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# ISDP Policy Alert

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## **The Article 125 Solution Reaffirmed by US Ambassador Ryan Crocker**

The relative exclusion of Iraqi minorities as part of the federalism equation by Washington DC decision-makers feeds into a vicious spiral reinforcing the impression that the opportunity either does not exist, or is not seriously being considered and proposed by these minorities. Ambassador Ryan Crocker and Senator Joseph Biden recently made a significant contribution to people's understanding of this issue.

Senator Biden, Chairman of the Senate Foreign Relations Committee put forth that, "Some Iraqi parliamentarians have called for the creation of an autonomous region in the Nineveh Plains, home to a disproportionate number of Iraqi minorities, including, Assyrians, Turkmen and Yezidis." In Amb. Crocker's response, he confirms that, "Some Iraqi parliamentarians and local politicians in Ninawa have called for an autonomous region in Ninawa province, citing Article 125 of the Iraqi Constitution. *Iraqi citizens can pursue the creation of a separate administrative region through processes consistent with this article.*"<sup>1</sup>

Federalism debates in Iraq are difficult. Concepts such as 'autonomy' take on whole new dimensions, from being a mere technical term reflecting decentralization and devolution, to becoming a banner for secessionism. Federalism is immediately understood to be partitioning Iraq, with the subsequent regional instability and violence that will follow. Minorities face insurmountable challenges in entering the federalism dialogue for a variety of reasons, not the least of which is the reality that they lack power and the credible threat of force, relying instead on the development and respect for the rule of law to achieve their constitutional rights.

In this environment, minorities managed to sustain their political goal of sharing in the benefits of federalism for stabilizing and democratizing Iraq by having Article 125 adopted in the present Constitution. That article states that, "This Constitution shall guarantee the administrative, political, cultural, and educational rights of the various nationalities, such as Turkomen, Chaldeans, Assyrians, and all other constituents, and this shall be regulated by law." This language originates from the Transitional Administrative Law's Art. 53(d).

Ambassador Crocker's response to questions on federalism and minorities from hearings on the situation in Iraq where he testified alongside General David Patraeus is helpful. There is confirmation for many that Iraqi parliamentarians are actively seeking the goal of establishing some form of unique federal unit in the Nineveh Plain, as per Art. 125, and that Art. 125 is the appropriate mechanism by which to achieve this objective. The

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<sup>1</sup> Emphasis added by ISDP.

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doubts of US analysts and members of minority communities should be dismissed on both matters.

ISDP's policy briefs and reports provide extensive analysis and information on the issues around federalism and minorities. At this point in time, there is a particular focus on the Nineveh Plain as a pillar in this agenda for bringing about a truly democratic and pluralistic Iraq, where minorities can live securely and remain productive elements of Iraqi society.

The question remains, will US decision-makers recognize the importance of working to provide persecuted minorities the political space and protection they require to advance this essential agenda. For the Assyrian/Chaldean/Syriac Christians, this policy is now a matter of ensuring their survival. While remaining a powerful tool for making Iraq a fully federal country with the stabilization this provides, the 'Nineveh Plain/Art. 125 Solution' has become a matter of urgency for a minority that is now the victim of widespread ethno-religious cleansing.