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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

An Independent Assessment by Ambassador Lincoln Bloomfield Jr.

August 16, 2011

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

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

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August 16, 2011

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

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

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

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

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

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

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

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

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

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

Ten Issues Reviewed

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

Introduction

Allegations (1-10):

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

(Allegations: – cont'd)

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

Concluding Commentary

Attachments: a/s

Introduction

INTRODUCTION

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

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

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

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

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

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

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

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

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

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

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[3] "U.S. Designates 30 Groups as Terrorists," Los Angeles Times, October 9, 1997.

[4] Newsweek (website item), September 26, 2002.

[5] Jonathan Wright, "U.S. Extends Restrictions on Iranian Opposition," Reuters News (English), October 14, 1999

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

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

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

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

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

Ms. Mann: *That's what I recall….*

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

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

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

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

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

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

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

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

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

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

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

(Introduction) attachment
excerpt from Tower Commission Report

REPORT OF THE PRESIDENT'S SPECIAL REVIEW BOARD

FEBRUARY 26, 1987

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

(Ghorbanifar 175)

The official in the Prime Minister's office and Ghorbanifar held a number of discussions at this time. The Iranian official complained that the United States charged six times the 1985 price for the weapons at issue. Ghorbanifar tried to explain the pricing, while complaining that his financial problems had forced him into hiding. He needed $5 million to avoid ruin. On June 30, Ghorbanifar told his Tehran contact that the Americans again explained the high prices, and had suggested that, once the matter was resolved and relations were improved, the United States would assist Iran to obtain loans from international banks and American agencies. Ghorbanifar then proposed, without indicating who may have originated the idea, that Iran obtain the release of one hostage to coincide with the July 4 celebrations and the centennial of the Statue of Liberty. He added that, within twenty-four hours of such release, the United States would ship the rest of the HAWK spare parts. The radars would follow, and Iran would effect the release of the last two hostages. The Iranian official doubted a hostage could be released by July 4; for one thing, there had to be agreement on the price of the materiel. Ghorbanifar agreed they had to solve the price problem before the timing of the hostage releases could be fixed.

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

1. This was fairly lengthy call during which B [the official in the Iranian Prime Minister's office] continued to harp on the Price [sic] of the 240 items. Sam [O'neil] told him that we had sent a copy of the prices to the mercahnt [sic] [Ghorbanifar]. These constituted the prices that the middlemen paid for the goods. B wanted to -know [sic] if Sam had a copy so he could relate some of them to B. Sam said that he did not have a copy of the prices. During the course of the conversation, B would inisist [sic] on discussing kpricing [sic]. He refused to be stonewalled and said that he was under enormous pressure to get some adjustment in the pricing. When Sam asked about the Micro [sic] fiche list. He confessed that he had not sent it but would on the morrow. Th;is [sic] is some kind of indicator that such a list might not exisit [sic]. However, he does have something and suspect it might be an old invoice. He said that his superiors are shocked that the USG would selll [sic] them parts at black market prices. Sam -pointed [sic] out that he was buying from the merchant. B was insistant that some th;ing [sic] must be done on pricing as they were not prepared to pay six times -pricing [sic].

2. Sam told him that something must break soon as the Chief of our comp[any] is fed up with the whole deal. He was must [sic] disturbed at the way our delegation was handled in Dubai [Tehran] and is on the verge of corking off the while [sic] deal. This did not seem to make a great impression on B. Sam also said that he and Goode [North] are in deep trouble for having recomended [sic] the deal in the first place. B said that we were in no more trouble than he was on his end. Sam said that we were then all in the same trench together.

3. At one point in the pricing argument, Sam pointed out that we do not cheat on prices, were they displeased with the [?HAWKs]? when [sic] B kept insisting on some kind of break in the price, Sam told him that as far as we were concerned they could buy the parts elsewhere. This deal was set and it would have to go -through [sic] the mercahant [sic].

4. Toward the end of the conversation, B made a plea to Sam to do something about the end of the price if at all possible. He also extracted a promise from Sam to call him back tomorrow.

According to the CIA/IG report, Cave obtained the following letter, purportedly written by Ghorbanifar to his Iranian contact, on 8 July 1986.[73]

[73] Except as indicated, the material between square brackets is in the document as annotated by the CIA. The Board cannot verify the authenticity of the letter. According to the CIA Inspector General, Cave obtained this letter in late July 1986. (CIA/IG Chronology 27) Clair George told the Board that, while Cave

My dear and esteemed brother [B]:

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

If you remember, we had some very lengthy telephone conversations Monday and Tuesday [30 June and 1 July]. I stressed the fact that the essence of a [good] policy is to identify the moment, exploit the occasion, and recognize the proper and appropriate time in order to take advantage of them and to get concessions. I said that Friday was the 4th of July and the celebration of the 210th anniversary of the American Independence as well as the 100th anniversary celebration of the Statue of Liberty in New York. For this reason, there was going to be a very elaborate and majestic celebration titled 'Liberty Day' in New York at the foot of the Statue of Liberty. The Americans were calling it the Celebration of the Century; and the US President and the President of France will be hosting the celebration; for it is the day of liberty and celebration of freedom. [I said] that if we could mediate for the release of the American hostage clergyman on Thursday, 3 July, and he could attend these celebrations—as he is clergy—we could exploit it and benefit from it a great deal; we could get the Americans to accept many of our demands. Naturally, as usual, nobody paid any attention to my suggestions. The Americans were expecting us to take at least these steps for them. Anyway, the Americans are saying that last year after the Iranians mediated the release of an American clergy, M. Mier [sic] who was kept hostage in Beirut, they [the Americans]—as a goodwill gesture and as a first step—made available to Iranians 504 [sic] TOW missiles. Also, during the year since then, they [the Americans] have taken the following positive and constructive steps as a sign of goodwill and utmost respect toward the Islamic Republic. However, in return, the Iranians have not made the slightest attempt nor shown the smallest sign—even discreetly—to improve relations:

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

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

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

4. [Issuance] of an official announcement terming the Mojahedin-e Khalq Organization terrorist and Marxist; the [issuance] of a circular to the Congress and to all American firms and institutions, and banning of any and all types of assistance to the opponents of the regime of the Islamic Republic of Iran.

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

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

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

began his involvment as an interpreter, he "became a player. . . . I'm afraid he got way out there somewhere and we didn't have a string on him every step of the way." (George 49–50)

8. Arrival of a very high-ranking delegation from the White House headed by Robert McFarlane, Mr. Reagan's special assistant and advisor, together with five high-ranking civilian and military officials for a 4-day stay in Tehran; they brought more than one-fifth of the requested spare parts for missile systems; further, some complete military, technical, and intelligence information and data with regard to Soviet threats against Iran, and the military and political —— [sic][74] of that government [USSR] with full details on [plan for] invasion of Iran; Soviet activities in Kurdestan, Baluchestan, and Iraq; [Soviet] cooperation with opponents of the Islamic regime; and above all, a clear and explicit announcement by the US Government that it considers the regime of the Islamic Republic stable and it respects that regime. Also, that the USG does not in any way oppose that regime; and promises that it has no intentions or plans to bring it under its [sphere of] influence, create changes, or interfere in its internal affairs. Later, Minutes [sic] of the meeting and agreement were submitted, reflecting the goodwill and total cooperation of the United States with the Islamic Republic; specifically with respect to the war and other problems threatening this regime. [You may read these Minutes again.]

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

The gentlemen themselves know the details of the events better than anyone else.

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

They made it very clear that they are fully prepared and willing to provide [Iran] with all types of political, economic, and weapons cooperation and accord, on the condition that such assistance should not be considered part of [a bargain for the release of] hostages; but rather it should be considered a goodwill and better relations and friendship gesture by the United States.

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

However, although the 10-man US team and their giant special aircraft was in Tehran for four days, unfortunately nothing was accomplished. You well remember that on the last day of the stay, His Excellency [redacted][75] in the presence of you and another gentleman, insisted several times that everyone should agree for the time being about the mediation for the release of two hostages. But Mr. McFarlane did not accept this and stated that they were there [in Tehran] and were prepared to discuss and solve some basic and strategically important issues and to stand by you [Iranians]; all of these must be solved

[74] Supplied.

[75] Supplied.

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

I must [at this point] remind you that in 1985 there were 45,703 deaths on US highways, and that during the same year, 1,301 Americans died as a result of choking on their food [gluttons]. Thus, we must not put the Americans under such pressure that they end up including these four [hostages] as part of the above statistics, and we end up losing this historic opportunity which has combined one whole year of hardship and difficulties with some heavy expenses for me.

You know that this matter has been tangled for 45 days. I can assure you that the Americans neither can nor will be able to take another step along this path unless we should at least carry out as a preliminary and beginning step that which was [redacted] [76] was insisting upon. I also believe that whatever we want to do and whatever decision you make, must be carried out within the next 2–3 days.

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

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

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

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

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

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

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

1. You should pay in cash the amount for the items that have already arrived, including the remaining 177 items. The money for the 240 items should be paid through issuance of a check via London branch of Bank Melli Iran on 20 July, that is in 11 days.

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

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

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

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

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

[76] Supplied.

hostage as well as the body of William Buckley.

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

8. I personally and on my honor—whatever way you deem it proper—would guarantee and make commitment that immediately after carrying out the last phase—that is, after the delivery of the 240 items and the two HP's and after the release of all American hostages, within a maximum of one month—I shall deliver in Tehran 3,000 TOW missiles at a cost of $38.5 million which is the cost to the Americans themselves, plus 200 Sidewinder missiles mounted on F-4 and F-5 planes, again at cost. Naturally, [only] if you make the money available to me—not like this [last] time when you did not leave anything for me.

Third solution:

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

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

Thanking you and with highest respect,

Manuchehr Qorbanifar
signed 9 July 1986

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

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

We sent a hostage briefing team to Wiesbaden and no release occurred, and we brought the team back.[77] Colonel North was deeply disappointed and he said that he had been admonished by Admiral Poindexter on this, and he cut off all contacct with Amiram Nir at that stage and asked that I talk to Amiram Nir for a period of two or three weeks.[78]

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[77] On July 2, Ghorbanifar told his contact in the Prime Minister's office that the United States thought Iran used the pricing problem as an excuse to cover Iran's inability to obtain the release of another hostage. He said that United States suggested that, if another hostage were released, then the United States immediately would ship the remaining HAWK spare parts.

[78] According to the CIA Inspector General:

"[July 7-26]: Allen remains in almost daily contact with Nir by telephone. (According to Allen, Nir is clearly alarmed at losing direct contact with North and appears to be working feverishly with Ghorbanifar and others to free an American hostage.) Nir tells Allen that, according to Ghorbanifar, I/1 is making an

Tab 1

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

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

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

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

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

[2] PBS analysis "Showdown with Iran", October 23, 2007 http://www.pbs.org/wgbh/pages/frontline/showdown/themes/mek.html (quoted as it appears on the NPR site). Ambassador Lawrence Butler, the US diplomat currently negotiating the future of an estimated 3,400 MEK personnel at Camp Ashraf, Iraq, told the New York Times, "*These people slaughtered Americans. They have blood on their hands.*" Tim Arango, "Iranian Exile Group Poses Vexing Issue for U.S. in Iraq," New York Times, July 22, 2011, http://www.nytimes.com/2011/07/23/world/middleeast/23ashraf.html?pagewanted=1&_r=12011,http://www.nytimes.com/2011/07/23/world/middleeast/23ashraf.html?pagewanted=1&_r=1.

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

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

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

[4] One reporter, Sam Dealey, writing in the National Review in 2002 about the claim by MEK supporters that the MEK organization had been taken over by radicals at the time the Americans were assassinated, stated categorically but without elaboration, "*[I]n fact, U.S. intelligence indicates that Massoud Rajavi, the group's leader, was in firm control at the time.*" Sam Dealey, "'A Very, Very Bad Bunch', " National Journal, March 25, 2002 http://old.nationalreview.com/25mar02/dealey032502.shtml

[5] U.S. Department of State, Office of the Coordinator for Counter-Terrorism, Country Reports on Terrorism 2005, dated April 2006, p. 212 http://www.state.gov/documents/organization/65462.pdf.

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

(Tab 1) – 2 Washington Post articles

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

Iran Says Guerrilla Trained in Cuba

By William Branigin

Special to The Washington Post

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

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

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

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

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

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

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

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

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

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

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

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

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

Iran Kills Man Accused In Slaying of 3 Americans

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

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

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

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

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

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

Tab 2

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

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

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

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

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

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[1] ABC News Nightline, October 20, 1984.

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

[3] For example, in a letter from US Senator Edward Kennedy to Mr. Rajavi dated June 27, 1984. Senator Kennedy said in part, "*The willingness of more than 500,000 people – in Tehran alone – to risk their lives by openly opposing the policies of the Khomeini regime testified to the world that the Iranian people are ready for a change.*" Sympathetic crowds also convened in at least 13 other cities in Iran on June 20 according to academic studies of this period.

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

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

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

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

Based upon the above, certain factual conclusions are reasonable:

- MEK members may or may not have had a role during US Embassy hostage crisis but the organization was not the instigator and saw it as benefiting hard-line political foes

- The MEK, during approximately two-decades after the 1979 revolution in Iran, committed acts of targeted violence against Iranian revolutionary government forces, property and officials, although not indiscriminate violence against innocent civilians

- There do not appear to have been MEK acts of violence since 2001 or 2002

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

[5] While not infallible as a source of information, The Economist wrote in 2009 that the MEK "*is not known to have carried out any acts of terror since, at the latest, 2002….*", "Iranian Dissidents in Iraq – Where Will They All Go?", The Economist (print edition), April 8, 2009.

[6] U.S Department of State, Country Reports on Terrorism 2009, "Chapter 6. Terrorist Organizations", dated August 5, 2010, http://www.state.gov/s/ct/rls/crt/2009/140900.htm. The issue of MEK's current capabilities and intentions is examined in attachment 10 below.

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

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

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

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

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

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

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

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

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

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

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

(Tab 2) – Rouleau article

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

IRANIAN LEFT AND RIGHT SLUGGING IT OUT IN CHAOTIC FIGHTING

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

By ERIC ROULEAU Le Monde, Paris

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

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

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

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

Police Decline to Act

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

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

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

Gunshots Are Ignored

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

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

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

Complaints About Repression

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

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

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

A Fight for 'Total Freedom'

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

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

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

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

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

GRAPHIC: Illustrations: Photo of leftists in Teheran

YORK TIMES, SATURDAY, JUNE 14, 1980

Iranian Left and Right Slugging It Out in Chaotic Fighting

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However, the police and guards did protect the assailants against the leftists' security forces, which appeared to be 10 to 20 times more numerous than the attackers. The police tried to separate those fighting with tear gas or by shooting in the air. [Other accounts said revolutionary guards fired into the crowds of leftists, and, according to Reuters, the Iranian Interior Ministry subsequently criticized them for their action. At least two were said to have been killed and more than 300 wounded.]

Associated Press

Leftists in Teheran hurl stones at supporters of Ayatollah Ruhollah Khomeini

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A Fight for 'Total Freedom'

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

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

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

The meeting ended, but the fighting around the stadium continued. Mr. Rajavi's troops counterattacked, but the Islamic guards turned them back. Shots were fired from nearby roofs and bodies lay on the sidewalks.

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

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

Tab 3

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

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

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

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

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

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

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

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

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

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

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

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

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

Tab 4

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

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

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

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

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

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

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

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

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

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

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

Tab 5

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

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

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

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

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

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[1] An example is the following from an editorial in The Economist: "*[The MEK] is also said to have spearheaded Saddam's attacks on rebellious Iraqi Kurds and Shias in 1991, after the first Gulf war, a charge it strongly denies*." "Iranian Dissidents in Iraq – Where Will They All Go?," April 8, 2009, http://www.economist.com/node/13447429. Another example appeared recently in the New York Times: "*[A]fter being given refuge by Saddam Hussein [MEK] members were suspected of serving as a mercenary unit that took part in his violent suppression of the Kurds in the north of Iraq and the Shiites in the south.*" Tim Arango, "Iranian Exile Group Poses Vexing Issue for U.S. in Iraq," New York Times, July 22, 2011, http://www.nytimes.com/2011/07/23/world/middleeast/23ashraf.html?pagewanted=1&_r=1. A third example is found on the informational website GlobalSecurity.org, which lists "*Assistance to Saddam Hussein's suppression of the 1991 Iraqi Shiite and Kurdish uprisings*" among "*Incidents linked to the group*", see http://www.globalsecurity.org/military/world/para/mek.htm.

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

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

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

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

(Tab 5) – BBC summary

BBC NEWS

Flashback: the 1991 Iraqi revolt

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

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

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

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

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

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

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

Betrayed

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

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

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

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

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

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

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

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

Exodus

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

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

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

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

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

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

Story from BBC NEWS:
http://news.bbc.co.uk/go/pr/fr/-/2/hi/middle_east/2888989.stm

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

© BBC 2011

Tab 6

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[7] Aaron Sands, "Saddam's Deadly Secret,' The Ottawa Citizen, November 17, 2001. The author has been unsuccessful in locating the article on the Ottawa Citizen website; however, it was repeated on other websites (for example: http://www.freerepublic.com/focus/f-news/573735/posts), although without the graphics that ran in the original article depicting a large underground tunnel network at Camp Ashraf.

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

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

(Tab 6a) – Zebari letter

الحزب الديمقراطي الكردستاني
KURDISTAN DEMOCRATIC PARTY

14 July 1999

Mr M.F Wijingaarden
Van Den Biesen Prakken Hofiler
Nieuwe Herengracht 51, 1011 RN Amesterdam
Netherlands

PRIVATE & CONFIDENTIAL TO BE USED IN COURT AS EVIDENCE

Dear Mr Wijingaarden,

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

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

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

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

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

Warm regards

Sincerely,

Hoshyar Zebari
Head of KDP International Relations

(Tab 6b) – Ludot interview with TV ‘ARTE’

La chaîne télévisée ARTE
27 septembre 2005

Reportage sur le procès de Saddam Hussein

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

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

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

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

(Tab 6c) – 2 UN ECOSOC reports

UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

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

Original: ENGLISH

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

IMPLICATIONS OF HUMANITARIAN ACTIVITIES FOR THE ENJOYMENT OF HUMAN RIGHTS

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

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

[21 August 1995]

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

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

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

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

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

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

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

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

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

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

UNITED
NATIONS

E

Economic and Social
Council

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

Original: ENGLISH

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

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

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

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

[19 January 2001]

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

GE.01-10491

HUMAN RIGHTS IN IRAN

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

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

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

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

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

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

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

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

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

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

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

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

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

Tab 7

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[7] Annual Report of the Office for Protection of the Constitution, Bundesministerium des Innern, p. 205 http://www.bmi.bund.de/SharedDocs/Downloads/EN/Broschueren/Annual_Report_of_the_Office_for_Id_10268_en.pdf?__blob=publicationFile

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

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

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

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

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

(Tab 7) - Tafrishi affidavit

Affidavit of Jamshid Tafrishi,

Personal background

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

2. I am divorced and have 2 children.

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

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

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

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

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

Motivation for revealing my information

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

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

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

Intelligence Ministry’s task

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

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

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

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

Allegations of human rights violations

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

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

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

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

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

False information to foreign governments

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

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

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

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

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

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

Affidavit of Jamshid Tafrishi.

Personal background

1. I, Jamshid Tafrishi, was born on April 13, 1956, in the city of Tabriz, Iran. I currently live in Denmark as a political refugee.

2. I am divorced and have 2 children.

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

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

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

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

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

Motivation for revealing my information

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

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

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

Intelligence Ministry's task

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

A. Accusing the PMOI of violating human rights as someone who had previously worked with the organization.
B. Recruitment of disaffected members and efforts aimed at luring non-PMOI members of the NCRI away from that coalition.
C. I was also assigned to the task of providing false information to European countries on the PMOI and the NCRI. I was also aware that other agents are engaged in similar activities in other countries.

Allegations of human rights violations

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

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

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

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

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

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

False information to foreign governments

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

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

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

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

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

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

Vejle, den 30. august 2001

Jamshid Tafrishi
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Til vitterlighed om underskriftens ægthed, dateringens rigtighed samt underskriverens myndighed:

Navn: Michelle Hansen
Stilling: Sekretær
Bopæl: Vejle

Navn: Ilse Laursen
Stilling: Sekretær
Bopæl: Vejle

Tab 8

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Tab 9

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[3] "Panel Discussion on Islamic Fundamentalism," by Dr. Joshua Muravchik, Congressional Record, Extension of Remarks, Hon. Helen Delich Bentley, p. E2203, September 21, 1993 http://thomas.loc.gov/cgi-bin/query/C?r103:./temp/~r103oE4eVk.

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

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

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

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

Tab 10

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

> *"281.2. Although, through the NLA [National Liberation Army], the PMOI did have a very substantial military capability in Iraq prior to 2003, it was disarmed in the immediate aftermath of the invasion;*
>
> *"281.3. Given the absence of any material to the contrary, the only conclusion that a reasonable decision maker could reach is that, since the disarmament of the PMOI/NLA in Iraq, the PMOI has not taken any steps to acquire or seek to acquire further weapons or to restore any military capability in Iraq (or, indeed, elsewhere in the world). The PMOI has not sought to recruit personnel for military-type or violent activities, the PMOI has not engaged in military-type training of its existing members and the PMOI has not sought to support others (i.e. other individuals or groups) in violent attacks against Iranian targets;….*
>
> *"295. In our view, on all the relevant material a reasonable decision maker could only come to the conclusion that either there never was (contrary to the earlier claims of the PMOI) any military command structure or network inside Iran after 2001 or that, by some time in 2002, any such structure or network had been dismantled. There is no evidence of any present operational military structure inside Iran which is used to plan, execute or support violent attacks on Iranian targets. Nor is there any evidence that the PMOI has retained military operatives inside Iran with the intention of carrying out such attacks. That is consistent with the evidence that the PMOI has not carried out any attacks since August 2001, or May 2002 at the latest, and the absence of any evidence suggesting that the PMOI have attempted (whether in Iraq or Iran or, indeed elsewhere) to acquire weapons or a military capability following its disarmament in Iraq in 2003.*
>
> *"296. On the basis of the material before us, to the extent that the PMOI has retained networks and supporters inside Iran, since, at the latest, 2002, they have been directed to social protest, finance and intelligence gathering activities which would not fall within the definition of "terrorism" for the purposes of the 2000 Act."*[10]

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

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

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

[11] Approved Judgment, In the Supreme Court of Judicature, Court of Appeal, Application for Permission to Appeal from the Proscribed Organisations Appeals Commission and in the Matter of the People's Mojahadeen Organisation of Iran, Case No: 2007/9516, May 7, 2008, p. 21 http://www.unhcr.org/refworld/pdfid/4850d43b2.pdf.

Concluding Commentary

CONCLUDING COMMENTARY

How well do we understand the MEK?

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

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

As much as this will challenge people advertising superior knowledge and insight about the MEK to back up their assertions, it is not concern for their reputations so much as for the United States' reputation that prompts these thoughts as will be explained.

Counterterrorism Policy – Distinguishable from U.S. Foreign Policy Writ Large?

Among the key recommendations in the State Department's first-ever Quadrennial Diplomacy and Development Review (QDDR),[1] released by Secretary of State Clinton on December 15, 2010, was to establish, with congressional support, a new Bureau for Counterterrorism. This would elevate the stature and resources of the policy function managed to date by the Secretary of State's Coordinator for Counterterrorism (S/CT). A future Assistant Secretary of State for Counterterrorism will, at least on paper, carry equal rank to the Assistant Secretary of State for Near Eastern Affairs, responsible for managing US relations and policy with countries of the Middle East including Iran. The question is, will that official have a distinguishable 'counterterrorism' policy to offer the Secretary of State?

The preceding review of designation decisions placing the MEK and its affiliates on the list of Foreign Terrorist Organizations has found that time and again, over a quarter-century span, such decisions were taken not so much as a reflection of empirically measured terrorist activity attributed to the MEK, although such acts were formally cited as justification. Rather, the trigger for designation actions, time and again, appears to have been a decision to accommodate urgent demands by the government in Tehran, with the hope of reciprocal action on issues of priority importance to the US.

[1] http://www.state.gov/s/dmr/qddr/

Perhaps such a calculus weighs heavily today on the US Administration. It is legitimate and quite appropriate for US officials to assess the possible foreign policy repercussions of removing the MEK and its aliases from the list of FTOs, consistent with the requirement to ensure that the MEK's actions do not threaten, in the language of the State Department policy guidelines, "the national security (national defense, foreign relations, *or* the economic interests)" of the US. But it is surely unarguable that the first question to be answered, before weighing collateral international consequences, is whether the entity in question is engaged in terrorism, or terrorist activities. Based on this review, the author's conclusion is that any information credibly demonstrating the MEK's engagement in recent terrorist activities must be classified; the open sources reviewed for this study strongly suggest the absence of such behavior.

Measuring Success

Recall the twin purposes of the entire FTO enterprise (see Introduction): "*curtailing support for terrorist activities*," and "*pressuring groups to get out of the terrorism business*." When a foreign organization is confirmed to have committed acts within the past 2-5 years meeting the definition of terrorist activities, US security interests are degraded, and the FTO designation mechanism is a tool of influence to curb the danger from that organization and hopefully exert leverage toward a positive change in behavior. Not to designate such a group as an FTO would be questionable.

Conversely, when a foreign organization already designated as an FTO is not found to have committed acts of terrorism, engaged in terrorist activities, or planned future actions of this nature within the past 2-5 years, is any decision other than to de-list the group appropriate? In such a situation, there are several reasons why removing the designation is likely to be the better approach.

- First, the integrity of the worldwide FTO designation process and the influence it is designed to exert over terrorist groups would be reinforced rather than potentially weakened.

- Second, against the backdrop of a foreign policy consideration deemed to be more important than protecting the integrity of the FTO designation process, failure to remove the designation of a group not found to have committed acts meriting the designation within the past 2-5 years would confirm suspicions on the part of many observers that the FTO designation process is politicized.

- Third, and most importantly, a US policy explicitly designed to wean groups away from terrorism would otherwise be denied the opportunity to claim a rare victory in having pressured a group "to get out of the terrorism business."

Weighing Iran's Possible Reaction to de-listing the MEK as an FTO

The author's view is that FTO designations can and must be about terrorism, and the US Government is fully capable of rendering and explaining such judgments without Iran or any other party dangerously misinterpreting its broader foreign policy objectives and approaches. The government in Tehran has recent experience with two key governments – the UK and France – going through a judicial review resulting in the removal of the MEK from their respective terrorism lists as well as that of the

European Union, after years of Iranian pressure to prevent these very outcomes. In neither case did Iran engage in serious reprisals.

Indeed, Iran's greatest concern in the event the State Department were to de-list the MEK as an FTO is not that the MEK would be better able to solicit political and public support in the United States; as the MEK's most vocal critics have been the first to point out, it already has sought and received public expressions of support from a 'who's who' of distinguished former US national security and foreign policy officials.

No, the larger concern in Tehran would be that the US Administration may be signaling a change in its perspective on the MEK as a possible factor in the future of domestic Iranian politics. This study has noted a consistent theme from the MEK's detractors that the group has no significant support inside Iran and is viewed very negatively for alleged past activities such as its congenial relationship with the Saddam Hussein regime during the Iran-Iraq war.

Others will have to judge, in the event the MEK is removed from the FTO list, the extent of its political potential in Iran. There is no rush to address that question. What US decisionmakers must realize is that neither Tehran nor Washington will ultimately control how the people of Iran feel about the MEK.

In sum, the act of removing the MEK from the Foreign Terrorist Organizations list would not destabilize or undermine US interests regarding Iran. The authorities in Tehran are well aware of the pending court matter in Washington, and understand that US law provides for either the Congress or the courts to direct a change in policy if the State Department cannot show cause for continuing the terrorist designation. The decision to maintain the MEK on the list, or to remove it, can and should be taken on its own merits, for the benefit of the US's worldwide counterterrorism policy effort. The State Department would be well advised to make clear that de-listing an entity – if justified by the facts – is not a foreign policy signal, but a counterterrorism measure consistent with US policy and law.

<u>The U.S. Obligation at Camp Ashraf</u>

No one reading this brief study should be unaware of the fact that approximately 3,400 persons at Camp Ashraf, Iraq who were disarmed, vetted for possible involvement in criminal terrorist activities, formally granted 'Protected Persons' status under the Fourth Geneva Convention, and subsequently placed under military protection by the United States in 2003-04, have since then suffered two deadly attacks by armed Iraqi security forces, in violation of the above commitments. The attacks, on July 28, 2009 and again on April 8, 2011, killed 47 unarmed civilians and injured hundreds more.

Prior to the first of the attacks, on January 1, 2009, control over Camp Ashraf had transferred from US military forces, under the command of MNF-I Commander General David Petraeus, to Iraqi sovereign control. Former US Attorney General Michael B. Mukasey has testified to Congress that GEN Petraeus "*has said he agreed to permit Iraqi security forces to assume control only after receiving explicit*

and written assurance from the Iraqi government that the protected status of Ashraf residents would be scrupulously observed."[2]

That these commitments were violated, and the lives of civilians lost after trusting in American assurances and protection, renders the Camp Ashraf attacks more scandalous and deleterious to American honor and reputation than even the Abu Ghraib prison abuse scandal, the comparative lack of media interest notwithstanding. In the author's view, if anyone is wondering why so many US military senior leaders have taken an active interest in the MEK designation issue, he or she need look no further.

Nor is this a purely military matter. The author's career in the US Government as a civilian policy official beginning in 1981 has centered on fostering successful military-to-military relationships, effective security assistance programs, and appropriately regulated arms export policies. This included four years executing delegated presidential authority over nearly all arms transfers consistent with the Arms Export Control Act, and co-authorship of the standing guidance to US Embassies worldwide implementing the so-called Leahy Law, which mandates enforcement of human rights standards in State Department-funded security assistance relationships.[3] Both the Arms Export Control Act (AECA) and the Leahy Law appear to have been violated by Iraqi forces trained and equipped by the US.

Videos of US-supplied HMMWV vehicles running over Ashraf residents at high speed have gone 'viral' and can be easily located with any internet search engine. US-trained Iraqi soldiers seen kneeling and firing upon panicked, unarmed women and men are graphically captured on these crude but sufficiently clear video clips. If the Administration is not preparing an AECA "Section 3" report to Congress detailing the misuse of US-supplied defense equipment to Iraq, it must do so. Further, the US Embassy in Baghdad should be preparing a report for the State Department identifying the Iraqi soldiers in units known to have participated in the attacks on Camp Ashraf; the Department must then render its judgment on whether these units committed gross violations of human rights,[4] as a consequence of which the identified individuals in those units would thereafter be excluded from future US training and assistance opportunities. As politically inconvenient and disruptive as these actions may be to US-Iraq military relations at an admittedly sensitive time, these remedies are required by law. They must be pursued, for the ultimate good of America's reputation and influence in the world.

<u>How a Policy Intended to Save Lives Can do the Opposite</u>

To some, the question of how to assure the protection of Camp Ashraf's residents may appear to be entirely unconnected to the issue for decision at the State Department on maintaining or removing the FTO designation from the MEK. The reality is, advocates in the United States are not the ones conflating these two issues: Iran and Iraq have both already done so. Iran has long called for the

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[2] Testimony of Michael B. Mukasey Before the House Committee on Foreign Affairs – Subcommittee on Oversight and Investigations, July 7, 2011 http://foreignaffairs.house.gov/112/muk070711.pdf.

[3] A parallel but separate 'Leahy Law applies human rights enforcement to DoD-funded security assistance accounts.

[4] A Spanish judge, operating under Spain's 'universal justice' doctrine, has reportedly summoned the head of the Iraqi Army and two other officers to answer allegations of possible crimes against humanity in the April 2011 attack at Camp Ashraf http://www.bbc.co.uk/news/world-middle-east-14159897.

expulsion of the MEK population from Iraq. In February 2009, as the enclosure next under reports, Supreme Leader Khamenei and President Talabani met in Tehran to discuss implementation of what Khamenei said was a bilateral agreement to do precisely that. Talabani reportedly replied that the "Iraqi government is determined to expel them and will go forward with its decision." [5] The first attack by Iraqi forces on Camp Ashraf took place a few months later.

Members of the US Congress who have actively sought to prevent further harm to the Ashraf residents are in no doubt as to the effect of the FTO designation on the safety of this population. At a congressional hearing days after the April 8 attack that killed 34 Ashraf residents, Rep. Brad Sherman, Democrat of California, said: *"In private discussions, the Iraqi Ambassador's office has said [that] because the MEK is listed as a terrorist group…, Iraq doesn't feel that it has to respect the human rights of those in the camp."*[6] His Republican colleague, Rep. Ted Poe of Texas, said at a subsequent hearing, "*When I…visited with Mr. Maliki…for almost two hours with other members of the committee,…[h]e said one reason that the people in Camp Ashraf are treated the way they're treated by Iraq is because the State Department continues to designate them as a foreign terrorist organization….*"[7]

If US policy planners are preoccupied with concern about the disruptive effects a decision to remove the MEK from the FTO list might have on US-Iran bilateral relations going forward, they would do well to give some thought to how they will explain their failure to anticipate and prevent a third mortal attack by American-trained and equipped soldiers against a defenseless community of innocent civilians holding 'Protected Persons' identity cards given to them by the United States.

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[5] "Iran urges Iraq to expel opposition group," AFP, February 28, 2011 http://www.google.com/hostednews/afp/article/ALeqM5iQnDOb4ldCk74Y7ToO7UPjKtPqSA

[6] Hearing before the Subcommittee on Terrorism, Nonproliferation, and Trade of the Committee on Foreign Affairs, House of Representatives, April 14, 2011, pp. 4-5 http://foreignaffairs.house.gov/112/65798.pdf.

[7] Hearing before the Subcommittee on the Middle East and South Asia, Committee on Foreign Affairs, House of Representatives, July 27, 2011 http://link.brightcove.com/services/player/bcpid800924616001?bckey=AQ~~,AAAAAukPArhE~,qbf0tVPjCtlU2U-gQt9yJ1PzfkAS6Wvc&bctid=1071174987001.

(Concluding Commentary) attachment

Meeting of Khamenei and Talabani

Feb 28, 2009

Iran urges Iraq to expel opposition group

Iraqi President Jalal Talabani (C) meeting with Iran's supreme leader Ayatollah Ali Khamenei (R)

TEHRAN (AFP) — Iran's supreme leader Ayatollah Ali Khamenei on Saturday urged visiting Iraqi President Jalal Talabani to expel Iran's main opposition group from Iraqi territory, the ISNA news agency reported.

"We await the implementation of our agreement regarding the expulsion of the hypocrites," he said, using a term the Islamic republic uses to describe the main opposition group in exile, the People's Mujahideen of Iran (PMOI).

He did not elaborate, but in late January Iraq's national security adviser Muwafaq al-Rubaie said in Tehran that Baghdad planned to extradite armed Iranian opposition members who have "Iranian blood on their hands."

"The only choices open to members of this group are to return to Iran or to choose another country... these people will themselves choose where they want to go," Rubaie told reporters at the time.

Founded in 1965 with the aim of overthrowing first the US-backed shah and then the Islamic regime in Iran, the PMOI has in the past operated an armed group inside Iran.

It was the armed wing of the France-based National Council of Resistance of Iran (NCRI) but it renounced violence in June 2001.

ISNA said Khamenei also slammed a January decision by the European Union to remove the PMOI from the EU list of terror groups following a legal battle in Britain.

He said the move "shows being a terrorist is a contractual issue and is not based on reality. Nonetheless they are not ready to accept them into their countries."

The agency quoted Talabani as saying in his talks with Khamenei that the PMOI "have committed many crimes against the Iraqis, and Iraqi government is determined to expel them and will go forward with its decision."

Baghdad announced on December 21 it planned to close Ashraf camp north of Baghdad and close to the Iranian border, where around 3,500 PMOI members are held under a form of house arrest.

On January 1, Iraqi Prime Minister Nuri al-Maliki went further and said he would expel the PMOI from the country.

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