

# report

minority  
rights  
group  
international

## From Crisis to Catastrophe: the situation of minorities in Iraq





Children from minority Yazidi sect, fleeing violence from forces loyal to Islamic State in Sinjar town, make way towards Syrian border, on outskirts of Sinjar mountain.  
*Rodi Said / Reuters, August 2014.*

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### Minority Rights Group International

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MRG works with over 150 organizations in nearly 50 countries. Our governing Council, which meets twice a year, has members from 10 different countries. MRG has consultative status with the United Nations Economic and Social Council (ECOSOC), and observer status with the African Commission on Human and Peoples' Rights (ACHPR). MRG is registered as a charity and a company limited by guarantee under English law. Registered charity no. 282305, limited company no. 1544957).

# From Crisis to Catastrophe: the situation of minorities in Iraq

## Contents

Introduction	2
Minorities in Iraq	5
Minority rights in the Iraqi constitution	6
1 Violations of the right to life and security of the person	8
Violations against Christians	8
Violations against Yazidis	9
Violations against Sabeen-Mandaeans	12
Violations against Shabak	13
Violations against Turkmen	14
Hate speech	15
2 Violations of economic, social and cultural rights	16
Public services	16
Education and language rights	18
Access to employment	19
Property disputes	20
3 Participation, identity and personal status	22
Political participation	22
Identity registration	23
Personal status	24
Recommendations	25
Notes	27

# Introduction

Iraq has historically been home to a rich tapestry of ethnic and religious communities whose history of coexistence in the region dates back thousands of years. In addition to the three main components of Sunni Arabs, Shia Arabs and Sunni Kurds, Iraq's demographic composition includes ethnic and religious minorities, such as Chaldo-Assyrian and Armenian Christians, Turkmen, Yezidis, Kaka'i, Shabak, Sabeen-Mandaeans, Baha'i, and Faili Kurds, as well as Roma and Black Iraqis.

However, the recent history of minorities in Iraq has been one of repression, conflict, displacement and persecution. The Sunni Arab-dominated government of Saddam Hussein maintained its authoritarian power on the basis of discriminatory, divisive, and ultimately genocidal policies towards Kurds, Shia Muslims, and ethnic and religious minorities. The US-led invasion of Iraq in 2003 prompted the collapse of the state and the eruption of brutal sectarian violence. During the worst violence in 2006-2007, tens of thousands of Iraqis were killed and many more fled the country. Minorities were often the victims of this violence. An estimated 30 per cent of refugees leaving the country were ethnic or religious minorities, according to the office of the UN High Commissioner for Refugees (UNHCR).

Despite the adoption of a new constitution in 2005, the holding of elections, and the agreement of autonomy for the Kurdistan Regional Government (KRG), the position of minorities remained precarious. The administrative status of the regions in which many minorities lived remained in limbo, and minorities paid the price for power struggles between the federal government of Iraq and the KRG. The Shia-dominated government led by Nouri Al-Maliki alienated many Sunnis, leading to large-scale protests and violent resistance. This discontent has propelled the rise of militant Sunni groups, especially the Islamic State of Iraq and al-Sham (ISIS), which later shortened its name to the Islamic State. Fuelled by gains made in neighbouring Syria, ISIS and allied groups have engaged in systematic campaigns of violence against Shia Muslims and religious minorities.

In June 2014, ISIS fighters took control of Mosul, Iraq's second-largest city, and historically home to many minorities, causing an estimated 500,000 people to flee in the first week alone. ISIS then proceeded to take control

of Tikrit and in early August swept across the Ninewa governorate, taking control of many villages historically home to minority communities. Iraq is now in the midst of the highest levels of violence since the sectarian strife of 2006-2007. As of the end of September, the death toll for 2014 had already reached over 12,000 civilians, a sharp increase from 2013.<sup>1</sup> Minorities have been one of the primary targets of this violence. In ISIS-controlled areas, militants have engaged in summary executions, forced conversions, kidnappings, torture, rapes, sexual trafficking, looting and destruction of properties. By mid-July an estimated 1.2 million people<sup>2</sup> had been displaced as a result of the violence, a large proportion of them minorities. Hundreds of thousands have sought refuge in the KRG with little more than the clothes on their backs and are living a precarious existence as humanitarian agencies struggle to cope with the influx.

The situation of minorities in Iraq has now reached the point of desperation. Many minority communities have been reduced in size by emigration and killing to the point that they are now in danger of extinction in Iraq. Villages in Ninewa governorate that have been home to minority communities for thousands of years have been all but emptied of their inhabitants. Across Iraq, the minorities who do remain live in constant fear for their safety. Their religious sites are the target of attacks and they are afraid of openly displaying their religious identities. Their areas suffer from deliberate neglect and they face high barriers in accessing education, employment, housing, healthcare and other essential services. Those who try to start a new life in the relatively safer Kurdistan region face a whole new set of obstacles, from linguistic barriers, discrimination, political marginalization and difficulty in finding employment and accessing public services.

This report seeks to give a comprehensive picture of the current situation of minorities in Iraq in order to inform the development of policies and strategies to improve their situation. It covers major human rights violations which took place in 2013-2014 as well as more long-term manifestations of discrimination present in the social, economic, political, legal and cultural fields. Action to improve the situation of minorities will require concerted effort and cooperation on the part of the federal government of Iraq, the KRG, and relevant international bodies.

## The advance of the Islamic State of Iraq and al-Sham (ISIS)

The Islamic State of Iraq and al-Sham (ISIS)\* is the latest incarnation in a long line of extremist Islamist insurgency movements whose origins date back to the invasion of Iraq in 2003. Although the movement emerged as an offshoot of Al-Qaida in Iraq, it acts independently of the network, and increasingly in competition with it. Under the leadership of Abu Omar al-Baghdadi, the group has managed to revive Iraq's Sunni Islamist insurgency movement since its major setback during the US-led 'surge' and coordinated *Sahawat* (Sunni Arab 'Awakening') campaigns of 2007-8. Arguably, the increasingly sectarian and repressive policies of Nouri al-Maliki's government, the uprising in neighbouring Syria and the government's violent reaction towards Sunni Arab protest movements in 2012-3 have been the major facilitators for the resurgence of the Islamist network across the Sunni Arab dominated provinces of Anbar, Salah al-Din, Diyala and large parts of Ninawa.

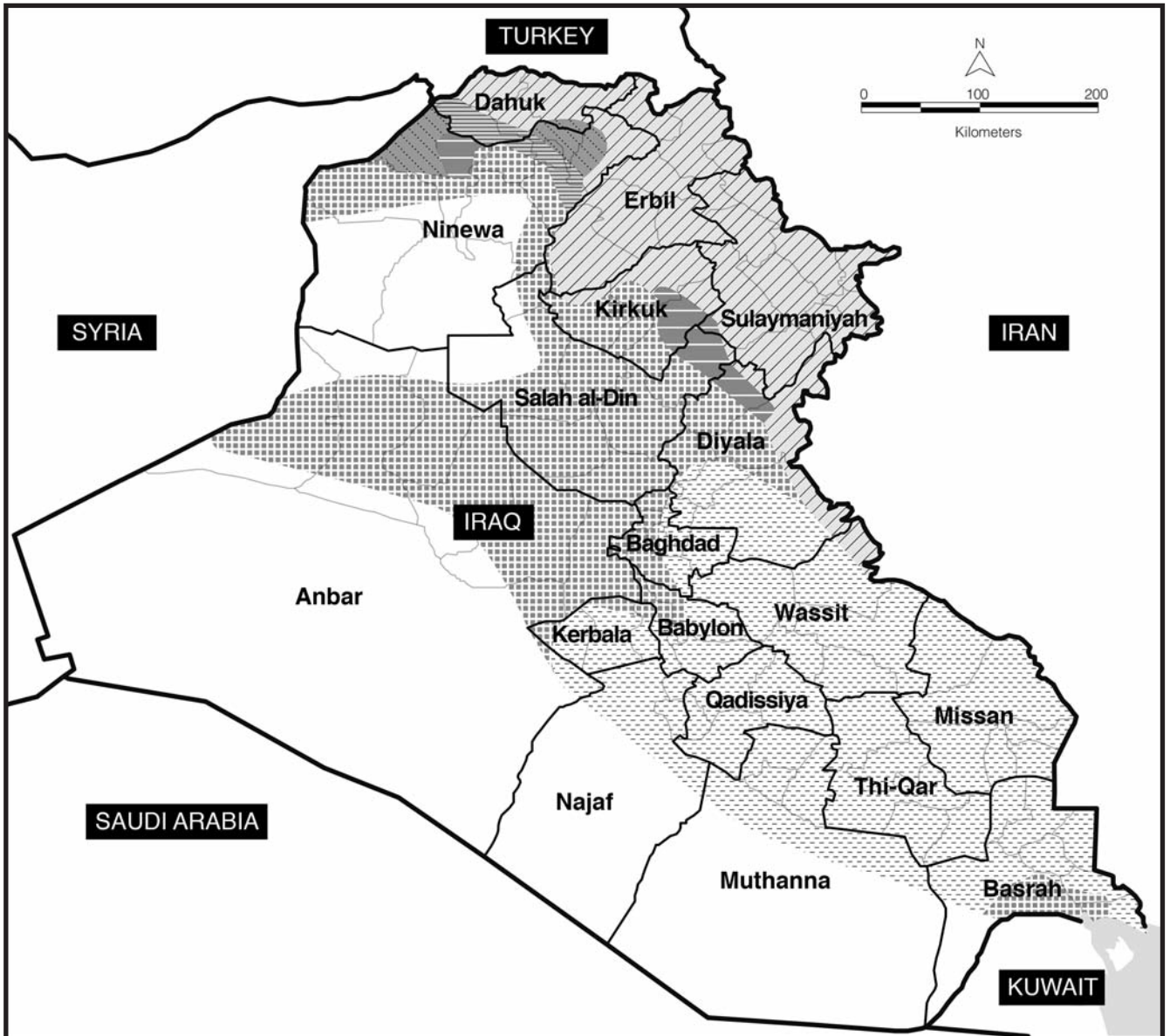
ISIS began orchestrating major offensives, openly confronting the Iraqi Security Forces (ISF), Kurdish Peshmerga and Shia militias. These campaigns were a noticeable evolution from al-Qaida's terror tactics (based on improvised explosive devices and vehicle and suicide bombings) and an early sign of its new-found capabilities to mobilise resources that were able to confront and defeat Iraq's military on the battlefield. The first phase of the ISIS advance saw the capture of al-Qaida's traditional strongholds of Fallujah and Ramadi on 3 and 4 January 2014. In February 2014, Al-Qaida's Leader – Ayman Al-Zawahiri – formally disassociated ISIS from his network following months of feuding, including over strategy in Syria.

By mid-June, ISIS advanced rapidly in Iraq, capturing swathes of territory and major population centres. On 9 June, Iraq's second largest city, Mosul, fell, followed by the fall of Tikrit on 11 June and the strategic towns of Tal Afar and Al Qaim near the Syrian border on 16 and 21 June respectively. Although ISIS had had a string of victories,

the capture of Mosul came as a surprise to many observers, as the city boasted an ISF garrison of 30,000 – most had been routed, leaving a large inventory of heavy weapons and ammunition to ISIS insurgents. Although many of Iraq's Sunni Arab tribes oppose Al-Qaida's extreme interpretation of Islam and its violent methods, they did not appear to be willing to confront ISIS on behalf of what they perceived to be a majoritarian and oppressive central government. Furthermore, the successive capture and consolidation of the Sunni Arab heartland cities and towns indicate a collaboration between ISIS and some local tribes as well as former Ba'athist insurgents such as *Jaish Rijal al-Tariqah al-Naqshabandia* (JRTN), who retain both military know-how and local support. Conversely throughout June, the strategically important city of Baquba and Shia pilgrimage city of Samarra were able successfully to repel multiple attacks, with Iranian support, again suggesting a sectarian-centred dynamic to the nature of security within Iraq.

On 16 June, shortly after the capture of Mosul, ISIS posted images showing the mass executions of captured Iraq soldiers. The then rebranded 'Islamic State' group began launching offensives against minority-dominated towns across northern Iraq. Zumar and Sinjar quickly fell on 2 and 3 August. Kurdish forces were forced to withdraw from these vulnerable areas, leaving a devastating humanitarian crisis. The rapid speed of the ISIS advance and the horrific nature of the atrocities committed (including most recently against US citizens), has prompted the mobilisation of international military support in aid of Iraqi and Kurdish forces.

\* *Widely known in Iraq by its Arabic acronym Da-ash. Also known as the Islamic State of Iraq and the Levant (ISIL). Formerly, the Islamic State of Iraq. The group changed its name in June 2014 to the Islamic State (IS).*



**Ethno-religious Population Distribution in Iraq**

Shaded areas indicate where groups are mainly concentrated or constitute the majority population.

- Legend**
- Shia Arabs
  - Sunni Arabs
  - Kurds
  - Christians/Shabak
  - Yazidis
  - Turkmen
  - Sparsely Populated

Sources: Daily Telegraph (UK) ; Base map from UNOCHA.

## Minorities in Iraq

**Turkmen** are the largest ethnic group in Iraq after Arabs and Kurds and they number up to three million.<sup>3</sup> They speak a distinct dialect of Turkish which is related to the Azerbaijani language. Approximately 60 per cent follow the Sunni branch of Islam and most others are Shia, although there is also a substantial Christian minority.<sup>4</sup> Turkmen are mainly located in Tel Afar, Kirkuk, Erbil, Salahuddin, Diyala, Baghdad and Kut. Because of the historical importance of Kirkuk to them, Turkmen have been entangled in the on-going dispute over the status of the city between Arabs, Kurds and Turkmen. They have been subject to threats, kidnappings, assassinations, and large-scale bombings. More recently, Shia Turkmen have been the victim of summary executions by ISIS militants.

**Christians** in Iraq are mostly of Chaldo-Assyrian or Armenian ethnicity and adhere to several different denominations. Before the US-led invasion, up to 1.4 million Christians lived in Iraq, with some community leaders estimating higher numbers.<sup>5</sup> After the eruption of violence in the wake of the US invasion, Christians were targeted for their religious difference as well as their perceived ties with the West. More than a thousand were killed and dozens of churches were bombed.<sup>6</sup> Christians formed a disproportionate percentage of refugees leaving Iraq, with UNHCR reporting in 2011 that they made up more than half of new refugees in Lebanon and Turkey, despite representing only three per cent of Iraq's population.<sup>7</sup> At present, only an estimated 350,000 remain in the country. The advance of ISIS fighters into large parts of Ninewa governorate between June and August 2014 caused a new wave of displacement of Christian families from the Ninewa plains towards the KRG or beyond Iraq's borders.

**Yezidis** are followers of an ancient monotheistic religion linked to Zoroastrianism which combines elements of Christianity, Gnosticism, Islam and Judaism. Their holiest shrine is in Lalish, located northeast of Mosul. Their religious imagery centres on the figure of Melek Taus, or the Peacock Angel, whose story resembles that of the fallen angel, which has caused Yezidis to be inaccurately labelled as devil worshippers. As a result, they face harassment and discrimination from society at large as well as threats and attacks from extremist groups. There are currently an estimated 500,000 Yezidis living in Iraq.<sup>8</sup> Before the current crisis, the majority were located in Ninewa governorate, concentrated in the towns of Sinjar, Ba'shiqah, Sheikhan and Bahzan, while others live in Dohuk and its surroundings. As a result of living in areas disputed between the federal government of Iraq and the

KRG, Yezidis have faced pressure to conform to a Kurdish identity. While many Yezidis do speak Kurdish and identify as Kurds, others consider themselves as having a distinct ethnic identity.

**Kaka'i**, also known as Ahl-e-Haqq, are followers of a syncretic religion, which contains elements of Zoroastrianism and Shia Islam. They are generally considered to be Kurdish in ethnicity, speaking a dialect known as Macho, although there are also some Arabic-speaking communities. Their population is estimated at 200,000. The majority used to live in villages surrounding Kirkuk, although many have been displaced to the KRG over the years. They have been the targets of threats, kidnappings, assassinations, and boycotts of their businesses because of their religious practices, and they have also faced discrimination on account of their Kurdish ethnicity.

**Shabak** number approximately 250,000<sup>9</sup> and are scattered across the disputed regions of Ninewa governorate in villages located to the north and east of Mosul. They speak a distinct language called Shabaki which is a blend of Arabic, Persian, Syriac and Turkmen. Shabak religious practice blends elements of Islam and local beliefs, although many identify as Shia Muslims. Since the Ba'athist era, and continuing to the present day, Shabak have been victims of efforts to forcibly alter the demographic balance in their areas in favour of either Arabs or Kurds. Most Shabak consider themselves as a distinct ethnic group, neither Arab nor Kurdish. Many Shabak who once lived in Mosul have been forced to leave and seek refuge in surrounding villages due to harassment, killings and threats.

**Faili Kurds** are Kurds who generally follow the Shia sect of Islam, in contrast to the Sunni-majority Kurdish population. Faili Kurds were persecuted under Saddam Hussein and forced to leave Iraq under contrived accusations that they were loyal to the Iranian government. Many were stripped of their Iraqi nationality and lived as stateless persons in Iran for decades. Since the fall of Saddam Hussein, many have returned to Iraq, but face challenges in restoring their nationality, despite the passing of government measures to ease the process.

**Sabeen-Mandaeans** are adherents of a pre-Christian monotheistic religion based on the teachings of John the Baptist. Their communities are concentrated around the Tigris and Euphrates rivers since their religious rituals require the use of flowing water to perform baptisms at social occasions. Although they are mentioned in the Qur'an as one of the 'People of the Book', many

extremists consider them to be infidels. Since their religion prohibits them from carrying arms or from harming others, even in self-defence, Sabeen-Mandaeans cannot protect themselves from attacks. Since the outbreak of violence in 2003, most Sabeen-Mandaeans have either fled the country or been killed. Today, there are fewer than 5,000 remaining in Iraq,<sup>10</sup> most of whom live in Baghdad, Kirkuk and Maysan. The dwindling size of the community means that the future existence of the religion in Iraq is under serious threat.

**Baha'i** are followers of a monotheistic faith founded in 19<sup>th</sup>-century Iran. Some Muslim leaders consider Baha'is to be apostates from Islam. Under Saddam Hussein, the Baha'i faith was prohibited and Baha'is were prevented from registering their religion on their identity cards. Up until today many still face challenges in acquiring identity cards or changing their officially recorded religion to Baha'ism where it was previously recorded as Islam. Currently, their population in Iraq is thought to number less than 1,000.

**Black Iraqis** are largely the descendants of East African migrants who came to Iraq after the birth of Islam. Community leaders estimate their numbers may be as high as 1.5 to 2 million. They are located mostly in southern Iraq, with the largest community residing in Basra. Black Iraqis face systematic discrimination and marginalization in all aspects of economic, political and social life. They are continually referred to as 'abd (slave) and their communities suffer from disproportionately high illiteracy, poverty and unemployment rates. The majority of Black Iraqis are Shia Muslims.

**Roma**, sometimes referred to as Kawliyah in Iraq, number between 50,000 and 200,000 and live primarily in isolated villages in southern Iraq as well as in the outskirts of Baghdad, Basra and Mosul. Under the Saddam Hussein government, Roma could not own property but were employed as entertainers, musicians, dancers and prostitutes. Though the majority of Roma are Shia or Sunni Muslims, they are targeted by Islamic militias because of these occupations. They face widespread discrimination and ostracism and most are unable to find steady employment. Their villages are neglected and many lack even the most basic services.

## Minority rights in the Iraqi constitution

Iraq's legal and constitutional framework provides a broad set of rights and freedoms in line with international human rights law. Although the 2005 Constitution names

Islam as the official religion of the state, it recognizes the religious and ethnic diversity of the country and guarantees freedom of religious belief and practice in Article 2. Article 4 recognizes the right of Iraqis to be educated in their mother tongues, including Turkmen and Assyrian, and the right to use these languages as official languages in the regions in which they constitute the majority of the population. This article was amended in early 2014 to include the Mandaean language. Moreover, Article 14 states that Iraqis are equal before the law without discrimination based on gender, race, ethnicity, nationality, origin, colour, religion, sect, belief or opinion, or economic or social status. Article 41 further provides that Iraqis are free to determine their personal status according to their religions, sects, beliefs or choices.<sup>11</sup>

The Kurdistan Regional Government also guarantees rights to minorities in its constitution. Article 5 names the ethnic components of Kurdistan as including Kurds, Turkmens, Arabs, Chaldo-Assyrian-Syriacs, Armenians and others, while Article 6 guarantees freedom of belief and upholds the religious rights of Christians, Yezidis and others. However, it should be noted that Shabak are not recognized as a distinct ethnic group nor mentioned anywhere in the Kurdish constitution. Article 14 recognizes the right of children to be educated in their mother tongue, including Turkmen, Assyrian and Armenian. Article 20 forbids all kinds of discrimination, including discrimination on the basis of religion.

However, lack of implementation of the 2005 federal constitution means that throughout Iraq many human rights provisions remain ineffectual in practice. For example, Article 125 states that the constitution "shall guarantee the administrative, political, cultural, and educational rights of the various nationalities, such as Turkomen, Chaldeans, Assyrians, and all other constituents, and this shall be regulated by law." However, the government has so far failed to enact a law implementing this provision, which therefore has not entered into practice. Moreover, the government has still not finalized the status of the disputed regions, including Kirkuk, by holding a referendum as required by article 140. The ambiguous status of the disputed regions means that there is confusion over the jurisdiction of the security forces of the central government and the KRG respectively, with neither taking responsibility for preventing human rights violations or providing effective protection for vulnerable communities.

Iraq has established a Ministry of Human Rights and a High Commission for Human Rights, which are mandated to monitor and improve the human rights situation in the country. However, it was reported in 2013 that the High Commission was still not functional, lacking a chairperson and sufficient human resources.<sup>12</sup>



According to the US State Department, the Ministry of Human Rights made some progress in receiving complaints and issuing reports on human rights violations in 2013, but its effectiveness was limited by lack of

independence, scarce resources, and problems in cooperating with other ministries.<sup>13</sup> The KRG also established an Independent Board for Human Rights in 2013.

# 1 Violations of the right to life and security of the person

The deteriorating security situation in Iraq over 2013-2014 has had particularly disastrous consequences for minorities, who have been victims of assassinations, kidnappings, torture, bombings targeting their religious rituals, armed robberies and attacks on their businesses. Since minorities generally do not have their own militias or tribal protection structures like the majority groups in society, they are especially vulnerable in the face of attacks.<sup>14</sup>

The federal government of Iraq has shown that it is either unable or unwilling to protect the safety of minorities. In the vast majority of cases, investigations are not properly conducted and the perpetrators of attacks on minorities are not apprehended, in a continuation of the dominant pattern in previous years. Minority representatives claim that powerful political blocs prevent details about human rights violations from being made public so as not to damage their reputations.<sup>15</sup> Moreover, there is often evidence of the complicity of government and security officials in facilitating attacks or delaying responses to the victims.

The following section of the report contains details of some of the most prominent human rights violations against minorities in 2013-2014. However, it is widely acknowledged that there are many more attacks that go unreported, due to minorities' lack of confidence in the police and security forces and their fears of repercussions if they report attacks.

## Violations against Christians

Christians have been subject to on-going attacks since 2003. In the wake of the US-led invasion, they were treated with hostility and suspicion because it was presumed that their religious affiliation entailed loyalty to the West. Militant groups have also attacked Christians in order to alter the demographics of mixed areas in favour of Sunni Muslims. Christian-owned businesses, especially liquor stores, have also been the target of attacks.

Ghada Allous, a Christian human rights activist who left Iraq in 2013, describes some of the difficulties that drove her to emigrate to the United States:

*My husband was threatened because he was working with a US company and he was forced to leave his*

*work in 2005. Then he worked with Iraqi companies because he was scared, maybe they will murder him.*

*After 2003, all the Christians or minorities, they faced the same problems with the community. They began to face more challenges, more difficulties, because of the extremist ideas or strange ideas that entered into the society. More of them were killed, they are threatened, and because of that they want to leave Iraq. Now most of them are outside of Iraq.<sup>16</sup>*

Since 2003, at least 1103 Christians have been killed and 98 churches, monasteries and shrines have been attacked.<sup>17</sup> Attacks aimed at Christian areas have continued throughout 2013 and 2014. In March 2013, a bombing intended to coincide with Easter celebrations targeted Bartalla's main market, killing a Christian guard, Shaker Said Pinnoca, and injuring seven.<sup>18</sup> On 27 May 2013, Salem Dawud Kurkis was kidnapped and explosives were placed in his car without his knowledge, killing him when the car exploded near Tarmiya. His family later discovered that he was recorded as a terrorist on his death certificate.<sup>19</sup> On 25 June, the St. Mary Assyrian Church in Baghdad was attacked, leading to the injury of two guards. On 24 November, Alaa Adour Yaquob, a Christian journalist working for a satellite channel in Ninewa, was killed by a silenced weapon in front of his home in Mosul. On 7 December 2013, liquor stores in the Waziriya district of Baghdad were attacked by gunmen, leading to the death of eight people, five of whom were Christians. Three others were also injured in the attack.<sup>20</sup> On 25 December 2013 a string of bombings targeted Christian areas and churches in Baghdad as worshippers were attending Christmas services. Twenty-four people were killed and at least 52 were injured.<sup>21</sup>

Pastor Emad Yalda Matti, of the Syriac Catholic Patriarchate in Basra and the Arabian Gulf, described some of the problems facing his congregation in Basra:

*If [Christians] have liquor stores, they steal from them, or kill them, or force them to leave, or set their stores on fire. The problem is that Christians are targeted by the culture present in Iraq nowadays, and also by the state agencies. It may not be direct persecution, but a hidden kind, an indirect*

*persecution. That is why Christians in Iraq feel they are persona non grata. They are sons of the country, but they feel a lack of citizenship...*

*A week ago, a Christian house was looted. They stole everything. Yesterday, a man who worked in a liquor store was beaten on his head, and we heard today he was unconscious. A lot of people are afraid...*<sup>22</sup>

On 10 June 2014, ISIS forces took control of Mosul, a city home to Christians for thousands of years. This caused hundreds of Christian families to flee towards villages in the Ninewa plain or further afield to the KRG. Shortly after taking control, ISIS released a charter for the city, demanding Christians to pay the *jizya* (tribute tax) and imposing punishments including public crucifixions and beheadings. On 23 June, it was reported by an Assyrian news agency that members of ISIS entered a Christian home in Mosul to collect the *jizya*, and when the family could not pay, three ISIS members raped the mother and daughter in front of the father, who then committed suicide.<sup>23</sup> Between 12 and 21 June there were further unconfirmed reports of rape committed by ISIS fighters, including 11 incidents reported by the Iraqi High Commission for Human Rights.<sup>24</sup> ISIS militants also kidnapped two nuns and three orphans from a monastery in Mosul, later releasing them after seventeen days in captivity.

On 17 July, ISIS issued an ultimatum to the remaining Christian families in the city, warning them that if they did not convert to Islam or accept 'dhimmi' status and pay the *jizya* by noon on 19 July, there would be nothing left for them but the sword. Almost all remaining Christian families in Mosul left by 19 July. There are now very few Christians left in the city.

Between 6 and 7 August, ISIS proceeded to take control of all Assyrian areas in the Ninewa plain, including Tel Isqof, Bartalla, Karamles, Batnaya, Tel Keyf, and Iraq's largest Christian town, Qaraqosh, previously home to 50,000 people. This caused a second wave of displacement, as approximately 200,000 people fled towards the KRG.<sup>25</sup> Tofek Abosh Jobo, a resident of Qaraqosh who fled for Ankawa, recounts the events of 6 August:

*At 10 o'clock in the morning, Qaraqosh was bombed by mortars. Three people were killed. The people of the town were terrified of the arrival of ISIS forces. After the funeral in the Church of Al-Tabera, mortar and artillery fire continued to target Qaraqosh. We were all afraid of ISIS. At 8 o'clock pm, the Peshmerga forces withdrew from control of the town. We started to leave along with them. This continued until 4*

*o'clock in the morning. By 6:30 am, ISIS was in full control of Qaraqosh. All of us left, except for about 20 families who didn't hear the news...*<sup>26</sup>

The Ninewa Plain has now been practically emptied of its Christian population, indigenous inhabitants of the region for thousands of years. According to the Chaldean Archbishop Bashar M. Warda, 15 June was the first time in 1600 years that mass was not held in Mosul.<sup>27</sup> Many believe that the latest developments could spell the end of Christianity in Iraq. Imad Mageed Kata Petros Sony, another resident of Qaraqosh who fled on 6 August for Ankawa in the KRG, expresses his lack of hope that he will ever be able return to his native home:

*Our demand, from all people here living in Ankawa... it's emigration. This is the only solution for us... We are suffering and in tribulation. We can't begin again there in our place. Because if we go back again, and we try to build, to collect money, to build farms, to build homes, to sell everything... For what? For whom?*<sup>28</sup>

Christian human rights activist Ghada Allous also expresses her view that the crisis has reached an unprecedented level:

*Before ISIS there was some fear, there was no regular life, but there was still a life. Now, there is no life.*<sup>29</sup>

Other Iraqis call for urgent action to make the Ninewa plains safe for its indigenous population once again. As Iraqi human rights activist Ruqayyah Aboosh Hussein emphasizes:

*Minorities need protection, not asylum. It is crucial for them to obtain their rights in their own country. The heritage and identity of the country with its religious and ethnic diversity must be maintained.*<sup>30</sup>

## Violations against Yazidis

Until the ISIS advance into northern Iraq, most Yazidis lived in areas of Ninewa Governorate where control has been disputed between the federal government in Baghdad and the KRG. They have been the victims of frequent attacks and kidnappings by members of militant groups, who accuse them of being devil-worshippers. Since some make their living from selling alcohol, their businesses are also subject to attacks by Islamist groups. Large-scale massacres include the single deadliest attack of the Iraq conflict, when between 400-800 Yazidis were killed on 14 August 2007 in four coordinated suicide truck bombings

## 'It is ethnic cleansing'

### Interview with Archbishop Mar Nicodimos Daoud, Head of the Assyrian Church in Mosul and Kurdistan

*Were all Christians forced to leave Mosul?*

Every Christian was evicted from their homes. About 1,000 families left on 10 June 2014 and those were from the remaining Christian population which stayed there after the persecution and mass emigration in 2003. I escaped Mosul six hours before the fall of Mosul at the hands of ISIS.

*How were the fleeing Christians received in Kurdistan?*

Some of them went to monasteries, such as Mar Mata, others sought sanctuary in churches and the rest went to their relatives and the few who have money rented accommodation. There is cooperation between the church, ordinary people and the Kurdish authorities in order to help Christians. However, the situation remains horrible.

I think the authorities do their best to help Christians. However the burden is immense. There are about 1,200,000 people who had fled from different cities in Iraq, and not only Christians.

*What are the main problems faced by Christians in Kurdistan?*

The continuation of the current situation might lead to a disaster. Schools will start soon, so where will the Christian children go? Some university students did not finish their courses. Moreover, people sleep on the church floors and the winter is coming. How can families secure their daily living without work? It is an unsustainable scenario. We need help. We need an end to this misery.

*How can you describe what happened in Mosul?*

It is genocide. It is ethnic cleansing. It is similar to what happened to Armenians a hundred years ago in

Turkey. They were forced to leave their homes and they were threatened with death by the sword if they go back to Mosul. We had no options but to leave Mosul. We were born free and we could not agree to deny our religion or be slaves and pay a fine - 'jizya'. We are the origin and root of Iraq. We received Muslims and we were there before them. If there were no safe regions like Kurdistan, we could have faced another massacre.

*In the light of the current crisis, do you encourage Christians to leave Iraq or to stay in spite of their problems?*

It is a very critical question. As a representative of the church I do not encourage either solution. It is up to each individual to take the right decision. If I encourage people to emigrate outside Iraq, I support them to leave their country and land. If I urge them to stay, we should provide them with security.

*Were Christians targeted in Mosul because they were Christians?*

Yes, at the beginning, where crosses were removed from churches by ISIS and Christian employees were sacked from their jobs; then other minorities were targeted like Yezidis.

*Do you welcome the American air strikes against ISIS?*

This question should be asked of politicians and not of me as a religious leader.

*Is there any sign of an end to the current crisis?*

There is no sign to give us hope. But we pray for the authorities in Kurdistan and for Christians to be safe. We ask for humanitarian help from the international community.

*Interview conducted by telephone from Erbil, 9 August 2014*

in the villages of Kataniya and Jazira in Sinjar.<sup>31</sup> Al-Qaeda in Iraq, a forerunner to ISIS, was widely held to be responsible. Neither the Iraqi nor Kurdish security forces have been able effectively to protect Yezidis or prosecuted the perpetrators of attacks against them. For the past few years, Yezidi religious celebrations at Lalish temple have been cancelled due to fear of attacks.<sup>32</sup>

In March 2013, Muhsan Kheder Enjo, a Yezidi man, was kidnapped from Goraana village. His captors demanded a ransom of \$100,000 and he was released after his family paid a sum of \$80,000.<sup>33</sup> On 5 May 2013 five Yezidi workers were killed while they were on their way to work in the

outskirts of Baghdad.<sup>34</sup> The same month, gunmen opened fire on a Yezidi-owned liquor store in Baghdad, killing ten Yezidi employees and two others. On 18 September, six Yezidis were killed in an attack south of Mosul.<sup>35</sup>

In November 2013, gunmen attacked drivers transporting Yezidi students from Ba'ashiqa to Mosul University shortly after they had dropped off their students for the day. Three drivers, Salem Tawfiq Elyas, Khairy Khaleel Amr, and Muhannad Zain Hassan, were killed, while a fourth driver was seriously injured.<sup>36</sup>

In early May 2014, six Yezidis from Sinjar were killed in the Rabia region near the Syrian border, where many

Yezidis migrate seasonally to work as farmers.<sup>37</sup> Insurgents issued a warning to Yezidi families to leave the area within 24 hours or they would be killed. This led to a large-scale exodus of families from the area, leaving their crops and properties behind.<sup>38</sup>

Yezidis living in Mosul have been subject to threats and attacks for years, which caused many of them to leave the city over time. However, when ISIS captured the city on 10 June, most remaining Yezidis left for good. The same day as their entry into Mosul, ISIS insurgents kidnapped 14 Yezidi soldiers in Husaiba and demanded that they convert to Islam. After 13 out of the 14 refused, the ISIS members reportedly removed the soldiers' eyes before burning them all to death.<sup>39</sup> ISIS also took control of the Transfer Detention Centre in Mosul. Seven Yezidi prisoners were released, only to be recaptured on their way home by ISIS militas who demanded that they convert to Islam. Two of the Yezidis managed to escape while the five others were killed. On 10 June, ISIS took over the Badush prison, where they executed nine Yezidi prisoners along with hundreds of Shias.<sup>40</sup>

On 2 August, ISIS captured Zumar and by the next day had taken control of all of Sinjar, home to most of Iraq's Yezidis. Up to 200,000 people fled for their lives. According to Yezidi human rights activist Mirza Ismail,

*The ISIS attack was in the middle of the night, it was about 2am, on August 3rd. People escaped for their lives. They could not take anything. Many of them just ran barefoot ... because just they were shooting and people were running away... [the Peshmerga] pulled their militia and refused to give the Yezidis any weapons... some had only light weapons such as AK47s, which were no defense against the high technology of ISIS*<sup>41</sup>

Mirza Ismail reports hundreds being killed, including beheadings and other mutilations.

At least 50,000 people headed up Sinjar mountain, leading to a widely reported humanitarian crisis. Without food, water, or medicine and trapped in the heat for days with no way out, numbers of stranded Yezidis began to die on the mountain. The limited amount of humanitarian aid that was dropped by American and Iraqi aircraft was not enough to prevent scores from losing their lives.

In some cases, ISIS members carried out summary executions in retribution against Yezidi men and boys who had taken up arms to defend their villages from the onslaught. One such massacre took place on the morning of 3 August in the village of Qiniyeh, south-east of Sinjar, as documented by Amnesty International. According to the testimonies provided by survivors of the massacre, ISIS separated the women and children from the men and

brought a group of men and boys, some as young as 12, to the edge of the village, where they shot up to 85 people dead.<sup>42</sup>

Over the course of 15 and 16 August, ISIS carried out another large-scale massacre in the Yezidi village of Kotcho, southern Sinjar. Residents of the village had been trapped there since the ISIS takeover of the area on 3 August. According to the Iraqi Minister of Human Rights Mohammed Shia al-Sudani, at least 500 people were killed in Kotcho. ISIS separated the men from the women and children, and shot the men in the head while taking women and children captive. Women and children may also have been buried alive in mass graves, according to the Minister<sup>43</sup>

Yezidi human rights activist Hussam Salim Elias recounts panicked phone calls he received from residents of the village before the massacre:

*They told us ISIS gave them three days. If they don't enter Islam, if they don't pronounce the Islam religion and convert from Yezidi religion to Islam, they will kill them after those three days. So they called us, please do something, please let the American or international community do something... So for three days we are asking the international community, the UN, the American ambassador in Baghdad, the American consulate in Erbil, and many [international] agencies... but they don't do anything. After three days [ISIS] entered the village, killing all men and slaughtering them, kidnapping and raping women, killing the children...*<sup>44</sup>

In addition to the hundreds of Yezidis killed since the escalation of the current crisis, an estimated 2,500 Yezidis have been kidnapped, according to the UN High Commissioner for Human Rights.<sup>45</sup> Women and children are apparently being detained in a variety of locations, including Badush Prison near Mosul, schools and other government buildings in Tal Afar, Mosul, and Bi'aj, and empty houses in a village near Tal Afar belonging to Turkmen Shia who have fled the area, while the whereabouts of many more is unknown.<sup>46</sup> There have been reports of rape and sexual assault of women in detention.<sup>47</sup> Women have also been forced to marry ISIS fighters or sold in markets as sexual slaves.<sup>48</sup> There have also been reported rapes of women living in ISIS-controlled areas. One such case was that of a woman from the village of Tal Uzair in Sinjar who committed suicide on 22 August 2014 after being raped by ISIS for refusing to convert to Islam.<sup>49</sup>

The UN High Commissioner for Human Rights has stated that the atrocities committed by ISIS against religious minorities could be tantamount to crimes against humanity, while Amnesty International has labeled the

ISIS campaign a program of ethnic cleansing. In some cases, ISIS has wiped out entire Yezidi families of up to four generations.

Hussam Salim Elias describes the gravity of the crisis and its implications for future community relations in Iraq:

*Even if ISIS withdraws from their areas, how can they come back and trust the Iraqi government to protect them again? That's the big question for them. They lost everything and the government doesn't protect them. It's hard to talk about returning right now because their houses are destroyed, farms,*

*industries, everything, they have nothing, now they have just their clothes and some hope.*<sup>50</sup>

## Violations against Sabeen-Mandaeans

Though named by the Qur'an as one of the 'Peoples of the Book', Sabeen-Mandaeans are considered disbelievers by some groups and have been the targets of killings, threats and kidnappings on the basis of their religious identity. Due to the fact that many Sabeen-Mandaeans traditionally work as goldsmiths, their perceived wealth is another factor contributing to the high rate of

### 'Emigration is the solution'

#### Interview with Orouba Biyazid Ismail, member of the Yezidi royal family

*Can you describe what happened to the Yezidis?*

It is a tragedy and all elements of Iraqi society, either ethnic or religious, have faced catastrophe. What took place on 3 August cannot be forgotten. Some Yezidis could not reach the safe areas in Kurdistan and bodies were not buried and others in Mount Sinjar were helpless and did not receive any help. Kotcho village was surrounded by the ISIS troops. The Yezidis in this village were either killed or captured. Yezidis are discriminated against on both an ethnic and religious basis. We were in safe areas and we counted on the Kurdish authorities but we were disappointed. The Peshmerga should have been ready to fight ISIS... They gave us false hopes that our region is safe. Many Yezidis were killed because the Peshmerga refused to provide Yezidis with arms. When ISIS entered our region on 3 August, the Peshmerga withdrew.

*What about the role of the international community in helping you?*

At the beginning the help was not there. No action was taken by either the Iraqi government or the Kurdish authorities. But finally there were some humanitarian drops by the Americans and other countries to the Yezidis. We thank the American government for its help to us and we welcomed the French military support to the Kurdish authorities.

*Are you satisfied by the support of the international community in the crisis?*

Not entirely but to some extent. The main dilemma is the 500 women who were captured by ISIS. We need to free them. Why the silence from the international community and the women's organizations about those

women? I cannot understand how this can happen in this century – to sell women in the market as slaves.

I urge the international community to help us. There is a genocide against my people. Women should be set free and not to be sold as slaves. We need protection from the United Nations and camps to be built to accommodate people who fled from ISIS atrocities.

*What do you think is the solution for the Yezidis' situation?*

Emigration, emigration and more emigration. We have no confidence about staying in Iraq. We do not feel safe. The coexistence between Yezidis and others is on paper but the reality is different.

*Doesn't this mean that you would achieve the goal of ISIS and others by emptying Iraq of its rich diversity?*

It is a bitter solution and we do not want it, but it will save us from being killed. There were 600,000 Yezidis in Iraq in 2003 and it is 400,000 now. That is an estimation. There are fewer Christians than Yezidis in Iraq because the Western countries welcome them, whilst no one accepts us to immigrate to their countries.

*What do you hear from Yezidis still in Sinjar and other areas in Iraq?*

They are asking to leave the country and have the door opened for them as refugees. There are tragedies and horrible stories. The solution is either emigration abroad or establishing safe areas protected by the United Nations.

*Are there any positive signs for Yezidis to stay in Iraq?*

No sign, we suffered from both the central Iraqi government and the Kurdish authorities. Emigration is the solution.

*Interview conducted by telephone on 13 August 2014*

kidnappings and armed robberies. However, in some cases, individuals were attacked without any of their possessions being stolen, indicating that religious hatred was the underlying reason for the attack.<sup>51</sup>

In June 2013, gunmen entered the house of Bashier Hamied, a Sabean-Mandaean priest in Amarah, firing shots at him and his family members without succeeding in killing any of them. In July 2013, a newly built Mandaean house of worship was set on fire in Diwaniyah. Community representatives assert that the building was allowed to burn for four hours while fire fighters in the area did nothing to stop the blaze.<sup>52</sup> In October 2013, Baghdad goldsmith Ihssan Jeddani Abbed was the victim of an armed robbery, and suffered severe wounds after being shot in the chest by a silenced revolver. The same month, four young goldsmiths living in Baiji in the north of Iraq received threats and were blackmailed for ransoms of several thousand dollars each. In November and December 2013, Aaiid Neim Zekheir and Amier Hatab Jabbar, two Sabean-Mandaean police officers living and working in Kirkuk, were killed in two separate attacks while a third police officer, Ahmad Farag Dawood Al-Beriji, was seriously injured.<sup>53</sup>

Two Sabean-Mandaean families reported to MRG that ISIS militants bombed and looted their homes in Anbar Governorate in December 2013: the family of Ayad Neim Fliah from Ramadi and the family of Amer Dagher Aofi from Falluja. According to them, the official reports attributed the damage to their homes as part of the general ISIS assault on the area, failing to note that the homes were specifically targeted because they belonged to Sabean-Mandaeans.

Ihab Rashid Lefte, the wife of Ayad, recounts what happened the day of the bombing:

*Before they bombed the house, armed men stormed our house and threatened us with their weapons. We were very scared. My father in law had a heart condition, and he couldn't stand the shock, and he died. And since then we are displaced, moving from place to place. We don't have anything now, we lost all our belongings, and we have no refuge.<sup>54</sup>*

Attacks have continued in other parts of the country throughout 2014. Mandaean families periodically receive envelopes with a bullet inside of them, warning them to leave.<sup>55</sup> In January 2014, Rami Jebbar Swadi Al-Mesodni was killed in his home in Basra. His attackers slit his throat and then burned his body, but did not steal any of his possessions.<sup>56</sup> On 25 June 2014, Ayed Nezzal Khalif Al-Kohaili was murdered by shotgun as he was closing up his shop in Al-Mahmoudia, south of Baghdad. He had apparently previously applied for asylum in Sweden but was refused and forced to return to Iraq.<sup>57</sup>

In August, the community experienced a wave of kidnappings. On 1 August 2014, a 21-year old Sabean-Mandaean goldsmith was kidnapped in Amarah, Missan Province. At the time of writing of this report, he had not been released despite the fact that his family had paid the ransom.<sup>58</sup> On 18 August 2014, 25-year old Nowar Hussein Rathi Zeboon was kidnapped in Baghdad Al-Jedida area. Despite the fact that his family paid a ransom of \$50,000, he was later found killed and thrown in a rubbish collecting site, with signs of torture on his body.<sup>59</sup>

Attacks on Sabean-Mandaeans are rarely investigated or prosecuted. According to Reshamma Sattar, the head of the community, the authorities merely record the details of the crimes, but do not follow up. The Reshamma referred to a case two years ago of 40-year old Haythem Jabbar Matr, who was kidnapped in Amarah and whose badly disfigured corpse was later discovered near Najaf. Despite the fact that the perpetrators admitted to the crime and despite the existence of audio and video evidence incriminating them, there has still been no verdict against them.<sup>60</sup>

Due to the high prevalence of threats, attacks and kidnappings, the attendance of Sabean-Mandaeans at religious ceremonies is very low.<sup>61</sup> In March 2014 for example, the Sabean-Mandaean community in Kirkuk was forced to cancel celebrations for the 5-day festival of creation, due to the deteriorating security situation.

Sabean-Mandaean families have also been affected by the advance of ISIS forces in Northern Iraq. There are at least 22 Sabean-Mandaean families who have become internally displaced by the latest wave of violence, having lost everything they owned when they fled their homes.<sup>62</sup> Sabean-Mandaeans fear that staying in ISIS-controlled areas will mean either forced conversions or death, since ISIS does not consider them to be 'People of the Book' and will not offer them the option of paying *jizya* as they have offered to Christians.<sup>63</sup> As a result, many are leaving the country. Amer Dagher Aofi, whose house in Fallujah was bombed, expresses feelings shared by many:

*I don't want to stay in Iraq anymore. The situation has changed completely now. When this crisis happened, even my neighbors participating in looting my home.<sup>64</sup>*

## Violations against Shabak

Shabak have been victims to some of the worst instances of large-scale violence in recent years and an estimated 1,300 have been killed since 2003.<sup>65</sup> Those living in the disputed areas of Ninewa governorate, and especially Mosul, have been the targets of militant groups attempting to provoke displacement of minorities from the area. ISIS has also

been accused of kidnapping Shabak in a tactic to gaining leverage with the government in Baghdad.<sup>66</sup>

Shabak living in Mosul have been subject to ongoing threats by militant groups. On 14 April 2013, ISIS distributed notices to Shabak in Mosul giving them 72 hours to leave the city and threatening them with death if they did not comply. More than 1500 Shabak families left Mosul as a result.<sup>67</sup>

There were major, repeated attacks on Shabak villages and gatherings throughout 2013. On 26 April 2013, gunmen attacked a Shabak mosque in the village of Kokjali, clashing with people defending the mosque for several hours.<sup>68</sup> On 24 July 2013, eight young Shabak police officers were murdered in an armed attack while on duty on the road to Baghdad.<sup>69</sup> Their names are Saif Hussain Hazem, Ali Ismail Khudr, Shamil Muharam Ashour, Omar Abdelamir Said Wazir, Aqba Nafia Abdallah, Qasi Taha Mohammed, Sahar Mahdi Mohammed, and Qasi Faisal Murai. On 14 September 2013, a suicide bomber blew himself up at a Shabak funeral in Ba'ashiqa, killing 34 people and wounding nearly 50 others, some of whom had to be transferred to hospitals in Mosul and Erbil for emergency treatment.<sup>70</sup> Throughout the year, many other Shabak were assassinated in individual attacks, including Dr. Majed Fathy Mustafa, the director of a health centre, Darid Al-Shabaki, an official from the Directorate of Citizenship and Passports, and the mukhtars Dawud Yasin Shahim and Abd Abas Ali.

On several occasions, Shabak worshippers were targeted while performing religious rituals. On 17 October 2013 there was an attack on the village of Muwafaqiya as its Shabak residents were preparing for Eid Al-Adha celebrations. A truck carrying sacrificial animals exploded upon entering the village, killing sixteen people and wounding fifty-one, and leading to extensive damage of homes and properties.<sup>71</sup> On 24 December 2013 terrorists targeted Shabak worshippers as they were in procession towards the shrine of Imam Zain Al-Abedin in Ali Rasho village as part of the *arba'een* rituals commemorating the martyrdom of Imam Hussein bin Ali. Three people were killed: mother of 10 children Samira Mohamed Fathi, 21-year old student Mohamed Abdul-Hadi Ali Abdi, and 15-year old Mohamed Dawud. Nine others were also injured in the explosion.

On 6 February 2014, a car loaded with more than two tons of explosives was disarmed by security forces before it could be detonated in the Shabak village of Amna.<sup>72</sup> On 23 April 2014 a car bomb exploded in the Shabak village of Baybukh in Ninewa, killing thirteen people and injuring twenty-four others. On 6 June 2014 at least 13 Shabak were killed and more than 40 wounded when two car bombs were set off in Tahrawa village, near Mosul.

Shabak, like other minorities, have suffered from the ISIS advance into Mosul and the Ninewa Plain between June and August 2014. ISIS militants kidnapped 21 Shabak from Gokjali, eastern Mosul in June. Shabak properties in Mosul were marked with an 'R' (as opposed to an 'N' for Nazerene or Christian) to signify '*Rafida*', a term ISIS militants use to designate Shia Muslims and others who have 'rejected' their interpretation of Islam.<sup>73</sup> There were also reports that Shabak, as well as Yezidis, who refused to comply with ISIS orders were tried in newly-established shari'a courts and executed.<sup>74</sup>

By August, an estimated 60 Shabak villages had come under the control of ISIS. There have been reports of massacres and kidnappings of Shabak civilians, although accurate numbers are difficult to obtain. According to one estimate, at least 117 families have been killed so far.<sup>75</sup> In addition, more than 3,000 Shabak families have lost their homes and have fled to Shia-majority towns in southern and central Iraq or to the KRG.<sup>76</sup>

## Violations against Turkmen

Turkmen in Iraq have been the victims of violence and intimidation from all sides, whether from the central government, the Kurdish government, or Sunni and Shia militias. In particular, many Turkmen civilians have become victims of the conflict over Kirkuk, an oil-rich city disputed between Kurds, Arabs and Turkmen. A referendum was originally scheduled for 2007 to decide whether the city would remain under the control of the federal government or be incorporated into the KRG, but it has been repeatedly postponed and the status of the city is still undetermined.

Turkmen organizations have accused the Kurdish authorities, which exercise *de facto* authority over many of their areas, of failing to protect Turkmen civilians and encouraging their displacement.<sup>77</sup> Moreover, the federal government appears unable to protect Turkmen communities from attack yet refuses to allow Turkmen to form their own security forces.<sup>78</sup> In particular, the town of Tuz Khurmatu, home to a majority-Turkmen population, has suffered repeated and continuing attacks, most likely perpetrated by Sunni militants.<sup>79</sup>

In early 2013, over a period of only four months, Turkmen reported 556 attacks in Kirkuk, Salahuddin and Mosul alone. Eighteen Turkmen were assassinated and 11 kidnapped, and other attacks left 54 killed, 77 wounded and 87 properties damaged. Among the Turkmen targeted were a mukhtar, a deputy provincial governor, city, sub-district and provincial council members, city and sub-district council speakers, a member of the independent election commission, election candidates, judges, lawyers, policemen and teachers.<sup>80</sup>



On 25 June 2013, suicide bombers targeted a Turkmen protest camp, killing 27 and injuring 80.<sup>81</sup> On 12 July 2013, an attack on a coffee shop in Kirkuk left 30 people dead. On 6 October, a Turkmen school in the village of Qabak was bombed, killing at least a dozen children and the school principal.<sup>82</sup> On 21 October, a bomb was detonated in a mosque in Kirkuk after Eid prayers, killing nine people and injuring 19.<sup>83</sup> On 23 November, twin suicide bombings in Tuz Khurmatu killed 12 people and wounded 75.<sup>84</sup> On 20 December, a suicide bomber targeted a group of Turkmen pilgrims returning from Kirkuk, leading to nine deaths and 25 injuries.<sup>85</sup>

Violence has continued to intensify in 2014. In January 2014, a series of 14 explosions in the cities of Kirkuk and Tuz Khurmatu left 20 dead and over 163 injured.<sup>86</sup> On 28 May, a number of Turkmen houses were bombed in Salahuddin governorate, killing four and injuring six.<sup>87</sup> The following day, five Turkmen farmers were killed near Mosul.<sup>88</sup>

Following the gains made by ISIS in northern Iraq, members of the group have been carrying out campaigns of terror on Shia Turkmen villages. On 15 June, ISIS took control of the Turkmen-majority district of Tal Afar in Ninewa Governorate, where they burnt down numerous Turkmen homes. An estimated 200,000 people fled the area, the majority heading to Sinjar.<sup>89</sup> On 16 June, the villages of Chardaghli, Brawchi, Karanaz and Beshir were attacked. At least 40 residents were killed and several thousand displaced. Insurgents reportedly also burnt down homes, set fire to crops, stole livestock and blew up Shia mosques.<sup>90</sup> Human Rights Watch also reported that ISIS militants kidnapped 40 Shia Turkmen and expelled 950 families from the villages of Guba and Shireekhan.<sup>91</sup> On 21 June, militants attacked the village of Al-Shamsiyat, abducting 26 Shia Turkmen, and prompting the displacement of many families.<sup>92</sup> On 24 June, the Turkmen Sunni head of Kirkuk's city council, Munir Al-Qafli, was shot dead, having previously received an alert from Iraqi intelligence that he was on the ISIS hit list.<sup>93</sup> On 6 July, Tuz Khurmatu was bombed by Iraqi jets, killing a young girl and injuring eight others.<sup>94</sup>

Whereas Shia Turkmen have been the particular targets of attack by ISIS, Sunni Turkmen have been killed in apparent extra-judicial executions by Iraqi security forces. According to reports collected by Human Rights Watch, 15 Sunni Turkmen prisoners from Tal Afar were taken by government guards from the counter-terrorism prison in Mosul on 9 June on the eve of the ISIS attack and their bodies were later found in a ravine next to al-Karama industrial district.<sup>95</sup>

When ISIS forces entered Sinjar between 2 and 3 August, hundreds of Turkmen families who had taken

refuge there were displaced for the second time. Upon reaching the Hazer checkpoint at the border between Ninewa and Erbil, many refugee families were kept waiting for days in the heat by the Peshmerga forces controlling the checkpoint, with fatalities reported among children and the elderly.<sup>96</sup> On 7 August, militants bombed a Shia mosque in Kirkuk where many displaced Turkmen families from Tel Afar had taken refuge, killing nine.<sup>97</sup>

A humanitarian emergency of particular intensity took place in the Turkmen town of Amerli in Salahuddin Governorate. The only remaining Shia town in the area not taken over by ISIS, the town was under siege from 15 June until 31 August. Water and electricity services were cut off, leaving the town's 20,000 residents to rely on well water. With food, cooking gas, and medical supplies running out, the young, the sick and the elderly were particularly vulnerable. ISIS subjected the residents to frequent rocket attacks and periodic attempts to take over the town. Dozens were reported to have died, including babies and pregnant women, before sufficient humanitarian aid was eventually delivered.

## Hate speech

Finally, it should be noted that regular instances of hate speech, building on underlying stereotypes, help to fuel attacks and discrimination against minorities across Iraq. In December 2012, the Shia Ayatollah Ahmad Al-Hassani Al-Bahgdadi issued a fatwa stating that Christians in Iraq must either accept Islam or face death.<sup>98</sup> Yezidis have also been the subject of fiery sermons by Islamic scholars.<sup>99</sup> ISIS and other extremist groups have periodically distributed leaflets in mosques, neighbourhoods and universities, especially in Mosul, threatening Shabak, Yezidis and other minorities with death and ordering them to leave the area.<sup>100</sup> In one example, a group known as the Brigade of the Righteous Path distributed leaflets calling Christians impure, people of disbelief, and enemies of God and the prophet Muhammad, and ordering them to leave Mosul or face violent deaths.<sup>101</sup> In recent months, ISIS fighters have also released many videos perpetuating negative views about minorities. For example, in a video released on 29 June called 'The End of the Sykes-Picot Agreement', ISIS members refer to their Yezidi prisoners as devil-worshippers. According to the head of the Sabeian-Mandaean community, fatwas issued by radical sheikhs against Mandaean have implicitly justified the increase in violence, abductions and rape against members of his community.<sup>102</sup>

## 2 Violations of economic, social and cultural rights

In addition to frequent threats and attacks on their lives and properties, Iraq's ethnic and religious minorities have long been suffering from ongoing, daily marginalization and discrimination in many aspects of social and economic life. Healthcare facilities are inadequate and access to education is problematic, further entrenching cycles of exclusion. Minorities also register disproportionate levels of unemployment, due to lack of opportunities in their areas or because they lack the political connections needed to secure positions. They also report encroachment, expropriation and seizure of their properties by governmental bodies and armed groups, while they receive little help from the justice system in recovering properties which have been illegally confiscated.

### Public services

The parts of the disputed regions where minorities are concentrated, particularly in Ninewa and Kirkuk, have long been severely neglected in terms of public services and basic infrastructure. Since the future administrative status of these areas has not been finalized, neither the federal government of Iraq nor the KRG have effectively taken responsibility for providing public services to inhabitants. Since the ISIS advance, both the Iraqi government and the Kurdish peshmerga have lost control over many minority areas of Ninewa. Whatever the future status of these areas may be, significant investment and reconstruction will be needed to bring the level of development in these areas up to par with the rest of the country.

According to the Hammourabi Human Rights Organization, the 2013 federal budget for Ninewa governorate was not properly allocated according to the legally required formula of 80% for population density and 20% for public benefit projects.<sup>103</sup> As a result, Ninewa governorate lacks many essential services and suffers from a dearth of job opportunities. For example, Yezidi representatives from the Sinjar district of Ninewa reported in early 2014 that there was only one hospital with 15-20 beds to serve a population of over 600,000.<sup>104</sup> Many Yezidi villages did not have maternal healthcare facilities, forcing expectant mothers to travel to Dohuk to give birth. Yezidi communities also lacked suitable housing and are characterized by disproportionately high poverty rates.<sup>105</sup>

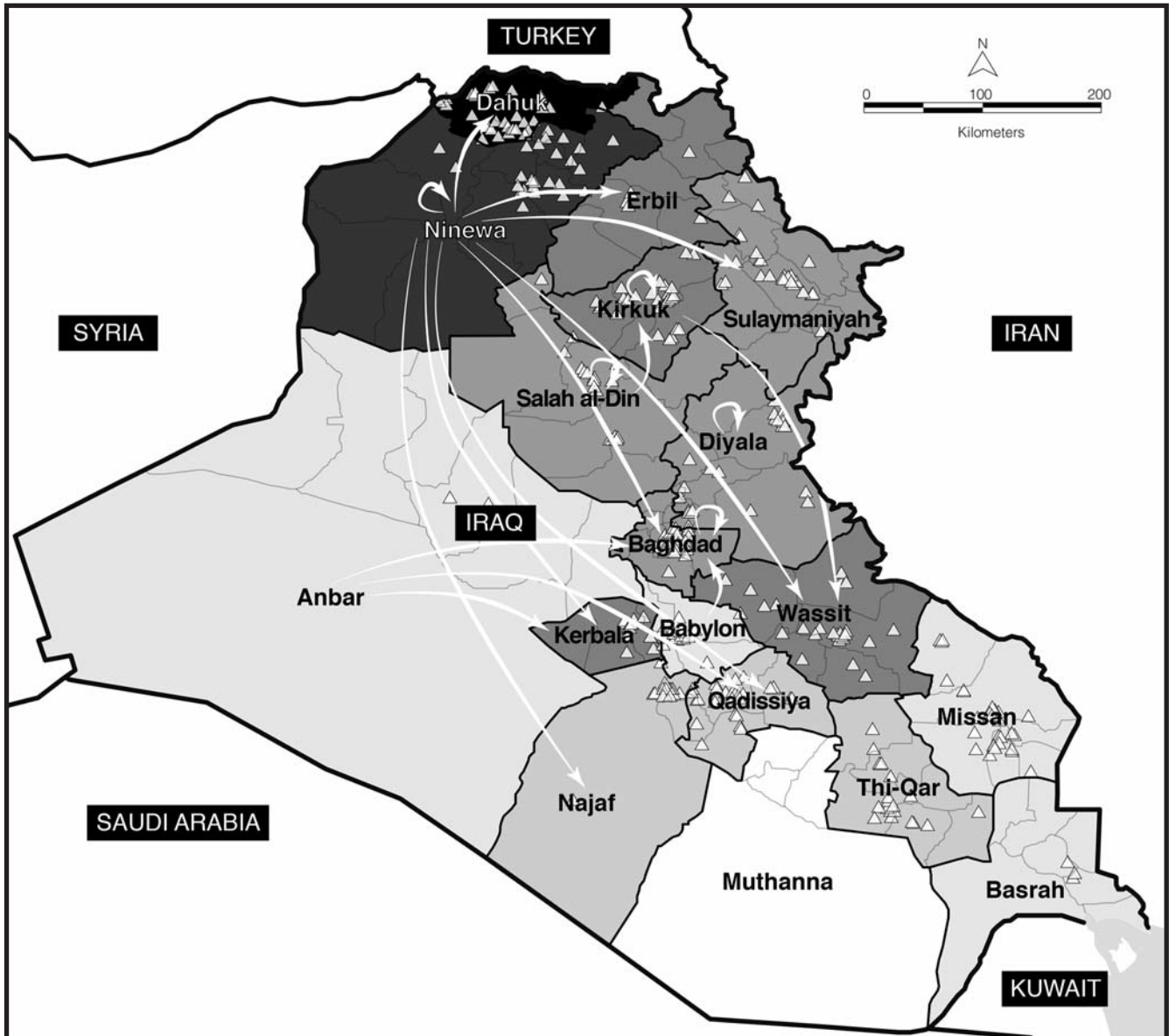
Members of other minority communities living in Ninewa also reported difficulty in accessing clean water, electricity, housing, and healthcare.

Living conditions in the Roma villages in central and southern Iraq are among the most deplorable in all of the country. Many Roma villages have been bombed and reduced to rubble in the past decade by militants opposed to the Roma's way of life. The government has turned a blind eye to these attacks and has not taken any steps to compensate the victims or to rebuild basic infrastructures damaged in the attacks.<sup>106</sup> Many Roma live in windowless mud houses and do not have electricity, clean water, healthcare, or even adequate food.<sup>107</sup> They are also cut off from social security services initiated by the Iraqi government for poverty relief.<sup>108</sup>

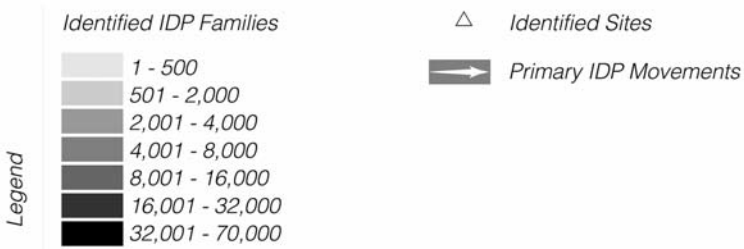
Neighborhoods inhabited by black Iraqis are also characterized by extreme poverty and neglect. Many black Iraqis live in one-room mud brick houses that sometimes hold 15 residents or more. Their neighbourhoods lack a clean water supply and proper sewage facilities, and are prone to electricity shortages.<sup>109</sup>

Minorities who have been displaced to the KRG also face serious social and economic obstacles upon arriving, including inadequacy of housing, healthcare and education.<sup>110</sup> Access to housing is complicated by the fact that non-Kurdish IDPs are prohibited from purchasing property in the KRG<sup>111</sup> IDPs may rent properties, but they must register with the security forces and be able to pay the increasingly high rents. IDPs have also faced problems in accessing services such as monthly food rations due to discrimination and registration problems.<sup>112</sup> In recent weeks, there have been reports of Kurdish forces harassing Assyrian and Shabak refugees at checkpoints as they tried to enter the region.<sup>113</sup> Rights activists have also reported that the Kurdish authorities have been applying differential rules for access at the checkpoints based on ethnicity and religion, with Kurds and Christians generally being allowed to pass freely while Turkmen and Sunni and Shia Arabs have been barred from entering or sent to holding sites.<sup>114</sup>

Since the takeover of Mosul and its surroundings by ISIS fighters in June, the humanitarian situation has become critical in the areas under their control. Soon after entering Mosul, ISIS took control of the water supply there, which is the only source of water serving Hamdaniya, Bartalla and Ba'ashiqa.<sup>115</sup> Residents in these



Population Displacement Following ISIS Advance (1 August- 14 September 2014)



Sources: IOM IRAQ Displacement Tracking Matrix (DTM) - Shelter Cluster Iraq; Base map from UNOCHA.

areas resorted to drinking contaminated water from wells. According to the Hammourabi Human Rights Organization, only 15 megawatts of electricity, or three per cent of the required amount, was available in Ninewa in July.<sup>116</sup> There are also severe food and fuel shortages as well and cuts in internet service. ISIS reportedly ordered government employees not to distribute food rations to Christians or Shias.<sup>117</sup> Hospitals in Mosul lack essential medical equipment due to ISIS militias preventing the entry of supplies into the city, and are severely understaffed due to the fact that many healthcare staff have fled the area.<sup>118</sup>

The International Organization for Migration estimated that as of 18 September 2014 there were over 1.7 million displaced people in Iraq, over 40 per cent sheltering in the KRG. Many are now living in desperate conditions without adequate food, water, shelter, income, medical supplies, or access to income. Tofek Abosh Jobo, a refugee from Qaraqosh, describes the situation in Ankawa where many Christians are now living:

*We are living without human dignity. We are living like animals. Sixty people are living in a room of 40 square meters. Two thousand people are using one bathroom. This is in the Church of Mar Yousef.*<sup>119</sup>

## Education and language rights

The educational curriculum in Iraqi schools has long neglected the history and culture of Iraq's various ethnic and religious minorities in favour of dominant groups. According to Mandaean human rights activist Salam Farhan,

*When they write about social sciences or history, in the books in the schools, they teach them things which are against Mandaean [...] They taught the people of Iraq over many generations that we are infidels, that we are not People of the Book, that we worship the stars... They should remove the materials from all books which are for the schools.*<sup>120</sup>

In 2012, some reforms were introduced to the curriculum in consultation with minority representatives, so that Yezidis, Christians, Sabean-Mandaean and Shabak were mentioned in school textbooks for the first time.<sup>121</sup> However, many minority activists insist this is not enough. According to Hussam Salim Elias,

*They don't teach anything about Yezidi history or culture in the curriculum. We just succeeded to put two stories about us into the curriculum, but it's not enough. It is limited, it is not enough for the history, for all*

*minorities. Many people are refusing to put history, culture or anything about other religions, just Islam.*<sup>122</sup>

This continued marginalization leads to ignorance about minority religions and the perpetuation of negative stereotypes among schoolchildren. According to Ghada Allous,

*My kids faced more difficulties in their schools, with pupils, they were calling them kuffar [disbelievers]. Because you are Christian you are kuffar, you don't believe in Allah.*<sup>123</sup>

Ihab Rashid Lefte reports similar experiences among the Sabean-Mandaean community:

*My nieces and nephews had to leave their school because of religious discrimination. We have been threatened many times and asked to leave our religion many times.*<sup>124</sup>

The invisibility of minority history in the educational curriculum means that new generations continue to inherit negative stereotypes about minority religions. Such stereotypes help to legitimate attacks. At the same time, minorities are underrepresented in the media and cultural life of the country, and a result, there are few opportunities to counteract negative perceptions of their religious and cultural practices. There is a lack of cultural programming in minority languages in the national media. There are no representatives from the Turkmen community, and other minorities, on either the Communications and Media Commission or the Iraq Media Network. The Iraq Media Network has also shut down its only television channel which was broadcasting in the Turkmen, Kurdish, and Chaldo-Assyrian languages.<sup>125</sup>

Although the Iraqi constitution guarantees the right for children to be educated in their mother tongue, this right is often not respected in practice. Turkmen, Shabak, Yezidis and Christians have reported heavy pressure to study in Kurdish in areas under *de facto* or *de jure* control of the KRG.<sup>126</sup> According to a representative of the Yezidi community, the KRG government provides additional financial incentives to teachers who teach in Kurdish.<sup>127</sup> Yezidis in Al-Qosh, Ba'ashiqa and Bahzani claimed that they are not offered the option to be educated in their language.<sup>128</sup> Since the KRG does not recognize the Shabak as a distinct ethnic group, the Shabak language is not taught in schools and is at risk of extinction.<sup>129</sup> Similarly, there are no schools that teach the Mandaean language in any part of Iraq, and UNESCO considers the language extinct in Iraq.<sup>130</sup> Turkmen also report limited access to education in their language in certain areas.<sup>131</sup>

Educational facilities generally have also been very poor in the areas of the disputed regions where minorities have traditionally lived. Many Turkmen schools do not receive financial assistance from the Ministry of Education, leading to substandard facilities and lack of essential teaching resources.<sup>132</sup> The Yezidi community has also suffered from poor educational facilities and there were no colleges or universities in any of their areas.<sup>133</sup>

Minorities wishing to obtain higher education normally had to travel to Mosul University, where they were subjected to frequent threats and intimidation.<sup>134</sup> For example, in October 2013, Yezidi students received anonymous threats warning them to leave Mosul University or face death, causing many of them to withdraw from their studies.<sup>135</sup> Following the November 2013 killing of three drivers who transported Yezidi students from Ba'ashiqa to Mosul University, more than 1300 Yezidi students withdrew from their studies in Mosul's colleges and institutes.<sup>136</sup>

Due to these security risks, parents often do not send their children, especially daughters, to universities.<sup>137</sup> According to Yezidi activist Hussam Salim Elias, minority girls are particularly vulnerable to discrimination:

*The discrimination is unbelievable... especially for girls by the way. Because they are more appearing as a minority because of their clothes, because they are not veiled.*

*If a girl from the minority religions, Christians or Yezidis, if she walks in Mosul University with a short skirt, they say bad words about her, they say very bad words about her... they do bad things with her, they say she is not dressed properly. I have witnessed this myself.<sup>138</sup>*

According to Hussam, many Christian and Yezidi parents tell their daughters to wear hijab for the sake of obtaining a university education, especially those who were studying in Mosul.

Accessing higher education in the KRG is not an option for many minorities since enrolment is restricted to those who identify as Kurdish in ethnicity or who are members of Kurdish political parties.<sup>139</sup> In 2011, the government announced it would establish a university in Hamdaniya so that Assyrian students would not have to travel to Mosul. However, this university has yet to be established.<sup>140</sup>

The latest round of conflict has exacerbated the educational crisis as thousands of displaced children are unable to attend school this year. As of mid-September 2014, around 2,000 schools in Iraq were being used as shelters for displaced families and therefore unable to open at the start of the academic year, including 653

schools in Dohuk governorate alone.<sup>141</sup> The security situation also made it impossible for many students to sit their exams in June.<sup>142</sup> In ISIS-controlled areas, the future of the educational system is also uncertain. ISIS has introduced its own version of the curriculum and closed the fine arts institute at Mosul University, while the government in Baghdad is refusing to recognize exam results from schools controlled by ISIS.<sup>143</sup>

## Access to employment

Minorities also face high barriers in accessing employment, due to lack of opportunities in their areas, discrimination on the basis of ethnic and religious identity, or because they lack the required connections to major political parties. It is widely acknowledged that there is unofficial discrimination in public sector employment, with sensitive posts reserved for Muslims. Assyrian Christians claim that posts in the judiciary, police force, army and higher education and mainstream media are closed to them, forcing them to accept lower-paying jobs.<sup>144</sup> For example, although Christians formed the majority of the population in Al-Hamdaniya and Tel-Keif, they represented a mere 32 per cent and 12 per cent of police officers in those districts respectively.<sup>145</sup>

Imad Maged Kata Petros Sony describes the employment situation in Ninewa for Christians:

*I graduated from college in 1992, and even now, I just have personal employment, I have a farm, I have a sport shop. All the Muslims living around us, they have employment in offices, hospitals, schools, teachers... just Muslims. Just because they are Muslim.<sup>146</sup>*

According to a community leader of the Sabean-Mandaeans in Iraq, sectarian hiring practices prevent members of his community from securing influential positions in public offices. Many Mandaean graduates cannot find employment so they take petty jobs out of desperation, such as working as caretakers in the Mandaean temples.

*There are no Mandaeans holding important or high-ranking positions, despite qualifications and experience. The dominant powers control most of the important positions and they allocate them to people who belong to their sect, not according to a competitive system. The Sunni Ministers only hire Sunnis, the Shia Ministers only hire Shias, the Kurdish ministers only hire Kurds....<sup>147</sup>*

Yezidi human rights activist Hussam Salim Elias describes similar problems facing Yezidis:

*The Yezidis can't get high-level jobs with the government even if they have a PhD. For example, I graduated from politics and law. If I make an application with the foreign ministry, they directly refuse me. There are a lot of positions and jobs the government doesn't hire Yezidis in. If someone wants to be a pilot, in the Iraqi army, it's a dream. He can never be a pilot. Even if he's clever and succeeds in everything, when they read in his Iraqi ID that he is Yezidi, then he is refused.*<sup>148</sup>

In some areas of Ninewa governorate administered by the KRG, minorities have reported that public sector jobs are only available for those with connections to the Kurdish political parties.<sup>149</sup> The two main Kurdish political parties, the Patriotic Union of Kurdistan (PUK) and the Kurdistan Democratic Party of Iraq (KDP), control all high-level government posts and also condition access to employment training and higher education on party membership.<sup>150</sup> Practices of cronyism and nepotism in recruitment make it difficult for minorities who lack family, tribal or political connections to secure employment.<sup>151</sup> Many of those who do get jobs only get them if they identify as ethnically Kurdish or promise loyalty to the Kurdish parties.<sup>152</sup>

In some areas where minorities live, unemployment is disproportionately high due to lack of investment in job creation. In Sinjar region, where years of displacement gradually pushed Yezidis further and further onto non-arable lands, poverty levels were very high as most residents were unable to make a living from agriculture.<sup>153</sup> After the conquest of Mosul, ISIS fighters ordered Christian, Yezidi and Shia public sector employees not to go to work.<sup>154</sup> The hundreds of thousands who have now fled the area will struggle to make a living, competing for any opportunities with Syrian refugees among others. .

In other cases, unemployment is the result of pervasive social stigmatization. The unemployment rate among black Iraqis, for example, is as high as 80 per cent.<sup>155</sup> Due to discrimination, the community has not developed a professional class and not a single black Iraqi holds a high level position in government. In Basra's Al-Zubayr district, where black Iraqis comprise 70 per cent of the population, there are no black Iraqis on the police force or on the district council.<sup>156</sup> Many cannot find employment other than as labourers or domestic workers.<sup>157</sup> Roma are also disproportionately unemployed compared to the national average, due to negative social perceptions of their community and practices.<sup>158</sup> Roma are ostracized from society at large and members of the community report that shopkeepers will not even sell goods to Roma customers.<sup>159</sup> When they are able to find employment, it is often irregular or temporary.

## Property disputes

Many minorities have reported harassment and encroachment on their properties by the Kurdish political establishment, including Assyrian Christians. The Hammourabi Human Rights Organization has received numerous complaints of encroachment on properties and agricultural lands taking place in a number of villages, including Blidijani village near Amadiya, Dira Boon in Zakho, Bablo near the center of Dohuk and Jaqla Assafla in Berwari Bila.<sup>160</sup> Another recent example of this is the attack on the village of Rabatki in June 2013 by a Kurdish general and his brother, who came from a nearby town carrying materials to construct a home on Christian lands. After the Assyrian villagers put up resistance, several cars full of armed Peshmerga soldiers in civilian clothes showed up and opened fire.<sup>161</sup> The villagers claim the police only arrived after two hours and refused to receive their formal complaint at the station.<sup>162</sup> Assyrian Christians also allege that the Kurdish government often expropriates their land for building projects.

There have also been numerous documented cases of minorities having their homes and lands illegally taken over by occupiers after periods of temporary absence. Christians who attempt to sell their properties before leaving are often forced to sell them for far below their actual value, and real estate agents refuse to help them for fear of repercussions from militant groups.<sup>163</sup> Others who leave their properties behind without selling them often return back to find them occupied. In some of the cases documented by local human rights organizations, occupiers produced forged documents claiming that the properties had been sold to them.

In recent months, ISIS militants have seized many more properties belonging to minorities. After taking control of Mosul, ISIS marked Christian homes with the Arabic letter 'N' for 'Nasrani' or 'Nazarene', the term they use to refer to Christians. They also instructed Muslims renting property from Christian landlords to cease paying rent.<sup>164</sup> After most Christians had left the city, they began systematically looting Christian homes.<sup>165</sup>

ISIS militants have also robbed Christian families and other minorities as they were fleeing from their areas, confiscating their money, cars, mobile phones, jewellery and identification documents.<sup>166</sup> According to one former resident of Qaraqosh, ISIS stole four billion Iraqi dinars worth of property from him.<sup>167</sup> The towns of Telsqof and Baashiqa have been plundered, with houses and public buildings emptied of valuables and farm equipment stolen.<sup>168</sup> After leaving Qaraqosh, Imad Mageed Kata Petros Sony told MRG that he received phone calls from neighbours informing him that his

property was being looted by people from neighbouring Sunni villages sympathetic to ISIS:

*Just two days ago, you know what they are doing, the people living in the villages around us? All of them, they are bringing trailers, and taking everything from our home. Our money in bags, our gold in the home, everything. Cars, tractors... even the harvest of wheat, poultry farms, everything.*<sup>169</sup>

In the past, victims of property seizure who have tried to resolve disputes through the justice system have been met with little more than delays, inaction and corruption. Lawyers hired to represent minority clients in property dispute proceedings have faced death threats and harassment causing them to withdraw their services. The majority of property dispute cases have been pending

before the courts for years on end without any decision being reached. In some cases, disputes going back to the Ba'athist era, when many Christian lands were seized illegally, have still not been resolved.<sup>170</sup>

Ihab Rashid Lefte, who lost all her belongings when her home in Ramadi was bombed, emphasizes the pressing need for a system of property compensation to come into place:

*We would like to know if there could be any compensation or any help that can facilitate the situation we are in now. We want to travel abroad but we don't have any money. We are trying to collect some money now because we lost our houses, but we don't even own anything now that we can sell to get the price of travelling abroad. For the time being we live in refugee camps with our children in very severe conditions.*<sup>171</sup>

# 3 Participation, identity and personal status

## Political participation

Political participation is another arena in which Iraq's minorities experience exclusion and marginalization. Powerful political blocs exert pressure on minorities to support their programmes and there is a lack of organized political parties through which minorities can have a voice in politics. Candidates who advocate for minority issues are subject to harassment, threats, and assassination attempts. Lack of meaningful channels for political participation exacerbates the problems that minorities face and prevents them from having an outlet where they can take their concerns.

Iraq's electoral law presently reserves eight seats in the 325-member Council of Representatives for minority candidates: five for Christians from Baghdad, Ninewa, Kirkuk, Erbil, and Dahuk; one for Yezidis; one for Sabean-Mandaeans; and one for Shabak. These provisions are not enough to give minorities sufficient representation in federal politics. First of all, the seats are allocated to specific governorates and only voters resident in the governorate in question can vote for them, yet minority communities are dispersed across many different areas. Moreover, some minorities, such as the Turkmen, do not benefit from reserved seats at all. The electoral law also contravenes a June 2010 Federal Court ruling requiring the number of seats reserved for the Yezidis to be increased in accordance with article 49 of the constitution, which requires one seat to be allocated for every 100,000 community members.<sup>172</sup> It had been argued that since Yezidis numbered more than 600,000, they should be entitled to six seats. In the 2013 Iraqi Kurdistan region parliamentary elections, the number of reserved seats for non-Kurdish minority communities was increased to 11 out of a total of 111 seats, with seats reserved for Christians, Turkmen and Armenians.<sup>173</sup> However, Yezidis do not have any reserved seats in the KRG parliament.

Even minorities which have reserved seats do not feel that this is enough to achieve meaningful political influence. According to a leader of the Sabean-Mandaean community,

*We have a representative in parliament, but the representative is unable to help in any matter realistically. We go to him with all sorts of problems, but nothing is ever solved.*<sup>174</sup>

Another weakness of the system of reserved seats is that any voter can vote for candidates campaigning for the minority seat, allowing non-minorities to influence the outcome by voting for candidates sympathetic to them. There were allegations in the 2014 elections that parties were established by non-minorities in order to campaign for reserved seats.<sup>175</sup>

Meaningful participation for minorities in politics is restricted by the dominance exerted by the mainstream political parties. According to Assyrians, the KRG prohibits their parties from using the name 'Suraye' ('Assyrian' in the Aramaic language) in order to prevent the formation of a unified Assyrian political bloc.<sup>176</sup> Assyrians must display pictures of Kurdish leaders in public buildings to demonstrate their loyalty and their newspapers and satellite channel are prohibited from broadcasting political content.<sup>177</sup> Assyrians have also accused the Kurdish authorities of using the current armed conflict as an excuse to usurp power over their areas. On 15 June, the Kurdish authorities attempted to replace an Assyrian council leader in Al-Qosh with a member of the Kurdish Democratic Party.<sup>178</sup> The Peshmerga also installed Kurdish flags in areas which came under their control after the retreat of the Iraqi army in June.<sup>179</sup> Yezidis also claim that the dominant Kurdish parties, the KDP and the PUK, include Yezidis in their party lists only when it is advantageous to them in gaining more seats.

Faili Kurds have also complained of being side-lined by the dominant political parties. According to Faili Kurd activist Zuhoor Asad,

*I have witnessed violations as a Shia Kurd. The type of violation is political marginalization of representatives of this minority in the provincial council and the Iraqi Parliament and this is marginalization carried out by the big parties holding political power. If democracy is not applied in the correct way, Iraq's minorities will be crushed and will resort to emigration.*<sup>180</sup>

Activists who advocate for minority interests are routinely subjected to harassment, threats, arbitrary detention, interrogation, and even assassination attempts.

There have been numerous reports from minority representatives living in the KRG area of the Kurdish



*Asayish* arbitrarily arresting minority activists for political activities deemed to be against Kurdish interests. In March 2013, a Christian member of the Hammourabi Human Rights Organization, Jamil Salah Al-Din Jamil, was detained by the *Asayish*, allegedly because of his views and writings. In September 2013, Khalaf Ali Mukhibar was asked about his support for the Yezidi Movement for Reform and Progress and then arrested.<sup>181</sup> Other Yezidis who had been detained reported being released only after signing agreements not to be involved in 'anti-Kurdish' political activities.<sup>182</sup> The Iraqi Turkmen Front also complains of continuous efforts by the Kurdish authorities to obstruct its activities. Members of the Shabak's only political entity have also been harassed and attacked in the media. On 30 June 2014, six Assyrian students were reportedly detained for several hours by the *Asayish* in Al-Qosh in Ninewa governorate and subject to death threats, beatings and torture. They were later released without their wallets and mobile phones.<sup>184</sup> The *Asayish* did not give any reason for the students' detention.

On 22 August 2014, human rights activists reported to MRG that a demonstration held by Yezidi refugees in Zakho, Dohuk governorate was violently dispersed by the Kurdish authorities. The Yezidi demonstrators, recently displaced from Sinjar, were demonstrating for government recognition of their rights and for protection of their areas by the Kurdish peshmerga and international peacekeeping forces. Kurdish security forces apparently beat several demonstrators and smashed their cellphones.<sup>185</sup>

In recent years, there have been numerous assassination attempts, both successful and unsuccessful, against minority political representatives. In March 2014, the Turkmen member of parliament Zahid Ismail was assassinated in Ninewa province.<sup>186</sup> The leader of the Iraqi Turkmen Front, Arshad al-Salihi, has also been the target of numerous assassination attempts, including one in February 2014.<sup>187</sup> In May 2014, Shabak member of parliament and head of the Iraqi Minorities Council, Dr. Hunain Al-Qaddo, narrowly escaped an assassination attempt when gunmen opened fire on his convoy as he left a mosque.<sup>188</sup> In February 2013, Chairman of the Council for Sabean-Mandaean affairs, Salim Dhamin, was attacked with a knife in his home after receiving anonymous threats demanding him to halt his political activism.<sup>189</sup> In September 2013, a car bomb was detonated outside the home of a Christian member of parliament, Imad Youkhana, injuring family members and passers-by.<sup>190</sup>

The climate of fear and intimidation that surrounds minority political participation also has the effect of discouraging many from coming out to vote. For example, in the April 2014 parliamentary elections, at least seven people were killed in bombings deliberately targeting polling stations. Violence surrounding election times often has a

disproportionate impact on minorities. For example, due to numerous bombings targeting Turkmen areas in the run-up to the last elections, it was reported that the voter turnout among Turkmen was only 55 per cent compared to 70 per cent for the general population.<sup>191</sup> According to the head of the Sabean-Mandaean community, only Sabean-Madaeans in Baghdad voted in the last elections, as those in other parts of the country were too afraid to participate.<sup>192</sup>

## Identity registration

Several of Iraq's minorities face disenfranchisement in the legal sphere because of discriminatory legislation violating their rights to freedom of religion and identity. A prime example is the Baha'i community. In 1970, Law No. 105 was passed prohibiting the Baha'i faith. In 1975, Rule No. 358 issued by the Directorate of Civil Affairs proscribed the recording of 'Baha'i' as a religion in the civil status records. Consequently, unless they made false statements about their religious beliefs and denied their identity, the Baha'i could not acquire identity documents, passports, or birth, death and marriage certificates.

In 2007, the Ministry of Interior repealed Rule No 358. Thereafter, a number of Baha'is managed to obtain ID cards stating 'Baha'i' in the field of religion. However, Law No. 105 of 1970 was never revoked. Some Baha'i were afraid to indicate their true religion on their identity cards as this could open them to discrimination in their dealings with government officials.<sup>193</sup> After 2007, the Ministry of Interior again put a halt to the issuance of Baha'i identity cards, citing Law No. 105 and the Law of Civil Affairs which prohibits conversion away from Islam, which applies to those who had previously obtained identity documents stating Muslim as their religion. Many Baha'i therefore still lack identity documentation or have identify cards stating that they are Muslim. Without identity documentation, Baha'i cannot access rights and services related to citizenship such as education, property ownership and medical care. The majority of Baha'i marriages are not registered officially, so that the children of such marriages cannot obtain identification.<sup>194</sup>

Faili Kurds also face problems of effective statelessness. During the Saddam Hussein years, Faili Kurds were singled out by the government on the basis of their dual Kurdish and Shia identity. Based on Decision No. 666 of 1980, many were stripped of their citizenship and exiled to Iran under false pretences of disloyalty to the Iraqi government. There, they remained stateless and without support from either the Iraqi or Iranian government. In 2006, a Nationality Law was passed establishing the right to regain Iraqi nationality for those previously denaturalised on political, religious or ethnic grounds. Many Faili Kurds have returned to Iraq since, and the

Ministry of Migration and Displacement claims that 97 per cent have been able to restore their nationality.<sup>195</sup> However, Faili Kurd representatives dispute this figure. The process of reinstatement is slow and bureaucratic, sometimes taking years to complete, and often requires applicants to pay bribes to officials.<sup>196</sup> Applicants must also be able to prove that they are of Iraqi origin, which is impossible for many as civil records were destroyed throughout the wars.<sup>197</sup> It is likely that hundreds of families still remain stateless and therefore unable to access basic rights and services. Moreover, it has been reported that the identity cards that some have been able to acquire show them as citizens of 'Iranian origin,' which opens them up to discrimination.<sup>198</sup>

According to human rights activist Ruqayyah Aboosh Hussein, the practice of recording religious identity on state-issued identification cards is in itself a form of discrimination which creates problems for many minorities. Many minorities, including Baha'i and Kaka'i, had their religious identity incorrectly registered as 'Muslim' under the former regime and are now unable to change it due to the law prohibiting conversion away from Islam. The recording of religious identities also opens minorities living in conflict areas to the danger that their religious identity will become known to members of armed groups who reject the legitimacy of minority religions.<sup>199</sup>

## Personal status

Despite the constitutional provision guaranteeing the right of minorities to their personal status, no separate personal

codes have been recognised. The Personal Status Code of 1959 can therefore apply Islamic *Sharia* principles to non-Muslim minorities, violating their cultural and religious norms with regard to marriage, divorce and inheritance. The code allows Muslim men to marry non-Muslim women but prohibits the marriage of Muslim women to non-Muslim men. This has led many couples to marry in religious services without officially registering their marriage, which may prevent their children from receiving state-issued identification documents.<sup>200</sup>

Minorities are also disadvantaged by the 1972 Law of Civil Affairs, which makes conversion of minors automatic if either parent converts to Islam, but prohibits Muslims from converting to any other faith. This means that children of converts to Christianity, for example, cannot be enrolled in Christian schools. The law particularly disadvantages girls whose parents converted to Islam when they were minors, because of the restrictions on Muslim women marrying non-Muslim men. An illustration of the negative consequences of this law is the case of three girls in Al-Hamdaniya who had been living their lives as Christians, only to discover when one of them tried to get married to a Christian man that they were registered as Muslims in the civil registry, and therefore prohibited from marrying spouses from other faiths.<sup>201</sup> Many minority activists have been lobbying for a unified personal status law which would allow all citizens to choose their religion for themselves, as well as a civil marriage law which would allow adherents of all religions to decide on matters related to marriage and inheritance without regard to religion.

# Recommendations

## To the federal government of Iraq:

- Organise all units of the Iraqi armed forces on a strictly non-sectarian basis and within a chain of command that is transparent and accountable to the elected Iraqi government and Council of Representatives;
- Ensure that all military action conforms with international humanitarian law and international human rights law and prohibit any indiscriminate attack, including through aerial bombardment, and any attack expected to result in a disproportionate loss of civilian life or damage to civilian objects;
- Accede to the Rome Statute of the International Criminal Court and make a declaration under article 12(3) to accept the exercise of jurisdiction by the Court from the beginning of the current conflict;
- Take measures to ensure that the Iraqi government is inclusive of all sectors of Iraqi society and amend the election laws to increase the number of reserved seats for minorities to ensure their fair and effective representation in parliament;
- Initiate prompt, impartial and independent investigations of attacks on minorities and prosecute those found to be responsible, respecting international standards of due legal process;
- Strengthen the representation of minorities in the Iraq security and police forces; and establish a special unit in the Iraqi police force for dealing with hate crimes or those motivated by ethnic, religious or sectarian bias;
- Commit, when circumstances permit, to the full restitution to minority communities of their former lands and homes, including in Mosul and the Ninewa plain, Sinjar and Tal Afar; and initiate an emergency system of compensation to provide some measure of relief to those who have lost their properties during the current crisis;
- Settle the status of Kirkuk and other disputed territories through the holding of referenda, as required by the constitution; and clarify the administrative status of the Ninewa plains with a view to increasing the security of its inhabitants, in consultation with the local population;
- Pass a comprehensive non-discrimination law to curb, *inter alia*, sectarian hiring practices and improve inclusiveness in public appointments;
- Take measures to speed up the judicial process of resolving property disputes;
- Abolish the practice of listing religious affiliation on identity documents;
- Repeal the law prohibiting the Baha'i faith and facilitate the process of obtaining identity documents for persons who are effectively stateless, including those previously denaturalised on political, religious or ethnic grounds;
- Strengthen the role of the High Commission for Human Rights in monitoring and reporting on human rights violations and ensure that it is adequately resourced and its members are independent;
- Continue efforts to reform the curriculum to promote education about the history, religion and culture of minorities, and take measures to ensure a place for minority cultural programming in the national media, not least by appointing minority representatives to the relevant media commissions.

## To the Kurdistan Regional Government:

- Recognize the Yezidi and Shabak as distinct identities, and extend articles 5, 14, 35 and 36 of the Kurdish Constitution accordingly;
- Cease the discriminatory allocation of essential services and take action against state officials and others who discriminate against members of minorities for choosing not to identify themselves as Kurds or affiliate themselves with Kurdish political parties, in accordance with Article 19 of the Kurdish Constitution;
- End the practices of arbitrary detention and harassment of minority political activists;
- Harmonize entry procedures at checkpoints to allow displaced persons fleeing violence to enter the KRG without discrimination on the basis of ethnicity or religion;
- Continue to provide humanitarian support for internally displaced persons seeking refuge inside the KRG and cooperate with international agency partners to establish adequate living arrangements for IDPs

## To the international community:

- Ensure that any international military action taken against ISIS and other insurgent groups in support of the Iraqi government adheres to international humanitarian law and to international human rights law and in particular prohibit any aerial bombing which may be expected to result in loss of civilian life or damage to civilian objects which would be excessive in relation to the concrete and direct military advantage anticipated;
- Take concrete measures to prevent the transfer of financial and material support to ISIS and other armed groups responsible for committing gross human rights abuses in Iraq;
- Refer the situation in Iraq to the International Criminal Court;
- Increase the provision of emergency relief, including food, water, tents, medical supplies and other essentials in partnership with humanitarian agencies working with displaced families in Iraq, including the KRG; and commit to the longer-term protection and re-settlement of minority IDPs created in the current conflict, in partnership with the Iraqi government;
- Allow entry to Iraqi refugees fleeing persecution and prohibit *refoulement* or the return of refugees to Iraq where their lives or freedom are at risk.

# Notes

- 1 The UN reports at least 8,493 civilian deaths between January – August, UNOHCHR/UNAMI, *Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July-10 September 2014*; *Iraq Body Count* cites 12,618 civilian deaths up until the end of September, accessed 6 October 2014, <https://www.iraqbodycount.org/database>
- 2 UN High Commissioner for Human Rights, *Report on the Protection of Civilians in the Non-International Armed Conflict in Iraq: 5 June – 5 July 2014*, UNOHCHR, 18 July 2014, p i.
- 3 Oral Presentation of the Chairman of SOITM on Turkmen of Iraq, 11th session of Working Group on Minorities, United Nations, [www.ohchr.org/Documents/Issues/Minorities/WG/11/SOITM\\_3a.doc](http://www.ohchr.org/Documents/Issues/Minorities/WG/11/SOITM_3a.doc)
- 4 Unrepresented Nations and Peoples Organization, Alternative Report submitted to the Committee on the Elimination of Racial Discrimination for the consideration of the 15th to 21st Reports of the Republic of Iraq during the 85th session, 2014, p4
- 5 See Lalani, M, *Still Targeted: Continued Persecution of Iraq's Minorities*, London, MRG 2010
- 6 *Ibid.*
- 7 Assyrian Universal Alliance Americas Chapter, 'Joint Appeal to Special Rapporteur on Minority Issues and the Special Rapporteur on Religious Freedom', June 30, 2014, p1
- 8 Lalani, *op. cit.*, p8
- 9 Salloum, S., *Minorities in Iraq: Memory, Identity and Challenges*, Baghdad, Masarat for Cultural and Media Development, 2013, p157; also Lalani, *op. cit.*, p7
- 10 Mandaean Human Rights Group, Submission to the 2014 Universal Periodic Review of Iraq, p. 1
- 11 Iraq 2005 Constitution, [https://www.constituteproject.org/constitution/Iraq\\_2005](https://www.constituteproject.org/constitution/Iraq_2005)
- 12 Iraq: Country of Concern, Foreign and Commonwealth Office 2013 Human Rights and Democracy Report, <https://www.gov.uk/government/publications/iraq-country-of-concern/iraq-country-of-concern>
- 13 US State Department Country Reports on Human Rights Practices 2013, p46
- 14 Iraq: Country of Concern, Foreign and Commonwealth Office 2013 Human Rights and Democracy Report, <https://www.gov.uk/government/publications/iraq-country-of-concern/iraq-country-of-concern>
- 15 Hammourabi Human Rights Organization, Report on Human Rights Situation of Minorities in Iraq 2013, [http://www.hhro.org/hhro/file\\_art/hhro%20report%202013/hhro\\_report\\_2013/hhro\\_report\\_2013.pdf](http://www.hhro.org/hhro/file_art/hhro%20report%202013/hhro_report_2013/hhro_report_2013.pdf), p2
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## From Crisis to Catastrophe: the situation of minorities in Iraq

The situation of Iraq's minorities is an unfolding catastrophe. In the first nine months of 2014, over 12,000 civilians have been killed in Iraq, and religious and ethnic minorities have been among the primary targets. In areas controlled by the Islamic State of Iraq and al-Sham (ISIS), minorities have been subject to summary executions, forced conversions, kidnappings, torture, sexual violence and destruction of property. At least half a million have been forced to flee their homes and lands in Ninewa with little more than the clothes on their backs.

However, 2014 did not mark the beginning of the crisis for Iraq's minorities, who include Chaldo-Assyrian and Armenian Christians, Turkmen, Yazidis, Kaka'i, Shabak, Sabean-Mandaeans, Baha'i, Faili Kurds, Black Iraqis and Roma. For years they have been the victims of assassinations, torture, kidnappings, armed robberies, and bombings targeting their religious rituals. Since minorities generally do not have their own militias or tribal protection structures like the majority groups in society, they are especially vulnerable. The federal government of Iraq has shown that it is either unable or unwilling to protect the safety of minorities. In the vast majority of cases, investigations are not properly conducted and the perpetrators of attacks go unpunished, often with indications of official complicity.

Many minority communities have now been reduced in size by emigration and killing to the point that they are in danger

of extinction in Iraq. Villages in Ninewa governorate that have been home to minority communities for thousands of years have been all but emptied of their inhabitants. Across Iraq, the minorities who do remain live in constant fear for their safety. Their religious sites are the target of attacks and they are afraid of openly displaying their religious identities. Their areas suffer from deliberate neglect and they face high barriers in accessing education, employment, housing, healthcare and other essential services.

This report seeks to give a comprehensive picture of the current situation of minorities in Iraq. Recommendations include urgent measures:

- to reverse the sectarianism gripping Iraq's government and security forces
- to ensure that those responsible for attacks on minorities are held to account in Iraq and internationally before the International Criminal Court
- to prevent the transfer of financial and material support to ISIS and other armed groups responsible for gross abuses
- to provide refuge in foreign countries to Iraqis, including minorities, fleeing persecution
- To ensure that all parties to the conflict abide by international humanitarian law and prohibit any bombardment or other attack expected to result in a disproportionate loss of civilian life.

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