U.S. official who is a part-time consultant to Akin Gump. This study was prepared at the request of the firm, which represents a group of American citizens interested in removing the MEK/PMOI from the U.S. list of Foreign Terrorist Organizations.

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In addition to his work for Akin Gump, Mr. Bloomfield is President of Palmer Coates LLC, Operating Advisor at Pegasus Capital Advisors L.P., Senior Advisor at ZeroBase Energy LLC, and Chairman of the Board of Bell Pottinger Communications USA LLC.

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August 16, 2011

Subject: MEK/PMOI and the Search for Ground Truth about its Activities and Nature
From: Ambassador Lincoln Bloomfield Jr., Senior Advisor/Consultant

(NOTE: As Akin Gump is representing an American citizens association interested in influencing US policy relative to MEK/PMOI, permit me to clarify here that my role as a part-time consultant advisor to the firm is not to participate in lobbying activities but rather to provide the firm what I judge to be the most reliable information and insight on foreign policy issues important to the credibility of its work. My compensation from the firm has for years been fixed annually and in 2011 accounts for approximately 20 percent of my professional time. I was invited by the firm to examine this issue, and as a foreign policy and national security generalist who claims no special expertise on Iran, I welcomed the opportunity to research an important and sensitive foreign policy issue in depth, an effort that continues. The views in this memorandum are mine alone.)

The Challenge: Separating Fact from Falsehood in a Long-Running, Deadly and Deceptive Fight

The entity known variously as the Mujahedin-e Khalq (MEK), People's Mojahedin Organization of Iran (PMOI), and by some detractors as Mujahedin al-Khalq Organization (MKO), as part of the umbrella coalition known as the National Council of Resistance (NCR), has its roots in the Iranian nationalist movement led by Prime Minister Mossadeq, who was deposed by US and British intelligence in 1953 two years after he nationalized Iran's oil. The MEK was formed in the mid-1960s by Muslim university intellectuals inspired by the anti- and post-colonial movements arising throughout the developing world. Energized by the intense, polarizing ideological debates of the 20th century, the MEK opposed the Shah's repressive regime, at times violently, and most of the original MEK leaders had been executed or imprisoned by 1972. After welcoming the overthrow of the Shah in 1979 and being released from prison, the surviving MEK leadership turned sharply critical of Ayatollah Khomeini's doctrine of theocratic dictatorship. The new regime violently targeted large public gatherings of the MEK, which in turn conducted acts of deadly violence against the leading mullahs. The MEK formally launched a political arm before being driven into exile in 1981, initially in France, and later in Iraq.

From the 1960s until the late 1980s at least, violent actions can be attributed to the MEK against, first, the Shah's regime and then the theocratic regime, including attacks from MEK bases in Iraq against Iranian regime forces after Iran had regained its territory seized by Iraq's 1980 invasion, as Khomeini continued prosecuting the conflict. Throughout, Iran targeted MEK leaders and followers for arrest, execution or assassination. The revolutionary Islamic regime used force on a far greater scale against domestic political opponents than had the Shah. As estimates of MEK (or presumed pro-MEK) personnel executed by the theocratic regime beginning in 1980 run in the tens of thousands – by some accounts in excess of 100,000 killed – there is today a not inconsiderable population of surviving relatives and sympathizers dedicated to deposing the ruling mullahs in Iran and establishing a rights-based secular democracy in its place.

No less noteworthy than the enduring enmity of this conflict between a brutal regime and its committed enemies in exile has been the role of a sustained and sophisticated "information" war, if one may use that term. This refers to elaborate efforts by the Tehran regime, without attribution, to inject specific allegations relating to the MEK into the international community's trusted information sphere.

The essence of Iran's "information operations" activity has been to derogate from the MEK's image and influence with western governments by seeking to tie the MEK to actions highly prejudicial to the MEK's image with target audiences in Iran, Europe and the United States. This is not to say that all these potentially damaging claims about the MEK are false, only to report that the Iranian government's hand has repeatedly been exposed placing such information without attribution into the public realm abroad.

For its part, the MEK/PMOI and its supporters have been no less vigorous in contesting the Tehran regime's version of reality and similar criticisms emanating from respected voices in the West. MEK supporters have issued book-length rebuttals and fastidiously documented histories in an effort to persuade western audiences that the truth about the MEK's beliefs, nature and past actions is at odds with the 'damning' portrayal that is often accepted and repeated as fact.

One focus of this review, accordingly, is to note that some of the derogatory and prejudicial perceptions that commonly surface in discussions of the MEK – by experts in the media, think tanks, academia, and government – match themes and portrayals discovered to have been actively promoted by Iran's Ministry of Intelligence and Security (MOIS), as will be detailed. To be clear, this intersection of content proves neither that the information secretly promoted by Iranian intelligence is false, nor that western individuals and entities citing comparable 'facts' lack independent and credible sources for their assertions. But the burden of proof on all sides becomes much heavier in this arena rife with propaganda and deception, claim and counter-claim. For anyone purporting to offer a "true" portrayal of MEK actions from the 1960s until today, the bar is high.

There is, furthermore, a longstanding pattern of Western governments being privately pressured by Tehran to constrain and sanction the MEK as a terrorist group. This connects counter-terrorism policy to wider foreign policy considerations, leaving unclear whether governments including the US would have designated the MEK/PMOI as a foreign terrorist organization (FTO) solely on the basis of confirmed 'terrorist' activity, unconnected to other bilateral equities with Iran. The MEK/PMOI has challenged in court and overturned terrorist designations and charges by the EU, UK and France respectively, as the judicial process has exposed flaws and deficiencies in the information relied upon by these government entities for their designations. The existing US designations of MEK and NCR as Foreign Terrorist Organizations - which by law can also be overturned judicially - are similarly being challenged, and the court has obliged the Secretary of State to clarify the factual basis for its policy.

Ten Issues Reviewed

With such externalities at play, there is merit in revisiting core issues relating to the MEK/PMOI with an eye to seeking the most reliable information as the basis for assessments and conclusions. In the attachments to this memorandum, ten allegations are examined, preceded by my introduction and followed by my concluding commentary (refer to corresponding tabs):

Introduction

Allegations (1-10):

1. MEK Killed American officials, contractors and an executive in Iran during the 1970s
2. MEK participated in the US Embassy siege and conducted terrorist attacks against Iran for nearly 20 years dating from early 1980s

(Allegations: – cont'd)

3. MEK sided with Saddam Hussein and fought against Iran from 1980, hence is hated by the Iranian people (with no chance of governing if the mullahs were to fall from power)
4. MEK opposed the US military in the 1991 Gulf War and the 2003 intervention, using its own military weaponry to fire on US forces
5. MEK participated in Saddam's crushing of southern Shi'ites after Gulf War
6. MEK participated in Saddam's crushing of northern Kurds after Gulf War and hid Iraqi-supplied chemical and biological WMD which were used against Kurdish villagers in Halabja
7. MEK brainwashed, imprisoned and tortured members who wanted to leave Camp Ashraf starting in the 1990s
8. MEK operates as a cult, separating married couples after 1991 and sending their children away, prohibiting single women from marrying, and self-immolating
9. MEK is deeply committed to a hardened leftist, anti-democratic and anti-American set of beliefs, and its claims to support democratic principles are simply lip service for western ears
10. MEK continues to have the capability and intent to conduct terrorist activities

Concluding Commentary

Attachments: a/s

Introduction

INTRODUCTION

FTO Designation, Foreign Policy Considerations, Intensity of Conflict, Role of Deception and Propaganda

Basics of FTO Designation[1] – The Secretary of State exercises authority under Section 219 of the Immigration and Nationality Act, as amended, to designate a Foreign Terrorist Organization (FTO) in support of the USG's "*fight against terrorism*." Two purposes are cited: "*curtailing support for terrorist activities*," and "*pressuring groups to get out of the terrorism business*." Until 2004, FTO designations lapsed after 2 years absent a redesignation. The Intelligence Reform and Terrorism Protection Act of 2004 "*provides that an FTO may file a petition for revocation 2 years after its designation date (or... redesignation date) or 2 years after the determination date on its most recent petition for revocation. In order to provide a basis for revocation, the petitioning FTO must provide evidence that the circumstances forming the basis for the designation are sufficiently different as to warrant revocation.*" The Secretary of State must review any FTO designation that has not been reviewed in the previous 5-year period. "*A designation may be revoked by an Act of Congress, or set aside by a Court order.*" There are three legal criteria for designation (repeated in full, footnote below), according to which an FTO must be a "*foreign organization*," must "*engage in terrorist activity...or terrorism...or retain the capability and intent*" to do so, and its terrorist activity "*must threaten the security of U.S. nationals or the national security (national defense, foreign relations, or the economic interests) of the United States.*"

Role of Foreign Policy Considerations – While the principal focus of this inquiry is the (open source) factual record of alleged MEK/PMOI terrorist actions and activities that underlie its current designation as an FTO, one cannot say that the US Government made this designation, and has since sustained it, purely on the basis of the factual record on MEK terrorist actions, activities, capabilities and intent, with no consideration of US-Iran relations. The record indicates otherwise. Iran has actively sought MEK terrorist designation by the US and other governments, linking this demand to other issues of importance to Washington; and these USG designation decisions have been taken with evident linkage in mind to hoped-for action by Teheran on other issues.

An early indication of this issue linkage was the 1986 list of nine "goodwill" gestures toward Iran that were said to have been taken over the previous year by the US, cited in a letter obtained by the CIA and authored by the "arms-for-hostages" intermediary Manucher Ghorbanifar in conjunction with efforts to free American hostages in Lebanon.[2] Assistant Secretary of State Richard Murphy, in his July

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[1] Excerpted and summarized from Foreign Terrorist Organizations, Office of the Coordinator for Counterterrorism, May 19, 2011, *http://www.state.gov/s/ct/rls/other/des/123085.htm*. Legal criteria:

1. It must be a *foreign organization*.
2. The organization must *engage in terrorist activity*, as defined in section 212 (a)(3)(B) of the INA (8 U.S.C. § 1182(a)(3)(B)),* or *terrorism*, as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. § 2656f(d)(2)),** *or retain the capability and intent to engage in terrorist activity or terrorism*.
3. The organization's terrorist activity or terrorism must threaten the security of U.S. nationals *or* the national security (national defense, foreign relations, *or* the economic interests) of the United States.

[2] Report of the President's Special Review Board, February 26, 1987, pp. B-131-135 (next under to this paper). At this same time, it is alleged that Iran was using hostages in Lebanon as leverage against the MEK in France: "In 1986, the French government forced the MEK out of Paris [to Iraq] in order to secure Iranian help in freeing French hostages in Lebanon." GlobalOptions, Inc., "Independent Assessment of the Mujahedin-e-Khalq and National Council of Resistance of Iran," in Iran: Foreign Policy Challenges and Choices (DLA Piper LLP, 2006), p. 114.

1985 testimony to the House Subcommittee on Europe and the Middle East, had asked to include a statement at the end of the hearing offering a harsh depiction of the MEK as militant, anti-American terrorists. By April 1987, when the Iran-Contra scandal had ruled out any prospect of quiet diplomacy to secure the hostages' release, Assistant Secretary Murphy testified again to the Subcommittee and represented a qualitatively different view of the MEK, this time as a relevant actor in Iranian domestic politics, one of many such groups with which the State Department was meeting. (Note: the State Department denied that Ambassador Murphy's 1985 testimony bore any relationship to the secret US hostage negotiations then underway with Iran.)

The day after Secretary of State Madeleine Albright designated or redesignated 30 foreign organizations as FTOs in 1997, Norman Kempster reported in the Los Angeles Times that, *"One senior Clinton administration official said inclusion of the People's Moujahedeen was intended as a goodwill gesture to Tehran and its newly elected moderate president, Mohammad Khatami."*[3] In September 2002, having left office as U.S. Assistant Secretary of State for Near Eastern Affairs in the Clinton Administration, Ambassador Martin Indyk was quoted as follows by Michael Isikoff on the Newsweek website, speaking of the respective 1997 and 1999 MEK/NCR designation decisions: *"...[there] was White House interest in opening up a dialogue with the Iranian government. President Khatami had recently been elected and was seen as a moderate. Top Administration officials saw cracking down on the [PMOI], which the Iranians had made clear they saw as a menace, as one way to do so."*[4] Asked in October 1999 why the State Department had acted to list the NCR as an FTO, two years after having listed the MEK, Ambassador Indyk reportedly responded, *"The Iranian government had brought this to our attention."*[5]

The Administration of President George W. Bush similarly saw listing the MEK/PMOI as an FTO as having a bearing on bilateral US-Iran issues, as explained in this excerpt from a PBS interview[6] with Hillary Mann, Iran Director at the National Security Council from 2001-2003:

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[3] "U.S. Designates 30 Groups as Terrorists," Los Angeles Times, October 9, 1997.
[4] Newsweek (website item), September 26, 2002.
[5] Jonathan Wright, "U.S. Extends Restrictions on Iranian Opposition," Reuters News (English), October 14, 1999
[6] PBS analysis "Showdown with Iran", October 23, 2007 http://www.pbs.org/wgbh/pages/frontline/showdown/themes/ncrl.html (all parenthetical insertions by PBS). Additionally, Steven Weisman of the New York Times wrote: *"The Bush administration's usual divide between hard-liners and those favoring diplomacy has now opened on Iran, officials said. On one side are those who say Iran has been cooperating in a few limited but helpful instances, including a willingness to hand over some suspected terrorists with links to Al Qaeda to Saudi Arabia and Pakistan last year. In response, the administration has made certain gestures to Iran, like listing an Iraq-based Iranian opposition group, the People's Mujahedeen, as a terrorist group."* Steven R. Weisman, "Threats and Responses: Washington: U.S. Demands That Iran Turn Over Qaeda Agents And Join Saudi Inquiry," New York Times, May 26, 2003 http://www.nytimes.com/2003/05/26/world/threats-responses-washington-us-demands-that-iran-turn-over-qaeda-agents-join.html?pw=pm. On August 15, 2003, as the U.S. Administration was arranging to have the foreign ministers of Germany, France and the UK – the so-called "EU-3" – travel to Tehran in September seeking a negotiated solution to Iran's nuclear standoff with the International Atomic Energy Agency, the State Department announced an expansion of sanctions against the MEK: *"The Secretary of State has amended the designation, under Executive Order 13224 on terrorist financing, of the Mujahedin-e Khalq, known as the MEK, to add its aliases National Council of Resistance (NCR) and National Council of Resistance of Iran (NCRI). That Executive Order blocks the assets of organizations and individuals linked to terrorism. The decision also clarifies that the designation includes the U.S. representative office of NCRI and all its other offices worldwide, and that the designation of the People's Mujahedin of Iran ("PMOI") as an alias of the MEK includes the PMOI's U.S. representative office and all other offices worldwide."* for full text see: http://www.usembassy.it/file2003_08/alia/a3081704.htm. The Bush (43) Administration then redesignated the MEK and PMOI as FTOs on October 2, 2003. The author has no confirming evidence that the Administration internally associated these MEK actions with a desire for progress in nuclear negotiations with Iran. However, speaking of President Bush's second term, former Under Secretary of State for Arms Control and International Security Affairs and then UN Ambassador John Bolton said in August 2011, *"I have to say disappointingly at the end of*

Ms. Mann: *[Then-Deputy Assistant Secretary of State for Near Eastern Affairs] Ryan Crocker assured [the Iranians during a January 2003 meeting] that the MEK was a group that we had on our list,...and the Iranians didn't need to worry about that. And I remember the senior Iranian who had joined the talks was concerned that they'd been hearing mixed messages..., and we tried to allay his concerns.*

PBS: During the meeting Ryan Crocker said what to allay those concerns?

Ms. Mann: *That the United States viewed the MEK as a terrorist organization, and we had designated it as such, and that we saw it as part of Saddam's military.*

PBS: And that it would be on the target list?

Ms. Mann: *That's what I recall....*

Intensity of Conflict – The MEK has been the avowed enemy of both the Shah and the revolutionary government in Iran, and with each it has a history of both employing violence and being targeted for incarceration, torture and death. MEK/PMOI members have devoted three decades now to opposing the mullahs in Iran, in many cases forgoing pursuit of other career goals and a comfortable existence in exile despite the advantages of the Western high education that many have received. The devotion of MEK members, the choice many have made to remain for years inside Camp Ashraf near Iraq's border with Iran, and the authority wielded by women in the organization, are uncommon. Derogatory descriptions of the MEK/PMOI including describing the bonds of commitment between its leaders and members as 'cult'-like, are widespread. On this point the author offers two observations.

The first relates to the number of MEK/PMOI imprisoned, assassinated and executed at the hands of the ruling regime in Tehran, particularly in 1980-81 after MEK broke ranks with Ayatollah Khomeini regarding the shape of Iranian politics after the Shah's overthrow, and both sides clashed violently. Estimates of MEK/PMOI supporters, including casual and suspected supporters, killed at the hands of the Iranian government exceed 100,000, and the mullahs have since targeted MEK figures in exile abroad. This conflict has bred deep and enduring enmity.

The second observation concerns the prevalence of sophisticated, unattributed information operations in the West generated by the Iranian government, mentioned in the cover memorandum.

Role of Iranian Deception and Propaganda – Respected Western personages, including credentialed Washington policy analysts, have asserted that the MEK/PMOI is, by nature, inclined to violence, extremist in outlook, socially perverse and deeply hostile to the U.S. and its democratic ideals. MEK/PMOI members, supporters and sympathizers reject these characterizations, and summon considerable detail to support their versions of events spanning several decades. Anyone weighing these competing views will be challenged to separate the unseen influences of family histories and factional loyalties on exiled Iranians and their progeny, or other factors shaping the views of Western commentators on this issue.

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the Bush Administration when the designation was reviewed, the determination was made to keep it on the list for essentially the same reason, that it might help to convince the regime in Tehran that the time for negotiation had come...."

There is a school of thought that evidently regards the MEK/PMOI as a foreign policy distraction, an inconvenience best kept marginalized via continued FTO listing. Some who claim that the MEK/PMOI enjoys no popular support inside Iran appear to be concerned that the US Government may divert its policy focus from the longstanding effort to encourage reform from inside Iran, such as via the Green movement that mobilized impressive public support during and after the flawed 2009 Iranian elections. The unhappy Iraq precedent in which US policy from the late 1990s onward was guided by London-based Iraqi exiles who later proved to be far less accepted inside Iraq after the fall of Saddam Hussein than they and their supporters had promised, is cited as a cautionary tale for the US as it weighs the political potential of the MEK's umbrella organization, the National Council of Resistance, in a reformed Iran. If indeed the MEK/PMOI has no political traction inside Iran as its critics assert, the potential impact on US foreign relations of de-listing the MEK as a terrorist group (per the legal criteria for FTO designation, see above), would presumably be modest if not inconsequential.

And yet, the actions of the Iranian regime itself belie the notion that the MEK/PMOI is of no consequence to their ability to remain in power. This inquiry has found that the Iranian government has since 1979 gone to extraordinary lengths to shape the international perception and narrative attached to the MEK/PMOI and its leaders in Europe, Canada, the U.S. and elsewhere. In contrast to Soviet intelligence operations during the Cold War, which were aimed at obtaining nuclear and military secrets, or Chinese activities aimed at acquiring the most advanced industrial and security technologies from the West, Iran's Ministry of Intelligence and Security (MOIS) has for years conducted an 'information operations' campaign in the West aimed at discrediting and defaming the MEK/PMOI. This has occurred as Iran's diplomatic efforts (noted above) have explicitly sought to pressure the US and other governments to isolate the MEK as a terrorist group. Details follow in the attached papers.

Rt. Hon. Lord Peter Fraser, former Solicitor-General and Lord Advocate for Scotland, now a member of the UK House of Lords (and an MEK supporter who co-sponsored the successful UK court challenge that de-listed the MEK), has recently written:[7]

> *"In the court, at first we were told that the evidence is classified. But when the documents finally became public by the court's ruling after a long battle, all we found in the MEK's dossier was fabricated...disinformation provided by the mullahs and their Ministry of Intelligence, none of which was admissible to the court....While we were at the final stages of winning the case, we were bombarded by negative publicity against the group saying among other things, that the PMOI(MEK) was a personality sect which is unpopular among the Iranians inside the country....What causes me to write this is because I regret that I see the same trends developing in the United States."*

Repeated discovery of an MOIS 'provenance' attached to specific anti-MEK allegations begs the question of which of the allegations advanced by reputable people outside Iran are indeed supported by fact. In other words, after factoring in MOIS deception and propaganda (such as Western governments and courts have uncovered it), one must ask what independently verifiable 'charges' remain that may bear on the legal, regulatory and policy questions central to the Foreign Terrorist Organization designation of the MEK/PMOI. The brief issue papers that follow are an attempt to add clarity to that question.

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[7] Rt. Hon. Lord Peter Fraser, "Terror Tagging the Iranian MEK is Wrong," The Hill, Congress Blog, March 29, 2011.

(Introduction) attachment
excerpt from Tower Commission Report

REPORT OF THE PRESIDENT'S SPECIAL REVIEW BOARD

FEBRUARY 26, 1987

Mr. Ghorbanifar: To the man who is the head of this operation, the special aide to the Prime Minister, the number one in his office.

(Ghorbanifar 75)

The official in the Prime Minister's office and Ghorbanifar held a number of discussions at this time. The Iranian official complained that the United States charged six times the 1983 price for the weapons at issue. Ghorbanifar tried to explain the pricing, while complaining that his financial problems had forced him into hiding. He needed $5 million to avoid exile. On June 30, Ghorbanifar told his Tehran contact that the Americans again explained the high prices, and had suggested that once the matter was resolved and relations were improved, the United States would assist Iran to obtain loans from international banks and American agencies. Ghorbanifar then proposed, without indicating who may have originated the idea, that Iran obtain the release of one hostage to coincide with the July 4 celebrations and the centennial of the Statue of Liberty. He added that, within twenty-four hours of such release, the United States would ship the rest of the HAWK spare parts. The radars would follow, and Iran would effect the release of the last two hostages. The Iranian official doubted a hostage could be released by July 4. For one thing, there had to be agreement on the price of the materiel. Ghorbanifar agreed they had to solve the price problem before the timing of the hostage releases could be fixed.

Cave also spoke to the official in the Prime Minister's office about the price of HAWK spare parts on June 30. Cave reported that:

> 1. This was fairly lengthy call during which B [the official in the Iranian Prime Minister's office] continued to harp on the Price [sic] of the 240 items. Sam [O'neil] told him that we had sent a copy of the prices to the merchant [sic] [Ghorbanifar]. These contained the prices that the middlemen paid for the goods. B wanted to know [sic] if Sam had a copy so he could relate some of them to B. Sam said that he did not have a copy of the prices. During the course of the conversation, B would insist [sic] on discussing pricing [sic]. He refused to be dissuaded and said that he was under enormous pressure to get some adjustment in the pricing. When Sam asked about the Micro [sic] field list. He confessed that he had not sent it but would on the morrow. This [sic] is some kind of indication that such a list might not exist [sic]. However, he does have something and suspect it might be an old missile. He said that his superiors are shocked that the USG would sell [sic] their parts at black market prices. Sam explained [sic] one that he was buying from the merchant. B was insistant [sic] that some thing [sic] must be done on pricing as they were not prepared to pay six times pricing [sic].
>
> 2. Sam told him that something must break soon as the Chief of our company is fed up with the whole deal. He was trust [sic] disturbed at the way our delegation was handled in Tehran [Tehran] and is on the verge of cooling off the whole [sic] deal. This did not seem to make a great impression on B. Sam also said that he and Goode [Moody] are in deep trouble for having recommend [sic] the deal in the first place. B said that we were in no more trouble than he was on his end. Sam said that we were then all in the same pretzel together.
>
> 3. At one point in the pricing argument, Sam pointed out that we do not cheat our prices, were they displeased with the [?HAWK?] when [sic] B kept insisting on some sort of break in the price. Sam told him that as far as we were concerned they could buy the parts elsewhere. This deal was set and it would have to go through [sic] the merchant [sic].
>
> 4. Toward the end of the conversation, B made a plea to Sam to do something about the end of the price if at all possible. He also extracted a promise from Sam to call him back tomorrow.
>
> According to the U.S. 30- [illegible] Cave [illegible] the following [illegible] by Ghorbanifar to the Iranian official on July 1986.[3]

[3] Except as indicated, the material between square brackets in the document is annotated by the GIA. The Board cannot verify the authenticity of the letter described in note 1 (Ghorbanifar to Cave). Cave obtained the letter in late July 1986. (Chronology 47) Dan George told the Board that, while Cave

My dear and esteemed brother [B],

After greetings, I feel it is necessary to state the following points with respect to the American issue, which for a year has taken up everyone's time and has become very unpleasant.

If you remember, we had some very lengthy telephone conversations Monday and Tuesday [30 June and 1 July]. I stressed the fact that the essence of a [good] policy is to identify the moment, exploit the occasion, and recognize the proper and appropriate time in order to take advantage of them and to get concessions. I said that Friday was the 4th of July and the celebration of the 240th anniversary of the American independence as well as the 100th anniversary celebration of the Statue of Liberty in New York. For this reason, there was going to be a very elaborate and majestic celebration called 'Liberty Day' in New York at the foot of the Statue of Liberty. The Americans were calling it the Celebration of the Century, and the US President and the President of France will be hosting the celebration, for it is the day of liberty and celebration of freedom. [I said] that if we could mediate for the release of the American hostage clergyman on Thursday, 3 July, and he could attend these celebrations—as he is clergy—we could exploit it and benefit from it a great deal, we could get the Americans to accept many of our demands. Naturally, as usual, nobody paid any attention to my suggestions. The Americans were expecting us to take at least these steps for them. Anyway, the Americans are saying that last year after the Iranians mediated the release of an American clergy, M. Mier [sic] who was kept hostage in Zomut, they [the Americans]—as a goodwill gesture and as a first step—made available to Iranians 504 [sic] TOW missiles. Also, flouting the embargo, they [the Americans] have taken the following positive and constructive steps as a sign of goodwill and utmost respect toward the Islamic Republic. However, in return, the Iranians have not made the slightest attempt nor shown the smallest sign—even discreetly—to improve relations.

1. After the clergyman's release, whenever and wherever American officials talked about countries supporting and nurturing terrorism, they did not include Iran; also, the Chief Justice of the Supreme Court [translator believes he means Attorney General of the United States] in an official interview, mentioned Libya, Syria, South Yemen, and Cuba as the countries supporting, protecting, and strengthening terrorism.

2. With regard to the Iran-Iraq war, the US Department of State, in an official note, strongly condemned the use of chemical weapons.

3. The American Ambassador at the United Nations was the first person to vote for official condemnation of Iraq for the use of chemical weapons.

4. Issuance of an official announcement [citing the Mojahedin-e Khalq Organization terrorist and stating the message] of a circular to the Congress and to all Congressmen, Iran, and institutions, and banning of any and all types of assistance to the opponents of the regime of the Islamic republic of Iran.

5. Opposition to the decrease in oil prices; so much so that Mr. George Bush, the Vice President, on two occasions during speeches and interviews announced that the reduction in oil prices would ultimately be harmful for the United States and that oil prices should increase.

6. Dispatch of two US planes with more than 1,000 TOW missiles on two separate occasions, at cost price.

7. Dispatch of a high-ranking 5-man team from the White House and the Defense Department for a meeting with B and his accompanying team, and the provision of certain preliminary military data on Iraq with an agreement that more complete and comprehensive data should be made available in subsequent meetings and after the final agreement.

Again, he mistakenly as an intermediary, but "because I'm a player, I'm should life go, say out the Commander and Co don't have a strong on him every step of the way." (George 49-50).

6. Arrival of a very high-ranking delegation from the White House headed by Robert McFarlane, Mr. Reagan's special assistant and advisor, together with five high-ranking civilian and military officials for a 4-day stay in Tehran; they brought more than one fifth of the requested spare parts for missile systems; further, some complete military, technical, and intelligence information and data with regard to Soviet threats against Iran, and the military and political ——[sic]* of that government [USSR] with full details on [plans for] invasion of Iran, Soviet activities in Kurdestan, Baluchestan, and Iraq, [Soviet] cooperation with opponents of the Islamic regime; and above all, a clear and explicit announcement by the US Government that it considers the regime of the Islamic Republic stable and it respects that regime. Also, that the USG does not in any way oppose that regime; and promises that it has no intentions or plans to bring it under its [sphere of] influence, create changes, or interfere in its internal affairs. Later, Minutes [sic] of the meeting and agreement were submitted, reflecting the goodwill and total cooperation of the United States with the Islamic Republic specifically with respect to the war and other problems threatening this regime. [You may read these Minutes again.]

The Americans are saying: "We were treated in an insulting and unfriendly fashion; they made us return empty handed while we were ambassadors of friendship and assistance."

The gentlemen themselves know the details of the events better than anyone else. As you know, the US officials in Tehran reiterated over and over that in exchange for what they proposed, they only expected that our [Iranian] authorities should mediate and use their religious and spiritual influence for the release of the four American hostages who have been kept in Beirut for more than two years; that by this humanitarian deed, they could bring happiness to the families and children waiting to see their fathers; and that they would further be free in every respect to provide us [Iranians] with secret and necessary support.

This made it very clear that they are fully prepared and willing to resolve their problems with the political, economic and security cooperation and support of the people of Iran. Such assistance should not be demanding, nor is it bargain for the release of hostages, but rather it should be considered a gesture of good will and friendship toward the Iranian people.

Prior to the arrival of the US team and myself in Tehran on 25 May 1986, there was full agreement that upon arrival of the high-ranking US delegation in Tehran, bringing some of the requested items, the Iranian authorities would begin immediately mediating for the release of all American hostages in Beirut all together and collectively. And that after this the remaining items requested by Iran would arrive in Tehran. The US team would stay in Tehran until the rest of equipment [items]—among them the large HP cutters—also arrived in Tehran. Further, there was supposed to be official agreement and commitment for providing the rest of Iran's weapon needs, as well as secret agreements in some political and economic areas. The Americans were to leave Iran only after all of these stages had been completed.

However, although the Iranian US team and their giant special aircraft was in Tehran for four days, unfortunately nothing was accomplished. You well remember that on the last day of the stay, His Excellency [redacted]** in the presence of you and another gentleman, insisted several times that everyone should agree for the sake bring about the mediation for the release of two hostages. But Mr. McFarlane did not accept this and stated that they were there [in Tehran] and were prepared to discuss and solve some basic and strategically important issues and to stand by your [Iranian], all of these must be solved

*Illegible

**Illegible

together, so that no problem remained and the way could thus be paved for everything once and for all.

I must (at this point) remind you that in 1985 there were 45,708 deaths on US highways, and that during the same year 1,301 Americans died as a result of choking on their food [gluttony]. Thus, we must not put the Americans under such pressure that they end up including these four [hostages] as part of the above statistics, and we end up losing this historic opportunity which has combined one whole year of hardship and difficulties with some heavy expenses for me.

You know that this matter has been tangled for 45 days. I can assure you that the Americans neither can nor will be able to take another step along this path unless we should as least carry out as a preliminary and beginning step that which was pre-agreed [illegible] was insisting upon. I also believe that whatever we want to do and whatever decision you make, must be carried out within the next 2-3 days.

Now, there are only three solutions. I have totally convinced them [Americans] and they are in total agreement with all of the three solutions. I believe and strongly recommend that the last solution be chosen.

1. You should immediately pay in cash the amount for the items that have already arrived, including the remaining 177 items. *The money for the 240 items, as well as the money for the two HP's, should be paid through the London branch of Bank Melli Iran on 30 July, that is, in 21 days.*

2. That same evening, *you should mediate* and release two of the hostages.

3. Within a maximum of 24 hours after this, the Americans would deliver all of the 240 items, *how* a approximately 4,000 spare parts and two giant HP's at Bandar Abbas.

4. Immediately after receiving all of the above items and their full inspection, you should take immediate steps for the release of the remaining two hostages. Also, for humanitarian and religious reasons, you should mediate for identification of the burial place of the hostage who died last year [W. Buckley] so that his body can be transferred to the United States to be buried next to his mother as was his wish.

5. Seventy-two hours after the delivery and receipt of all the 240 items of [HAWK] and the two HP's and the release of all hostages, a high-ranking US team will be present in Geneva, Frankfurt, or Tehran—as you wish—and will take careful steps with respect to providing the proposed Minutes of the meeting and will make a commitment. Further, the team will study the matter of the remaining HP's and helicopter spare parts and all other needs and requirements of the Iranian army. In this regard agreement as to the date for their delivery could be specified. Meanwhile, they [Americans] are ready to send immediately technical experts and equipment for testing and repairing them.

Second solution, which would require more time and would entail more headaches:

1. You should pay in cash the amount for the items that have already arrived, including the remaining 177 items. The money for the 240 items should be paid through issuance of a check in London branch of Bank Melli Iran on 30 July, that is in 21 days.

2. *That same evening, you should mediate and release one of the hostages.*

3. *Within 12 hours after this, they will deliver all of the 240 items in Tehran.*

4. *Immediately after receiving fully and accurately all of the 240 items in Tehran, you must mediate and release the same day two more hostages and must pay the money for the two HP's.*

5. Within a maximum of 24 hours after the release of these two hostages and the payment of the amount for the HP's, the radar equipment will be delivered at Bandar Abbas.

6. After the complete and correct delivery of the two HP's, you will mediate and take steps for the release of the last [fourth]

[illegible] Suggested.

hostage as well as the body of William Buckley.

7. Seventy-two hours after receiving all of the 240 items of [HAWKs] and the two HP's and the release of American hostages, a high-ranking US team will be present in Geneva, Frankfurt, or Tehran—as you wish—and will take careful steps with respect to providing the proposed minutes of the meeting and will make a commitment. Further, it will study the matter of the remaining HP's and helicopter spare parts and all other needs and requirements of the Iranian army. And in this regard, agreement can be made as to the specific date for their delivery. Meanwhile, they [Americans] are ready to immediately send technical experts and equipment for testing and repairing them.

8. I personally and on my honor—whatever way you deem it proper—would guarantee and make commitment that immediately after carrying out the last phase—that is, after the delivery of the 240 items and the two HP's and after the release of all American hostages, within a maximum of one month—I shall deliver to Tehran 5,000 TOW missiles at a cost of $56.7 million which is the cost to the Americans themselves, plus 200 Sidewinder missiles mounted on F-4 and F-5 planes, again at cost. Naturally, [only] if you make the money available to me—not like this [last] time when you did not leave anything for me.

Third solution:

Since I have tried to be a mediator for good, I do not wish to be a cause of misdeeds. I have tried to bring [the two sides] together and create friendship, and not to cause further division, hostility, and alienation. Thus, if you do not find either of the above-mentioned solutions advisable, return immediately the exact items that they brought so that the whole case can be closed and we can pretend nothing happened, as if an camel arrived and an camel left [our Persian saying]. Everyone can thus go his own way. Hopefully, in the future, [when] readiness and circumstances are once again suitable, steps can be taken. I mean we should not put a bang inside a wound [another old Persian saying, meaning not to make things worse]. There is no reason for it. If I have encountered great difficulties and many material, sentimental, and prestige problems solely due to friendship, good intentions, honesty, belief, and trust, it was simply for the love of [my] country and my friendship with you and it does not matter. I hope good and generous God will compensate me for it, as my intentions were all good.

I beg you to take a speedy and decisive step and make a quick decision on this issue, for the good and the welfare of the Islamic Republic.

Thanking you and with highest respect,

[illegible]
signed 24 July 1986

"In June and July," Charles Allen told the Board,

there seemed to be some of a stalemate. In early July, Colonel North called me out of a meeting I was lecturing to a group at the Office of Personnel Management—and stated that he had been assured by Amiram Nir, special assistant to the Prime Minister, Peres at that time, of Israel that another American would be released very shortly. He at that stage briefed some of the senior people in the government.

We sent a hostage briefing team to Wiesbaden and no release occurred, and we brought the team back.[17] Colonel North was deeply disappointed and he said that he had been admonished by Admiral Poindexter on this, and he cut off all contact with Amiram Nir at that stage and asked that I talk to Amiram Nir for a period of two or three weeks.[18]

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[17] On July 2, Ghorbanifar said his contact in the Prime Minister's office (for the United States, meaning Amiram Nir) asking another or as many as two more Israeli missiles, to prove that the lives of American hostages, Nir and the United States suggested that if Iranian hostage-taker release Allen the United States would immediately send the remaining HAWK missiles.

[18] According to the CIA Inspector General.

[Tab] 7-25[illegible]. After meeting in Miami, calls former aide Nir by telephone. The meeting is Allen Nir's sample diamond or [illegible] [illegible] with North and expressed to be working favorably with [illegible] and [illegible] of three American hostages. Nir tells Allen that according to Ghorbanifar, [illegible] is asking an

Tab 1

Allegation 1: MEK Killed American Officials, Contractors and an Executive in Iran during the 1970s

Even if events 35 years ago fall outside the 2- to 5-year timeframe for relevant activity embodied in the legal framework for US designation of Foreign Terrorist Organizations, there is a different standard applied by US national security practitioners to any person or entity that has killed Americans. For example, the author, who was the Country Director for Lebanon in the Office of the Secretary of Defense when 241 US Marines were killed by a truck bombing in October 1983, will always bear in mind the responsibility of Hizballah and Iran, among others.

The State Department's Country Reports on Terrorism 2009 document says[1] that the MEK killed the deputy chief of the US Military Mission in Tehran in 1973, two members of the US Military Assistance Advisory Group in 1975, and two employees of Rockwell International in 1976, and that it claimed responsibility for killing an American Texaco executive in 1979. Journalistic and analytical references to the MEK to this day unfailingly refer to the MEK's responsibility for the murder of these six Americans in Iran during the 1970s. This legacy matters to top decisionmakers in Washington. Former Deputy Secretary of State Richard Armitage told NPR after leaving office, *"I actually served in Iran; I lived there for a year, and it was during that time that our people were killed by the MEK, assassinated....So from my point of view they were terrorists...."*[2]

There is a deeper story to the "MEK" killings of Americans in Iran during the 1970s. Some might not be moved to alter their judgments of this allegation against the MEK. Simply stated, the MEK of today, revitalized under the leadership of Massoud Rajavi after 1979 and now publicly led by his wife, Mrs. Maryam Rajavi, does not consider itself the heir to the killers of those six Americans in Iran during the 1970s. Almost the entire leadership of the MEK had been killed and most of the key members were incarcerated by the Shah's regime in by May of 1972. Massoud Rajavi, the youngest original MEK Central Committee member, evaded execution and was sentenced to life in prison due to international advocacy on his behalf from François Mitterrand, Jean Paul Sartre and Amnesty International.

With the founding leaders dead or jailed, a group with more doctrinaire secular Marxist views (some described it as 'Marxist Leninist' and the group reportedly referred to itself as the "Mujahidin 'M.L'") appropriated the movement's public profile. Mr. Rajavi's writings from prison, and the 'Mujahidin M.L. in their own declarations, again according to supporters of the MEK, reflect that this "splinter" faction had undertaken a bloody purge, committing violence against key members of the more 'Islamic' faction of the MEK. Referred to in the Iranian press as the "Iranian People's Strugglers" (IPS), and later known as "Peykar", this group led by Taghi Shahram, Vahid Afrakhteh and Bahram Aram was one of several underground groups waging a covert war against the Shah's secret police, SAVAK. MEK supporters say tape recordings implicate Shahram in planning the purge and takeover within the MEK. Afrakhteh, who later confessed to the killings of Americans, was executed, as were the other two, one by the Shah's regime and the other later by the mullahs. Next under to this attachment are two contemporaneous newspaper reports reflecting these events.

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[1] U.S. Department of State, Office of the Coordinator for Counter-Terrorism, Country Reports on Terrorism 2009, Chapter 6, "Terrorist Organizations," dated August 5, 2010 http://www.state.gov/s/ct/rls/crt/2009/140900.htm

[2] PBS analysis "Showdown with Iran", October 23, 2007 http://www.pbs.org/wgbh/pages/frontline/showdown/iranes/risk.html (quoted as it appears on the NPR site). Ambassador Lawrence Butler, the US diplomat currently negotiating the future of an estimated 3,400 MEK personnel at Camp Ashraf, Iraq, told the New York Times, "*These people slaughtered Americans. They have blood on their hands.*" Tim Arango, "Iranian Exile Group Poses Vexing Issue for U.S. in Iraq," New York Times, July 22, 2011, http://www.nytimes.com/2011/07/23/world/middleeast/23ashraf.html?pagewanted=1&_r=1&_r=1&_r=1.

Supporters of the MEK say this group essentially "hijacked" the name of the 'Mojehedin' in the mid-1970s, using a facsimile of the MEK's logo minus the Koranic verse (or no MEK logo at all), using language and tone in its pronouncements that they say was clearly distinguishable from that of the MEK, and later commemorating key dates that held no meaning for the original (and, from 1979 on, revived) MEK.[3] Supporters of the MEK also point to three public statements issued by the IPS taking credit for killing the Americans, the aforementioned incriminating IPS tape recordings, as well as statements issued by Massoud Rajavi from prison condemning the assassinations.[4]

While the 2005 version of the State Department's Country Reports on Terrorism said, "*A Marxist element of the MEK murdered several of the Shah's U.S. security advisers prior to the Islamic Revolution,*"[5] the current version of the State Department's terrorism report regarding the MEK reflects no such distinctions, attributing all of the 1970s murders of Americans in Iran to "the MEK."[6]

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[3] MEK supporters cite an article from The Middle East Journal, Vol. 41, No. 2, Spring '87 (an original version of which the author has not located as of this writing). The article says in part, "*During 1974-76, one group within the Mujahidin leadership denounced the Islamic orientation of the organization in favor of a Marxist-Leninist line and expelled those members who did not adhere to it. The Marxist-Leninist faction went so far as to use terroristic methods such as setting fire to…a leader of the Islamic faction, in order to gain control of the organization…[I]n 1975 the Mujahidin "M.L." carried out several terroristic actions, among them the assassination of Colonel Turner, Colonel Shaefer, and later General Price…*"

[4] One reporter, Sam Dealey, writing in the National Review in 2002 about the claim by MEK supporters that the MEK organization had been taken over by radicals at the time the Americans were assassinated, stated categorically but without elaboration, "*[I]n fact, U.S. intelligence indicates that Massoud Rajavi, the group's leader, was in firm control at the time.*" Sam Dealey, "'A Very, Very Bad Bunch'," National Journal, March 28, 2002 http://0d.nationalreview.com/2smar02/dealey022502.shtml

[5] U.S. Department of State, Office of the Coordinator for Counter-Terrorism, Country Reports on Terrorism 2005, dated April 2006, p. 212 http://www.state.gov/documents/organization/55462.pdf.

[6] U.S. Department of State, Office of the Coordinator for Counter-Terrorism, Country Reports on Terrorism 2009, Chapter 6, "Terrorist Organizations," dated August 5, 2010 http://www.state.gov/s/ct/rls/crt/2009/140900.htm.

(Tab 1) – 2 Washington Post articles

Iran Says Guerrilla Trained in Cuba
By William BranigimSpecial to The Washington Post
The Washington Post (1974-Current file); May 11, 1976;
pg. A9

Iran Says Guerrilla Trained in Cuba

By William Branigin
Special to The Washington Post

TEHRAN — Iranian authorities say that two alleged terrorists killed recently in a gun battle with police were Communists who had received guerrilla training in Cuba and two other unnamed countries.

The "terrorists," identified as Garsivaz Broumand and Khosrow Safaie, were fatally shot May 4 when police raided their hideout in Tehran, according to a government communique.

Their deaths bring to at least 31 the number of alleged terrorists executed or slain in shootouts with police in Iran this year.

The government statement said Broumand had taken a six-month course in Cuba nine years ago and that Safaie, a member of Iran's outlawed Tudeh Communist Party, had been trained in two foreign countries.

Most of the terrorists killed previously in Iran have been identified by Iranian authorities as belonging to an "Islamic Marxist" organization responsible for killing at least 30 persons, including three American colonels, and wounding more than 70 others in assassinations, gun battles and bombings over the past three years.

According to a confession by a gang member before he was executed recently, the Iranian leaders of the Islamic Marxists received training and instructions from the Popular Front for the Liberation of Palestine, led by George Habash.

Iranian authorities say the latest casualties in the Islamic Marxist gang includes a man killed by a grenade he tried to throw at police and three persons, including a woman, who were slain in a shootout with security forces last month.

In January, nine terrorists convicted of murdering the three American colonels and five Iranians, including a general, were executed by firing squad.

The leader of the group, Vahid Afrakhteh, told a Westerner allowed to see him shortly before his execution that the gang had plotted to kill U.S. Ambassador and former CIA director Richard Helms and the Shah of Iran. Afrakhteh said security surrounding both men was too tight.

Afrakhteh said he personally killed Col. Lewis Hawkins in Tehran in 1973 and led the cell that gunned down Col. Paul Shaffer and Lt. Col. Jack Turner after stopping their chauffeur-driven car in 1975.

He said most of his immediate superiors were Iranians who still at large and who have close links with the Marxist Habash group.

Iranian authorities recently publicized a pamphlet that they said showed the connection between the Habash group and Iranian "subversives." They said it contained pictures of executed Iranian terrorists and an article signed by Habash supporting guerrilla activities in Iran and Oman, where the Shah's troops have been helping local forces fight Marxist rebels.

Iran Kills Man Accused In Slaying of 3 Americans
The Washington Post (1974-Current file); Nov 18, 1976;
pg. A42

Iran Kills Man Accused In Slaying of 3 Americans

TEHRAN, Iran, Nov. 17 (UPI)—Security police have shot and killed the man who masterminded the August slayings of three American civilians on a Tehran street, officials announced today.

The announcement said Bahram Aram was killed in a police shootout on a downtown Tehran street yesterday. Two other guerrillas also were killed in an intensified 10-day campaign to rid Tehran of terrorists, the announcement said. Seven suspected guerrillas were arrested and a large amount of arms and explosives confiscated during the campaign, police said.

According to police, Aram directed the morning rush-hour attack on an automobile carrying three U.S. employees of Rockwell International.

The three Americans killed — William Cottrell, 43, Robert Krongard, 44, and Donald Smith, 43—were all Californians.

Since the attack, Americans in Iran, particularly those working on sensitive defense contracts, have taken special precautions while traveling in the city.

The three dead Americans had been working on Project Ibex, an electronics system capable of surveillance of neighboring countries, including parts of the Soviet Union.

Tab 2

Allegation 2: MEK participated in the US Embassy siege and conducted attacks against Iran for nearly 20 years dating from early 1980s

The MEK that emerged from prison and hiding after the Shah was deposed in 1979 remained ideologically committed to the struggle for political participation in Iran. MEK leader Massoud Rajavi initially welcomed the Islamic Republic under Ayatollah Khomeini as portending a change from the undemocratic and repressive monarchy. Many analysts and journalists have said that the MEK participated in the prolonged seizure (if not the takeover) of the American Embassy in Tehran that began in November 1979. While under occupation, the US Embassy reported that a number of 'Moujahedin' (MEK) were participating in the siege, providing 'security' around the Embassy with weapons some of which US officials believed had been taken from the Embassy.

The MEK has long denied any involvement in the takeover or holding of the American Embassy. The group cites MEK publications at the time analyzing how hard-line elements of the Khomeini regime had engineered the crisis to strengthen their positions internally, to the detriment of the MEK. MEK leader Massoud Rajavi, in a 1984 interview with ABC News, denounced the regime's "*violation of diplomatic immunity*" as a manifestation of the "*warmongering policy of Khomeini....*"[1] The State Department Country Reports on Terrorism 2009, in the section on the MEK, does not mention an MEK role in the Embassy takeover.[2]

Mr. Rajavi and his MEK supporters held a flexible view of Islam's role in society and soon came to oppose the rigid and dictatorial approach to governance imposed by Ayatollah Khomeini and the leading clerics. Mr. Rajavi's alternative political vision for Iran was reflected in the MEK journal *Mojahed* and in public rallies after he regained his freedom. These activities were taken as a challenge to the power and legitimacy of the revolutionary Islamic regime. There does not appear to be any dispute of the following key elements, widely reported internationally at the time and recorded in scholarly histories, of the regime's activities against the MEK.

Massoud Rajavi's candidacy for President was reportedly vetoed personally by Ayatollah Khomeini in January 1980. Starting in early 1980, the mullahs spurred their faithful to attack MEK offices in many cities, reportedly injuring hundreds if not thousands, and to burn copies of their publications, as a result of which many MEK offices closed. The head of the judiciary reportedly revealed in May 1980 that Ayatollah Khomeini had issued a hand-written *fatwa* months earlier, ordering the judiciary to execute all members of the MEK. Regime security forces openly espoused the slogan, "*Death to the Mojahedin.*" On June 20, 1981, a "march for peace and human rights" in Tehran, estimated[3] to have drawn over half a million people, was fired upon by Islamic regime security forces, with substantial MEK casualties. What followed was a very violent period of regime repression and armed resistance. The MEK figure for members and suspected members executed by the revolutionary Islamic regime during this period is 120,000, and there is no credible dispute that they numbered in the tens of thousands.

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[1] ABC News Nightline, October 20, 1984.
[2] U.S Department of State. Country Reports on Terrorism 2009. "Chapter 6. Terrorist Organizations", dated August 5, 2010, http://www.state.gov/s/ct/rls/crt/2009/140990.htm.
[3] For example, in a letter from US Senator Edward Kennedy to Mr. Rajavi dated June 27, 1984. Senator Kennedy said in part, "*The willingness of more than 500,000 people in Tehran alone to risk their lives by openly opposing the policies of the Khomeini regime testified to the world that the Iranian people are ready for a change.*" Sympathetic crowds also convened in at least 13 other cities in Iran on June 20 according to academic studies of this period.

The State Department's most recent (2009) report on terrorist organizations reflects a materially different timeline and sequence than the above summary of events that respected journalist Eric Rouleau of *Le Monde*, among others, had reported contemporaneously from Iran throughout 1980:

> *"In 1981, MEK leadership attempted to overthrow the newly installed Islamic regime; Iranian security forces subsequently initiated a crackdown on the group. The MEK instigated a bombing campaign, including an attack against the head office of the Islamic Republic Party and the Prime Minister's office, which killed some 70 high-ranking Iranian officials, including Chief Justice Ayatollah Mohammad Beheshti, President Mohammad-Ali Rajaei, and Prime Minister Mohammad-Javad Bahonar. These attacks resulted in a popular uprising against the MEK and an expanded Iranian government crackdown that forced MEK leaders to flee to France."*[4]

Next under to this attachment is an Eric Rouleau dispatch from Tehran in the New York Times dated June 14, 1980, describing "pitched battles" between the MEK and regime elements, and recording the message being articulated at the time by MEK leader Massoud Rajavi to his supporters as they came under attack. The reader can judge how this comports with the above-quoted excerpt from the current State Department report. Leaving aside the omission of context in which one party's actions are being judged, including anti-MEK regime actions throughout 1980, there does not appear to be any dispute that the MEK conducted attacks against high regime officials after June 1981, when all peaceful political activity was banned by Khomeini, as described in this and previous State Department reports.

The State Department report further states that the MEK "*continued to wage its terrorist campaign*" from exile in Paris before being expelled in 1986, following which it conducted attacks from bases in Iraq against Iran (and, in 1991, *"reportedly"* against Iraqi Kurds and Shi'ites – see attachments 5 and 6). The report cites further specific MEK attacks, all against Iranian government targets, in 1998, 1999, 2000 and 2001. No specific alleged terrorist acts are cited beyond 2001.[5] The State Department report describes the MEK's present capabilities and intentions as follows: "*The MEK's global support structure remains in place, with associates and supporters scattered throughout Europe and North America. Operations target Iranian government elements across the globe, including in Europe and Iran.*"[6]

Based upon the above, certain factual conclusions are reasonable:

- MEK members may or may not have had a role during US Embassy hostage crisis but the organization was not the instigator and saw it as benefiting hard-line political foes
- The MEK, during approximately two-decades after the 1979 revolution in Iran, committed acts of targeted violence against Iranian revolutionary government forces, property and officials, although not indiscriminate violence against innocent civilians
- There do not appear to have been MEK acts of violence since 2001 or 2002

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[4] Excerpt from U.S Department of State, Country Reports on Terrorism 2009, "Chapter 6. Terrorist Organizations", dated August 5, 2010 http://www.state.gov/s/ct/rls/crt/2009/140900.htm.
[5] While not infallible as a source of information, The Economist wrote in 2009 that the MEK "*is not known to have carried out any acts of terror since, at the latest, 2002 …*", "Iranian Dissidents in Iraq Where Will They All Go?" The Economist (print edition), April 8, 2009.
[6] U.S Department of State, Country Reports on Terrorism 2009, "Chapter 6. Terrorist Organizations", dated August 5, 2010, http://www.state.gov/s/ct/rls/crt/2009/140900.htm. The issue of MEK's current capabilities and intentions is examined in attachment 10 below.

Judgments about how the US Government should regard the MEK in 2011 involve subjective factors. Some will be unmoved by the context of an Iranian regime – characterized in the same State Department report as "*the most active state sponsor of terrorism*"[7] – that pursued the MEK abroad, throughout the same period, with deadly force including assassins, special forces and even fighter aircraft (after Iraq's defeat in the Gulf War). The view that "terrorism is terrorism" irrespective of context is defensible so long as the integrity of counter-terrorism assessments is protected from external policy and political influences. The fact that US Government actions to list the MEK as an FTO under at least three Presidents reflected the influence of unrelated US-Iran bilateral *desiderata* (see Introduction, above) complicates the government's ability to cite a counter-terrorism metric as the basis of its designation actions.

That said, we are still left with a history of violent attacks conducted by the MEK. A further subjective factor on which reasonable people will disagree is whether the MEK attacks were indiscriminate, aimed at creating public fear (as per usual definitions of terrorism), and further, whether the MEK's armed struggle against the Tehran regime was by any standard politically justifiable. Again, these elements are controversial as they introduce the sensitive issue of whether non-state actor violence is justified under any circumstances. MEK supporters claim to have documented contemporaneous internal policy guidance from Mr. Massoud Rajavi from 1979 on in which the MEK first sought to pursue a non-violent path of protest, and then as attacks were staged, directed that harm to uninvolved civilians was to be avoided. The State Department report cited above does not describe MEK violence against targets other than Iranian officials and official entities, civilian and military.[8]

Consensus regarding the MEK's nature and activities after decades of polarizing debate will likely remain elusive. However, as the most recent – hence, operative – State Department report on the MEK draws reference to a then-pending judicial action against the MEK in France, the following will update readers of the State Department report, which says: *"In 2003, French authorities arrested 160 MEK members at operational bases they believed the MEK was using to coordinate financing and planning for terrorist attacks."*[9]

On May 11, 2011, following eight years of investigation and prosecution, the Investigative Magistrate of Paris antiterrorism department issued a Decision dismissing all charges against the 24 MEK-affiliated individuals against whom charges remained. The Magistrate's Decision speaks to both the nature of the MEK's previous actions and the question of its current activities:

> *"It must be said that the National Council of Resistance of Iran, People's Mojahedin Organization of Iran, the National Liberation Army of Iran, they all form one collective which aims to overthrow the regime ruling in Iran....On the other hand it was not proven that this important activity originated from France could relate to any terrorist organization."*

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[7] U.S Department of State, Country Reports on Terrorism 2009, "Chapter 3. State Sponsors of Terrorism", dated August 5, 2010

[8] A Congressional Research Service report in 2007 stated that the 1997 and 1999 FTO designations of the MEK/PMOI were "*prompted by PMOI attacks in Iran that sometimes killed or injured civilians … although the group does not appear to purposely target civilians …*" Kenneth Katzman, "Iran: U.S. Concerns and Policy Responses, CRS Report for Congress, Congressional Research Service, October 9, 2007, p. CRS-11. This report made no reference to foreign policy issues potentially influencing these designation actions, see Introduction above.

[9] U.S Department of State, Country Reports on Terrorism 2009, "Chapter 6. Terrorist Organizations", dated August 5, 2010 http://www.state.gov/s/ct/rls/crt/2009/140900.htm.

"The dossier does not contain any evidence indicating an armed activity that would intentionally target civilians. If such evidence were available it would confirm terrorism and would annul any reference to resistance against tyranny, because resistance against tyranny at least requires that the tyrant, meaning the ruling regime, be targeted and not those oppressed, meaning the people."

"Knowing that the dossier is devoid of evidence for charges…to show that they committed acts of criminal association to prepare for terrorist activities and provide financial assistance to a terrorist institution, we order the dismissal of charges of this charge against persons named above and against anyone else."[10]

[10] For English-language coverage see David Gauthier-Villars, "France Dismisses Terror Probe of Iranian Opposition Group," Wall Street Journal, May 13, 2011 http://online.wsj.com/article/SB10001424052748703864204576319452976120730.html.

(Tab 2) – Rouleau article

The New York Times
June 14, 1980, Saturday
SECTION: Section 1; Page 2
LENGTH: 927 words

IRANIAN LEFT AND RIGHT SLUGGING IT OUT IN CHAOTIC FIGHTING

BODY:
The following dispatch, by the Middle East specialist of Le Monde, was translated by The New York Times from the French

By ERIC ROULEAU Le Monde, Paris

TEHERAN, Iran, June 13 - Violence has been sweeping Iran increasingly in recent weeks, with kidnappings, murders, the taking of hostages and sabotage creating a climate akin to civil war.

Pitched battles were fought here yesterday between members of the People's Mujahideen, Iran's largest leftist opposition group, and fundamentalist Moslem supporters of Ayatollah Ruhollah Khomeini, and further violence was feared as the leader of Friday prayers denounced the leftists as counterrevolutionaries.

"Down with the deviationists!" Khomeini supporters shouted yesterday as they tried to force their way into the stadium where the People's Mujahideen and the Leftist Moslem Movement were holding a rally.

Rioting began at 4 P.M., an hour before the scheduled meeting, as tens of thousands of militants in sympathy with the People's Mujahideen were standing in line outside the stadium, which is near the occupied United States Embassy. Khomeini supporters from the Party of God, known as the Hezbollahi, approached calling for "Death to Massoud Rajavi!" the leftist leader. "There is only one party," they chanted, "the Party of God, and one chief, Ayatollah Khomeini."

Police Decline to Act

The demonstrators charged forward repeatedly, throwing bricks and stones, causing thousands among those attacked to lift their hands about their heads to protect themselves as policemen and Islamic revolutionary guards stood by.

However, the police and guards did protect the assailants against the leftists' security forces, which appeared to be 10 to 20 times more numerous than the attackers. The police tried to separate those fighting with tear gas or by shooting in the air. (Other accounts said the guards fired into the crowds of leftists and casualties from the fighting were put at two killed and more than 300 wounded.)

Leftist leaders charged this week that Ayatollah Mohammed Beheshti, the leader of the fundamentalist Islamic Republican Party, the majority group in Parliament, was the behind-the-scenes director of the Hezbollahi assailants. It was said they were recruited from among the unemployed and pushcart vendors of Teheran to serve as combat troops or professional rioters for an extreme right-wing faction of the Beheshti party.

Gunshots Are Ignored

During the attacks yesterday those standing in line outside the stadium did not falter even when the deafening gunshots increased. After two hours about 150,000 people were gathered inside to listen to Mr. Rajavi. "What to do?" was the theme of his address, in which he said dozens of leftists had been killed recently.

A cry came from the crowd. "My brother was killed the day before yesterday!" a weeping young woman in Western dress screamed. A woman, her head covered by a black chador, shouted: "We have feared neither the Shah nor his jails! We will fear nothing and nobody!"

The crowd chanted in rhythm, "We will pursue the struggle." "Yes," answered Mr. Rajavi. "The struggle will last until victory, whatever the number of our martyrs may be."

Complaints About Repression

"What are we being attacked for?" the speaker went on. "We are good Moslems, and we are told that we live in an Islamic Republic. But we are being besieged by hooligans and terrorists. The Islamic Constitution guarantees all liberties in principle. But we are forbidden access to the newspapers, to the radio, to television and to Parliament."

He said also that ethnic groups were ostensibly granted equality under law but that the demands of the Kurds and other minorities were being drowned "in blood."

As he spoke, fighting continued outside and his words were lost at times in a cacophany of explosions, machine-gun bursts and ambulance horns. Clouds of black smoke spread over the stadium, but the masses inside sat listening, immobile as though made of stone, and then answering Mr. Rajavi on cue by invoking God.

A Fight for 'Total Freedom'

"Do you hear?" Mr. Rajavi asked as he addressed himself to the Hezbollahi. "We are neither Communists nor pro-Soviet as you claim. We are fighting for the total freedom and independence of Iran. You are the reactionary Moslems who under the cover of accusations thrown at us try and serve the occidental imperialism. Have we not heard that you prefer the Shah's regime a thousand times more than a progressive republic, even though Moslem?"

Mr. Rajavi said the Government remained silent as "these gangs of hoodlums" attacked the people and he warned that if those in power did not put an end to the violence his organization would take it upon itself to do so.

"Freedom is not granted," he cried as the crowd rose shouting to its feet. "It is won. A gift of the Lord, it is as indispensable as oxygen."

The meeting ended, but the fighting around the stadium continued. Mr. Rajavi's troops counterattacked, but the Islamic guards turned them back. Shots were fired from nearby roofs and bodies lay on the sidewalks. Young men with bloodied faces were running in all directions.

Mr. Rajavi, expecting a surge of violence, did not sleep at home last night. For some time he has been living a semiclandestine life, staying away even from his organization's headquarters. He believes, as does President Abolhassan Bani-Sadr, with whom he has a cordial relationship, that the Beheshti party is determined to monopolize power.

GRAPHIC: Illustrations: Photo of leftists in Teheran

YORK TIMES, SATURDAY, JUNE 14, 1980

Iranian Left and Right Slugging It Out in Chaotic Fighting

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By ERIC ROULEAU

Le Monde, Paris

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The demonstrators charged forward repeatedly, throwing bricks and stones, causing thousands among those attached to lift their hands about their heads to protect themselves as policemen and Islamic revolutionary guards stood by.

However, the police and guards did protect the assailants against the leftists' security forces, which appeared to be 20 to 30 times more numerous than the attackers. The police tried to separate those fighting with tear gas or by shooting in the air. (Other accounts said revolutionary guards fired into the crowd; 61 leftists, and, according to Reuters, the Iranian Interior Ministry subsequently criticized them for their action. At least two were said to have been killed and more than 300 wounded.)

Leftist leaders charged this week that Ayatollah Muhammad Beheshti, the leader of the fundamentalist Islamic Republican Party, the majority group in Parliament, was the behind-the-scenes director of the Hezbollahi assailants. It was said they were recruited from among the unemployed and pushcart vendors of Teheran to serve as combat troops or professional rioters for an extreme right-wing faction of the Beheshti party.

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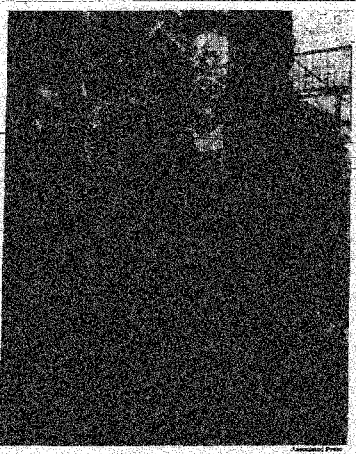

Associated Press

Le Matz in Toheran hurl stones at supporters of Ayatollah Ruhollah Khomeini

The crowd chanted in rhythm, "We will pursue the struggle."

"Yes," interjected Mr. Rajavi. "The struggle will last until victory, whatever the number of our martyrs may be.

"What are we being attacked for?" the speaker went on. "We are good Moslems, and we are told that we live in an Islamic Republic. But we are being besieged by hooligans and terrorists. The Islamic Constitution guarantees all liberties in principle. But we are forbidden access to the newspapers, to the radio, to television and to Parliament."

He said also that ethnic groups, were officially granted equality under law, yet that the demands of the Kurds and other minorities were being disdained "in blood."

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GIVE SUMMER TO A CHILD:
GIVE TO THE FRESH AIR FUND

Tab 3

Allegation 3: MEK sided with Saddam Hussein and fought against Iran from 1980, hence is hated by the Iranian people (with no chance of governing if the mullahs were to fall from power)

It is a common theme among analysts writing critically about the MEK that they became an integral part of Saddam Hussein's security forces and waged war on Iraq's behalf in the very destructive Iran-Iraq war. This historical portrayal matters for two reasons.

First, Western governments are warned against investing their energies and hopes in the MEK's umbrella National Council of Resistance as a potential successor to the revolutionary Islamic regime in Tehran. The argument here is that the MEK members are universally seen as traitors inside Iran even among those who would welcome regime change. Better, these analysts have consistently argued, for the US and others to work either for an entente with the existing regime or to encourage reform brought about through the efforts of politically active factions inside the country such as the Iranian Green movement.

The second consequence of portraying the MEK as having been an active and committed branch of Saddam Hussein's forces is that today, with the Shi'ite-led government of post-Saddam Iraq apparently having condoned or even directed deadly attacks by Iraqi military forces on unarmed MEK personnel in Camp Ashraf, on July 28, 2009 and again on April 8, 2011, many MEK critics portray this aggression as understandable, if unwelcome – i.e., "payback" to the MEK population at Camp Ashraf for their alleged history of violence against both the Iraqi Shi'ites now governing the country and the Iranian people alike.

As with other adverse characterizations of the MEK, there is some basis in fact, namely that the MEK maintained mostly cooperative relations with Saddam Hussein's government through the 1980s as it took refuge in Iraq and continued to prosecute its political and military campaign against the theocratic regime in Tehran. The question is whether the truth has been stretched by opponents of the MEK to turn a more complex circumstance into a highly prejudicial caricature. Attachments 5 and 6 will address the issues of alleged MEK attacks in 1991 against Iraq's Shi'ite and Kurdish populations, respectively. The focus here is the Iran-Iraq war, begun in October 1980 when Saddam Hussein's ground and air forces attacked across the Shatt al-'Arab waterway bordering the two countries and seized Iranian territory.

The MEK, its supporters say, immediately declared its readiness to defend Iran and sent fighters to the front. Some were taken captive by the Iraqi forces and held, with captured Iranian fighters, as prisoners of war by Iraq until 1989, when POWs were exchanged. The MEK-affiliated National Council of Resistance in 1993 issued a detailed history of the movement called Democracy Betrayed, stating that "*the National Liberation Army of Iran* [MEK's military organization based in Iraq] *has never fought in any front alongside the Iraqi army*." This narrative says that Massoud Rajavi repeatedly criticized the tactics of both Iran and Iraq during the conflict, and quotes Saddam Hussein in 1988 expressing respect for the 'Mojahedin' combatants and stating that they had "complete independence in their decisions," including a decision not to share tactically sensitive information about Iran that Iraq had requested.

Supporters of the MEK say the organization turned against Iran's war effort only after the latter had regained the sovereign Iranian territory seized by Iraq, in June 1982. From that point on, they contend, the MEK took the view that Ayatollah Khomeini had no further reason to wage war, and was

unjustifiably exhausting Iranian blood and treasure. Mr. Rajavi met in France with Iraqi Foreign Minister Tariq Aziz and the two endorsed a peace proposal in March 1983 involving withdrawal to the recognized 1975 borders, exchange of prisoners, and referral of reparations claims to the International Court of Justice. The Iranian regime continued to prosecute the conflict for five more years. Supporters of the MEK point to three occasions from 1984 on when Mr. Rajavi proposed cease-fires and Iraq agreed contingent on reciprocal restraint by Tehran.

MEK forces staged repeated attacks into Iran aimed at the regime and its forces, at times reportedly sustaining large losses. The Saddam Hussein regime provided the MEK combatants with defense equipment, including tanks, that it maintained until US and Coalition forces disarmed them in 2003.

There is no doubt that the MEK, its leadership having been expelled from France in 1986 as part of a *quid pro quo* with Tehran to recover French hostages from captivity in Lebanon,[1] became even more reliant on Iraq as its safe haven and cultivated a good relationship with Iraq's dictator. Bases in eastern Iraq afforded the MEK proximity to Iran's territory and population. Saddam Hussein and the MEK shared a deep animus toward the mullahs governing Iran.

The question is whether the Saddam-MEK relationship was a cordial and even solicitous one spurred by some common interests and enemies, as appears indisputably to have been the case with respect to Iran's regime; or a full-up political embrace between committed allies in arms. The latter portrayal suggests that the MEK employed military force either at Iraq's behest, or under its command and control, in the service of Saddam Hussein's aggressions against the Shi'a populations inside Iraq and throughout Iran. To some the distinction may appear unimportant, a matter of degree. However, the MEK's supporters have long contended that their actions and organizational objectives have been sympathetic to the population of Iran, and aimed solely at the regime and its organs of influence. Moreover, as will be addressed in attachment 5, the MEK (who are, it bears reminding, Shi'a) categorically denies having played any role in Saddam's campaign against Iraq's Shi'a population – a factual question with potentially grave implications for the personal safety of the remaining MEK population resident in today's Iraq under a Shi'a-led government.

Critics of the MEK have widely circulated photos of Massoud Rajavi with Saddam Hussein, often without much elaboration. MEK publications quote Rajavi's reported remarks from that meeting that he sought and received from Saddam a commitment to ensure the humane treatment of Iranian POWs. While there is no question that the narrative of MEK perfidy against the Iranian people and the legacy of alleged Iraqi Shi'a blood on MEK's hands has been widely circulated, a more complex understanding of the period of the Iran-Iraq war may be justified.

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[1] "*In his dealings with France, Khomeini displayed a similar preoccupation with the Mujahedeen, forcing the government of Jacques Chirac to expel Mujahedeen leader Massoud Rajavi from Paris as part of the price for the freeing of French hostages in Lebanon and the curtailing of terrorism in Paris.*" "Paying Khomeini's Price" (editorial), The Boston Globe, April 25, 1987.

Tab 4

Allegation 4: MEK opposed the US military in the 1991 Gulf War and the 2003 Iraq intervention, using its own military weaponry to fire on US forces

1991 – Operation Desert Storm. The author has found no indication that MEK forces played any role opposing the US and its 33 allies in their 100-hour ground campaign that led to Iraq's surrender. What with the 6-month Operation Desert Shield buildup of US and coalition forces in Saudi Arabia as warning, the MEK's supporters claim that MEK evacuated its people northward from bases in the south of Iraq, away from the anticipated zone of conflict in southern Iraq.

2003 – Operation Iraqi Freedom. There are few mentions of the MEK in official US military histories of the 2003 US and coalition intervention that launched from Kuwait north into Baghdad and deposed the Saddam Hussein regime. One such history implies that there was contact between MEK and Coalition forces:

> *"Supported by the Saddam regime because of its hostility to the Iranian Government, by 2003 the MEK had become an elite element in the Iraqi Army and had fought against Coalition forces in March and April of that year. After capitulating to Special Operations Soldiers of the Joint Special Operations Task Force–North (JSOTF-North), the MEK leaders agreed to move to Camp Ashraf, a large internment facility 60 miles northeast of Baghdad."*[1]

In another US Army history of this operation, the "Journal of a Company Commander," Captain Brown of the 4th Infantry Division tells of the mission in early May 2003 to meet with the MEK and, with the latter's consent, take possession of their heavy weapons. The MEK's only issue with the scenario was its objection to the term "surrender" in the documents prepared by the Coalition, which the JAG (legal) advisors readily changed. Furthermore, as Captain Brown records:

> *"Everything went smoothly until 1-10 CAV aviation assets entered our zone. They saw some MEK in civilian clothes uploading ammunition to take to the cantonment areas. Obviously, they didn't possess the information that everyone else in the division did, because they started firing on them....The MEK has proven real cooperative in all our dealings with them and then some Kiowa [helicopter] yahoos decide to fire them up in our zone with zero coordination...."*[2]

On May 10, 2003, the then-Commander of the 4th Infantry Division, Lieutenant General Ray Odierno, told the press after completing a two-day negotiation with the MEK to take custody of its military equipment that the MEK *"clearly is cooperating with us,"* adding that they had been *"extremely cooperative."*[3]

On May 12, 2003, the Los Angeles Times reported: "At a U.S. Army base near one of the group's camps Sunday, Capt. Josh Felker, an Army spokesman, said, *'This is not a surrender, it's a disarmament process. The MEK was never fighting coalition forces'*."[4]

Then-State Department spokesman Adam Ereli, in his daily press briefing on July 26, 2004, said of the MEK: *"[W]e have determined that they were not belligerents in this conflict...."*[5]

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[1] Wright, Dr. Donald P., and Reese, Timothy R., COL USA, ON POINT II: Transition to the New Campaign, an official publication of the Combat Studies Institute Press, US Army Combined Arms Center, Fort Leavenworth, Kansas, pp. 243-244.
[2] Battleground Iraq, "Journal of a Company Commander," US Army Center of Military History, May 2003, http://www.history.army.mil/html/books/iraq/BG/iraq/html/05-03.html
[3] AFP, "GEN Odierno MEK Shares Similar Goals to US," May 10, 2003
[4] "Iranian Fighters Based in Iraq Begin to Disarm," Los Angeles Times, May 12, 2003, http://articles.latimes.com/2003/may/12/news/war-surrender12
[5] U.S. Department of State, daily press briefing, July 26, 2004, http://2001-2009.state.gov/r/pa/prs/dpb/2004/34680.htm.

The 2005 State Department Country Reports on Terrorism said: *"The MEK leadership ordered its members not to resist Coalition forces at the outset of Operation Iraqi Freedom, and they surrendered their arms to Coalition forces in May 2003."*[6]

[6] U.S. Department of State, Office of the Coordinator for Counterterrorism, Country Reports on Terrorism 2005, p. 213 http://www.state.gov/documents/organization/65462.pdf.

Tab 5

Allegation 5: MEK participated in Saddam's crushing of southern Shi'ites after the Gulf War

As the BBC summary of the events known as the 1991 Iraq revolt (next under to this paper) recounts, in March 1991, after Operation Desert Storm defeated, destroyed and evicted Iraq's military occupation force from Kuwait, President Bush (41) anticipated the collapse of the Saddam Hussein regime and broadcast a call for the Iraqi people to rise against the regime. In southern Iraq, home to the long-repressed Shi'a majority in Iraq, and in the Kurdish area of northern Iraq (discussed in attachment 6), people did so, taking over 14 of the country' 18 provinces from regime control. The regime did not fall, however. Security forces loyal to Saddam Hussein's regime responded with a brutal crackdown in southern Iraq, massacring civilians and driving as many as two million people from their homes.

Today, many analysts and journalists include in their accounts of past MEK actions the allegation, often but not always with caveats, that MEK forces participated in Saddam Hussein's massive suppression of the 1991 Shi'a uprising.[1] However, supporters of the MEK state categorically that the MEK did not participate in Saddam Hussein's campaign against the Iraqi Shi'a. They explain that MEK had no presence in southern Iraq at this time other than one logistical site with some trailers and tents overseen by a dozen or so people, who moved northward to Camp Ashraf, out of the anticipated war zone in southern Iraq, as US and Coalition forces massed in Saudi Arabia (the phase known as Operation Desert Shield).

While this historical question from twenty years ago may not hold much relevance to the issue of whether the designations of the MEK and NCR as Foreign Terrorist Organizations are still merited, it has significant consequences for the safety of approximately 3,400 unarmed MEK personnel living at Camp Ashraf north of Baghdad, who are now dependent on the goodwill of the Shi'a-led Iraqi government of Prime Minister Maliki. One credentialed analyst of Iranian affairs, Council on Foreign Relations Senior Fellow Ray Takeyh, repeated this allegation (without caveat) in prepared testimony for a congressional hearing in July 2011, and further explained its implications:

> *"The MEK would go on to behave as Saddam's Praetorian Guard, as they were employed by him to repress the Iraqi Shia uprising of 1991. Given the fact that the Shia community is having a leading role in the future of Iraq, such miscalculation has alienated the MEK from the rulers of Iraq. The Baghdad regime's hostility to the MEK cannot be seen as a function of its ties with Tehran, but as a legacy of MEK's alliance with Saddam."*[2]

Mr. Takeyh appears to be correct that Iraqi Prime Minister Maliki and some other Iraqi Shi'a leaders are unsympathetic, hostile even, toward the MEK (see Concluding Commentary regarding Ashraf residents). It is likely as well that some among Iraq's Shi'ite population today believe the allegation, widely circulated over the past twenty years, about MEK participation with Saddam's Forces in the 1991

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[1] An example is the following from an editorial in The Economist: *"[The MEK] is also said to have spearheaded Saddam's attacks on rebellious Iraqi Kurds and Shias in 1991, after the first Gulf war, a charge it strongly denies."* "Iranian Dissidents in Iraq – Where Will They All Go?," April 8, 2009, http://www.economist.com/node/13447423. Another example appeared recently in the New York Times: *"[After being given refuge by Saddam Hussein [MEK] members were suspected of serving as a mercenary unit that took part in his violent suppression of the Kurds in the north of Iraq and the Shiites in the south."* Tim Arango, "Iranian Exile Group Poses Vexing Issue for U.S. in Iraq," New York Times, July 22, 2011, http://www.nytimes.com/2011/07/23/world/middleeast/23ashraf.html?pagewanted=1&_r=1. A third example is found on the informational website GlobalSecurity.org, which lists *"Assistance to Saddam Hussein's suppression of the 1991 Iraqi Shiite and Kurdish uprisings"* among *"Incidents linked to the group"*, see http://www.globalsecurity.org/military/world/para/mek.htm.

[2] "Massacre at Camp Ashraf: Implications for U.S. Policy," prepared statement by Ray Takehk before the Committee on Foreign Affairs, Subcommittee on Oversight and Investigations, US House of Representatives, July 7, 2011.

suppression of the uprising. The question left unresolved is whether this allegation is true – did the MEK participate in killing the southern Iraqi Shi'a, or not?

The MEK says no, and indeed says (see attachment 3) that it "never fought in any front" along with Iraqi military forces. The State Department's most recent terrorism report does not claim certain knowledge that the MEK had a hand in this brutal campaign of aggression, saying instead only that the MEK "reportedly assisted" the Iraqi crackdown.[3]

[3] U.S Department of State, Country Reports on Terrorism 2009, "Chapter 6. Terrorist Organizations", dated August 5, 2010 http://www.state.gov/s/ct/rls/crt/2009/140900.htm.

(Tab 5) – BBC summary

BBC NEWS

Flashback: the 1991 Iraqi revolt

The crushing of a 1991 uprising by Shias in Iraq's south and Kurds in the north was one of the most brutal acts of repression under Saddam Hussein.

Human rights organisations estimate that tens of thousands of people died during the crackdown, which lasted several months.

The rebellion began in the immediate aftermath of the first Gulf War.

On 3 March 1991 an Iraqi tank commander fired a shell through a vast portrait of Saddam Hussein which hung in Basra's main square.

This act ignited an uprising across Iraq's Shia-dominated south. A Kurdish-led rebellion followed in the north a week later.

In the cities of Basra, Nasiriya and Karbala hundreds of unarmed civilians spilled out onto the streets and took control of government buildings, freeing prisoners from jails and seizing caches of small arms.

At its height, control of 14 of the country's 18 provinces had been wrested from Saddam Hussein's forces and fighting even spread to within miles of the capital, Baghdad.

Betrayed

The uprising was partly fuelled by the disastrous defeat of Iraq's security forces and their forced retreat from Kuwait.

People were convinced that the army would never be weaker or more demoralised.

> **" That is for the Iraqi military and the Iraqi people to take matters into their own hands, to force Saddam Hussein the dictator to step aside "**
> Former US President George Bush

But crucially, the rebels were convinced that they had the backing of the US, who would come to their aid to help oust Saddam.

Many Shia feel that they were betrayed by the US administration who failed to intervene after appearing to endorse a popular rebellion.

In February 1991, as US forces were crushing the Iraqi army and driving it out of Kuwait, former US President George Bush broadcast a message telling Iraqis that there was another way for the bloodshed to stop.

"That is for the Iraqi military and the Iraqi people to take matters into their own hands, to force Saddam Hussein the dictator to step aside..." he said in the Voice of America broadcast.

As the uprising spread throughout the country however, US officials insisted it was never their policy to intervene in Iraq's internal affairs nor to remove Saddam Hussein's regime from power.

Exodus

Fearing chaos and under pressure from Iraq's neighbours, the US came to a ceasefire agreement with Iraq that controversially did not ban the use of helicopters, which were then widely used to suppress the rebellion.

Some were shot in their homes and houses, others - young men especially - were rounded up from the streets and later executed en masse.

Others still were gunned down by helicopter gunships piloted by Saddam Hussein's Republican Guards as they tried to flee. Women and children were among the targets of the violent crackdown.

Many tried to escape and Human Rights Watch has said that as much as 10% of the country's population was displaced, some crossing the border into neighbouring Iran and Turkey and others seeking refuge within Iraq.

As part of the punishment, Saddam Hussein also ordered the bombing of many historical centres and Shia shrines in the south of the country.

The massacres further scarred the country's collective memory and haunt Iraq to this day as mass graves continue to be uncovered.

Story from BBC NEWS:
http://news.bbc.co.uk/go/pr/fr/-/2/hi/middle_east/2888980.stm

Published: 2007/08/21 12:49:15 GMT

© BBC 2011

Tab 6

Allegation 6: MEK participated in Saddam's crushing of northern Kurds after Gulf War and hid Iraqi-supplied chemical and biological WMD which were used against Kurdish villagers in Halabja

The popular uprising in Iraq in the spring of 1991 that followed the military rout and expulsion from Kuwait of Saddam Hussein's army included the Kurdish population in northern Iraq as well as the Shi'a in the south. In both regions the forces loyal to Saddam Hussein's regime responded with overwhelming military force to quell the rebellion (see BBC summary, next under to attachment 5).

As with the allegation that MEK forces abetted Saddam's brutal reprisals in southern Iraq (attachment 5), analysts and media reports have alleged that the MEK attacked the Kurds in northern Iraq. MEK supporters deny this allegation with equal vigor. In support of their claim, they offer a 1999 letter (next under to this attachment) sent to the Netherlands for use in a court proceeding, by Hoshyar Zebari, head of International Relations of the Kurdish Democratic Party (KDP) – and, since 2003, Iraq's Minister of Foreign Affairs. The letter states, in part:

> *"The KDP as a major Kurdish political party has led and participated in the Kurdish spring uprising of 1991 in Iraqi Kurdistan. The uprising caused the collapse of Iraqi government military, security and administrative structure in the region.... When the Iraqi troops counter-attacked and regained control of Kirkuk and other major cities there were rumors of Mujahedin units assisting the Iraqi troops....However...these rumors happen to be untrue.... The KDP can confirm that the Mujahedin were not involved in suppressing the Kurdish people neither during the uprising nor its aftermath.*
>
> *"We have not come across any evidence to suggest that the Mujahedin have exercised any hostility towards the people of Iraqi Kurdistan. The Mujahedin-E Khalq has its own political agenda in Iran and its members do not interfere in Iraqi internal affairs."*[1]

Potentially shedding light on the MEK's general orientation toward the Kurdish peoples, one of the resolutions and plans issued over the years by the National Council of Resistance (reprinted by the NCR in English) was a "Plan of National Council of Resistance for Autonomy of Iranian Kurdistan," "ratified" on November 8, 1983. This 12-point plan expresses the NCR's intent in a democratic Iran to bestow autonomy and local rights of self-government on the ethnic Kurdish areas of Iran, including official recognition of the Kurdish language and authorization for its use in schools.

Not all Kurdish leaders have echoed the fraternal sentiments of the KDP. The Patriotic Union of Kurdistan (PUK) has in recent years contradicted the KDP's assurance that there was no MEK action against the Kurds in 1991. For example, the PUK's Washington representative, Qubad Talabani, said of the MEK in 2005, *"Up until the fall of the [Saddam Hussein] regime, they were part and parcel of the Iraqi military, and they were heavily involved in suppressing the Kurdish uprising of 1991."*[2] This negative view contrasts with that expressed in 1984 by Mr. Talabani's father, Jalal Talabani, who at that time was General Secretary of the PUK. MEK publications feature a letter from Jalal Talabani to Massoud Rajavi, dated March 3, 1984, conveying *"my greetings and very best wishes to you and other Mojahedin brothers in your just struggle against the reactionary gang of zealots who rule Iran,"* and further stating that the PUK members *"are always ready to strengthen our good relationship with the People's Mojahedin Organization of Iran."*

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[1] Hoshyar Zebari, Kurdistan Democratic Party, letter to M. F. Wijinagarden, July 14, 1999 (enclosed next under).

[2] Eli Lake, "Iranian Group Asks State to Lift Terror Designation," New York Sun, April 15, 2005 http://www.nysun.com/foreign/iranian-group-asks-state-to-lift-terror/12299/.

What changed? One explanation could be that the allegation is true – that in 1991 the MEK brutally attacked the Kurdish population in league with the Saddam Hussein regime. In that case, Mr. Zebari and the KDP would have submitted a false testimony[3] to the Dutch court (see above), shielding the MEK from culpability for aggression committed against his own constituency.

An alternative explanation, consistent with Mr. Zebari's letter, is that the allegation of MEK armed attacks on the Kurds of Iraq is untrue, and that the PUK and Mr. Qubad Talabani are repeating a spurious charge for other reasons. MEK supporters say that in the mid-1980s, Mr. Jalal Talabani reversed his allegiance and pledged support and cooperation to the regime in Tehran, via a letter to Khomeini's designated successor, Hossein Ali Montazeri. This letter, say MEK supporters, was followed by a series of armed attacks by PUK forces against the MEK, in 1986 and thereafter – attacks to which the MEK never responded in kind. Years later, with the demise of Saddam Hussein's rule in Baghdad, the elected Iraqi government led by Shi'a Prime Minister Nouri al Maliki ushered in a new, cooperative bilateral Iraq-Iran relationship. Since 2005 the President of Iraq has been Jalal Talabani.

There are several indications that the regime in Iran has actively spread misinformation internationally, placing MEK fighters in the middle of the 1991 military attacks on the Kurds. Indeed, Iran appears to have tried even to blame the MEK for the infamous chemical munitions attack in March 1988 that killed as many as 5,000 Kurdish residents of Halabja, an atrocity for which Saddam Hussein was widely condemned. The second enclosure to this attachment is a transcript (in French) from a September 2005 interview with Emmanuel Ludot, one of the lawyers who had defended Saddam in his Baghdad court trial, by the Franco-German television network 'ARTE.' Mr Ludot said he had been approached by Iran's Ambassador to Iraq and offered a bribe if he would collaborate with Iran in falsely implicating the MEK in the chemical attacks against the Kurds – a version of events that would presumably exonerate Mr. Ludot's 'client' Saddam Hussein.

In August 1995, the United Nations Economic and Social Council (ECOSOC), in support of the Commission on Human Rights, distributed a report prepared for the UN Secretary General by International Educational Development, a UN-accredited non-governmental organization based in the US.[4] The focus of this investigative report (provided in full as the third enclosure to this attachment) was the security of the Kurdish people of Iraq, and the violence between the Iranian regime and the MEK, respectively. The report refers to "*certain misrepresentations of events in the area, particularly allegations made that the [MEK] has collaborated with the armed forces of the Government of Iraq, inter alia, by participating in attacks against Kurdish people in Kirkuk, Qara Hanjeer, Kifri and Altun Kopir in April 1991. There are also allegations that [MEK] troops took part in the use of chemical weapons against Kurdish villages....*" The report goes on to state, in part:

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[3] In this regard, Colonel Wesley M. Martin, USA (Ret.), who had served two combat tours in Iraq including as Commander of Ashraf Forward Operating Base, testified to a congressional subcommittee on July 7, 2011 that, "*Upon my return to the Pentagon, I assisted State Department officials addressing the PMOI issue. This included providing a translated letter from Hoshyer (sic) Zebari, head of Kurdistan Democratic Party International Relations, stating the PMOI did not attack the Kurds. Mr. Zebari subsequently confirmed the letter to be true.*" (from prepared testimony as submitted to U.S. House of Representatives, Committee on Foreign Affairs, Subcommittee on Oversight and Investigations)

[4] The following website describes the Humanitarian Law Project run by this NGO: http://hlp.home.igc.org/

"From our independent investigation and discussion with parties involved, we find these allegations false....In March 1991 Iran sent seven Guard Corps divisions and brigades to attack [MEK] base camps on the border....Six of the Iranian soldiers captured by the NLA wore Kurdish dress. At the same time, the Iranian regime sought to hire Iraqi Kurds to fight against the [MEK]....The 'Kurdish' prisoners of war (who were in fact Iranians) held by the [MEK] were subsequently presented to the International Committee of the Red Cross, and they conceded that the Iranian regime was trying to recruit Kurds to fight the [MEK]. The prisoners were released by order of M. Rajavi,...and extensive documentation as well as film footage and photographs were also made available to the public about these events....

"Most of the allegations made against the [MEK] regarding the Kurdish people come from a man named Jamshid Tafrishi-Enginee, who was cited...as a former leader of the Iranian resistance. Our investigation indicates that Mr. Tafrishi-Enginee joined the resistance in 1988, but left after 19 months....There is compelling evidence that he is in fact an agent of the Khomeini regime's Ministry of Intelligence.

[This NGO] has first-hand experience that the Khomeini regime seeks to draw attention away from the civil war in Iran – in fact the regime has fought diligently to keep all mention of the war and application of humanitarian law out of United Nations reports and resolutions on the situation in Iran...[I]n our view, misinformation must be challenged...in the interest of sound and honest evaluation of events in Iran and of the civil war raging there."[5]

ECOSOC distributed a second report by the same non-governmental organization in January 2001 in which it provided follow-up information to its earlier allegation (above) that Mr. Tafrishi-Enginee "*was, in fact, an agent of the regime in Iran with an assignment to gather intelligence on Iranian exiles, to seek ways and means for discrediting them and all opponents of the regime, and to carry out misinformation campaigns against them.*" Mr. Tafrishi, the 2001 report said, "*now freely admits that we were correct.*"[6]

A sensational exposé in The Ottawa Citizen on November 17, 2001 contained extensive, detailed charges that the MEK was systematically hiding Saddam Hussein's weapons of mass destruction within its bases in Iraq, notably Camp Ashraf. The allegations were supplied by a Mr. Nooruz Ali Rezvani, who the Citizen described as a dissident former MEK member who had left the organization to live in Germany. With the benefit of hindsight and context, the motive behind this 'scoop' will be self-evident to the reader:

"According to Mr. Rezvani, Saddam transported his weapons by the truckload to at least five mujahedeen bases in Iraq, starting in the months preceding the Persian Gulf War in 1991. Under the supervision of the Iraqi and mujahedeen armies, missiles, bombs, chemical powders, poisons and related materials were stored in underground caves built beneath the mujahedeen's desert camps, he said. Typically, a hidden flight of more than 30 stairs leads beneath the desert surface to large weapons-storage areas, which are sealed with sliding doors. The doors open with an electronic code known only by top military aides, Mr. Rezvani said....

"One of the terrorist bases is so secret that only a handful of mujahedeen officers know about it, he said. The Seemorgh Base, in the northwest district of Baghdad, 'is directly controlled by' mujahedeen leader Massoud Rajavi and his wife Maryam, Mr. Rezvani said. 'During the Persian Gulf War, they transported missiles, telecommunications and the chemical and atomic sectors of the Iraqi army's sensitive factories here,' he said." [7]

Finally, it bears repeating with respect to this allegation of MEK aggression against the Kurdish population, as with the allegation of MEK armed aggression against Iraq's Shi'a population (attachment

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[5] (full UN documents enclosed third under to this attachment)

[6] Ibid. See also attachment 7 and enclosures, which elaborate on Mr. Tafrishi's intelligence role, compensation and assignments for Iran

[7] Aaron Sands, "Saddam's Deadly Secret,' The Ottawa Citizen, November 17, 2001. The author has been unsuccessful in locating the article on the Ottawa Citizen website; however, it was repeated on other websites (for example: http://www.freerepublic.com/focus/f-news/773?/posts), although without the graphics that ran in the original article depicting a large underground tunnel network at Camp Ashraf.

5), that the most recent Department of State report was prepared with the full benefit of US intelligence resources, now bolstered by years of exploiting captured files from Saddam Hussein's regime. This review uncovered no mention of captured Iraqi files bearing on the MEK's alleged participation in Saddam's brutal aggression in either the north or south. The 2009 report says only that the MEK "reportedly assisted" the Iraqi crackdown.[8]

[8] U.S Department of State, Country Reports on Terrorism 2009, "Chapter 6. Terrorist Organizations", dated August 5, 2010 http://www.state.gov/s/ct/rls/crt/2009/140900.htm.

(Tab 6a) – Zebari letter

الحزب الديمقراطي الكردستاني
KURDISTAN DEMOCRATIC PARTY

14 July 1999

Mr M F Wijingaarden
Van Den Biesen Pnakken Hohler
Nieuwe Herengracht 51, 1011 RN Amesterdam
Netherlands

PRIVATE & CONFIDENTIAL TO BE USED IN COURT AS EVIDENCE

Dear Mr Wijingaarden,

Thank you for your letter of 4 July 1999 regarding your request of information on Majahedin-E Khalq organization's activity in Iraqi Kurdistan. I am pleased to answer your questions on this matter.

The KDP as a major Kurdish political party has led and participated in the Kurdish spring uprising of 1991 in Iraqi Kurdistan. The uprising caused the collapse of Iraqi government military, security and administrative structure in the region.

The oil-city of Kirkuk was liberated by the people and Kurdish forces (peshmerga). When the Iraqi troops counter attacked and regained control of Kirkuk and other major cities There were rumors of Mujahedin units assisting the Iraqi troops. But due to disorder of events and development it was difficult to establish the truth. However when the leadership of Kurdistan Front engaged in negotiation with the Government of Iraq (GOI) from April – September 1991 and the situation was stabilized these rumors happen to be untrue.

The KDP can confirm that the Mujahedin were not involved in suppressing the Kurdish people neither during the uprising nor in its aftermath.

We have not come across any evidence to suggest that the Mujahedin have exercised any hostility towards the people of Iraqi Kurdistan. The Mujahedin –E Khalq has its own political agenda in Iran and its members do not interfere in Iraqi internal affairs.

Warm regards

Sincerely,

Hoshyar Zebari
Head of KDP International Relations

(Tab 6b) – Ludot interview with TV 'ARTE'

La chaîne télévisée ARTE
27 septembre 2005

Reportage sur le procès de Saddam Hussein

Emmanuel Ludot (l'un des avocats de Saddam) :

Et je vais vous faire une confidence, même si cela va peut être me coûter. Moi j'ai été convoqué par l'ambassade d'Iran et la première chose qu'on ma dit à l'ambassade d'Iran c'est : « Comment va Saddam ? Nous sommes, nous Iraniens très inquiets sur sa santé ».

Quand j'ai entendu la question, je me suis cramponné à ma chaise pour savoir si je n'étais pas en train de rêver.

« Voilà on va se mettre d'accord, dit l'ambassadeur. Nous, nous allons dire que Saddam n'a pas gazé les Kurdes. Vous, vous direz que les Iraniens n'ont pas gazé les kurdes. Mais nous avons un dossier à vous donner dans lequel nous avons la preuve que se sont les Moudjahidine du peuple qui les ont gazé. Donc, nous allons trouver un responsable commun : ce sera les Moudjahidine du peuple. Vous direz que ce sont les Moudjahidine du peuple, nous, nous dirons que ce sont les Moudjahidine du peuple et l'honneur se sera sauf. Qu'en pensez-vous ? »

(Tab 6c) – 2 UN ECOSOC reports

UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/1995/NGO/55
22 August 1995

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-seventh session
Agenda item 19

IMPLICATIONS OF HUMANITARIAN ACTIVITIES FOR
THE ENJOYMENT OF HUMAN RIGHTS

Written statement submitted by International Educational Development,
a non-governmental organization on the Roster

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[21 August 1995]

1. International Educational Development/Humanitarian Law Project has been concerned about the armed conflict in Iran between the military forces of the Khomeini regime and the National Liberation Army (NLA) of the National Council of Resistance of Iran. We have also been keenly aware of the situation of the Kurdish people in the area and have raised our concerns, based on our own investigations, in the United Nations human rights forums.

2. We have been distressed because of certain misrepresentations of events in the area, in particular allegations made that the NLA has collaborated with the armed forces of the Government of Iraq, inter alia by participating in attacks against Kurdish people in Kirkuk, Qara Hanjeer, Kifri and Altun Kopir in April 1991. There are also allegations that NLA troops took part in the use of chemical weapons against Kurdish villages, and that they even collaborated earlier with the then Shah against the Kurdish peoples.

3. From our independent investigation and discussion with parties involved, we find these allegations false. Accordingly, we wish to set out the facts as we believe them to be.

4. During the Gulf war, the NLA evacuated the military bases they had in Kurdish areas along the Iran-Iraq border - some in the north and some in the south. They relocated to the middle border area away from Kurdish settlements. The key reason for this costly relocation was to remove themselves from Iraq's internal affairs.

5. After the defeat of the Iraqi forces in the Gulf war, the Iranian regime began a two-pronged initiative to annihilate the NLA and to establish an Iranian-controlled Islamic government in Iraq. In March 1991, Iran sent seven Guard Corps divisions and brigades to attack NLA base camps on the border. However, these were heavily defeated by NLA fighters. Six of the Iranian soldiers captured by the NLA wore Kurdish dress. At the same time, the Iranian regime sought to hire Iraqi Kurds to fight against the NLA, and in the Kurdish areas demolished the abandoned NLA camps.

6. The "Kurdish" prisoners of war (who were in fact Iranians) held by the NLA were subsequently presented to the International Committee of the Red Cross, and they conceded that the Iranian regime was trying to recruit Kurds to fight the NLA. The prisoners were released by order of M. Rajavi, Commander-in-Chief of the NLA and extensive documentation as well as film footage and photographs were also made available to the public about these events.

7. The NLA and the National Resistance Council of Iran sent messages to Kurdish groups in Iraq indicating that they had no interest whatsoever in interfering with them or in their own struggles. They reiterated that their only objective was directed at the Khomeini regime and stressed that they had relocated to central border areas away from the Kurds.

8. This communication follows a pattern of good relations between the NLA, the National Resistance Council of Iran and Kurdish people and their leaders in Iraq. Resistance leaders have met with leaders of the Iraq Kurdish Democratic Party (led by Mr. Barzani) and freely associates with other Kurdish groups in Iraq, Europe, the United States and at United Nations sessions.

9. Most of the allegations made against the NLA regarding the Kurdish people come from a man named Jamshid Tafrishi-Enginee, who was cited by people at this session of the Sub-Commission as a former leader of the Iranian resistance. Our investigation indicates that Mr. Tafrishi-Enginee joined the resistance in 1988, but left after 19 months with a low rank. In his letter of resignation, handwritten and dated 23 September 1990, he cites personal problems and requests leave to transfer to a refugee camp. He then travelled to Europe where he began to campaign publicly against the NLA. There is compelling evidence that he is in fact an agent of the Khomeini regime's Ministry of Intelligence.

10. IED/HLP has first-hand experience that the Khomeini regime seeks to draw attention away from the civil war in Iran - in fact the regime has fought diligently to keep all mention of the war and application of humanitarian law out of United Nations reports and resolutions on the situation in Iran. The regime attempts to make the international community believe the NLA is really fighting the Kurdish people in Iraq and as such is a pawn of the Iraq regime. We present this assessment of these events because in our view, misinformation must be challenged and true facts presented in the interest of sound and honest evaluation of events in Iran and of the civil war raging there.

UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL
E/CN.4/2001/NGO/51
23 January 2001

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-seventh session
Item 9 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Written statement*/ submitted by International Educational Development, Inc., a non-governmental organization on the Roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 January 2001]

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*/ This written statement is issued, unedited, as received from the submitting non-governmental organization(s).

GE.01-10491

HUMAN RIGHTS IN IRAN

1. In 1995 International Educational Development submitted a written statement (United Nations Document E/CN.4/Sub.2/1995/55) to the Sub-Commission on Prevention of Discrimination and Protection of Minorities (now the Sub-Commission on Promotion and Protection of Human Rights) in which we provided information about a person named Jamshid Tafrishi-Enginee. In our statement we pointed out that while Mr. Tafrishi-Enginee had spent about 18 months with the National Liberation Army (NLA) of the National Council of Resistance of Iran, we believed that he was in fact an agent of the regime in Iran with an assignment to gather intelligence on Iranian exiles, to seek ways and means for discrediting them and all opponents of the regime, and to carry out misinformation campaigns against them. Mr. Tafrishi now freely admits that we were correct.

2. Mr. Tafrishi has recently written letters in which he reveals that the Intelligence Ministry of the Iranian regime hired him (apparently paying him $72,000 in addition to travel and other expenses) especially to carry out a misinformation campaign about the NLA, with false accusations that the NLA had itself engaged in violations of human rights or intimidation or extortion of the Iranian exile community. A number of human rights organizations were treated to false testimony and government-orchestrated letter writing campaigns. Unfortunately, some of these organizations may have believed this misinformation. Sadly, this campaign appears to have succeeded in shifting attention away from the serious violations of humanitarian law being committed by the Iran military forces as well as the continuing gross pattern of human rights violations taking place throughout the country. Perhaps if the international community has responded to Mr. Tafrishi as we did – we thought Mr. Tafrishi was so clearly inept for his job anyone could see him for what he was – there would still be strong international action regarding Iran.

3. In other work on the situation in Iran, we have expressed outrage over the staggering number of political prisoners executed in the regime's jails. Now it appears we were conservative in our tally of these executions: Mr. Hossein Ali Montazeri, former designated successor to Khomeini, Iran's Supreme Leader at the time, recently made public shocking documents indicating that as many as 30,000 political prisoners were killed in 1988 alone. Iran's current leaders, including Mr. Khamenei, Mr. Khatami and Mr. Rafsanjani, as well as the officials still in charge of the Judiciary, played the primary role in this massacre.[1]

4. The documents made public by Mr. Montazeri include the text of Khomeini's fatwa in Summer 1988, which read in part:

> "Those who are in prisons throughout the country and remain steadfast in their support for the Monafeqin [Mojahedin], are waging war on God and are condemned to execution.... Annihilate the enemies of Islam immediately. As regards the cases, use whichever criterion that speeds up the implementation of the [execution] verdict."

Other documents made public by Mr. Montazeri show that on July 31, 1988 alone, about 3,800 persons were killed, only three days after the beginning of this bloody massacre. On the same day, in a letter to Khomeini, Mr. Montazeri wrote:

> "At least order to spare women who have children and finally, the execution of several thousand prisoners in a few days will not have positive repercussions and will not be mistake-free. . . . A large number of prisoners have been killed under torture by their interrogators. . . . In some prisons of the Islamic Republic young girds are being raped by force. . . . As a result of unruly torture, many prisoners have become deaf or paralyzed or afflicted with chronic diseases."

5. Gross human rights violations in Iran did not end in 1988. In his latest report to the General Assembly, Maurice Copithorne, the Commission's Special Representative on Iran attests to high rates executions and of particularly gruesome torture, continued discrimination of women and religious minorities, and curtailment of freedom of the press under conditions that he calls "truly draconian."[ii]

6. The continuing flagrant violations of human rights in Iran and the shocking massacres of 1988 are irrefutable cases of crimes against humanity. These violations took place and continue in the course of an on-going civil war and are related to that war. Accordingly, the international community is, under the provisions of the Geneva Conventions of 1949 and other instruments of humanitarian law, under an obligation to seek out and try those responsible. Such a trial is not limited to a special international tribunal, but may take place in the courts of any party to the Geneva Conventions.[iii]

7. International Educational Development/Humanitarian Law Project urges the Commission as a whole as well as its individual members to undertake appropriate action in light of grave breaches of humanitarian law committed by the Irani regime. We also urge the Commission to continue the mandate of its Special Representative.

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[i] The state-run daily Iran News, made a reference to this massacre on April 9, 2000: "The decree was issued at a time when President Khatami, was the deputy to the Commander of the Armed Forces Staff in ideological and cultural affairs. He implemented the Imam (Khomeini)'s decree most decisively."

[ii] United Nations Document A/55/363 at para. 13.

[iii] See, for example, Geneva Convention IV of 1949, United Nations Treaty Series Vol. 75, p. 267: "Each High Contracting Party shall be under an obligation to search for persons alleged to have committed , or to have ordered to have committed, . . .grave breaches, and shall bring such persons, regardless of their nationality, before its own courts.

Tab 7

Allegation 7: MEK brainwashed, imprisoned and tortured members who wanted to leave Camp Ashraf starting in the 1990s

While not a criterion for being labeled a terror group, the revelation that an organization may have engaged in the abuse of human rights is cause for investigation, opprobrium and action by governments and private watchdog groups alike. The reputation of an entity, once exposed as an abuser of human rights, is not easily, if ever, rehabilitated.

It was therefore a major reputational blow to the MEK when, in May 2005, Human Rights Watch (HRW) released a 28-page report entitled No Exit - Human Rights Abuses Inside the Mojahedin Khalq Camps, in which serious alleged human rights abuses by the MEK (referred to as 'MKO' in the HRW report) were described in detail, based on lengthy telephone interviews with twelve persons offering first-hand accounts. The report said of these witnesses that *"[t]heir testimonies...paint a grim picture of how the organization treated its members, particularly those who held dissenting opinions or expressed an intent to leave the organization. The former MKO members reported abuses ranging from detention and persecution of ordinary members wishing to leave the organization, to lengthy solitary confinements, severe beatings, and torture of dissident members. The MKO held political dissidents in its internal prisons during the 1990s and later turned over many of them to Iraqi authorities, who held them in Abu Ghraib."*[1]

Coming from one of the world's most respected humanitarian NGOs – some of whose senior leadership the author knows and greatly admires – this report dealt a severe blow to the image and reputation of the MEK, in America, Europe, and undoubtedly elsewhere. The MEK, for its part, denied all of the human rights abuse allegations, called into question the truthfulness and affiliations of the witnesses who had supplied the material for the HRW report, and invited scrutiny of its sites, operations and people to debunk the report's conclusions.

A group of four Members of the European Parliament who were supporters of the MEK formed a delegation and conducted an investigation of the HRW charges, including private interviews at Camp Ashraf with MEK members and officials, and what it called "*impromptu inspections of the sites of alleged abuses.*" The result was a book-length rebuttal of the HRW report which, by its account, exposed the falsity of testimonials in the HRW report, witness by witness, often quoting ex-spouses or siblings of the HRW witnesses and introducing, with some if not all the witnesses, the hand of Iranian government influence over their testimony.[2] Their rebuttal sharply criticized the HRW report's authors for, among other alleged shortcomings, failing to meet with these telephone witnesses or take other prudential steps such as visiting MEK sites, to verify their stories.

The credibility and quality of its staff's work thus challenged, HRW issued a statement on February 14, 2006 in which it said, in part: "*We have investigated with care the criticisms we received*

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[1] No Exit - Human Rights Abuses Inside the Mojahedin Khalq Camps, Human Rights Watch, May 2005 http://www.hrw.org/reports/2005/05/18/no-exit.

[2] André Brie and Paulo Casaca assisted by Azadeh Zabeti on behalf of the Friends of a Free Iran European Parliament, "People's Mojahedin of Iran" – Mission Report (L'Harmattan publishers, September 2005) http://www.editions-harmattan.fr/index.asp?navig=catalogue&obj=livre&no=20363 (there are versions published in French and English)

concerning the substance and methodology of the report, and find those criticisms to be unwarranted...." Directly responding to the rebuttal by the members of the European Parliament – known as the Friends of a Free Iran (FOFI) – the HRW statement continued, *"The FOFI document disputed the testimonies and challenged the credibility of the witnesses interviewed by Human Rights Watch, saying, among other things, that their allegations were 'widely believed to be orchestrated by Iran's Ministry of Intelligence'....Neither FOFI nor any of the other critics of the Human Rights Watch report have provided any credible evidence to support this charge."*[3]

Without wishing to relitigate the 2005-06 HRW report controversy, or claiming superior knowledge regarding these and similar contradictory claims, the author would direct the reader's attention to the following information if only to provide context to any search for 'ground truth' regarding the MEK's human rights practices.

To begin, one individual who did claim superior knowledge to that of HRW regarding the activities and practices inside Camp Ashraf was Colonel David Phillips, USA, who commanded the 89th Military Policy Brigade responsible for Camp Ashraf from January-December 2004. Colonel Phillips, who was subsequently promoted to general officer rank, wrote a letter dated May 27, 2005 to Kenneth Roth, Executive Director of HRW. The letter, which was read into the Congressional Record on June 21, 2005 by Rep. Thomas Tancredo, said in part:

> *"I...was responsible for the safety and security of Camp Ashraf from January-December 2004. Over the year long period I was apprised of numerous reports of torture, concealed weapons and people being held against their will by the leadership of the Mujahedin e-Khalq. I directed my subordinate units to investigate each allegation [and] in many cases I personally led inspection teams on unannounced visits to the MEK/PMOI facilities where the alleged abuses were reported to occur. At no time over the 12 month period did we ever discover any credible evidence supporting the allegations raised in your recent support. I would not have tolerated the abuses outlined in your report....Each report of torture, kidnapping and psychological deprivation turned out to be unsubstantiated.....To my knowledge, as the senior officer responsible for safeguarding and securing Camp Ashraf throughout 2004, there was never a single substantiated incident as outlined in your report....*
>
> *"I believe that your recent report was based on unsubstantiated information from individuals without firsthand knowledge or for reasons of personal gain....Iraq was very dangerous throughout 2004. In my opinion, Camp Ashraf was the safest place within my area of responsibility."*[4]

The next year, on August 24, 2006, Lieutenant Colonel Julie S. Norman, USA, Military Police Commander of TF 134, JIATF at Camp Ashraf, wrote in a Memorandum for the Record regarding the JIATF's agreements with the PMOI during her tenure beginning in September 2005: *"For the past three years,...US Forces have been in charge of security outside of Ashraf, and the PMOI has been responsible*

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[3] Human Rights Watch. "Statement on Responses to Human Rights Watch Report on Abuses by the Mojahedin-e Khalq Organization (MKO)," February 14, 2006.

[4] Congressional Record – Extension of Remarks, June 21, 2005, p. E1299.

for internal discipline of Ashraf, which has been fulfilled in the best manner....There exists no prison or any obligation to stay in Ashraf; everyone is free to leave PMOI anytime he/she wishes to."[5]

Numerous testimonials along similar lines have issued from US, European, and Iraqi as well as MEK parties, some claiming to have evidence that named witnesses in the HRW report had ties to Iranian intelligence.[6] There is an evident pattern of activity in Europe and the US involving Iranian intelligence, with a primary objective being to defame the MEK. The individual discussed in the previous attachment who had admitted fabricating stories about MEK aggression against the Kurds, Jamshid Tafrishi, had a broader mission, as reported to the UN Secretary General by an American NGO accredited to UN ECOSOC (third enclosure to attachment 6 above):

> *"Mr. Tafrishi has recently written letters in which he reveals that the Intelligence Ministry of the Iranian regime hired him (apparently paying him $72,000 in addition to travel and other expenses) especially to carry out a misinformation campaign about the [MEK], with false accusations that the [MEK] had itself engaged in violations of human rights or intimidation or extortion of the Iranian exile community."*

Mr. Tafrishi, a political refugee in Denmark, submitted an affidavit dated August 30, 2001 for use in the US Court of Appeals reviewing the FTO designation of the MEK/PMOI. (The full text and original affidavit are enclosed next under.) In it, Tafrishi says, *"Alleging human rights abuses against the PMOI was one of the most serious projects the [Iranian Intelligence] Ministry was pursuing outside Iran with me and a number of other agents....In 1994, we were engaged in an extensive campaign to convince Human Rights Watch that PMOI is engaged in human rights abuses and encouraged them to prepare a report in this regard. The information was also being sent to the United States Department of State who was preparing a report on the Mojahedin at the time."*

Allied governments describe in similar terms the activities of Iranian intelligence within their territory. Germany's Federal Ministry of Interior said this in its 1999 Annual Report:

> *"As before, the priority aim of the Iranian Intelligence Service VEVAK (Ministry for Intelligence and Security) is to combat Iranian dissidents living in Germany....VEVAK activities were, as in the previous years, focused on the political neutralization of opposition groups and their anti-regime activities. The [MEK] continued to be the focus of the intelligence interest of the Iranian intelligence service. In its fight against the Iranian opposition-in-exile, VEVAK makes use of so-called "culture associations". These are cover organizations founded as directed by VEVAK and acting in accordance with Iran's interests and wishes.*
>
> *"In addition, the Iranian service initiates anti-MEK publications which in part are published by former MEK activists and have the aim of persuading the readers of these publications to turn their backs upon this organization. For spying on the MEK, the Iranian intelligence service also recruits supporters of that organization and other Iranian nationals. Recruitment mostly takes place during visits by exiled Iranians to Iran. When in that country, they will be approached by VEVAK and, in instances, under threat of massive harassment against themselves or their relatives in Iran, are compelled to co-operate with the intelligence service."*[7]

The Dutch National Security Service (then still known as 'BVD') wrote this in its 2001 Annual Report:

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[5] "Memorandum for the Record, Subject: Understood Agreements Between JIATF and PMOI During LTC Norman's Tenure (22 SEP 05 – 24 AUG 06)," Department of the Army, TF-134, JIATF, Camp Ashraf, Iraq, 24 AUG 06.

[6] For example, following the visit to Camp Ashraf by a Norwegian Parliamentary Delegation, one member, Lars Rise, wrote a letter to HRW Executive Director Kenneth Roth to this effect, quoted in the FOFI Mission Report cited above.

[7] Annual Report of the Office for Protection of the Constitution, Bundesministerium des Innern, p. 205 http://www.bmi.bund.de/Shared/Inca/Downloads/EN/Broschuere/Annual_Report_of_the_Office_for_Id_10268_an.pdf?__blob=publicationFile

"One of the tasks of the Iranian intelligence service MOIS is to track down and register persons abroad who are in contact with opposition groups. Special attention is paid to members and former members of the principal opposition group, the Mujahedin-e Khalq (MKO)....The Iranian authorities see the MKO as a terrorist organisation and urge western countries to ban it....Agents of the Iranian intelligence service also receive instructions to spread adverse information about the MKO or its members. The MOIS thus tries to destabilise the organisation and to discredit it in the host country, which affects political and social support for the movement. The MKO... reports each (alleged) attempt by the Iranian intelligence service to infiltrate the organisation or to disseminate negative information to the authorities in the host country."[8]

As described in general terms by the German and Dutch services, there is a considerable body of information in circulation regarding the loyalties, sponsorship and thus credibility of specific individuals and their public assertions about the MEK.[9]

Is the MEK an organization that abuses the human rights of its followers? Before reaching a verdict on this allegation one must note the repeated specter of claim and counter-claim on basic facts playing out in the public domain; siblings and former spouses disputing in detail the public claims of their own family members; US military eyewitnesses raising warnings about the credibility of allegations relating to the periods of their service at Camp Ashraf in Iraq; and allied governments reporting that Iran's intelligence services promote falsehoods in an effort to color international opinion regarding the MEK on this score. Nothing is ever conclusive on such an issue. But an objective observer will want to exercise an extraordinarily high level of diligence before claiming to know whether the constant tainting of the MEK's reputation as an abuser of human rights is justified.

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[8] Annual Report 2001, National Security Service (Netherlands), p. 33., September 6, 2002 http://www.fas.org/irp/world/netherlands/jv2001_en.pdf
As one possible example of MEK efforts to expose MOIS operatives, supporters of the MEK have what they say is a police photograph of one IIRW witness upon being arrested in Paris on June 17, 2007 after allegedly participating in the attempted assassination of pro-MEK individuals who had arrived at a meeting with the intent to publicize and protest his ties to the Iranian MOIS. MEK supporters say the details and background were subsequently made public.

[9] See, for example, the signed "Witness Statement of Winston James Griffiths," a retired Labor MP, before the U.K. Proscribed Organisations Appeal Commission (the court case that overturned the UK's listing of the MEK as a terrorist organization, see Attachment 10) which names several "front organizations for the Iranian regime" that he says frequently approached him and fellow UK Members of Parliament, fifteen websites "used to spread misinformation against the PMOI," and detailed allegations regarding one Massoud Khodabandeh and his wife Anne Singleton, who together run the "Iran-Interlink" website (http://www.iran-interlink.org). A second signed witness statement to the Commission from Abrahim Khodabandeh, brother of Massoud Khodabandeh, provides a detailed narrative consistent with Mr. Griffiths' submission.

(Tab 7) - Tafrishi affidavit

Affidavit of Jamshid Tafrishi,

Personal background

1. I, Jamshid Tafrishi, was born on April 13, 1955, in the city of Tabriz, Iran. I currently live in Denmark as a political refugee.

2. I am divorced and have 2 children.

3. Until last year, I pretended that I was an opponent of the Iranian regime, while I was in fact advancing the assignments given by the Iranian regime's Intelligence Ministry. In these years, I actively participated in the Iranian regime conspiracy to accuse PMOI of human rights violations. I was also engaged in other plans such as providing false information about PMOI to foreign governments, particularly alleging that PMOI is supported by the Iraqi government to tarnish the image of the organization.

4. In these years, the Intelligence Ministry invited me to Singapore four times to meet the most senior officials of the Intelligence Ministry. Singapore is one of the locations the Intelligence Ministry uses to meet its agents. Once it became clear that I was meeting with Intelligence Ministry's officials, my divorced wife pressured me to go to Iran for further meetings with Intelligence Ministry officials. I traveled secretly to Iran in a trip arranged by the Intelligence Ministry and met with the Ministry's officials in Tehran and Shiraz. From 1995 until 1999, I received a total of 72,000 dollars from the Intelligence Ministry as payment for my work on their behalf.

5. I met Saeed Emami (AKA Shamshiri), the number-2 man in the Intelligence Ministry for eight years, who was behind the murder of at least 100 dissidents in Iran. The latest of these serial killings was exposed in November 1998, when Dariush Forouhar and his wife Parvaneh were brutally murdered in their home. Emami was also responsible for the assassination of dozens of dissidents abroad. I also met Mostafa Kazemi (AKA Sanjari, Emami's deputy), Amir Hossein Taqavi (responsible for the PMOI case in the Intelligence Ministry, also involved in the political killings) and Hossein Shariatmadari (a deputy Intelligence Minister and the current editor of the government-controlled Kayhan newspaper). My contact with the Ministry was a man by the name of Reza who happened to be an assistant to Saeed Emami. It was revealed later that his name was Morteza Qobbeh. He was Emami's other deputy and had the task of recruiting those who dropped out of the Mojahedin Organization.

6. After escaping from the Iranian regime's prisons, I joined the National Liberation Army of Iran in Spring 1989 to fight against the ruling dictatorship in my country. During the Persian Gulf war, when the situation became difficult and intolerable, I was no longer able to continue to fight against the clerical regime and made a written request to be transferred to Hillah refugee camp in Iraq, where I was introduced to the United Nations for departure. Consequently I went to Jordan and Turkey and was eventually relocated to Denmark as a political refugee.

7. In 1993, the Intelligence Ministry was implementing a plan to recruit those who had dropped out of the PMOI and then use them against the organization. They brought my ex-wife from Germany to Denmark to entice me again. After a long episode, she gave birth to a child and the Intelligence Ministry agents took my wife and the child to Iran and kept my child hostage for nearly five months. They pressured me to go to Singapore and meet with the Intelligence Ministry's officials.

Motivation for revealing my information

8. The decision to make public my activities and what I know for the past several years was not a spontaneous decision. Several months after my last visit to Tehran, parts of the Intelligence Ministry's crimes were exposed as the result of the aggravating power struggle between the ruling factions. When I first saw Saeed Emami's picture in the state-run newspapers as some one responsible for the serial murders, I realized that those whose orders I had been carrying out were not ordinary agents of the Ministry but fully-fledged professional killers and terrorists.

I feel a sense of deep regret and remorse over the fact that I allowed myself to be taken advantage of by these ruthless killers.

After I made a firm decision to expose the Iranian regime's conspiracy against the PMOI and the NCRI, Intelligence Ministry agents began to threaten me. They are experts in setting up fake accidents. I could not trust anybody. In one case, on August 3, 2000, the regime had tried devised a plan against my life through my ex-wife, who is an Intelligence Ministry agent. Fortunately my vigilance in the affair foiled the plot.

Intelligence Ministry's task

9. The Ministry had assigned me to carry out several tasks:

A. Accusing the PMOI of violating human rights as someone who had previously worked with the organization.

B. Recruitment of disaffected members and efforts aimed at luring non-PMOI members of the NCRI away from that coalition.

C. I was also assigned to the task of providing false information to European countries on the PMOI and the NCRI. I was also aware that other agents are engaged in similar activities in other countries.

Allegations of human rights violations

10. Alleging human rights abuses against the PMOI was one of the most serious projects the Ministry was pursuing outside Iran with me and a number of its other agents. The Ministry was convinced that if it were successful in neutralizing the PMOI and the NCRI in their actions that exposed human rights abuses in Iran, the United Nations would no longer condemn the Iranian regime. They felt that the only way to achieve this was to accuse the PMOI of human rights abuses. Thus, acting as disaffected members of the PMOI, our responsibility was to accuse the organization of human rights abuses in order to disarm them of the human rights weapon.

11. In 1994, we were engaged in an extensive campaign to convince Human Rights Watch that PMOI is engaged in human rights abuses and encouraged them to prepare a report in this regard. The information was also being sent to the United States Department of State who was preparing a report on the Mojahedin at the time.

12. In 1996, using the same story against the PMOI, we met in Geneva with Professor Maurice Danby Copithorne, UN Human Rights Commission's Special Representative on human rights situation in Iran. The Intelligence Ministry organized everything regarding this meeting. The contact person with professor Copithorne was Nasser Khajeh-nouri who operated from US but regularly visited Europe.

13. A similar attempt was made at Amnesty International in 1996, when a number of Intelligence Ministry agents met with the representative of the human rights organization in Germany.

14. Despite all our efforts, we were not able to convince human rights organizations or the UN Special Representative to denounce the PMOI. As a result, we were asked to concentrate more on governments.

False information to foreign governments

15. One of our tasks was to discredit the PMOI among members of parliaments and governments in Europe and the United States. In this respect we were asked to claim that the PMOI is cooperating or being helped with the Iraqi government.

16. As part of this plan, I was assigned to inform international organizations as well as foreign governments that PMOI was involved in suppressing the Kurdish rebellion in Iraq. This plan was conducted under the supervision of Nasser Khajeh-Nouri, who was the regime's agent in the United States. He organized interview for me and other agents with an Iranian radio station in Los Angeles to tell our story that PMOI suppressed the Kurdish people along the Iraqi forces. Khajeh-Nouri consequently prepared a report under my name on this issue and sent it to US intelligence and government agencies as well as the United Nations. Consequently, a US Non-Governmental Organization, International Educational Development [organization], prepared a report of their investigation on this issue refuting our allegations against the Mojahedin, which was published as UN document on August 22, 1995.

17. In a similar move, Nasser Khajeh-Nouri once told me that he has received reliable information that PMOI is helping the Iraqi government to buy chemical weapons and other kinds of weapons of mass destruction. He asked me to expose the information and said we would then make it an international issue, by sending it to US government as well as European governments and international organizations. He said he would personally provide this information to US officials. To this end a public meeting was organized in June 1995, in Hamburg, Germany where I disclosed the information that had been given to me.

18. In this respect not only we were providing false information on the PMOI, but we were also claiming to have been threatened by PMOI members. In one occasion, on February 16, 1996, when I was living in Germany, I wrote to Chancellor Helmut Kohl and claimed that PMOI intended to assassinate me.

19. I am aware of several other cases where other agents were told to approach the law enforcement agencies in European countries including Germany, Denmark and Netherlands claiming that PMOI members have threatened them.

20. I am aware that this affidavit will be proffered as evidence in an administrative proceeding being conducted by the United States Department of State.

Affidavit of Jamshid Tafrishi.

Personal background

1. I, Jamshid Tafrishi, was born on April 13, 1958, in the city of Tabriz, Iran. I currently live in Denmark as a political refugee.

2. I am divorced and have 2 children.

3. Until last year, I pretended that I was an opponent of the Iranian regime, while I was in fact advancing the assignments given by the Iranian regime's Intelligence Ministry. In these years, I actively participated in the Iranian regime conspiracy to accuse PMOI of human rights violations. I was also engaged in other plans such as providing false information about PMOI to foreign governments, particularly alleging that PMOI is supported by the Iraqi government to tarnish the image of the organization.

4. In these years, the Intelligence Ministry invited me to Singapore four times to meet the most senior officials of the Intelligence Ministry. Singapore is one of the locations the Intelligence Ministry uses to meet its agents. Once it became clear that I was meeting with Intelligence Ministry's officials, my divorced wife pressured me to go to Iran for further meetings with Intelligence Ministry officials. I traveled secretly to Iran in a trip arranged by the Intelligence Ministry and met with the Ministry's officials in Tehran and Shiraz. From 1995 until 1999, I received a total of 72,000 dollars from the Intelligence Ministry as payment for my work on their behalf.

5. I met Saeed Emami (AKA Shamshiri), the number-2 man in the Intelligence Ministry for eight years, who was behind the murder of at least 100 dissidents in Iran. The latest of these serial killings was exposed in November 1998, when Dariush Forouhar and his wife Paryaneh were brutally murdered in their home. Emami was also responsible for the assassination of dozens of dissidents abroad. I also met Mostafa Kazemi (AKA Sanjari, Emami's deputy), Amir Hossein Taqavi (responsible for the PMOI case in the Intelligence Ministry, also involved in the political killings) and Hossein Shariatmadari (a deputy Intelligence Minister and the current editor of the government-controlled Kayhan newspaper). My contact with the Ministry was a man by the name of Reza who happened to be an assistant to Saeed Emami. It was revealed later that his name was Morteza Qobbeh. He was Emami's other deputy and had the task of recruiting those who dropped out of the Mojahedin Organization.

6. After escaping from the Iranian regime's prisons, I joined the National Liberation Army of Iran in Spring 1989 to fight against the ruling dictatorship in my country. During the Persian Gulf war, when the situation became difficult and intolerable, I was no longer able to continue to fight against the clerical regime and made a written request to be transferred to Hillah refugee camp in Iraq, where I was introduced to the United Nations for departure. Consequently I went to Jordan and Turkey and was eventually relocated to Denmark as a political refugee.

7. In 1993, the Intelligence Ministry was implementing a plan to recruit those who had dropped out of the PMOI and then use them against the organization. They brought my ex-wife from Germany to Denmark to entice me again. After a long episode, she gave birth to a child and the Intelligence Ministry agents took my wife and the child to Iran and kept my child hostage for nearly five months. They pressured me to go to Singapore and meet with the Intelligence Ministry's officials.

Motivation for revealing my information

8. The decision to make public my activities and what I know for the past several years was not a spontaneous decision. Several months after my last visit to Tehran, parts of the Intelligence Ministry's crimes were exposed as the result of the aggravating power struggle between the ruling factions. When I first saw Saeed Emami's picture in the state-run newspapers as some one responsible for the serial murders, I realized that those whose orders I had been carrying out were not ordinary agents of the Ministry but fully-fledged professional killers and terrorists.

I been suffering from such psychological pressures and a sense of deep regret that I have been forced to visit a psychiatric center in Denmark (called D-4) and receive psychiatric counseling for five hours every day.

After I made a firm decision to expose the Iranian regime's conspiracy against the PMOI and the NCRI, Intelligence Ministry agents began to threaten me. They are experts in setting up fake accidents. I could not trust anybody. In one case, on August 3, 2000, the regime had tried devised a plan against my life through my ex-wife, who is an Intelligence Ministry agent. Fortunately my vigilance in the affair foiled the plot.

Intelligence Ministry's task

9 The Ministry had assigned me to carry out several tasks:

A. Accusing the PMOI of violating human rights as someone who had previously worked with the organization.

B. Recruitment of disaffected members and efforts aimed at luring non-PMOI members of the NCRI away from that coalition.

C. I was also assigned to the task of providing false information to European countries on the PMOI and the NCRI. I was also aware that other agents are engaged in similar activities in other countries.

Allegations of human rights violations

10. Alleging human rights abuses against the PMOI was one of the most serious projects the Ministry was pursuing outside Iran with me and a number of its other agents. The Ministry was convinced that if it were successful in neutralizing the PMOI and the NCRI in their actions that exposed human rights abuses in Iran, the United Nations would no longer condemn the Iranian regime. They felt that the only way to achieve this was to accuse the PMOI of human rights abuses. Thus, acting as disaffected members of the PMOI, our responsibility was to accuse the organization of human rights abuses in order to disarm them of the human rights weapon.

11. In 1994, we were engaged in an extensive campaign to convince Human Rights Watch that PMOI is engaged in human rights abuses and encouraged them to prepare a

report in this regard. The information was also being sent to the United States Department of State who was preparing a report on the Mojahedin at the time.

12. In 1996, using the same story against the PMOI, we met in Geneva with Professor Maurice Danby Copitherne, UN Human Rights Commission's Special Representative on human rights situation in Iran. The Intelligence Ministry organized everything regarding this meeting. The contact person with professor Copitherne was Nasser Khajeh-nouri who operated from US but regularly visited Europe.

13. A similar attempt was made at Amnesty International in 1996, when a number of Intelligence Ministry agents met with the representative of the human rights organization in Germany.

14. Despite all our efforts, we were not able to convince human rights organizations or the UN Special Representative to denounce the PMOI. As a result, we were asked to concentrate more on governments.

False information to foreign governments

15. One of our tasks was to discredit the PMOI among members of parliaments and governments in Europe and the United States. In this respect we were asked to claim that the PMOI is cooperating or being helped with the Iraqi government.

16. As part of this plan, I was assigned to inform international organizations as well as foreign governments that PMOI was involved in suppressing the Kurdish rebellion in Iraq. This plan was conducted under the supervision of Nasser Khajeh-Nouri, who was the regime's agent in the United States. He organized interview for me and other agents with an Iranian radio station in Los Angeles to tell our story that PMOI suppressed the Kurdish people along the Iraqi forces. Khajeh-Nouri consequently prepared a report under my name on this issue and sent it to US intelligence and government agencies as well as the United Nations. Consequently, a US Non-Governmental Organization, International Educational Development [organization], prepared a report of their investigation on this issue refuting our allegations against the Mojahedin, which was published as UN document on August 22, 1995.

17. In a similar move, Nasser Khajeh-Nouri once told me that he has received reliable information that PMOI is helping the Iraqi government to buy chemical weapons and other kinds of weapons of mass destruction. He asked me to expose the information and said we would then make it an international issue, by sending it to US government as well as European governments and international organizations. He said he would personally provide this information to US officials. To this end a public meeting was organized in June 1995, in Hamburg, Germany where I disclosed the information that had been given to me.

18. In this respect not only we were providing false information on the PMOI, but we were also claiming to have been threatened by PMOI members. In one occasion, on February 16, 1996, when I was living in Germany, I wrote to Chancellor Helmut Kohl and claimed that PMOI intended to assassinate me.

19. I am aware of several other cases where other agents were told to approach the law enforcement agencies in European countries including Germany, Denmark and Netherlands claiming that PMOI members have threatened them.

20. I am aware that this affidavit will be proffered as evidence in an administrative proceeding being conducted by the United States Department of State.

Vejle, den 30. august 2001

Jamshid Tafrishi
P.O.Box 287
7100 Vejle, Danmark

Til vitterlighed om underskriftens ægthed, datteringens rigtighed samt underskriverens myndighed:

Navn: Michelle Hansen
Stilling: Sekretær
Bopæl: Vejle

Navn: Ina Laursen
Stilling: Sekretær
Bopæl: Vejle

Tab 8

Allegation 8: MEK operates as a cult, separating married couples after 1991 and sending their children away, prohibiting single women from marrying, and self-immolating

Critics of the MEK, many journalists[1], and some governments[2] include in their descriptions of the MEK a characterization that it is a "cult" or engages in cult-like behavior. Such a description is out of the ordinary when discussing entities listed as foreign terrorist organizations – even when discussing the most dangerous terror groups such as *Al Qaeda*, which many believe would not hesitate to use weapons of mass destruction on large civilian populations were it to obtain such weapons.

In the American public's experience with groups alleged to be "cults," these have not generally been associated with terrorism. There may have been other domestic laws at issue (such as homicide, tax evasion, fraud, weapons violations, child abuse, and land use) with the past activities of the Ku Klux Clan, the followers of the Bhagwan Shree Rajneesh in Oregon, the suicide Jonestown Cult in Guyana and later Heaven's Gate in San Diego, deranged murderer Charles Manson and his female followers, the Branch Davidians in Texas, etc. All have been viewed by the public with disdain and revulsion. None, at least in America, have been linked to the pursuit of political power.

There is therefore little frame of reference in the foreign policy and international security domain with which to factor the persistent negative commentary about the MEK's alleged "cult"-like behavior over the years into a judgment on the how the MEK's activities over the past 2-5 years align with the standing criteria for either listing or de-listing an entity as an FTO. If a group is already guilty of committing, abetting, or planning to commit acts of terrorism, the further attribution of abnormal personal and social proclivities that may offend the sensibilities of Americans or Europeans – even if proven true – would seem to be extraneous. If a group is not guilty of actions meriting continuing designation as an FTO, it is even less clear where the issue of undesirable social practices finds its place in such a decision process.

And yet, the "cult" label almost invariably surfaces in policy commentaries urging that the MEK be kept on the list of FTOs. The author's best explanation for this is that critics of the MEK are far more interested in the strategic issue of US foreign policy toward Iran than the quasi-technical matter of whether the MEK now qualifies to have its designation removed as an FTO (much less whether social mores within the MEK are alien to western sensibilities). Their fear seems to be that a de-listing of the MEK by the US would be tantamount to a major policy reversal toward the government in Tehran – a signal that Washington has given up not only its pursuit of negotiations with Tehran, but also the hope that forces for reform inside Iran hold out any prospect of moderating the revolutionary Islamic regime's pursuit of its nuclear program and continued state support for terrorism.

To question the relevance of these disturbing characterizations is not to say they are either true or untrue. As there is no empirical unit of measure that renders one actor's behavior pattern cult-like and another's not, the judgment to be made is in the eye of the beholder. The criticisms of the MEK include that its historic leader, Massoud Rajavi, and current leading figure, wife Maryam Rajavi, have

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[1] Elizabeth Rubin, identified as a contributor to the New York Times Magazine, recently wrote of her visit to Camp Ashraf eight years earlier, likening it to "a factory in Maoist China" in a commentary that asserts as fact many of the allegations examined in this study. Elizabeth Rubin, "An Iranian Cult and its American Friends," New York Times, August 14, 2011, Sunday Review, pp 5, 8. http://www.nytimes.com/2011/08/14/opinion/sunday/an-iranian-cult-and-its-american-friends.html?pagewanted=1&_r=1.

[2] For example, see p. 28 of the Dutch National Security Service Annual Report for 2001.

long demanded and received total obedience and submission from the rank and file; that information reaching MEK members is very limited, and its content sanitized; and that marriages were broken up in the early 1990s, and their children sent overseas to be raised by relatives, friends or arranged host families, since which time men and women have been kept mostly separated and celibate. Some have portrayed the superior authority of Madame Rajavi and a large echelon of ranking female aides over the MEK's male population as bizarre, overreaching presumably even feminist standards of women's empowerment. It is certainly a reversal of the gender politics in most of the Middle East.

MEK supporters deny the implication that they are in the excessive 'thrall' of their leaders' influence, and contend that the 'cult' characterizations are either false or exaggerated. As with other allegations, they can point to the hand of Iranian intelligence, promoting this unflattering profile of their organization.[3] They point out that the Gulf War and its aftermath in Iraq made the MEK's security in Iraq very tenuous, with (see previous attachments) a nationwide Shi'a-Kurdish uprising followed by a crushing ground campaign by Saddam Hussein's forces, cross-border insertion of large numbers of Iranian Revolutionary Guards, aerial bombardment from Iran,[4] and a US-imposed no-fly zone over much of the country. Residents of Camp Ashraf believed that, as they were surrounded by dangers from several quarters, this was no place for children to be growing up.

They say that, even during Operation Desert Storm, an overland convoy by road westward into Jordan was set up using small vans that would hopefully not attract the kind of precision airstrikes made famous by GEN Schwartzkopf's televised debriefings during the Gulf War. Children were initially taken to a hotel in Amman provided by the late King Hussein, and then escorted onward to Europe and Canada for safekeeping with supportive families; many returned after 2000. MEK supporters make no attempt to deny that their committed members stayed behind in Iraq and sustained their activities against the Tehran regime.

One other MEK activity branded as 'cult'-like that western audiences find quite alien to their own cultural framework is self-immolation as an act of protest, such as that performed by several MEK sympathizers in 2003 when Maryam Rajavi was arrested by French authorities.[5] The only comment here is to note that virtually nowhere in the American reaction to the 2011 so-called "Arab Spring" has one seen a cultural disdain for the act of the man who started it. Tunisian fruit vendor Mohamed Bouazizi's fatal self-immolation has been respectfully portrayed by the western media and expert analysts alike as a legitimate, if desperate, act of protest. With this perhaps more than the other allegations, people will be guided by their own personal views. The point here is that interested parties with various agendas have tried hard to influence them.

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[3] A July 2010 article in the Toronto Sun reported the following: *"John Thompson, who heads up the Mackenzie Institute, a security minded think-tank, says…he was offered $80,000 by a man tied to Iran's mission in Canada. 'They wanted me to publish a piece on the Mujahedin-e Khalq,' he said. 'Iran is trying to get other countries to label it as a terrorist cult.' Thompson says he turned down the offer." Brian Lilley.* "Activists say spy chief is right, China is spying. Toronto Sun. July 5, 2010 http://www.torontosun.com/news/canada/2010/07/05/14616126.html.

[4] Supporters of the MEK say that Iranian fighter planes bombed MEK bases in Iraq in April 1992, targeting but missing Massoud and Maryam Rajavi, and that this is rarely if ever mentioned as context in government reports that, they add, exaggerate the severity of attacks against Iranian embassies in thirteen capitals in their narratives of alleged MEK terrorist acts.

[5] In a public gesture of solidarity, others pledged their willingness to undertake self-immolation if the MEK determined it would serve the cause. For her part, Mrs. Rajavi was recognized by the French judicial authorities for having tried to stop these spontaneous actions by others.

Tab 9

Allegation 9: MEK is deeply committed to a hardened leftist, anti-democratic and anti-American set of beliefs, and its claims to support democratic principles are simply lip service for western ears

Scholars have warned that the MEK is entirely fraudulent in its publicly visible political posture, and they take issue with anyone who may have believed its rhetoric advocating universal rights and political participation in Iran. Michael Rubin, Resident Scholar at the American Enterprise Institute (AEI), wrote in 2006 of *"a mistake common to some on the left and the right who care deeply about Iranian freedom but fail to understand the nature of a group which, in public, says the right things about freedom and democracy but, in reality is dedicated to the opposite. Maryam Rajavi and her husband Masud are adept at public relations and adroit at reinvention, but the organization over which they preside eschews democracy and embraces terrorism, autocracy, and Marxism."*[1]

Ray Takeyh of the Council on Foreign Relations testified to a congressional subcommittee in July 2011, *"As the organization has lost its Iraqi patron and finds itself without any reliable allies, it has somehow modulated its language and sought to moderate its anti-American tone....Although in its advocacy in Western capitals, the [MEK] emphasizes its commitment to democracy and free expression, in neither deed nor word has it forsworn its violent pedigree."*[2]

The question of whether or not a foreign entity is engaged in activities meeting the criteria to be listed as a Foreign Terrorist Organization almost certainly does not hinge on whether its members' ideological preferences run more to Marx and Fanon than to Rousseau and Jefferson. More interesting, perhaps, is the thesis that the MEK – closely watched by Iranian intelligence agents, western military and law enforcement officers, human rights groups, journalists and analysts alike – is engaged in a conspiracy to say one thing to the world while secretly intending to do entirely the opposite if ever allowed the chance.

The historical record reflects that Massoud Rajavi, from the inception of the MEK, was opposed to US support for Iran under the Shah. He embraced the concept of armed struggle as the path to liberating the Iranian people from historic exploitation and repressive governance. These themes were common to guerrilla movements and revolutionary intellectual movements around the world in the 1960s. While jailed in the 1970s, Mr. Rajavi is said by MEK supporters to have authored a 15-volume political thesis drawing from an array of political philosophers.

MEK publications quote an Eric Rouleau dispatch from Tehran in Le Monde dated March 29, 1980, as follows: *"One of the most important events not to be missed in Tehran are the courses on comparative philosophy, taught every Friday afternoon by Mr. Massoud Rajavi. Some 10,000 people presented their admission cards to listen for three hours to the lecture by the leader of the People's Mojahedin on Sharif University's lawn."* His message, the Rouleau article continued, was that *"freedom is the essence of evolution and the principal message of Islam and revolution."*

The Rouleau-authored news article in the New York Times enclosed under attachment 2 of this

[1] Michael Rubin, "Monsters of the Left: The Mujahedin al-Khalq," FrontPageMagazine.com, January 13, 2006. http://archive.frontpagemag.com/readArticle.aspx?ARTID=6036

[2] "Massacre at Camp Ashraf: Implications for U.S. Policy," prepared statement by Ray Takehh before the Committee on Foreign Affairs, Subcommittee on Oversight and Investigations, US House of Representatives, July 7, 2011.

study, dated June 13, 1980, quotes Mr. Rajavi addressing an even larger crowd, but this time facing the threat of imminent attack from 'Hezbollahi' supporters of Ayatollah Khomeini. Rouleau quotes Rajavi's words from the podium: "*What are we being attacked for? We are good Moslems, and we are told we live in an Islamic Republic. But we are being besieged by hooligans and terrorists. The Islamic Constitution guarantees all liberties in principle. But we are forbidden access to the newspapers, to the radio, to television and to Parliament.*"

MEK supporters produce documents from the Communist Tudeh Party of Iran in France, dated July 30, 1981, denouncing and calling for the execution of Mr. Rajavi for the "unjustifiable deviation" of "alliance with liberals," and calling on the Mojahedin faithful to "wake up" and understand that "Rajavi the traitor" is one and the same with "America." To date, MEK supporters say, there has never been an MEK office in a Communist country. From 1982, when the National Council of Resistance established its Constitution, through the 1980s, MEK histories chronicle a series of NCR Resolutions and Declarations planning for a constitutional process and free elections post-Khomeini, granting autonomy to the Kurdish areas as previously noted, and setting forth the "Freedoms and Rights of Iranian Women." While the author has not been able to authenticate the historical record of the MEK's doctrinal activity provided by its supporters, critics have not suggested that these events and actions did not occur.

On June 29, 1993, Dr. Joshua Muravchik of Johns Hopkins School of Advanced International Studies, who at the time was a scholar at AEI, spoke about the MEK at the International Club in Washington. His remarks, which were read into the Congressional Record by Rep. Helen Delich Bentley, included these:

> *"One warning about this group is that they don't really mean what they say, and are not being straightforward about what they believe. I have no way of knowing if this is so, but I was heartened by the fact that they do not just have a slogan democracy; they give a lot of the right answers....*
>
> *"Let's suppose that the fears of their critics are well-founded, and they do not mean what they say about democracy. The fact that they are talking about democracy, and not sloganeering, is still very important. They are talking about the values of religious tolerance, free speech, and contested elections. They are talking about the values of tolerance as opposed to cruelty, which seems to me to be the fundamental issue. They are spreading this message among the Iranian people and in their part of the world. This is a very valuable message to have spread, whether the people who are spreading it are sincere or not. We have often seen that people start spreading a message and eventually they convince themselves. From this perspective, even the objection that they are insincere is not a decisive objection, because the Majahedin say the right things about democracy, and I am eager to see people in this part of the world talking about democracy....*
>
> *"I want to talk to them about what they say to the world at large about political events in their part of the world. I especially want to talk about what are saying about democracy to their own people in their radio broadcasts. What message are they bringing to the Iranian people, and is it the same as the message they bring to us?"*[3]

Eighteen years later, thanks to the information revolution that has begun to transform the Middle East, we need not wonder what message the MEK and NCR is broadcasting to Iran. At a rally outside Paris on June 18, 2011, marking thirty years since the Khomeini regime had instituted a wave of

[3] "Panel Discussion on Islamic Fundamentalism," by Dr. Joshua Muravchik, Congressional Record, Extension of Remarks, Hon. Helen Delich Bentley, p. E2203, September 21, 1993 http://thomas.loc.gov/cgi-bin/query/C?r103:./temp/~r103ob4eVk.

mass arrests and executions against the MEK, Maryam Rajavi had a communications opportunity afforded to few if any Iranians. She addressed a crowd inside and outside a large exhibition center estimated in the many tens of thousands, joined by French and international dignitaries, among them parliamentary delegations from 31 countries, each presenting a majority resolution of support for the safeguarding of the 3,400 residents at Camp Ashraf, Iraq. The proceedings were broadcast into Iran and other countries carrying Persian television programming, and camera crews filmed the entire proceeding for dissemination via the internet, DVD, etc.

With such a platform, the NCR President-elect might have faced some agonizing choices, if the above-quoted Washington experts on Iranian affairs are correct, between communicating the MEK's "true" ideology to such a significant Iranian audience versus themes that would be more palatable to her international audience. If so, Madame Rajavi seemed to have no difficulty finding her voice:

> *"Iranian history, society and the Resistance…say no to appeasement, no to submitting to the velayat-e faqih constitution, and no to the totality of religious fascism. On the contrary, we say yes to freedom, democracy and equality, yes to the separation of church and state….*
>
> *"[T]he right of the Iranian people to bring down this brutal dictatorship should not be trampled upon more than it already has. I remind you of the words of Abraham Lincoln, who said, 'The government, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing government, they can exercise their constitutional right of amending it, or their revolutionary right to dismember or overthrow it.'…*
>
> *"One has only to recall the flood of disgusting allegations against the Resistance movement: Accusations such as torturing and murdering our own members, the cult of personality, being a cult, killing hundreds of thousands of Iraqi Kurds and Shi'ites, money laundering, forming criminal associations, imprisoning youngsters and women against their will, lack of popularity inside Iran, and most important and prevalent, the allegation of terrorism….indeed, what was the purpose of all these slanders? Throughout the past three decades, these allegations justified the hanging and torture of the Iranian people and their Resistance….*
>
> *"Our goal is to establish a free and democratic republic based on the separation of church and state, gender equality and with emphasis on women's equal participation in political leadership. We want a non-nuclear Iran. Our platform could be summed up in three words: Freedom, Equality and the supremacy of the people's vote. This has been our ideal from the outset. We are not fighting and making sacrifices to be able to grab onto power. We have not even set our sights on sharing power and the ability to govern. Our biggest mission is the establishment of the people's sovereignty and democracy….[W]e would be content to remain in opposition and feel honored to sacrifice ourselves for the sake of giving the Iranian people the ability to choose freely."*[4]

[4] From text of Address by Mrs. Maryam Rajavi, President-Elect of the National Council of Resistance of Iran, Paris, Villepinte, 18 June 2011, excerpts included in this publication: http://www.ncr-iran.org/en/images/stories/IL/IL-latest2011/IL-khchikoshan-July-2011.pdf.

Tab 10

Allegation 10. MEK continues to have the capability and intent to conduct terrorist activities

The answer to the question of whether the MEK/PMOI "has engaged in planning and preparations for possible future acts of terrorism or retains the capability and intent to carry out such acts" (per the State Department criteria) is significant because an affirmative answer to this question alone – even if MEK/PMOI has committed no acts meeting the definition of terrorism for a very long time – can be cited to justify its continued listing as a Foreign Terrorist Organization.

As noted in earlier attachments, open sources do not point to MEK acts of violence after 2001 or 2002 at the latest. As important as the history of MEK activity is up until that time – hence, the examination of issues covering the entire history of the organization in the previous attachments – here the focus will be on available information relating to the MEK's possible terrorism-related activity since the timeframe of the last 'known' acts of violence.

On June 18, 2003, the Commander of the US Army's 4th Infantry Division, MG Ray Odierno (now US Army Chief of Staff), described the results of the MEK's voluntary relinquishment of weapons to US military forces in Iraq in a press videoconference to the Pentagon:

> *"They have been completely disarmed. We have taken all small arms and all heavy equipment. They had about 10,000 small arms, and they had about 2,200 pieces of equipment, to include about 300 tanks, about 250 armored personnel carriers and about 250 artillery pieces. And we disarmed all of that equipment from them about 30 days ago."*[1]

Commentary about the MEK has included reference to a November 2004 FBI report available on the internet entitled "Mujahedin-E Khalq (MEK) – Criminal Investigation," prepared at the Los Angeles field office, as an important source of information about alleged illicit planning and funding activities by named persons affiliated with the MEK.[2] While the author claims no professional expertise in the law enforcement realm, or first-hand knowledge of the matters discussed in the document, the following may bear on the degree to which judgments can rely on this resource:

- The report lacks a 'file' number and has a disclaimer typed across the bottom of page 1 that says, "This document contains neither recommendations nor conclusions of the FBI."
- The document recounts MEK alleged activity back to the 1970s, many specifics of which are the focus of this brief study; the reader is invited to assess the historical precision of this rendering.
- The key assessment in the report (p. 18) says: "It is not believed that the MEK will launch attacks against U.S. interest or European interests based solely on a U.S. led invasion of Iraq, however, the MEK may still attempt to organize terrorist operations in the U.S. and Europe targeting Iranian interests."
- The report chronicles close cooperation between the FBI and French anti-terrorism authorities leading to the Paris police operation in June 2003 that produced "165 investigative detentions, 25 arrests, and 17 international indictments." Eight years later, as noted in Attachment 2 above, the Investigative Magistrate of Paris anti-terrorism department issued a Decision declaring that because "*the dossier is devoid of evidence for charges…we order the dismissal of charges… against persons named above and against anyone else*."

[1] Maj. Gen. Odierno Videoteleconference from Baghdad, Defense LINK, US Department of Defense, 18 June 2003.
[2] http://www.sinsar.com/archive/2011/FBI%20-%20REPORT.pdf.

- The report also speaks of an Iraq Investigation conducted by an FBI team at Camp Ashraf during a period ending in April 2004, during which over 175 MEK members and "MEK defectors" were interviewed. As the New York Times reported on July 27, 2004, "senior American officials said extensive interviews by officials of the State Department and the Federal Bureau of Investigation had not come up with any basis to bring charges against any members of the group."[3]

This last point bears elaboration. On July 7, 2011, Dr. Gary Morsch, a Colonel in the US Army Reserves who was deployed to Camp Ashraf during this period and ran a hospital in Camp Ashraf, testified to a House subcommittee about the criminal investigation conducted in 2003-04, saying:

> *"...based on my direct role as the lead physician assigned to Camp Ashraf in early 2004,... I lived and worked with the residents of Ashraf on a 24-7 basis. I...left Ashraf with a great knowledge and insight into the organization, as great a knowledge or insight, I believe, as any other American, or more so.*
>
> *"I was there during the entire investigation -- interrogation phase. And from the beginning to the end, all 3,400 or, at that time, maybe a few more -- were interrogated. I did not see the official report of the FBI, but I talked to the agents and the interviewers on a daily basis as they'd come back from spending the day in these interviews. And they were -- they expressed tremendous frustration that they had come to Ashraf with particular people they thought they were going to be able to take back to the U.S. to prosecute for various nefarious criminal or terrorist activities, and day by day they were not able to find any evidence on any illegal criminal or terrorist activities, and finally left empty-handed, as they said. And they were -- they were quite disappointed."*[4]

On July 26, 2004, at the State Department's daily press briefing, then-Deputy Spokesman (and now Ambassador) Adam Ereli was asked whether the MEK camps in Iraq were supervised, and he responded, ""*The important point is that A, they're disarmed; B, they are not – as I said earlier, that they are not in a position to pose a threat to individuals inside or outside Iraq. And that's the critical consideration in our view.*"[5]

On July 20, 2006, MG William Caldwell, USA, Spokesman for Multinational Force – Iraq, said this in a press briefing at the Combined Press Information Center in Baghdad:

> *"Currently...the MEK is out at Ashraf in a secure military facility that the coalition forces, in fact, guard on a 24-by-7 basis. They're under continuous surveillance and control. Their future status does need to be eventually determined, but currently, they're not operating within the country of Iraq. They're in a fenced-in facility...and there is [sic] quite a few coalition forces that are continuously guarding that facility to make sure they are in fact not allowed access out of it, and if it is, it's a controlled access, where they are in fact...escorted the entire time."*[6]

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[3] Douglas Jehl, "The Reach of War: People's Mujahedeen; U.S. Sees No Basis to Prosecute Iranian Opposition 'Terror' Group Being Held in Iraq," New York Times, July 27, 2004 http://www.nytimes.com/2004/07/27/world/reach-war-people-s-mujahedeen-us-sees-no-basis-prosecute-iranian-opposition.html. The article also said, "*[P]rivately, senior American officials noted that it has been more than 25 years since members of the People's Mujahedeen were last believed to have been involved in attacks against the United States, and that most of its recent violent acts were directed at Iran.*"

[4] "Massacre at Camp Ashraf: Implications for U.S. Policy," testimony of Dr. Gary Morsch, COL, USAR and President of Heart to Heart International, hearing of the Committee on Foreign Affairs, Subcommittee on Oversight and Investigations, US House of Representatives, July 7, 2011. http://foreignaffairs.house.gov/112/mor070711.pdf.

[5] U.S. Department of State, Daily Press Briefing, July 26, 2004 http://2001-2009.state.gov/r/pa/prs/dpb/2004/34680.htm.

[6] "Iraq Operational Update Briefing," MG William B. Caldwell IV, USA, Combined Press Information Center, Baghdad, Iraq, July 20, 2006.

These references are cited as context for assessing any allegations of MEK terrorist-related activity since 2002. The author has found one such mention of the MEK, in the National Counterterrorism Center (NCTC) Report on Incidents of Terrorism 2005:

> *"On 31 October 2005, at 8:30 PM, in Al Basrah, Al Basra [sic], Iraq, militants detonated a roadside command-initiated vehicle-borne improvised explosive device (VBIED) as a police patrol passed, killing 15 civilians and five police officers, wounding 71 civilians, and damaging several restaurants, businesses, vehicles and a public market. No group claimed responsibility although Iraq security personnel suspect involvement by the Mujahedin-e Khalq Organization (MEK)."*[7]

(Refer to Attachment 5 above for background on possible Iraqi attitudes and beliefs regarding the MEK, particularly within the Shi'ite area of southern Iraq.)

This study makes no claim to have located and surveyed every open source item of information bearing on confirmed, alleged or suspected MEK activities during the past decade; but of the information surveyed, no contrary information has been omitted here. Former senior US officials who had access during their time in government to all terrorist-related information have in recent months spoken publicly at events organized by MEK affiliated entities or groups supportive of the MEK. Some commentators have criticized these ex-officials for reportedly receiving compensation for some or all of these speaking appearances. Understanding that the reader will weigh those circumstances, the author has made a judgment here – without prejudice to other prominent American public servants who have similarly spoken at these events – that the following testimonies represent the respective officials' truthful views:

Louis Freeh, FBI Director from 1993-2001, said the following at a Washington, DC panel discussion on July 16, 2011:

> *"[W]e all keep contacts with our associations and our agencies. No one has come up to me or any of my colleagues from their current agencies and said,…'this is a bad organization; this is an organization that has terrorists' intent or capability.' That's not happened….[W]e have not been notified by the Department of Justice that we are suspected of providing material assistance to a Foreign Terrorist Organization."*[8]

Governor Tom Ridge, the first US Secretary of Homeland Security, from 2003-05, said the following at the June 18, 2011 rally north of Paris (event described in Attachment 9):

> *"Every single day that I had the privilege to serve in public office in Washington, D.C., just about every day…we would get a list of threats against the United States. And I must tell you, during that entire period of time as we looked at threats, and we looked at terrorist organizations – those individuals or those groups that were threatening the security [and] the safety of the United States of America – never once, not once, never ever, ever, ever did MEK appear on a list as being a threat to the United States of America. They are not a terrorist organization."*[9]

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[7] Report on Incidents of Terrorism 2005, National Counterterrorism Center, 11 April 2006, p. 61 http://www.nctc.gov/witshearings/docs/2005_report_on_incidents_of_terrorism.pdf

[8] Louis Freeh, remarks at "Panel Discussion: Middle East, Iran Spring, Obstacles, Opportunities and U.S. Policy," sponsored by Human Rights and Democracy International, Washington, DC, July 16, 2011.

[9] Governor Tom Ridge, remarks, Paris, Villepinte, 18 June 2011, excerpts included in this publication: http://www.ncr-iran.org/en/images/stories/0/0/latest2011/6/khabiosharj_July-2011.pdf

UK law is, of course, different from US law, although in both countries governmental decisions to list terrorist organizations are subject to possible judicial review and court-mandated de-listing. The 144-page Judgment issued on November 30, 2007 by the UK Proscribed Organisations Appeal Commission, which overturned the UK terrorist designation of the MEK/PMOI and was subsequently endorsed by the British Parliament, is excerpted here at some length, as it speaks to questions similar if not identical (one difference being the absence of data after that date) to the issues being weighed today in the US Court of Appeals:

> *"281.2. Although, through the NLA [National Liberation Army], the PMOI did have a very substantial military capability in Iraq prior to 2003, it was disarmed in the immediate aftermath of the invasion;*
>
> *"281.3. Given the absence of any material to the contrary, the only conclusion that a reasonable decision maker could reach is that, since the disarmament of the PMOI/NLA in Iraq, the PMOI has not taken any steps to acquire or seek to acquire further weapons or to restore any military capability in Iraq (or, indeed, elsewhere in the world). The PMOI has not sought to recruit personnel for military-type or violent activities, the PMOI has not engaged in military-type training of its existing members and the PMOI has not sought to support others (i.e. other individuals or groups) in violent attacks against Iranian targets;....*

> *"295. In our view, on all the relevant material a reasonable decision maker could only come to the conclusion that either there never was (contrary to the earlier claims of the PMOI) any military command structure or network inside Iran after 2001 or that, by some time in 2002, any such structure or network had been dismantled. There is no evidence of any present operational military structure inside Iran which is used to plan, execute or support violent attacks on Iranian targets. Nor is there any evidence that the PMOI has retained military operatives inside Iran with the intention of carrying out such attacks. That is consistent with the evidence that the PMOI has not carried out any attacks since August 2001, or May 2002 at the latest, and the absence of any evidence suggesting that the PMOI have attempted (whether in Iraq or Iran or, indeed elsewhere) to acquire weapons or a military capability following its disarmament in Iraq in 2003.*

> *"296. On the basis of the material before us, to the extent that the PMOI has retained networks and supporters inside Iran, since, at the latest, 2002, they have been directed to social protest, finance and intelligence gathering activities which would not fall within the definition of "terrorism" for the purposes of the 2000 Act."*[10]

The UK Government appealed the above Judgment, and in May 2008 the Supreme Court of Judicature Court of Appeal upheld the Judgment, declaring:

> *"53. The reality is that neither in the open material nor in the closed [classified] material was there any reliable evidence that supported a conclusion that PMOI retained an intention to resort to terrorist activities in the future."*[11]

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[10] Judgment issued on November 30, 2007 by the UK Proscribed Organisations Appeal Commission pursuant to a complaint brought by a group of Parliamentarians against the UK Secretary of State for the Home Department "In the Matter of the People's Mojahadeen Organisation of Iran," pp. 116, 122. http://www.justice.gov.uk/downloads/guidance/courts-and-tribunals/tribunals/proscribed-organisations/outcomes/PC022006%20PMOI%20IRAN%20JUDGMENT.pdf

[11] Approved Judgment, In the Supreme Court of Judicature, Court of Appeal, Application for Permission to Appeal from the Proscribed Organisations Appeals Commission and in the Matter of the People's Mojahadeen Organisation of Iran, Case No: 2007/9516, May 7, 2008, p. 21 http://www.unhcr.org/refworld/pdfid/4830d43b2.pdf

Concluding Commentary

CONCLUDING COMMENTARY

How well do we understand the MEK?

The exercise of an intensive but short review of accessible English-language information resources does not turn a foreign policy generalist into an expert on the MEK. The author concludes this review without claiming to be "right" about every – or perhaps any – issue relating to the MEK. But one clear conclusion is that many narratives and characterizations relating to the MEK that have for years been repeated by journalists and commentators are, in important respects, difficult to square with the known facts as recorded and assessed by the most trusted governmental, military, judicial or press organizations. So, the issue at hand is not so much whether this observer is "right," as whether others may have been less right than they seemed to think, and therefore whether the public at large can rely on them as sources of information, at least on this subject.

Allied intelligence, internal security and judiciary bodies have confirmed the extensive covert effort over many years by Iran's Ministry of Intelligence and Security and other organs of the regime to spread false and defamatory stories regarding the MEK throughout Europe, Canada, the United States and Iraq. Such complex undertakings would not be deemed worth the effort if these allegations were actually true and could more readily be verified by one and all.

As much as this will challenge people advertising superior knowledge and insight about the MEK to back up their assertions, it is not concern for their reputations so much as for the United States' reputation that prompts these thoughts as will be explained.

Counterterrorism Policy – Distinguishable from U.S. Foreign Policy Writ Large?

Among the key recommendations in the State Department's first-ever Quadrennial Diplomacy and Development Review (QDDR),[1] released by Secretary of State Clinton on December 15, 2010, was to establish, with congressional support, a new Bureau for Counterterrorism. This would elevate the stature and resources of the policy function managed to date by the Secretary of State's Coordinator for Counterterrorism (S/CT). A future Assistant Secretary of State for Counterterrorism will, at least on paper, carry equal rank to the Assistant Secretary of State for Near Eastern Affairs, responsible for managing US relations and policy with countries of the Middle East including Iran. The question is, will that official have a distinguishable 'counterterrorism' policy to offer the Secretary of State?

The preceding review of designation decisions placing the MEK and its affiliates on the list of Foreign Terrorist Organizations has found that time and again, over a quarter-century span, such decisions were taken not so much as a reflection of empirically measured terrorist activity attributed to the MEK, although such acts were formally cited as justification. Rather, the trigger for designation actions, time and again, appears to have been a decision to accommodate urgent demands by the government in Tehran, with the hope of reciprocal action on issues of priority importance to the US.

[1] http://www.state.gov/s/dmr/qddr/

Perhaps such a calculus weighs heavily today on the US Administration. It is legitimate and quite appropriate for US officials to assess the possible foreign policy repercussions of removing the MEK and its aliases from the list of FTOs, consistent with the requirement to ensure that the MEK's actions do not threaten, in the language of the State Department policy guidelines, "the national security (national defense, foreign relations, *or* the economic interests)" of the US. But it is surely unarguable that the first question to be answered, before weighing collateral international consequences, is whether the entity in question is engaged in terrorism, or terrorist activities. Based on this review, the author's conclusion is that any information credibly demonstrating the MEK's engagement in recent terrorist activities must be classified; the open sources reviewed for this study strongly suggest the absence of such behavior.

Measuring Success

Recall the twin purposes of the entire FTO enterprise (see Introduction): "*curtailing support for terrorist activities*," and "*pressuring groups to get out of the terrorism business*." When a foreign organization is confirmed to have committed acts within the past 2-5 years meeting the definition of terrorist activities, US security interests are degraded, and the FTO designation mechanism is a tool of influence to curb the danger from that organization and hopefully exert leverage toward a positive change in behavior. Not to designate such a group as an FTO would be questionable.

Conversely, when a foreign organization already designated as an FTO is not found to have committed acts of terrorism, engaged in terrorist activities, or planned future actions of this nature within the past 2-5 years, is any decision other than to de-list the group appropriate? In such a situation, there are several reasons why removing the designation is likely to be the better approach.

- First, the integrity of the worldwide FTO designation process and the influence it is designed to exert over terrorist groups would be reinforced rather than potentially weakened.

- Second, against the backdrop of a foreign policy consideration deemed to be more important than protecting the integrity of the FTO designation process, failure to remove the designation of a group not found to have committed acts meriting the designation within the past 2-5 years would confirm suspicions on the part of many observers that the FTO designation process is politicized.

- Third, and most importantly, a US policy explicitly designed to wean groups away from terrorism would otherwise be denied the opportunity to claim a rare victory in having pressured a group "to get out of the terrorism business."

Weighing Iran's Possible Reaction to de-listing the MEK as an FTO

The author's view is that FTO designations can and must be about terrorism, and the US Government is fully capable of rendering and explaining such judgments without Iran or any other party dangerously misinterpreting its broader foreign policy objectives and approaches. The government in Tehran has recent experience with two key governments – the UK and France – going through a judicial review resulting in the removal of the MEK from their respective terrorism lists as well as that of the

European Union, after years of Iranian pressure to prevent these very outcomes. In neither case did Iran engage in serious reprisals.

Indeed, Iran's greatest concern in the event the State Department were to de-list the MEK as an FTO is not that the MEK would be better able to solicit political and public support in the United States; as the MEK's most vocal critics have been the first to point out, it already has sought and received public expressions of support from a 'who's who' of distinguished former US national security and foreign policy officials.

No, the larger concern in Tehran would be that the US Administration may be signaling a change in its perspective on the MEK as a possible factor in the future of domestic Iranian politics. This study has noted a consistent theme from the MEK's detractors that the group has no significant support inside Iran and is viewed very negatively for alleged past activities such as its congenial relationship with the Saddam Hussein regime during the Iran-Iraq war.

Others will have to judge, in the event the MEK is removed from the FTO list, the extent of its political potential in Iran. There is no rush to address that question. What US decisionmakers must realize is that neither Tehran nor Washington will ultimately control how the people of Iran feel about the MEK.

In sum, the act of removing the MEK from the Foreign Terrorist Organizations list would not destabilize or undermine US interests regarding Iran. The authorities in Tehran are well aware of the pending court matter in Washington, and understand that US law provides for either the Congress or the courts to direct a change in policy if the State Department cannot show cause for continuing the terrorist designation. The decision to maintain the MEK on the list, or to remove it, can and should be taken on its own merits, for the benefit of the US's worldwide counterterrorism policy effort. The State Department would be well advised to make clear that de-listing an entity – if justified by the facts – is not a foreign policy signal, but a counterterrorism measure consistent with US policy and law.

The U.S. Obligation at Camp Ashraf

No one reading this brief study should be unaware of the fact that approximately 3,400 persons at Camp Ashraf, Iraq who were disarmed, vetted for possible involvement in criminal terrorist activities, formally granted 'Protected Persons' status under the Fourth Geneva Convention, and subsequently placed under military protection by the United States in 2003-04, have since then suffered two deadly attacks by armed Iraqi security forces, in violation of the above commitments. The attacks, on July 28, 2009 and again on April 8, 2011, killed 47 unarmed civilians and injured hundreds more.

Prior to the first of the attacks, on January 1, 2009, control over Camp Ashraf had transferred from US military forces, under the command of MNF-I Commander General David Petraeus, to Iraqi sovereign control. Former US Attorney General Michael B. Mukasey has testified to Congress that GEN Petraeus "*has said he agreed to permit Iraqi security forces to assume control only after receiving explicit*

and written assurance from the Iraqi government that the protected status of Ashraf residents would be scrupulously observed."[2]

That these commitments were violated, and the lives of civilians lost after trusting in American assurances and protection, renders the Camp Ashraf attacks more scandalous and deleterious to American honor and reputation than even the Abu Ghraib prison abuse scandal, the comparative lack of media interest notwithstanding. In the author's view, if anyone is wondering why so many US military senior leaders have taken an active interest in the MEK designation issue, he or she need look no further.

Nor is this a purely military matter. The author's career in the US Government as a civilian policy official beginning in 1981 has centered on fostering successful military-to-military relationships, effective security assistance programs, and appropriately regulated arms export policies. This included four years executing delegated presidential authority over nearly all arms transfers consistent with the Arms Export Control Act, and co-authorship of the standing guidance to US Embassies worldwide implementing the so-called Leahy Law, which mandates enforcement of human rights standards in State Department-funded security assistance relationships.[3] Both the Arms Export Control Act (AECA) and the Leahy Law appear to have been violated by Iraqi forces trained and equipped by the US.

Videos of US-supplied HMMWV vehicles running over Ashraf residents at high speed have gone 'viral' and can be easily located with any internet search engine. US-trained Iraqi soldiers seen kneeling and firing upon panicked, unarmed women and men are graphically captured on these crude but sufficiently clear video clips. If the Administration is not preparing an AECA "Section 3" report to Congress detailing the misuse of US-supplied defense equipment to Iraq, it must do so. Further, the US Embassy in Baghdad should be preparing a report for the State Department identifying the Iraqi soldiers in units known to have participated in the attacks on Camp Ashraf; the Department must then render its judgment on whether these units committed gross violations of human rights,[4] as a consequence of which the identified individuals in those units would thereafter be excluded from future US training and assistance opportunities. As politically inconvenient and disruptive as these actions may be to US-Iraq military relations at an admittedly sensitive time, these remedies are required by law. They must be pursued, for the ultimate good of America's reputation and influence in the world.

<u>How a Policy Intended to Save Lives Can do the Opposite</u>

To some, the question of how to assure the protection of Camp Ashraf's residents may appear to be entirely unconnected to the issue for decision at the State Department on maintaining or removing the FTO designation from the MEK. The reality is, advocates in the United States are not the ones conflating these two issues: Iran and Iraq have both already done so. Iran has long called for the

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[2] Testimony of Michael B. Mukasey Before the House Committee on Foreign Affairs – Subcommittee on Oversight and Investigations, July 7, 2011 http://foreignaffairs.house.gov/112/muk070711.pdf.

[3] A parallel but separate 'Leahy Law applies human rights enforcement to DoD-funded security assistance accounts.

[4] A Spanish judge, operating under Spain's 'universal justice' doctrine, has reportedly summoned the head of the Iraqi Army and two other officers to answer allegations of possible crimes against humanity in the April 2011 attack at Camp Ashraf http://www.bbc.co.uk/news/world-middle-east-14159857.

expulsion of the MEK population from Iraq. In February 2009, as the enclosure next under reports, Supreme Leader Khamenei and President Talabani met in Tehran to discuss implementation of what Khamenei said was a bilateral agreement to do precisely that. Talabani reportedly replied that the "Iraqi government is determined to expel them and will go forward with its decision."[5] The first attack by Iraqi forces on Camp Ashraf took place a few months later.

Members of the US Congress who have actively sought to prevent further harm to the Ashraf residents are in no doubt as to the effect of the FTO designation on the safety of this population. At a congressional hearing days after the April 8 attack that killed 34 Ashraf residents, Rep. Brad Sherman, Democrat of California, said: *"In private discussions, the Iraqi Ambassador's office has said [that] because the MEK is listed as a terrorist group..., Iraq doesn't feel that it has to respect the human rights of those in the camp."*[6] His Republican colleague, Rep. Ted Poe of Texas, said at a subsequent hearing, *"When I...visited with Mr. Maliki...for almost two hours with other members of the committee,...[h]e said one reason that the people in Camp Ashraf are treated the way they're treated by Iraq is because the State Department continues to designate them as a foreign terrorist organization...."*[7]

If US policy planners are preoccupied with concern about the disruptive effects a decision to remove the MEK from the FTO list might have on US-Iran bilateral relations going forward, they would do well to give some thought to how they will explain their failure to anticipate and prevent a third mortal attack by American-trained and equipped soldiers against a defenseless community of innocent civilians holding 'Protected Persons' identity cards given to them by the United States.

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[5] "Iran urges Iraq to expel opposition group," AFP, February 28, 2011
http://www.google.com/hostednews/afp/article/ALeqM5iOrDOh4ldCk74V7ToO7lPjKtQqSA

[6] Hearing before the Subcommittee on Terrorism, Nonproliferation, and Trade of the Committee on Foreign Affairs, House of Representatives, April 14, 2011, pp. 4-5 http://foreignaffairs.house.gov/112/65798.pdf

[7] Hearing before the Subcommittee on the Middle East and South Asia, Committee on Foreign Affairs, House of Representatives, July 27, 2011
http://link.brightcove.com/services/player/bcpid3069246160017?bckey=AQ~~,AAAAnk2ArbE~,ajb0tVSjCfiUCU-gO9vd1PzfcASyWvo&bctid=1071174987001.

(Concluding Commentary) attachment

Meeting of Khamenei and Talabani

Feb 28, 2009

Iran urges Iraq to expel opposition group

Iraqi President Jalal Talabani (C) meeting with Iran's supreme leader Ayatollah Ali Khamenei (R)

TEHRAN (AFP) — Iran's supreme leader Ayatollah Ali Khamenei on Saturday urged visiting Iraqi President Jalal Talabani to expel Iran's main opposition group from Iraqi territory, the ISNA news agency reported.

"We await the implementation of our agreement regarding the expulsion of the hypocrites," he said, using a term the Islamic republic uses to describe the main opposition group in exile, the People's Mujahideen of Iran (PMOI).

He did not elaborate, but in late January Iraq's national security adviser Muwafaq al-Rubaie said in Tehran that Baghdad planned to extradite armed Iranian opposition members who have "Iranian blood on their hands."

"The only choices open to members of this group are to return to Iran or to choose another country... these people will themselves choose where they want to go," Rubaie told reporters at the time.

Founded in 1965 with the aim of overthrowing first the US-backed shah and then the Islamic regime in Iran, the PMOI has in the past operated an armed group inside Iran.

It was the armed wing of the France-based National Council of Resistance of Iran (NCRI) but it renounced violence in June 2001.

ISNA said Khamenei also slammed a January decision by the European Union to remove the PMOI from the EU list of terror groups following a legal battle in Britain.

He said the move "shows being a terrorist is a contractual issue and is not based on reality. Nonetheless they are not ready to accept them into their countries."

The agency quoted Talabani as saying in his talks with Khamenei that the PMOI "have committed many crimes against the Iraqis, and Iraqi government is determined to expel them and will go forward with its decision."

Baghdad announced on December 21 it planned to close Ashraf camp north of Baghdad and close to the Iranian border, where around 3,500 PMOI members are held under a form of house arrest.

On January 1, Iraqi Prime Minister Nuri al-Maliki went further and said he would expel the PMOI from the country.

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Mr. ROHRABACHER. Now we will see if someone from Academe can actually keep within the same time frame of 5 minutes that our diplomat did.

STATEMENT OF ELIZABETH FERRIS, PH.D., CO–DIRECTOR, BROOKINGS–LSE PROJECT ON INTERNAL DISPLACEMENT

Ms. FERRIS. Thank you very much, Mr. Chairman.

Mr. ROHRABACHER. Thank you very much, you may proceed.

Ms. FERRIS. Let me make it clear at the outset, that I am speaking from my perspective of having 25 years of experience in very difficult humanitarian situations. And also as an independent academic researcher. I have never been to Camp Ashraf, I don't have expertise in judging whether or not it should be designated as a terrorist organization, but based on very difficult situations in other parts of the world and other times, I would like to suggest that finding solutions should be the main focus. And what we have learned from some of these other situations are, there is a role for international standards and international processes. You have to look and see what is in the interest of the different stakeholders and come up with a solution that responds to those interests.

For example, we look back at Vietnam and the huge Vietnamese refugee situation and see it as having been a successful thing. But at the time, there were agonizing choices and compromises that were made. When we look at the international principles that are relevant, first of all, the fundamental right to life, security of the person, and basic human dignity. Iraq must be held accountable for the safety of people in Camp Ashraf, that is a sine qua non, it has to be the basis for all policy.

Another basic international principle is that people must not be sent back to situations where their lives are in jeopardy that applies whether or not countries have signed on to the refugee convention which Iraq has not, but that has become customary international law. That has to be the bedrock, both of U.S. policy and of finding a solution.

Now if you look at solutions for refugee situations and here we know the residents of Camp Ashraf have not yet been formally determined to be refugees, but there are three solutions: People can go back voluntarily, which is, in most cases, the best solution but doesn't seem particularly appropriate here, unless there are some cases of people who do want to return.

A second is local integration, to be allowed to stay in their country of refuge with full benefits, rights, and most of all, in safety and security. Again, Iraq has made it very clear that this is not an option for the residents and a long term of Camp Ashraf.

The third solution, resettlement in a third country, has historically been used for only a small percentage of the world's refugee, but it was designed to respond exactly to cases such as this one, where people can be supported to start new lives elsewhere in a way that respects their safety and also other basic human needs.

I think that this resettlement in a third country is the best option probably for most of the residents of Camp Ashraf. So if you work backwards from that and say, "What will it take to get there?" First of all, this question of the impossible deadline we have heard of the closure of Camp Ashraf by December 31st of this

year that deadline needs to be extended, I would suggest for at least for 6 months, to enable the United Nations High Commissioner for Refugees to put into place the procedures and standards to determine whether or not people individually meet the criteria of refugee status. There are some things that follow from that in terms of the way those determinations are made.

Then the process needs to begin, although it has already begun, of looking for countries which will accept and receive the residents of Camp Ashraf who have been determined to be refugee. And here the role of the U.S. Government is critical, when you yourself said in the earlier panel, Mr. Chairman, some of the difficulties when the U.S. cannot resettle people because of terrorist designation.

But, you know, the U.S. Government has come up with very creative ways of working around legislative prohibitions and standards and procedures in other cases, whether it is coming up with different places for processing or declaring exceptions or paroling people in, which is not a very good solution, but it is one that perhaps should be considered.

At the same time, the U.N. and others should explore possibilities for resettling people in other countries, in Europe and Australia and some of the nontraditional resettlement countries such as Brazil, which might be willing to take some. But it is all linked. Those governments are saying, well, if the U.S. Government isn't going to accept people for resettlement, why should we? I understand that several European governments have made decisions to accept some residents for resettlement, but they need to say so publicly because if Iraq believes the international community is serious about resettling people elsewhere, I think that it will have more incentive to cooperate not to close the camp and to make it possible for people to be processed and resettled afterwards. Thank you.

Mr. ROHRABACHER. Perfect timing.

[The prepared statement of Ms. Ferris follows:]

Elizabeth Ferris
The Brookings Institution
Co-Director of the Brookings-LSE Project on Internal Displacement
December 7, 2011, Hearing on Camp Ashraf

Subcommittee on Oversight and Investigations
House Committee on Foreign Affairs

Thank you, Mr. Chairman and members of the House Foreign Affairs Subcommittees on Oversight and Investigations and on the Middle East and South Asia, for the opportunity to speak with you today.

I would like to stress at the outset that I am speaking from my 25 years of experience in international humanitarian issues and my perspective as an independent academic researcher. Although I have followed developments in Camp Ashraf for a long time, I have never been to the camp and I have never (to the best of my knowledge) spoken with anyone affiliated with the MEK/PMOI. I do not have knowledge or expertise about whether the MEK/PMOI should be de-classified as a foreign terrorist organization.

In many ways, the situation of Camp Ashraf is unique. In my many years of experience, it is certainly one of the most complex situations I've seen. Feelings and passions run high on this issue. What I would like to do is to step back from some of the details of this particular situation and put this in a broader context. In particular, I would like to focus on the question of solutions.

Although the residents of Camp Ashraf have not been determined to be refugees (and they may or may not be so under the terms of the 1951 Refugee Convention), I understand that many of them have filed applications for refugee status. Moreover, some of the issues surfacing around the residents of Camp Ashraf have much in common with some of the difficult refugee or refugee-like situations we have seen in the past. First, refugee situations are always political and it is usually the case that the way refugees are treated by a host government is significantly influenced by relationships between the governments of the country of origin and the country of refuge. There are often vastly different understandings of why people left their country. There have been many situations where refugee leaders have been seen as manipulating their followers and cases where camp residents do not have freedom of movement or of expression. It is usually difficult for even knowledgeable outsiders to fully understand the dynamics within a camp. (I think for example of the camps in then-Zaire where Rwandan refugees were controlled by the Interhamwe in ways that were not understood by humanitarian actors assisting them until much later.) Particularly after the experience of Rwanda, the UN has devoted considerable energy to emphasizing the importance of maintaining the civilian nature of refugee camps. There are also many cases where diaspora groups have been important actors in the way a crisis has played out (e.g. Sri Lanka). And when situations drag on for years, the dynamics can become more complex and the process of finding solutions often becomes even more difficult.

In other highly politicized situations, the process of finding solutions has been helped by:

a) applying international standards and processes which have been developed over many years by the international community,

b) looking at the interests of the various stakeholders and finding solutions which respond to these interests, and

c) recognizing that in order to find solutions, compromises may be necessary.

For example, we look back on the Vietnamese refugee crisis of the 1970s and 1980s as having been resolved successfully, but at the time finding a solution required endless rounds of difficult diplomatic negotiations, political commitment at the highest levels, and a willingness to compromise. Even so, the process took years and the decisions were agonizing.

Respect international principles

The basic international principles and standards at play are: international humanitarian law, international human rights law, and refugee law. "Everyone has the right to life, liberty, and security of person" (art. 3, Universal Declaration of Human Rights). It is the responsibility of states to ensure that people living within their borders are protected. People have a right not to be returned (or refouled) to another state or authority where their life or freedom would be threatened. Although Iraq is not a party to the 1951 Refugee Convention or the 1967 protocol to the Convention, non-refoulement has acquired the status of customary international law (as well as being affirmed in international human rights instruments), meaning that it is binding on all states, regardless of whether or not they are signatories to the 1951 Convention. Until a claim for refugee status is examined fairly, the principle of non-refoulement applies, and asylum-seekers are entitled not to be returned and to benefit from humane standards of treatment. The Universal Declaration of Human Rights affirms the right of every individual to seek asylum in another country, but it is the responsibility of states to determine whether or not an individual is granted asylum.

Recognize the interests of the stakeholders

Resolving the situation of the 3,200 inhabitants of Camp Ashraf is in everyone's interests.

It is in the interest of the camp residents to move to a place where they can be safe and accepted and resume normal lives.

It is in the interest of the Iraqi government to close the camp, to find a solution in which the residents leave the country, and to assert control over its territory. It is also in the Iraqi government's interests to have the situation resolved peacefully and quickly and to be seen to be acting responsibly in accord with international standards.

It is in the interest of the US government to resolve the situation, to ensure that a group of people on which it conferred 'protected status' under the Geneva convention for five years are protected when US forces withdraw from Iraq, to ensure that the Iraqi government acts fairly toward this group, and to uphold international standards and principles. Given the significant political

interest in the residents of Camp Ashraf, it is in the US government's interest to support a rapid and fair resolution of this situation.
It is in the interest of the United Nations to find a fair and rapid solution for the camp residents, to ensure that international standards are upheld, and to be seen as a useful and impartial actor by the Iraqi, US and Iranian governments.

Finally, it is in the interest of the Iranian government to find a resolution to Camp Ashraf. No government is comfortable with a group of dissidents close to its border and who in the past have launched military attacks across that border. Resolving the situation would remove this irritant and would perhaps open the doors to closer relations with Iraq.

While the desired solutions and particularly the means at arriving at these solutions are different, it is in everyone's interests to resolve the situation.

Elements for a solution

So, what does it take to resolve the situation? Although the terminology differs, under the international refugee system, there are three possible durable solutions. These durable solutions, in refugee terminology, are: voluntary return (in safety and in dignity), local integration, or resettlement in a third country. (A fourth solution, keeping people alive in some kind of camps or legal uncertainty is unfortunately used in many refugee situations, but it is not a durable solution.) Different situations have been resolved through different combinations of solutions.

Our present refugee regime is based on the 1951 Refugee Convention and the 1967 Protocol (which has been signed by Iran but not Iraq), the United Nations High Commissioner for Refugees which is mandated to protect and assist refugees and 60 years of policies and practices which have supported solutions. I suggest, Mr. Chairman, that given the extraordinary politicization of Camp Ashraf, if durable solutions are to be found, the situation needs to be de-politicized by relying on multilateral actors applying internationally-recognized standards and practices. The system is set up to be fair and impartial

Regardless of the political views of a particular group of asylum-seekers, determination of refugee status is based on whether or not a person satisfies the criteria in the 1951 Convention and 1967 Protocol which is whether the person has a well-founded fear of persecution for one of five specified reasons: race, religion, nationality, political opinion, or membership in a social group. If a person is found to be a refugee, then solutions need to be found which will protect him or her. If a person is found not to be a refugee, then the government of the state where he or she resides should respect the basic rights of the individual to life and security of person while in the country but has the right to deport that person to the country of origin. If a person is excluded from being considered as a refugee, under article 1F of the Refugee Convention, for having committed serious crimes, he or she should continue to be protected under international human rights law. (However, it should be noted that in article 33 [2], an exception is possible in the event that the individual is considered as a danger to the security of the country.) The present situation is complicated by the fact that the residents of Camp Ashraf have not been determined to be refugees. They have not gone through a process to determine whether they meet the definition of the Convention. Iraq is not a signatory to the Convention and although it has a

responsibility not to refoule people from its territory to a country where their lives might be in danger, the Iraqi government is not legally bound to set up an asylum system or to allow the foreign residents of Camp Ashraf to remain on its territory. In situations where governments (whether signatories to the Convention or not) do not have asylum systems, UNHCR has often played the role in refugee status determination. And there are cases, such as Turkey, where UNHCR determines whether or not an individual is a refugee under the Convention, and the host government insists that people found to be refugees will not be allowed to remain in Turkey but must be resettled elsewhere. In other words, for a government which is not a party to the Refugee Convention, determination of refugee status does not mean that the government has a responsibility to allow people found to be refugees to remain in its territory.

In my opinion, the best solution is for UNHCR to be permitted to determine whether or not the residents of Camp Ashraf are refugees and to find solutions for them outside of Iraq. And it is absolutely essential that the Iraqi government take all necessary measures to ensure the safety of the camp residents while this process is being carried out. Several recommendations follow from this:

- UNHCR must be given the time and conditions necessary to conduct fair status determination. That means that the deadline to close the camp by December 31st should be extended and that an appropriate site be found where the status determination process can be conducted in a safe and confidential manner with appropriate security guarantees for both the asylum-seekers and UN staff.

- At the same time, UNHCR and the international community must take the steps necessary to ensure that solutions found for the residents of Camp Ashraf meet the concern of the Iraqi government that camp residents leave the country. I understand that some of the residents of Camp Ashraf are nationals of countries other than Iran or that they have close family relations where immigration might be an option. Those possibilities should be explored. Some of the residents in Camp Ashraf may want to return to Iran. For Iranians who voluntarily decide to return to their country, the Iranian government must offer guarantees of their safety and allow UNHCR to monitor their well-being and safety. This is standard operating procedure for repatriation operations. For those determined to be refugees who do not want to return to Iran, then the solution of resettlement in a third country must be found.

- Resettlement slots are in short supply globally and in the region and the issue is complicated by the restrictions placed by the US government as a result of anti-terrorist legislation. But the US role is key. If the US is unwilling or unable to accept cases for resettlement, then other countries will find it difficult or impossible to accept them. Without the reassurance that people will be moved on, Iraq is understandably reluctant to go forward with a refugee determination process. If there is an assurance that people found to be refugees will be resettled elsewhere, then the Iraqi government should be more likely to allow the process to move forward.

- This means that first, a way needs to be found for the US, either within the existing law or by changing the law, to accept a significant portion of the camp residents for

resettlement. Given the designation of the MEK/PMOI as a Foreign Terrorist Organization, this is difficult under existing anti-terrorist legislation. But the US government has a track record of coming up with innovative ways of responding to complex displacement and resettlement situations. The Attorney General has the authority to parole people into the United States when it is in the interests of the government although parole has limitations in terms of adjustment of status and access to economic and social services. Or, perhaps there are ways of simply specifying that this particular group is an exception to the anti-terrorist legislation – for example, by defining those who lived in Camp Ashraf in a determined particular period of time, as tier III rather than tier I of the anti-terrorist laws.

- At the same time, other countries should offer to make resettlement places available to the residents of Camp Ashraf. Obviously, it will be easier for other governments to make these commitments if the US government demonstrates its willingness to shoulder some of the responsibility. In particular, some of the non-traditional resettlement countries – such as Brazil, Chile and Burkina Faso – may have a particular role to play in this politically delicate context. Moreover, governments who are willing, for humanitarian reasons, to allow residents of Camp Ashraf to resettle in their countries should make their commitments public. This would reassure the Iraqi government of the international community's commitment to finding solutions for the Camp Ashraf residents.

This is not a perfect solution and it will require a great deal of commitment and hard work to make it happen.

I want to close by saying that the reason the international community has developed a system for dealing with asylum-seekers and refugees which is based on international law, on well-honed procedures, on respect for human rights and on an impartial humanitarian agency is precisely to be able to deal with highly politicized situations such as the present one in Camp Ashraf. UNHCR works with refugees from all political sides, for example with Iraqis fleeing the Saddam Hussein regime and those fearing persecution because of their association with Saddam Hussein. The United Nations General Assembly has affirmed the humanitarian and non-political nature of UNHCR's work. I suggest that it is in US interests to let UNHCR do its work in accord with international standards and humanitarian principles.

Mr. ROHRABACHER.Colonel Martin.

STATEMENT OF COLONEL WES MARTIN, USA (RETIRED), (FORMER BASE COMMANDER OF CAMP ASHRAF)

Colonel MARTIN. Sir, Mr. Chairman, I appreciate this opportunity to address the joint committees. We have a saying in combat, if you find yourself in a fair fight, you didn't come prepared. To my left is Lieutenant Colonel Julie Norman who was a joint interagency task force commander at Camp Ashraf as well, and worked closely with the Mujahedin.

The attacks that we have seen numerous times on the video is included in a very extensive packet I have provided to the people, and I wish to point out, one is Sabbah, she was born in 1981 in an Iranian prison. And the other one is Majad born in 1961, mechanical engineer, both educated in Germany. Having served in Camp Ashraf and worked with many people like Sabbah and Majad, I can honestly say the residents of Camp Ashraf are not terrorists. They are real people with names, faces, lives, and they once had protected person status, and those that had protected person status was revoked and those lives have been extinguished. The State Department calls these people terrorists.

Also in my packet, many contracts that we worked out with the residents of Camp Ashraf and the leadership to include bringing us water. These people also, whenever I left the perimeter, as Julie can tell, I did it continually, I had members of Camp Ashraf at my side. They were not armed, but I was proud to have them there. And when I look at those videos, I see something in addition. When I see those people rushing to rescue their friends, I know if I or the soldiers with me had been shot up, they would equally be rushing to our rescue, those are not terrorists, those were allies.

Ironically, the State Department does not put Mahdi Army on its terrorist list, it doesn't put the Qods force. I have lost people to the Mahdi army, I have lost two. We have lost hundreds of the United States forces to Moqtada Sadr's Mahdi army, and Qod's force recently that was planning the Saudi Ambassador attack. Our State Department's response then was we need to see how high up the leadership this plot went. The antiterrorism for Iraq, I can assure everyone, it went all the way to Khameini.

And the other thing State Department said is well, we should have increased diplomatic isolation. Louis Freeh and I were trying to figure that out. He said, what is that? To me it sounds like someone in State Department spent a lot of time in college watching Animal House, and we want to put Iran on double secret probation. The State Department claims to have intel. I have gone over the intel and I have provided them the information from Mr. Zebari, the foreign minister, Kurd, they said they didn't attack us. I gave it to the State Department 6 months later, it came out they attacked the Kurds. And I went back, What are you doing? Oh, well, we don't talk to the people who put that out. The State Department is very stovepipe in what they are doing. This is the organization that paid Chalabi $33 million for a bunch of false information that we used to send our soldiers to war. 4,500 warriors later and tens of thousands of innocent Iraqis later, we know now Chalabi was lying the whole time. Fairness to the State Depart-

ment and Defense Intelligence Agency, serving Donald Rumsfeld also provided a lot of misinformation.

So it is not just the State Department. But I do submit the State Department employees today are serving Secretary Clinton no better than they were serving Colin Powell.

As we heard earlier today, State Department wants to go all the way back to the founding of the PMOI. Well, why don't we go back to 1953 when a very popular Iranian Government was overthrown by our own CIA and a very brutal dictator was put in its place? The State Department never wants to do that, nor do detractors, they also claim it is a Marxist-Leninist organization. It was founded on equality between those led and those being led. Clerics don't have sole authority on the congregations, nor do they have sole authority to interpret the Koran. People call that Marx and Lenin? I call that Jefferson and Madison.

Then we have the rumors, we heard a lot of them, and I hope today I will be able to address of lot of those rumors and take them apart one by one. I used to take them apart when I was base commander at Camp Ashraf, as did Julie Norman.

We talked about review the FTO status, the fact and the law. Well, the fact and the law, they are wrongfully placed on that list, they are only foreign, they don't know threat against the United States, they are on my flank. And also, they don't have the means anymore. So if we talk about the fact and the law, they need to be removed. And then I hope we have a chance to talk about this putting them in a consolidated location because I have even more information, I think, than the State Department. Sir, I thank you.

[The prepared statement of Colonel Martin follows:]

Wesley (Wes) Martin

Colonel, United States Army, Retired

December 7, 2011 – Camp Ashraf: Iraqi Obligations and State Department Accountability

House Committee of Foreign Affairs

Subcommittee on Oversight and Investigations
and
Subcommittee on Middle East and South Asia

TESTIMONY

Mister and Madam Chairmen: I appreciate this opportunity to address the Committee on Foreign Affairs Subcommittee on International Organizations, Human Rights, and Oversight; and Subcommittee on Middle East and South East Asia. As the first full colonel to command Camp Ashraf my goal is to provide you with solid information based on facts resulting from personal experience and extensive research. Of note, with me are retired Lieutenant Colonel Julie Norman. Julie served as the Joint Interagency Task Force Commander whose mission was to address all issues related to the Mujahedin-e Khalq (MeK).

Since our last meeting, major developments have occurred. President Obama has announced the removal of all U.S. troops from Iraq by the end of the year, minus the embassy security detail. The President has received criticism for leaving Iraq in a very dangerous situation. In fairness to the President, he had no choice. Iraqi Prime Minister Maliki's requirement for U.S. forces to be subject to Iraqi law is unacceptable. Maliki knew this when he set the standard. Maliki and his ally, Moqtada Sadr, want American forces out of Iraq so the consolidation of power can be completed. In the end, the final outcome of the Coalition invasion of Iraq is to replace one brutal regime with another – this time aligned with Iran.

I hope everyone has had a chance to watch the video of the April 8th, 2011 attacks on Camp Ashraf. In that video we witness unarmed people being run over by American-made military vehicles and gunned down in cold blood. There is something else that warrants our notice - and respect. Ashraf residents are rushing to the aid of their fallen comrades, braving the bullets and vehicles knowing they may be the next to die. I see something further - the people I served beside. I know if either myself or the American warriors with me at Ashraf had been under such an attack, the residents of Ashraf would have been rushing equally fast to our rescue. Although unarmed, they were on our flank, and I was honored to have them there.

Mister and Madam Chairmen, I have included starting on page 1 of my support packet two examples of the agreement between U.S. forces and the individual residents of Ashraf. This was their rejection of terrorism, agreement not to take up arms, and to comply with laws and mandates. This mutually-signed agreement with U.S. Forces stated MeK members will remain under the protection of Multi-National Forces-Iraq at Camp Ashraf until the options of their future were determined. As noted in the following page, they received "Protected Person" status and cards from the United States. They did comply with every mandate. They surrendered their weapons, consolidated at Camp Ashraf, and worked as close with U.S. forces as possible. Yet, when U.S. State

Department could not figure out what to do with the Mek, the Protected Person status was revoked and Camp Ashraf was turned over to the Iraqi government. These two people, along with 32 others, were murdered by Iraqi forces on April 8th, 2011. I show you these documents to personalize the fact that we are talking about real people with names, faces, and lives - lives that were extinguished and "Protected Person" status that was revoked in violation of a written agreement. In my hand are the packets of all residents killed in the 2009 and 2011 attacks.

Yet, State Department calls the MeK terrorists. It defies logic that people who covered the flank of American warriors are still called terrorists, while the State Department has not seen fit to classify Moqtada Sadr's Mahdi Army and Khamenei's Qod's force as terrorists. We have lost hundreds of American warriors to the Mahdi Army. We all know the Qods force had numerous plots, to include the plan to kill the Saudi ambassador to the United States in a populated American restaurant. The Qods force has been arming our enemies in Iraq, to include Al Qaeda. I hope that during discussion we will have the opportunity to address this matter further.

Meanwhile, State Department claims their intelligence specialists have classified information on the MeK. This is the same organization that prepared Colin Powell for his long-to-be-remembered weapons of mass destruction presentation at the United Nations. This is also the same organization that paid Ahmad Chalibi 33-million taxpayer dollars for those lies. The people who picked up the ultimate tab for America's excursion into Iraq were the 4,500 warriors killed in action and thousands more crippled for life. State Department employees are serving Hillary Clinton no better than they served Colin Powell.

We hear all the rumors about the MeK. We are told they are a cult, they are Marxist-Leninists; people are held there against their will; they attacked the Kurds; they have American blood on their hands; they supported Saddam among other things. State Department and the detractors take and twist their information back to 1965 and the founding of the MeK. They never go back to 1953 with the C.I.A.-backed overthrow of the very popular Moseddeq government. To help in understanding the MeK, an article titled "Trapped by Politics" is provided in the packet starting on page 5. It also explains in great detail problems dealing with the State Department on this issue.

There are two items of slander I wish to address now: the claim the MeK is a Marxist/Leninist Islamic organization and people held against their will.

It is impossible to have a Marxist/Leninist organization. They don't mix. The MeK was founded on the principles of equality between leaders and those being lead, that clerics don't have sole control over interpreting the Koran, and clerics can't expect blind obedience over their congregations. To the State Department, that's Marx and Lenin. I

argue that's Jefferson and Madison. Further, I doubt Ronald Reagan would have problems with those principles. I think we can all agree that Ronald Reagan was no communist.

Then we have the slander that residents of Ashraf are being kept against their will. Both Julie Norman and I worked out written agreements with Ashraf leadership concerning residents who wished to leave. One of the documents is included in the agreements with U.S. Forces section of the packet, starting on page 15. During my command at Ashraf I visited the compounds and personally shook hands with scores of residents on every visit. If one wished to leave, all that was necessary was to maintain hold of my hand and we would have walked out together. Furthermore, the attack videos prove Ashraf residents were not being held against their will. What better time to escape than during the confusion of the attack. Yet, they stayed together. The videos say it all. I hope we have a chance to address the other items of slander.

The MeK and Ashraf residents are not the only ones being slandered. As of late, the multitude of political and military leaders who speak up for the MeK are being slandered. The current main form of slander is the accusation that these leaders are speaking out for financial gain. Ambassador Butler's verbal attack on General Wesley Clark as reported in the "New York Times" is but one recent example. The people coming forward are senior generals including three former Chairmen of the Joint Chiefs, former senators, former governors, members of parliaments, Archbishop Desmond Tutu, Congressman Patrick Kennedy, former Director of Homeland Security Tom Ridge, and former Director of the F.B.I. Louis Freeh who refused to allow his organization to participate in the politically motivated MeK FTO designation in the first place. Letters from many of these people are found in the packet starting on page 22. Instead of slandering, what should be examined is the fact that all these people may be right.

The best way I can describe all the slander over the years directed at the MeK is to ask all the members of the panel to think what would happen if everything said against you every two years by your election opposition, and their parties, were consolidated into one volume. Then the slander is presented as fact because so many people said and repeated it. As base commander of Ashraf, I spent a great deal of time debunking the rumors, a lot coming from State Department. Even recently, Iran tried to blame the planned attack on the Saudi ambassador on the MeK. For once, Iran regime lies were not accepted as fact.

The State Department has never figured out how to deal with the fundamentalist Iranian government. It's been like a non-effective parent dealing with a spoiled child. To encourage the child from misbehaving, rewards are given. Placing the MeK on the foreign terrorist list is a good example. Fear of upsetting and provoking Iran into some hideous act keeps State Department from doing the harder right over the easier wrong.

Keeping the MeK on the list is a good example. Denial of misbehavior is another. Immediately following discovery of the Saudi ambassador plot, State Department bureaucrats publicly responded that determination of how high up the plan was approved within the Iranian government needs to be investigated. As the former antiterrorism officer of all coalition forces in Iraq, I can save everyone some time. No plan of this size would ever proceed without Khameini's approval. Then we have the ineffective responses. Also following the Saudi ambassador situation, a State Department representative recommended "increased diplomatic isolation." When that one came out, former F.B.I. Director Louis Freeh turned to me and said, "What is increased diplomatic isolation?" My response was, "Someone at State Department spent college days watching 'National Lampoon's Animal House.' Now we have recommendation to place Iran on double secret probation."

One of State Department's biggest blunders has been, and continues to be, dealing with the MeK. Instead of working to help solve the situation at Ashraf, State Department is a very significant part of the problem. A few, but insightful, documents addressing State Department antics commence on page 35 of the packet. This includes Ambassador Butler showing up at Ashraf with a "New York Times" reporter who the Ambassador presented to MeK leadership as a member of his staff. Unless something is done immediately, we are going to see a situation as shameful as our own Sand Creek Massacre and the My Lai Massacre.

The United Nations have recognized the residents of Ashraf as applicants for refugee status. But Maliki has blocked any actions from taking place just as he blocked Congressman's Rohrabacher's delegation from visiting Ashraf. One major tool he continuously uses to justify his actions is the terrorist designation, specifically from our own State Department. Meanwhile, all we get out of the State Department is assurances that the matter is being aggressively worked. They are now a year past the six-month suspense set by the U.S. Court of Appeals. In another month the State Department will have spent the same amount of time "aggressively" working to make one decision in compliance with a court mandate as the entire American nation spent mobilizing, training, deploying across the Atlantic, and fighting in the First World War.

The State Department tries to anchor their current stand on a Rand study completed in 2009. A lot of taxpayer-funded effort went into that document. There is some very useful information in the report. There is also a lot misinformation, cyclic reporting, and rumors presented as facts. For example, the report continues to state and pass off as fact that the Mek attacked the Kurds. I provided the State Department in 2007 the letter from Iraqi Foreign Minister Zebari making clear that the Kurds were never attacked by the Mek (page 48 of the support packet). I found discrepancies throughout the report. Why General Miller, General Brandenburg, General Gardner, General Phillips, Lieutenant Colonel Norman, or I were never interviewed, I cannot explain. There is an

arrogance to the report - in one case directed at the United States Congress. I read the exact comment from page 65: "Individual members who appear to view the MeK in a positive light tend to be energetic opponents of the Islamic Republic of Iran or have significant numbers of Iranian-Americans in their districts. Others are simply misinformed."

Maliki has stated that Camp Ashraf will be emptied of the Mujahedin e-Khalq by the end of the year. He has already renamed the compound Camp New Iraq. Last February Ambassador Jeffrey testified to Senators Levin and McCain that he was certain Maliki would keep his word and protect the residents of Ashraf. Maliki forces had already attacked Ashraf once. Two months later came the April attack. As we speak here, Maliki has Ashraf residents under continuous psychological torture with loudspeakers denying residents sleep while forcing them to listen to messages of pending doom. Logistics and medical supplies are being denied from entering the Camp. The victims of the attacks, with open wounds and broken limbs, must endure the pain with no sedatives or medicines to prevent infection. Last month, Maliki stated his intentions to the European Union. His letter with responses from the European Union and the National Council of Resistance of Iran start on page 49 of the support packet.

Let's not forget the rest of Iraq. With knives and clubs Maliki's forces have attacked demonstrations throughout the country. Police who wished to stop the violence were ordered to stand down. Maliki's secret prisons are fully operational, worse than ever because American forces are no longer authorized to conduct raids. The attacks on Camp Ashraf are just a preview of coming attractions. Yet our State Department hails Iraq as the most progressive democracy in the Mid-East. Sir Thomas Carlyle said it best: "To recognize false merit, and crown it as true because a long tail runs after it, is the saddest operation under the sun."

Should Maliki be allowed to overrun Camp Ashraf and transport the survivors back to Iran where they will face prison and gallows, the fight for democracy in Iran will take a severe blow. It will not die any more than the cause for liberty in Texas died at the Alamo. Ashraf will become a rallying call. "Remember Ashraf." Eventually democracy will come to Iran. Iranian citizens are too wired into modern technology and communications for progress to be permanently denied. Unlike the western world, the Middle-East did not have four centuries to go through an age of exploration, religious reformation, Great Awakening, and industrial revolution. They are getting it all at once. They will come out of it. Iran will one day be a democracy. The question is what role will the United States have in that? Unless we change our course, and keep our word to the residents of Ashraf, our role will be one of shame.

If the residents of Camp Ashraf do not receive immediate support they will cease to exist. Many will be publicly executed to show what happens to those who oppose the

fundamentalist regime and place their trust in the United States. The remainder will disappear into unmarked graves and prison dens. The residents of Ashraf need to be pulled from Iraq as soon as possible. Many people have called upon Maliki to end with 31 December deadline and allow UNHCR representatives into the camp so they can complete their work on relocating the residents. Until that time, either blue helmeted United Nations or U.S. Forces need to be on the ground with them. That stated, I don't believe Maliki is going to wait for December 31st to attack Ashraf for the final time. I predict he will attack any time after December 15th. His attacks in 2009 and 2011 immediately followed visits with U.S. Defense Secretary Gates. Next week he visits with President Obama. The sooner he does it following his return from the United States, the more he can make it appear to be a U.S. government sanctioned operation.

The United States has the capability to airlift the MeK out of Ashraf. At our training bases and State National Guard Centers we have the facilities in the United States to temporarily house them. Through BRAC we have federal facilities sitting empty without use. Mariam Rajavi has already stated the MeK will pay for their logistic expenses. Rescuing the Ashraf residents will require fast action. However, if State Department had tried to effectively work this situation instead of being an impediment to progress, we and the residents of Ashraf would not be in the situation we are today. What we need now is for the President to tell members of his Executive Branch of government to honor our written word, immediately develop a solution, and make it happen.

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AGREEMENT FOR THE INDIVIDUALS OF THE PEOPLE'S MUJAHEDIN ORGANIZATION OF IRAN (PMOI)

You are being offered your release from control and protection in exchange for your promise to comply with certain conditions. In exchange for your promises, you will be released from Multi-National Forces-Iraq control and protection as soon as reasonably practicable.

Please read the Agreement below. If you agree to abide by these terms, then sign your name at the bottom of the page.

AGREEMENT

I, HAFTBARADARAN SABA knowingly, willingly, and voluntarily enter into this Agreement with Multi-National Forces-Iraq. I agree to the following:

a. I reject participation in, or support for terrorism.

b. I have delivered all military equipment and weapons under my control or responsibility.

c. I reject violence and I will not unlawfully take up arms or engage in any hostile act. I will obey the laws of Iraq and relevant United Nations mandates while residing in this country.

I understand that I will be free to leave and to return home when viable disposition options become available. I understand that some of these disposition options include: return to my nation of origin; admission to a third country; application to the Ministry of Displacement and Migration for continued residency in Iraq, or application to international organizations such as the United Nations High Commissioner for Refugees. I agree to cooperate with Multi-National Forces-Iraq while these disposition options are pursued. I agree to remain under the protection of Multi-National Forces-Iraq at Camp Ashraf until these options are completed. If I violate any terms of this Agreement, I may be subject to prosecution or internment, and administrative sanctions. I promise to scrupulously comply with my Agreement.

SIGNATURE	HAFTBARADARAN SABA NAME (PRINTED)	1CCA14B2 IDENTITY NUMBER
MNF-Iraq Representative	PRINTED NAME, RANK	DATE

PROTECTED PERSON

SASA HAFTDARADARAN

10CCA14B2

1376

790-190-8348/790-192-8414

1-914-360-6749

539-4530/534-6263

539-4531/539-4509

2

AGREEMENT FOR THE INDIVIDUALS OF THE PEOPLE'S MUJAHEDIN ORGANIZATION OF IRAN (PMOI)

I am aware that you have offered your release from control and protection in exchange for your promise to comply with certain conditions. In exchange for your promises, you will be released from Multi-National Force-Iraq control and protection as soon as reasonably practicable.

Please read the Agreement below. If you agree to abide by the terms, sign and date your name at the bottom of the page.

AGREEMENT

I, [illegible], willingly, and voluntarily enter into the Agreement with Multi-National Force-Iraq. I agree to the following:

a. I will not participate in or support forced return.

b. I may exercise my rights of military organization and weapons under my control or responsibility.

c. I will not violence and I will not knowingly take up arms or engage in any possible act. I will respect the laws of Iraq and relevant United Nations mandates while remaining in this country.

I understand that I will be free to leave and to return home when suitable disposition options become available. I understand that some of these disposition options include: return to my country of origin, immigration to a third country, application to the Ministry of Displacement and Migration for conditional residency in Iraq, or application to international organizations such as the United Nations High Commissioner for Refugees. I agree to cooperate with Multi-National Force-Iraq while these disposition options are pursued. I agree to remain under the protection of Multi-National Force-Iraq at Camp Ashraf until these options are completed. If I violate any terms of this Agreement, I may be subject to prosecution or internment, and administrative sanctions. I promise to scrupulously comply with my Agreement.

SIGNATURE	NAME (PRINTED)	IDENTITY NUMBER
MNF-Iraq Representative	PRINTED NAME RANK	DATE

PROTECTED PERSON

MAJID EBADIAN

293552BC

0868

790-190-8346/790-192-8414

1-914-360-6745

539-4530/514-6283

539-4531/539-4559

4

Trapped by Politics
by Colonel (Retired) Wes Martin, U.S. Army

If there is any expectation that the current U.S. administration is going to do the harder right instead of the easier wrong, it is very doubtful to happen in the case of the People's Mujahedin of Iran. The PMOI or Mujahedin, as they are more frequently referred to, has become more of a cultural, political, and ideological threat to the Islamic fundamentalist Iranian government than the military opposition force of years past. Located in Camp Ashraf, Iraq, 50 miles northeast of Baghdad, the PMOI surrendered their enormous inventory of weapons to the American military following the fall of Saddam Hussein. The largest component of the European-based National Council of Resistance of Iran (NCRI), the PMOI no longer possesses offensive military capability.

Formed in September 1965 as a Muslim group opposed to Shah Mohammad Reza Pahlavi, the PMOI grew quickly in numbers and influence. Had not the Central Intelligence Agency twelve years earlier caused the collapse the popular Iranian government of Dr Mohammad Mosaddeq, the PMOI would have likely never come to exist. Had President Teddy Roosevelt's grandson, Kermit, not publicly boasted about orchestrating the overthrow and placing the US-friendly Shah Pahlavi in power, the hostility toward the U.S. would not have occurred. Installing a government that would in time execute thousands is bad enough; boasting about it is not the way to win hearts and influence the minds of the victims. The June 5th, 1963 brutal suppression that ended the demonstrations resulting from the rift between the Shah and the clerics set in motion many actions that still have major impact on Iran, the Middle-East, and the world.

In 1966 the PMOI adopted a set of philosophies that would put them at odds with both the ruling government and rising Islamic fundamentalists. They came to embrace equality between those in power and those not, between men and women, and among various religions and races. Going even further, they believed the clergy should not have total control over interpretation of the Quran, nor should the clerics have total control over their congregations. These philosophies, which still have major influence on the PMOI, would cast them into fighting successive enemies.

Even further problems were growing. As in the case of many organizations, an internal element often develops that does not share organizational beliefs, but are within the ranks because it best suits their purpose at the time. When the opportunity presents itself, this element will either split off or attempt to take control of the original organization. This became the situation as a Marxist element emerged within the PMOI. Often at serious odds with established senior leadership, the Marxists soon found themselves in a very advantageous position.

Failed attempts at attacking the Shah and disrupting the government ended up with arrests of sixty-nine members of the PMOI in August of 1971. The core of the PMOI leadership was off the streets, and most ended up on the gallows, including the three founding members. As very few remaining members of PMOI leadership survived in the

Shah's prisons, awaiting the end of torture that only death would bring, the rift between the rival elements intensified. By May of 1972, two PMOIs existed, with the preponderance of power favoring the Marxists. The two elements spent as much time fighting each other as they did engaging the Shah's regime. Meanwhile, one imprisoned member who was not executed by the government enforcers, but rather remained captive until the final days of the Shah's rule, was a young Massoud Rajavi. Inside prison he built an organizational structure and a large membership anchored on original PMOI concepts and independent of Marxist influence.

Today, any action conducted by either the PMOI or the Marxist PMOI is viewed as a PMOI action with no discrepancy to which organization did it. For the United States, this is especially true concerning the deaths of three American officers: the June 1975 dual killing of COL Paul Shaffer and Lieutenant Colonel John Turner, and the following month's killing of Lieutenant Colonel Lewis Hawkins. The fact that in August of 1975 the Shah's police arrested two people for the killings of Shaffer and Turner and stated they were part of the "Islamic Marxist group," and a member of the Marxist PMOI would later claim to have killed Hawkins, the blame remains on the PMOI.

In November of 1976, the strength of the Marxist PMOI was shaken when they lost a major gun battle with Iranian police. Weakened, but not broken, both elements continued to be actively involved in 1978 and 1979 uprising against the Shah. In January of 1979, ten days before Ayatollah Khomeini returned to Iran from exile in Paris, Rajavi was released from prison. As he worked to rebuild the PMOI, most of the subordinate leadership he selected also came from Qasr Prison. Soon the Marxist element abandoned any claim to the PMOI name and renamed themselves "Paykar" (Struggle).

Following the fall of the Shah, the PMOI had hopes of being part of the moderate Premier Bazargan/President Bani Sadr government. However, Ayatollah Khomeini was determined to establish a religious regime, with himself at the center. With this latest development, almost immediately Bazargan and the PMOI were at odds with the fundamentalist clerics under the leadership of Khomeini. Years earlier, as a cleric, Khomeini had been condemned to death by the Shah. The execution had been prevented by a sudden meeting in Najaf, Iraq where Khomeini was elevated to Ayatollah. In turn, Shah Pahlavi was left with the options of violating Islamic law by executing an Ayatollah or exiling Khomeini out of country. Out of country did not mean Khomeini was no longer undermining the Shah nor working to destroy his, or any Iranian government, that did not practice Khomeini's own brand of fundamentalism.

On November 3, 1979 Khomeini addressed the university students, resulting in 400 of them storming and taking over the American embassy in Tehran. This act caught the rest of Iran and the world by surprise. Yet it became one more thing attributed to the PMOI. Any military leader can verify that from Khomeini's exciting the students to their taking over the embassy, time did not exist for any formal organization to develop and perform a mission. Hope for a moderate Iran was immediately disappearing, as evidenced by the same-day resignation of Premier Bazargan. Bani Sadr stayed on for

the time being as President, but it was obvious his attempts to bring order out of this chaos were not going to succeed.

As in the words of Shakespeare, "Cry havoc and let slip the dogs of war," Khomeini was able to seize upon this event to take the world stage and raise the fever all across Iran. His followers had successfully attacked the center of United States presence in Iran and now held American hostages. Khomeini used that excitement to bring his wrath on adversaries, real and perceived, within Iran. Anyone who did not share his fundamentalist beliefs was an adversary. Top on the list were the PMOI and the Communists. Attempts by Rajavi to work within the new government were not allowed. In December of 1979, Khomeini refused to allow him to run for President; and the following March, Rajavi was denied attendance to Parliament. In June 1981, the PMOI organized a peaceful demonstration in Tehran which attracted nearly half-a-million people. Khomeini responded by unleashing a brutal crackdown where dozens were killed, hundreds wounded, and thousands arrested. By 1982, Khomeini's attacks produced further bloodshed, to include the death of Rajavi's wife Ashraf and his second-in-command, Moussa Khiabani.

This time it was the PMOI who had to seek refuge. By 1981, Rajavi and now-ex-president Bani Sadr had moved the organizational structure behind their combined efforts to Paris. In 1986 another major relocation took place that takes us directly to the situation currently trying to be resolved. In the Middle-East, the belief is very real that, "The enemy of my enemy is my friend." Iran's mortal enemy was the Iraqi government under the rule of Saddam Hussein. While possessing the ability to be very charismatic, Saddam was also one of the most corrupt, manipulating, brutal, and self-serving leaders in the world. He was a person who enjoyed delighting others with his charm, yet would take equal delight watching those same people being tortured to death. The legend of his wood chipper was very much real.

Saddam saw a purpose for the Mujahedin. Having a major military force in his country dedicated to the overthrow of his principle enemy and replacing that enemy with a friendly government was very much in his interest. For the PMOI, Saddam offered a series of bases where they could monitor the Iranian government, work their operatives inside Iran, have a military staging area, operate a radio communications network, and be a beacon of hope to the people in Iran hoping to survive until a better government could take control. In 1986, a large majority of Iranian people had lived under the Mosaddeq government or heard stories from their parents. They knew that replacing the Shah with Khomeini was not a solution in the right direction, only more of the same. Even Khomeini's grandson had long since remarked that replacing the Shah's government with his grandfather's regime had taken the country from bad to worse. Now, just across the border into Iraq was organized Iranian opposition.

For the next seventeen years, the Mujahedin operated several bases in Iraq and did conduct military operations against the Iranian government. Up to the American-led invasion of Iraq in 2003, the Mujahedin grew in size and capability. It was during this period that the majority of the people now living at Ashraf joined the PMOI. An

interesting and still haunting development occurred in October of 1997. While attempting to create positive relations with the newly elected President Mohammad Khatami, who was then making overtures of becoming more moderate, the Clinton administration placed the Mujahedin on the State Department list of terrorist organizations. As time would prove, there never was an intent by the fundamentalist Islamic leaders of Iran to become more moderate. This perception was nothing more than a successful psychological operation that achieved many desired goals, which once achieved revealed Iran's true intent - complete with an active nuclear weapons research program.

In 2003, as the United States developed its plans to invade Iraq, the Iranian government set to work on how to quietly take over as much of Iraq as possible. The Supreme Council of Islamic Revolution of Iraq and its own military arm, the Badr Corps, were already firmly inside Iraq. The political operations of the southern Shia provinces were continually taken over by Iranian loyalists. Since the invasion, the Ministry of Interior and especially the national police have become more and more under the control of rebel cleric Moqtada Sadr. Today, the Iranian influence has expanded itself through the southern provinces, over most of Baghdad, and into Diyala province where Camp Ashraf is located.

Also in 2003, as the Coalition prepared to invade, Mujahedin leadership made the decision that their fight was not with the Coalition and elected not to rise up in support of Saddam. Their fight was with the Iranian government. Even when their camps were bombed, resulting in deaths within the organization, the Mujahedin did not return fire. When the Coalition forces arrived on the ground, rather than resistance, it became a relationship of cooperation. The Mujahedin accepted consolidation of their ranks into the one camp of Ashraf. Of the 10,000 members, approximately 3,700 accepted the move, with the remainder leaving the organization. Eventually, another 190 of these members elected to leave the PMOI and move to a small camp under Coalition control. In time, these 190 former members were accepted into Kurdistan where they now reside.

From the very beginning, the United States had a difficult time figuring out what to do with the PMOI. This was a first in the history of the world: an invading force inherits control of a military organization within the defeated country, yet that organization is an adversary of another country. That country, being Iran, is the same one that President Bush declared to be a nation sponsor of terrorism. In 2004, following the PMOI's formal renouncement of terrorism, members of the Mujahedin were awarded Protected Person status under the Fourth Geneva Convention.

My first awareness of this organization came in October 2003. After having conducted a force protection assessment of Abu Ghraib, I had a meeting with 800th Military Police Brigade Commander, Brigadier General Janis Karpinski. A classmate from officer basic course, I addressed with her the serious lack of adult supervision at Abu Ghraib. In the same meeting, she addressed the PMOI and how Coalition leadership had yet to figure out how to deal with them and use them as a potential resource - especially in the area of intelligence. Their name came up again when an officer reported to Coalition Forces

J-3 (Operations), Major General Tom Miller, that the Mujahedin were constructing combat trenches between their camp and the Americans. Turned out the trenches were for the installation of water pipes to handle the surge of new residents caused by the consolidation. I had no way of realizing this was just the beginning of all the unfounded rumors I would hear about the PMOI. Two years later, the Mujahedin dilemma would play a bigger role in my life when I became the Operations Officer for Task Force 134, Detention Operations. Seven months after that, it became my main focus when in June of 2006, I became the first colonel to serve as base commander of Camp Ashraf.

One thing that always impressed me in 2006 about Camp Ashraf (named after Rajavi's first wife) was how out of the desert an oasis was built. Outside of the perimeter fences was barren land. Supported by water pumped from two rivers and purified within the compound was a well irrigated community. Each time I witnessed this irrigation I was drawn back to Anwar Sadat's amazement when he first saw the work Ariel Sharon had done during Israeli occupation of the Sinai Peninsula. The Mujahedin had also set up outlets along the pipeline to allow local farmers to draw water for their use. Electricity was provided to all camp facilities; a hospital and clinics served not only the Mujahedin but anyone who showed up at the gates requesting treatment. Each compound had its own bakery and dining facility. Each of these had a special food or item that championed over the other facilities. They produced their own ice and made their own soft drinks. The uniforms they wore were always well-serviced and clean at the beginning of the work day.

I found Camp Ashraf's mosque a testimonial to the organization's founding principles of tolerance of other religions and races as well as the clergy not possessing total control over interpretation of the Quran or the congregations. Constructed with the two towers of a Shia religious center, it was open to all. Sunni residents of the local area were welcome to come and worship. Americans and all other nationalities of any faith were welcome to come inside the mosque. Unknown to the outside world, one of the biggest celebrations of the year at Ashraf is Christmas. This may seem strange to outsiders, but any resident of Ashraf is always ready to point out that Christ is the second prophet.

As base commander, I moved out to develop a professional relationship and gain a thorough understanding of this organization. What I found is the vast bulk of proclaimed knowledge among the Americans concerning the Mujahedin was basically rumors. No one had attempted to study the history of the organization. It was almost like Greek mythology. The unknown was explained with stories passed on from one to another. By western standards, their way of life is considered strange, if not bizarre, but that doesn't make them bad people. They do live a Spartan life and have a closed society. Men and women live separate of each other. Makeup is not worn. At the time of my presence, all of the membership wore uniforms. Women have the key leadership roles of running the organization. They do have a strong allegiance to Massoud Rajavi and his current wife, Maryam. Often their understanding of western attitudes and perceptions is as weak as our understanding of what they think and feel. It is easier for westerners who don't understand them to simplify the situation by proclaiming the Mujahedin to be a cult. I have had many detailed conversations and debates with them. They have even asked

me about the cult label and how they could improve the outside perception of themselves. Often the advice I gave was very hard and direct. To their credit, they accepted the advice and frequently exercised the guidance I provided.

Unfortunately, while serving as base commander, both the Mujahedin and I had to put up with occasional visits from a State Department representative who would come in with her own prejudice and refuse to even listen to what anyone else said - to include Americans. The most disastrous visit by this representative occurred during the same time I was back in Baghdad taking care of several other responsibilities. Upon my return, I found myself having to go visit every compound this representative had toured and mitigate every offensive remark she made and unwarranted action she conducted. This State Department employee is yet another testimonial to the media acknowledgment our government made years ago that the State Department did not send over its best and brightest during the early days of our involvement in Iraq. Part of this overall problem can be attributed to Secretary of Defense Donald Rumsfeld refusing to turn over the rebuilding of Iraq to Secretary of State Colin Powell. A larger part of it was that most State Department employees were not going to give up the good life to live in a war zone in less than ideal conditions. We have paid, and continue to pay, for that mistake. Ashraf can be included on the tab.

Perhaps the most blatant and irresponsible rumor that came out of State Department occurred in the fall of 2006. An urgent warning came through that the PMOI was recruiting Iraqis by the hundreds and training them at a specific compound. My unannounced inspection of this compound revealed a handful of local Iraqi workers. The Mujahedin hired local labor because there was always too much work at Ashraf for the membership to perform. Should the workers come and go every day, their chances of getting caught by the Shia death squads were that much greater. The workers preferred to come and go once a week and deliver the earnings to their families. Having seen enough to realize that once again I was chasing State Department swamp gas, I started to leave the compound. My PMOI escort interrupted my departure and stated that there was another building to examine. I assured him between what I already witnessed, and his willingness to show more, I was convinced there was no reason to look further.

Another rumor concerned the Mujahedin keeping people against their will. They did have concertina wire fences between their compound and ours. To the outside, it appeared they were trying to keep people in. Upon much closer examination and experience, I came to realize that they didn't want anyone to defect from the organization without being debriefed and carrying in their possession sensitive documents or information. In one case, the Mujahedin took me to a compound they had for people wishing to leave. One person was living the good life there and didn't want to leave. He was being cared for with meals and lodging, but didn't have to work for his keep. The Mujahedin leadership asked me to talk to him and convince him to come over to our defector camp. Unfortunately, I was unsuccessful. This person had the best of both worlds and didn't want to give it up. Using the logic of Imam Ali Hussein, the Prophet's grandson, the night before the Battle of Karbala in 680 AD, Mujahedin leadership told their membership, "We will turn out the lights." Anyone wishing to leave

had that choice. Mujahedin leadership just wanted to know about the departure before it happened.

One unexpected departure afforded me the opportunity to negate another rumor: that the Mujahedin were sneaking out of Camp Ashraf without our knowledge to conduct business and undermine the Iraqi government. Having shown up unexpectedly in the middle of the night, this man caught both the Americans and PMOI by surprise. The Mujahedin accepted my doing the debriefing of this person who was now under our control. They accepted my word that he didn't bring any sensitive documents, only himself. This person's former role was to do the shopping and bank business trips to Baghdad while under American oversight. When I interviewed him, he made it clear he wanted nothing more to do with the Mujahedin. I then specifically asked him if the PMOI were leaving camp without our knowledge. Even though he was dissatisfied with his former organization, he assured me they were not violating any of our rules and were complying with everything we mandated. That conversation, and many other events, further proved to me that the PMOI was fulfilling the spirit and intent of every requirement placed on them by the Americans.

The Mujahedin was an intelligence source that we didn't learn to fully use for a long time, even though they were willing to share information. This is the organization that made the world aware that the Iranian government was conducting nuclear research operations. Their relationships in the local area were bringing in continual reports of Al Qaeda, Badr Corps, and Mahdi Army activities throughout the region. Not until the arrival of the Marine Corps Human Exploitation Team were we able to get that information into the intelligence network. I was always amazed at the amount of information they were able to extract out of Iran. One instance was the result of a conversation in Baghdad between that same State Department representative and a senior Iraqi official. When the conversation was over, the Iraqi official filed his report to Tehran. Within two weeks, all the details of the conversation were handed to me by the PMOI.

Concerning my tour of duty at Ashraf, I came to know the Mujahedin better than any other outsider before, and very likely after. I heard the rumors, then pursued the facts. I challenged them in debate and listened to them in discussion. Having already been the Antiterrorism/Force Protection Officer for all of Iraq, I had a solid understanding of the ever-changing threat. To understand what I was working to protect, and from whom, I had done an incredible amount of studying. When I was outside the perimeter in missions with the Mujahedin, I found them to be a solid ally. Inside the perimeter, I found them to be a major learning opportunity. We didn't always agree, but we always respected and trusted each other.

Upon my return to the Pentagon, I began working with State Department representatives in Washington, D.C. to properly address the PMOI issue. What I found were the two primary people at Foggy Bottom responsible for the Mujahedin had almost no working knowledge of the organization. The first two meetings I had with them, and several other people in attendance, concerned presenting a time-line history of the

organization from its earliest days and going over about sixty photographs I had taken concerning all aspects of Camp Ashraf and its residents. The State Department representatives had no idea what the membership looked like, the uniforms they wore, the layout of the compound, the existence of an industrial compound where trailer homes were being manufactured, the fact they ran their water through a treatment plant before consumption, had medical facilities, and ate their meals in dining facilities. They did know a lot of the rumors, but almost none of the facts.

Finally we got to the issues concerning the Mujahedin. The biggest one was the accepted-as-fact rumor that in years past the Mujahedin had attacked the Kurds. I produced a letter from Hoshyer Zebari, head of Kurdistan Democratic Party International Relations, clearly stating this did not occur. This was checked out by having their counterparts in Baghdad talk to Mr. Zebari. I was later assured by my Foggy Bottom counterparts that Mr. Zebari confirmed my information to be true. Yet, several months later when the annual report on terrorism was released by the State Department, the accusation for attacking the Kurds was not removed. I questioned the same people I had been dealing with and was informed that they don't communicate with the people who put out the annual report.

Another issue that has plagued the PMOI is the Marxist label. While the PMOI worked for more openness in Islam, the Marxist element discarded Islam in favor of Marxism. The best analysis to this situation was provided by former Undersecretary of State George Ball in his August 19, 1981 *Washington Post* article. Mr. Ball stated, "...The sloppy press habit of dismissing the Mujahedeen as leftists badly confuses the problem....Its intention is to replace the current backward Islamic regime with a modernized Shiite Islam drawing its egalitarian principalities from Koranic Sources rather than Marx..."

The leadership of the Mujahedin have expressed their willingness to leave Iraq and go elsewhere. The problem is they have no place to go. Even if the United States follows the actions of the European Union and removes this organization's terrorist designation, none of the members can come to the United States because they were once in a designated terrorist organization. As far as Homeland Security is concerned, it is irrelevant as to whether that designation was right or wrong in the first place. As long as the United States leaves them on this list, no other country is willing to accept them. The only actions that have come out of the State Department were to pull the "protected person" status and turn oversight of Camp Ashraf over to the Iraqi government.

Against this backdrop, we now have a U.S. administration who believes the war is basically over for America and we can start pulling out. As Americans, we haven't learned from our mistakes. In the early days of Iraq occupation, we saw little activity in the southern Shia provinces. We were so focused on the Sunni activity that we never realized Iran and the Supreme Council of Islamic Revolution of Iraq were taking control of all the community and provincial governments. The same has now been going on for several years throughout the country. Yet our politicians continue to express confidence and support of this government.

We continually experienced corruption within the Iraqi government, to include civilians being arrested without reason and held for ransom, illegal detention facilities to include on Ministry of Interior grounds, and an entire Sunni village ordered to leave their homes within an hour so Shia families could move in and take over their possessions. I personally had senior members of the Ministry of Culture offer to give me a painting that was part of usurped art. One of the most painful events was when one of our convoys was driving through an Iraqi police checkpoint. Just as our last vehicle entered the open area, the rear gunner saw the uniformed Iraqi police officers running for cover. As he radioed the warning to the convoy commander, a suicide driver came at the front of the convoy. Engaged by the lead gunner, the vehicle was destroyed and the driver killed before he made it to the convoy. Suddenly, the entire right flank of the convoy was under attack. When it was over, one American was killed in action. Meanwhile, this is the government that has been making continued promises to the Americans that the Mujahedin will be protected. Yet on a continuing basis, Camp Ashraf has been placed under siege. Attacks have left members of the Mujahedin dead or maimed. Critical medical supplies, petroleum products, and food have been denied delivery to Ashraf. Loudspeakers have been continually used to conduct psychological operations against the PMOI.

It is not hard to recall the fiasco that was supposed to be the legitimate execution of Saddam Hussein. If not for the unexpected release of the digital footage, the world would never have learned of the executioners chanting "Moqtada, Moqtada" while Saddam's body was dangling from the rope. These actions supported the promise Moqtada Sadr made to his followers, that Saddam would "not live to see the light of the new year." There is no reason to expect the Iraqi government to do any better with the PMOI. If Prime Minister Maliki really cared about Iraq, he would turn to the PMOI just as Egypt's Anwar Sadat turned to Israel's Ariel Sharon and ask for guidance in developing more fertile lands.

Ruled by fear enforced by brutality, the Iranian fundamentalist government remains in place. Each year we watch the spectacle of Mahmoud Ahmadinejad giving his annual speech to the United Nations. Representatives of the free world get up and leave as Ahmadinejad speaks. He doesn't care. For his rants are not to positively influence the outside world, but to be shown inside Iran how their President is standing up to the West. Even though in his last ramblings he called for an investigation into the American government's orchestrating the 9-11 attacks, Ahmadinejad's attention is never far away from the annihilation of Israel. Khomeini often stated, "The road to Jerusalem is through Karbala."

The real benefactor to the fall of the Mujahedin will be Ahmadinejad and the ruling religious fundamentalists. The determination to maintain themselves in power by deceit and brutality was well proven following the 2009 Iranian presidential election. There was no way the mullahs were going to allow a real moderate and progressive leader like Mir Hussein Mousavi to become the President. The brutality in putting down the protests following the election brings back the deep memories of 1963 and 1981. Perhaps more

than anything else, the Iranian government wishes for the membership of the PMOI to be turned over to them. The Mujahedin has represented resistance to the fundamentalist government for more than a generation. Mass public executions will be conducted to show the Iranian people what happens to people who oppose the government. The public executions will also be used to further break the spirit of anyone considering resistance and to show the world what happens to those trust their lives to the United States.

To appease the Iranian government, the State Department recently placed Jundallah, a Sunni-Balochi Islamic group, on the terrorist list. To this, it needs to be accepted that this group in fact is conducting terrorist activities inside Iran. That stated, the timing speaks for itself as the State Department is trying to figure a way to work with the Iranian government and is making an appeasement gesture. There is little chance the same State Department is going to make a negative gesture by removing the PMOI despite calls from the American Legislative and Judicial Branches of government, as well as the European Union, to professionally revisit this issue. That would be the harder right. History is repeating itself back to when the current Secretary of State's husband was the President and the Mujahedin was placed on the list.

Meanwhile, the State Department claims to have access to classified information about the activities of the PMOI. It is doubtful to be more accurate than the intelligence reports about Saddam possessing weapons of mass destruction and those State Department intelligence reports that frequently sent me out looking for activities that were not happening. To date the State Department has yet to share this classified information with either the United States military or members of Congress who do have the clearances, need to know, and ability to validate or debunk the information. This steadfast refusal leaves us to conclude State Department officials have realized this "classified information" cannot withstand the test of scrutiny.

That takes us back to the already discussed real and present danger of the PMOI. Will the United States allow the easier wrong and permit the Iraqi government to turn the PMOI over to Iran? No matter how the United States government will attempt to cleanse itself of this matter, one fact will always stand out above all others: the Peoples' Mujahedin Organization of Iran surrendered to the United States military. They trusted their safety to the United States. They renounced terrorism at the request of the United States and through the effort lead by the United States, they accepted the status of protected persons. As a nation, we made a serious mistake in the First Gulf War when Kurds and Shia were encouraged to rise up against Saddam. After one hundred hours of fighting, we shut down and left them to their fate. Thirteen years later we invaded Iraq, setting off a whole new series of mistakes. Trusting the Iraqi government to handle the Mujahedin any better than they handled the execution of Saddam will be a mistake that will cost 3,500 lives. There is still time to correct this problem, but not at the pace and in the direction the State Department is moving.

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE US FORCES AT CAMP ASHRAF AND PMOI
CONCERNING UNEXPECTED DEPARTURES

1. General: The arrangements for transferring individuals who request to become residents of the Temporary Interview and Protection Facility (TIPF) have been defined in the 3 December 2005 Memorandum between the Joint Interagency Task Force (JIATF) Officer in Charge (OIC) and Peoples Mojahedin of Iran (PMOI) representative. While not a common event, situations do occur when a resident of the City of Ashraf unexpectedly departs the City of Ashraf and request to become residents of the TIPF.

2. Purpose: The purpose of this Memorandum of Understanding is twofold: (1) to maintain trust between US Forces and PMOI and (2) to ensure that individuals are not departing the City of Ashraf with sensitive material or PMOI property.

3. Scope: This memorandum is limited to search methods concerning unexpected departures.

4. Understanding: The following is agreed upon when a resident of the City of Ashraf unexpectedly requests Coalition to take him/her into Protective Custody:

a. Resident of the City of Ashraf turning himself/herself over to Coalition Forces will be taken immediately into protective custody. He/she will be transported to Gate 13S if this is not the location where the incident occurred.

b. Tactical Operations Center (TOC) will be immediately contacted. TOC will contact Forward Operating Base (FOB) Commander, Battalion Commander and JIATF OIC.

c. JIATF OIC (or representative) will notify PMOI LNO that a member has reported to Coalition Forces for relocation to the TIPF.

d. U.S. Forces at 13S will conduct an on-site search of the person leaving the PMOI.

e. The Battalion Commander and JIATF OIC (or representatives) will meet PMOI representatives at 13S.

(1) If the departing member is willing, PMOI representatives will conduct a field search of the departing member at 13S and while being observed by U.S. Forces.

(2) If the departing member is not willing to allow PMOI representatives to conduct a search, a field search will be conducted by U.S. Forces while PMOI representatives observe.

(3) Any discrepancy between PMOI and U.S. Forces will be resolved by the Ashraf Forward Operating Base Commander.

f. Any and all documents, equipment and property belonging to the PMOI will be turned over to the PMOI. This will include any picture or document containing intelligence value to the PMOI organization. Personal items will be retained by the person leaving the PMOI.

g. If the PMOI member is a female, searches from either organization will be done by a female member under the same procedures described in paragraph 4a(5).

h. Upon completion of above mentioned, the former PMOI member will be escorted by U.S. Forces to the TIPF for in processing.

5. Effective Date: This agreement is effective 5 November 2006. Changes to this memorandum will be addressed between FOB and PMOI leadership.

WESLEY M. MARTIN
COL, US Army
Ashraf FOB Commander

MEHDI BARAH
PMOI Representative

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE US FORCES AT CAMP ASHRAF AND PMOI
CONCERNING WATER SUPPLY TO FOB ASHRAF

1. General: During the presence of Coalition Forces at Ashraf, the Peoples Mojahedin of Iran (PMOI) has routinely provided additional water to support these forces. The water supply originates at two pump stations which belong to the PMOI. The East Pump Station is located at the town of Marfu and the West Water Pump Station is located on the Tigris River. Maintenance as well as generator and pumping equipment to operate both pumping stations are a result of joint U.S. Forces and PMOI efforts.

2. Purpose: The purpose of this Memorandum of Understanding is to identify water supply expectations to Coalition Forces.

3. Scope: This memorandum is limited to amount of water provided to Coalition Forces.

4. Undersfanding:

a. PMOI agrees to provide 80,000 - 100,000 gallons of unpurified water to FOB Ashraf on a daily basis. The aforementioned is required to produce approximately 40,000 gallons of purified water.

b. In the event of unexpected interruption of water to the City of Ashraf (breakdown of equipment, loss of electrical power, broken or destroyed pipes, other technical problems, or increase in terrorist activity) water supply to FOB Ashraf will be adjusted proportionally. Meanwhile, FOB and PMOI leadership will work out the resolution of the specific problem.

5. Effective Date: This agreement is effective 5 November 2006. Changes to this memorandum will be addressed between FOB and PMOI leadership.

Wesley M. Martin
WESLEY M. MARTIN
COL, US Army
Ashraf FOB Commander

MANDANA BIDRANG
Mayor of Ashraf (PMOI)
ماندانا بیدرنگ

LOCAL CEASE- FIRE AGREEMENT
OF MUTUAL UNDERSTANDING AND COORDINATION

The undersigned, each acting under their respective military authority, hereby agree to a local cease – fire between Lieutenant Colonel Kenneth Tovo of the Coalition Forces, and Mr. Mehdi Barale of the National Liberation Army of Iran- NLA of the People's Mojahedin Organization of Iran (PMOI), also known as the Mojahedin E-Khalq within Iraq. This agreement is intended to ensure a complete cessation of hostilities and prohibits all acts of armed force between the parties and does not constitute an act of surrender. The parties agree to accept and to be bound by the conditions and terms of this agreement as set forth in the following articles.

NLA/PMOI state that they have not fired even a single bullet against US/Coalition forces in this war because their only enemy is the religious dictatorship ruling Iran. NLA/PMOI also state that they have never been involved in the war or any act of hostility with U.S. /Coalition forces.

Article 1. The parties shall order and enforce a complete cessation of all hostilities against each other in Iraq by all specified armed forces under their control, including all units and personnel of the ground, naval, and air forces, as appropriate, effective immediately. The NLA Units Commanders' forces shall remain in uniform.

Article 2. Unless otherwise directed by U.S.\ Coalition Commander, the NLA Units Commander shall, in order to prevent incidents which might lead to a resumption of hostilities or incidental engagement, ensure that forces under his command remain within the following geographic limits:

1. Ashraf Camp, described as that geographic area enclosed by the map coordinates of 38S MC 5676 and 38S MC 6876 and 38S MC 6864 and 38S MC 5664.

2. Alevi Camp, described as that geographic area enclosed by the map coordinates of 38S NC 0371 and 38S NC 0671 and 38S NC 0666 and 38S NC 0366.

3. Zohrah Camp, described as that geographic area enclosed by the map coordinated of 38S NC 1784 and 38S NC 3184 and 38S NC 3158 and 31S NC 2258.

4. Rana Base, described as that geographic area enclosed by the map coordinates of 38S NC 1762 and 38S NC 2562 and 38S NC 2255 and 38S NC 1755.

5. Sodeh Camp, described as that geographic area enclosed by the map coordinates of 38S NC 1646 and 38S NC 2153 and 38S NC 2550 and 38S NC 2044.

6. The major roads connecting the above camps and base.

Article 3. NLA forces under the Command of the NLA Unit Commander shall display white flags on all mechanized equipment, to include on artillery pieces, as a flag of truce.

Article 4. During the period of this agreement, NLA Unit Commander shall ensure that all NLA units comply with the following:
A. Not fire upon, or commit any hostile act toward, any U.S.\ Coalition forces.
B. Not destroy or damage any of the NLA unit's vehicles or equipment.
C. Not destroy or damage any government or private property (e.g., public infrastructure, oil pumping\ refining \storage \ transportation facilities).
D. . Place all towed artillery and air defense artillery pieces in a passive travel mode.
E. Turn off all radars. NLA emphasizes that it has never had any radars.
F. Keep military personnel in uniform at all times.

Article 5. U.S.\ Coalition forces will not fire upon, or commit any hostile act toward, any NLA forces covered by this agreement. U.S.\ Coalition forces will not destroy or damage any NLA\PMOI property in their camps in Iraq.

Article 6. Failure to order and enforce a complete cessation of all hostilities, or failure to comply with all requirements contained in the preceding Article shall constitute a serious violation of this agreement.

A serious violation of this agreement may lead to denouncement of the cease-fire and recommencement of hostilities.

Article 7. For mutual protection of forces the undersigned U.S.\ Coalition and NLA Unit Commanders will provide each other with the location of all known land mines in and around the geographic vicinity as described in Article 2. NLA emphasizes it has never planted any mines anywhere.

Article 8. The undersigned U.S.\ Coalition and NLA Commanders are responsible for enforcement of this agreement, and shall establish within their respective commands all measures and procedures necessary to ensure compliance with all of the provisions of this agreement, by all elements under their command. They shall cooperate in complying with the provisions of this agreement.

Article 9. The U.S.\ Coalition and NLA Commanders agree that this local agreement does not surrender or capitulate troops under command of the NLA Commander. The respective Commanders agree that, except in the case of a serious violation identified in Article 6 of this agreement, hostilities will not recommence without appropriate notice to the other Commander which will in no case be less than 48 hours.

Article 10. The Articles of this agreement shall remain in effect until expressly superseded either by mutually acceptable amendments and additions or by provision in an appropriate agreement between both sides.

Article 11. NLA reserves the right to self defense against the Iranian regime's attacks and to prevent and confront theft, looting and abduction. The NLA agrees that if it becomes necessary to leave the designated geographical limits established in Article 2 above in order to protect itself in self-defense, it will inform the Coalition Forces prior to doing so, in order that the Coalition Forces can avoid engaging the NLA unit.

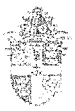
Article 12. This agreement comes into force upon signature of both parties.

Article 13. This agreement may be amended by mutual written agreement of the parties. 20

Article 14. Done this 15th day of April, 2003, in Ashraf Camp near the city of Khalis, Iraq, in two copies, each in the English and Farsi, the English text being authentic.

Lt. Col. Kenneth Tovo
Coalition Unit Commander

Mr. Mehdi Baraie
Representative of the NLA General Command Staff



The Most Reverend Desmond M. Tutu
Anglican Archbishop Emeritus of Cape Town

June 2011

Camp Ashraf

I join the UNHCHR, EU, other countries around the world and human rights organizations and personalities to deplore strongly the Iraqi forces' violent attacks against the defenseless and unarmed residents of Camp Ashraf on April 8th, 2011 which left 35 residents killed and hundreds of others wounded. Concerns exist that if the UN does not immediately assume the protection of the residents, Iraqi authorities will carry out yet another armed attack against Ashraf residents.

The proposal presented by the European Parliament is a peaceful and viable solution for Camp Ashraf, and I hope that the United Nations, the US and EU would assist in the implementation of this plan as they all have expressed their concern for the human rights and dignity of the residents of Ashraf to be preserved.

Conditions that coincide with Ashraf residents' rights under International Law and the Geneva Conventions must be realized for the grounds to be set to reach a permanent solution for the crisis in Ashraf. Until the full implementation of the European Parliament plan and during the transitional period, attempts by the US government, UN, EU are necessary to have the following preconditions accomplished:

1. The military occupation of Camp Ashraf must be brought to an end;

2. The 2-year-long inhumane siege against Camp Ashraf by the Iraqi government must be lifted. The camp's gates must be opened to members of the residents' families and their lawyers to visit the residents;

3. An independent investigation be carried out by a representative appointed by the UN on the April 8th attack against Camp Ashraf and the crimes committed inside the camp as has been called for by the UN Human Rights High Commissioner. I fully support the prosecution of the perpetrators of the crimes against humanity in Camp Ashraf; and

4. Ashraf's security and protection must be guaranteed with the reopening of the UN monitoring office (UNAMI) in Ashraf.

The compulsory relocation of 3,400 unarmed refugees is illegal and violates UN standards and International Law and International Humanitarian Law provisions. It is very clear to me that relocation inside Iraq not only falls short of guaranteeing the end of repression and killing of Ashraf residents: in fact it places them in the midst of even greater threats. Therefore, compulsory relocation is not a realistic and practical solution, and in practice can only be preparations for another killing spree.

Archbishop Emeritus Desmond Tutu (Cape Town – South Africa)

October 12, 2011
Tehran's Foes, Unfairly Maligned

Washington

AS the United States tries to halt Iran's nuclear program and prepares to withdraw troops from Iraq, American voters should ask why the Obama administration has bent to the will of Tehran's mullahs and their Iraqi allies on a key issue: the fate of 3,400 unarmed members of the exiled Iranian opposition group, Mujahedeen Khalq, who are living in Camp Ashraf, north of Baghdad.

The government of Prime Minister Nuri Kamal al-Maliki, a Shiite Muslim, has brazenly murdered members of the Mujahedeen Khalq. Mr. Maliki justifies his attacks by noting that the group is on the United States' official list of foreign terrorist organizations.

In April, Iraqi forces entered Camp Ashraf and fatally shot or ran over 34 residents and wounded hundreds more. Mr. Maliki has now given the Mujahedeen Khalq until Dec. 31 to close the camp and disperse its residents throughout Iraq.

Without forceful American and United Nations intervention to protect the camp's residents and a decision by the State Department to remove Mujahedeen Khalq's official designation as a terrorist group, an even larger attack on the camp or a massacre of its residents elsewhere in Iraq is likely.

This situation is the direct result of the State Department's misconceived attempt to cripple the Mujahedeen Khalq by labeling it a terrorist organization, beginning in 1997. At the time, I was director of the Federal Bureau of Investigation. I concluded that this was part of a fruitless political ploy to encourage a dialogue with Tehran. There was no credible evidence then, nor has there been since, that the group poses any threat to the United States.

Tragically, the State Department's unjustified terrorist label makes the Mujahedeen Khalq's enemies in Tehran and Baghdad feel as if they have a license to kill and to trample on the written guarantees of protection given to the Ashraf residents by the United States. And Tehran's kangaroo courts also delight in the terrorist designation as an excuse to arrest, torture and murder anyone who threatens the mullahs' regime.

For better or worse, the State Department often makes politically motivated designations, which is why the Irish Republican Army was never put on the list (despite the F.B.I.'s recommendation). Similarly, Moktada al-Sadr's Mahdi Army in Iraq and the Haqqani terrorist network in Pakistan — both of which have murdered many Americans — have successfully avoided being listed.

During my tenure as F.B.I. director, I refused to allocate bureau resources to investigating the Mujahedeen Khalq, because I concluded, based on the evidence, that the designation was unfounded and that the group posed no threat to American security.

I did, however, object to the State Department's politically motivated insistence that the F.B.I. stop fingerprinting Iranian wrestlers, and intelligence operatives posing as athletes, when the wrestlers were first invited to the United States in a good-will gesture. And the F.B.I. did try, unsuccessfully, to focus the Clinton administration on the threat posed by the Iranian Revolutionary Guard Corps, which exported terrorism and committed or orchestrated acts of war against America, including the 1996 Khobar Towers attack in Saudi Arabia, which killed 19 American airmen. We learned from prosecutors on Tuesday that a unit of the corps plotted to murder the Saudi ambassador in Washington.

Some critics call the Mujahedeen Khalq a dangerous cult. But since leaving office, I have carefully reviewed the facts and stand by the conclusion that the Mujahedeen Khalq is not a terrorist organization and should be removed from the State Department's list immediately. Many of the most knowledgeable and respected terrorism experts in the world have come to the same conclusion. (Though I have on some occasions received speaker's fees or travel expenses from sympathizers of the Mujahedeen Khalq, my objective analysis as a career law enforcement officer is the only basis for my conclusions.)

Britain and the European Union have already acted on the evidence, removing the Mujahedeen Khalq from their sanctions lists in 2008 and 2009, respectively. The British court reviewing the Mujahedeen Khalq dossier went so far as to call the terrorist designation "perverse."

The Mujahedeen Khalq is now led by a charismatic and articulate woman, Maryam Rajavi, who enjoys significant support in European governments. In 2001, the Mujahedeen Khalq renounced violence and ceased military action against the Iranian regime. And in 2003, the group voluntarily handed over its weapons to American forces

in Iraq and has since provided the United States with valuable intelligence regarding Iran's nuclear weapons program. By the State Department's own guidelines, Mujahedeen Khalq should be delisted.

Yet Secretary of State Hillary Rodham Clinton and the White House have balked at delisting the group and protecting its members at Camp Ashraf, despite bipartisan calls for action.

Incredibly, as our duty to protect the camp's residents reaches a critical stage, the State Department offers only silence and delay. The secretary is still "reviewing" the designation nearly 15 months after the United States Court of Appeals in Washington ruled that the department had broken the law by failing to accord the Mujahedeen Khalq due process when listing it as a terrorist group. Mrs. Clinton has not complied with the court's order to indicate "which sources she regards as sufficiently credible" to justify this life-threatening designation. The reason is clear: there is no evidence.

Louis J. Freeh was director of the F.B.I. from 1993 to 2001.

What's Next for Iran?

By Howard Dean and Tom Ridge

Published November 03, 2011

| FoxNews.com

On Wednesday, Democrats and Republicans on the House Foreign Affairs Committee unanimously approved harsher penalties against Iran, citing the regime's plot to assassinate Saudi Arabia's ambassador on American soil.

This latest Iranian provocation signals an alarming escalation by a terrorist regime that has been complicit in killing U.S. soldiers through its proxies, the Taliban in Afghanistan and Shia radicals in Iraq.

What evil can we expect next from the Mullahs' brutal regime?

In a word, the wholesale slaughter of 3,400 unarmed Iranian dissidents whom the U.S. government has sworn to protect...a looming humanitarian catastrophe we are honor-bound to prevent.

There's no doubt that December 31 will be especially joyful this year; a time when families across our country can welcome home the last remaining sons and daughters who fought bravely in Iraq.

But December 31 will also mark the illegal and arbitrary deadline set by Iraqi Prime Minister, Nouri al-Maliki, at Tehran's direction, for closing Camp Ashraf and dispersing its residents throughout the country-- where they can be tortured or killed quietly out of sight of the international community. This is hardly the "successful" conclusion of the nine-year military intervention in Iraq that Americans will want to remember--or that the American president will want to claim as his legacy in an uphill re-election campaign.

Camp Ashraf, Iraq is home to members of the Mujahedin-e Khalq (PMOI/MEK) who are "protected persons" under the Geneva Convention.

The MEK is the principal Iranian opposition movement and it is committed to non-violent regime change and a democratic, nuclear-free Iranian future.

During the past 25 years, this community has transformed Ashraf from a barren piece of land into a modern, vibrant town with universities, libraries and convention centers, parks, pools, and sports facilities. The Mullah's in Iran consider MEK an existential threat and have vowed to annihilate its members in Camp Ashraf at all costs.

In 2004, the United States gave each and every man, woman, and child living in Camp Ashraf, a written guarantee of protection until they could be relocated safely. But since

early 2009, when the U.S. handed over the camp to the Iraqis, Ashraf has been under a suffocating siege. Residents have been subjected to psychological torture and deprived of basic necessities including access to medical services.

Twice -- in July 2009 and in April 2011 -- defenseless Ashraf residents were brutally attacked by Iraqi troops acting on Tehran's orders. The result was 36 dead, including eight women, and over 300 injured. And that was while US troops were in the country! Imagine what will happen when the U.S. military presence in Iraq is removed.

Seeking to extend its influence in the region, Iran will most assuredly exploit President Obama's decision to leave Iraq without any U.S. military presence. And the opportunity to forge a deeper alliance with Iraq finds a willing partner in Nouri al-Maliki who has flouted international outrage over his actions with respect of Camp Ashraf.

In an ominous development earlier this week, Iraqi military and police units in humvees and trucks entered Camp Ashraf around midnight, sounding their sirens and brandishing their weapons in a calculated effort to intimidate and terrorize the residents.

Maliki's previous attacks on Camp Ashraf were roundly condemned by The Secretary of State, the UK Foreign Office, the EU High Representative, the U.S. Congress, the U.N. High Commissioner for Human Rights, and international human rights groups such as Amnesty International.

Senate Foreign Relations Committee chairman John Kerry described the raid a "massacre," calling for a thorough, independent investigation, and emphasizing that Iraqis must refrain from any further military action against Camp Ashraf.

When, shortly thereafter, the European Parliament offered a long-term, peaceful solution to the crisis wherein Ashraf residents would be peacefully evacuated and re-settled in EU member states and other countries (including the US), the Iraqi foreign minister prevented a European Parliament delegation from visiting the Camp.

In June, a senior bipartisan delegation of the House Foreign Affairs Committee also travelled to Baghdad to see Camp Ashraf investigate the April 8th massacre. The Congressmen met Iraqi Prime Minister Nuri al-Maliki. Once again, access to the camp was denied. The delegation held a press conference in the US Embassy after the meeting and called the Ashraf raid a "crime against humanity."

The need for intervention by the US, EU and U.N. is urgent. American taxpayers, who are funding 27% of the annual U.N. budget for peacekeeping, should demand that the international organization immediately dispatch blue helmet forces to safeguard the unarmed men, women, and children in Camp Ashraf.

In his 2009 Cairo address, President Obama promised a new chapter in U.S. relations with the Muslim world. Make no mistake about it, America's inaction in the face of a Srebrenica-style massacre at Camp Ashraf will leave an indelible stain on Muslim-U.S.

relations--one that will not be easily forgotten or forgiven in the Muslim world.

The amendment to the Iran Threat Reduction Act of 2011 that was unanimously adopted yesterday in the House Foreign Affairs Committee calls on the Obama administration to pressure Iraq to ensure the safety of the camp residents, prevent their involuntary return to Iran, and delay closing the camp until the U.N. High Commissioner for Refugees can resettle them in another country.

Clearly, the United States has a moral and legal duty to uphold the promises it made to the residents of Camp Ashraf, Iraq. To do otherwise would hand Iran a victory, seriously damage American credibility throughout the world and lead to a humanitarian disaster that must be prevented.

Howard Dean is the former Democratic governor of Vermont. He served as chairman of the Democratic National Committee from 2005-09. Tom Ridge is the former Republican governor of Pennsylvania. He served as our country's first Secretary of Homeland Security in the administration of President George W. Bush.

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Posted: Thursday, Oct. 20, 2011

For an effective response to Iran, remove MeK from terror list

PUBLISHED IN: VIEWPOINT

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From Gen. Hugh Shelton, former chairman of the Joint Chiefs of Staff:

The foiled plot by agents of the Iranian regime to assassinate the Saudi Ambassador to the U.S. has officials in the Obama administration furiously scratching their heads for an "appropriate" response. All too often with Iranian provocations. U.S. policy options swing ineffectually between the uncreative (economic sanctions) to the unrealistic (military strikes). One option sure to get the attention of the ruling mullahs in Tehran - and that could help set the stage for a future democratic transition there - is to unleash Iran's main opposition group, the Mujahedin-e Khalq (MeK), which remains constrained by an ill-advised U.S. policy.

The MeK was put on the U.S. list of "Foreign Terrorist Organizations" during the Clinton administration as a well-intentioned but naïve attempt to gain the confidence of Iran's new and, it was hoped, reform-minded President Khatami. However, Iran continued to be the world's number one state sponsor of terrorism and continued to develop its nuclear program.

The Bush administration followed suit, fearful that the delisting of the MEK would prompt Tehran to send IEDs to murder U.S. soldiers. That decision was also ill-advised as the Iranian regime not only sent the deadly explosives to Iraq, but has continued to train, arm and finance an assortment of terrorist groups, which have been responsible for hundreds of U.S. service members being killed or wounded.

Today, 3,400 members of the MeK sit in Camp Ashraf, attacked and massacred as recently as this April by Iran's proxies in the Iraqi military, useless to America's larger strategic objective to contain and neutralize Iran's radicalism.

A large number of prominent former national security officials agree that not only is the MeK not a security threat to the U.S. (the group has dedicated itself to secular, democratic governance in Iran), it has already proven an able and willing partner to the U.S. by providing critical intelligence on Iran's nuclear program, and the regime's role in attacks on U.S. troops in Iraq.

So what's the hold up?

While the Federal Court of Appeals in Washington, D.C. ruled in July 2010 that the U.S. government had erred in not delisting the MEK and remanded the case to the State Department for a thorough review, the department has yet to announce its decision. A well-organized lobbying effort, again by proxies of Iran operating freely in the U.S., has mischaracterized the MeK as a cult with terrorist

30

intentions. But this runs counter to all of the experience by the top brass of the U.S. military as well as intelligence officials who have worked closely with and studied the MeK over the years. It also flies in the face of eight different court rulings in the UK, EU and France, which have resulted in the group's delisting in those countries.

The still-unraveling plot against the Saudi Ambassador demonstrates the skill and reach of the Iranian regime in attempting to threaten and destabilize the U.S and our allies. It is somewhat ironic that while Tehran's agents are running loose in this country, hatching terrorist bombings and assassinations of foreign diplomats, our government has shackled the main opposition, which the mullahs fear the most. It is time to revisit this policy. While the administration, obviously caught off guard, is scrambling to find the proper response, delisting the MeK is the strongest signal the U.S. can send to the mullahs of Tehran. The timing could not be better.

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From: Signalcop <signalcop@aol.com>
To: signalcop <signalcop@aol.com>
Subject: A Matter of Honor by Adm. Lyons
Date: Fri, Nov 11, 2011 1:47 pm
Attachments: image008.png (33K)

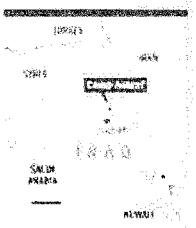
The Washington Times

November 11, 2011

A matter of honor

America has a duty to protect Camp Ashraf residents from Iran's vendetta

By Adm. James A. Lyons



On Oct. 7, 1997, during the Clinton administration, the People's Mujahedeen of Iran (POMI/MEK) was designated as a Foreign Terrorist Organization (FTO) by then-Secretary of State Madeleine Albright. The MEK represents the main opposition group to the Iranian theocracy and has been the source of key intelligence relating to Iran's secret underground nuclear sites. According to a senior Clinton administration official, the designation of the MEK as a terrorist organization was intended as a "goodwill gesture" to Tehran and its newly elected "moderate" President Mohammad Khatami. Such a goodwill gesture coming on the heels of the Khobar Towers bombing in Dhahran, Saudi Arabia, where we had proof of Iran's involvement, resulting in the killing of 19 U.S. servicemen and the wounding of more than 500 was unbelievable.

Such groveling by our government to a fanatical Iranian theocracy should not have been a surprise. After all, when we had proof of its involvement in the bombing of the U.S. Marine barracks in Beirut Oct. 23, 1983, killing 241 of our finest military personnel and injuring hundreds more, we did nothing. Contrary to a recent book citing the incident, the National Security Agency had translated and promulgated the information on a planned "spectacular" attack on the U.S. Marines on Sept. 27, almost four weeks before the bombing. Further, we have known for years that Iran has provided financing, training and weapons to the insurgents we have been fighting in Iraq and Afghanistan, which continues to this day, but has been swept under the rug. Even with their involvement in assisting the Sept. 11 hijackers due to our "hands-off" policy, we have essentially signaled to the fanatical mullahs that they have nothing to fear from us regardless of the atrocities they have committed against us. It is why they had nothing to fear from their attempt to assassinate the Saudi Arabian ambassador in our nation's capital. That Iran, which has cost thousands of American lives, both military and civilian, has been "off-limits" is a national disgrace.

Now we are faced with another moral situation in which we gave our word to protect the Iranian main opposition group, the MEK at Camp Ashraf, Iraq. In July 2004, we recognized the MEK residents at Camp Ashraf as "protected persons" under the Fourth Geneva Convention. Prior to that, the MEK disarmed in May 2003, turning over all their weapons to the U.S. Army's Fourth Infantry Division and we signed an agreement with every individual at Camp Ashraf that we will protect them until their "final disposition." From 2003 to 2009, U.S. forces protected Camp Ashraf from terrorist attacks from Iran and its Iraqi proxies. In 2009, the security of Camp Ashraf was turned over to Iraqi forces.

On Feb. 28, 2009, the Ayatollah Ali Khamenei urged the visiting Iraqi President Jalal Talabani to expel Iran's main opposition group, the MEK, from Camp Ashraf. According to reports of the visit, the ayatollah stated, "We await the implementation of our agreement regarding the expulsion of the [MEK] hypocrites," to Iran and areas in Iraq where they will disappear forever.

Using the State Department's designation of the MEK as an FTO as an excuse, Iraqi forces in July 2009 launched a raid on Camp Ashraf's 3,400 residents, killing 11 and wounding 300. The latest attack occurred on April 8. Iraqi

forces equipped with U.S. armored personnel carriers and Humvees killed 36, including eight women, and injured 345. Most were shot and some were crushed to death. Not surprisingly, Tehran praised the attack and asked Baghdad to continue attacking Camp Ashraf until it is totally destroyed.

Sen. John Kerry, Massachusetts Democrat, chairman of the Senate Foreign Relations Committee, called this latest attack a "massacre." Sen. Carl Levin, Michigan Democrat, chairman of the Senate Armed Services Committee, sent a letter to Secretary of State Hillary Clinton asking her to ensure the safety of the residents of Camp Ashraf and to accelerate the review of removing the FTO designation of the MEK.

With Iraqi Prime Minister Nouri al-Maliki declaring that Camp Ashraf will be shut down by Dec. 31, action to resolve the situation for the 3,400 residents, including 1000 women, must be taken now. The U.S. Court of Appeals for the District of Columbia ruled on July 16, 2010, that Ms. Albright erred in designating the MEK an FTO. The State Department was ordered to review this designation, strongly suggesting that it should be revoked. Why this review is proceeding at glacial speed is unconscionable, particularly since all our European allies have already removed the designation. Are we still clinging to the hope that we can negotiate with the fanatical mullahs? Such negotiations would be meaningless.

On Sept. 13, the United Nations High Commissioner for Refugees formally announced the recognition of the residents of Camp Ashraf as "asylum seekers" and requested the Iraqi government to extend the deadline beyond Dec. 31 to allow sufficient time for processing asylum applications and relocation to third-party countries. As of this date, Iraq has not changed its position.

To ensure that our word and honor still mean something, the MEK should be delisted as a FTO now. Furthermore, all tools available to us must be used to make Mr. Maliki understand that the Dec. 31 deadline must be extended. We did not sacrifice more than 4,400 American lives and tens of thousands injured in Iraq to create a country so that it can be another proxy for Iran.

Finally, the United Nations must place monitoring teams at Camp Ashraf to insure the safety of the residents until they can be resettled. The Obama administration has a rare opportunity to not only stand on principle but also to send a signal by delisting the MEK that we will support a "Persian Spring" regime change in Iran.

Retired Adm. James A. Lyons was commander in chief of the U.S. Pacific Fleet and senior U.S. military representative to the United Nations.

http://www.washingtontimes.com/news/2011/nov/10/a-matter-of-honor/

OFFICE OF GOVERNOR HOWARD DEAN
38 Eastwood Drive, Suite 300
South Burlington, VT 05403

December 1, 2011

Dear Ed and Tom,

We are sorry we can't be with you today, but we wanted to register our support for the belief that this issue of stopping potential mass murder at Ashraf in Iraq is of the highest possible importance to the United States. At a time when our image has been battered across the world, America needs to stand up for human rights, not acquiesce to murder. We share your call today for the President to take three immediate steps.

First, take the MEK off the Foreign Terrorist Organization list. Not only is there no legal reason they should be on it, as the DC Appeals court ruled in 2010, but it is clear from the letters that the UNHCR has written to the President's senior staff, that this designation is hampering the processing of the residents of Ashraf as refugees, and their safe removal from Iraq to a third country.

Second, we concur with the decisions to ask the President to immediately make it clear to Prime Minister Maliki, who is currently being investigated for war crimes by the Spanish courts, that he must extend the closure deadline for Ashraf, and to co-operate with the UNHCR in processing the residents of Ashraf as refugees.

Third, we join with you in calling upon the President to ask the UN Security Council to establish a UN force on the ground to protect and monitor the inhabitants of Ashraf and the behavior of the Iraqi Government until all the residents are safely out of Iraq.

This is a problem of American making. Our troops invaded Iraq and made it possible, over the years, to have a leader in Iraq who was closer to Iran than to the United States. We disarmed the residents in Camp Ashraf and gave each resident a signed promise that the United States would keep them safe. The United States Federal Bureau of Investigation has screened each of the residents of Ashraf and found that none had engaged in terrorism. Finally, the Obama Administration has known about this situation for over a year.

We have thirty days to fix this problem. If we fail, the country we love will be complicit in murder. America is a far better country than that.

Sincerely,

Howard Dean

Howard B. Dean, M.D.
Governor of Vermont (1991-2003)

Patrick J. Kennedy
United States Congressman (1994-2010)

Martin, Wesley M COL USA DA AOC ODI

From: Martin, Wesley M COL USA DA AOC ODI
Sent: Wednesday, May 23, 2007 8:11 AM
To: 'douglas.m.stone@s-iraq.centcom.smil.mil'
Cc: 'james.dollard@s-iraq.centcom.smil.mil'
Subject: Deborah Johnson Summary (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: ~~FOUO~~ NONE

MG Stone:

Reference our discussion concerning Ms Deborah Johnson, the following summary of her situation with the Peoples' Mojahedin of Iran (PMOI) is provided:

In July of 2006 I took command of Forward Operating Base - Ashraf. During this time MG Gardner was coming to the base on a routine basis and having meetings with PMOI leadership. Deb Johnson would sometimes accompany MG Gardner on these trips. Within the first month of my command I attended one of these meetings with Deb Johnson sitting to my immediate right. She leaned over and expressed her negative view about the Mojahedin. The comment was low enough for me to hear, but no one else. Always suspecting the room to be electronically monitored, and knowing I had to work with the PMOI after MG Gardner and she left, I quietly replied "They are good people." *

Shortly after this event, LTC Julie Norman (JIATF Commander) informed me that Deb Johnson was coming to Ashraf for a couple of days. Unfortunately, it was during the same time frame that I was already scheduled to go to Baghdad to take care of some TF 134 issues. I informed LTC Norman and her incoming replacement, LTC Turluck, to be careful. I further explained the previous incident. LTC Norman assured me that no problems would occur.

Upon my return from Camp Victory, LTC Norman informed me that Deb Johnson's visit was a disaster. LTC Norman proceeded to explain:

a. While visiting the convention center, Deb Johnson was shown the books containing the 5.2 million Iraqi signatures allegedly gathered in support of the PMOI. Deb looked at a few of the signatures and handed the books back to the PMOI stating that they were forgeries.
b. At a women's training unit Deb was shown a computer room while women were working. She downgraded what the women were doing, stating that they were working on the intranet, not the internet.
c. During a meeting with women, Deb asked a young lady how old she was and how long she had been with the PMOI. The young lady provided answers to both, which reflected that she had come as a young teenager. Deb then stated that this was human trafficking. In fact, the young lady had come with her mother.
d. When the women in turn asked Deb how old she was, Deb informed them that was a rude question.
e. While in a meeting with several women, Deb became so difficult toward the PMOI that CPT Darrell Martin had to escort her out of the building. While outside she was talking on a cell phone, when two female members of the PMOI tried to approach her. Deb paced back and forth, and refused to make contact with the women.
f. In closing her meeting with the women, Deb was provided a box of baked items to take with her, of which she blatantly refused.

I met with the PMOI leadership concerning this and proceeded to get a full account of the same activities that LTC Norman had described. Only major difference between the two briefings is that LTC Norman was less angry, but

not by much. LTC Norman, LTC Turluck and I then telephoned BG McBride and MG Gardner individually and provided a detailed report. This verbal briefing was followed up with a documented report written by LTC Norman.

Frequently, in person and on video-teleconference, MG Gardner would inform his entire staff to never trust Iraq National Security Advisor General Rubaie. MG Gardner had worked with Rubaie during an investigation and found him to be very corrupt. I remember Deb Johnson attending some of those meetings. In October 2007, and after the warnings issued by MG Gardner, PMOI handed me a report they received from their spies in the Iranian government. The report was written by General Rubaie. In this report he referenced a meeting he had with Deb Johnson. The information concerned potential plans on how the PMOI was viewed and discussions on how to deal with the PMOI. The report was very encouraging to the Iranian government, not so to the PMOI. This event took about a week for me, and a visit from MG Gardner, to once again settle down the PMOI.

In April of 2007, while assisting the TF 134 commander and working with the State Department, I received a set of documents from the PMOI. The documents were transfer in succession from the United State Department of State to the British Foreign Secretary to the British Home Ministry to the Prescribed Organizations Appeals Commission to the PMOI. The documents included an analysis of the recent census and one titled: "The MeK live in their own loverly world." In the e-mail was Deb Johnson's assessment of the 5.2 million signatures and a claim that the signatures could not possibly be true.

During this same time frame, I reviewed with the State Department (Washington D.C.) their latest consolidated write-up on terrorist organizations. This document had a lot of the standard, yet unfounded, comments about the PMOI. I can not prove that Deb Johnson was involved in this write-up. However, the new comments of this sometimes incorrect and revised summary included negative things about the PMOI that I have already shown State Department not to be true.

In short, Deb Johnson is not helping our efforts to get the PMOI situation correctly resolved. We, as a nation, and as individuals, are going to be judged by the world and history as to how we executed this war. That includes the sub-issues within the war. Bottom line is we have inherited the PMOI problem. Whether we personally like them or not is irrelevant. Unfortunately, I have spent (sometimes unsuccessfully) considerable time trying to undo damage that has been created by Deb Johnson. She has continually proven herself to be very negatively biased towards the PMOI. The referenced e-mail, "The MeK live in their own loverly world" serves as excellent testimony to this. If the United States implements a plan based even in part on slanted information, provided by Deb Johnson or anyone else, then we are wrong. We are likewise wrong if we know we have an individual improperly influencing the national decision making process and we do nothing to minimize the damage being created by that person. We are dealing with 3,700 human lives. We are also dealing with an American battalion and Bulgarian company tied down to a mission that we need to bring to proper closure. This is not the time or place to let personal feelings hinder the way to resolution.

v/r

COL Wesley Martin
HQDA, ODCS, G-3
DAMO-ODI
(703) 695-1864
email: wesley.martin@hqda-aoc.army.smil.mil

*ADMIN NOTE - WITH GROWING UNDERSTAND OF PMOI I CAME TO UNDERSTAND ELECTRONIC MONITORING AND OTHER SUCH ACTIVITIES WERE NOT DONE. PMOI CONDUCTED DISCUSSIONS WITHOUT COVERT BEHAVIOR - WM.M

Classification: UNCLASSIFIED

Caveats: ~~FOUO~~ NONE WM.M

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Martin, Wesley M COL RES USAR DCS G-3/5/7

From:	Gardner Jack D MG CG TF 134 [jack.gardner@iraq.centcom.mil]
Sent:	Thursday, April 19, 2007 12:49 AM
To:	Martin, Wesley M COL RES USAR DCS G-3/5/7
Cc:	Rose Harold G COL MNF-I TF 134 Commander FOB Ashraf
Subject:	RE: PMOI Receipt of Reports

Wes - these are not from us ... Not sure who produced the survey. The email is obviously from Debra Johnson. My guess is that she sent it to a British counterpart here in Baghdad... Jack Gardner

-----Original Message-----
From: Martin, Wesley M COL USA DA AOC ODI [mailto:wes.martin@us.army.mil]
Sent: Wednesday, April 18, 2007 5:44 PM
To: Gardner Jack D MG CG TF 134
Cc: Rose Harold G COL MNF-I TF 134 Commander FOB Ashraf
Subject: FW: PMOI Receipt of Reports

Classification: UNCLASSIFIED

Caveats: ~~FOUO~~ NONE

MG Gardner:

As result of this and another e-mail sent to State, Steve Epstein and I will be meeting later today. Will keep you posted on results.

v/r

COL Wes Martin

Document 88

Subject: FW: Restricted: The MEK live in their own loverly world
Malcolm, Further stuff on the Mek. Enjoy! I await the "Rejoice! You are PP Proclamation" by fax Jo ---

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Original message ----
From: (NEA/I) [Mail to: XXX@state.gov] (*US State Department Official*)
Sent: 24 July 2006 16:44
To: XXX@fco.gov.uk
Subject: The MEK live in their own loverly world

Attached are points from our Counter Terror people on MeK unchanged since 2005, except for numbers, plus comments on the 17 June Iraqi People Congress which lead me to believe they were hard pressed to come up with the two Iraqis it would take to justify the use of the plural. Faxing the original "Rejoice! You're Protected Persons Proclamation." Will continue to try to find any documentation of what MeKsters have sworn and what MNF-I may have promised. So far, verbal from XXX (*US official previously posted to Baghdad*) is that it was just selected highlights from GCIV especially those that the MEK leadership are careful to deny to their masses.

From: (Baghdad) *US Official*
Sent: Friday July 21, 2006 7:51 AM
To: XXXX (NEA/I) *US Official*
Subject: The MEK live in their own loverly world

[Billed as "Iraqi People's Conference] It was the 17th of June, it was no Congress; it was to announce that 5.2 million Iraqis had signed a petition supporting the MeK in Iraq, it was

Elaborately staged and photographed, it occurred at Camp Ashraf without the knowledge of the MNF-I forces there and the result was yet one more piece of propaganda in their arsenal. I don't believe a word of it. [In short, the event seems to have been an internal Ashraf/MeK gathering.

[I asked *US official 1, US official 2 predecessor in Baghdad*, about the 5.2 million Iraqis alleged to love the MeK. She says she has been shown bookshelves at MeK Central in Ashraf that the leadership claims contains those 5.2m signatures. She wasn't able to actually see them, much less try to verify any of them for authenticity. Implausible on two accounts: Strongly doubt any one could find any Iraqi MeK fans, much less 5.2 million, and there's been no opportunity for the MeK to go out and collect 5.2 million Iraqi signatures.]

The 2004 document is the one which resulted in the protected person declaration. They have used that to distort their status. The MeK did NOT renounced terrorism. The individual members renounced violence but none have renounced use of violence against Iran.

Pol Mil Officer
POLAD Task Force 134
Political-Military Affairs
US Embassy Baghdad

Unclassified: XXXX@state.gov
Classified: XXX@state.sgov.gov
US Cellphone: XXXX

From: (NEA/I) (US Official)
Sent: Friday, July 21, 2006 12.01 AM
To: XXX (Baghdad) (US Official)
Subject: RE: The MeK live in their own loverly world

Questions from the Brits, who are facing a MeK de-listing campaign in London:

Can you tell us what the 16 Jun MeK "Congress" was all about; Purpose, attendees, result, etc?

The MeK are touting a 2004 document which they renounced terrorism, and in exchange, were "essentially given their freedom." Any recognizable kernel of reality in there somewhere?

DOC 89

DEMOGRAPHIC SURVEY OF CAMP ASHRAF, IRAQ

SUMMARY
Recent demographic analysis of the once 3,829-strong population of the former Mujaheedeen-e Khalq (MeK) military base at Camp Ashraf indicates that the MeK's "core" committed membership in Iraq numbers approximately 2,000 and is aging rapidly (70% of the total population is over the age of forty); this profile will likely accelerate in future, given a lack of fresh recruits.

The 1,800-strong remainder (some of whom have since departed Iraq) is comprised of former prisoners-of-war (10%), long-term refugees (16%), and economic migrants (13%). 312 have repatriated to date, primarily to Iran 182 have sought the protection of MNF-I and are seeking refugee status and third-country resettlement. Others remain under the sway of the MeK leadership.

Interviews with current and former MeK members confirm allegations by Human Rights Watch and others that MeK membership is often enforced through isolation, internment, and psychological pressure. We have heard second-hand reports of torture and other coercive physical violence (as reported by HRW), but have not verified this independently.

Camp Ashraf has been disarmed of military equipment and weapons for more than two years. Residents mount occasional rag-tag martial parades, but have settled into a life of construction, computer programming, gardening, dance classes, and regular self-criticism sessions. Discipline within the camp remains rigid, but regular defections continue.

DEMOGRAPHICS

Post and MNF-I have completed a demographic survey of the originally 3,829-strong population of Camp Ashraf. Our survey focuses on current residents of Ashraf and the MNF-I Temporary Interview and Protection Facility (TIPF), which houses defectors from the MeK. An additional 312 primarily male Iranian nationals have repatriated to date (one to Sweden, one to Canada, one to Turkey, one to Iraq, eleven to Pakistan, and 297 to Iran).

23% of the current Ashraf population is female. Overall, more than 70% of residents are over the age of forty, and less than 1% is below the age of twenty (due in part to the MeK's self-enforced celibacy). 50% first came to Iraq in the five years (1986-1990) following the MeK's relocation from Paris.

This male-and-female group of middle-aged revolutionaries recruited in Iran or Iranian expatriate communities in the 1980s makes up the core MeK community, approximately 60% of the total Ashraf population. Most are long-term members, and know little of life outside the deserts of Diyala Province and the MeK's hierarchical and eccentric discipline.

Many are preoccupied with the maintenance of shrines, photograph albums, and repetitive testimonies of MeK colleagues "martyred by the mullahs". Even clearly intelligent and well-educated members stammer and panic when confronted with critical thought or unrehearsed conversational topics.

The senior leadership component of this group is relatively small numbering fewer than thirty. The rest lead a relatively monotonous life characterized by long working hours, a limited diet based on potatoes, frequent sleep deprivation, limited outside contact, and public humiliation at MeK "self- criticism" sessions.

Many have been erroneously informed that their families in Iran have been gruesomely killed "by the mullahs". No telephone or internet access is available; television and radio are censored, and usually tuned to MeK channels featuring tape of public hangings and executions interspersed with shots of large red tulips.

However, the population of Camp Ashraf is far from homogeneous, as the existence of nearly five hundred defectors to date attests. Other significant sub-groups include:

PRISONERS OF WAR

At the time of the MeK's surrender, Camp Ashraf held 387 male Iranian nationals captured by MeK military forces during the Iran-Iraq war, or transferred to MeK custody from Iraqi PoW camps, primarily in Ramadi. Together, these PoWs amounted to 10% of Ashraf's population. Thirty-eight have repatriated to Iran, and twenty-one are resident in the TIPF and seeking UNHCR interviews for refugee status determination.

PoW defectors were the earliest to agitate for repatriation to Iran. Even PoW TIPF residents seeking refugee status are often ferocious critics of the MeK, which they describe (in Farsi) as a destructive cult. Some report disillusionment after a initial period of reluctant allegiance; others see themselves as incarcerated throughout.

Interviews were recently conducted with each of the 347 former Iranian PoWs still resident in MeK facilities. Nine formally defected and took up residence in the TIPP during these interviews; several have since requested repatriation. The remainder affirmed their allegiance to the MeK, and asked to be permitted to remain at Ashraf.

All nine defectors appeared stunned at their decision to leave the organization, and apologized repeatedly for their behavior, which they attributed to the stress of isolation and psychological pressure from MeK leadership. Most cited a desire to contact their families in Iran (with whom the MeK had forbidden contact) as their rationale for defection.

The defectors were relieved to find the TIPF, which MeK leadership describe to adherents as a collection of squalid torture cells, was in fact a dusty refugee camp whose residents watch CNN in wooden-floored tents featuring vinyl tablecloths and samovars. Several have requested repatriation to Iran, others clearly need time to rest and recover.

The 347 interviewees had been minutely prepared for their interviews with MNF-I and Post representatives. Many had dark circles under their eyes, in testament to the MeK's tendency to conduct nighttime coaching sessions for lower-ranking members. Many trembled and avoided eye contact.

Most had memorized - and recited with some difficulty -- a rote speech asking that the MeK be de-listed as a USG-designated Foreign Terrorist Organization. When PolMilOff tried to engage one PoW in conversation about local Iranian politics, he bit his lip, pulled a homemade laminated catalogue from his pocket, and shouted "Look at my book of martyrs".

An elderly electrician dressed in a dark suit fought back tears when asked if he wished to telephone his son, a law professor in Kermanshah, whom he had met once in the past two decades. After prolonged negotiations and several awkward silences, he grasped his enamel MeK lapel pin, asked hoarsely to go back to the MeK camp, and shuffled away.

ECONOMIC MIGRANTS

The defector population is heavily seeded with younger Iranian (and some Pakistani) males lured to Camp Ashraf on the promise of forged EU travel documents or job opportunities in exchange for fixed periods of labor. 21% of the TIFF population (thirty- nine males) falls into this category, and about two hundred similar have already repatriated.

70% of the economic migrants were recruited from refugee camps and low-paying jobs in Turkey, Pakistan, Dubai, and the UAE. Most had their passports confiscated upon arrival at Ashraf, and were unpleasantly surprised to find themselves washing dishes, sweeping streets, or digging potatoes indefinitely for a pseudo-paramilitary organization in the Iraqi desert.

The rate of economic migrants working at Camp Ashraf today is unknown. It is likely that some remain, as 3% of the current population arrived after the year 2000, at a time when most arrivals were family members (often elderly or minor) or worker- laborers rather than paid-up members of the MeK's National Liberation Army.

MEK ORPHANS

We have also identified a smaller group of orphaned-and-abandoned young-adult children of MeK members, who were sent to Camp Ashraf as minors and not permitted to leave upon reaching the age of majority. Five such cases exist in the TIPF; two were sent to Ashraf from Iran, two from Germany, and one from France. A Canadian in a similar boat has already repatriated.

The number of residents of Camp Ashraf brought to Iraq as minors is unknown. Many children of MeK members (who only took up celibacy after the Ideological Revolution of 1985) were evacuated from Iraq at the start of the 2001 Gulf War and housed in MeK orphanages in Germany, a number (still minors) were returned from 1997-2001.

MeK parents of teenage children living in Canada and the EU in the 1990s also treated Camp Ashraf as a boarding school, and sent their children solo to Iraq (most flew into Amman and were smuggled across the Jordanian border). These and the "German orphan" likely account for some part of the 15% of the Camp Ashraf female population aged below thirty, and of the 14% of the males in the same age range.

Like PoW defectors, young adults living in the TIFF are vocal in their criticism of the MeK. Those remaining inside Camp Ashraf are carefully- coached, indoctrinated, eager to relate the

VAN:PANASONIC FACSIMILE SYSTEM TELEFOONNUMMER: 16 Apr. 1998 08:15 P1
13/07/99 13:55 FAX 020 6743339 020 4781111

الحزب الديمقراطي الكردستاني
KURDISTAN DEMOCRATIC PARTY

14 July 1999

Mr M.F Wijingaarden
Van Den Biesen Fokkes Hofler
Nieuwe Herengracht 51, 1011 RN Amsterdam
Netherlands

PRIVATE & CONFIDENTIAL TO BE USED IN COURT AS EVIDENCE

Dear Mr Wijingaarden,

Thank you for your letter of 4 July 1999 regarding your request of information on Mujahedin-E - Khalq organization's activity in Iraqi Kurdistan. I am pleased to answer your questions on this matter.

The KDP as a major Kurdish political party has led and participated in the Kurdish spring uprising of 1991 in Iraqi Kurdistan. The uprising caused the collapse of Iraqi government military, security and administrative structure in the region.

The oil-city of Kirkuk was liberated by the people and Kurdish forces (peshmerga). When the Iraqi troops counter attacked and regained control of Kirkuk and other major cities There were rumors of Mujahedin units assisting the Iraqi troops. But due to disorder of events and development it was difficult to establish the truth. However when the leadership of Kurdistan Front engaged in negotiation with the Government of Iraq (GOI) from April - September 1991 and the situation was stabilized these rumors happen to be untrue.

The KDP can confirm that the Mujahedin were not involved in suppressing the Kurdish people neither during the uprising nor in its aftermath.

We have not come across any evidence to suggest that the Mujahedin have exercised any hostility towards the people of Iraqi Kurdistan. The Mujahedin –E Khalq has its own political agenda in Iran and its members do not interfere in Iraqi internal affairs.

Warm regards

Sincerely,

Hoshyar Zebari
Head of KDP International Relations

Embassy of the Republic
of Iraq
Brussels

سفارة جمهورية العراق
بروكسل

Ref: ١٢٠/١١٠٩
Date: ١٤/١١/٢٠١١

The Mission of the Republic of Iraq to the European Communities presents its compliments to the European Parliament – Protocol Service and has the honor to enclose herewith a paper explaining the position of the government of Iraq regarding the issue of the New Iraq Camp known previously as (Camp Ashraf)

The Mission of the Republic of Iraq avails itself of this opportunity to renew to European Parliament – Protocol Service the assurance of its highest consideration.

The European Parliament - Protocol Service
60 , Rue Wiertz
1047 Brussels

The Iraqi government's position
on People's Mujahideen Khalq Organization of Iran «Camp Ashraf»

[illegible] The Iraqi government has consistently [illegible] Camp Ashraf by the end of 2011. Iraq's position is based on the four well-established legal pillars:

1. The Organization has already been [illegible] by [illegible] global community as a terrorist organization.
2. The presence of this Organization is prohibited under the Iraqi Constitution that prohibits the presence of any armed entity on Iraq territory (Article 7).
3. The presence violates the provisions of the Iraqi Constitution (Article 8), which obligates Iraq not to interfere in the internal affairs of its neighboring countries; the existence of this Organization [illegible] developments within Iraq.
4. The Organization continues to be considered as a terrorist organization by the relevant international [illegible] [illegible] because of the non-existence of its members on the territory of their country, and because of their engagement in terrorist activities on the territory of the Republic of Iraq.
5. The relevant articles of the 4th Geneva Convention (IV) related to the protection of civilian under occupation are not applicable, because the occupation of Iraq has come to an end since the entrance into force of the bilateral agreement in 2009.
6. The presence of this Organization in Iraq threatens the national security of Iraq and the security of neighboring countries, and gives an excuse to neighboring countries to intervene in the internal affairs of Iraq.
7. Iraq has did not grant dialogue status to the members of this Organization.
8. Iraq is dealing with the residents of the camp as refugees and in accordance with the human rights principles and relevant international law, enshrined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. The control over the Camp was formally transferred from the U.S. Forces to the Iraqi government according to a bilateral determination in 2009, in which the following points were reaffirmed:

- The residents of Iraq are subject to the laws of Iraq and must abide by Iraqi rules and regulations.
- Refrain from forced relocations of the Camp residents to Iraq.
- To take into account the [illegible] of the population of the camp and [illegible] Iraq has allowed [illegible] the UNAMI mission and the Red Cross and the granted [illegible] of human rights [illegible] under the law of Iraq.

5. The Organization was [illegible] the military and security [illegible] of the dictatorial regime and participated in [illegible] the Iraqi people. There are many complaints from residents [illegible] who were subjected to repression and kidnappings by the members of the regime, including the crimes of the previous regime and beyond. Judgments against them are issued on Iraqi and international [illegible] by Interpol.

6. Iraq is determined to [illegible] to build peaceful relations with its neighboring countries and not to interfere in internal affairs and to preserve regional and international peace and security, specially in the Gulf and has already rejected the existence of terrorist organizations on its territory and does not deal with them, stressing that the undermining of Iraq's sovereignty and security cannot be tolerated.

B. The Iraqi government has made offers to cooperate with European Union countries, the United States and other [illegible] and to resettle the residents of the camp, which [illegible] portion of the population, the nationalities of these countries. It also offered to cooperate with [illegible] those who wish to return upon amnesty given to them. These offers, however, did not lead to any results because of [illegible] by the residents of the Camp to resettle, or non-willingness of these states to receive them. Accordingly the Iraqi government was left with no choice but to close the Camp based on principle of sovereignty, and transfer its residents to other camps in Iraq and [illegible] their travel outside Iraq during the period [illegible] this year.

1 : Le gouvernement irakien a décidé de fermer d'ici la fin de l'année 2011 le camp Ashraf.

1. L'organisation l'a désigné comme une organisation terroriste.

2. L'existence de cette organisation en Iraq est défendue conformément à la constitution irakienne qui interdit l'existence d'entités terroristes sur le territoire irakien (Article 7)

3. L'existence de cette organisation contredit la constitution irakienne (Article 8), ce qui oblige le gouvernement irakien à ne pas intervenir dans les affaires des pays voisins. L'existence de cette organisation provoque des problèmes avec l'Iran.

4. Cette organisation n'est pas un mouvement de libération conformément aux règles du droit international, car ses membres n'existent pas sur le territoire iranien, et ils pratiquent des activités terroristes sur le territoire irakien.

5. Les règles du droit international ne s'appliquent pas aux membres de cette organisation (La Convention de Genève relative à la protection des personnes civiles en temps de guerre), parce que l'Irak n'est plus sous l'occupation depuis 2009.

6. L'existence de cette organisation en Iraq menace la sécurité intérieure irakienne, ainsi que la sécurité des pays voisins, et donne un prétexte à l'ingérence dans les affaires internes de l'Irak.

7. L'Irak n'a jamais donné le statut de réfugié aux membres de cette organisation.

8. L'Irak traite les résidents du Camp Ashraf conformément aux principes du droit international humanitaire, des règles de la Déclaration universelle des droits de l'homme et du Pacte international relatif aux droits civils et politiques. Le gouvernement irakien a pris en charge la responsabilité des affaires de sécurité interne dans le camp Ashraf sur base d'un mémorandum bilatéral en 2009, qui a assuré les points suivants :

   * La loi irakienne s'applique aux résidents du Camp Ashraf.
   * Pas d'extradition forcée pour les résidents du Camp Ashraf aux autorités iraniennes.

- Prendre en considération les situations humanitaires relatives aux résidents du Camp Ashraf, et respecter le droit international humanitaire. Le gouvernement irakien a permis aux organisations internationales (la MANUI et le Croix-Rouge) d'accéder au camp, afin d'assurer les besoins humanitaires aux résidents comme les aliments et médicaments.

9. L'organisation faisait partie de la société militaire et sécuritaire de l'ancien régime dictatorial. Elle a participé aux actes de répression contre le peuple irakien. Beaucoup d'Irakiens ont porté plainte car ils ont été victimes de repression et d'enlevement commis par des membres de cette organisation.

10. L'Irak est un pays démocratique et pacifique qui souhaite établir de bonnes relations avec ses voisins, sans intervention dans leurs affaires, et ainsi maintenir la paix et la sécurité internationale, en particulier dans la région du Golf. L'Irak a déjà refusé l'existence des organisations terroristes sur son territoire, et il ne tolérera aucune altération dans sa sécurite et sa souveraineté.

2° Le gouvernement irakien a fait de gros efforts de coopération avec l'UE, les Etats Unis, les pays d'asile et l'Iran, afin de réinstaller des résidents du camp. La majeure partie de résidents ont la nationalité de ces pays. Elle a également coopéré avec les autorités iraniennes, afin de rapatrier des résidents d'Ashraf en Iran, à condition que l'Iran émette une décision de grâce. Les résidents du camp Ashraf ont refusé d'évacuer, et les pays d'Asile n'ont pas accepté de les accueillir.
En conséquence, le gouvernement irakien n'a pas eu d'autre choix que d'évacuer le camp sur base du principe de souveraineté et transférer ses résidents vers d'autres camps en Irak, et facilité leur voyage vers l'étranger durant cette année.

EUROPEAN PARLIAMENT

DELEGATION FOR RELATIONS WITH IRAQ

PRESIDENT

Press Release

18 November 2011

The Iraqi Government's Declaration of War on the UN and Death Warrant for Ashraf Residents

US, EU, UN's Grave Responsibility to Prevent a Humanitarian Catastrophe in Ashraf

The Iraqi Embassy in Brussels has notified the European Parliament of the position of the Iraqi Government on the issue of Camp Ashraf in a 10-point official document. The document is disingenuous and illegal in its entirety and amounts to a virtual declaration of war on the UN and international community and a death warrant for the residents of Ashraf. It reiterates the intention to clear the camp by the end of the year, claims the 3400 residents of Ashraf are terrorists, denies that they have any status as refugees or protection under the Geneva Conventions and confirms that their continued presence is creating difficulties with neighbouring Iran. It clearly opposes attempts by the UNHCR to interview the residents and provide them with refugee status.

The document stresses that "the Iraqi government is committed to its decision to close Camp Ashraf by the end of 2011," and since resettlement "did not lead to any results because of either refusal by the inhabitants of the Camp to evacuate, or non-willingness of those States to receive them…, the Iraqi government was left with no choice but to evacuate the Camp based on the principle of sovereignty, and transfer its residents to other camps in Iraq and facilitate their travel outside Iraq during the period left from this year."

The document deliberately ignores the extensive efforts of the United Nations High Commissioner on Refugees (UNHCR), the United Nations Assistance Mission to Iraq (UNAMI), the European Union, and United States, who have bent over backwards to reach a peaceful resolution to the Ashraf issue involving the resettlement of its residents, but have been repeatedly blocked at every turn by the Iraqi Government. The document is a blatant effort to set the stage for the massacre of Ashraf residents, clearly at the behest of the Iranian regime. The UNHCR, European Parliament, US Congress, Amnesty International and other international bodies have repeatedly demanded in past months that the wholly unworkable deadline for closure of Ashraf by the end of 2011 should be

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STRUAN STEVENSON, MEP
The European Parliament, ASP 12G306, Rue Wiertz, B - 1047 Brussels (Belgium)
Email: struan.stevenson@europarl.europa.eu Tel: +32-2 28 45710 Fax: +32-2 23 49710

extended until such time as refugee status of its residents could be affirmed by the UNHCR, enabling their safe transfer to third countries.

The 10 point document clearly shows that this a policy dictated by the Iranian regime. It explicitly states that Iraq is committed to non-interference in the internal affairs of neighboring states and "the existence of this Organization however raises problems with Iran." In another part of the document it is stated, "The presence of this Organization in Iraq threatens… the security of neighboring countries and gives an excuse to neighboring countries [Iran] to interfere in the internal affairs of Iraq." Article 10 of the document states, "Iraq, as a democratic and peaceful country, wants to build peaceful relations with the neighboring countries [Iran]…"

The document falsely states the reason for the closure of Ashraf to be "the Organization [PMOI] has already been classified by the international community as a terrorist organization" and "The presence of the Organization is prohibited under the Iraqi Constitution that prohibits the presence of any terrorist entity on Iraqi territory."

The letter ludicrously says, "Iraq is dealing with the residents of the camp as individuals and in accordance with the human rights principles and rules of international law enshrined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights." It appears as if the massacre of 47 residents, wounding of more than 1,000 others, the barbaric three-year siege of Ashraf, and the denial of medical facilities causing the painful death of sick and wounded patients, is according to the Iraqi Government an integral part of the principles of human rights enshrined in international law. This is quite simply a joke!

Since the letter leaves no doubt about the Iraqi government's intentions for the massacre of Ashraf residents, I find it necessary to stress the following points:

1. The international community, in particular the United States of America, the European Union, and the United Nations, must mobilise all their efforts to prevent another predictable bloodbath and a repeat of Srebrenica in Ashraf. The Iraqi government, whose hands are stained with the blood of unarmed and defenceless Iranian refugees, came to power with the help of the US and British and other Western governments. These countries, therefore, bear an important moral responsibility in preventing this looming catastrophe

2. The international community, in particular the United States of America and the European Union, must fully support the mission of the United Nations and the UNHCR for the affirmation of Ashraf residents' refugee status and their resettlement to third countries. They must force the Iraqi government to postpone its deadline until the completion of this process. The United States in particular must prevent a great tragedy by precluding the Iraqi government from implementing the orders of the fascist dictatorship in Iran who seek the annihilation of Ashraf. If such a tragedy were to occur, the United States would bear the greatest responsibility.

3. The European Union and its High Representative, Catherine Ashton, must adopt a clear position by condemning the Iraqi deadline and any forcible relocation of Ashraf residents inside Iraq. EU member states should immediately accept some of the Ashraf residents, particularly the ill and wounded, and persons who have been asylum seekers or who have family relations in European countries. This would be a tangible sign that the evacuation process had begun and would make any invasion of the camp by the Iraqi authorities more difficult to accomplish under the eyes of the world's media.

4. Any promises by the Iraqi Government are worthless. A few hours prior to the start of shooting in April 2011, the residents of Ashraf received a message via the US Embassy from the Iraqi Prime Minister giving assurances that there would be no violence. When Ashraf residents are dispersed in small groups, Iraqi forces and the terrorist Iranian Qods force will torture and assassinate them without the world being informed. In such circumstances if the world stands aside and allows matters to take their course without intervening, the resident of Ashraf, including more than 1000 women, face certain death.

Struan Stevenson, MEP
President of the European Parliament's Delegation for Relations with Iraq

National Council of Resistance of Iran

شورای ملی مقاومت ایران

Maryam Rajavi:
Relocation of Ashraf residents inside Iraq is tantamount to sending them to their deaths and is a great crime planned by the Iranian regime

The Iranian Resistance is in no way willing to discuss relocation of Ashraf residents inside Iraq unless their protection in the new location is officially guaranteed by the American forces or Blue Helmets of United Nations

Following the letter from Iraqi embassy dated 15 November to the protocol section of the European Parliament indicating that "the government of Iraq is committed to its decision to close Camp Ashraf by the end of 2011," and that "the Iraqi government was left with no choice but to evacuate the Camp based on principle of sovereignty, and transfer its residents to other camps in Iraq," Mrs. Maryam Rajavi, the President-elect of the Iranian Resistance said:

"Relocating residents of Ashraf inside Iraq, is a Crime against Humanity and is a prelude to a grand massacre that has been devised by the Iranian theocratic fascist rulers and the government of Iraq. Forcible relocation of Ashraf residents is tantamount to sending them to their deaths and that is something they will never give in to. As it was tested in the massacre of thirty thousand political prisoners in 1988, the regime in crisis situation would not accept anything but massacre of the People's Mojahedin Organization of Iran (PMOI). Currently the bloody annihilation of the Ashraf residents is pursued under pretext of relocation."

Mrs. Rajavi in July 28 reminded the responsibility of the United States regarding any bloodshed in Ashraf and the necessity of preventing it, and announced: "The Iranian Resistance is no longer prepared to discuss relocation of Ashraf residents inside Iraq in no way and at any cost unless the United States would declare that it will accept their protection utilizing American forces until resettlement to third countries."

Mrs. Rajavi added "if the United States does not want to fulfil the written commitments it signed with every Ashraf resident to protect them until the final disposition, the only acceptable option for a relocation inside Iraq is the protection of Ashraf residents by the *UN Blue Helmet forces* and a UN monitoring team stationed in the new location until the last resident is transferred to third countries. Otherwise, relocation inside Iraq is not acceptable to anyone, particularly for the women in Ashraf. They prefer to die in Ashraf rather than to be buried in a remote location away from international attention and scrutiny. At a time when the UNHCR had declared its readiness to establish the identity of Ashraf residents, it is not clear what conspiracy is at works that Maliki is preventing the UNHCR from carrying out its process. Undoubtedly this is linked to the seven-point agreement between the mullahs' regime and Maliki's government to suppress Asiraf which was publicly announced on October 23 by the clerical regime's Foreign Ministry."

Mrs. Rajavi urged the Secretary General of the United Nations, High commissioner for Refugees, High commissioner for Human Rights, and UNSG Representative for Iraq, as well as the U.S. President, Vice President, Secretary of State, and Secretary of Defense and the EU's High Representative for Foreign Affairs and Security Policy and all the European leaders and Foreign Ministers of member states to fulfill their legal commitments according to Article 1 of third paragraph of UN charter, International Human Rights Declaration, and paragraphs 138, 139 from final document on Responsibility to Protect "RtoP" adopted by the U.N. on 2005 and according to resolutions 1438, 1500, 2001 of the U.N. Security Council which have determined duties and frameworks of the United Nations Assistance Mission in Iraq.

As stipulated by prominent international jurists, United States and the United Nations bear the responsibility to protect the residents of Ashraf and this is a legal obligation.

Silence and inaction vis-à-vis a forcible relocation of Ashraf residents pave the way for another great crime against humanity which is predictable and any cooperation with regards to their forced relocation is complicity in the crime.

ON the negotiations that are underway between the U.N. and the Government of Iraq regarding Ashraf, Mrs. Rajavi reminded:

1. Closure of Ashraf and relocation of the residents inside Iraq, was the demand of Khamenei since the transfer of the security of Ashraf from the U.S. forces to the Government of Iraq. The officials of the Iranian regime have reiterated this on a number of occasions.

2. During his meeting with Khamenei in Tehran on January 5, 2009, Al-Maliki "committed to close the file on the People's Mojahedin Organization of Iran (PMOI) in an immediate timetable." In addition "The Prime Minister of Iraq assured Khamenei that Iraq takes the responsibility for final closure of the opposition PMOI's file in a timetable through international relations to transfer them to a third country in the most immediate time frame" (Al-Zaman International).

3. On February 28, 2009, during a meeting with the President of Iraq in Tehran, Khamenei asked him and the Prime Minister of Iraq to implement the bilateral agreement for the expulsion of the PMOI from Iraq (Iranian state television).

4. On November 6, 2009, "The Prime Minister of Iraq and Iran's Speaker of Parliament underscored the need for the expulsion of the PMOI from Iraq and the Iraqi side emphasized on their removal from Iraq" (Iranian state-run news agency, Mehr).

5. In his meeting with the U.S. officials in Baghdad on March 23, 2009, Al-Maliki provided the plan to displace Ashraf residents inside Iraq (Guardian, December 15, 2010).

6. The letter of the Embassy of Iraq to the European Parliament vividly shows that the end of 2011 deadline and the massacre of civilian and defenseless Ashraf residents have been dictated by the clerical regime. In this document it has been stipulated:

- "The existence of this organization however raises problems with Iran."
- "The presence of this organization in Iraq threatens… the security of neighboring countries."
- "Iraq wants to build peaceful relations with the neighboring countries (Iran)."
- "There are many complaints against the members of this organization… Large numbers of them are wanted on Iraqi and international arrest warrants."

7. In this document, the Government of Iraq, in a brazen violation of international laws and the September 13 state of the United Nations High Commission for Refugees (UNHCR) that declared Ashraf residents as asylum-seekers under international protection, stipulates that it recognizes no legal status for Ashraf residents. It neither considers them as refugees, nor as protected persons under the Fourth Geneva Conventions,….What the Government of Iraq that on July 2009 and April 2011 massacred Ashraf residents, and its senior officials including the Prime Minister himself, who are under investigation by the Spanish court for crime against international community, war crime, and crime against humanity, would do with persons with "no status" who would be incarcerated in barracks in various parts of Iraq?

   The Government that has reneged all of its commitments, written and oral assurances to the U.S. Government and the U.N. regarding humane treatment of Ashraf residents, is not trust worthy and its current assurances are simply for neutralizing international pressures and planned massacre according to the deadline.

8. In lengthy negotiations between Ashraf residents and the US Government and UN officials, neither the Americans nor the UN were able to present the least security guarantee to Ashraf residents after a relocation in Iraq. Why should defenseless and innocent people be sent to unknown places far from international observers inside Iraq when the main international parties cannot guarantee their protection?
   When the UN correctly does not allow its personnel to move about inside Iraq without total security guarantees, then with what logic can the PMOI members in Ashraf who are the main targets of the Iranian regime's terrorism be left unprotected in Iraq?

9. The imposition of relocation is in contravention of the UN Secretary General's remarks, stressed in paragraph 66 of his 7 July 2011 report to the UN Security Council in which becalls upon "Member States to help to support and facilitate the implementation of any arrangement that is acceptable to the Government of Iraq and the camp residents".

10. It is the Ashraf resident's right and indeed red line to not surrender to the religious fascism ruling Iran and its despicable dictates, and to be assured of minimum security protection until such time that they are all transferred to third countries. They have shown the utmost flexibility in past months. In May, on my request, they accepted the European Parliament plan for transfer to third countries and forsook their right of residence in a place that has been their home for 25

only way left to prevent a massacre of unarmed and defenseless residents, is the general affirmation of the refugee status of Ashraf residents by the UNHCR until such time that subsequent individual interviews and final status of each application is completed;

Fourth, the protection of Ashraf residents with UN blue helmet forces and the stationing of UN observers until the transfer of the last person to a third country should be facilitated and guaranteed by the UN Security Council.

Secretariat of the National Council of Resistance of Iran
November 19, 2011

Mr. ROHRABACHER. Thank you very much, whereas I am the only one left on the panel, I will proceed and take whatever time I will consume. Let me get this straight. Mr. Ambassador, the massacre that has already taken place until that is dealt with legally, and the people who committed that murder are brought to justice, or the role of the government is defined, that you are suggesting that it is then illegal under current law for us to sell arms to Iraq? Is that——

Ambassador BLOOMFIELD. May I just clarify.

Mr. ROHRABACHER. Yes.

Ambassador BLOOMFIELD. For 4 years I had the delegated responsibility for arms transfers as Assistant Secretary of State for Political Military Affairs. Under section 3 of the Arms Export Control Act, every recipient of U.S. defense equipment is required to utilize that equipment only for the purposes that it was transferred. Whenever there is a question of not using the equipment in accordance with the terms of transfer, the State Department is usually required to file a section 3 report to the Congress that explains the circumstances that have called into question the use of the equipment, and the law does point to a cutoff of arms in the extreme case of an egregious misuse of weapons. That is a very rare occurrence.

I saw it once, I think in 1982, when Secretary Weinberger found a casing of cluster munitions on a pile of—well, it appeared in The New York Times on a pile of rubble in Beirut, and he terminated weapons to Israel until such time as they worked it out with the Americans.

The other law that I mentioned——

Mr. ROHRABACHER. So we found a casing, a military item that was not sold to Israel in order to be involved with Lebanon or to be utilized in that fashion. And we immediately cut off aid——

Ambassador BLOOMFIELD. President Reagan cut it off.

Mr. ROHRABACHER [continuing]. Cut off aid to Israel.

However, we now have a video of our arms shooting down innocent women and children, and Iraqi army officers engaged in aiming their rifles and shooting the guns themselves, that we don't retaliate at all against that.

Ambassador BLOOMFIELD. It is open-ended. The State Department is not always the fastest agency to answer the mail. And section 3 reports have been known to take months to deliver. I do not know the status of whether a section 3 AECA report has been required or is being prepared for the Congress.

There is a second law implicated here, too. Senator Leahy had passed a human rights law I think about 10 years ago which applies in two different legislative vehicles, one to Defense Department and one to State Department security assistance. In the event of a possible gross violation of human rights by an armed force which is trained and equipped by the United States, there is supposed to be an investigation aided by the U.S. Embassy on the scene, reporting back to the State Department where they make a judgment as to whether gross human rights violations have occurred. The people who were specifically involved must never be allowed to receive U.S. training ever again.

I wrote the guidance that went to Embassies worldwide for the Leahy law in the State Department, along with Lorne Craner who was the DRL Assistant Secretary.

Mr. ROHRABACHER. Now the double standard that you are talking about is just a bit overwhelming. And Colonel Martin mentioned the Mahdi Army. And of course we understand that the army Sadr has—do we call him the Ayatollah? What do we call this man?

Colonel MARTIN. Sir, he is working on his Ayatollah status, but—I am serious—but he has not achieved Ayatollah yet.

Mr. ROHRABACHER. All right. Well, we understand that he personally murdered a fellow cleric. We know that. And we also know that his armed militias have killed a significant number of Americans, not to mention the large number of fellow Iraqis. And yet he is not on the terrorist list. Is that right, Colonel?

Colonel MARTIN. Sir, he is not on the terrorist list. Neither is the Mahdi Army.

Mr. ROHRABACHER. But those folks at Camp Ashraf who are unarmed, they are on the terrorist list?

Colonel MARTIN. That is correct. Those people who put themselves between my troops in danger and I had to haul them back. We have the guns. We will engage. They wanted to be between us and the people trying to kill us. They are the ones being called terrorists. Muqtada is not being called a terrorist. Hakim's Badr Corps is not being called a terrorist. And they were out there killing.

Mr. ROHRABACHER. Well, Ambassador Bloomfield made it a point to suggest that he had studied the background of the MEK and that he believed that even the MEK of 30 years ago was not—and it has been adjudicated by whom they were not terrorists even to that point?

Ambassador BLOOMFIELD. There is a 140-page judgment in the British court system that goes into great detail. There was a ruling by the counterterrorism magistrate in France this past April. They both consistently judge that terrorism is not the characterization for the activity that has been——

Mr. ROHRABACHER. Yeah. Let me note that we get into a lot of trouble in the United States with the word "terrorist" because we have such incredible double standards. And I personally believe that we need to have a definition of terrorism and stick to it. Even when it hurts our friends, we need to stick to it.

In this case, we have a double standard in order to hurt people who are opposed to the mullah dictatorship, which is our worst enemies, and a double standard so that they are labeled terrorists while the man who—and whose army had killed a bunch of Americans and is allied with the country that wants to destroy stability and freedom in that region, he is not on the terrorist list. And the double standard is just beyond imagination.

Colonel.

Colonel MARTIN. Sir, it gets even worse. Just last week Maliki—and it came out in the news media in Iraq, where my sources are providing me the information. I am getting it from the streets of Iraq. Maliki has informed Muqtada that he will receive 1,500 officer positions, 750 each in the Department of Defense and the De-

partment of Interior, of which Maliki is still the Minister of Defense and the Minister of Interior. So he controls the police, he controls the military, and also he has eight brigades directly assigned to him, and those brigades are totally infiltrated by Muqtada.

Mr. ROHRABACHER. Well, just remember that our State Department is very intense about this, trying to find a solution. And, as I said, snails can be very intense, but they are very slow or maybe they are not going to get the job done.

Let me go back to the definition of terrorism. And I believe that what we have to do is to define terrorism as a group of people who are willing to commit acts of violence against civilian populations in order to terrorize them in order to achieve a political goal. And there are countries that are good countries that have sometimes sunk to the level of terrorism and there are other countries that, of course, just commit acts of terrorism and that is their modus operandi. Did you want to say something about that?

Ambassador BLOOMFIELD. If I may, Mr. Chairman.

There is the law of war and the theory of the law of war. Michael Walzer is a great theorist of the law of war, and others have written about proportionality for many, many years, which is to say that once you have beaten the other side, you don't need to use excessive force. If it is enough to win, you have won. So even among conventional military forces, professional forces, there is doctrine which embraces a principle that you do not use force beyond sort of civilized limits. And terrorism breaches that egregiously by——

Mr. ROHRABACHER. Well, the civilized position is that if you have someone who is unarmed who is a civilian, acts of violence committed against those who work for a tyrannical regime should not be considered acts of terrorism by the definition that I proposed. And I think we need to make that a definition. That is the one I suggest.

If, indeed, the MEK during the time of the Shah attacks supporters, people who are in the government of the Shah of Iran, they were attacking a nondemocratic government and power, and that is not necessarily—in fact, I don't think it is terrorism. Attacking the troops of a dictatorship is certainly not terrorism. And, frankly, I believe even attacking the military of another country should not be called terrorism, and we have done that in the United States numerous times. I don't care if they are planting to bomb in a club or whatever.

But if they are killing—you put military personnel, whether they are U.S. or whether they are people from a dictatorship, that is an attack, that is an act of war, and it is not necessarily an act of terrorism.

So even if the MEK did, in another lifetime with people who were never involved with the current people who are in the MEK, commit acts of violence that targeted the Shah's government, that is not necessarily terrorism; and if some American military personnel were killed, as long as they weren't American civilians, that would be an act of war against us but not an act of terrorism.

Ambassador BLOOMFIELD. If I could just say, I would hope you would agree with me, nothing that you are saying and nothing that we would say is to condone or encourage violent tactics as a way of achieving something.

Mr. ROHRABACHER. Correct.

Ambassador BLOOMFIELD. Conflict resolution runs deep in American history. And the attempt is always made by policy, if it is well done, to try to resolve issues through democratic means, through peaceful means, through negotiation, if possible, so that even going back to the Founding Fathers and Abraham Lincoln and others who talked about tyranny, violence is a last resort.

So when the United States is looking at the facts and trying to judge people, what is the character of this group, when I read what people were saying about the MEK when I first focused on it earlier this year and then began to examine the reality, I could not reconcile the two; and that is what got me into the issue. Why is there a gap between what the media commonly says and even what the State Department terrorism reports say, and what the facts seem to point to, why the gap?

Mr. ROHRABACHER. Let me ask you about that, Mr. Ambassador. We had a witness here from the State Department, and his main testimony, a major part of it, was a history of the MEK. And where did you find areas of disagreement with that history?

Ambassador BLOOMFIELD. I don't want to focus solely on Ambassador Fried, who is a colleague and someone I have admired. He is trying very hard to——

Mr. ROHRABACHER. We know we can disagree with someone and still respect them.

Ambassador BLOOMFIELD. I think that the position he was repeating was consistent with his Department's position. And I think the box that the State Department stands in is the one that says, I am not looking at the other side of the conflict. I am just looking at acts of violence by one group. Here is what they did on that date. Here is what they did on this date.

Nobody is disputing that armed resistance was part of the MEK's history. The question is, how did it start? What was their purpose? And this business of being an unregenerately negative Marxist, strange cult, human rights-abusing group, you picture a group of people whose minds you could never understand, sitting in a spider hole with a knife in their teeth.

The history of this group, I am persuaded, is very much an intellectual history of students, students who, if you are as old as I am and studied political development and all the revolutions that have occurred in the past century, you know that when the colonial era started to end, countries were nationalizing oil. And Iran had a group of students that wanted to have their own autonomy, that didn't want to be dependent on foreign powers. Iran had a serious issue with Russia going back many years. And, of course, the coup against Mossadegh, who was a nationalist, restored the Shah to power. These were intellectuals.

And you can read the papers. It is on the record of this hearing. You can click on all the links and you will see that in 1980 Massoud Rajavi had thousands of students on the lawn at Sharif University listening to him quote all the political philosophers who were probably on the side of postcolonial liberation.

So we can have a debate over whether we have the identical politics or not. But that was the genesis of the group. They believed

in something. They didn't believe in violence. They believed in rights-based democracy.

Mr. ROHRABACHER. Of course, the irony of what you are saying is that Mossadegh—the vehicle used by those who overthrew Mossadegh was the—cutting a deal with the same mullahs that later on overthrew the Shah. And it was the continuing payoffs from the CIA to those mullahs that kept the Shah in power as long as it did.

Was that an inaccurate description?

Ambassador BLOOMFIELD. If you read the legendary history of John Foster Dulles and Allen Dulles in those Cold War years, the CIA took a lot of actions for reasons of state. I am not here to judge the people in power at that time. I have great respect for American public servants.

Mr. ROHRABACHER. That is a good way of not confirming what I just said.

Ambassador BLOOMFIELD. But what I am saying is that today we are making judgments as well, and we have to make judgments for reasons of state. And a lot of the things we are talking about here have to do with the reputation and honor of the United States.

My whole focus on this issue is not to advocate one position. You have been elected to office. I am going to let you decide. But I am trying to set the information table straight. I believe that we are only getting part of the story. And if all I do is to give people a wider aperture and a better appreciation of what really happened here, I will be very content to let elected leaders in both branches on both sides of the aisle make the decision.

Mr. ROHRABACHER. Well, I am happy you are talking about elected leaders. Because I don't know anybody who elected those folks over at the State Department or the CIA. And I did read Eisenhower's memoirs—and I would recommend them—about the overthrow of Mossadegh. And it was just a very short description and it was a fascinating description of what went on.

What we have got here is a situation that is coming to a head very quickly. And I wanted to know what you folks thought of the great suggestion—I might add that it was fascinating that Sheila Jackson Lee, who is not a member of this committee, who wanted to come in and make a statement and we were just running out of time, but I wanted to give her at least some time to get something in. And right there at the end, I think that was very profound, the point she made, and I wonder what you thought of that, is that—the suggestion that the President not meet with Maliki until he has agreed to at least extend the deadline on Camp Ashraf? What are all three of your opinions of that suggestion?

Go right ahead, Colonel.

Colonel MARTIN. Sir, first off, it is an outstanding suggestion.

Maliki has been getting a free ride from our country. In 2002, he was a street vendor in Damascus. Now, 3 years later, he was the Prime Minister. That man has made billions off the United States, and it pains me to see how much money this guy is getting.

Joe Biden went over there and came back and said, "Oh, we overestimate the Iranian influence in Iraq. No, we don't overestimate. We underestimate. And the people in Iraq on the streets can't believe it."

Somewhere Maliki has to be made to understand that we are not taken in by his hype, and we are getting a solid understanding of what is really going on inside that country. He has been working with Ahmadinejad, and his national security adviser Rubaie has been feeding Iran all kinds of information because I was getting it from the MEK what was being fed. And some of it was being fed to him by a State Department representative that was a continual source of embarrassment.

So what Sheila Jackson Lee had said I greatly think is a good idea because somewhere we need to bring this guy under control. And I also think telling Iraq, you are not getting all this money because we are tired of making your people in positions of power very wealthy at the expense of the Iraqi people. Except Kurdistan, they are living in poverty.

Sir, I yield.

Mr. ROHRABACHER. Okay. Dr. Ferris.

Ms. FERRIS. I was very intrigued when she asked that question. It seemed a very direct response to a very difficult situation.

I think the U.S. has a lot of diplomatic economic tools that can be used to make it clear that there are certain limits. The deadline must be extended for closing the camp, solutions must be found, and we should use every means we—I didn't know about this section 3. But to me that sounds also like something we should pursue in terms of the way that the arms that we have supplied have been used.

Ambassador BLOOMFIELD. I do not want to sort of tear down the edifice that 8 years of military invention tried to build. I want Iraq to come out stable. I want it to come out a good neighbor to all. These negative tendencies that are being talked about I want to see minimized. I want it to be a country that is governed by the rule of law, that gives rights to all the communities. And, frankly, it is not for me to micromanage how the administration does these things.

I recall another group of Iranians that were in imminent threat of loss of life. An earthquake had just happened in Bam, inside Iran. Nobody even called Washington. The Central Command air component commander just sent in C–130s with blankets and water and electricity and whatnot. We saved some lives.

So no one can tell me that we don't have the logistical ability to do all sorts of things or the diplomatic ability to find a spot outside of the geography of Iraq where the whole shooting match—sorry for that Freudian slip—could be moved so that the U.N. can do its work and onward disposition can be processed.

I recall a cabinet-level person, who I won't name, in the Bush administration when I was doing sensitive negotiations around the world who said, I am not interested in inputs. You know, don't tell me all the things you are doing. All we care about is the output. Did you get it done?

And right now the only thing that matters is, will the 3,400 lives at Camp Ashraf be unharmed as this U.N. mission is carried out? I don't know how long it will take. I don't know where it will occur. I don't know who will have to exert themselves to make it come about or how this conversation that seems to be in the air that can't take place with all the parties will finally be accomplished.

It is not my task. But I am an optimist, and I am a believer that you can do amazing things if you are the United States if you want them done. It just has to be taken up at high levels.

Mr. ROHRABACHER. Well, Mr. Ambassador, let me suggest that you are a very knowledgeable person, and I certainly appreciate the depth of information that you have and made available to us. It has helped my understanding.

But let me just suggest that, unless you are willing to make decisions, hold people accountable, rather than just leaving that to others, nothing is going to happen. I mean, we are going to lose. And the bottom line is, unless right at this moment we start holding people accountable and saying—and that is why I have repeated over and over again, if there is another massacre, the people at our State Department, if they have not removed this designation as a terrorist organization, they are partly responsible, if not culpable, if not some type of an accomplice in committing this murder.

And, frankly, you are right. Things will get settled. But they are only going to be settled when those of us are willing to stand up and basically hold specific individuals accountable and kick them out if they do the wrong thing and not—just let these people who have been making these kinds of decisions continue in power.

That is the reason you have oversight hearings in Congress, is to find out who is accountable and to hold them accountable, ask for explanations, give people a chance to give their side but come to a determination and figure out it is not just an idea that is the problem but there is a person over here, too, who is attached to that idea.

And, right now, we are coming into this deadline. And the Europeans have been able to look at the truths that you have found through your research and have managed to get themselves to get the MEK off the terrorist list because they now understand that that designation, if it ever was justified, is not justified.

But if we don't take it off and these people get massacred, it is those people in our establishment who have not done what the Europeans were able to do who are partly responsible for the death of innocent people. So that is what this is all about today. And it is about finding out just exactly what the details are but also making sure that we know that, if something doesn't happen, these guys at the State Department are going to be held accountable for it.

You can answer that.

Ambassador BLOOMFIELD. If I could just say, Mr. Chairman, it seems to me that we have people in the room who have friends and relatives inside the camp. They are human beings. Many of them are educated human beings. They have a lifestyle which would surprise a lot of people. They are very worldly in many cases.

This is a train wreck that hasn't happened yet. And not only is it imperative that it not happen, but I believe our reputation in Europe—you mentioned the Europeans. They are watching this very closely. And I am not here to say I know the one thing that will fix the whole problem. I know you are very focused on the listing issue. I have tried to be extremely careful to simply deal with the facts and to demand that the facts be——

Mr. ROHRABACHER. Oh, I don't think there is one thing that is going to solve this, even getting them off the terrorist list, but that will be a big step forward.

Ambassador BLOOMFIELD. I have not settled on final judgments, and I haven't advocated specific solutions. But I will put one idea forward. You did hear Ambassador Fried talk about trying to get the people at Camp Ashraf to participate more constructively, however he put it. And if they would only do their part, as it were, this could all be agreed, and we could figure out what to do next.

I simply want to say that because the people at Camp Ashraf are not just 3,400 individuals, they are on the terrorism list, so the United States Government considers them part of a larger organization which has leadership in France. If it is too hard for the State Department officially to have a conversation with the people in France who could say yes or no—and I have two memos that they wrote basically offering all sorts of options to solve this problem, so I am mystified that the details are so hard—my point is, maybe if there is an outside party who could put a videoconference together and get Paris, Ashraf, State Department, CENTCOM, Iraq, and the U.N.—let's have the conversation. Let's stop the train wreck before it happens. I am an optimist. I believe it is possible.

Mr. ROHRABACHER. The people sitting on this side of the table can't make that happen. I mean, we can't. We are legislators, and we are not in the executive branch. What you just said could very easily happen if anybody with authority in the State Department would have determined that a long time ago. That should have been determined a long time ago.

And, by the way, let me agree with you and let people understand, the people of Camp Ashraf are going to have to do their part as well. And there is certainly indications that they haven't been willing to reach people and to go the extra half mile as well. If we are going to save lives, everybody has got to contribute to the solution.

Colonel, does this remind you at all of—I am sure you have read the history of Colonel Gordon in the Sudan where they knew that he was going to go under. And they knew he was—and I just remember that back in my reading back about 20 years ago how the British Government just wouldn't make a decision until finally they made the decision to help Gordon; and, by that time, he had been overrun and murdered.

Colonel MARTIN. Sir, that specific one I don't remember. But this is exactly what is going to happen. And I don't think they are going to make it to December 31. I think Maliki is going to pull the same stunt he did with the execution of Saddam Hussein, and that was a despicable act.

I was talking to Judge Poe about it earlier. Sam Houston taught us, you don't build democracies off lynchings. That is why Santana wasn't lynched.

Muqtada al-Sadr had contacted Maliki and told him, I want Saddam executed tomorrow by my people. And Muqtada had promised his people that Saddam would not live to see the light of the new year. Maliki contacted General Gardner and said, I want him turned over. Gardner said, what are you talking about? He is already scheduled to be executed on the 10th of January. "I want

him now." And it was pursued within task force 134. "What is going on?" And that is when it was revealed what Muqtada was up to.

But the State Department weighed in, demanded that Saddam be turned over, and he was. And then he was delivered to face justice. And as you saw on the videos, that chanting "Muqtada, Muqtada," and when Saddam was executed and then dropped to the ground and kicked and everything else, that is—and then, when that blew up on the videos, the State Department jumps out of the way. And we in the military take all the heat rounds as to why we allowed that to happen when, in fact, we objected.

The Saddam execution is a lesson because now Maliki is going to jump before December 31. He attacked the first and the second time immediately after Secretary Gates—a very fine man—was in the country. Immediately after gives the impression that Secretary Gates blessed this. I know he didn't.

Now Maliki is coming to see President Obama, and he is going to go back to Iraq just about the same time all U.S. troops are pulled out. I can see him attacking sooner than the end of the year. And if I may, sir, this is from Maliki's own political magazine and it is the center page where, when you open it up, it always opens. And here is what the article says.

Mek organization, international terrorists from a previous dictatorship and the depth of western hypocrisy. The world crowded with hundreds of very dangerous terrorist organizations according to your laws. Mek is one of these organizations.

It goes on.

The history of the Mek organization is full of crimes against both Iraq and Iranian nations. After the rising of the Islamic Republic in Iran in 1979, Mek organization, with direct support of the West—and it goes on.

This is an attack from Maliki's own political magazine on Europe and the United States as well as the MEK. Maliki knows most Americans don't read Arabic. And, as a result, this is the kind of stuff that goes unnoticed by the State Department people.

Mr. ROHRABACHER. Well, let me just note that when I was younger I remember seeing Mussolini strung up by his heels, and I had no sympathy for Mussolini. And I have seen dictators strung up by their heels, and I don't care what they did to Saddam Hussein. I don't care that. The people that we need to care about in this world are innocent, honest people that want to build a better world, not these gangsters who get power and slaughter innocent people.

My father was in the military, too, so I understand that military people want things done with order or they view them as being destructive in the end. I personally disagree with that, but I respect that opinion. And I know you are a very honorable man and would state that principle for us.

I think that what we are going to do is end it here, and I will just have a very short closing statement. But I will give each one of the witnesses 1 minute to summarize.

Ambassador BLOOMFIELD. Thank you very much, Chairman Rohrabacher. I am grateful for the opportunity to put on the record the summary of my inquiry into this.

I repeat that I am not an advocate because I think there are already plenty of advocates on this subject. And the problem that I have seen, as I have looked at this problem, is that people are set in their views. And the views are far apart, and they are not dealing from the same base of information. So the approach I have tried to take is to find credible sources that will help people at least agree on the information; and if they have the same information, maybe they can have a conversation about where that takes us in terms of policy.

The other point that I have emphasized as I have looked into this—and I spent 5 days in France last month and talked with lots of people, heard their stories; and it convinced me that there is an even deeper story than I thought. There is an untold story that needs to be understood in Washington. I do not want to see American policy flying blind, particularly at a time when the Middle East is undergoing such change.

We talk about Iran's nuclear program. Most of that discussion is about how far advanced the technical program is. I am persuaded that the likelihood that they would use or even hand out a nuclear bomb to a terrorist group is small. The far higher likelihood is they would use the status of a nuclear power to do the things they are doing right now in Lebanon, in the Palestinian areas, in Iraq, in Bahrain, in Yemen, and in Iran. And this is the political agenda that the mullahs are following.

We really have missed a big piece of the story, and I hope people will look at my prepared testimony and my August study as a resource. It has a lot of source documents you can click on and make your own judgment. I am not going to tell you what it adds up to, because I don't need to. But I hope the Congress will ask the intelligence community to confirm the tentative conclusions that I have brought forward.

Thank you, sir.

Mr. ROHRABACHER. Thank you, Mr. Ambassador. And how about that for an academic approach?

Dr. Ferris.

Ms. FERRIS. Thanks.

Much of the discussion today and indeed around the whole issue is focused on the delisting and terrorism and so forth, which are important issues. But I would urge you not to forget the question of solutions, the concrete solutions for the human beings in this camp. Where will they go? If the delisting were to occur tomorrow, there would still be questions about access to the camp, about U.N. interviews, about coming up with solutions and, most of all, about protection and security of those people who are very much at risk today.

Mr. ROHRABACHER. Colonel.

Colonel MARTIN. Sir, actually, I agree with you on the opinion of Saddam; and I made sure he knew it, too. My concern was, it empowered Muqtada, the way he was executed.

And I also agree on the concern about moving out of Camp Ashraf. They have got their logistics bases, they have got their communications, they have got their support and their internal support with each other and, as a result, they have been able to endure all this psychological torment and everything else. Now to

pick them up and move them to another location with the intent of breaking them down—and the word we originally were getting is maybe Camp Liberty.

What is coming out in the Iraqi news media is they are going to move them down to Samarra and Nasiriyah, down into the Shia strongholds and also where the Badr corps is very strong and also Muqtada's army is very strong as well as the access to the Quds force. So to move them out of Camp Ashraf somewhere else in Iraq is like the story of the mouse that walked into a trap carrying his own cheese, except it is the MEK people who are going to be put into that trap.

They need to be picked up and brought out of Iraq completely. I proposed to the State Department a long time ago—and we have got bases that BRAC is closing here in the United States. We have brought people to Guam. We have brought people to other locations. Let's just pick them up in their entirety, tell them, you have got one bag. Fill it up. Send in six super jets, large airliners, in Balad, which is just 20 miles away, put them on the planes and bring them out.

Unfortunately, the State Department has wasted a lot of time that decisions could be resolved. Now we are going on the line. And the Iranian democracy will not die with the residents of Camp Ashraf, should that happen, but it will be a very serious stain on the West, sir.

Mr. ROHRABACHER. Thank you very much, Colonel.

And I would just close with some following observations, and that is: Number one, the mullah regime will someday fall. And let us make sure that these brave souls at Camp Ashraf who have stood as a symbol of resistance to the mullah regime are able to go home to a free and democratic Iran once the mullah regime is over. And that will happen. The mullahs are not a democratic government. They are a government that totally represses their opposition, controls the means of communication, and actually rules that country as a theocracy. And that is not the will of the Iranian people, by a large number of the Iranian people. So let's hope that that day comes soon.

And had we had a strategy years ago to eliminate that regime by supporting the democratic elements within Iran, I believe all of what we are talking about today would be moot. And, instead, we not only have not done that; we have basically permitted the situation to get so bad that we may now end up with a situation where thousands of people may be slaughtered right in front of our eyes and there is sort of nothing we feel we can do about it. And we could sit there and watch this feudalistic, medieval type of concept of Islam take control of nuclear weapons that threaten not only stability but threaten the lives of people throughout that region, throughout the world.

We have let this go too long, and now we have got a deadline by the end of the year just to save those lives. We have got to start holding people accountable, and we have got to start having specific goals in mind to achieve certain ends that will change the reality, change the direction of history.

History isn't something that you inherit and have no say in. You make history. We make history. We make history by what we are

willing to fight and die for and what we are willing to invest. And we need to make sure that the history of tomorrow is a history in which the mullah regime in Iran has not committed horrible crimes of nuclear weapons and other types of crimes, that they have already committed some of them.

Letting the people of Camp Ashraf be murdered would be one of the worst defeats for those people who are struggling to create a more democratic and stable region—could possibly have absorbed. The people of Camp Ashraf, if they are murdered and the Iraqi Government gets away with this in cahoots, as I say, with the mullahs, people all over that region are going to know, well, look, the Americans even let the people of Camp Ashraf be slaughtered, knowing that it was coming.

We can't afford to let that happen. That would be a huge defeat for the cause of freedom in the region and stability and peace. So we are not doing this just because we owe it to the people of Camp Ashraf as human beings. We believe that God gives rights to all human beings. We respect them. But we are also doing it because this will have a huge impact on the stability and the well-being of the entire region and the world and, yes, the stability and security of the people of the United States.

So this hearing I think has added a great deal to the discussion and hopefully it will result in action being taken in these next 2 or 3 weeks that will prevent another tragedy like we saw just a short time ago.

And with that said, this hearing is adjourned.

[Whereupon, at 6:37 p.m., the subcommittees were adjourned.]

APPENDIX

Material Submitted for the Hearing Record

JOINT SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.

Subcommittee on Oversight and Investigations
Dana Rohrabacher (R-CA), Chairman

Subcommittee on the Middle East and South Asia
Steve Chabot (R-OH), Chairman

December 5, 2011

You are respectfully requested to attend an OPEN hearing held jointly by the Subcommittee on Oversight and Investigations and the Subcommittee on the Middle East and South Asia, to be held in **Room 2172 of the Rayburn House Office Building (and available live, via the WEBCAST link on the Committee website at http://www.hcfa.house.gov):**

DATE: Wednesday, December 7, 2011

TIME: 2:30 p.m.

SUBJECT: Camp Ashraf: Iraqi Obligations and State Department Accountability.

WITNESSES: Panel I

The Honorable Daniel Fried
Special Advisor on Ashraf
U.S. Department of State

Mrs. Barbara Leaf
Deputy Assistant Secretary for Iraq
Bureau of Near Eastern Affairs
U.S. Department of State

Panel II

The Honorable Lincoln P. Bloomfield, Jr.
Chairman
Henry L. Stimson Center

Colonel Wes Martin, USA, (Retired)
(Former Base Commander of Camp Ashraf)

Elizabeth Ferris, Ph.D.
Co-Director
Brookings-LSE Project on Internal Displacement

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON *Oversight and Investigations / Middle East and South Asia* HEARING

Day *Wednesday* Date *12/7/11* Room *2172 RHOB*

Starting Time *2:53 pm* Ending Time *6:36 pm*

Recesses *1* (*4:27* to *5:35*) (____ to ____) (____ to ____) (____ to ____) (____ to ____) (____ to ____)

Presiding Member(s)

Chairman Dana Rohrabacher

Check all of the following that apply:

Open Session [✓]
Executive (closed) Session [ ]
Televised [✓]
Electronically Recorded (taped) [✓]
Stenographic Record [✓]

TITLE OF HEARING:

Camp Ashraf: Iraqi Obligations and State Department Accountability

SUBCOMMITTEE MEMBERS PRESENT:

Chairman Steve Chabot, Ranking Member Russ Carnahan, Rep. Rep. David Rivera, Rep. Ted Poe, and Rep. Bob Turner.

NON-SUBCOMMITTEE MEMBERS PRESENT: *(Mark with an * if they are not members of full committee.)*

Rep. Judy Chu, Rep. Shelia Jackson-Lee,* and Rep. Bob Filner.**

HEARING WITNESSES: Same as meeting notice attached? Yes [✓] No [ ]
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Prepared Statement of Ambassador Daniel Fried
Prepared Statement of Lincoln Bloomfield
Prepared Statement of Colonel Wes Martin (Retired)
Prepared Statement of Dr. Elizabeth Ferris
Collected Documents by Colonel Wes Martin (Retired)

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *6:36 pm*

Subcommittee Staff Director

MATERIAL SUBMITTED FOR THE RECORD BY COLONEL WES MARTIN, USA (RETIRED), (FORMER BASE COMMANDER OF CAMP ASHRAF)

Al Iraqia العراقية

Press Release

With the end of 2011approaching,

94 leading Iraqi luminaries including state leaders, MPs and party officials call for a humane solution for camp Ashraf and condemn the use of violence against its residents

As we approach the final months of 2011, how Iraq deals with the situation in camp Ashraf has become an important factor with which the international community measures Iraq's obligation to international law and human rights. Various international organizations, including the UN and UNHCR, have called for extension of the deadline to close camp Ashraf and have recognized the residents of the camp as protected persons under international law. Additionally, many Iraqi MPs and luminaries have added their voices to the campaign calling for the basic human rights of camp residents to be respected as asylum seekers protected by the 4th Geneva Convention; expressing their opposition to any attempt to bend to foreign pressures which are aimed at harassing the residents as well as any aggression, use of force or massacre, under any pretext, against them; similar to what happened in July of 2009 and April of 2011.

In a separate initiative, 85 Iraqi MP's wrote a letter to the High Commissioner for refugees urging him to intervene in extending the government set deadline, as well as for UN protection of camp Ashraf.

Fearing the negative implications of this policy on our country's reputation and to stop Iraq from being hauled into another crises; once again, we insist that the UN should assume responsibility for protection of camp Ashraf and the work initiated by UNHCR - to process the status of residents - should be expedited.

Statements by Iraqi figures who've called for respecting the rights of camp Ashraf are as follows:

- In an open letter to Maliki, Dr. Ayad Alawi, head of the Al Iraqia bloc stressed; you could have asked for the UN to intervene and provide an alternate solution. I say for Iraq's sake; what was perpetrated against Ashraf residents; the way they were killed, was neither righteous nor fair(Al Iraqia Web Site)
- Dr. Saleh Mutlak, Iraqi Deputy Prime Minister: their (camp Ashraf residents) presence in Iraq is in accordance with the law. They are asylum seekers and are protected by the 4th Geneva Convention. Any attempt to relocate them against their will is against international law and tantamount to succumbing to foreign pressure. By setting a deadline and saying either leave by this date or we'll spill your blood, we're only drag the country into another conflict with the international community and this is not right. I believe that this decision should not be in the

hands of one single person; it should rather be a collective Iraqi decision and anyone wanting to make a decision regarding this matter, must consider Iraq's reputation first. Seeing that they are our guests and we should not treat them as they've been treated.(Babelia TV- NINA)

- Tareq al-Hashemi, Iraqi Vice President: MEK's presence in Iraq is a legal presence. We condemn the government's way of handling this issue. Their presence in Iraqi territories is in accordance with international law and as such, this crisis can only be resolved by the international community. (Al Sharghia TV)

- Dr. Zafir al-Ani, a leading figure from Al Iraqia and Secretary General of Iraq's National Future Assembly: The illegal deadline to close camp Ashraf at the end of 2011 must be cancelled. And as per demands by the UNHCR, the government of Iraq, by annulling its deadline, must do all necessary cooperation with the UN, EU and other international organizations in order to find a fair and legal solution.(AL Malaf)

- Salman al-Jumaili, head of Al-Iraqia's parliamentary bloc: We believe the issue of Ashraf residents has to be resolved consistent with international laws. These refugees have to be treated according to international laws and this case should not be exploited as a pressure point in our relations with Iran. (Al Sharghia TV)

- Maison al-Damlougi, Spokeswoman for al-Iraqiya: Forcible relocation of Ashraf residents, which the Iraqi government seeks to carry out by year's end, is inconsistent with the concepts of human rights and has been condemned.(AL Zaman Daily)

- Dr. Salim Abdullah al-Jabouri, head of the parliament's human rights commission: Time should not be used as an additional factor for exerting pressure with regard to the case of camp Ashraf. It also requires adherence to international standards and respect for human rights in dealing with this case.(AKA News)

- Dr. Ahmad al-Awani, head of the parliament's commerce commission: Relocation of Ashraf residents, who are members of the People's Mojahedin Organization of Iran, is a calculated foreign plot. (NINA)

- Mahmood Osman, independent MP from Kurdish bloc called for showing respect to the residents of Ashraf, refrain from attacks against them and protection of their properties.(INA)

- Dr. Abdulnasser al-Mahdawi, governor of Diyala province called for implementation of the initiative offered by the European Parliament with regard to the case of camp Ashraf. He also emphasized the necessity to protect Ashraf residents and refrain from violating their rights. (Governor's Web Site- NINA)

- Falah al-Naqib, MP and former Minister of Interior stressed that the issue of camp Ashraf a humanitarian issue and we should help and protect these refugees because they atre our guests and the pressures exerted upon them is not just.(Al Zaman Daily)

- Adil Barwari, advisor to the Prime Minister in Kurdish affairs expressed hopes that the Iraqi government will consider the humanitarian aspects in dealing with the case of camp Ashraf. (NINA)

- Dr. Ala'a Maki, MP: As we all know, the residents of Ashraf are protected under international laws and all decisions by international organizations regarding their case must be carried out. (Al Malaf)

- Alia Nusayif, Member of Parliament: the government's failure to react to international calls

regarding extension of Ashraf residents' presence in Iraq beyond the year's end is regrettable. She also explained that a concrete solution does not have to be within a specific timeframe. It rather needs an extended period for the involved parties to achieve positive and suitable results. (INA)

- Mohsen Saadoun, deputy chairman of the Kurdish parliamentary bloc: The solution for the situation in camp Ashraf is through negotiations under the supervision of UN; and the right of political asylum has been guaranteed for everyone. He added that the presence of such great number of refugees has to be in accordance with Iraq's constitution, which underlines the necessity to respect human rights. He urged for an appropriate solution regarding their departure from Iraq.(INA- NINA)

- Latif Mustafa, MP from the Progress parliamentary bloc: The government of Iraq has to consider them (residents of Ashraf) as asylum seekers who have political aspirations. International laws compel Iraq to respect political refugees for as long as they remain committed to international covenants. According to Iraq's constitution and international laws, none of the refugees should be forcibly expelled to another country or extradited.(INA-NINA)

- Arkan Zebari, MP, foreign affairs commission: The residents of Ashraf enjoy the status of "international protection" for they are refugees and have the right to benefit from human rights. (Al Malaf)

- Dr. Bakhari Abdullah noted that the international community will not tolerate the compulsory evacuation of camp Ashraf by the government of Iraq at the end of the year.(Al Zaman Daily)

- Shwan Mohamad Taha, MP from the Kurdish bloc: A raid on Ashraf residents, aimed to forcibly relocate them by the end of the year, would be unacceptable in the new democratic Iraq.(Baghdad Daily)

- Mesal al-Osi, former MP and head of Iraq's Peoples Party: residents of camp Ashraf have political asylum and our government should honor its obligations.(INA)

- Sheikh Abdullah Ojail al-Yavar, Head of the Front for Justice & Reform in Iraq: residents of camp Ashraf are in Iraq based on international conventions and they should not be harmed .(Al Malaf)

- Ala Talebani, MP from the Kurdish bloc: Our government is now dealing with a group of asylum seekers who are on Iraqi soil based on international conventions and in light of the political difficulties Iran is causing; we should support them.(Baghdad Daily)

- Majed Ismael Mohammed, MP from the Kurdish bloc, urged the Iraqi government should not resort to force in dealing with the refugees, irrespective of their political tendencies.(Al Malaf)

- Haider Mullah, Rapporteur for the Iraqi parliament's Human Rights Commission: we consider any attempt at putting an end to the presence of camp Ashraf residents in Iraq by year's end as meddling into Iraq's internal affairs and we condemn it; as this case is an Iraqi case in addition to having an international dimension and it must be resolved accordingly. As such, we warn that no decision should be made without coordination with UNAMI and UNHCR.(Al Zaman Daily)

- Dr. Ayad Alawi, Head of Al Iraqia
- Dr. Osama Al Nagafee, Speaker of parliament
- Dr. Saleh Al Mutlak, Deputy Prime Minister
- Ayatallah Ayad Jamal a'din, former MP
- Dr. Abdul Nasser al-Mahdawi, governor of Diyala
- Adil Barwari, advisor to the Prime Minister in Kurdish affairs

- Tareq al-Hashemi, Iraqi Vice President
- Dr. Salman al-Jumaili, head of al-Iraqiya's parliamentary bloc
- Dr. Jamal Al Karbuli, Head of Parliamentary Group
- Dr. Zafir Al-Ani, a leading figure from al-Iraqiya
- Mahmood Osman, independent MP from Kurdish bloc
- Mohsen Saadoun, deputy chairman of the Kurdish parliamentary bloc
- Falah al-Naqib, MP and former Minister of Interior
- Maison al-Damlougi, MP and Al Iraqia Spokeswoman
- Dr. Salim Abdullah al-Jabouri, head of the parliament's human rights commission
- Dr. Ahmad al-Awani, head of the parliament's commerce commission
- Haider al-Mulla, Rapporteur for the Parliamentary council on Human Rights and official Al Iraqia spokesman
- Rasem al-Avadi, leading figure from al-Iraqiya
- Hussam al-Azawi, former MP and head of Al Iraqia in Diyala
- Arshad Arkan Zebari, member of parliament's foreign affairs commission
- Dr. Ala'a Maki, MP from Al Iraqia bloc
- Ms. Atab Jasem al-Dori, Al Iraqia MP
- Mohammed Osman al-Khaldi, Al Iraqia MP
- Alia Nusayif, Member of Parliament
- Ms. Shaza al-Abosi, former MP
- Eskandar Watwat, Al Iraqia MP
- Dr. Bokhari Abdullah, former MP from the Kurdish bloc
- Shwan Mohamad Taha, MP from the Kurdish bloc
- Dr. Mostafa al-Hitti, former MP
- Mesal al-Osi, former MP and head of Iraq's Peoples Party
- Sheikh Abdullah Ojail al-Yavar, Al head of the front for Justice & Reform in Iraq
- Omar Khalaf, Al Iraqia MP
- Vahdat al-Jomaili, Al Iraqia MP
- Qais Shazar, Al Iraqia MP
- Ojeil Al Yawar, Al Iraqia MP
- Othman Al Joheishi, Al Iraqia MP
- Ziyad Tareq Zarb, Al Iraqia MP
- Fares al-Sanjari, Al Iraqia MP
- Raad Al Dehlaki, Al Iraqia MP
- Khalil Zaidan, Al Iraqia MP
- Dr. Faezeh al-Obaidi, Al Iraqia MP
- Ms. Jale Younis, Al Iraqia MP
- Ahmad Al-Mesari, Al Iraqia MP
- Adnan al-Danbos, Al Iraqia Former MP
- Falah Hassan Zaidan, Al Iraqia MP
- Sardar Abdullah, MP from the Kurdish Progressive Bloc
  Azhar Sheikhli, Al Iraqia MP
- Taha Al Luhayby, Former MP
- Akram Naqib, Al Iraqia legal advisor
- Ms. Karima al-Javari, Al Iraqia MP
- Ibrahim al- Mutlak, Al Iraqia MP
- Mohammed Eqbal, Al Iraqia MP
- Mohammed Karboli, Al Iraqia MP
- Hani Ashur, Al Iraqia legal advisor
- Ms. Sohad al-Obaidi, Al Iraqia MP
- Hammed al-Mutlak, Al Iraqia MP
- Yasin al-Mutlak, Al Iraqia MP
- Sheikh Jamal al-Bat'tikh, former minister and MP
- Farzand Ahmed, former MP from the Kurdish bloc
- Latif Mustafa, MP from the Change parliamentary bloc
- Bayazid Hassan, MP from the Change parliamentary bloc
- Sheikh Majed Ismael, MP from the Kurdish bloc
- Sheikh Azad Abu Bakr, MP from the Kurdish bloc
- Latif Haj Hassan, former MP from the Kurdish bloc
- Dr. Hamid Adel Bavi, MP from the Kurdish bloc
- Dr. Mohammed Ahmed, former MP from the Kurdish bloc
- Yousif Ahmed, former MP, Kurdish bloc
- Fattah Sheikh, former MP
- Dr. Mohammed Sheikhli , Director, National Justice Center
- Minas Ibrahim al-Yousifi, Secretary General of the Christian Democratic Party
- Abdullah Kazim, spokesman for the Vice President Tareq Hashemi
- Loei Saeidi, leading member National Accord Movement(NAM)
- Sheikh Khalaf al-Alyan, Secretary General of the Iraqi Reconciliation Council
- Qahtan Saeidi, leading figure from the Iraqi Liberal Movement
- Ibrahim Bajalan, former chair of Diyala Provincial Council
- In addition to 13 provincial council members and advisors to governors

- Nahede al-Daeni, Al Iraqia MP
- Dr. Neda al-Jabori, Al Iraqia MP
- Ala Talebani, MP from the Kurdish bloc
- Entesar alawi, leading member National Accord Movement(NAM)
- Ziya Shekhli, leading member NAM
- Abd Sattar Baer, leading member NAM

Haider al-Mulla

Official Al Iraqia spokesman for the bloc

Rapporteur for the Parliamentary Human Rights commission

November 16, 2011

February 28, 2009

Iran urges Iraq to expel opposition group

Iraqi President Jalal Talabani (C) meeting with Iran's supreme leader Ayatollah Ali Khamenei (R)

TEHRAN (AFP) — Iran's supreme leader Ayatollah Ali Khamenei on Saturday urged visiting Iraqi President Jalal Talabani to expel Iran's main opposition group from Iraqi territory, the ISNA news agency reported.

"We await the implementation of our agreement regarding the expulsion of the hypocrites," he said, using a term the Islamic republic uses to describe the main opposition group in exile, the People's Mujahideen of Iran (PMOI).

He did not elaborate, but in late January Iraq's national security adviser Muwafaq al-Rubaie said in Tehran that Baghdad planned to extradite armed Iranian opposition members who have "Iranian blood on their hands."

"The only choices open to members of this group are to return to Iran or to choose another country... these people will themselves choose where they want to go," Rubaie told reporters at the time.

Founded in 1965 with the aim of overthrowing first the US-backed shah and then the Islamic regime in Iran, the PMOI has in the past operated an armed group inside Iran.
It was the armed wing of the France-based National Council of Resistance of Iran (NCRI) but it renounced violence in June 2001.

ISNA said Khamenei also slammed a January decision by the European Union to remove the PMOI from the EU list of terror groups following a legal battle in Britain.

He said the move "shows being a terrorist is an contractual issue and is not based on reality. Nonetheless they are not ready to accept them into their countries."

The agency quoted Talabani as saying in his talks with Khamenei that the PMOI "have committed many crimes against the Iraqis, and Iraqi government is determined to expel them and will go forward with its decision."

Baghdad announced on December 21 it planned to close Ashraf camp north of Baghdad and close to the Iranian border, where around 3,500 PMOI members are held under a form of house arrest.

On January 1, Iraqi Prime Minister Nuri al-Maliki went further and said he would expel the PMOI from the country.

DEPARTMENT OF THE ARMY
TF 134, JIATF
Camp Ashraf, Iraq
APO AE 09391

TF-134-JIATF 24 AUG 06

MEMORANDUM FOR RECORD

SUBJECT: Understood Agreements Between JIATF and PMOI During LTC Norman's Tenure (22 SEP 05-24 AUG 06)

1. Various investigative agencies of the United States have visited Ashraf and interviewed PMOI members who were subsequently released from control and recognized as protected persons under the Fourth Geneva Convention, and protected by the MNFI. Any movement outside of Ashraf has always been under the escort of U.S. Forces.

2. For the past three years, US Forces and PMOI have made their best joint efforts in protection of the City of Ashraf. US Forces have been in charge of security outside of Ashraf, and the PMOI has been responsible for internal discipline of Ashraf, which has been fulfilled in the best manner.

3. Normally, PMOI members invite their families, friends, and colleagues who live in Iran or foreign countries to Ashraf for visits. These visitors are welcomed to a secure environment and hosted by the PMOI. On occasion and with the visitor's permission, the PMOI may extend an invitation to the JIATF staff to meet with them.

4. In case PMOI encounters suspicious outsiders or elements who intend to disturb the peace or conspire and sabotage, it stops and holds them in a place, then calls the MPs for delivery and investigations.

5. The PMOI has been very cooperative in facilitating International Organizations requests for family contact and JIATF's visits with these individuals. The JIATF either passes the request through the PMOI LNO or requests to meet with them personally to pass the request. In the cases that the PMOI members question the true intent (concern over the dissemination of false and/or disturbing information about Ashraf and its residents) of these requests or that the Iranian Regime are brokering these requests, the PMOI members may submit their thoughts and concerns in writing to the JIATF who will forward them back to the respective International Organization .

6. There exists no prison or any obligation to stay in Ashraf; everyone is free to leave PMOI anytime he/she wishes to. To safeguard security and risky information of Ashraf residents and their families in Iran, those who leave PMOI and wish to directly go to Iran,

will be kept in the TIPF for at least 3 weeks prior to their departure and their names will be given to the PMOI three weeks prior to their departure in order to facilitate damage control. Any exceptions should be agreed upon jointly.

7. Any request for meetings with residents of Ashraf will be submitted in writing (stating the reason) by the JIATF. The requested meetings will be held in an agreed upon PMOI meeting location (not on the FOB). The resident must be in agreement to the meeting before it can be scheduled. If the individual does not agree to the meeting then JIATF request a signed written statement from the individual to update their files..

8. The PMOI has encouraged and assisted various Iraqi groups to join the political process and dialogue with the US Forces. This action by the PMOI has helped to establish a safe and secure environment and should be continued.

9. The PMOI has been encouraging peaceful methods in its surrounding community for the establishment of a secure and democratic Iraq and has respected the laws of Iraq. The relationship between the PMOI and inhabitants of regions surrounding Ashraf has played a positive role in providing security in the area. Events in the city of Odheim are a good example of PMOI efforts to establish cooperation among the Iraqi Army, US Forces and residents of the city; the PMOI should be encouraged to continue such relations. The Iraqis who have talked to our forces have expressed positive and sympathetic opinion about residents of Ashraf.

10. The PMOI has always warned against the Iranian regime's meddling and played a positive and effective role in exposing the threats and dangers of such interventions; their intelligence has been very helpful in this regard and in some circumstances has helped save the lives of soldiers. Recommend that the facilitation of intelligence sharing continue.

Very Respectfully,

Julie S. Norman
Lieutenant Colonel, Military Police
JIATF Commander

FYI

From
"Tahar Boumedra" [redacted]
Subject:
Fw: Ashraf meetings
Date:
04/07/11 16:03:02
To:
"Behzad Saffari"[redacted] "Behzad Saffari"[redacted]
[redacted]

----- Forwarded by Tahar Boumedra/UNAMI on 07/04/2011 11:02 PM -----

From: "Hanks, Russell J (Baghdad)"[redacted]
To: "Tahar Boumedra" [redacted]
Date: 07/04/2011 10:40 PM
Subject: RE: Ashraf meetings

Please pass to the MEK leadership. Thank you.

General Ali Ghaydan has ordered the ISF on the ground at Ashraf to only take unoccupied land there and not molest the MeK members.

Maliki has ordered that the ISF take only unoccupied land and that they must not use violence.

The PM is asking the MeK and urge them to be reasonable and not create hindrances. The GOI's goal is to find a peaceful solution to this and hopes to work to find a humanitarian solution to this situation..."To help, and not hinder," the pm reportedly said.

This email is UNCLASSIFIED.