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UMAN RIGHTS VIOLATIONS UNDER SADDAM HUSSEIN: VICTIMS SPEAK OUT

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HEARING

BEFORE THE

SUBCOMMITTEE ON THE MIDDLE EAST AND CENTRAL ASIA

OF THE

COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTH CONGRESS

FIRST SESSION

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HUMAN RIGHTS VIOLATIONS UNDER SADDAM HUSSEIN: VICTIMS SPEAK OUT

THURSDAY, NOVEMBER 20, 2003

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE MIDDLE EAST
AND CENTRAL ASIA,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to call, at 2:37 p.m. in Room 2172, Rayburn House Office Building, Hon. Ileana Ros-Lehtinen (Chairman of the Subcommittee) presiding.

Ms. ROS-LEHTINEN. The Subcommittee will come to order now that the Honorable Debbie Pryce, the most powerful woman in the House has walked into the room. She walks and the gavel pounds. Thank you. Thank you, Mr. Ackerman. Timing is everything and she has got it. I want to thank the Members of the Subcommittee for attending this important hearing this afternoon. First I would like to tell our Members and people in the visitor spots that it looks like our staff director, who is—timing is everything—she left the room—Yleem Poblete might be going to John Bolton's office. So this is Yleem's last day in the hearing with our Subcommittee and we wish her well. She is going to be in charge of finding weapons of mass destruction. So we wish her well. But the next brains of the operation is going to be Gregg Rickman, who has been with us for awhile. Gregg, take a bow. And then joining us will be Amy Serck—where did Amy go? So welcome, welcome, welcome one and all. We thank you all for the work that you do.

And today we are going to be discussing human rights violations under Saddam Hussein's regime, and we thank Darlene Hooley, who has just arrived, for joining us as well. We went on an incredible CODEL focusing on women and empowering women in Iraq and looking at many violations that occurred under this despotic regime.

So that is what we are going to be discussing today. And as our witnesses will soon explain, Saddam Hussein and his sons systematically violated the human rights of Iraqis and those of other countries as well. They did so with utter disregard, operating a vast enterprise encompassing at its worst mass graves, the use of torture chambers, chemical baths, routine rapes, brutal and arbitrary murder including legitimizing killings and medical amputations as punishment.

In lesser cases, restrictions on social, legal and educational mobility for women, arbitrary detentions in both crude prisons and psychiatric facilities, collective punishment by association and the

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blockading of entire villages. They all became common punishment for undescribed offenses. Saddam and his sons treated Iraq and its people as their own personal preserve subject to their very whim. What they wanted, they got. What they wanted to do to others, they did at will.

In the months following Operation Iraqi Freedom, U.S. forces have found we are told as many as 263 mass graves containing as perhaps as many as 300,000 corpses. Lieutenant General Jay Garner formerly of the Coalition Provisional Authority has been quoted as saying that our troops may one day find as many as one million of Saddam's victims. The role of women long overlooked in Iraq is one that we must examine. Women were brutalized partly in an effort to control their husbands, partly out of a mere uncontrolled hostility. Rape was a State policy and at times videotaped and sent to women's families in order to intimidate them. At other times, the rapes were intentionally committed in front of the families. Women were denied equal education and the basic legal protections to which all human beings are entitled and they were all denied.

Saddam's son Uday, infamous for his serial and wanton cruelty and abuse of women, treated any particular woman he or his henchmen could find as his personal property to use, abuse and disregard as he pleased. And these are hard facts for us to hear and we had thought that after the crimes of the 20 century we would not hear about them again, about this wholesale degradation of people. But once again in Iraq, we have testimony that this kind of rampant, inhumane violence that until spring of this year, went unchecked for far too long.

Our witnesses today will try to paint a more detailed picture for us of life under Saddam, his crimes against humanity—and we must call them that—cannot and must not go undocumented. The mass graves about which we will hear much more about later today must be cleared. The names of Saddam's victims must be restored. As Edmund Burke said, in order for evil to prevail, good men must simply do nothing. For Saddam Hussein's Iraq, no statement could be more true. Thankfully this year finally, good men and women acted and Saddam's rule came to an end.

We look forward to hearing the testimony of our witnesses and I will ask after the opening statements for Mr. Janklow to take over for me, as he always does and Mr. Chabot as well, because we have our Syria Accountability Act on the Floor. If you see me sneak out that is the reason. Mr. Ackerman.

Mr. ACKERMAN. Thank you very much, Madam Chair. I reluctantly want to confess some puzzlement about the scheduling of today's hearing. To my knowledge, there is no debate in the Congress over the atrocities committed by Saddam Hussein. I think that we would find unanimous agreement in the House that he was a despicable tyrant who brought unimaginable torture, suffering and cruelty upon his own people. Indeed, I don't think there is any debate among the American people over the despotic nature of Saddam's regime. If there are those who doubt Saddam's sadistic record they need only look to the State Department's human rights report on Iraq for the previous decade in order to settle that dispute.

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It is not my intent to denigrate in any way the tragic stories of families or victims or the efforts of investigators trying to document the truth that we will hear today. However, Madam Chair, I think the real reason we are here today is that the House leadership wanted to provide some support for the President's ever shifting justification for the war in Iraq, which I did support and do support, and what better forum than a compliant Congress.

I don't want to be misunderstood, Madam Chair. I think that during the reconstruction and rebuilding process, Iraqis will have to come to grips with the enormity of violence committed against them by Saddam in order to provide closure to the families of the victims and to begin the process of healing Iraqi society. The international community and the United States should help them work through that process, drawing on the lessons of truth and reconciliation commissions that have been learned elsewhere in the world. But I think the time and place for that is one that the Iraqis must choose and not the U.S. Congress.

At this juncture in our efforts in Iraq, I think the Committee's time would be better spent hearing from the Administration about the panicky shift in strategy to speed up the transfer of power to Iraqis. It looks to me like the strategy is to declare victory and come home before the fall of 2004. I believed the President when he said that we would stay in Iraq until the job was done. Now I am beginning to have my doubts. Speeding up the process seems to include sending Iraqis out to perform security related tasks with only a portion of the training that they should have. Handing security back to the Iraqis has become so imperative that Ambassador Bremer is now reconsidering his earlier decision to disband the Army and security forces there.

Will we rehire the enforcers of the horrors that we will hear about today? How will these former members of Saddam's security forces be vetted? How will we ensure that we can trust them? The new plan also calls for handing sovereignty back to a traditional assembly, which will then elect the provisional government by next June. How will the members of this assembly will be selected raises questions about the legitimacy of the assembly to establish a provisional government or draft a new constitution. What role is the coalition provisional authority going to play in all this? More importantly, how are the $18 billion we just appropriated be used to support this process?

Why won't we scrutinize this $18 billion grant as we do each $5,000 grant that we make to the arts? How will we use this money to help convince Iraqis what is happening here will actually result in a government they support? What happens when the CPA dissolves on June 30, 2004, as called for in the new strategy. We don't want to be told again that there is a plan. If there is a plan, this Committee must examine and discuss it.

Madam Chair, Americans have been asked to send their sons and daughters, their fathers and mothers, husbands and wives to fight and to die possibly in Iraq. The taxpayers, their children and their great, great, great, great grandchildren are being asked to pay for this. In order for Iraq to be a democratic example in the heart of the Middle East, as the President has said it should and would be, we have to get it right.

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For me, getting it right means establishing democratic institutions and planting them in a secure environment where they will have an opportunity to thrive. Doing so with much speed and little thought may lead this nascent democracy to collapse. Failure, Madam Chair, is not something we can afford. That is why these are the sort of questions that the Congress and this Committee should be discussing today. That is why we call it oversight and we have to really try it here. Today, as important and informative as it is, we exercise only hindsight. And I do look forward to hearing from our witnesses.

Ms. ROS-LEHTINEN. Thank you, Mr. Ackerman. I think that it is never a bad day to talk about human rights violations so we don't commit them in the future. It is important for the victims as well. I agree with you about our oversight responsibilities and I think our Committee is continuing to do a good job on that, and I hope those important questions are asked in the many briefings that we have had and I thank you for your statement. Mr. Chabot.

Mr. CHABOT. I will be brief in my remarks. I hadn't planned on making an opening statement, but basically very briefly in response to some of the points that Mr. Ackerman made, I agree that there are many things we need to look at, but I am disappointed about the tenor of the comments, especially initially that are critical of this hearing. I think it is very appropriate for us. I want to commend the Chair for having this hearing.

We have looked—Congress has looked at many instances of human rights abuses over the years whether the Armenian Holocaust or the Jewish Holocaust during World War II or whether it was under Pol Pot or you could name a dozen of different instances over the years that we have looked at, some in this Committee and others. And I think it is appropriate for us to do this. And I think you have to look at this especially since it didn't happen that long ago under Saddam. And the very people that aided Saddam in carrying out many of these horrendous things, once you take back control of that country right now—and Americans are losing their lives as we speak to prevent that from happening.

So it is appropriate for us to have this hearing today and I want to commend the Chair for holding this.

Ms. ROS-LEHTINEN. Mr. Ackerman.

Mr. ACKERMAN. I don't want my remarks to be misinterpreted. I voted to go into Iraq with President Bush. I voted to go into Iraq with President Bush's father, President Bush. I am not in favor in rushing to get out of Iraq. We have to get this right. And I am certainly not critical of the Chair's leadership or of this hearing. What I am suggesting is that there are so many issues that we have to discuss that we have not looked at from a policy point of view as to what we do to go forward here. Looking back is important and we should hear from witnesses and there should be this kind of important forum for them to tell us their stories. That is critical to this process. But what I am suggesting is that we must have more and time is running out of this session in Congress. Some think we have been here too long, but there is so much we have not yet done with our oversight responsibilities and that is basically what I am suggesting.

Ms. ROS-LEHTINEN. Thank you, we understand.

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Mr. Schiff?

Mr. SCHIFF. Thank you, Madam Chair. I wasn't planning on speaking, but just a couple of observations. One, I appreciate you holding this hearing and calling attention to the human rights violations under Saddam Hussein which were really quite terrible and phenomenal in their scope, particularly when you compare them with human rights abuses in Bosnia and Kosovo, the magnitude we had a chance to glimmer only a piece of in Iraq, a group of us a couple months ago. The issue that has often come up in this context is how does this bear on the decision to go to war? And on that issue, I, like, Gary was in support of the resolution.

From my point of view, the resolution was predicated on the weapons of mass destruction issue and not the human rights abuses, as terrible as they were. And the discussion I think really on both has to continue going forward, both to tell the untold story of the human rights tragedy in Iraq, but also not to lose sight of the predominant reason that Congress voted to authorize the use of force, that is the chemical, bio and nuclear weapons programs. And I think it is equally important that we not lose sight of that motivation and the continued questions that have been raised on intelligence issue.

Ms. ROS-LEHTINEN. Mr. Janklow.

Mr. JANKLOW. I have no opening comment.

Ms. ROS-LEHTINEN. Now I am so happy to introduce our two Members of Congress who will be testifying about what they found in their firsthand observations in Iraq. I would like to introduce Congresswoman Debbie Pryce, one of my best friends in the House. She has been a Member of Congress from Ohio since 1992. During her time in Congress, she has quickly risen through the ranks. And in November 2002, she was elected to the position of Republican Conference Chair for the 108 Congress, making her the highest ranking Republican woman ever to serve in the House of Representatives. She is also a member of the board of trustees of the John F. Kennedy Center for the Performing Arts. Could you get me some tickets to that? And a member of the board of trustees for the National Fund for the U.S. Botanical Gardens. In October she led an important congressional delegation to Iraq, of which I was honored to join to examine the role of women in Iraq.

And we are also joined by the ranking Democrat on our trip, Representative Darlene Hooley, who I had a pleasure of getting to know during this time. She was elected to Congress in November 1996 to represent Oregon's 5th congressional district. She was selected as Whip at Large and served in that role until this year when she was named Senior Whip. You must have been very good at whipping. Gary says he can show you the scars. She was recently elevated to the executive council for the New Democratic Coalition.

Representative Hooley is a Member of the Financial, Services, Budget and Veterans Affairs Committees. She joined us on our delegation trip to Iraq. And Congresswoman Pryce and Hooley will discuss their observations. And then I know they need to go so we will excuse them right after their remarks.

Congresswoman Pryce.

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STATEMENT OF THE HONORABLE DEBORAH PRYCE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OHIO

Ms. PRYCE. Thank you, Madam Chairman and Mr. Ackerman and Members of the Committee. It is a very big honor to be with you today. I am very thankful for you inviting me to speak out on an issue that should never fall on deaf ears, and that is the human rights abuses in Iraq under the regime of Saddam Hussein. And it is nice to know, Mr. Schiff, who said a minute ago he has been there and I have heard that Mr. Chabot has been over and Madam Chair, you have been there, and I don't know if Mr. Ackerman has been or Mr. Janklow, but it is a trip worth taking to see firsthand not only the human rights abuses, but the progress that is being made as well. And it was an honor to head this delegation, bipartisan delegation. We spent some very meaningful time with Iraqi women, but also getting to know each other better and that was a significant part of the trip I thought.

Last month, as I said, I had the privilege of leading some distinguished Members of Congress on the first all-female delegation to Iraq. Our mission focused on the post war condition of Iraqi women, primarily. We examined and evaluated the current status of health care, employment opportunities and the Iraqi women's ability to participate in their own newly forming political process. What we found was a mix of inspiration and despair. While women in post war Iraq make significant and inspiring headway on a daily basis, they remain stunned in a post-traumatic state, suffering from the lasting ramifications of severe psychological and physical torture inflicted by a regime that brutally beat, butchered, raped and abused women.

As a result, it may take many years before Iraqi women fully regain stability and confidence and perhaps even an equal place in their own society. Saddam's ruthless regime forced Iraqi women to endure horrendous, intolerable cruelty, systematically employing rape, torture and murder for political gain. For many—for example, many human rights groups estimate that nearly 300,000 Iraqis disappeared since the time Saddam took power in 1979. Thousands of Iraqi women watched in horror as their families were brutally slaughtered right before their eyes. Many of the men were jailed or dragged from their homes in the middle of the night never to return, their fates unknown.

While the wives of the missing Iraqi men struggled to put food on the table, Saddam further complicated a woman's ability to provide for her fatherless family. He erected numerous barriers that made it nearly impossible for a woman to work outside the home and he forbade these women to remarry. Saddam systematically destroyed family units, struck paralyzing fear in all of his people and ultimately created living conditions so deplorable that Iraqis could never gain the strength or the courage to rise up against the regime.

As many women struggled to earn a living, Saddam decreed prostitution a crime punishable by death in the 1990s and subsequently beheaded hundreds of alleged prostitutes. Such allegations frequently baseless and often completely untrue went uninvestigated. The beheadings, reported to have been carried by Saddam's eldest son, Uday, took place in front of the victim's neighbors and

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family always including the children. Left behind with the intention of further dishonoring the family, Saddam required the women's head be displayed publicly outside the victim's home for days and days.

In 1990, women's rights were further defiled when Saddam Hussein removed punishment for a man who murdered a female relative, any female relative in an effort to "restore honor to their family name." These so-called honor killings, according to the United Nations special report on violence against women, were responsible for the murders of more than 4,000 women. In addition to these physical brutalities, Saddam's regime left deep scars on the hearts of Iraqis. Health conditions deteriorated significantly under his rule, severely threatening the lives of Iraqi women and especially their children. A 2003 United Nations report stated that maternal mortality rates rose to 370 deaths per 100,000 births in the 1980s. Inadequate diets, high rates of anemia among birth mothers, chronic diarrhea and acute respiratory infection in new babies continued to plummet maternal and infant mortality rates. The survival rate was so bleak, only one in eight of Iraqi children ever celebrated their fifth birthday.

The minds of Iraqis women and children also decayed under this militant regime. More than half of Iraqi men can read. But an overwhelming 76 percent of Iraqi women over the age of 15 can't read or write. According to USAID, the Hussein government forced teachers to work without pay, provided school books only to one in six children and left schools to crumble into extreme disrepair. Despite the difficult and intolerable injustices that comprise Saddam's legacy to Iraq, his removal from power has generated clear and evident signs the future of this country holds impressive promise.

While in Iraq last month, I witnessed many milestones of achievements. I was encouraged by the bustling streets in Baghdad, doctors' long-term plans for their hospitals, and I witnessed women slowly emerging to claim their rightful place as vocal, educated and eventually equal contributors in Iraqi society. The political participation of Iraqi women within their new government could be used as one of the most significant public indicators of their advancement. While Saddam provided "universal suffrage," in theory, most women in reality could not exercise their right to vote.

Saddam Hussein ran unopposed for years. Repeatedly he was reelected with 100 percent yes votes making it very obvious that elections in Iraq were simply a sham. Without Saddam, Iraqi women have stepped forward to enthusiastically support their new government despite an imminent threat to some of their lives. Currently, two women serve on the Iraqi governing council. One woman has been named as cabinet minister and six women out of a total of 35 fill positions on the Baghdad city council. At least one woman from the Iraqi governing council paid the ultimate price to represent her country. She was gunned down outside her home in late September for her part in forging a free and democratic Iraqi society.

To date, no women have been included in the writing of the new Iraqi constitution, but Iraqi women must be commended for the significant strides they have made. Their success has been most evident at the local levels of Iraqi government filling many of the seats on the village councils. While in Iraq, we witnessed women

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from many walks of life empowering one another with education, hope and camaraderie. Groups like the Women's Social and Cultural Society of Mosul, organized just this past spring, have already grown to 200-plus members. Together these women promote social, political and educational equality for all Iraqis, men and women alike. Their success is due in part to the sacrifice and hard work of our military forces coupled with the efforts of many Iraqi civilians dedicated to stabilizing Iraq. Their challenge is immense, but the Iraqis are determined, steadfast and unwavering because they know what their past held and what the future promises. Ultimately, I share with you today the hope that all Iraqis for generations to come will rise above Saddam Hussein's painful and horrific legacy to live peaceful independent and prosperous lives. I thank the Committee for this opportunity.

Ms. ROS-LEHTINEN. Thank you so much.

[The prepared statement of Ms. Pryce follows:]

PREPARED STATEMENT OF THE HONORABLE DEBORAH PRYCE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OHIO

Thank you for inviting me today to speak out on an issue that should never fall on deaf ears: the human rights abuses in Iraq under the regime of Saddam Hussein.

Last month, as Chairman of the House Republican Conference, I had the privilege of leading seven distinguished Members of Congress on the first all-female delegation to Iraq. Our mission focused on the post-war condition of Iraqi women. We examined and evaluated the current status of health care, employment opportunities, and the Iraqi women's ability to participate in the political process. What we found was a mix of inspiration and despair. While women in post-war Iraq make significant and inspiring headway on a daily basis, they remain stunned in a post-traumatic state, suffering from the lasting ramifications of severe psychological and physical torture inflicted by a regime that brutally beat, butchered and abused women.

As a result, it may take many years before Iraqi women fully regain stability and confidence—and perhaps, even, an equal place in society.

According to widespread reports, including evidence from the U.S. State Department, Saddam's ruthless regime forced Iraqi women to endure horrendous, intolerable cruelty; systematically employing rape, torture and murder for political gain.

For example, many human rights groups estimate that nearly 300-thousand Iraqis disappeared since the time Saddam took power in 1979. Thousands of Iraqi women watched in horror as their families were brutally slaughtered. Many of the men were jailed or dragged from their homes in the middle of the night—never to return; their fates unknown. While the wives of the missing Iraqi men struggled to put food on the table, Saddam further complicated a woman's ability to provide for her fatherless family. He erected numerous barriers that made it nearly impossible for a woman to work outside the home and he forbade women to remarry. Saddam systematically destroyed family units, struck paralyzing fear in every one of his people and ultimately created living conditions so deplorable that Iraqis could never gain the strength or the courage to rise up against the regime.

As many women struggled to earn a living, Saddam decreed prostitution a crime punishable by death in the 1990's and subsequently beheaded hundreds of alleged prostitutes. Such allegations, frequently baseless and often completely untrue went uninvestigated. The beheadings, reported to have been carried out by Saddam's eldest son Uday and units of the "Fidayi [FED–AY–EEN] Saddam"—Saddam's personal militia—took place in front of the victim's neighbors and family, including her children. Left behind with the intention of further dishonoring the family, Saddam required that the woman's head be displayed publicly outside the victim's home for several days.

In 1990, women's rights were further defiled when Saddam Hussein removed punishment for a man who murdered a female relative in an effort to "restore" honor to their family name. These so-called "honor killings," according to the United Nation Special Report on Violence Against Women, were responsible fort he murders of more than four thousand women.

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In addition to these physical brutalities, Saddam's regime left deep scars on the hearts of Iraqis. Health conditions deteriorated significantly under his rule, severely threatening the lives of Iraqi women and children.

A 2003 United Nations report stated that maternal mortality rates rose to 370 deaths per every 100-thousand births in the late 1980's. Inadequate diets, high rates of anemia among birth mothers, chronic diarrhea and acute respiratory infections in new babies contributed to plummeting maternal and infant mortality rates. The survival rate was so bleak, only one in eight Iraqi children ever celebrated their fifth birthday.

The minds of Iraq's women and children also decayed under this militant regime. More than half of Iraq's men can read. But an overwhelming 76 percent of Iraqi women over the age of 15 can't read or write. According to US–AID, the Hussein government forced teachers to work without pay, provided schoolbooks to only one in six children, and left schools to crumble into extreme disrepair.

Despite the difficult and intolerable injustices that comprise Saddam's legacy to Iraq, his removal from power has generated clear and evident signs the future of this country holds great promise. While in Iraq last month, I witnessed many milestones of achievements.

I was encouraged by the bustling streets in Baghdad, doctors' long term plans for their hospitals, and I witnessed women slowly emerging to claim their rightful place as vocal, educated and . . . eventually . . . equal contributors to Iraqi society.

The political participation of Iraqi women within their new government could be used as one of the most significant, public indicators of their advancement. While Saddam provided "universal suffrage" in theory, most women, in reality, could not exercise the right to vote. Furthermore, Saddam Hussein ran unopposed for years. Repeatedly, he was reelected with nearly 100 percent "yes" votes, making it obvious that elections in Iraq were simply a sham.

But without Saddam, Iraqi women have stepped forward to enthusiastically support their new government despite an imminent threat to some of their lives. Currently, two women serve on the Iraq Governing Council, one woman has been named a cabinet minister, and 6 women—out of a total of 35 members—fill positions on the Baghdad City Council.

At least one woman from the Iraq Governing Council paid the ultimate price to represent her country. She was gunned down outside her home in late September for her part in forging a free and democratic Iraqi society. To date, no women have been included in the writing of the new Iraqi Constitution, but Iraqi women must be commended for the significant strides they have made. Their success has been most evident at the local levels of Iraqi governments, filling many of the seats on the village councils.

While in Iraq, I witnessed women from many walks of life empowering one another with education, hope and camaraderie. Groups like the Women's Social and Cultural Society of Mosul—organized just this past spring—have already grown to 200-plus members. Together these women promote social, political and educational equality for all Iraqis. Their success is due, in part, to the sacrifice and hard work of our military forces, coupled with the efforts of many Iraqi civilians dedicated to stabilizing Iraq. Their challenge is immense, but the Iraqis are determined, steadfast and unwavering.

Ultimately, I share with you today the hope that all Iraqis, for generations to come, will rise above Saddam Hussein's painful and horrific legacy to live peaceful, independent and prosperous lives.

Ms. ROS-LEHTINEN. Congresswoman Hooley. We have been joined by Katherine Harris, who is another member of our delegation.

STATEMENT OF THE HONORABLE DARLENE HOOLEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OREGON

Ms. HOOLEY. Thank you, Madam Chair, for holding this meeting and thank you, Mr. Ackerman and the rest of the Committee, for being here in giving this opportunity. You heard from Ms. Pryce about the atrocities that were committed by Saddam. I am going to take a little different track and talk to you about one of the purposes of our trip and that it was an all women's delegation. And one of our purposes was to make sure that Iraqi women were supported in their quest to be part of their government. During the time in Iraq, I gained a great deal of understanding as to how im-

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portant it is that we work with the Iraqi people to shape not just their future, but the future of the entire Middle East.

Our Nation's foreign policy in this strife-torn region needs to focus on promoting and advancing the cause of liberty both in the short-term and long term. In my view, the best way to achieve this goal is by promoting and nurturing democracy, assisting our allies in combating terrorism and using our influence to bring enemies together and help them find common ground. This can only be accomplished through continuing to build upon a coalition of our allies and working with the United Nations. I am hopeful that we can help the Iraqi people chart a new path, a peaceful democratic path that will lead to the creation of an open and free democratic society. However, we must take care to remember and apply the lessons that we have learned in past conflicts such as Haiti and Somalia as well as our most recent experiences in Afghanistan. We must continue generating goodwill, not just among the native population, but also among other countries in the region.

Without question, the stakes are high. Either we succeed and build a democracy that will be a model for the Middle East or we plunge this violent and weary region further down the path of terror, marking the success for the mortal enemies of freedom, human rights and liberties. All of this served as a backdrop to our journey to Iraq and was the lens through which we examined the process of reconstructing, and in many ways constructing the foundations of a new free Iraqi society. Specifically, we wanted to see firsthand how the women of Iraq were succeeding at joining their male colleagues as well as the coalition provisional authority in seizing a more prominent role in this new society.

It was clear to us from the beginning that one of the most difficult issues this new government will face is protecting and promoting women's rights. Equality for women can only be achieved when Iraqi women can walk the streets without fear of assault. And let me tell you right now, they cannot walk the streets without fear of assault. And they must realize their potential in whatever fields they choose to pursue and are able to feel the sense of worth to which they are entitled as human beings and equals and valued members of Iraqi society.

Part of this process is to ensure the new Iraqi constitution specifically protects the human rights of all individuals, because that was a sin before we went to Iraq and it is a sin we must overcome. There are great risks associated with everyday life in Iraq. On top of the dangers of speaking out as a woman, many of the women we encountered, especially in Baghdad, were well educated and deeply involved in the political process. But these were women who told us stories about how they had watched their fathers being murdered and tortured. These women told us stories about how their brothers were being tortured and murdered.

Many of these women had gone into exile and were coming back to help the Iraqi people. Iraqis continue struggling with how their culture has traditionally viewed the role of women. And there are many who would prefer not to have women in leadership roles in their new government.

While I returned with many positive memories of our group's experiences in Iraq, perhaps most important to me was the delega-

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tion's visit to a training academy for recruits to the new Iraqi police force. During this visit, we met with a class of female recruits who are on the verge of completing their training as police officers. Many of the women in the academy have put themselves at great risk by choosing this path. Unfortunately during our meeting with these cadets, we were informed that budgetary constraints would prevent their class from being activated as police officers. They would not be going to work the next week. While it might be beyond the ability of Iraqi women to protest such a decision, we decided that as Members of Congress, we were not similarly hindered.

After some gentle application of pressure to officials of the CPA, we were able to show the authorities the error of their ways and ensure that these women would achieve their goal of graduating and becoming law enforcement officers. Without a doubt, this experience was the highlight of our trip. We were able to help make a difference in helping the women of Iraq achieve one more step toward equality. True, it was a small step but it is one that must be taken over and over again, repeated thousands of times before they can reach their goal of an open and free society.

Toward the end of our time in Iraq, we journeyed to the city of Mosul where we met with a group of 30 women who were trying to get involved in politics. They are currently focused on trying to elect a woman to the Mosul city council. These struggles highlight the difficulty that women face in changing traditions as you move away from the power center of Baghdad and travelling to smaller towns or more rural areas. The ultimate goal of the Mosul women's group is to get women on the committee that will write the new Iraqi constitution. The women I met were proud, incredibly brave, people who were filled with the same hopes and aspirations all of us are filled with and that is with human rights, with dignity. They want an education for their child and their children. They want to be able to make a living. They want to be able to provide for themselves, not only now, but for generations to come.

In America, suffragettes fought for the universal right to vote in a more free and open society and were finally victorious. I want to tell you these women face a much tougher and more clearly threatened battle. We must continue to support the women of Iraq. We must encourage our military to put some pressure on them to make sure that women are included and those things they have some control over. We must stand up with them shoulder to shoulder with encouragement as they overcome the tremendous obstacles to fight for their rights in the new Iraq.

[The prepared statement of Ms. Hooley follows:]

PREPARED STATEMENT OF THE HONORABLE DARLENE HOOLEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OREGON

Last month I had the opportunity to travel to Iraq with seven other female members of the US House of Representatives. As the first all-female delegation to travel to Iraq since the U. S. coalition-led liberation, our delegation felt that it was important for us to focus on encouraging Iraqi women to pursue opportunities to play a larger role in the new and still-evolving Iraqi government.

During the time that we were in Iraq, I gained a great deal of understanding as to how important it is that we work with the Iraqi people to shape not just their future, but the future of the entire Middle East. Our nation's foreign policy in this strife-torn region needs to focus on promoting and advancing the cause of liberty,

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both in the short-term and the long-term. In my view, the best way to achieve this goal is by promoting and nurturing democracy, assisting our allies in combating terrorism, and using our influence to bring bitter enemies together and help them find common ground. This can only be accomplished through continuing to build upon the coalitions of our allies and by working with the United Nations.

I am hopeful that we can help the Iraqi people chart a new path, a peaceful, democratic path that will lead to the creation of an open and free democratic society. However, we must take care to remember and apply the lessons that we have learned in past conflicts, such as Haiti and Somalia, as well as our more recent experiences in Afghanistan. We must continue generating goodwill, not just among the native population, but also among other countries in the region, so that we are not faced with the current scenario that is playing out in Afghanistan.

Without question, the stakes are high: either we succeed, and build a democracy that will be a model for the Mideast, a template that other countries may emulate, a government by the Iraqi people, of the Iraqi people, and for the Iraqi people, or we fail, Iraq lapses into chaos, and becomes a cautionary tale and example as to why other nations in this region should turn away from democracy. The latter result would plunge this violent and weary region further down the path of terror, marking a success for the mortal enemies of freedom, human rights, and liberty.

All of this served as a backdrop for our delegation's journey to Iraq, and was the lens through which we examined the process of reconstructing, and in many ways constructing, the foundations of the new free Iraqi society. Specifically, we wanted to see firsthand how the women of Iraqi were succeeding at joining their male colleagues, as well as the Coalition Provisional Authority (CPA), in seizing a more prominent role in this new society.

It was clear to us from the beginning that one of the most difficult issues this new government will face is protecting and promoting women's rights. As an Iraqi government continues to coalesce, women must be supported and encouraged in their efforts to secure equal status, rather than slipping back to non-entities. It is in the interest of the United States to ensure that this is part of the restoration of civil society in Iraq.

Equality for women can only be achieved when Iraqi women can walk the streets without fear of assault, realize their potential in whatever fields they choose to pursue, and are able to feel the sense of worth to which they are entitled as human beings and equal and valued members of Iraqi society. Part of this process is to ensure that the new Iraqi Constitution, which is still being drafted, must specifically protect the human rights of all individuals, including women.

There are the great risks associated with everyday life in Iraqi, on top of the dangers of speaking out as a woman. Many of the women we encountered, especially in Baghdad, are well educated and deeply involved in the political process. Six women sit on the Baghdad City Council, and two more are members of the Iraqi Governing Council. Our meetings with these women were fruitful, and our conversations led to new understanding for participants on both sides.

Iraqis continue struggling with how their culture has traditionally viewed the role of women, and there are many who would prefer not to have women in leadership roles in the new government. However, these brave women have been seizing opportunities as they arise. They understand that these opportunities may be few and far between, and that change will not happen overnight, but they continue pushing for access and accountability, providing leadership and serving as role models for their peers across not just Iraq, but all societies where women are not traditionally at the forefront.

While I returned with many positive memories of our group's experiences in Iraq, perhaps the most important to me was the delegation's visit to a training academy for recruits to the new Iraqi police force. During this visit, we met with a class of female recruits who were on the verge of completing their training as police officers. Though we might not consider this a glamorous position, or one that women have been able to pursue in a patriarchal society, it is undoubtedly an important step for the women of Iraq in their pursuit of equality. They were saavy and very excited about their work, and enthusiastic about the opportunity to knock down barriers for their fellow women.

Many of the women in this academy had put themselves at great risk by choosing this path, and there may still be those who are not bold enough to openly follow them, given the recent history of the former Iraqi government in dealing with those who strayed too far from the approved norms of society. It was an honor to meet with them, encourage them on their career path, and hear their hopes and goals for the future.

Unfortunately, during our meeting with these cadets, we were informed that budgetary constraints would prevent their class from being activated as police offi-

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cers. While it might be beyond the ability of Iraqi women to protest such a decision, we decided that, as members of Congress, we were not similarly hindered. After some "gentle" application of pressure to officials of the CPA and Iraqi Governing Council, we were able to show the authorities the error of their ways, and ensure that these women would achieve their goal of graduating and becoming law enforcement officers.

Without a doubt, this experience was the highlight of our trip. We were able to help make a difference and help the women of Iraq achieve one more step towards equality. True, it might have been a small step, but it was one that must be taken, and repeated thousands of times, before they can reach their goal of an open and free society.

Towards the end of our time in Iraq, we journeyed to the city of Mosul, were we met with a group of about 30 women who are trying to get involved in politics.

These women were concerned about the lack of representation on the governing council of Ninevah [, the region that contained the city,] and so they were currently focused on trying to elect women to the Mosul City Council. These struggles highlighted the difficulties that women face in changing traditions as you move away from the power center of Baghdad, and travel into smaller towns or more rural areas.

The ultimate goal of the Mosul women's group is to get a woman on the committee that will write the new Iraq Constitution so they can protect their rights and guarantee the right to vote, a right they currently do not have. It was inspiring to hear the determination of these women, but at the same time frustrating, because they have a fight ahead of them just to get the basic rights that they deserve.

The women of Iraq have been denied even the most basic involvement in the government of their country including the right to vote. Now the women of Iraq have begun to reclaim their rightful role in society.

The women I met in Iraq are proud, brave people who are filled with hopes and aspirations for their country. They are pioneering new frontiers, not only for themselves, but also for generations to come.

In America, suffragettes fought for the right to vote in the streets in a more free and open society, and we were finally victorious. These women face a much tougher—and more clearly threatening—battle. We must continue to support the women in Iraq.

We must stand up with them shoulder to shoulder with encouragement as they overcome the tremendous obstacles to fight for their rights to in the new Iraq.

Ms. ROS-LEHTINEN. Well done. Thank you, Members of Congress, for your testimony. Ms. Pryce and Ms. Hooley, we appreciate your testimony today. It was a wonderful eye-opening trip for all of the Members. I know I speak for Katherine Harris when I say this. And I would like to finish your presentation with two quotes from Elie Wiesel that explain the essence of our hearing today. He said:

> "Sometimes we must interfere when human lives are endangered. When human dignity is in jeopardy, national borders and sensitivities become irrelevant. Whenever men or women are persecuted because of their race, religion or political views, that place must, at that moment, become the center of the universe."

And he further said, Elie Wiesel—"for the dead and living, we must bear witness." Later today after you ladies depart, we will hear from a Marine Major who is bearing witness. He is one who is investigating the possible mass graves in Iraq. And also we will hear from witnesses who were actual victims of Saddam Hussein's cruelty.

So we thank you, Darlene and Deb, for being here today. Thank you for leading a great trip. And I will ask at this time for Mr. Janklow to Chair. And while I do that, I would like to recognize Ms. Harris, if she would like to make some opening remarks about our trip.

Mrs. Harris.

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Ms. HARRIS. Thank you, Madam Chair. Actually, I would, and some of them are related to the topics that were just recently discussed. And of course, I would like to hear firsthand from the following speakers their experiences. In Congress, we continue to conduct that essential debate of our Nation's policy in Iraq. Nevertheless, many of the Iraqi people, in hearing their stories firsthand, is an old adage with respect to those armchair critics, and that is that talk is cheap.

In the aftermath of the first Gulf War 12 years ago, we encouraged the Iraqi people to rise up against a brutal dictator. And then we left them to Saddam's murderous designs. To me that was tantamount to betrayal no matter what the U.N. resolutions may have said that we couldn't enter Baghdad or the international opinion that kept us back. And yet the blood and sacrifice and heroism of our troops have once again forged a bond of trust in Iraq.

And you can see it in the faces of the Iraqis with whom we met and the fact that there is new hope that is not only demonstrated by the success of our plan, but to the justice of our cause and winning the hearts and minds of the Iraqi people. In fact, they are coming to us because of that trust that is established and telling us where those 35 kilometer weapon arsenals are as well as over 100,000 of them are putting their lives on the line trying to save Iraq.

But the greatest fear the Iraqi people expressed is that the United States will leave before finishing the job of liberating them from the decades of tyranny and terror because many of those people still remain and know how to seize power. And after all, it is far less about the religious fundamentalism and much more about the power. According to September 12, 2002, a State Department report on Iraq's defiance of the United Nations, human rights organizations reported examples of women who had suffered from severe psychological trauma after being raped by Iraqi personnel while in custody.

Former members of the Iraqi security services say Iraqis raped and sexually assaulted in a systematic and institutionalized manner for political purposes. Iraq security services reportedly videotaped the rapes of female relatives of suspected oppositionalists and used these videotapes as blackmail to ensure their future cooperation.

An Amnesty International account reported that Iraqi security agents decapitated men and women in front of their family members and displayed their heads in front of their homes for several days. And in fact, while we were in Iraq we heard firsthand of a very famous and wonderful OB–GYN, a woman who had served her country and this particular hospital. And yet when she reported incidents of corruption, she was also beheaded and her head to be displayed in front of her home for days. Mothers of defectors and dissidents have been tortured and even executed for the actions of their children.

In FY 2004 supplemental requests, included is a proposed funding for truth and reconciliation commission and for the establishment of a human rights commission. The request contains proposed funding for further investigations into the human rights abuses committed by the former regime and for those construction of me-

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morials to the victims of these abuses. In sum, 25 million is requested for these purposes and for related activities, such as women and youth, civic education programs.

Regardless of one's opinion regarding the rationale for this war, one truth remains. We must not withdraw our forces from Iraq until we can empower the powerless so that the Iraqis can finally enjoy the strengths of their rich diversity to a truly representative government that respects the rights and dignity of every man, woman and child.

Thank you, Mr. Chair.

Mr. JANKLOW [presiding]. Thank you very much for your comments. If I could, we would like to invite Major Schmidt to please step forward. Major Schmidt of the United States Marine Corps is going to be our second panelist. Major Schmidt received his Bachelor of Science degree in civil engineering from the Virginia Military Institute in December 1991. Following graduation, he attended the basic school and infantry officer course at the Marine Corps base at Quantico. He entered the Federal Bureau of Investigation in 1998, where he served in the Newark, New Jersey field office, and then in St. Thomas, the Virgin Islands, where he participated in background investigations, organized crime investigations and violent crime investigations. He was called to active duty in January 2002 where he served with the second battalion 25 Marine regiment at Camp Lejeune.

And then he was assigned the joint task force at Guantanamo Bay. He was deactivated in January 2003 and he was called back to active duty in April 2003 where he currently continues now to serve. In 2003, he was reactivated and assigned the first Marine expeditionary force to assist with antiterrorism force protection issues. He was deployed to Iraq in the 2nd of May in 2003, and one of his duties was to track and investigate possible mass graves in the IMEF area of operations in southern Iraq.

He returned from Operation Iraqi Freedom on 13 October 2003. Major, I would like to welcome you. And as a former senior E2 at Camp Pendleton in the 1950s, I am glad you are here to give us your testimony. Please proceed.

STATEMENT OF MAJOR ALVIN SCHMIDT, UNITED STATES MARINE CORPS

Major SCHMIDT. Thank you, Mr. Janklow, Mr. Ackerman, distinguished Members of the House Subcommittee of Middle East and Central Asia. I thank you for this opportunity to appear before you and discuss the first Marine expeditionary forces' experiences and operations during Operation Iraqi Freedom. My primary responsibility during my deployment for Operation Iraqi Freedom was the tracking and investigation of reported possible mass graves in southern Iraq.

The first possible mass grave was reported to the first Marine expeditionary force on 22 April, 2003. And within 2 weeks, the first Marine expeditionary force had reports from its major subordinate commands for approximately 20 possible mass graves. On 10 May, 2003, the first Marine expeditionary force created a joint task force—a task force called Task Force Justice with the mission of consolidating information regarding possible mass graves, con-

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ducting initial assessments and preliminary investigations of the possible mass graves and then documenting the results of that preliminary assessment and investigation in sending it forward.

Anytime I use the term "mass grave," I am referring to the possible mass graves that were observed in the first Marine expeditionary forces area of operation. Whether the site was determined to be a confirmed mass grave and the confirmation of atrocities, that was the responsibility of the third group CID, who ran a war crime investigative team. The task force usually consisted of one commissioned officer, one staff noncommissioned officer, one translator, two to four investigators and the sixth Marine security element.

From 10 May, 2003 to August, 2003, the task force traveled throughout southern Iraq investigating mass grave sites. Investigators from the criminal investigative division of the U.S. Army and the Naval criminal investigative service augmented the task force during the course of the first Marine expeditionary force's investigations. The size of the task force changed with each mission resulting in over 60 different personnel participating in the task force's missions. Reports of mass graves came from battalion task forces who were responsible for individual governance throughout southern Iraq.

The British multinational division, who was responsible for several governances in southern Iraq and the human intelligence exploitation teams from the central intelligence human—the counterintelligence human company, first intelligence battalion, first Marine expeditionary force, who collected intelligence information for the first Marine expeditionary force in southern Iraq.

During the course of the first Marine expeditionary force's mass grave investigations, information regarding mass graves was also gathered from local Iraqi citizens whom we interacted with. The task force completed it mission on 23 September, 2003 when a final turnover meeting was conducted with the Coalition Provisional Authority, the criminal investigative division of the United States Army, the British multinational division and the Polish multinational division.

At the time of the turnover meeting, a complete package of all information gathered was submitted. At mission completion, first Marine expeditionary force had logged 81 mass grave sites and possessed information of additional 30 sites. Of the 81 sites logged, first Marine expeditionary force had completed initial assessments and preliminary investigations of 59 sites. At this time, gentlemen and ma'am, I am ready for any questions you may have.

Mr. JANKLOW. The Chair will go ahead and ask Mr. Ackerman if he would like to go the first round. We will go 5 minutes.

Mr. ACKERMAN. Could you explain the difference between mass grave sites and possible mass grave sites.

Major SCHMIDT. Sir, my job was just to do the initial assessment and preliminary investigation. So it was not to be a confirmed mass grave site until Army CID had done their follow-up investigation and made the final determination as to whether or not the site was a mass grave or not.

Mr. ACKERMAN. How many of the mass grave sites were confirmed to be mass grave sites?

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Major SCHMIDT. Sir, you would have to ask third group CID. I submitted my reports to them and I was never informed of their follow-up investigations.

Mr. ACKERMAN. Help me understand, what was it that you investigated?

Major SCHMIDT. What we would do, sir, we would go to a site where we had information that there was a possible mass grave site. We took a 10-digit direct coordinate. We did a site diagram. Took photographs of the site. Talked to the local personnel who were there who the victims were at the site, if they had any witnesses that could be identified and any subjects who committed the acts that resulted in the possible mass grave. We gathered that information and put it into a report and submitted it to CJTF7 via their CID liaison.

Mr. ACKERMAN. From the work that you and your team did, was there a hint or an indication that at least most of them were, indeed, grave sites?

Major SCHMIDT. Sir, the sites we were at, there were what appeared to me at least 10 sites where there were human remains visible when the assessment team was there. There was an additional six sites where, after interviewing personnel, they provided pictures of what they claim was excavation of the site prior to our arrival where again, from what I observed, appeared to be human remains removed the site. Some sites we were at had not been exploited yet. And they were just—we were just informed that there was, in fact, a mass grave in that area and had not just been excavated.

Mr. ACKERMAN. I thank you, Major, and the team you worked with for the difficult job with which you were tasked. I am sure it wasn't easy. Thank you for your dedication.

Mr. JANKLOW. Major, just a couple of questions. One, first of all, were you involved in any way with any survivors of any kinds of torture as a result of Saddam Hussein's regime, or were you exclusively trying to work the process of mass graves.

Major SCHMIDT. My primary role was to investigate the mass graves. During the course of the investigation, when we usually arrived on site, we were met by a large number of Iraqi citizens. In talking to them about their own experiences, I was related numerous stories of the Iraqi citizens' personal hardships.

Mr. JANKLOW. Could you give us some examples of those stories related to you?

Major SCHMIDT. One mass grave site was located on a military base. When we were there, the site had already been excavated. There was an individual who was searching for his brother. He found what he believed to be his brother's clothes. He told me that both him and his brother had been in prison in this jail and his brother had been executed he claimed—his brother was forced to drink diesel fuel and his brother was shot until he burst into flames. He said he personally witnessed that act.

Mr. JANKLOW. Any other examples? What were he and his brother being held for? Did they ever tell you?

Major SCHMIDT. I can't recall, sir.

Mr. JANKLOW. Any other examples of torture, murder by the regime that were given to you, portrayed to you?

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Major SCHMIDT. Sir, every person I met either had a story of themselves being personally tortured and showed me their scars or they would tell me a story of one of their family members being executed or an entire family executed. The stories are numerous.

I heard—I mean the worst story that I was related via third party was of the fact that they would take young female children, sometimes pre-teenage years, and take them and systematically rape them until they became pregnant and execute the baby in front of the female and threw the remains of the baby into a cell where there were prisoners that were starving and the prisoners would eat the remains and then they would either execute the young lady at that time or send her home with a psychological damage that had occurred from that series of events.

Mr. JANKLOW. The information that you were gathering, I realize you turned it over to CID, but were you gathering this for the purposes of special tribunals or war crimes trials?

Major SCHMIDT. We were gathering the information as a subordinate command to give it to the investigative authority so they could carry out their investigations. We would actually discount sites. We would go to a site, and after interviewing people and not finding any evidence of a mass grave or any digging, it would indicate that this site was probably not a mass grave. What our investigation did is it would allow the CPA and the CID personnel to kind of prioritize their investigative efforts. We tried to point them in the right direction.

Mr. JANKLOW. You are talking about human intelligence. Describe what you mean by the term "human intelligence." These are people that are talking to you?

Major SCHMIDT. The human intelligence teams is what the Marine Corps uses to go out and canvass the community to get information for a variety of reasons, and those teams were approached on multiple occasions and told of mass graves.

Mr. JANKLOW. What were these human intelligence individuals telling you these sites were?

Major SCHMIDT. I would receive a written report and basically would just say that there is a possible mass grave site at this grid, and we would go out and investigate the site and conduct further interviews to make a determination.

Mr. JANKLOW. I appreciate you coming before us to testify today. All of this contributes to our knowledge in making decisions that we have to make. Thank you very much, sir.

The next panel we have is three individuals. Ms. Susannah Sirkin, deputy director of Physicians for Human Rights; Maha Alattar, a doctor and assistant professor at the University of North Carolina School of Medicine; and Dr. Athir Morad, from the Inova Fairfax Hospital in Falls Church, Virginia.

These three folks are now going to submit their testimony. I ask if you give us about 5 minutes testimony, and then we will try to go to questions. We will start with you, Dr. Morad, if we could and work from your right to your left.

STATEMENT OF DR. ATHIR MORAD, INOVA FAIRFAX HOSPITAL

Dr. MORAD. Good afternoon. Thank you for inviting me to speak with you today. My name is Athir Morad. And I am a survivor of

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the former Iraqi regime's genocide campaign against the Kurdish people. In the mid 1970s, I was born to a prosperous Kurdish family in Baghdad. We were a family of five sons of whom I was the youngest. By the time I enrolled in the first grade, my oldest brother Munir was already in graduate school at the University of London. My second oldest brother, Samir, had graduated from technical college and was drafted into the Iraqi Air Force. The middle one, Bahir was in his last year of medical school at the University of Baghdad.

And my next older brother, Namir, was a freshman at a technical college, also in Baghdad. This was in 1981 and my parents were obviously very proud of us all. Unfortunately, by 1982, my family fell victim under the wrath of the Iraqi regime. As I was later able to understand, we were targeted because of our Feili Kurdish heritage, that is, we are originally from a part of Kurdistan that borders Iran. Therefore, even though my family had lived in Baghdad for several generations, the Iraqi government was suspicious of our ancestral ties to Iran, particularly during a time of war.

Earlier that year, the government had already taken away my father and my second oldest brother Samir. We later learned that my father had been deported to Iran, but Samir was kept behind. Then one day as I sat in my first grade classroom, I was summoned by my principal. When I approached the door, I saw two men with dark moustaches standing beside her. They escorted me to the back of a van where I saw my mother surrounded with suitcases weeping as she is now. She is here. We were being deported.

Indeed the van drove around the city picking up the rest of my brothers, one of whom was in his last year of medical school. He was taking his final examination. This was in the spring. And they took us to a power plant that was actually the front for a concentration camp housing thousands of Kurdish prisoners. We stayed there for about 1 month. While there, I met several other kids who were actually born inside and had never seen life outside of a prison. Eventually one day, all the males were instructed to form a line and names were called out including mine.

As I listened for my brothers' names, I did not hear them. Within that chaotic setting, one of my brothers grabbed me and told me, be brave and take care of mom. I was 6-years-old and that was the last time I saw them. Apparently, the Iraqi government had decided to keep hostage all the military-aged men and to deport the rest of us to Iran. Additionally everything we owned, our houses, our cars, the livelihood my father had worked to build, all were gone.

Along with hundreds of old men, women and children, my mother and I rode in a caravan of buses to the border. We were then instructed out of the buses and forced to walk across rugged mountainous terrain into Iran. Under the sounds of warfare and walking among endless land mines that journey took us an entire day to complete. Of course, what is worse is that each one of us had left half of our families behind never to be seen again.

I would like to emphasize here that no members of my family were ever tried nor charged with any crimes. We were law abiding citizens of Iraq by birth. Eventually, my mother and I were reunited with my father in Iran and we were able to contact my

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brother in London for assistance in fleeing from the Iranian regime as well. Fortunately, the United States accepted us and we have since become proud American citizens. The issue that remains foremost to my family is the thousands of Feili Kurdish prisoners who are still unaccounted for.

My parents have lived in tremendous anguish for over 20 years hoping for the day that Saddam's government would be overthrown so that they might hear some news about my three brothers. Yet we are months into the liberation of Iraq and have heard nothing. Currently, the United States has in its custody former members of the Iraqi regime for interrogation regarding weapons of mass destruction.

Today I plead that those same people be asked the whereabouts of the thousands of Feili Kurdish prisoners so that my family and families like ours may finally have closure on the horrors we suffered in Iraq. If anyone has any questions or any information, my family has set up a Web site. The address of which is www.moradbrothers.com. Thank you very much for giving me the opportunity to speak with you today.

[The prepared statement of Dr. Morad follows:]

PREPARED STATEMENT OF DR. ATHIR MORAD, INOVA FAIRFAX HOSPITAL

Thank you for inviting me here to speak with you today.

My name is Athir Morad, and I am a survivor of the former Iraqi regime's genocide campaign against the Kurdish people.

In the mid seventies, I was born to a prosperous Kurdish family in Baghdad. We were a family of five sons, of whom I was the youngest. By the time I enrolled in the first grade, my oldest brother, Munir, was already in graduate school at the University of London. My second oldest brother, Samir had graduated from technical college and was drafted into the Iraqi air force. The middle one, Bahir was in his last year of medical school at the University of Baghdad, and my next older brother Namir was a freshman at a technical college, also in Baghdad. This was in 1981, and my parents were obviously very proud of us all.

Unfortunately, by 1982 my family fell victim under the wrath of the Iraqi regime. As I was later able to understand, we were targeted because of our Feili Kurdish heritage—that is, we are originally from a part of Kurdistan that borders Iran. Therefore, even though my family had lived in Baghdad for several generations, the Iraqi government was suspicious of our ancestral ties to Iran, particularly during a time of war. Earlier that year, the government had already taken away my father and my second oldest brother, Samir. We later learned that my father had been deported to Iran, but Samir was kept behind.

Then one day, as I sat in my first grade classroom, I was summoned by my principal. When I approached the door, I saw two men with dark mustaches standing beside her. They escorted me into the back of a van where I saw my mother surrounded with suitcases, weeping. We were being deported. Indeed, the van drove around the city picking up the rest of my brothers, and took us to a power plant that was actually the front for a concentration camp housing hundreds of Kurdish prisoners. We stayed there for about one month. While there, I met several other kids who were actually born inside, and had never seen life outside of a prison. Eventually, one day, all the males were instructed to form a line and names were called out, including mine. As I listened for my brothers' names, I did not hear them. Within that chaotic setting, one of my brothers quickly grabbed me and told me to "be brave and take care of mom." I was six years old, and that was the last time I saw them. Apparently, the Iraqi government had decided to keep hostage all the military aged men, and to deport the rest of us to Iran. Additionally, everything we owned, our houses, our cars, the livelihood my father had worked to build were gone.

Along with hundreds of other old men, women, and children, my mother and I rode in a caravan of buses to the border. We were then instructed out of the buses and forced to walk across rugged mountainous terrain into Iran. Under the sounds of warfare, and walking among endless land mines, that journey took us an entire

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day to complete. Of course what is worse is that each one of us had left half of our families behind, never to be seen again.

I would like to emphasize here that no members of my family were ever tried nor charged with any crimes. We were law-abiding citizens of Iraq by birth.

Eventually, my mother and I reunited with my father in Iran and were able to contact my brother in London for assistance in fleeing from the Iranian regime as well. Fortunately, the United States accepted us and we have since become proud American citizens.

The issue that remains foremost to my family is the thousands of Feili Kurdish prisoners who are still unaccounted for. My parents have lived in tremendous anguish for over twenty years hoping for the day that the Saddam's government would be overthrown, so that they might hear some news about my three brothers. Yet we are months into the liberation of Iraq, and have heard nothing. Currently, the United States has in custody former members of the Iraqi regime for interrogation regarding weapons of mass destruction. Today, I plead that those same people be asked the whereabouts of the thousands of Feili Kurdish prisoners so that my family and families like ours may finally have closure on the horrors we suffered in Iraq.

Thank you very much for giving me the opportunity to speak with you today.

If anyone is interested in any further information or questions please contact my family's website @ *www.moradbrothers.com*.

Mr. JANKLOW. Thank you very much, sir, and you did it exactly in 5 minutes. Thank you very much. And now we will hear from Dr. Maha Alattar, I believe it is, who is an assistant professor at the University of North Carolina school of medicine.

STATEMENT OF DR. MAHA ALATTAR, ASSISTANT PROFESSOR AT THE UNIVERSITY OF NORTH CAROLINA, SCHOOL OF MEDICINE

Dr. ALATTAR. Thank you, Mr. Chairman, for having me here and thank you, Members of the House. I have two stories to tell. One titled "Desecration of Bodies of Executed Prisoners" and the other one is "A Project of Deportation and Extermination." The first story, "Desecration of Bodies of Executed Prisoners," is a story that my father told me and I have witnessed his agony while he went through this experience. My father was an ophthalmologist in Iraq. He was a prominent physician. He performed cornea transplants for patients with cataracts in Iraq since the mid 1960s. Corneal transplant is a procedure that involves the replacement of a diseased cornea by a donor cornea.

Like kidney and liver transplants, the donor corneal tissue comes from individuals who died and donate their organs for the benefit of others. From 1980 until 1982, my father noted that the eyes that were brought to him to obtain the corneal grafts were of very healthy tissue. Usually you get eyes of individuals who passed away and in their later years, but these were indicative of individuals who were pretty young. Not only that, they were abundant. Whenever he placed the patient on a list for organ donation for corneal transplant, the eyes were made available to him. They came to him in a bucket of ice in no time, something that was very rare prior to 1980. He later learned that they obtained them from executed young prisoners from a prison called Abu Ghuraib.

By the way, this prison held two of my own cousins, who we don't know their whereabouts. When he objected to using these eyes and started to question, the chairman of the hospital advised him to continue his work and not mention anything, otherwise he would be killed. I remember the days when my father was extremely troubled by this and anxious. Other relatives of mine that

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I talked to more recently about this since they were there at that time and I was too young to know exactly what was going on, they told me that he used to confide in them about this and didn't know what to do.

They told me that he used to come to them crying knowing that he was using the eyes of innocents, more like he was forced to use the eyes of innocent executed young men. My father left Iraq shortly afterward in the fall of 1982. So this is the first story.

The second story, titled "A Project of Deportation and Extermination," and this is a story that is similar to the story that you mentioned in terms of deporting not only Kurds, but those Shiites of very distant Iranian origin. My great grandfather was born in Iran and we were considered Iranian, so to speak. The way he did this, he sent a letter to numerous Shiites businessmen and their families to come to a specific center called the Baghdad Chamber of Commerce to get new import export certificates. Thousands went not knowing this to be a trap. In fact, there were hundreds of big buses waiting for them. Their IDs and citizenships were then taken away from them.

After a while, they were put in these buses and they were taken into the border between Iraq and Iran. They asked them to get out of the buses and just walk toward the border. They became refugees at the border.

This is not the real tragedy, however. These families were the lucky ones to have them, some of them have made it if they die at the border. The minute these families were shown the border, Saddam's secret police gathered their young children, mostly boys between ages 15 and 21 and put them in jail. During the first few years in the 1980s visitations were allowed. But toward the late 1980s they stopped. Their families waited for their release till today, till April more like, and it has been 22 years. Unfortunately, once the regime fell these boys who now should be men were never heard of. Instead some of the lucky families were able to find the names of family members on a list of those who were executed. And I say lucky, because they finally are able to grieve and move on with their lives.

I would like you to read the names of some of my family members. These are all my cousins or my mother's cousins. They are very close to me. I remember some of them when I was a kid, who perished basically. These were all high school and college students. They became part of the mass graves, and we grieve for them but we don't have any bodies. One is Raed Fadhil Latif, he was 22. Mazin Abdulamir Latif, Sadiq Jaffar Al Mousawi, Natiq Jaffar Al Mousawi, Wathiq Jaafar Al Mousawi, Murtatha Abdul Amir Alattar, Jamal Abdul Amir Alattar, Kamal Abdul Amir Alattar, Saad Altockmachi, Haider Altochkmachi, Hassan Altochkmachi.

I know we are running out of time. But I included, I think everybody has, a letter that one of my cousins, one of her brothers perished and she wrote a letter of how they were deported and how she is still trying to find the body of her brother, and if you wish you could read it but I think in the interest of time today, you could read it on your own later.

So that is basically it. Thank you very much for having me here and I would like to thank every one for listening to me.

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[The prepared statement of Dr. Alattar follows:]

PREPARED STATEMENT OF DR. MAHA ALATTAR, ASSISTANT PROFESSOR AT THE UNIVERSITY OF NORTH CAROLINA, SCHOOL OF MEDICINE

I. A PROJECT OF DEPORTATION AND EXTERMINATION

1. In 1980 Saddam sent a letter to numerous Shia'at Iraqi businessmen and families by specific names to come to Baghdad's Chamber of Commerce to get new import/export Certificates. Thousands went, not knowing this to be a trap. In fact, there were hundreds of big buses waiting for them. At the Chamber they were told to give their IDs and Citizenship documents so they get the new certificates. After a while they were told that they will be moved to a larger Convention Center through these buses. Instead, those buses took them to the mountainous terrain on the border between Iraq & Iran. They asked them to get out of the buses and walk toward Iran in the midst of the harsh winter. They became refugees at the border.

2. This was not the real tragedy, however. The minute these families were thrown at the borders, Saddam's secret police gathered their young children (boys mostly ages 15–21) and put them in jail. During the first few years (80s) visitations by relative were allowed, however towards the later 80s they were stopped. Their families have waited for their release since that time—it has been 22 years till today. Unfortunately, one the regime fell, these boys, now should be men, were never heard of. Instead, some of the lucky families were able to find their names in a list of executions. They are lucky because they can finally grieve and move on with their lives. I would like to read to you the names of some of my family members who were perished. Hence these were all college students. All have become part of the Mass Graves. We grieve for them; we don't have their bodies.

1. Raed Fadhil Latif, 22 year old
2. Mazin Abdulamir Latif, 24 yo
3. Sadiq Jaffar Al Mousawi, 18 yo
4. Natiq Jaffar Al Mousawi, 16 yo
5. Wathiq Jaafar Al Mousawi, 26 yo
6. Murtatha Abdul Amir Alattar, 17 yo
7. Jamal Abdul Amir Alattar, 20 yo
8. Kamal Abdul Amir Alattar, 26 yo
9. Saad Altockmachi, 24 yo
10. Haider Altochkmachi, 17 yo
11. Hassan Altochkmachi, 15 yo

This is a letter from the my cousin Ban, who is the sister of the above mentioned cousin Raed Fadhil Latif (#1 above). It best describes what really happened in those days. It is titled: *The deepest scar in my heart;*

I was only 12. It was cold and dark. Kids were crying, mothers were praying and some were whispering about the unknown future. It was the prison of Malaab Alshaab. Nov.1981. Every time they open the prison's doors, we pray that, that person coming is my brother. But most of the times would be either adding another family to the crowd or taking some young men out without coming back. My brother Raed was in the military serving this beloved country, he had no choice it's not that he volunteers to serve. Besides since we were accused of being from an Iranian origins they didn't put him in the front lines and that made my parents very happy!

Jan.1982. In that prison, we were served food in trash cans. We were humiliated with nasty words. We were treated like rats. After 3 months in the most miserable place on earth, finally the guards said get ready in 1 hr. you'll be sent to the Iraqi-Iranian borders. We'll have to ask you to leave all of your belongings behind and we'll let you have them there. As a kid I was very happy. Free at last. For my parents it was like the death sentence. Leaving their son behind, their life time hard work, memories—the happy and the sad ones . . . I remember my Mom approaching the guard with a scared trembling voice she said "you know I still have my 21 years old son. He is still out there I wish we can take him with us." He laughed and said "don't worry he's in good hands."

The busses were horribly dirty and the windows were tinted. They drove us through Baghdad, everything looked nice to me I loved that city! It was the last time that I ever laid an eye on it. they drove none stop. Next day early in the morning we got to the northern Iraqi borders with Iran. I remember the piles of people's belongings were being dumped like garbage from a big truck. Some people tried to dig in and find something they recognize or even something that

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doesn't belong to them as long as they can use it. Who cares it was very cold and raining heavily. My Mom said all we need to carry are a water thermos she carried with her from the prison and canned food she hid in small bags. She put a bunch of wool socks in our pockets and she put her mink coat on. She was very careful from the Iraqi soldiers not to take it from her because she hid some cash inside the coat's lining. We had to cross 3 rivers with frozen water all on foot until we reached an abandoned village and there the Iraqi soldiers told us we have to spend the night there. They said we will shoot any one who tries to continue walking. We joined a nice Kurdish family in a mud made house and lit some fire to keep us worm. Then suddenly I hear women screaming they're raping my girls please for the sake of God help and from another directions we hear people screaming "they're stealing my money!". When my Mom heard that she put me and my sister in one of the corners of the empty room and covered us with a blanket and leaned her back on us and started reading the Quran. She told us not to move or make any sounds. We couldn't blink an eye. . . .

The morning was cold and gloomy my dad came back and said let's leave—the village is on fire. The Iraqi soldiers had left us all a lone after the horror they left behind. We have to continue following the crowd until we make it to the Iranian Borders. Then Reality hit me. I saw a women with handkerchief filled with blood rapped around her finger and the people were feeling pathetic for her. It turned out that the Iraqi solders couldn't get her wedding ring out so they had to amputate her finger. I could hear the Iraqi mesiles above our heads directed to the Iranian side of the border. I could hear the trembling ground under our feet an indication of a land mine being stepped on. It started to rain heavily and no signs of the Iranian soldiers. We all decided to stop in another village and spend the night there. That night the sky was filled with fires. The next day was like the Judgment Day. You see the shattered bodies of the people who stepped on the land mines. You smell the odor of death everywhere, kids were crying from hunger and cold, people were arguing which way is the right way. . . . And still no sign of the Iranian border. Until the early evening we all heard a close-by-shots. At the beginning we were scared to death but they turned out to be a friendly fire that the Iranians were shooting to help us follow the right directions. When we got there some of the Iranian soldiers gave us their own food or shoes or fuel to lit huge fires keeping us warm but at the same time they put us in what ever transportation they have to move us all 2400 people to the back of the fire lines. In the meantime the Iraqis continued shooting their heavy missiles to make it hard on the Iranians to deal with us. The next morning we got to a village where their women cooked a warm meal for every one. It was like the most delicious treat that I ever have in a long time. I am no longer hungry or cold or scared. . . . We made it.

Ten years later, we immigrated to Canada. All that time I contacted the office of the UN or the International Amnesty Org. Asking about my brother's where about and another 5000 young men who were with him. But nothing came out. I lost hope of finding my brother being alive still and never dared to admit that fact to my mother who never enjoyed a meal or a gathering without remembering him. Every time she prays, she cries her eyes out.

June2003 they found the name of my cosine Mazin Latif among the executed ones and then some of the friends we know that they had the same case as my brother they found their names. Names with no bodies. That's what they all got. Nobody knows yet how they those men got killed. We're still searching for my brother's name to confirm the tragedy. After all that wait, all we got is their names being posted. I don't think any thing can describe the pain I contain inside. . . . Oct.2003 They found 3 of my cousins' names in the posted list of executed.

II. DESECRATION OF BODIES OF EXECUTED PRISONERS

This second story is from father's experience as an ophthalmologist in Iraq. He was a prominent physician. He performed corneal transplant for patients with cataract since the mid 1960s. Corneal transplant is a procedure that involves the replacement of a diseased cornea by a donor cornea. Like kidney and liver transplants, the donor corneal tissue comes from individuals who die and donate their organs for the benefit of others. From 1980–82, my father noted that the eyes that were brought to him to obtain the corneal grafts were of very healthy tissue. Not only that, they were abundant. Whenever he placed a patient on a list for organ donation for cornea transplant, the eyes were made available in no time—something that was rare prior to 1980. He later learned that they obtained them from executed

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young prisoners from a prison called Abu Ghuraib—by the way this is the prison that held 2 of my cousins. When he objected to using those eyes and started to question, the chairman of the hospital advised him to continue his work and not mention anything; otherwise he will be killed. I remember the days when my father was extremely troubled and anxious. Other relatives that I talked to recently told me that he used to confind in them about this and didn't know what to do. They told me that he used to come to them crying—knowing he was using eyes of innocent executed young men. My father left Iraq shortly afterward in the fall of 1982.

Thank you Madame Chair.

Mr. JANKLOW. Thank you very much, Doctor, and now the third member of the panel is Ms. Susannah Sirkin. Ms. Sirkin is the Deputy Director of the Physicians for Human Rights, and would you please go ahead and give your testimony?

STATEMENT OF SUSANNAH SIRKIN, DEPUTY DIRECTOR OF PHYSICIANS FOR HUMAN RIGHTS

Ms. SIRKIN. Thank you, Mr. Chair. I am very pleased to have the opportunity to share with you the findings of my organization related to human rights and accountability in Iraq and the policy recommendations that flow from our research and investigations.

As my written testimony makes clear, the scope and scale of the atrocities perpetrated against the people of Iraq during the past 2 decades are of a magnitude that a 5-minute summary cannot remotely do justice to.

PHR has investigated human rights abuses in Iraq in 1998, 1999, 1992 and more recently in 2003, including exhumation of graves in Iraqi Kurdistan in 1992. We have recently sent teams of researchers to Iraq to examine and interview victims to assess mass graves in the north and the south and to assess the health needs of the population. We are currently advising the CPA on some of the protocols for forthcoming exhumations of mass graves.

In 1999 and 1992 we documented the genocidal Anfal campaign, resulting in the deaths of over 100,000 Iraqi Kurds and the destruction of 4,000 villages, many of them subject to chemical weapons attack, which we also documented back then. The brutal suppression of the Shiia uprising after the first Gulf War and the consequences for the population of the acts of a government that ruled through the terror of arbitrary arrests, rape, torture, forced disappearance and summary executions have been and will continue to be documented by international and Iraqi human rights groups, including my own.

As we have heard today and we know very well as physicians, these acts will have long lasting impact on the population, debilitating both individuals and families as well as society in ways that have yet to be told. But I would like to focus on the critical work ahead to achieve justice and protect human rights for the Iraqi people going forward.

PHR's recent survey of 2,276 households in southern Iraq demonstrated the overwhelming support for prosecution of those responsible for war crimes, crimes against humanity and genocide. We strongly support the creation of an independent tribunal to investigate and prosecute major cases of crimes against humanity, the laws of war, and genocide. We believe it will have maximum international credibility, however, if it has an international component. We regret that the United Nations and the international com-

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munity have been kept at bay and appear to play no role in the establishment or administration of an Iraqi special court. It is vital in our view that the tribunal in Iraq be credible, competent and legitimate in the eyes of the world. We also believe that the death penalty, which is not in keeping with other recently established international systems for addressing crimes against humanity and genocide, should be excluded from judicial venues.

In my written testimony we explain why we believe the wide use of this punishment will take Iraq backwards rather than forwards in the path to government under rule of law. But justice for the families of the many Iraqi victims is more than having one's day in court. We have seen through our work in many countries that there is a universal and deep-seated need to know what happened, as we have just heard, to assure the return and dignified reburial of remains and to obtain public acknowledgment of what happened. We have found repeatedly that many people, and we have just heard this, cannot, simply cannot move on with their lives without this being done.

This effort will require serious resources and education as well as psychosocial support for survivors and their families. The technical challenge of addressing the more than 200 mass graves in Iraq will be enormous. Ultimately, the Iraqi people must decide how to go about meeting these needs.

It is critical that resources and training be made available for a centralized database on the missing. Iraqi scientists also need basic supplies and equipment for this work, which will go on for many years to come, in addition to training that they need. They will need morgues, laboratories, x-ray machines and DNA identification capacity.

Before I close my oral remarks, I would like to also add a word about women's rights in the days and months ahead. I recently met with a delegation of leading Iraqi women from all parts of the country who were concerned that they be full participants in Iraqi reconstruction and society. As outlined in my written testimony, they include addressing impunity for honor killings, prosecution of rape in all cases, participation of women on the constitutional committee which currently, as we heard earlier, consists of 25 men only, replacing the woman who was tragically assassinated this summer on the governing council with a vigorous supporter of women's rights and the training of police in women's rights.

My organization has also made important recommendations to promote women's health in Iraq and reduce the high rate of maternal mortality, among other things. Most importantly, and we have heard this from everyone we have talked to within Iraq and we all know this well, for all the people who are waiting to learn the fate of loved ones, to seek accountability for atrocities and to participate in a society that protects and promotes the rights of all Iraqis, security is essential. But it must be a security that elevates the rule of law over revenge or recklessness.

Thank you very much.

[The prepared statement of Ms. Sirkin follows:]

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PREPARED STATEMENT OF SUSANNAH SIRKIN, DEPUTY DIRECTOR OF PHYSICIANS FOR HUMAN RIGHTS

Thank you, Madam Chairman and Members of the Subcommittee, for this opportunity to testify on the issue of crimes against humanity in Iraq under the regime of Saddam Hussein. My name is Susannah Sirkin, and I am the deputy director of Physicians for Human Rights, a Boston-based non-governmental organization that utilizes the voice and skills of the medical profession to advance the cause of internationally recognized human rights. In my testimony today I will discuss violations of human rights in Iraq under the previous regime, and offer suggestions about collecting data on those crimes, bringing to justice those responsible, and meeting the needs of victims.

The Baath Party regime in Iraq, headed by Saddam Hussein, had a record of gross human rights violations including crimes against humanity and genocide. While the American press has been full of reports in recent months of the atrocities committed by the regime, actual documentation of those crimes as they were occurring was extremely difficult. Those on whom the world would ordinarily depend for information about human rights violations were silenced. Repression against critics of the regime was so brutal and surveillance so intense that it was virtually impossible for local human rights organizations to operate. There were no independent journalists, parliamentarians, or academics. Critics of the regime were pursued across Iraqi borders and assassinated, and persons presumed to be political opponents languished in jail by the thousands, in the most deplorable of conditions. War crimes committed by both sides in the Iran-Iraq war in the mid-1980's represent a deplorable milestone in the history of modern warfare, with atrocities by both governments including use of chemical weapons, indiscriminate use of landmines, deployment of child soldiers, execution of captured combatants and targeting of civilians.

The issue that Physicians for Human Rights' past research focused on is well known today—Iraqi use of poison gas against its own citizens, though at the time of our research it was largely overlooked. Iraqi use of poison gas was in the context of a carefully planned and executed campaign to rid northern Iraq of its Kurdish population. The so-called "Anfal Campaign," took place in 1987 and 1988 at the close of hostilities between Iran and Iraq. The Kurdish population was targeted because of suspected pro-Iran sympathies. An estimated 4,000 Kurdish villages were destroyed and over 100,000 Kurdish men, women, and children were killed. The largest number died during a forced relocation; many were point-blank executed, and a large number succumbed to poison gas.

In October 1988, Physicians for Human Rights traveled to Turkey to interview Iraqi Kurdish refugees fleeing Iraqi military activities. The PHR medical team questioned eyewitnesses to poison gas attacks, conducted physical examinations, videotaped in-depth interviews with 20 refugees.

The following is the transcript of one of those interviews, with eight-year-old Aagiza from Ekmala Village, who described seeing two aircraft flying over her home:

"It made smoke, yellowish-white smoke. It had a bad smell like DDT, the power they kill insects with. It had a bitter taste. After I smelled the gas, my nose started to run and my eyes became blurry and I could not see and my eyes started watering too. And I still have some of the effects like my blurry vision and I have these things (darkened skin blisters) over my chest. I saw my parents fall down with my brother after the attack, and they told me [I was told] that they were dead. I looked at their skin and it was black and they weren't moving. And I was scared and crying and I did not know what to do. I saw their skin turn dark and blood coming out of their mouths and from their noses. I wanted to touch them, but they stopped me and I started crying again."

In 1989, in presenting this evidence before the Senate Sub-Committee on Governmental Affairs, PHR labeled the destruction of Kurdish villages and the attacks on their population using poison gas "genocide" and called for a strong international response.

After the first Gulf War, Physicians for Human Rights traveled to Iraqi Kurdistan in 1992 and collected soil samples, which our organization had analyzed in the laboratories of the British Chemical and Biological Defence Establishment (CBDE). The results confirmed our earlier documentation that both mustard gas and a lethal nerve agent, sarin, had been rained on Kurdish villages causing deaths, acute and chronic illness and a massive exodus and refugee crisis. Based on forensic examination of the remains of victims of the Anfal campaign, chemical analysis, and extensive eye witness documentation, PHR and our investigative partner, Human Rights Watch, demonstrated that the Anfal Campaign was a clear case of genocide against the Kurds. Genocide, as you know, is the most heinous crime known to humankind.

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It is defined as: "any of the following acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such . . . [by] killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; forcibly transferring children of the group to another group."

When Physicians for Human Rights testified in Congress on Iraq was in 1989, the U.S. and its allies and had little interest in either documenting or denouncing—much less punishing—the crime by Saddam Hussein's forces. It cannot be said that Iraq was a U.S. ally, but it is the case that the regime enjoyed sympathetic relations with many western governments including the United States. European governments sold extensive military equipment to Iraq, and the U.S. provided subsidized grain sales. Seen as a counterweight to Iran, Iraq's depredations, including the crime of genocide, did not rise to the point of interfering with American diplomacy or economic relations. It was not until Iraq invaded Kuwait that U.S. policy towards the regime changed. Even then, the crime of genocide went unpunished and largely unrecorded.

The survivors of the Anfal Campaign and the relatives of genocide's victims are now returning home, and their stories remain to be systematically collected. Similarly, Iraqi victims elsewhere, family members of hundreds of thousands of people "disappeared" by the regime have not yet had an opportunity to tell their stories, search for the loved ones, or learn the truth about what happened to them. It is vitally important that they do so.

Accounting for past abuses of human rights is an essential step for healing and development in Iraq, on many levels. At the personal level, individual family members can never come to terms with the loss of their loved ones if they cannot learn what happened to them. In this way "disappearance" is a crime against not just the disappeared victim, but against family members who wait forever in hope and fear. The Iraqi public, hundreds of thousands of whom experienced losses, has high hopes and expectations that they can learn the fate of their loved ones, and even have access to remains and the opportunity to provide a decent burial. It is very unlikely that the vast majority will receive their relatives' remains, but at a minimum they should be given an opportunity, in a dignified, formal process, to provide information about their loss and to memorialize the victims.

At a societal level, it is vitally important that there be accountability for past abuses. Only when an accounting has occurred can new cultural, political, and social organizations be developed that will guard against abuses and promote respect for human rights.

Since the departure of the Baath regime, it has been possible to learn a great deal more about the extent of past atrocities. For example, Physicians for Human Rights carried out an investigation of human rights abuses that involved the participation of Iraqi physicians—most of them committed unwillingly in an atmosphere of terror. A large number of physicians were forced to carry out acts of torture and mutilation by the regime—cutting off of ears and branding of army deserters. According to a 1994 decree, surgeons who refused to engage in state-sponsored torture would have their own ears cut and be branded, and if they sought plastic surgery, the plastic surgeon would be executed. Many Iraqi surgeons were deeply traumatized—some quit their profession—by their forced participation in these egregious acts.

Physicians for Human Rights recently engaged in a different kind of human rights analysis by conducting a population-based survey of 2276 households in June and July, 2003, in southern Iraq. Those surveyed were selected randomly, and answered an 80-question survey, administered in person by trained data collectors. Heads of household were questioned about human rights abuses that occurred among household members, about women's health and human rights, and about the issue of accountability for past abuses. A wealth of human rights data have emerged, including the finding that 47% of households surveyed reported one or more human rights abuses in the period since 1991. Abuses included torture, killings, disappearance, forced conscription, gunshot wounds, kidnappings, ear amputation, landmine injuries, sexual assault, and hostage taking.

Several of the findings that emerged with regard to women's health and human rights deserve close attention. The maternal mortality rate in Iraq is 290/100,000—low, compared with other post-conflict areas but high for a country with available resources, and the worst among the surrounding Arabic countries. It is likely that deteriorations in Iraq's health care system over the past decade have contributed to this disparity, as well as poor governance. There can be no doubt that the US-backed sanctions against Iraq and the extreme isolation of the medical profession during the past decade have contributed to the poor state of health care and infra-

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structure in Iraq today. In the PHR study, the most important human rights factor that may affect maternal mortality appears to be access to and quality of health services and clean water, and control over the number and spacing of children. The survey indicated a worrisome prevalence of domestic violence—nearly seven times the rate in the U.S.

A number of other women's rights concerns should be noted. Despite more than 90% of men and women expressing support for equal opportunities for education, more than half of both women and men indicated that there were reasons to restrict education as well as work opportunities for women at the current time. Men were significantly less supportive of education for women, work opportunities, participation in government and other personal freedoms such as free speech, freedom of movement and freedom of association. Such findings should help inform the new Iraqi authorities and their U.S. advisors about the clear need for constitutional protection of women's rights, and a concerted effort to include them in all aspects of government.

One of the most interesting findings from the survey can be found in responses to questions about justice and accountability for past human rights violations. Fully 98% of all respondents indicated that those responsible for war crimes and crimes against humanity should be punished. Many of the respondents wanted a process for justice that follows the rule of law, including 24% who preferred secular Iraqi courts, 23% preferring religious courts, and 12% wanting an international war crimes court. An extraordinary 81% of respondents indicated that they would be willing to give their names for a legal case against perpetrators, and 81% of all respondents believed that punishment of perpetrators would prevent human rights abuses from happening to others. More ominously, fully 22% of all respondents selected execution, torture, hanging, or revenge killing (or "eye for an eye") as the appropriate modalities for justice and punishment.

This survey of ordinary Iraqis is inestimably significant in helping inform the United States and its allies about the way forward on accountability for past abuses in human rights. The fact that respondents overwhelmingly favored some form of accountability and a healthy majority preferred a court of law points to the urgency of creating such structures. But the large number of respondents—not surprising, given the extraordinary prevalence of abuses—preferring personal revenge, executions, or vigilante killings—is a warning sign of considerable proportion. If the United States, its allies, and the successor regime it has put in place do not provide for accountability for past abuses in a process that accords with international human rights standard, frustration and desire for revenge by victims or their relatives and friends could itself become a major problem.

Physicians for Human Rights offers a number of recommendations to address this issue:

Creation of an Independent Tribunal: Physicians for Human rights strongly supports the creation of an independent tribunal to investigate and prosecute major cases of crimes against humanity, violations of the laws of war, and genocide. It will have maximum internal and international credibility if it has a United Nations component, which will also aid in offering judges, prosecutors, lawyers, and investigators. The "mixed court" experience of Sierra Leone offers a useful model for Iraq. There now exists a body of international experts on crimes such as those committed by the past regime with experience in adjudicating them before the international criminal tribunals. Drawing upon this expertise and applying it to the crimes of the previous regime would be an inestimable service to the people of Iraq. Physicians for Human Rights regrets that the United Nations and international community has been kept at bay, and, at the time of this writing, it appears will play no role in the establishment or administration of an Iraqi special court. PHR strongly urges additional communication between those charged with developing a tribunal in the interim Iraqi government and those most experienced in the international justice mechanisms for the former Yugoslavia and Iraq as well as with the Special Court in Sierra Leone. It is vital the Iraqi Tribunal be credible, competent and legitimate in the eyes of the world and not be seen as victor's justice.

Iraqi Justice must not include Death Penalty: It is my understanding that the statute establishing the Iraqi special court is expected to include the death penalty. Physicians for Human Rights joins our colleagues in the international human rights community in strongly opposing the inclusion of the death penalty. Groups such as ours, which possess vitally needed skill and experience in collecting court-quality documentation of past crimes cannot aid in this effort in Iraq if it is to be used in a court that hands down death penalty sentences. The use of the death penalty for crimes of this magnitude not only diminishes the crime, but may also encourage a wave of killing if each victim comes to believe that justice for past crimes can only be achieved with the death of another human being. It is also not in keeping with

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all of the other recently established international systems for address crimes against humanity and genocide, and will only set Iraq backward rather than forward in its efforts to join the nations living under the rule of international human rights law. The application of the death penalty may also inflame international public opinion and erode the credibility of the Iraqi special court and its verdicts. The memory of the Baath regime's many tens of thousands of victims is not served by the death penalty. On the contrary, the death penalty is a disservice to their memory and should be excluded from every judicial venue.

Data Collection: As previously noted, it will likely not be possible for most Iraqis to see perpetrators tried and punished. But that does not mean that they should have no process for providing information and seeking some form of accountability. As you know, mass graves are scattered throughout Iraq. Citizens desperate to find their loved ones are digging on their own, destroying evidence that might be useful to themselves and others later. Without an established process for assembling a data base of information on the disappeared as well as on found remains, as well as dignified process for collecting eyewitness information, Iraqis will either take matters into their own hands, or continue to suffer form the loss of a forum for recording their loss. Physicians for Human Rights strongly urges the U.S. and its partners to organize a country-wide process for data collection, and provide as well psycho-social support for survivors.

Forensic Data Collection: The expectation of many Iraqi to see the proper exhumation of hundreds of mass graves now discovered throughout the country poses enormous challenges for those engaged in reconstruction and justice in the aftermath of Saddam Hussein's regime. Physicians for Human Rights has been publicly calling for many months for a comprehensive process to tackle the mass graves of Iraq. The process must assure that exhuming mass graves for evidentiary purposes be planned for in close coordination with meeting the needs of families who are missing loved ones. To date, such a process has not been achieved. It is very likely that a number of graves will be singled out for exhumations for the purpose of prosecutions. If and when this occurs, PHR strongly recommends that the work be carried out both by Iraqis and a truly international team of experts. Iraqis need to be trained in the exhumation of complex mass graves and in the forensic analysis of skeletal remains. The work cannot go forward until an acceptable justice process is in place, along with realistic procedures for collecting remains and other evidence and for proper custodial care.

In the meantime, however, it is extremely difficult for relatives of the missing and executed to stand by while a slow and careful process emerges. It remains unclear what process will be developed to address the many graves that will not be exhumed for evidentiary purposes by trained scientists. Appropriate representatives of the relatives of the missing and their community and religious leaders must engage in a process to decide what is imperative in terms of learning the truth, recording for historical purposes, exhuming graves and counting the bodies, attempting identifications and returning remains for proper reburial, and memorializing these atrocities and the deaths of loved ones. Education of the Iraqi people through contact with those who have addressed these issues in other countries is critical.

Women's Rights: Iraqi women leaders who recently visited the United States under the auspices of Harvard University's "Women Waging Peace" project have identified a number of crucially important women's human rights issues in the post-Saddam period. Physicians for Human Rights urges the Subcommittee and the Administration to meet with this group and attend to the issues they raised.

Concerns included the following: 1) Legal reforms to address impunity for "honor killings:" Currently men are not prosecuted for killing wives or female relatives who have "dishonored" the family through adultery or other "offenses," including being rape victims." 2) Prosecution for the crime of rape: Under current law men are not prosecuted for rapes if the man marries the woman he raped. 3) An end to polygamy: The current legal code allows up to four wives. 4) Women should be included on the constitutional drafting committee; there are none serving in that capacity at this time. 5) Enlarge the number of women on the Governing Council: Of the three women serving, one was assassinated. She should be replaced. Good candidates have been nominated by a conference of 250 women leaders recently. 6) Police training to address women's rights: Women and girls are at particular risk in countries experiencing a security vacuum. Police training and deployment should be targeted at women at risk of rape and sexual violence. Allegations of abduction and sex trafficking should be investigated and prosecuted.

Humanitarian assistance and infrastructure should be targeted towards women's health, including reproductive and maternal health. Prenatal care, trained birth attendants, fully-equipped clinics and hospitals with capacity to handle difficult births, and education and health care to permit women plan family size and birth

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spacing are essential components in assuring women's reproductive and maternal health.

Mr. JANKLOW. Thank you very, very much. And all three of you have written testimony that is a part of the record and is available for not only the public but also the Members of the Committee and others.

If I could ask you just generally, the harvesting of organs you have described in just bitter detail, the eyes, the corneas, this was a practice that was widespread with respect to other bodily organs, do you know? Do any of you know? And I realize some of what you know is anecdotal, and I understand that.

Dr. ALATTAR. I don't know if it is common practice in other parts of Iraq. I know that this was in the case that is confined to my father because other opthalmologists that he knew were also experiencing similar situations where there is abundancy of eyes that clearly came from very healthy individuals. It was not confined just to my father.

Mr. JANKLOW. Do any of you have any reason to understand why it is taking so long to discover where the mass graves are at? I am not talking about identifying individuals in them, but identifying where they are at. Why is that taking so long?

Ms. SIRKIN. I can answer that question. First of all, it is well known where many of the mass graves are and I think too that the last number I saw reported is that the Coalition Provisional Authority had identified about 260 locations of mass graves and there are maps and it is known where many of them are. I believe that many more will be discovered in months and years ahead. I have no doubt that there are mass graves. And individual graves are lined up together in Kurdistan; that is very much more what it is like there. I have seen photographs very recently from Human Rights Watch of mounds of people buried in graves there as far as the eye can see. So it is not taking a long time to discover them.

What is taking a long time is to establish a process and provide the resources and methods and security to actually go about the business of determining which graves will be exhumed and what will be done with the many mass graves that simply cannot be forensically exhumed because it is too massive.

Mr. JANKLOW. Thank you. The apparent arbitrariness of some of these decisions are unbelievable. Do you, Dr. Morad or you, Dr. Alattar, do either of you have any information as to how the choices were made as to who lives and who doesn't and who gets exported or kicked out the country and who gets to stay? Do you have any information as to what the process was to make these determinations?

Dr. MORAD. As far as I know, it is mostly random, but intentional as well, because if you take selected people from different families, then the whole family will be fearful of the entire government and so by just randomly picking people from different families, you have the loyalty of the rest of the—not loyalty, but the fear of the rest of their family.

Mr. JANKLOW. But they weren't turning them loose. I mean, some were taken to Iran and others went back to a prison camp.

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Dr. MORAD. If you—for the most part, if people were politically active they were killed right away. It is the people that were not politically active that were either deported——

Dr. ALATTAR. Guilt by association. They just happened to be the cousin of someone who is murdered, they take him too.

Ms. SIRKIN. In addition, if I might add, during the organized Anfal campaign it was the concerted policy of the regime to destroy the 4,000 villages and remove the Kurds from northern Iraq as they were considered to be likely to be pro-Iran in the aftermath of the Iran-Iraq war, and this policy really amounted to genocide. We have said so ourselves in—before the United States Senate back in 1989 and it was well known at the time that this policy had resulted in over 100,000 deaths of Iraqi Kurds.

Mr. JANKLOW. Taking the Kurdish community and putting it into one category, were there any other communities other than the Shiias that were systematically annihilated or were there attempts to systematically annihilate them or deport them?

Dr. ALATTAR. Well, there is also the group—I remember when I was in high school, we were asked to join the Baath Party and I refused. We left shortly afterward, but those individuals who refused to cooperate or join the Baath Party could not go to universities. This was the case in the early 1980s. They were more benign. You cannot go to the university. Later on it was you became a suspect and the threshold for capturing you and putting you in prison was low.

The other group was the Christians and the Assyrians, the Chaldeans.

Mr. JANKLOW. Given the fact you are all so highly educated and worldly, what is the difference between being a junior Baathist, if I can call it that, a young Baathist or a member of the Hitler Youth? I mean, what was—is there any difference at all?

Dr. ALATTAR. I don't think so.

Mr. JANKLOW. What was expected of you if you joined the Baath Party? Could you tell me? Once you said yes, what happened?

Dr. ALATTAR. Sure. The major reason why they wanted everybody to join is you are expected to submit reports on your families and friends of their activities. This was a way to break down the networks of the family to create suspicion, to collect reports and activities so they can hold different individuals in prisons. The Communists used that method very effectively to break the nutshell of society.

Mr. JANKLOW. Given the fact—and I ask these questions out of ignorance. You people are helpful. Given the fact that there is such a contemporary professed deep-seated religious base within the country, recognizing that may or may not be accurate, but at least there is a contemporary claim, how does one rationalize any kind of public acceptance for the systematic rape, the systematic torture, and the methodology that was utilized to torture and kill people? I mean, how does that comport with anything that is civilized or accepted in anybody's religion anyway?

Ms. SIRKIN. If I may respectfully respond to that, this really was a society that was completely reined in by fear and anyone who resisted was killed. And we have ourselves interviewed surgeons, for example, who were forced to amputate the ears of those who re-

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fused to serve in the Army or those who deserted, and many of the surgeons we interviewed knew that obviously this was a complete and utter violation of medical ethics and a terrible thing for a surgeon to do and yet many of them had to perform these procedures under fear of death or torture themselves. And I don't think it is at all legitimate to say that people accepted what was done. It is impossible to understand the level of constraint that people live under when a regime that is this totalitarian is in place.

I also just want to respond in terms of the other groups targeted. The other very special and unique group in Iraq that was targeted and really their culture and livelihood destroyed is the Marsh Arabs, and I was very sorry to see that as the budget for reconstruction in Iraq was reviewed that special funds to help restore that culture and the waterways were cut.

Mr. JANKLOW. Dr. Morad, since the war have any members of your family gone over and tried to find any of your family members that were left behind?

Dr. MORAD. My mother actually recently went to Iraq through Syria and she stayed there for a month and couldn't find any information. I mean, you hear about all these mass graves, but specifically about our particular group, the Feili Kurds, no one had any information and she tried her best to find some and none was available.

That is why I asked, you know, these interrogators, when they are asking these Baathists for information about weapons of mass destruction, if they could just ask them did you all decide to one day kill off all those particular Feili Kurdish prisoners? What day was that? Where did you guys bury them? Instead of going by hearsay, local villagers saying this graveyard is here, that is where some prisoners are buried, why don't they go to the top and ask the generals or the executors where did you bury the bodies?

That is my input. That is the way I——

Mr. JANKLOW. I saw that in your testimony, in your written testimony but the information I have is that it is being done. I don't know that it is public, but the information I have is that they are doing that in an attempt to try and catalog all of this information. With respect to killing of children, I mean what was the rationale? They couldn't be enemies of the state. I mean 6-year-olds, were they just in the way?

Dr. MORAD. Do you mean the kids who I encountered in the prison or——

Mr. JANKLOW. Yeah. I mean whether they are in prison or out of prison.

Dr. ALATTAR. It is to punish the parents.

Mr. JANKLOW. Pardon?

Dr. ALATTAR. It is to punish the parents. There were reports of parents having to watch their kids having their feet crushed in front of them as a means of punishing the parents more than anything else, more than punishing the children themselves.

Mr. JANKLOW. His sons, Uday and Qusay, any of you have any information that they were—was there any redeeming qualities that either one of them had in their whole life?

Dr. ALATTAR. No, not all.

Dr. MORAD. No.

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Mr. JANKLOW. Was Amnesty able to pick up anything? Were they as bad as they are always portrayed to be? I mean it appears that they just used human beings as objects of entertainment or fulfillment of lust or something, but nothing productive.

Ms. SIRKIN. Most of the human rights organizations, Physicians for Human Rights, Amnesty and Human Rights Watch, have described in great detail for many years the depravations of the senior officials across the board of this regime. But I don't believe that we have done a psychological profile. We focus on their actions and the effects of them.

Mr. JANKLOW. Over the last several weeks there has been a lot of discussion by Members of Congress, House and the Senate, by people in the Administration and people in the public body of America about women's rights and the emerging Iraq reformation or renaissance of their government.

Recognizing that they are not going to take too kindly to us telling them how to structure their new government and have substance behind it, how do we take it from the suggested or the strong feeling to the reality? Do any of you have any understanding as to how it can be done in reality?

Ms. SIRKIN. Mr. Chairman, I actually believe that right now the United States does have a very strong influence in many of these decisions. It was the United States that put the Governing Council in place. It was quite shocking to me when I interviewed and met with some of the women who recently came to the States from Iraq, a delegation of 18 women brought here by Women Waging Peace, connected to Harvard University, they said—some of them were close relatives of members of the Governing Council and they said they did not have access to these individuals. They were very frustrated that the way that the Governing Council had been established was based on tribal lines that would likely impose sort of traditional norms rather than being a cross-section of civil society. And that is why they are wanting more access, both to the CPA and to the Governing Council and to the political process. And I believe that the United States overtly and more behind the scenes has quite a lot of influence in this arena and should use every effort, including important funding, support for women's organizations that are emerging all across the country, and AID is already supporting that. I think the European Union should as well and the United Nations.

But it will be a cultural shift for some parts of Iraq. We have to keep in mind that women had a great many rights in Iraq prior to the 1990s, even under Saddam Hussein in the early part of his rule. Women were educated. Women were doctors and are doctors today. They can be leaders of society, and are well equipped to be.

Mr. JANKLOW. Thank you. We have been joined by one of the Senior Members of the Committee and Subcommittee and I would like to call on Mr. Smith for questions that he may have for our panelists.

Mr. SMITH. First, Mr. Chairman, I apologize. As everybody I am sure knows, we have several Committees going on at the same time.

One of my questions, of course is what a lot of Americans are asking and that is the transition. With a country where most of the

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people have lived their adult life under Saddam Hussein, and aren't used to anything else except tyranny, and that kind of human rights violation, and I think I will address this to you, Ms. Sirkin, the transition to try to go into a democracy, the attitude, maybe all three of you can react to it. The United States right now is having trouble with the transition. And I wonder, your ideas and impressions of how long it is going to take for people to adopt to a system of democracy rather than tyranny that they have been used to and their parents have been used to.

Ms. SIRKIN. Well, I think this is a very important question. And first of all the answer to the question about time, a long time. When you have a society that is emerging from 20 years of really incredibly repressive rule, one of the first things that my organization as a medical organization is concerned about is the need to acknowledge and account for what has happened, but also to heal, and there are many people who are wounded deeply psychologically.

We interviewed families in the south where people who had suffered under the regime literally did not leave their houses. They are still afraid. They are not afraid of—you know, they are afraid of everything, and this has to be acknowledged. So appropriate counseling abilities and training of mental health professionals in a country that has no practice of this, of psychology for example, is something that is going to take a while to understand and address.

Second, I think democratic structures are going to have to emerge from the ground up at a grass roots levels, and that will require lots of patience. In our experience there is enormous thirst for participation across the board, especially by women, and I think that is why, and we heard this earlier in the testimony from your colleagues who returned from their visit, that women need to be participating in this process. They are a very important voice to assure that there will be democratic transition that is not violent and that is not focused on power relationships.

Mr. SMITH. So maybe, Dr. Morad, Dr. Alattar, your reaction also. I mean, a lot of my constituents in Michigan, in fact a lot of Americans perceive that we are somewhat liberators and don't understand exactly why there isn't a more positive reaction from the Iraqi people of being liberated. Maybe just react to that in general.

Dr. ALATTAR. Actually, I met the delegation, the 20 women group delegation. I actually had them over to my house and I was able to find out exactly how do these women feel, how do they see the people in Iraq and to try to get a firsthand look at what is really in the mind frame inside Iraq. And of course I am in constant contact with the people of Iraq through the phone.

I think it is a misconception to say that the people in Iraq are not willing to open up their arms to the liberation and the reconstruction effort that the United States has given to the Iraqi people. I think that what is shadowing the entire process are the terrorists acts. Since the media itself is only picking up on this, the Americans now perceive Iraqis paying back with bombs. Of course they don't represent the Iraqi people. The average person in the street wants the Americans and the American Administration and

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the Army to remain in Iraq to help the Iraqis go through the whole process, and they realize it is going to take a few years.

The other thing they want the Americans to do is to teach them about democracy. This is the message that I got from these women is teach us, help us, we want to learn. There is a great deal of hunger for democracy. Actually one of the women said it best. She said that you Americans probably don't appreciate democracy as much as we do because you have it here. We have it in our heart, we just don't have it in our hands, and we want you to help us put it in our hands.

Mr. SMITH. So do I hear you suggest that the news media reports that we see on our television that quote the Iraqis saying it is worse now than it was under Saddam Hussein are very unique?

Dr. ALATTAR. Well, there are certain things that are worse. The economical situation is worse. I have to say that. People are poorer. But they also realize that this is a time of trial. They do not want to go back to Saddam's time. But what they want is the Americans to help them move forward. They are critical of certain issues that the Administration is not carrying through, or is carrying through. But that is not to suggest that the Iraqi people by any means do not appreciate the CPA's efforts or the Administration's effort to help the people as a whole to move forward.

Mr. SMITH. Okay, Dr. Morad, your reaction.

Dr. MORAD. Yeah. My mother just recently went to Iraq and I asked her that same question when she returned. What is the attitude really like in Baghdad? Are the people against the United States as much as the media portrays it? And she said absolutely not. Most everyone that she encountered all wanted America to stay and get the job done fully. She even went to a southern city, Najaf in southern Iraq, which is known to be a Shiite stronghold, and she went to a prominent mosque there and there is a banner in front of it that she said she saw that read "God bless the U.S.A. for liberating us." I have never seen that on the media, no channels have shown that banner. But apparently it is hanging there, saying "God bless the U.S.A. for liberating us."

And in terms of the people, there are the terrorists who are against the U.S., but there are a few. But also there are some of the Baathists who are still lingering within society and they too, you know, are the ones who are committing these terrorist acts against the United States or the United Nations or the Red Cross, as you have heard the recent bombings. Those are a minority group and they are basically fighting for their lives because they know their time is over and it is just a matter of time before they get caught and are brought to justice.

Dr. ALATTAR. If I might say one quick thing, there is a perception amongst the Iraqis following these bombings that the Americans are "loose." What that means is that they wish to see the Americans with the help of the Iraqis to actually put a strong hand to go after the Baathists regime, and the Iraqi perception now is that the Americans haven't done a good job at actually really going after those individuals. Maybe it is because it is politically incorrect. But that is one of the ways that they feel that the trust is rifting away between the Iraqi society and the Americans because the Americans are not doing what the Iraqis wish, really wish would happen,

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is to really put a strong effort to go after the remnants of the Baath Party.

Ms. SIRKIN. Can I just add that I think the situation in terms of how Iraqis view the United States and whether or not it is a real liberation for them is quite complex. Number one, in the Shi'ia areas there is a lot of anger against the United States, and we heard Congresswoman Harris mention this, that they feel that they were abandoned after they were urged to rise up and many of the deaths and atrocities that occurred in the aftermath of that were left unspoken and unknown and unresponded to for a decade. So there is that resentment.

There is also a very deep sense that the United States was very good in its military actions but not as good in, and we all know this well, having read about it everywhere, and I think it is true to a great extent, in the planning for the reconstruction. And therefore, the assistance that people feel that they were promised has not yet reached the population, and therefore you have many people who don't have jobs yet, who don't have their homes rebuilt yet. The infrastructure, I mean even though there is enormous progress, if it were you or I and our family and we still weren't back at work and we felt insecure in the streets, we would be unhappy, and I think that is part of what is going on. I think it is really important that there be congressional oversight of the contracts that are going now to the big corporations and others who are responsible for reconstruction, because there—it is going to be very easy to see a lot of the money siphoned off and not getting where it needs to go, and that is going to be a big challenge as the money rolls out now.

Mr. SMITH. Let me ask you a question of your opinion of the human rights violations of Saddam's sons, Uday and Qusay. Do you think there is—if they hadn't been killed in the shootout, would it be your opinion that there would be enough evidence that they could have otherwise been successfully convicted of those human crimes?

Ms. SIRKIN. There is more evidence than you can imagine. The documentation has been sitting in piles for over a decade now and I think it would be—you know, what is important is as a tribunal is emerging, even though there is an enormous amount of documentary and physical evidence and more to be unfolded, it will be really important to train the Iraqi jurists and investigators conducting this tribunal and provide adequate resources so that they can launch a tribunal for crimes against humanity and genocide, because regardless of the availability of evidence it is still a major job to mount these kind of tribunals if you want them to be legitimate in the eyes of the world, and that is essential.

Mr. SMITH. Drs. Alattar and Morad, would you be under the same opinion that if it was searched out there would be enough evidence?

Dr. ALATTAR. Right. There are many numerous witnesses to their actions and crime. They did not hide their actions. They displayed a lot. They had a lot of public displays of killing and shootings, such as in Party gatherings. And so there are numerous witnesses as far as I know.

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Mr. SMITH. I guess as a comparison, how would you compare Saddam's crimes to those that were committed in Rwanda and Yugoslavia? Any feeling on that?

Dr. MORAD. They are just as horrific. I mean it is a systematic campaign of genocide that he launched against the Shiites, the Marsh Arabs, as she mentioned. It is the same scale. I think it is the same scale as even the Holocaust. I am sure that Saddam would have liked to have seen all the Kurds dead. He would have liked to have seen all the Marsh Arabs gone. I would think it is.

Ms. SIRKIN. In terms of the numbers, just sheer numbers, it is larger than former Yugoslavia and smaller than Rwanda, but the crimes are of the same order, crimes against humanity and genocide, and deserve to be tried in very much the same manner before the world.

Mr. SMITH. I have one last question, Mr. Chairman.

Mr. JANKLOW. Sure.

Mr. SMITH. How prevalent was the use of detention in the psychiatric hospitals?

Dr. ALATTAR. You mean what exactly? I am not sure I understand the question.

Mr. SMITH. Well, maybe a better question would be the treatment of people in those psychiatric hospitals. Are you familiar with—any of you familiar with——

Dr. MORAD. All I know in terms of just things I have heard is my brother was in medical school at the University of Baghdad and he used to come home and tell my mom that he would encounter normal, healthy, sane people, political prisoners, who were mixed in with the psychotic, dangerous mental institution patients as a form of torture, and he would meet with them and they would say, oh, we are from such and such family. We were just brought here for torture. And they would, you know, be subject to the verbal abuse and beatings, whatever they—I don't know if that is what you are getting at, but they did mix innocent people with psychiatric patients, and I mean in a sense they abused the psychiatric patients and the——

Mr. SMITH. I guess part of my question was really treating in—you know, treating the way we think of treatment in the United States as compared to simply locking them behind a door or treating them with drugs. And I guess I just was curious if pretty much the psychiatric hospitals were just locking people away as opposed to treating them.

Ms. SIRKIN. We haven't researched this extensively at Physicians for Human Rights, but I can tell you that the number of psychiatrists in the entire country is remarkably small, a very, very tiny number. So basically there has not been much medical mental health care available for the population altogether in the last period of time.

Mr. SMITH. Thank you.

Dr. ALATTAR. Just one quick thing. I remember when I was a child my father's friend was a psychiatrist and he mentioned often that he was always troubled by the fact that some of his patients would relate to him information of tortures of family, and he feared for his life because he was somebody who was a witness to these

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crimes and there were reports that psychiatrists being killed because they heard this information and they were not supposed to.

Mr. SMITH. Well, thank you all very much. Thank you, Mr. Chairman.

Mr. JANKLOW. Thank you very much, Mr. Smith. And Mr. Smith raised a very intriguing point when he started his questioning. We are dealing with a country and a people that has at least 2, if not 3 decades of as hideous a repression as you can possibly have. Who in that—given the life span of the people in the country, which is relatively short, there is a very small community that predates Saddam Hussein that is left. And clearly, you know the Baathists and pre-Baathists go back to the 1950s, 1958 as a matter of fact. In the summer of 1958 is when they killed the King and dragged him through the streets, and the circumstances started to change. But—so you have at least 2, if not 3 decades of people, of individuals where the intelligentsia has basically been eliminated unless they are part of the inside. People have been thrown out of the country in huge numbers. You have instances where, you know, the arts have not been allowed to flourish.

Some of the testimony I read here today is that 25 percent of the male population and more than 50 percent of the female population are functionally illiterate. They can't read and write. Women for decades haven't really been allowed to get any kind of substantive education. When they have had elections in that country, 100 percent wins because that is the only way you could vote.

And we are complaining that they haven't figured out all of democracy yet in the last 8 or 9 months, you know, and I understand you say counseling, Ms. Sirkin, and other things to advise them. But the reality of the situation is there is no institutional memory there of anything except a yearning for freedom. How long is it going to take to sensibly forget our timetables and our political problems. How long is it going to take to sensibly assemble the people to draft something like a Constitution and go out and sell it to the public as something that they really want to accept and become the fundamental document around which you build a society and then start building without including the Baathists and with all the ex-patriates all over the world?

Now that is a big general question, but it goes to the heart of what we complain about democracy.

Ms. SIRKIN. I think it is a big challenge, Mr. Chairman. I beg to differ with your assessment that the intelligentsia has been eliminated. Iraq has an amazing flourishing group of educated and inspiring people in everything from the arts, archaeology, medicine——

Mr. JANKLOW. Were my statistics in error about the percentage of women that can't read and write?

Ms. SIRKIN. That is true of many countries in that region of the world.

Mr. JANKLOW. But I am talking about Iraq because I include intelligentsia as people that can pick up and read something.

Ms. SIRKIN. Iraq has probably a higher level of literate women than many other countries in the region. So I think they are hungry to write the Constitution, eager to organize civil society. Just the fact that there are already dozens of women's groups working

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to develop schools and to learn about democracy is incredibly encouraging. And——

Mr. JANKLOW. Yes. But if I can interrupt you, it is encouraging, but we are talking about a nation of tens of millions of people dealing with dozens of groups and we have got a timetable that is running in terms of months and not years or decades.

Ms. SIRKIN. That may be right. I mean I think, as I said, it is going to take years to develop the kinds of structures and institutions that are required to have a flourishing democracy, but that doesn't mean that people now are not capable of leading many sectors of society. Iraq has an impressive level of highly educated people across almost every profession. And they are desperate to get——

Mr. JANKLOW. With no institutional memory of what we call democracy, with a big or a small "d."

Ms. SIRKIN. Actually, I don't think—it is true in terms of their own country, especially in the last few decades, but they certainly are aware of various things that have gone on in the rest of the world, especially through communication with families who have been in exile, and many exiles are returning.

Mr. JANKLOW. If I can ask you another question, ma'am. You said one of the frustrations they have and the anger is that their homes haven't been rebuilt, they don't have jobs, those types of things. I could add to that there are complaints about electricity, there are complaints about water. I lived in Germany in 1948, 1949 and 1950. My father was a prosecutor at the Nuremberg war trials, and so I lived in Nuremberg, Germany.

When I left Germany in 1950, there were still homes that weren't rebuilt. That was 5 years after the war. And they really had an intelligentsia there and an industrial machine and a Marshall plan and all of these things converging. Everybody didn't have jobs. They still had camps that we called DP camps as children, meant "displaced persons" and they lived by the tens of thousands in these camps because there wasn't anything else to do to them. We are talking about 8 or 9 months after the overt hostilities have ceased. You just can't get jobs and houses rebuilt. There weren't that many homes destroyed in this war.

We have to get housing for them. People yearn for these things, but I mean is there an understanding in Iraq—let me ask you folks whose heritage is from there. Is there an understanding that these things take time, nothing is instantaneous? It took a long time to wreck this country. We can't build it overnight.

Dr. ALATTAR. I agree. I am not a proponent of speeding up the writing of the Constitution.

Mr. JANKLOW. I know you didn't say that. I am just rhetorically throwing it out. I am sorry.

Dr. ALATTAR. And I do agree that we need time in this, but I think that it is dangerous for all of us, Americans, Arabs, Iraqis to think that this is not going to work, because the alternative is a true disaster, not only for Iraq but for the whole region and even to Europe and the United States. I think we should just—we should concentrate on taking small steps at a time rather than getting hooked up on timetables. If the timetable needs to be ex-

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tended, maybe we should persuade those who have a problem with that, but I don't see why this is such a major problem.

And the other issue is whether the Iraqi people are capable of adopting a democracy. From what I gather from talking to these ladies, I think they are more than capable. There is—sure, there is a great deal of illiteracy in the villages. But at the same time, comparably there is a large number of very surprisingly highly educated individuals who studied in Europe and who very well understand how democracy works. You will be surprised. I was surprised myself when I met these women at how knowledgeable they were of the American system of democracy, and they were willing to learn.

Mr. JANKLOW. Dr. Morad.

Dr. MORAD. Yeah, I have two comments. One is if you look at Kurdistan in northern Iraq and the change that they have undergone since 1990 it is absolutely amazing. They have Internet cafes all over the Kurdish area. People say that the streets are clean. Public utilities are all in working order. The people for the most part are happy. They have a parliamentary system and that happened relatively fast. In northern Iraq—and also the typical stereotype is that that is the area where all the villages are and people are less educated. But despite being probably a less educated population than, for example, in Baghdad, they still were able to establish a free society and flourished most recently, even though the rest of the country continued to suffer.

And my other point is in addition to addressing education and psychological counseling, another issue that needs to be addressed is nutrition. The Iraqi people have not received adequate nutrition for 10, 20 years now, and those are all malnourished children that have grown up with their unique brain chemistries that they have not had all their proteins, all of the vitamins, everything that they need to think clearly, to think well and by being—having been so malnourished for these two, three generations we need to look out for those guys, because you can't have a democracy where everyone is malnourished and has the diseases that they have, you know, accumulated over all these years, psychological and healthwise as well, physical.

Mr. JANKLOW. Do you believe that—I mean are the nutritional problems, they are not really—how do you fix them in the adults, the historical nutrition? I know you can get them a good diet now.

Dr. MORAD. Yeah, I just mean, my point is that nutrition should be made an important issue. It is a crucial issue. You can start off obviously with mothers and prenatal care at this point. But overall it needs to be addressed and I mean I am not a nutrition expert, but I just wanted to bring up the issue that this needs to be——

Mr. JANKLOW. As a matter of culture, and again I ask this out of ignorance from folks who come from there or whose families come from there. If your mother, if I can personalize it, were to want to move home or some of your relatives move back there, would they be accepted by the community or would folks consider that they weren't around when they should have been?

Dr. MORAD. My mother was. She recently went to Iraq and——

Mr. JANKLOW. If she wanted to move back there could she blend right into the community?

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Dr. MORAD. She did.
Mr. JANKLOW. You believe so.
Dr. MORAD. She did.
Dr. ALATTAR. My dad is there right now and he said that for the first time in his life in 22 years, he was surrounded by his own family and loved ones, such as his brother and sister.
Mr. JANKLOW. So folks that are ex-patriates, if they wanted to move home, if they wanted to go back home they wouldn't run into a great deal of difficulty of being outsiders?
Dr. ALATTAR. Yeah. We haven't heard of any individuals who returned from Iraq complaining that they were not accepted.
Mr. JANKLOW. Mr. Smith, go ahead, sir.
Mr. SMITH. Yes. Dr. Alattar, was it you that mentioned or maybe it was Ms. Sirkin, that the people are poorer now or less well off?
Dr. ALATTAR. Yes.
Mr. SMITH. Help me understand that.
Dr. ALATTAR. Okay.
Mr. SMITH. They were—the jobs were more structured and organized?
Dr. ALATTAR. Yes.
Mr. SMITH. And so the payments for the work they were doing left them better off as far as money to buy food and——
Dr. ALATTAR. Sir, I will convey to you what was told to me recently. One woman from Najaf who is a lawyer, very educated, she actually said that lots of kids were knocking on her doors, asking for food. So she started giving out food to the kids. They put out a list for those who want food so they can gather money from the community. Three thousand kids signed up. These are 3,000 orphans. And that is another issue I wanted to bring out besides the malnutrition, is that Iraq is full of orphans today, orphans who are hungry, who have no homes or who live with relatives who themselves already are overwhelmed with economical burdens.
The other issue of jobs that my father told me is that my relatives in Iraq who were well off, now have no jobs. They are just sitting home. A lot of them are business people because the economy is just not picking up and the main reason behind it is because of the security issue, which we all think is the most important issue. There are a lot of contracts that are just waiting. European, American Arab, Iraqis, people are not willing to invest their money inside Iraq as we speak today unless they see a turning point in security, and so a lot of contracts are just being on hold. Small contracts in terms of those who just are house builders, sure, the market in terms of food and personal items is flourishing. But bigger problems, bigger contracts where the money can flow inside Iraq are on hold today, and that is trickling down in terms of its effect on the average Iraqi.
Someone told me that today, as we speak, Iraqis are hungrier than they were before Saddam, and she told me that we are afraid that the Iraqi people will say we miss the days when we had food under Saddam and that is a very big problem and that people will start to think that, okay, we have democracy, but what is the point when you are hungry. And my group, we are trying to help these women to build small projects to get these women in Iraq to work. They can sew, you know, clothes, they can sell it.

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Mr. SMITH. But it is my understanding that a lot of the food that was available was the Food for Oil Program.

Dr. ALATTAR. Yes, that is true.

Mr. SMITH. So is the distribution less? Is the food supply less. We are meeting at—I think it is 4:45, with a secret briefing with Secretary of Defense Rumsfeld and General Myers, Chairman of the Joint Chiefs of Staff. I will propose that question. And let me just ask you, what other questions would you like us to ask those two individuals?

Dr. ALATTAR. I have one thing. I think the main problem Iraqis have today, there are so many problems, is they really want to see Saddam being caught because a lot of people inside Iraq fear that the regime will come back. There is true fear. And this actually was told to me by one of the council women, Dr. Raja Khuzaai, and she said that his presence is true and real, especially when he shows up on video, people think he is coming back, especially knowing that in 1990 something similar happened.

I think it is an urgent issue that this guy needs to be found. The Baathists need to be put on trial so the people can move on because that seems to be a sore point in the psychological reconstruction, so to speak.

Mr. SMITH. Any other suggestions of what we might ask General Myers or the Secretary?

Ms. SIRKIN. From our perspective, and this is a broad issue but it is really critical, I think one of the most important questions for the U.S. military right now is how and when they are going to be able to create a larger space and involvement for the United Nations and more of a multinational reconstruction response because this is—in the long run what will enable some of these projects to get out to the people, to have the humanitarian workers work independently, all the NGOs that usually have such experience responding as they have done in other countries. First of all, many of them, as we know, have withdrawn because of the security situation. But many others have not felt that they have the room to maneuver, according to their own guidelines and mandates, in the way that they would work to help with reconstruction. I think it is critical for more——

Mr. SMITH. If you have any evidence in that regard, other than your feeling, because it has been my understanding that the NGOs were still there, they were still there working there. The Food and the United Nations effort was still there until they got very nervous about the security and left. I didn't—so your suggestion if we could make this more a United Nations effort, you think that would somehow add to the security?

Ms. SIRKIN. Absolutely. It absolutely would. It may be a little late to do it now, but I know from our conversations with the late Mr. DeMello that this is what he would have wanted and it was very difficult for him to create the space.

Mr. SMITH. Yes, you know, I don't—I agree with you, not necessarily that it is the United Nations that would do that, but we are almost begging other countries to assist and help us and of course what we have heard from Japan and many of the countries of Europe is that they don't want to do it because the security might kill some of their troops. I mean——

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Ms. SIRKIN. I would call your attention to a report or a document just released last week by Refugees International which has about 10 points that relate to this very issue. I myself am not, you know, an expert in the detail of it, but they have had people recently coming back and they have made a number of very concrete suggestions that are along these lines. I think it would be perhaps helpful if that could be looked at. It might even have a copy here before you meet with the Joint Chiefs.

Mr. SMITH. Okay. So I am sure staff can help us with that.

Thank you, Mr. Chairman.

Mr. JANKLOW. Thank you very much. Just a couple of brief comments that come to light as a result of the last dialogue you folks have had. It is my understanding that the Japanese government, which was going to send troops, has decided because of the level of violence that they are not going to send troops. It is my understanding that Poland has decided not to send additional troops; that Italy has decided not to send additional troops. And so—and I realize there are these political differences of should the United Nations have been more involved and if so when and to what extent. But the reality of the situation, I am not aware of any place since the Korean War where the United Nations has really taken a military stand to protect and defend a country in a substantive way. I am aware that in Afghanistan it was basically a NATO exercise. I am aware that in Bosnia-Herzegovina, those areas, it was basically a NATO exercise, and so it is—I mean, it is easy for us to say let's just get the U.N. in there. But I am not sure—I am not sure the bombing would stop, one. Two, some of these countries that haven't sent troops have been subjected to terrorism around the world, and my guess is, and I am only guessing, that they wouldn't really want to come there until it is much safer.

So the question is how do you make a country safe so that people can go in and do the work, and I think primarily it has got to come from within Iraq. I really believe that safety comes from within a people. They make a choice at some point what they are going to tolerate or not tolerate, fear and all, one. And two, I am just dumbfounded frankly that a world community that has gone through the Holocaust, that a world community that went through what went on in Biafra years ago and has gone on in several African countries, and what went on in Cambodia, is not anxious to rush in to gather the evidence, get the information, gather the evidence, gather the documentation and put folks on trial before the world community for crimes against humanities. And to the extent they don't do it, then I personally just feel it is more political in terms of judgments than substantive.

But I—listen, you folks have been—any more questions, Mr. Smith?

Mr. SMITH. No.

Mr. JANKLOW. You folks have really indulged a lot of questions by us today and you have been very generous with your time. We will hold the record open for 5 days because Members of the panel that couldn't be here today from the majority and the minority may like to submit questions to you, and if you get them if you would submit them back, the responses, we would appreciate it, and thank you very, very much for appearing here today.

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These proceedings are adjourned.
[Whereupon, at 4:35 p.m., the Subcommittee was adjourned.]

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HEARING

BEFORE THE

SUBCOMMITTEE ON THE MIDDLE EAST AND CENTRAL ASIA

OF THE

COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTH CONGRESS

FIRST SESSION

NOVEMBER 20, 2003

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