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REPORT 1 / 2015

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AT CROSSROADS

Human Rights Violations Against
Iraqi Minorities After ISIS

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INTRODUCTION

"At Crossroads: Human Rights Violations Against Iraqi Minorities After ISIS" is a four-part report on violations of the human rights of minority individuals in Iraq, collaboratively produced by Heartland Alliance International (HAI) and Masarat Foundation for Cultural and Media Development (Masarat). Minority persons' rights have suffered infringement and abuse for decades in Iraq but recent social turmoil and national instability, caused in large part by the rise of Islamic State In Iraq and Syria (ISIS) in 2014, have proven an equally fertile ground for mistreatment. Little human rights reporting has been dedicated to this most contemporary era of minority rights in the country.

"At Crossroads" comprises four sub-reports: a survey analysis cataloging the full spectrum of violations suffered by members of Iraq's minorities, and three subsequent assessments each targeting a specific issue. Namely, the three concluding sub-reports will focus on (1) political participation, equality and non-discrimination, (2) personal stories of Iraqi minority individuals who have suffered from different human rights violations, and (3) freedom of religion and belief.

Research objective

The overall objective of the four reports is to document and draw attention to violations of the rights of minority persons in Iraq today, thereby encouraging adoption of the report's 15 recommendations for local, national and international stakeholders in response to these violations.

At a time of increased international interest in minority affairs in Iraq, this report seeks to use this momentum to widen the scope of human rights attention in Iraq to minority populations frequently neglected in traditional human rights monitoring. Members of Iraqi minorities suffer numerous human rights abuses in their home regions and cities; minority communities displaced by ISIS violence now face the dual challenge of overcoming rights abuses from the already disempowered status of displaced personhood. This report covers human rights abuses affecting both groups: non-displaced minority members in their home regions, and displaced minority individuals in the areas of their displacement across Iraq.

While this report will not omit ISIS-related violations, it focuses its primary efforts on violations committed by non-ISIS actors, primarily for three reasons:

First: Even before the formation of ISIS, Iraqi minorities lived under trying conditions, battling economic, social and political marginalization on an ongoing basis. The status of minorities has been, and remains to this day perilously unstable and perpetually under threat, both in and out of ISIS territory. The crimes committed against minority persons by ISIS have only further complicated an already difficult situation.

Second: The post-ISIS period will require substantial rebuilding of societal confidence: both horizontally, between Iraq's varied ethnic groups, and vertically, between civilians and the political system. No plan for restoring this confidence can be successfully implemented without first addressing the ongoing violations of minorities' rights, and likewise, the political, social and cultural context which allows, and sometimes encourages, discrimination against minorities.

Third: State institutions should be built, and rule of law encouraged, to promote citizenship at the level of individuals and diversity at the level of society through:

- Stressing the principle of state neutrality;
- Designing policies that acknowledge and protect religious and ethnic diversity, based on Iraq's historically diverse roots;
- Encouraging political elites to accept radical and systematic reforms that counter discrimination and protect the rights of minorities.

In line with this research objective, Chapters One through Seven each address the case of a single minority group, detailing the nature and instances of human rights violations against their members and discussing the challenges they face integrating into broader Iraqi and/or Kurdish society. Respectively, these seven chapters cover Yezidis, Christians, Shabaks, Turkmen, Kaka'is, Mandaean, and Iraqis of African origin and descent. Chapter Eight deals with the militarization of minorities following the human rights violations they have experienced: a troubling trend in which minorities have felt the need to develop special militias to defend themselves and their interests from ISIS and other threats. The report's final chapter contains recommendations categorized under five areas in need of reform: hate speech and incitement, discrimination, conditions of displaced ,minority individuals, disputed territories, and rebuilding confidence.

Targeted minorities and geographic scope

This report focuses collectively on five Iraqi minority groups: Turkmen, Yezidis, Christians, Shabaks, and Kaka'is, all of whom have had populations displaced by ISIS' invasion of Ninewa and other Iraqi regions. Two less visible and frequently neglected minority groups, the Mandaean and Iraqis of African descent, are also included. The report covers the geographical area of the Iraqi Kurdistan Region (IKR) and areas in central and southern Iraq, without reporting on territory under the control of ISIS or otherwise engaged in military operations. Time, personnel, and security limitations prevented researchers from performing a truly comprehensive coverage of all of Iraq's regions and cities. Despite these restrictions, the authors of this report have taken steps to ensure as broad coverage as possible.

Research methodology

While this report focuses on human rights violations committed by non-ISIS actors against different minority groups, the authors take an equal-minded view of all minority groups and all types of rights violations covered herein; no form of abuse and no minority group is emphasized or afforded preferential treatment in terms of research or reporting priority.

Much of the information contained in this report was collected by personal interviews during field visits with minority members, religious and political leaders, and commentators in Baghdad, central and southern Iraq, the IKR, and areas outside Iraq's borders. Interviewers were recruited from Masarat's network of highly trained researchers, with extensive expertise in data collection, minority affairs, and human rights monitoring.

In addition to the first-person accounts collected in Masarat's field interviews, report researchers have performed extensive background research of secondhand sources on minority rights violations, consulting books, research papers, local and international NGO reports, and news coverage of high-profile instances of rights abuses. In presenting this information, the authors have used simple language and avoided technical terminology to ensure understanding by all audiences, aiming at reaching a wide readership inside and outside Iraq. While previous Masarat publications have covered the history, role, and living conditions of minority groups, *At Crossroads* will lend greater emphasis to personal experiences of minority individuals, as shared with Masarat interviewers.

On the basis of the data gathered through the research and interview processes, and in light of the range of human rights violations practiced against Iraq's ethnic and religious minorities, Masarat has defined 15 recommendations for national and international stakeholders, presented in the final chapter of this report. These recommendations attempt to address the most critical issues facing Iraq's minority populations and the societies they inhabit, serving as a road map for reform of Iraqi society and minority policy. They encourage the drafting of specific legislation urgently needed to sustain Iraqi diversity, the loss of which would pose a significant threat to Iraqi society and state. Absent such policies, the authors see little hope for establishing an environment that encourages the return of minority IDPs or emigrants to the areas from which they were displaced. This failure would damage indelibly Iraq's future as a healthy, prosperous country.

Difficulties and challenges

In its examination of Iraqi minority integration into Iraqi society, this report seeks to understand all the factors that cause members of minority groups to leave their homes, and under what circumstances they would return. Masarat interviewers found a first challenge in this question of return, which often proved difficult for interviewees to answer. A large portion of Iraqi minority displacement originated in Iraq's disputed territories, located along the ill-defined IKR border. The ambiguous status of these areas, caught between overlapping political influence, gives pause to many displaced persons otherwise eager to return home. Similarly, the lack of an official plan for the return of IDPs and emigrants to areas of displacement is discouraging to potential returnees, as is the absence of any guarantee from any local or international party to support the rebuilding of their communities.

A second challenge arose from the absence of existing data on Iraqi minorities. Researchers were frequently forced to rely on inaccurate figures on minority and migrant populations. The invasion by ISIS dealt a severe blow to many minority communities, and no estimate exists of how deep or lasting an impact such an event could produce. Prevalent speculative estimates make an accurate analysis very difficult, and best estimates remain subject to change and variation, even when predicting only a few months into the future. This uncertainty will continue as migration around and out of Iraq — movement currently undertaken by hundreds of thousands of minority persons — continues.

Masarat researchers found a third challenge in the reticence of interview subjects to speak openly about their experiences as victims. Modern Iraq allows for much freer conduct than during Iraq's totalitarian regime, but many individuals today still feel uncomfortable with the prospect of sharing information about themselves. Interviewers found it particularly difficult to engage subjects on experiences in which their rights were violated. Many subjects expressed concerns of censorship or prosecution by security forces, as well as fear of the social embarrassment they would face within and outside of their communities if their story should reach public ears. To protect the confidentiality of interview subjects, Masarat has used aliases for some interviewees; in other cases, sources are left anonymous. Some interviewees similarly requested that none of their personal details be included in the report. Masarat researchers detected in interviews that these concerns may have discouraged other minority persons from offering full recounts of experiences in which their rights were violated. Such hesitation on the part of interviewees may have limited the strength of this report, which relies heavily on personal interviews.

In order to present the clearest possible picture on violations of minority rights, interviews with minority persons were conducted across all levels of society. In addition to displaced persons living in camps and local residents, interviews were conducted with religious and political leaders of the different minority groups and officials of organizations representing minorities and the defense of minority rights.

Locations and dates of the interviews:

Inside Iraq: Baghdad, Kirkuk, Karbala, al-Najaf, Basra, al-Qadisiyah, and Missan.

Iraqi Kurdistan Region: Erbil, Dohuk and al-Sulaymaniyah.

Outside Iraq: Turkey: Istanbul, Germany: Oldenburg, United States: Michigan.

All interviews were conducted between April and August 2015.

Acknowledgements

Masarat extends its sincerest gratitude and appreciation to every person who contributed to the monitoring of violations of minority rights: Saeb Khadar (for interviews with Yezidis), Uday Asad Khammas (for Mandaeans), Saad Saleh (for Shabaks) and Rajab Assi (for Kaka'is). Masarat hopes that this report helps establish a network of specialists on monitoring and documenting violations of human rights, and minority rights in particular. Each of these researchers represents one of the Iraqi minorities, and each of them has

cultivated a substantial network of information within their minority group. All interviewers have interview experience both inside and outside Iraq.

Masarat also wishes to thank the external support team, for their assistance in collecting key data for the report: Ibrahim Hasan, Ali al-Bayati, Samer el-Sheikh and Ziad Al-Yaseen. Masarat thanks members of the Masarat team, Amina al-Thahabi, Batoul Yousef, Zaina Tareq, Saif Abbas, Muhammad Riyadh and Taqi Hameed, for their support in completing the report. Finally, Masarat thanks those organizations that provided statistics and information for use in the report: Supporters of Human Freedom Association (specializing in the defense of the rights of Iraqis of African origins in Basra), Hema Center for Shabak Studies, and the Save the Turkmen Foundation.

Saad Salloum
Baghdad, 2015

FIRST

MINORITIES IN IRAQ⁽¹⁾

In the extremely diverse map of Iraqi society, the primary focus usually falls on the country's three major ethnic/religious groups — Shiites, Sunnis and Kurds. They enjoy clear political representation and jostle for power through political parties and elected entities. Iraq's minority ethnic, religious, sectarian, and linguistic groups are numerous, and this report covers the most established of these groups:

1. Yezidis live on Sinjar Mountain (70 miles west of Mosul) and in the city of Shekhan. Yezidis constitute one of the oldest ethnic and religious communities in Iraq. Though the origins of their religion date back thousands of years, they are currently facing external threats that may produce unprecedented changes to their identity.
2. Iraqi Christians consist of numerous ethnic groups—Armenians, Chaldeans, Syrians and Assyrians—and sects—Orthodox, Catholic, Protestant, and Baptist. They reside in different parts of Iraq but are concentrated in Baghdad, Erbil (Ainkawa neighborhood) and Mosul (Ninewa Plain).
3. The Shabaks are a minority group that has lived in northern Iraq for the past 500 years. They are predominantly Shiite Muslims, though some Shabaks are followers of Sunni Islam. The Shabak language is different from both Arabic and Kurdish. Shabaks live alongside other religious minorities, namely Christians, Yezidis and Kaka'is, in the Ninewa Plain of Mosul.
4. Turkmen live in northern Iraq, in an arc stretching across the districts of Tal Afar, Mosul, Erbil, Alton Kopri, Kirkuk, Tuz Khormatu, Kifri, and Khanaqin. Turkmen have demanded better representation in Iraqi government and society, believing themselves to constitute a fourth major component after Iraq's three majority groups described above. Their failure to achieve this designation has led them to embrace their minority status and the rights associated therewith.
5. Kaka'is are members of a religious minority, residing primarily in villages southeast of Kirkuk. Historians and researchers hold significantly diverse views on the Kaka'is, owing to the mystery, secrecy and symbolism shrouding their religious beliefs.
6. Mandaean, concentrated in Baghdad and southern Iraq (Amarah City in particular), represent a culture that has overcome challenges throughout twenty centuries of imperial rule in the Mesopotamia region. After millennia of continuous existence in Iraq, Mandaean numbers have reduced to only several thousand.

(1) Masarat, Baghdad

7. Iraqis of African origin (IAOs) primarily reside in the city of Basra. They are an emerging ethnic identity in Iraq, whose growth as a united group has been encouraged by Barack Obama's election to the US presidency. Black Iraqis do not originate from a single ethnic or national lineage: their ancestors were brought to Iraq from various African countries at different points in Iraqi history. Ancestors of IAOs include the Nubians (from Nuba) and the Zanzibari (from Zanzibar island in the Arab Sea). Other black Iraqis originate from Ghana and the Habasha region of modern-day Ethiopia.

Other Iraqi minorities not covered in this report are the following:

8. Faili Kurds live in villages spread along Iraq's Iranian border in the Zagros Mountains as well as in the capital, Baghdad. Faili Kurds are a minority group with a compound identity. While ethnically Kurdish, they belong to the Shiite sect (unlike most Kurds, who follow Sunni Shafi'i doctrine). Another distinctive feature of the Faili Kurds is that their dialects—Faili Luri and Bakhtiari—differ from the more common Kurdish dialects of Sorani, Badini and Zazki.
9. Baha'is are a small religious minority living in different regions of Iraq. The Baha'i faith is a modern religion that embraces tenets human unity; Baha'is themselves descend from various religions, backgrounds and ethnicities. Adherents to the Baha'i faith enjoy close relationships with Muslim and Christian relatives, friends, and neighbors, resulting in close integration of Baha'is into their local communities.
10. Iraqi Jews, whom recent estimates put at a total of 6 persons, live in Baghdad and represent the last traces of a formerly robust Jewish community over 2,500 years old.
11. Gypsies (Kawliya) are another minority group living in Baghdad; their impoverished living conditions are frequently documented in international reports on Iraqi minorities. Outside of Baghdad, Kawliya also reside in some southern governorates of Iraq.

SECOND

VIOLATIONS AGAINST YEZIDIS

1. Violations of the right to life and attacks on the safety of individuals

On June 3, 2015, media outlets circulated news on the death of Mousa Mirad Khidir Kirani, a 19-year old Yezidi resident of Sulaymaniyah, Iraqi Kurdistan Region (IKR). Kirani encountered an unknown assailant while posted at the Grand Millennium Sulaimani Hotel, where he worked as a guard.⁽¹⁾

Persons familiar with the scene of the assault reported that it is extremely difficult to enter the room where Kirani was stationed except through the primary door, raising questions on the motives behind the crime.⁽²⁾

Investigation after Kirani's death showed severe mutilation of Kirani's body, carried out in part by battery with a piece of concrete, as well as evidence of bullets having been fired directly into Kirani's mouth with a silenced handgun. Residents of Sulaymaniyah think that more than one assailant was involved, and that the crime was committed with extreme violent intent.⁽³⁾ The 'Initiative for Yazidis Around the World' described the incident as "a stoning act which ended with a bullet in the mouth."⁽⁴⁾

Masarat's investigations showed that many locals believe that the attack was an act of revenge, carried out because of religious differences between Kirani and his colleagues. According to interviews with Sulaymaniyah residents, Kirani had already been harassed by coworkers in the past, urged to quit the Yezidi faith and convert to Islam.⁽⁵⁾

News about Kirani's death engendered severe resentment among the Yezidi community,

(1) Zabeer, Huzan. "Yezidis Demonstrate in Protest of the Killing of Yezidi Youth in Kurdistan Region." *Roj News*. Posted: May 12, 2015. <http://www.rojnews.net/Ar/drejey-hewal.aspx?id=18657&LinkID=51&%D8%AA%D8%B8%D8%A7%D9%87%D8%B1%D8%A9-%D8%A7%D9%8A%D8%B2%D9%8A%D8%AF%D9%8A%D8%A9-%D8%AA%D9%86%D8%AF%D9%8A%D8%AF%D8%A7%D9%8B-%D8%A8%D9%85%D9%82%D8%AA%D9%84-%D8%B4%D8%A7%D8%A8-%D8%A7%D9%8A%D8%B2%D9%8A%D8%AF%D9%8A-%D9%81%D9%8A-%D8%A7%D9%82%D9%84%D9%8A%D9%85-%D9%83%D8%B1%D8%AF%D8%B3%D8%AA%D8%A7%D9%86>

(2) Masarat interviews with Yezidi activists, Sulaymaniyah.

(3) Masarat interviews with residents of Sulaymaniyah.

(4) Statement issued by the, Initiative for Yazidis Around the World, on the death of Mousa Mirad Khidir Kirani, available on the initiative's website via the following link: <http://www.ezidis.net/?p=890&lang=ar>.

(5) Interviews conducted by Masarat, Sulaymaniyah.

leading to demonstrations demanding that authorities disclose the details of the incident. A number of high-ranking Yezidis condemned the violent murder and echoed demands for greater transparency.⁽¹⁾

Member of Parliament (MP) Vian Dakhil called on local authorities to open an investigation into Kirani's murder, and Yezidi religious leader Tahseen Saeed Ali Bak sent a letter to the leadership of the Patriotic Union of Kurdistan party (PUK), headed by former Iraqi president Jalal Talabani, requesting disclosure of the circumstances of the incident.⁽²⁾

Two weeks after Kirani's murder, on June 16 and 17, 2015, social clubs under Yezidi management on Baghdad's al-Saadoun street in the al-Karrada district were attacked by armed groups. According to both eyewitnesses present at the scene and businessmen who work in the area, groups of men wearing police and army uniforms entered the facilities of the Mashreq Club and the General Headquarters of the Writers' Union, destroying furniture and equipment and assaulting workers and staff.⁽³⁾

These were not the first attacks of their kind. Prior to the June attacks, men armed with silenced handguns killed five Yezidis in liquor stores in Baghdad's Bab al-Muadham neighborhood. The government has taken no action in response to these attacks.⁽⁴⁾ Masarat ascribes this inaction to two factors: the killers' likely affiliation with government entities and extremist militias, and the fact that the victims of the crimes were Yezidis, viewed by law enforcement as not deserving detailed investigation.⁽⁵⁾

Husam Salem, a Yezidi activist, and member of the Yezidi Fraternity and Solidarity League, criticized the inaction of the government towards the attacks on the Yezidis living in Baghdad, saying: "there hasn't been any serious follow-up. The government has not started any investigations into the killing of Yezidis in Baghdad. Yezidis are still victims of murder and prosecution, especially those who sell alcohol, and these acts are being repeated every year. This was not the first incident and it will not be the last one. The government is completely ignoring these attacks." Salem added, "it seems that the blood of the Yezidis is cheap or that they have not yet become humans in the eyes of the government." Husam believes that these attacks are motivated in part by the ideologies of influential political Islamic parties represented in Iraq's Federal Government, as well as by the paucity of prominent political Yezidi personalities who might otherwise raise the issue of anti-Yezidi violence in the media or in Iraqi government.⁽⁶⁾

(1) Zabeer, Huzan. "Yezidis Demonstrate in Protest of the Killing of Yezidi Youth.

(2) Masarat received a copy of this letter by e-mail.

(3) Interview conducted by Masarat with M.S., a Yezidi businessman, Baghdad, and statements Masarat collected from businessmen from the area. In general, witnesses were hesitant to speak to Masarat because of the taboos associated with the alcohol-serving venues where the incident took place. Security camera footage of the assaults has not yet been released to the public.

(4) NN, AHF, "One Alcoholic Spirits Storeowner Killed, Two Wounded, and One Kidnapped in Armed Attack in Central Baghdad." *Almada Press*. Posted: May 08, 2015. <http://www.almadapress.com/ar/news/48237/%D9%85%D9%82%D8%AA%D9%84-%D8%B5%D8%A7%D8%AD%D8%A8-%D9%85%D8%AD%D9%84-%D9%84%D8%A8%D9%8A%D8%B9-%D8%A7%D9%84%D9%85%D8%B4%D8%B1%D9%88%D8%A8%D8%A7%D8%AA-%D8%A7%D9%84%D9%83%D8%AD%D9%88%D9%84>.

(5) Further reporting on these issues is complicated by extreme reticence of all parties to disclose information. Yezidi persons and government officials alike worry that further attention to the crimes will only increase awareness of Yezidi involvement in the sale of alcohol and draw further violent action from extremists. In general, Muslim extremists can be certain that owners of liquor stores will be non-Muslims, since Iraqi Law No. 82 of 1994 allows only non-Muslims to open such establishments.

(6) Interview conducted by Masarat, Erbil.

From interviews with Yezidis, it was clear to Masarat that Yezidis in Iraq's capital are reluctant to call attention to the Baghdad attacks due to concerns of their perception among the Baghdad population. Given conservative Iraqi stances on alcohol sale and consumption, public opinion in Baghdad tends to sympathize with the targeting of liquor stores. One Masarat interview revealed latent hypocrisy in this stance: a Baghdadi landlord confessed that he drinks alcohol every day, but insisted that he would never rent out any of the shops of his building for use as a liquor store.⁽¹⁾

While neither the Kurdistan Regional Government (KRG), nor the Government of Iraq (GoI), have taken any serious steps in following up on attacks on Yezidis, it is unclear whether government inaction was intended to prevent uproar over these incidents, as in the case of Kirani, or due to Islamic political influence in Iraqi and Kurdish governments. In any event, the failure of the government to respond to such violence suggests that equality is not afforded to persons of Yezidi descent, creating the impression amongst Yezidis that they are not considered real citizens of Iraq in the eyes of government authorities who create an environment of impunity for perpetrators of anti-Yezidi violence.

2. Arbitrary arrests of Yezidi activists

During the research period of this report between May and August 2015, several Yezidi activists have reported arbitrary arrests of Yezidis taking place in the IKR, frequently targeting activists involved in investigating and documenting human rights violations committed against Yezidis by Kurdish security forces (known as 'Asayesh').

The arrests investigated by Masarat were found to include no legal grounds or formal charges. Masarat's research suggests that the arrests began with a series of demonstrations held by Yezidis in Duhok IDP camps, protesting the abandonment of Yezidi areas by Kurdish troops. Asayesh responded forcefully to the demonstrations, arresting and harassing student demonstrators. One such student, H. Gh.⁽²⁾ from Sinjar, was forced to sign a pledge promising never again to participate in any demonstration.⁽³⁾

Khayri Ali Ibrahim, another Yezidi activist was arrested by Asayesh on April 4, 2015 because of his involvement in activities defending Yezidi rights. Ibrahim was released after a period of detention, but summoned again on July 15, 2015, while ultimately only released in response to a peaceful sit-in held the same day in the al-Qadiya Camp of the Zakho District, Duhok Governorate. The sit-in, organized by Yezidis displaced from Sinjar, aimed to protest the deterioration of services in al-Qadiya Camp where water and electricity would shut off for as long as six to ten hours at a stretch, sometimes to occur twice in a single day. Protestors also denounced the behavior of the camp administration, which was allowing waste to accumulate throughout the camp, collected only once every ten days or more.⁽⁴⁾

(1) Interviews conducted by Masarat, Erbil and Baghdad.

(2) In order to protect the confidentiality of interviewees some names have been changed or abbreviated.

(3) Interview conducted by Masarat with al-Muma Illeh, Dohuk.

(4) Interview conducted by Masarat, Erbil. Yezidi displaced people organize a peaceful sit-in in the al-Qadiyah Camp in Zakho, barety.net, available via the following link: <http://barety.net/index.php?topic=49785.0>.

In another case, Asayesh officers abducted 29-year-old Shammo Murad, a Yezidi activist who documents human rights violations against Yezidis on his personal Facebook page. Murad was detained by Asayesh while crossing the military checkpoint Ibrahim al-Khalil border crossing between Turkey and Iraq.⁽¹⁾

Yezidi activists describe these arbitrary arrests as tantamount to kidnapping operations despite taking place under the guise of legitimate police activity. While they have broken no laws, nor do they intervene in politics, the Yezidi activists work to express the concerns and challenges of their community and the humanitarian crisis it faces. Aminah Saeed, a former member of Kurdistan Parliament and a Yezidi, commented that abduction of young Yezidi activists solely because of their vocal criticism of societal realities will lead to resentment in the streets and feelings of hopelessness among Yezidi people.⁽²⁾

3. Hate speech and incitement against Yezidis

Following the extreme violence and massive displacement already faced by Yezidis during ISIS occupation, the minority group has been further beset by continued hate speech from Iraqi society. A small number of Muslim clerics appear regularly on media platforms such as Rudaw, Gelî Kurdistan, Kurdistan News, KNN, and Zagros to criticize Yezidis for not following Islam.⁽³⁾

The words of these clerics, who appear on widely-watched TV channels, and whose video clips are spread across social networking sites, inflame sectarian tensions and incite audiences of these messages to violence. A recent broadcasted address by Islamic activist Abdul Wahid Bank Khawazi sparked anger and resentment among the Yezidi community by calling into question their religious beliefs and national affiliation. "The word Yezidi derives from Yazeed bin Muawiyah," said Khawazi in his filmed segment, "which means that the Yezidis are Arabs. If not, the world Yazda or Yazdan refers to Persia, which means that they are Persians. This shows that, in any event, they are not Kurds." Khawazi continued, "Yezidis are known to say, 'Ya Khoudi Yazdan Mah Zen,' meaning 'in the name of God the great'; this is a Persian sentence." In the recording, Khawazi also raised doubts about Yezidi faith and sharply criticized their behavior and their rituals.⁽⁴⁾

Majid Hassan, a Yezidi researcher at the University of Bamberg, Germany, specializing in religious minorities, explained that "this example is not unique; Yezidis are often accused of blasphemy, both publicly and in mosques by clerics and preachers." Religious figures Dr. Abdul Latif and Mullah Farazanda, as well as senior preachers Abdul Samad and doctor/professor Abdul Wahid, openly attack Yezidis, Jews, and Christians in many of their sermons and addresses.

(1) Interviews conducted by Masarat, Erbil.

(2) Interview conducted by Masarat, Erbil.

(3) Interviews conducted with Majid Hassan, Yezidi specialist in religious studies at the University of Bamberg, and Yezidi activist Husam Salem.

(4) The following two Youtube videos show, respectively, a Rudaw news segment including inflammatory language against Yezidis made by religious figure Dr. Abdul Latif and a response to this broadcast by Yezidi leader Hayder Sasho:

<https://www.youtube.com/watch?v=WkixliaGU14>.

<https://www.youtube.com/watch?v=3KE5lDa3OI8>.

Even leaders of political parties in Kurdistan have been known to verbally attack Yezidis: Ali Baber, the head of the Kurdistan Islamic Union, was quoted as saying that the Yezidis combating ISIS cannot be considered martyrs, because they are “non-Muslims and infidels.”⁽¹⁾

Masarat’s research suggests that the existence of Islamic movements in Kurdistan is a source of great concern for Yezidis, and surges of Islamic sentiment tend to push Yezidis toward greater affiliation to their own faith.⁽²⁾ Despite shared language and ethnic background with non-Yezidi Kurds, the religious gap between these two sectors of Kurdish society can be significant. At times, the severity of these religious discrepancies becomes so obvious that hardline religious voices claim that the very existence of Yezidis poses a challenge to Kurdish Islamic identity.⁽³⁾

Similarly, Masarat has been told in interviews that rising influence of political Islam in Kurdish governmental departments is enabling further human rights abuses on the basis of Yezidi religious affiliation. According to statements of Yezidi activists, recurring acts of discrimination suggest to Yezidis that they live as unprotected prisoners of stereotypical perceptions and preconceived labeling as infidels, continuing their history of discrimination, persecution, and attempts at forced religious and ethnic conversion. At present, Yezidi people have still been given no answer to the question of why no clear fatwa has been issued by Kurdish religious institutions on the sanctity of Yezidi blood or denouncing the atrocities committed against them.⁽⁴⁾

Inflammatory speech, and those who stand behind it, provides a limitless stockpile of accusations, stereotypes and myths for potential perpetrators of violent activity. Countering hate speech and incitement against Yezidis and other religious minorities of Iraq necessitates a strong role of education and awareness. Without these efforts, negative perceptions will continue to exist in the words and writings of contemporary speakers and researchers, which in turn will continue to color the public’s image of Yezidi people.

Vian Dakhil, a Member of the Iraqi Parliament and an advocate for Yezidis, has publicly acknowledged this issue, citing religious extremism as one force behind the growing number of Yezidi immigrants, most of them originating from the Sharya and Khanke

(1) No primary source is available for Ali Baber’s statement. A formal response issued by the Supreme Commission of the Lalish Cultural and Social Center in response to Ali Baber’s remarks can be found here: <http://www.bahzani.net/services/forum/showthread.php?94510-%D9%85%D8%B1%D9%83%D8%B2-%D9%84%D8%A7%D9%84%D8%B4-%D9%86%D8%B3%D8%AA%D9%86%D9%83%D8%B1-%D8%AA%D8%B5%D8%B1%D9%8A%D8%AD%D8%A7%D8%AA-%D8%B9%D9%84%D9%8A-%D8%A8%D8%A7%D8%A8%D9%8A%D8%B1-%D8%A7%D9%84%D8%AA%D9%8A-%D8%AA%D8%B2%D8%B1%D8%B9-%D8%A7%D9%84%D8%B4%D9%82%D8%A7%D9%82-%D9%81%D9%8A-%D8%B5%D9%81%D9%88%D9%81-%D8%B4%D8%B9%D8%A8-%D9%83%D9%88%D8%B1%D8%AF%D8%B3%D8%AA%D8%A7%D9%86>.

(2) These sentiments were expressed to Masarat interviewers during discussion with Yezidi persons.

(3) A recording of instances of hate speech against Yezidis by Mullah Dr. Abdul Latif is available via the following link: <https://www.dropbox.com/s/gcth4fgo5e45sm1/%D8%AF-%D8%B9%D8%A8%D8%AF%D8%A7%D9%84%D9%84%D8%B7%D9%8A%D9%81..%DA%A9%DB%86%D9%85%DB%95%DA%A5%DB%8C%20%D9%BE%D8%B1%D8%B3%DB%8C%D8%A7%D8%B1%DB%8C%20%DA%AF%D8%B1%D9%86%DA%AF%20-%20YouTube.MKV?dl=0>.

(4) Interviews conducted by Masarat with Yezidi activists, Erbil, Dohuk, Baghdad.

areas of Dohuk Governorate where their living situation is still relatively stable compared to other areas inhabited by Yazidis.⁽¹⁾ Yazidi researcher Majid Hassan and activist Husam Salem agree with Dakhil's assessment, and academic sources attest to the rise in religious extremism in the Kurdistan.⁽²⁾

4. Political inaction on human rights violations against Yazidis

Yezidi activist Husam Salem believes that no serious measures are being taken to end violations and discrimination against Yezidi people. "There is no clear plan for dealing with Yezidi citizens and with the issue of liberating their areas from ISIS control. Political conflicts in the country make the Yezidi citizens feel frustrated, and as though they are a minor issue in power struggle of greater powers. The federal government did not deal with the suffering of the Yezidis as it should, especially considering the 'genocidal' events they faced." Meanwhile, Iraqi diplomats have yet to raise in international fora the issue of the genocide of Yezidis in light of their role as members of an Iraqi minority. All successes achieved in this regard were the work of Yezidi activists striving to spread the message of the Yezidi persecution and the possibility of their extinction to as wide an audience as possible.⁽³⁾

Salem believes that there are civil activists who sympathize with the Yezidi cause, but this sympathy never reaches the level of mass civil mobility. Salem notes, "within a year of the extermination of Yezidis in Sinjar, nothing has changed for the better. On the contrary, the Yezidis today feel more isolated. Some individuals have made an outcry, but it hasn't risen to the level of a collective state or civil movement."

While recognizing the important work of civil society on humanitarian issues, Salem, however, stresses that even these efforts are influenced by negative perception of the Yezidis. "Civil forces have not played a real role in addressing violations against the Yezidis." He added that his "personal experience raises serious questions. During the preparations for the Erbil 2014 demonstration, on the tail of the attack on Sinjar, none of the well-known personalities of the civil society participated in preparations or in the demonstration itself. The same was true of the second Erbil demonstration, demanding the liberation of the kidnapped Yezidi women. Key civil society organizations and personalities known for their active work as human rights defenders did not take part in either demonstration." Salem believes that the reason behind this lack of participation is the prevailing culture of viewing Yezidis as inferiors.⁽⁴⁾

Salem indicates other manifestations of discrimination, all of which have hindered Yezidis'

(1) A statement issued by MP Vian Dakhil on the increase in the number of Yezidi immigrants, Al-Sumaria site, available on the following link:

<http://www.alsumaria.tv/mobile/news/138075/%D8%AF%D8%AE%D9%8A%D9%84-%D8%A3%D9%83%D8%AB%D8%B1-%D9%85%D9%86-%D8%AB%D9%84%D8%A7%D8%AB%D8%A9-%D8%A2%D9%84%D8%A7%D9%81-%D8%A7%D9%8A%D8%B2%D9%8A%D8%AF%D9%8A-%D9%8A%D8%BA%D8%A7%D8%AF%D8%B1%D9%88%D9%86-%D8%A7/ar>.

(2) Butani, Dr. Abdul al-Tifah, "Political Islam in the Kurdistan Region." Dohuk University, Department of Humanities, Scientific Research and Kurdish Studies Center. P. 118.

(3) Interview conducted by Masarat interview with Husam Salem.

(4) Interview conducted by Masarat, Erbil.

feelings of equality and non-discrimination: “the corruption of local governments; aloof treatment of the Yezidi crisis; favoritism and nepotism that discriminates against Yezidis on a daily basis; negligence of Yezidi employees’ demands, such as the civil defense personnel in Bashika who are not getting their salaries; unpaid salaries in numerous other sectors; the absence of promised financial support such as the IPD cash grant;⁽¹⁾ employment discrimination in Baghdad and other regions; and the ongoing failure to disburse Yezidi compensation all serve as factors encouraging Yezidis to emigrate.”

Aminah Saeed, Yezidi and former member of the Iraqi parliament, believes that neither the GoI nor the international community have taken on Yezidi issues in a serious way. “In actual terms, the government was informal in its treatment of the Yezidi tragedy. It took no steps to ascertain the fate of five thousand kidnapped Yezidi women. Even the international community offered little more than sympathy and regret. Dozens of interviews and contacts were made with the European Union, the United Nations and US decision makers, but we did not witness any solid or concrete move to assist the kidnapped women, even though this was a humanitarian issue worthy of prioritization by the international community.”

According to sources from Yezidi communities in the IKR, the border regions between Duhok Governorate and the Ninewa Plain experience the highest emigration rate of all Iraqi regions. According to unofficial estimates, 10-15 Yezidi families apply for visas to leave the country every day.⁽²⁾

Majid Hassan, Yezidi researcher specializing in religious minorities, listed other manifestations of discrimination perpetrated against Yezidis. “All top officials in Yezidi-prevalent regions are Muslim Kurds, from security and intelligence officials to party officials. Only marginal responsibilities have been granted to the Yezidis in these regions, despite the fact that Yezidis are highly competent and capable of taking on any position entrusted to them.”⁽³⁾

Majid Hassan believes that the Yezidi people are treated as inferiors, as though they were “nothing but villagers and underdeveloped clans.” He stresses, “when necessary, they are bombarded with national slogans and told that they are Kurds. But when it comes to the distribution of wealth and government representation, the Yezidis get nothing.” Hassan provides the following example: “There are three big Yezidi towns in the Dohuk Governorate, all of them 10–20 kilometers away from Dohuk city.⁽⁴⁾ Yet in these towns, one cannot find any commercial or economic resource for Yezidis. There are no Yezidi restaurants in the city, because Muslims consider Yezidi food unclean, and refuse to eat it. The government allocates significant portions of state-owned land for the construction of Muslim mosques; in the three Kurdistan governorates, there are now more than 5200 mosques, exceeding even Saudi Arabia on this measure. Meanwhile, there is a complete negligence of building and reconstruction projects on Yezidi temples. Seven years ago,

(1) The Iraqi government pledged a cash grant of one million Iraqi dinars to each displaced family in Iraq. There have been many cases of displaced families, both Yezidi and non-Yezidi who have not received their grant.

(2) Interviews with Yezidi activists, Sharya Complex, Dohuk.

(3) Interview conducted by Masarat interview with Majid Hassan.

(4) Dohuk is name given both to Kurdistan’s westernmost governorate and the governorate’s capital city.

the KRG has reported that it allocated more than US \$1 million to renovate the Lalish temple, but as of the drafting of this report, the KRG has yet to initiate any renovation activity.”

5. Restrictions of Yazidis’ right to movement on discriminatory grounds

In interviews with Masarat conducted for this report, Yazidi citizens frequently complained about complicated procedures at entry points into certain Iraqi governorates, particularly through Baghdad’s southern crossing point. Strict entry requirements frequently prevent Yazidis from crossing the border to conduct routine transactions, such as going to work in restaurants and entertainment clubs or obtaining official documents like passports. At the al-Shaap checkpoint on the Bagdad border, Yazidis entering the city are requested to provide a sponsorship document signed by a Baghdadi citizen before being granted entry. Masarat spoke with a trucker on the Dohuk-Baghdad road, who informed interviewers that some religious minorities received special treatment when attempting to enter Baghdad, but Yazidis were not among that number. “There is a special context adopted by security members towards the sons of the Yazidi religion.”⁽¹⁾

One Yazidi citizen, traveling to Baghdad with his mother, reported just this treatment at the Baghdadi border. After prolonged unsuccessful discussion with the checkpoint police, the man was forced to call one of his friends in the city to act as sponsor for the man and his mother. Other travelers told stories about elder Yazidis fainting at checkpoints, forced to wait for hours in long lines at the city border.⁽²⁾

Another Yazidi – who had succeeded in securing a sponsor – told Masarat, “you need a sponsor from the city to enter Baghad. Me and my friend were able to enter, because my university colleague used to live in Baghdad. However, other Yazidis have a very scant presence in Baghdad, and few Yazidis have friends there. A large portion of the few Yazidis who do live in Baghdad do not possess Baghdadi residency cards, and this complicates their entry into the city, as well.”⁽³⁾ In both cases, Yazidi residency is only temporary, rather than long-term.

6. Deprivation of the right to education

The presence of Yazidis in disputed areas has made their right to education a critical issue. Most schooling in these regions is conducted in Arabic, because the schools are administered under the Ninewa Governorate Education Department of the GoI. Some schools using the Kurdish language were recently opened under the Dohuk Education Department of the KRG, and some Yazidis have opted to attend these schools instead. As a result, Yazidi students became discriminated against in regards to educational curricula and schooling systems.

Majid Hassan, religious minorities specialist, explained the background of the problem to Masarat: “there were more than 1,500 Yazidi students, and more than 50 Yazidi

(1) Interview conducted by Masarat, Erbil.

(2) Interview conducted by Masarat, Baghdad.

(3) Interview conducted by Masarat, Baghdad.

professors and researchers at the University of Mosul prior to 2007. They have all left now, after the intensifying campaign of violence developing since that time. Many of them demanded to be transferred to IKR universities, but in the beginning their demand was not met because they are officially registered in universities outside the IKR.”⁽¹⁾

“When these universities were compelled to accept the applicants, their school tenure was shortened by one school year, lost during the transfer from Mosul University to the IKR universities that accepted them. Moreover, students entered IKR colleges at lower academic levels than they had enjoyed at the University of Mosul. For example, a medical student whose 90-point grade average was sufficient for the Faculty of Medicine in Mosul, would be rejected from the Faculty of Medicine in Kurdistan because their cutoff for medical students is 93. This applies to all other colleges and disciplines, and the practice has continued even after escaping from ISIS. Yezidis are still being admitted to colleges on the basis of IKR grade averages and cutoffs.”⁽²⁾

Aminah Saeed, former IKR MP, shares her concern with Masarat about deprivation of education for displaced minority children, who have commonly been deprived of their right to complete their studies: “even schools that were opened in order to avoid this disadvantage have had a very limited impact; students receive no practical benefit from them.”⁽³⁾ Saeed stresses that education should ensure more equality between Yezidi students and other segments of society and explained that Yezidis are often deprived of scholarships as a result of favoritism. She concluded with the recommendation that “education must be kept free from political loyalties and conflicts.”⁽⁴⁾

Majid Hassan recommends that the best solution to address discrimination in admission to graduate studies, grants, and scholarships is to draft a special law for scholarships and to allocate a minority quota for indigenous peoples in Iraq and the IKR, especially for Yezidis wishing to study at university.⁽⁵⁾

In general, Yezidi students, like other displaced minority students in the Ninewa Governorate, face difficulties in education because the limited capacity causes IKR universities to turn away some Yezidi applicants. As a result, hundreds of high school graduates, unable to enroll in higher education, now face an unknown fate. Administrative restrictions and divergent academic standards deprive these students of educational opportunities. If this issue is left unaddressed, an entire generation of Yezidis will be denied their right to education and left far behind their peers, to say nothing of the psychological and social impact of this deprivation.

(1) Interview conducted by Masarat interview with Majid Hassan.

(2) Ibid.

(3) Interview conducted by Masarat, Erbil.

(4) Ibid.

(5) Interview conducted by Masarat interview with Majid Hassan.

7. Violations of the right to health and the right of access to a clean environment

According to Amina Saeed, “most Yezidis now living in the IKR are displaced persons, who only can acquire passports and other official documents after considerable effort, or by paying huge amounts of money as bribes due to their administrative affiliation with official departments in the Ninewa Governorate.”⁽¹⁾

Masarat’s research showed that displaced Yezidis without official documentation, including those who have lost their documents and are working to replace them, are unable to benefit from the one million Iraqi dinar cash grant. Even survivors of ISIS occupation are granted no preferential treatment, left to follow lengthy, complicated procedures.

The inability of some Yezidis to obtain official documents, such as passports, has an additional consequence: Yezidis without passports are effectively deprived from the opportunity to receive necessary medical and psychological treatments. The German government has announced that it would offer medical and psychological treatment. Unfortunately, the complexity of obtaining an Iraqi passport prevented the majority of ISIS survivors from receiving this assistance. The number of women able to benefit from Germany’s assistance did not exceed 200 survivors.⁽²⁾

The situation inside the camps where Yezidis reside is worrying, especially regarding the spread of transferable diseases and infestation. Chickenpox, scabies and lice all pass from camp resident to camp resident as a product of unhygienic and unsanitary conditions. According to figures released by a civil activist, surveyed camps are home to more than 3000 persons infected with only the three afflictions mentioned above. Health figures, collected from Yezidi activists in Sharya and Khanke, are included here:

Camp	Scabies	Chickenpox	Lice
Bersvi 1	150 cases	250 cases	100 cases
Bersvi 2	150 cases	203 cases	163 cases
Kabartoo	350 cases	500 cases	351 cases
Issian	254 cases	437 cases	311 cases
Jam Mashko	227 cases	125 cases	120 cases

According to the testimony of a doctor experienced in treating transferrable diseases among displaced Yezidis, overcrowding of camps will lead to an inevitable health disaster. Many children living in camps have contracted skin diseases due to poor water quality and the accumulation of waste in camp environments. Cases of health problems are steadily increasing, and officials have implemented no effective policy to reduce the spread of affliction. Neither local governments in Dohuk and Erbil, nor the Gol in Baghdad, have taken any measures to deal with these cases.⁽³⁾

⁽¹⁾ Interview conducted by Masarat, Erbil.

⁽²⁾ Interview conducted by Masarat with members of the Iraqi Minorities Coalition, Baghdad.

⁽³⁾ Figures and statements given to Masarat by a group of activists in Sharya and Khanke in the IKR.

The Yezidi camp residents are incapable of obtaining treatment for these diseases do to lacking financial capacity and other difficult economic conditions. Existing humanitarian organizations have also proven incapable of controlling these diseases, leaving open-ended the threat of a severe health endemic.⁽¹⁾

(1) Interviews conducted by S. S., a Yezidi activist with a number of infected people in the camps.

THIRD

VIOLATIONS AGAINST CHRISTIANS

Displacement of Christians in Iraq began in the period of violent instability that followed the US occupation of the country in 2003. Escalating violence levels compelled many Christian families to emigrate, to the point where the continued existence of Iraq's Christian minority community may now be in jeopardy. Out of 1.4 million Christians living in the country prior to 2003, today only 250-300 thousand Christians remain, and this number continues to decrease on a daily basis. Fr. Dr. Ameer Jaje al-Dominiki, Director of the Baghdad Academy of Human Sciences, estimates that 10-15 Christian families emigrate from Iraq every day.⁽¹⁾

When ISIS invaded Mosul and the Ninewa Plain, many Christians left their homes, abandoning the areas they had shared with other ethnic and religious groups for hundreds of years. Since their departure, Christian property and religious sites have become targets for attacks and looting. Christians in other parts of Iraq also live in fear, even though they have never been exposed firsthand to the effects of ISIS. Rather, this fear is a product of violations affecting the safety of individuals and the exposure of Christian property to illegal seizure. Discrimination against Christians remains prevalent in a way that threatens all Iraqi Christians and compels them to emigrate.

1. Violations against the right to life and safety of individuals

ISIS, as well as its affiliated armed groups, has committed flagrant and systematic rights violations of Christians and other minorities in northern Iraq. These violations, which reached their peak with ISIS' crimes of 2014, follow a gradual exhaustion of diversity in Iraq, itself caused by the myriad forms of violence practiced in this country. Targeted violence, which threatens the remaining Christian presence in the country, hasn't stopped, even after ISIS' offensive. Iraqi minority societies, unlike those of Arabs and Kurds, do not enjoy the protection provided by tribal social structures or community militias. Thafer Nouh, editor-in-chief of the Christian Thought Magazine, recounted to Masarat an event he witnessed in Baghdad, in May, 2015:

(1) Interview conducted by Masarat with Fr. Dr. Ameer Jaje al-Dominiki, the Director of the Baghdad Academy of Human Sciences, Baghdad.

"A young boy was run over while crossing a road. The driver panicked and thought that the family of this boy would beat him. However, when he discovered that the boy was a Christian, he yelled: 'Praise be to God that the child is Christian. He has no tribe to defend his rights'. This means that no one is going to ask him to pay a compensation, which is usually paid in similar cases under the 'blood money' tradition practiced by Iraqi tribal societies. I started a discussion with the driver and I asked him, 'suppose that the situation were reversed. Suppose that I, a Christian, were driving the car and I ran over a Muslim child. What should I do in this case?' He replied that it is necessary for a Christian to seek the help of one of the tribes to represent him in the tribal process."⁽¹⁾

As Thafer describes it, there is nothing unique about this event, but it is one of a series of incidents that suggest to Iraqi Christians that the law does not offer them adequate protection. Iraqi Christians feel that they cannot claim their rights, because in many cases tribal norms are applied instead of relying on rule of law.

Among the most prominent violations is the murder and kidnapping for ransom of Christian citizens. Kidnapping in Baghdad had diminished between 2011 and 2013 thanks to an improvement in the security conditions. Since the formation of Popular Mobilization Units (PMUs)⁽²⁾ to fight ISIS, however, kidnapping has seen a resurgence in the Iraqi capital.

In some cases, militias and armed groups use kidnapping and extortion of Christians and other minorities as tools to finance their operations and/or to display their power. The result, however, is that Christians and other minorities have become susceptible to a manner of criminal gangs and mafias. While justifying violations against Iraqi Christians on the grounds of religion, the kidnappers' reference to belief may just be a façade during the current conflict to justify their income-seeking activities.⁽³⁾

The current state of chaos in Iraq allows the phenomenon of gangsterism to flourish, especially given the militarization of Iraqi society and the wide availability of light arms. These circumstances provide criminals and organizations free reign to publicly display weapons without fear of retribution; this situation has been in place since ISIS' invasion of Ninewa, Salahuddin and Anbar. The multiplication of arms has come to be associated with the parallel mushrooming of armed organizations, which hang their banners and propaganda signs throughout the streets of Baghdad and other regions under an endless string of names and slogans.⁽⁴⁾

In May, 2015, an armed group kidnapped a Christian girl in the al-Naeeriyah area, east of Baghdad while she was standing in front of her house. Contacts made by Masarat have revealed that Juliana Youssef George, the 17-year-old victim, is the granddaughter of the pastor of Virgin Mary Assyrian Church of the East.⁽⁵⁾ On the same day, the Babylon

(1) Interview conducted by Masarat, Baghdad.

(2) These are irregular forces formed to fight ISIS following the latter's invasion. These forces are composed of different armed factions, and most of their members volunteered after the famous "righteous jihad fatwa" urging Muslims to defend their land against invaders was issued by supreme religious authority Ali al-Sistani.

(3) Saad Salloum: Christians in Iraq: The Comprehensive History and Current Challenges, Masarat Foundation for Cultural and Media Development. Baghdad, 2013, p. 389.

(4) Interview conducted by Masarat with social worker Abdul Razak Ali, professor of social policy at the Dominican Academy, Baghdad.

(5) Interview conducted by Masarat, with witnesses, Baghdad.

Brigades, the military wing of the Christian movement in Iraq and a part of the PMUs, announced in a statement issued by its official spokesperson Ghassan Salloum that “the Babylon Brigades, in cooperation with the security apparatuses, were able to release the kidnapped girl on the same day of her kidnapping without having to pay any ransom to the kidnappers.”⁽¹⁾

On July 1, 2015, the corpse of Qays Abed Shaya, a Christian citizen, was found in the forensic medicine center in Baghdad. Shaya had been kidnapped a week prior while standing in front of his house in the al-Ghadeer area. On the day his body was recovered, Shaya’s kidnappers called his family asking for a ransom of US \$25,000. The family delivered the requested amount to the kidnappers hoping that they would release him, but the kidnappers did not release him as promised. Shaya’s family traveled to the forensic medicine center, where they found his body.⁽²⁾

On July 5, 2015, 32-year-old Taher Hanna Sony was kidnapped by unknown persons. The unmarried victim used to work for the Ministry of Interior as a driver for Bankin Rikani, a senior Ministry of Transportation secretary-general. On July 9, 2015, the family of Taher Hanna Sony received Sony’s body from the Forensic Medicine Center in Baghdad.⁽³⁾

In the context of interviews conducted by Masarat, it was easy to detect feelings of anxiety over the wave of lawlessness sweeping the city of Baghdad and other places across Iraq.

- 42-year-old Rawaa, who works as a teacher for one of the government owned schools, said that she is living a chaotic life. Rawaa reported feelings that her life was under threat, and that she had no tribe, political party, or state to protect her: “Christians have endured injustice.”⁽⁴⁾
- 19-year-old Lidya from Baghdad said that one of her relatives was kidnapped in Kirkuk before the eyes of the Peshmerga forces. She added that he was forced to pay a ransom because he is Christian. “It seems that we are paying a tax for staying in this country,” she said.⁽⁵⁾
- 31-year-old Sayyed Tony shared details with Masarat about the kidnapping of his brother in the New Baghdad area, and the impact of the kidnapping on his family. Tony’s brother was kidnapped in New Baghdad on Wednesday evening, April 1, 2015. After holding him for one day, the kidnappers called to ask the family for a ransom of US \$10 thousand; the kidnappers further stated that they were not willing to negotiate the ransom amount. Tony’s family paid the ransom, and his brother was released the next day. His back and stomach showed evidence of physical abuse. According to Tony, “my brother can no longer tolerate this situation, so he left to Turkey to submit his papers to the International Organization for Migration in order to join our eldest

(1) “Babylon Brigades: Security forces liberate the kidnapped Christian girl west of Baghdad.” *al-Sumaria News*. Posted May 14, 2015. <http://www.alsumaria.tv/news/134012/>.

(2) Further information about the Shaya case can be found on the following page: <http://www.hhro.org/hhro/news.php?lang=ar&s=10>

(3) The Hammurabi Human Rights Organization observes the return of kidnapping and killing incidents of Iraqi citizens who are members of the Christian component. More information is available on the following link: <http://barely.net/index.php?topic=49642.0>.

(4) Interview conducted by Masarat, Baghdad.

(5) Ibid.

brother residing in the United States. I now live in Dohuk, as I have left Baghdad after this incident."⁽¹⁾

The reappearance of kidnapping as a profit-making scheme, its recurring use by criminal elements, the absence of any serious action by the GoI or security services to dismantle the criminal gangs behind these activities, and the prevalence of armed groups providing cover for criminal enterprise all motivate Christians to strongly consider emigration as the best way to maintain their safety and the safety of their children.

While kidnapping is an extreme form of violations against minorities' right to life and safety, Iraqi Christians also face less explicit human rights violations which threaten their safety as individuals. Christian women, in particular, struggle with societal expectations regarding modesty and clothing. Throughout Iraq's southern governorates, Christian women often encounter social stigma if they do not veil themselves before leaving their homes. Wafaa, a Protestant Christian woman from Basra, told Masarat that she feels compelled to wear the veil by a variety of pressures. "Even if no one forces me with words or threats, I live in a traditional Muslim society which abides by the teachings of Islam. I suffer from the traditions imposed by the men of this area upon the women, and I can't wear the clothes I want to wear. When I go to the market place, I am forced to wear the abaya, and when I go out without wearing the veil, I am exposed to harassment and insults. Better I just stay in my house to avoid all these problems."⁽²⁾

2. The confiscation of Christian properties in Baghdad

Christians in Baghdad have long complained about the seizure of their real estate. This phenomenon began with the violence-driven departures of Christians from Iraq. With Christian families deterred from return by threatening messages and ongoing violence, many of the houses abandoned by Christian Iraqis have remained empty for a long period of time, especially those in the middle and upper class neighborhoods in Baghdad's al-Karrada district. This area is known for the high prices of its properties, costing as much as US \$3000 per square meter. Many Christians return home to find that their homes and properties have been seized by the central government and resold. This seizure constitutes as an infringement of Iraqi citizens' right to protect their properties. It is essential to protect the private property of minority persons, and none of them should be deprived of his or her means of shelter.⁽³⁾

Seizure of property is often carried out by parties or persons claiming to have powerful political connections, which can discourage owners from challenging the seizure. However, even when Christian property owners transfer property to one of these parties, albeit through legal transactions, these owners are frequently acting under duress. Many Baghdadi persons were forced to leave their residences for other cities due to the deterioration of the security situation, and were unable to deal with property issues in a calm, rational manner.⁽⁴⁾

(1) Interview conducted by Masarat, Dohuk.

(2) Interview conducted by Masarat, Basra.

(3) Interview conducted by Masarat with property dealer, Baghdad.

(4) Ibid.

Christian sale of property has also been an abusive process. Some Christian property owners report being pressured by armed groups to sell their property for low prices. While the sale was carried out under legal frameworks, Christians were coerced by buyers and their circumstances to undertake these transactions. Mazen Abdul-Hussein, a real estate agent in al-Karrada, explained to Masarat methods used to obtain real estate held by Christians. Real estate agents interested in buying Christian houses for low prices will throw threatening messages into Christian homes – sometimes with bullets attached to the notes. Following these incidents, families are hasty to protect themselves and sell their homes at low prices; the real estate agents resell the houses for large profits. In many instances, houses are divided into parts and sold separately to further increase agents' returns.⁽¹⁾

According to interviews with persons familiar with reported seizures of Christian property in Baghdad, most Christians refuse to file complaints against the practice out of fear that their family members would be abducted by affiliates of the confiscators. When Christian victims of property seizure do elect to file lawsuits, their attempts usually fail due to lack of proper investigation by police officers, who are not willing to move against the well-connected networks involved in real estate seizure. This leaves Christians whose lands have been seized facing a dead end.⁽²⁾

In July 2015, Christian al-Rafidain bloc accused religious parties and militias of targeted seizing of Christian houses in Baghdad and of kidnapping and threatening Christians. They declared that the suffering of Christians in the capital city amounts to ethnic cleansing and attempted demographic change. Imad Yuhanna, a member of the al-Rafidain bloc, announced in a statement that "there are outlawed religious parties and militias forcibly confiscating the houses of Christians in Baghdad, as well as kidnapping and threatening Christians." He called on the religious authority to intervene to stop these attacks and abuses and to issue a fatwa against the acquisition of Christian homes by force.⁽³⁾

Hadi Aziz, a Baghdad-based judge who has been closely following the seizure of Christian property, explained that these are illegal seizure operations and could be considered as organized crimes because they are implemented by a broad mafia network with connections to certain political parties providing them with legal coverage and protection. Moreover, real estate buyers involved in these activities have relations with the employees of the state's real estate registration departments, who collect information on which houses have been abandoned by emigrating families and provide this information to the "real estate mafias". In many cases, confiscation operations are supported by the forgery of original title documents, signatures, and fingerprints.⁽⁴⁾

The highest judicial body in Iraq, the Supreme Judicial Council, announced in February, 2015 that "the judiciary is enacting strict measures on this issue, and is treating it with

(1) Interview conducted by Masarat, Baghdad.

(2) "Gangs, claiming that they are affiliated with some political parties, confiscate the property of Christians in Baghdad." *Almada News*, Issue No. 3049. April 4, 2014.

(3) The Rafidain bloc accuses political parties and militias of seizure of Christian houses in Baghdad, available on the following link: <http://www.alsharqiya.com/?p=169356>.

(4) Interview conducted by Masarat with Hadi Aziz, a retired judge, Baghdad.

extreme precision and caution. This is especially true for Christian property, because the original owners of these properties often do not know that their properties have been put up for sale.⁽¹⁾ For this reason, legal measures are taken to verify the signature of the defendant through a matching process.” The Council further stressed that it is possible to file invalidation lawsuits at any stage of a property ownership case, even if the verdict has already been issued, or the property sale already registered in the Land Registry under the name of the plaintiff. The defendant can still prove his right through the matching of signatures and, in such a case, the court will decide to annul the sale and the registration of land. The Council further stated that, “if evidence exists that the land is owned by a person residing outside Iraq, the court will take measures and issue arrest warrants against the occupants in accordance with Article 438 of the Penal Code and record their testimonies.”⁽²⁾

Despite these judiciary measures, property seizure is still taking place without penalty. In response, minority organizations have stepped forward to better protect Christian property rights. Hammurabi Organization for Human Rights announced in May, 2015 possession of documents, records and evidence proving confiscation and takeover of a number of houses belonging to Iraqi Christians.⁽³⁾ Hammurabi has further stated that judiciary departments have evidence confirming this phenomena, and that the organization is ready to provide further evidence confirming seizure and confiscation to any party desiring this information.⁽⁴⁾

Also in July 2015, the Chaldean Catholic Patriarchate of Babylon issued a statement condemning the phenomena of kidnapping and property seizure. The statement discussed the falsification of ownership documents in order to seize Christian property and the sending of threatening messages via mobile phones to compel Christians to leave their jobs. The statement stressed the need to issue an order banning the sale of houses owned by Christians without prior approval of the Church.⁽⁵⁾

3. The right of minorities to non-discrimination in education: deprivation of the right to education and consequent emigration

Inside Kurdish universities Christian IDPs suffer discriminatory practices which prevent them from fully asserting their rights to education. A professor at the University of Dohuk, who has requested to remain anonymous, told Masarat that Christian students who speak Arabic do not get what they deserve in Dohuk universities, and that schools and top

(1) In a typical procedure, homes of Christians living abroad are listed in the “real estate” sections of local newspapers, which are frequently unread by, and possibly unavailable to, Iraqi expatriates. Local readers then purchase the listed properties, all without the original owners’ knowledge.

(2) The judiciary opens the confiscation of the Christians real estate in Baghdad file and threatens those who forge documents. Available on Iraq Press Agency site on the following link: <http://www.iraqpressagency.com/?p=121498&lang=ar>.

(3) Interview conducted by Masarat with Weleam Warda from Hammurabi Organization, Baghdad.

(4) Statement issued by the Hammurabi Organization for Human Rights, available on the following link: http://www.hhro.org/hhro/news.php?lang=ar&art_id=1158.

(5) Statement issued by the Chaldean Catholic Patriarchate of Babylon on the kidnapping of Christians in Baghdad and the seizure of some houses. Issue No. 92, July 13, 2015. Received by Masarat Foundation for Cultural and Media Development by email.

students are identified on racist bases. He further confirmed that only Kurdish students receive appreciation and high grades from faculty, even when undeserved.⁽¹⁾

20-year-old Sayyed Wasim, a Christian who sought refuge in the Iraqi Kurdistan Region (IKR) and is now studying at a university in Dohuk, confirms prevailing discrimination inside the university itself. He said that “in Dohuk we do not get the treatment that we should get as university students because we are considered as second-class citizens. The Kurds are first-class citizens and they get preferential treatment in everything, even in the way professors deal with them. The grades they get are higher than the grades we get.” Wasim shared his opinion that his “situation has not improved much. I pay the tax of my sect and religion. I am a Christian and I am a Chaldean.⁽²⁾ I am paying a tax for my affiliation, which I did not choose,” he said.⁽³⁾

In addition to Christian IDPs suffering discriminatory practices inside Kurdish universities, Christian Iraqis also report violations of their legally established right to pursue their education. Yacoub Nizar, a university student, did not believe that ISIS’ 2014 takeover of his home city of Mosul would have a negative impact on his future education and career, which he was eager to start upon completion of his studies in computer engineering at Ninewa University. Forced to relocate by the ISIS invasion, Nizar was unable to complete his final year of study at Ninewa University. He and his family resettled in the city of Dohuk in the IKR, where they waited for a response from the Iraqi Ministry of Higher Education and Scientific Research on how Nizar might complete his degree. Despite the high demand for computer engineers, no university in the IKR offered the same specialization as Nizar’s former department at Mosul University in Ninewa, crushing Nizar’s hopes of completing his final year of study. Without an official hosting document from an eligible university, Nizar was unable to collect the scholarship money awarded to him by the Ministry of Higher Education. Nizar and a number of other students in his situation were deprived of this assistance, which was instead distributed among other students from the University of Mosul.⁽⁴⁾

The story of Nizar is just one of many depicting the deprivation suffered by Christians and other minorities forced to flee from Ninewa Governorate after the rise of ISIS. Christian students awarded scholarships to study outside of Iraq suffer as well, often subjected to severe psychological pressure by family and relatives who do not want them to return to Iraq. These students want to return home to serve their country, or return to jobs that they had left behind for their tenure abroad. Furthermore, for many of these students, deciding to begin a permanent life overseas would mean starting again from nothing, a prospect which affects their psychological well-being.

Sara George is a Christian Iraqi, awarded a scholarship by the Iraqi Ministry of Education to study architecture in the United States. In a conversation with Masarat, she suggested that the large number of Christian Iraqi scholarship holders who have traveled to the

(1) Interview conducted by Masarat, Dohuk.

(2) Christians in Iraq self-identify by one of three nationalities: Chaldean, Syriac, and Assyrian.

(3) Interview conducted by Masarat, Dohuk.

(4) Interview conducted by Masarat, Dohuk.

US seeking asylum were not fleeing the security situation within the country, but rather leaving behind a country now devoid of Christians.

4. Complicated procedures for obtaining identity papers

The majority of displaced Christians in the IKR face great difficulties in adapting to their new environment, in large part because the majority of them do not speak the Kurdish language, which is considered the IKR's official language. Many Christians IDPs have also reported being shoved, called by animal names, and otherwise verbally abused by police officers during visits to government departments to obtain documents or complete other procedures.⁽¹⁾

Long, complex bureaucratic procedures confound the attempts of many Christian IDPs to apply for or replace official documents. Nadira Ayyoub Issa, a Christian Iraqi woman in her eighties, was displaced from Mosul city in the summer of 2014. Despite the opening of a department for documentation issues in the city where Nadira was displaced, she was unable to obtain a passport. Nadira spoke to Masarat about the series of obstacles she encountered during the process: First, the Passport Department officer noted that her official identity card did not include her birthdate. To correct this, Nadira was told she needed two witnesses to testify that the birthdate she had provided was accurate, requiring that Nadira find two associates old enough to remember her birth. Even when Nadira was able to provide these witnesses, finalization of the process required that Nadira travel to the Passport Department's central office in Baghdad to have her date of birth officially added to her identification documents. Nadira maintains a sense of humor about the strenuous process: "I feel as if I am building a nation rather than getting a passport."⁽²⁾

5. Tragic living conditions of displaced people

Wealthier Christian families that suffered displacement, as well as those who were able to protect their savings against ISIS looting, tend to live in rented houses to avoid the hardship and lack of privacy of the overcrowded relief centers housing the majority of Christian IDPs. Private, rented houses can cost between US \$500-700, and renters are often required to furnish the homes themselves, despite knowing that they plan to leave these houses as soon as better opportunities present themselves.⁽³⁾

Many of these renter families face difficulties in receiving government support. Government aid allocations are offered to all IDPs, but families living in rented houses receive much less than their peers living in caravans and public halls. Many of these families have almost exhausted the savings they left home with and will not be able to continue paying rent. Some IDPs are able to find jobs, but they report that rent is too expensive relative to their income. Many IDPs are waiting for the payment of long-delayed salaries, leading to friction with impatient landlords who threaten them with eviction.

(1) Interview conducted by Masarat, Dohuk

(2) Interview conducted by Masarat, Dohuk.

(3) Specifically, these families are awaiting opportunities to return to their homes or to migrate out of the country.

Concerning life in the public centers opened for IDPs, Masarat asked residents of these spaces about their living conditions: “My family is living with a number of families in a narrow space. We cannot even think of having any private life under such conditions. Now, I feel as if I am a part of big family living in a house with no doors. A man cannot spend time with his wife and cannot enjoy any private moments. These are only few examples of the hell of living together with others in the same cramped space.”

In addition to privacy concerns, life in these public halls is unsuitable for other reasons. Managers of these spaces occasionally evict all residents in order to hold social or cultural events. Overcrowding inside the halls encourages the rapid spread of disease. For better or worse, these IDPs were told in August, 2015 that they should relocate to dedicated caravans established in Seiji village, 20 km away from the city center.⁽¹⁾

Field visits to IDP housing centers have revealed insufficient distribution of food and a dearth of support services. Prolonged displacement is also beginning to have a psychological impact on Christian families, threatening family unity and cohesion. A more tangible threat to family organization is the lack of legal or administrative systems to record marriages. Each displaced family has been allotted a grant of 1 million Iraqi dinars, but the Ministry of Displacement and Migration frequently refuses to award this grant to new families, on the pretext that newly married couples already benefited from the grant in the homes of their parents. The process of creating a new family, however, still requires significant aid and financial support.

Alongside undocumented marriages, human rights organizations have begun to observe a clear decrease in pregnancy and birth rates among IDP women. This can be attributed to many psychological and practical reasons. Many IDP families say that the life they are now living does not encourage them to have children because they are unable to provide these children with the necessary care.⁽²⁾

Twenty-six-year-old Karam Amer is a Christian laborer who is now living in Erbil-Ainkawa. In an interview with Masarat, he commented that “living in a place where there are many people creates many problems. Imagine 3 or 4 families living in one house rented by the church. There are repeated acts of harassment and sexual assault among families living in the same houses. These cases have become known because some Christian women have gotten pregnant.”⁽³⁾

A particularly troubling fate now faces Christian families that resisted leaving Mosul, who suffer discrimination not only from host communities, but from their fellow minority members, as well. Safaa Jamil, a 44-year-old IDP from Mosul now residing in Sulaymaniyah, spoke with Masarat about those families that chose not to leave their home city: “ISIS had arrested a number of the Christian families that refused to leave the city. They did not want to leave their land or their property, and some of them were old. So they had

(1) Interview conducted by Samer al-Sheikh with Friar Emanuel Youkhana, who heads the Christian Aid Program of KABNI, Dohuk.

(2) Hammurabi Organization for Human Rights observes the decline in the numbers of pregnant women and in the numbers of newborn children for psychological and economic reasons. The Hammurabi Organization site, available on the following link: http://www.hhro.org/hhro/news.php?lang=ar&art_id=2051.

(3) Interview conducted by Masarat, Ainkawa, Erbil.

decided to stay and pay jizya to ISIS.⁽¹⁾ After a while, though, they were forced to convert to Islam, and they received official documents from ISIS to prove that they had become Muslims. When they finally were able to escape the nightmare of ISIS and leave Mosul, they confessed to a priest in the IKR and asked him to baptize them again. But the priest refused to do that for religious reasons. Other Christian believers said that they should not be considered as members of the church anymore, and that they should never be reaccepted.”⁽²⁾

(1) Jizya is a tax historically levied by Muslim rulers on non-Muslim subjects.

(2) Interview conducted by Masarat, Sulaymaniyah.

FOURTH

VIOLATIONS AGAINST SHABAKS

When ISIS invaded the Ninewa plain, people of Iraq's Shabak minority lost the hometowns they had inhabited for five centuries. Imagining life anywhere else was not easy, and today displaced Shabak persons cover a sprawling map of displacement extending from Kurdistan in the north to cities and regions of Iraq's far south. These divisions exist even within Shabak families, many of which are now divided between Kurdistan and southern Iraq.

At the time this report was drafted, Shabak displacements have already lasted over one full year. During this time, Shabak persons have suffered miserable conditions similar to those experienced by other displaced minorities. They have undergone numerous violations committed by the ruling parties in the governorates of their displacement, many of which have issued arbitrary instructions to regulate their presence. They have also endured violations by both central government security authorities as well as Peshmerga forces of the Iraqi Kurdistan Region (IKR). In addition, they have faced discrimination from ordinary people because of their status as IDPs.

1. Restrictions on the right of movement between governorates

The right to move from one governorate to another has been restricted for all Iraqi citizens, including for minority members and their families. Iraq's recent wave of displacement has led to new security concerns in the country. Now, security officials fear that terrorists might succeed in passing checkpoints by pretending that they are displaced persons. Security forces have responded to these fears by implementing extremely strict policies at border crossings and greatly restricting passage through them. These policies force minority persons to make difficult choices about bribes and other illegal acts, as in many cases, being able to move from one governorate to another requires violating Iraqi policies.

Measures taken by security apparatuses to monitor the infiltration of terrorists violate the right to freedom of movement and include:

- Preventing citizens from entering various governorates and obliging them to wait for hours – and sometimes days – in front of security checkpoints.
- Taking identity cards upon entry to a governorate and only returning them at the exit checkpoints on the other side of the governorate.
- The sponsorship system: in Baghdad and southern Iraqi governorates as well as the IKR a sponsorship system has been put in place, requiring that non-residents of a place secure sponsorship of a resident before being allowed to enter. The implementation of this system has unequally impacted minority persons, because many of them do not have relatives or friends in the provinces where the system has been implemented. Many have been deprived the right to enter certain governorates, even when only visiting or seeking to conduct routine transactions.

Erbil

Before his displacement, thirty-five-year-old Ali al-Shabaki lived in the Shabak village of Tirawa on the Ninewa Plain. He spoke to Masarat about the difficulties he countered entering the IKR.

“August 6 was the day of our exodus. Most Shabak citizens wanted to seek refuge in the IKR. I wanted to go to Erbil, the IKR’s capital city, 360 kilometers northeast of Baghdad along the Mosul-Kalak-Erbil road. When we arrived at the Kalak area, soldiers at the IKR checkpoint refused to let us pass. They even turned away Peshmerga forces, who had been stationed at an advance post near Mosul and withdrawn that day.”⁽¹⁾

Al-Shabaki and the other IDPs waited at the checkpoint in confusion for ten hours. Under their anxious, muddled circumstances, they didn’t know what they could do. “The terrorists of ISIS, who cut off peoples’ heads, were behind us. The checkpoint was not allowing us to enter. If we stay under the sun’s heat, we will die. We started to ask ourselves: what should we do? Where should we go?”

The IDPs were left without many choices, described Ali. “The Peshmerga security force, prevented from passing through the checkpoint, took an unpaved dirt road toward a safer area, and the helpless Shabak citizens followed it without knowing where the road was heading. We didn’t know if we would be allowed to enter through this alternative route or not, but finally we arrived at a safe area.”

Kirkuk

In the early months of ISIS’ occupation of Ninewa, Kirkuk provincial authorities issued strict instructions restricting—and in some cases, preventing—the residence of displaced persons including Shabaks. Kirkuk is the only governorate in Iraq that has not adopted clear measures on freedom of movement or entry restrictions for IDPs, though measures of this sort are being followed elsewhere in the country. While no clear regulated restrictions have been established, Kirkuk has still taken measures making it difficult for IDPs to settle in the governorate or its camps. When ISIS took areas west of Kirkuk, it became impossible for Iraqis to travel from Mosul to Kirkuk through the al-Kuwair district.

⁽¹⁾ Interview conducted by Masarat, Erbil.

Travelers wanting to enter the governorate could only do so from the direction of Erbil, to Kirkuk's northeast.

Entering Kirkuk by this route requires passing through a security checkpoint located at the northeastern edge of Kirkuk city on the Erbil-Kirkuk road. At this checkpoint, identity cards were frequently taken from travelers and only returned to them at the city's southeastern checkpoint on the way out of the city. This policy allowed Kirkuk authorities to guarantee that none of these travelers, stripped as they were of their identification documents, would be able to settle in Kirkuk.

A 33-year-old Shabak man who works as a journalist offered further explanation of the process: "I was traveling with my family from Erbil to Baghdad by land. When we reached the checkpoint, which is considered the entry point to Kirkuk province, I was asked to leave the car and go to a window, behind which there was a security official. He asked me to show him my identity card and asked where I intended to go. When he learned that I was traveling to Baghdad, he took my identity card and the identity card of my wife and told me that I would receive them at the Wahad Huzayran checkpoint, a checkpoint located at the exit area of Kirkuk on the road to Baghdad. When we arrived at this checkpoint, we waited for a while until the IDs arrived. We took the IDs and continued our journey to Baghdad."⁽¹⁾

Another Shabak family told a similar story. 35-year-old Y. A., an employee of the Human Rights Department, underwent the same procedure. He and six family members were traveling from Erbil to Baghdad through Kirkuk, but their IDs were taken from them at the checkpoint and they were told they had to retrieve them at the exit checkpoint. All travelers were forced to follow these procedures, whether visiting Kirkuk due to an emergency illness in the family or to visit friends or relatives.⁽²⁾

2. The application of the sponsorship system in Baghdad and the southern provinces

The sponsorship requirement, which constitutes an arbitrary restriction on Iraqi peoples' freedom of residence and movement, has resulted in a number of violations of the minority persons' rights. This is particularly true in humanitarian situations, where increased movement may be necessary as people travel between governorates for health reasons or to obtain or renew official documents such as passports or identity cards. The more severe consequence of the sponsorship requirement is the disintegration of the IDP families, many of which have been forced to settle in fragmented segments across different Iraqi governorates. Masarat encountered this separation among many interview subjects.

Baghdad

Ahmad is a 33-year-old disabled Shabak man. Ahmad, his 32-year-old wife, their young children, and an older female relative, left Agra IDP camp in search of the stronger social protection network said to exist for disabled persons in Erbil. According to Ahmad's

⁽¹⁾ Interview conducted by Masarat with S. S., a Shabak who lives in Erbil.

⁽²⁾ Interview conducted by Masarat, Erbil.

testimony, the route to Erbil took them through Baghdad.⁽¹⁾

Ahmad and his family members were all carrying their Iraqi identity cards, but none were allowed to enter Baghdad due to their failure to secure a sponsor prior to their visit. As Ahmad tells the story, “coincidence alone saved us. We waited for hours in 45-degree Celsius weather at the Shaab checkpoint until a Baghdad resident passed by and asked why we were waiting in the blazing heat. When we told him our story, he volunteered to save us, showing the checkpoint officer his Baghdadi identity papers and offering to vouch for us. Were it not for the generosity of this gallant man, we would have spent all day waiting, after a long and tiresome journey from camps in northern Iraq.”

The Najaf Governorate

Abu Hussein al-Shabaki is an IDP whose family was separated into two segments, one living in Karbala and the other in Najaf. When Abu Hussein brought the Karbala household to visit their relatives in Najaf, officers at the Najaf city entry checkpoint did not allow Abu Hussein or his family to pass; the al-Shabakis were obliged to break the law and enter the city by a banned route.

The al-Shabakis had arrived at Najaf’s al-Kafal checkpoint, 161 km south-west of Baghdad. “The security men did not allow us to enter the city. We argued with them, but it was clear that their decision was final and that I would not be able to see the members of my family. I knew that they would force me to return back,” he said.

Abu Hussein said that he was deeply distraught over this prospect. Unwilling to tolerate such a position, he decided to break the law. “I could not return back after travelling all this distance without seeing my children and grandchildren, whom I hadn’t seen in three months. For this reason, together with my family, we decided to cross the checkpoint by going behind it. We walked 1000 meters away from the checkpoint until we were safe out of sight. Then we walked into the palm groves and entered the city.”⁽²⁾

The Missan Governorate

The Missan Governorate sits 320 kilometers southeast of Baghdad, 50 kilometers from the Iranian border. Masarat traveled to Missan to meet with 30-year-old Hussein Shaker, a Shabak citizen working as an accountant in a government department. Shaker is also an IDP, living in Missan’s al-Amara city.

“Many of the families here used to live in the Uyoun Missan camp in the al-Majidiyah area, in the center of the city, but the poor services in the camp drove many families to leave. Now, they live in the residential al-Maahed complex.”⁽³⁾

Hussein summarized the conditions of the camp and the violations committed against its Shabak residents as follows:

- The camp has no external fence to stop stray animals from entering it.
- Drinking water filters, which should be replaced every week, are only replaced every

(1) Interview conducted by Masarat, Baghdad. For confidentiality reasons the name was changed.

(2) Interview conducted by Masarat, Karbala.

(3) Interview conducted by Masarat, Missan.

two months.

- Representatives of satellite stations are not allowed to enter the camp and document its conditions in order to make them known to a wider public.
- Displaced people are not allowed to leave the camp with their cars and thus they feel as if they are in a place of detention.
- Relatives of IDPs who want to visit the camp cannot enter the Missan Governorate without paying guarantee money.
- Most IDPs are constantly attacked with provocative questions and comments such as: “Why don’t you go to the battlefield?” And “You live here in our city, and we go to the battlefield to defend you.”⁽¹⁾

The Wasit Governorate

The sponsorship system is also applied in the Wasit Governorate. Saheb al-Jalibawi, the head of the security committee of the Wasit Provincial Council, informed Masarat that “as a result of the security conditions in the country, Wasit, like other governorates, adopted the sponsorship system for IDPs.” When Masarat asked if it is easy for a displaced person to find a sponsor, al-Jalibawi responded that this is certain because people have connections and can easily find sponsors.⁽²⁾ However, the Wasit Provincial Council’s website earlier published a piece of news saying that it had allowed the Anbar displaced people to enter the governorate provided that they have sponsors and, as an added requirement, that their sons enlist to fight in the war against ISIS. The website’s targeted language demonstrates that this measure was designed to apply only to IDPs of Anbar.⁽³⁾

3. Forcing the Shabak to volunteer in military groups

On April 21, 2015, media outlets reported that the Wasit Provincial Council had issued a decision on “forcing [displaced persons] to volunteer”, a policy of military conscription for all displaced persons between the ages of 18 and 50. Many Shabak persons felt that this policy—targeted as it was at displaced persons—served as an exploitation of Shabaks by Iraqi majority groups. Masarat spoke to Shabak men from Ninewa on the implementation of this decision.

Testimonies:

45-year-old Hussein Ibrahim Qambar, originally from the Khaznat Tabat village in Ninewa Governorate, now lives and works in the Sheikh Saad area of Wasit. He came to this village after being displaced from his home region. In an interview with Masarat, he told of local officials’ attempt to enlist him by force.

“On Thursday, April 30, 2015, a police lieutenant came to the Sheikh Saad area, an area

(1) Interview conducted by Masarat, Missan.

(2) Telephone interview with Saheb Al-Jalibawi, the head of the security committee of the provincial council.

(3) The website of the Wasit Provincial Council, visited on 18.06.2015; available on the following link: <http://www.wasitpc.gov.iq/2015/04/21/%D9%85%D8%AC%D9%84%D8%B3-%D9%85%D8%AD%D8%A7%D9%81%D8%B8%D8%A9-%D9%88%D8%A7%D8%B3%D8%B7-%D9%8A%D9%82%D8%B1%D8%B1-%D8%A7%D9%84%D8%B3%D9%85%D8%A7%D8%AD-%D8%A8%D8%AF%D8%AE%D9%88%D9%84-%D9%86%D8%A7%D8%B2>.

home to many IDPs, and said that he represented the Wasit Provincial Council. He told us IDPs that we had no choice but to join the security forces. His exact words were, ‘You have two choices: either to join the security forces or to get out of the governorate.’”

The lieutenant, together with the police officers accompanying him, collected the identity cards of the men present by force and coercion, leading to arguments between IDPs and the lieutenant. Fortunately, communication channels were opened over the next few days between government forces that had been active in this decision and Shabak leaders, leading to the cancellation of the enlistment ultimatum. “On May 3, 2015, our identity cards were returned to us.”⁽¹⁾

Abbas Fadel al-Shabaki, a human rights activist from Wasit Governorate, confirmed this story, describing the calls he received from several displaced Shabak complaining about the behavior of security forces. Al-Shabaki heard several reports from these callers of coercive confiscation of identity documents, intended to force the victims to join Popular Mobilization Units (PMUs) in the fight to liberate ISIS-controlled territory.

Seeking more information, al-Shabaki placed calls to members of the Wasit Provincial Council. “I found out that Saher al-Jalibawi, the head of the security committee of the provincial council, was the one who issued orders to the police officer to force all the displaced persons in the province to join the PMUs.”

Al-Shabaki reached out to more officials in his attempt to reverse the provincial council’s edict, among them Dr. Hanin Qaddo, an MP representing Shabaks in the Iraqi Federal Parliament, the office of the Najaf religious authority, and other members of the Wasit Provincial Council. Finally, the decision was revoked and the displaced Shabaks’ identity cards and documents were returned to them.⁽²⁾

The issue of impressment of Shabaks has become a subject for political polarization, reflecting the perception of the Shabak minority held by majority groups. Specifically, Kurds tend to consider the Shabak as a Kurdish people; Shiite religious groups consider all Shabaks to be Shiite. These categorizations of the Shabak—and inherent rejection of their status as an independent group—can complicate Shabaks’ attempts to integrate and coexist with other elements of Iraqi society.

According to a news posting by the Kurdistan Democratic Party (KDP), Shabak representative to Ninewa Governorate Ghazwan Hamed al-Dawoudi recently announced that the Shabak who had fled to the southern governorates of Iraq now wished to move to the IKR. This desire followed an attempt by a Kut Province police chief to require all Shabaks to join the PMUs there. Al-Dawoudi requested that IKR officials prepare to host the displaced Shabaks who would soon be returning to their homelands in the Ninewa Plain.

Al-Dawoudi reported that one out of seven groups of relocating Shabak families—each comprising over 2,000 families—has already arrived in the IKR. The remaining Shabak

(1) Interview conducted by Masarat, Wasit Governorate.

(2) Interview conducted by Masarat with Abbas al-Shabaki, a human rights activist, Wasit.

families are planning their relocation in the coming months. ⁽¹⁾

The question of classification takes particular significance in the question of armed conflicts, as Shabak militias continue to form in response to Iraq's unstable security situation. Some of these militias have affiliated themselves with PMUs, while others have established affiliation with the Kurdish Peshmerga Ministry in the IKR. ⁽²⁾

4. The crisis of the Karbala hotels

It is better to be killed by ISIS than to live in humiliation

Abu Ali, an IDP from one of the Shabak villages near the Ninewa Plain, never imagined that he would one day live in a hotel in the province of Karbala. Karbala is home to the shrine of Imam Hussein, a site considered holy by the Shabak, Iraqi, and international Shiites.

Abu Ali and his family members now live on the third floor of the Jarash Palace Hotel in Karbala city, but he does not view his living conditions favorably. "I feel as if I am not living in a hotel but rather in a prison together with my family. We all stay in one unfurnished room, completely without dignity. When I inquire about the lack of water and electricity, the hotel's managers tell me that there is a delay in the renewal of the lease contract. I believe that this is a method used by hotels to pressure responsible officials to pay overdue compensation to hotels for their hosting of displaced persons. We IDPs are abused and used as a pressure card. Sometimes, the absence of services becomes intolerable. Hotels do not operate their generators to supply us with electricity, and the elevators in this six-story hotel have been out of order since August 15, 2014, the day of our arrival. I personally do not care much, because I am physically fit. But sick and elderly people, who have trouble walking and climbing stairs, are suffering."

Abu Ali also told Masarat about the challenges posed by local security policies. "There are strict measures inside the city of Karbala, especially during religious occasions. Those living in hotels are not allowed to leave them, and in some cases, security officers purchase IDPs' necessities for them so as not to let them go down to the streets."

Abu Ali yearns to see his relatives, whom he hasn't seen in months. He speaks with agony about the treatment IDPs receive at checkpoints. "We are not allowed to visit other Iraqi governorates because of the sponsor system. They treat us in a cruel, inhuman, and immoral manner."

Even in the markets, Abu Ali faces discriminatory behavior oppressive to IDPs, which makes them feel like strangers in their own country. "When we go to the marketplace, we frequently get offended by shop owners and taxi drivers, which hurts our dignity, and has a strong, negative impact on us. We thought that we would be treated with more compassion, especially in the city of the shrine of Imam Hussein, a holy site for the Shabak." Abu Ali concluded: "Despite all our suffering, not one official from the Karbala Provincial Council has visited us since our arrival. We prefer to be killed by ISIS than to live a life of humiliation."

(1) Jamal Bakir, The Shabak Kurds want to return to Kurdistan, the site of the Kurdistan Democratic Party, available at the following link: <http://kdp.info/a/d.aspx?l=14&a=78564>.

(2) Further examination of this situation is presented later in this report, in the chapter entitled: The Militarization of Minorities and the Fate of Disputed Areas.

Provincial infrastructures in the areas now home to thousands of Shabak IDPs and other minorities were ill-equipped for the waves of displaced persons they received. In addition, neither the Government of Iraq (GoI) nor local government had a plan in place to deal with a humanitarian disaster on the scale of Iraq's 2014 displacement event.

The contracting of local hotels was a solution proposed by the Ministry of Displacement and Migration (MoDM) to accommodate Iraq's IDPs. Winter was approaching, and officials needed a temporary solution to protect IDPs from rain and cold weather until the Ministry could finish setting up IDP camps.

Based on Masarat's research, hotels across the Karbala Governorate are now home to some 1200 displaced families, over 800 of them Shabak, who reside in 23 hotels in the Karbala Governorate.⁽¹⁾ Upon arrival in the Karbala hotels, however, Shabak and other IDPs encountered new challenges. Scabies and other contagious diseases began to spread among hotel residents; organizations monitoring these hotels have reported spread of other skin and intestinal diseases, as well. In addition, displaced people suffer from the absence of adequate health care services and facilities, including the provision of medicines needed to treat chronic illness such as high blood pressure, diabetes, asthma and various child illnesses. Among children, there are numerous cases of diarrhea due to poor water quality; IDPs are also encountering myriad social and psychological afflictions resultant from overcrowding of the hotels where they live. Mixed housing of males and females has also led to increased prevalence of sexual harassment cases, especially among teenagers.⁽²⁾

The methods used to implement the hotel contracts complicated the moral and psychological conditions of the IDPs who reside in the Karbala hotels. These methods also encourage hotel managers to treat the residents in an inhumane and degrading manner. These living conditions have left IDPs feel like they are living in overcrowded prisons. The fact that no provincial representative has visited the hotels suggests to IDPs that they are no more than a burden that officials want to get rid of as soon as possible. Additionally, the conditions of life in these hotels constitute several violations of the human rights of Shabaks, including the following:⁽³⁾

Absence of water and electricity supply: When the government did not renew its contracts with Karbala hotels housing IDPs, the owners of several hotels deliberately cut off water and electricity service in order to compel IDPs to leave these hotels, and thus to pressure the MoDM to renew the contracts. Even when the contracts were still in force, management of these hotels dealt with IDPs in an offensive manner. Despite the near-universal practice in Iraq of augmenting national electric power with private generators, none of these hotels used these generators. As a result, hotel residents are forced to depend on the few hours of government-supplied electricity available each day, even during the hot summer season.

(1) Interview with H. Q., a displaced person in the Karbala province. The hotels hosting IDPs are the following: Al-Baqer Guests Baqir, Al-Amir Palace, Al-Taqla, Janat al-Baqir, Malik Lubnan, Ahbab Fatiman, Al-Abrar, Al-Sama, Al-Manhal, Guests of Iraq, Darbal Springs, Shafaat al-Hussein, Jarash Palace, Difaf, Wali al-Kabaa, Al-Humairi, al-Amirat, The Five Moons, Jar al-Sadeq, Barakat al-Haramain, Rukn al-Bustan and Al-Aqila Zainab.

(2) See the annual report of the Rasti Organization for Human Rights, Baghdad, 2015, pp. 27-28.

(3) Interviews conducted by Masarat with a number of displaced people living in the Karbala hotels.

Elevators are not operating: Abu Ahmed, a displaced Shabak now living in the Iraq Guests Hotel with over 300 Shabak families, said that they depend on the government power supply without the benefit of generators. Hotel elevators at Iraq Guests only operate for a few hours each day, and disabled persons suffer a great deal from the absence of power supply and functioning elevator conveyance.

Aside from Iraq Guests Hotel, managers of many other hotels elect not to supplement power to their elevators despite the high number of disabled IDPs residing in them. Hotel-dwelling IDPs were distributed randomly among the different floors of these hotels without regard to their mobility or capability, and some disabled persons were assigned to rooms on high floors. Now, it is very difficult for them to leave or return to their rooms.

Arbitrary detention: IDPs complain about strict security measures inside the city of Karbala, especially during religious events, which witness the visits of millions of pilgrims to the shrine of Imam Hussein. Confined to their hotels during these events, IDPs feel “as if we are held in prisons together with members of our families, relatives and other members of our minority”⁽¹⁾

No access to aid: Shabak displaced people were housed in hotels which were supposed to be fully equipped with items to meet their needs. Based on this assumption, they have been deprived of the aid offered to camp-dwelling IDPs. IDPs living in hotels lack basic living necessities—in some cases not even having mattresses to sleep on.

Discrimination against the displaced Shabak: When the displaced persons leave their hotels and walk in the city streets and markets, they often hear insults from citizens. They are described as cowards who did not defend their home regions, and many people tell them that they should return back to these areas to liberate them. This rhetoric puts intense psychological pressure on Shabak IDPs.

Restrictions on movement: Displaced members of the Shabak minority are frequently unable to visit family members living in camps in other areas because of strict security measures. Shabak IDPs are refused access at checkpoints because of the sponsor system. These strict measures are often justified by security officials, who claim these systems are necessary due to ongoing battles with ISIS forces on the outskirts of the city, and that “the situation in Karbala is exceptional because of the holy shrines.”⁽²⁾

When the housing contracts with the Karbala hotels expired in March of 2015, pressuring many of its inhabitants to leave, the administration of the governorate’s al-Husayniyah Shrine agreed to pay the hotels for two additional months’ accommodation for Shabak and other IDPs. This dilatory measure was designed to buy time for officials to reach a more permanent solution to the displacement crisis in Karbala. The new contract ended in late spring, 2015, but the caravans scheduled to be built for IDPs were not yet ready. A local company was contracted to complete this project, but the progress of work has not been satisfactory, says Muhama al-Shabaki of the Hema Study Center in Baghdad. Out of 1000 contracted caravans, only 10% had been completed. Even these 100 caravans

(1) Interviews conducted by Masarat with a number of displaced people living in the Karbala hotels.

(2) Interviews conducted by Masarat with a number of displaced people in Karbala.

were unfit for habitation, as they had not been outfitted with water or electricity. The company in charge of the project, claimed that it was the responsibility of the Provincial Council to provide the water and electricity infrastructure.⁽¹⁾

According to Ghazwan al-Dawoudi of Ninewa's Provincial Council other figures indicate that as many as 1,200 Shabak families faced threat of homelessness in the absence of renewed contracts between hotels and MoDM.⁽²⁾

Faced with these myriad difficulties, many displaced families have decided to move to the IKR, and especially to Erbil. Hema Center, a facility specializing in Shabak affairs, has reported that the expiration of hotel contracts has led to daily migration from Karbala to Erbil of at least ten families. At time of reporting (July 1, 2015), as many as 200 families had left Karbala for Erbil.

5. Violations of the right to health

The unclean health environment and the absence and neglect of hygiene in IDP places of residence has led to the spread of scabies and contagious diseases in camps and hotels. Layla Qays al-Karkhi, the Karbala Governorate official responsible for following-up on the health conditions of IDPs, told Masarat that diseases have spread in 20 out of the 23 hotels hosting displaced persons. She attributed the outbreak to overcrowding in excess of approved population and beyond the hotels' capacities, unequipped as they are to handle so many people. She cited one local hotel, reported able to accommodate only 300 residents. This hotel is currently home to 700 displaced persons, according to the ministry's central committee for the housing of IDPs.⁽³⁾

The holy Karbala health department took the initiative to contain the spread of these diseases by sending medical teams to the hotels. However, difficulty in controlling the outbreak has only increased feelings of desperation and frustration among many displaced families. On this issue, Layla Qays al-Karkhi informed Masarat that 750 actual cases of scabies have been registered, while 7000 cases have manifested symptoms of infestation. Many of these victims reside in the hotels and Shiites shrines located throughout the governorate.⁽⁴⁾

6. Violations of the right to education

Shabak minority members have also faced discrimination in education opportunities in Iraq. This includes discriminatory and preferential behavior on both racist and religious ground. Shabak ethnic origin is neither Arabic nor Kurdish; among Muslim Shabaks are members of both the Shiite and Sunni sects. Unfortunately, this diversity allows for discriminatory behavior from Arabs and Kurds, and Sunnis and Shiites upon Shabak persons.

(1) Interview with Muhammad al-Shabaki, the Director of the Hema Study Center, Baghdad.

(2) "The sectarian affiliation of the displaced Shabak does not help them." *Voice of Iraq*. Posted: May 20, 2015. <http://www.sotaliraq.com/mobile-news.php?id=201938#axzz3reSlCypV>.

(3) The office of the Karbala governor confirmed the spread of scabies in most of the hotels that house displaced persons in Karbala. Non News Agency, available on the following link: <http://www.non14.net/60444/%D9%85%D9%83%D8%AA%D8%A8-%D9%85%D8%AD%D8%A7%D9%81%D8%B8-%D9%83%D8%B1%D8%A8%D9%84%D8%A7%D8%A1>.

(4) Telephone interview with Layla Qays al-Karkhi, responsible for the follow-up in Karbala Governorate.

23-year-old Abbas Ali Fathi, a Shabak citizen displaced from his village of Bashbita, Ninewa Governorate, spoke to Masarat about the discrimination he suffered as a Shiite studying at the University of Mosul. He also spoke about how differences between curricula in Mosul and the Kurdish universities he attended later impacted the future of his education. Abbas is a student at the Faculty of Education in his last year of study. Like other minority members covered in this report, 2015 was his last anticipated year of study. Abbas had completed all of his exams except one when ISIS invaded Mosul. This course required both a theoretical and a practical exam. Abbas took the practical exam at University of Mosul; he completed the theoretical exam at Dohuk University in the IKR. “I received the results of all my exams except for the practical exam I had taken at Mosul University. The professor of the course had discriminated against me for years; two years ago, he once said to me, ‘You are a Shiite. Why don’t you go to the southern provinces and study there?’” Abbas cannot graduate without proof of completion of the practical exam, which Dohuk University has refused to administer for him, telling him that he had already taken the exam at Mosul University, and that he “did not have the right to take it again here”. Abbas is now worried about the future, claiming that he has nothing aside from his university education. “I was one of the top students in my class, thinking about pursuing graduate studies, but because of our current conditions I am now unemployed and I cannot think of a future beyond the university framework.”⁽¹⁾

There are many cases similar to Abbas’ in Iraq—cases of students who were victims of discrimination, and who as a result of this discrimination have begun losing hope of a good future in their native country. Now, many of these students have begun to think about emigration; other options no longer seem feasible.

(1) Interviews conducted by Masarat, Dohuk.

FIFTH

VIOLATIONS AGAINST TURKMEN

Turkmen have been victims of various parties, from non-state extremists to governmental bodies. In the past few years, Turkmen have been subject to violence by many of these groups, especially because of the contested nature of their region of residence in the disputed areas along the border of the Iraqi Kurdistan Region (IKR). Many Turkmen organizations have accused Kurdish authorities of failing to protect Turkmen civilians, suggesting that in some cases the actions of these authorities have only accelerated Turkmen displacement.⁽¹⁾

1. Targeting the right to life and safety of individuals

Turkmen interviewed by Masarat—especially those living in Kirkuk—described extensive pressure upon them to abandon various aspects of their culture. They report threats, kidnappings, and murders perpetrated upon Turkmen students and professors.⁽²⁾

Turhan Katanah, an independent Turkmen activist, said that three major powers have all targeted members of the Turkmen minority in acts of subjugation, kidnapping, discrimination, and murder. In Kirkuk, Turkmen are targeted primarily by the Kurds, but Sunni and Shiite Arabs have also participated in the violation of Turkmen's rights.

This targeting began with the policy of dividing power and areas of influence. It was then that the targeting of the Sunni and Shiite Turkmen had started, especially because there are Sunni Turkmen in Diyala, which is supposed to be the share of the Shiite and Shiite Turkmen in the Ninewa Province, which is supposed to be the share of the Sunnis. In these areas, the creation of pure ethnic areas had targeted the diversity of Turkmen.⁽³⁾

Turkmen activists have submitted complaints about the frequent acts of kidnapping, killing, and extortion of traders, capitalists, doctors, professionals and other important

(1) From Crisis to Catastrophe: the situation of minorities in Iraq, (London: Minority Rights Group International, 2014) p14.

(2) Zahid Jihad Albayati & Dr. Elham MA Albayati, Turkmen of Iraq: The Third Ethnic Component of Iraq, Research Turkey, 2015. available on the following link: <http://researchturkey.org/turkmens-of-iraq-the-third-ethnic-component-of-iraq/>.

(3) Interview conducted by Masarat, Kirkuk.

Turkmen figures in Kirkuk Governorate and Salahuddin Governorate's Tuz Khormato district. These acts have led to massive emigration of Turkmen leaders and intellectuals, who previously had contributed valuable support and services to their societies. According to Turkmen organizations, no serious attempt has been made by local government or federal government actors to end the Turkmen brain-drain phenomenon.⁽¹⁾

Konay Abbas Dandan, a Turkmen researcher, believes that "the targeting of Turkmen doctors, traders, and politicians is a systematic and thought-out process aimed at forcing well-educated Turkmen to emigrate, targeting the entire minority by targeting its intellectual and political leaders. Without these leaders, there can be no future for the Turkmen at all."⁽²⁾

Examples of attacks targeting Turkmen:

- On July 8, 2015, a Turkmen banker in Ras Dumez in Kirkuk was attacked in his home by a group of four armed men. The attackers held the banker at gunpoint, robbing him of 350 million dinars. According to eyewitnesses, the same gang had targeted other Turkmen bankers in the same neighborhood in acts of theft and kidnapping.⁽³⁾
- In the early morning hours of July 16, 2015, the decapitated body of Turkmen Ali Mustafa, was found in the city of Daquq, where he worked in a café. Save the Turkmen Institute reported that Mustafa had been kidnapped by unknown persons on his way back from work. Based on eyewitness testimonies, Save the Turkmen Institute said that Mustafa had earlier been involved in a quarrel with armed Kurds. Tensions had been high at this time following the earlier abduction of a young Turkmen by Kurdish Asayesh security forces for unknown reasons. The young abductee had been taken to Kirkuk's juvenile prison. In general Turkmen have reported feeling underrepresented and unprotected in Turkmen-minority cities in Kirkuk Governorate, where non-Turkmen Kurds have full control of government administration and security forces.⁽⁴⁾

Turkmen safety concerns in Kurdish-administered territories have been exacerbated by Kurdish decrees that Turkmen are not allowed to form special militias to protect themselves. These fears explain their insistence on receiving arms from the government and forming militia units: Turkmen seek to defend themselves from ISIS violence, kidnappings, and assassinations, in all areas of Turkmen origin and displacement.

Zahid al-Bayati, a Turkmen researcher, shares Konay Abbas' belief and claims that anti-Turkmen discrimination is part of a systematic targeting of the Turkmen aimed at inducing a demographic change in Turkmen areas. This targeting takes the forms of assassinations, death threats, kidnappings and ransom demands, robbery and armed theft, confiscation of the Turkmen lands and real estate, the falsification of personal status records, discriminatory financial lending practices encouraging Kurds to develop property on Turkmen land, manipulation of real estate registration records, and unnecessary delays in returning property to Shiite Turkmen displaced by Saddam's Baath regime.⁽⁵⁾

(1) The kidnapping and blackmailing of Turkmen traders in Kirkuk, Save the Turkmen Institute, Press Office, July 9, 2015.

(2) Interview conducted by Masarat, Baghdad.

(3) The kidnapping and blackmailing of Turkmen, op. cit.

(4) After a relatively stable security condition in Tuz Amerli, Turkmen became targets of serious attacks in Kirkuk, Save the Turkmen Institute, Press Office, 19 July 2015.

(5) Interview conducted by Masarat, Baghdad.

2. Discrimination against and exclusion of Turkmen from administrative positions and government benefits

In addition to the violent attacks on Turkmen reported in Kirkuk city, Turkmen representatives also report instances of marginalization and exclusion from administrative positions. Attempts to establish Turkmen representation in government commensurate with their rights and demands has been met with violent confrontation.

Exclusion from the presidency of the Kirkuk University:

Perhaps the most prominent recent example of exclusion is the attack on Dr. Abbas Taqi, former head of Kirkuk University. Dr. Taqi had been appointed to his position by the Ministry of Higher Education, but many challenged his appointment. On April 4, 2015, a group of Kurdish students stormed Dr. Taqi's office and forced him to resign. Protest signs carried by Turkmen student of the Kirkuk University clearly opposed the forced resignation of the president. Turkmen student protesters also called on religious authorities to stand by the Turkmen and to help put an end to the marginalization suffered by Turkmen persons.⁽¹⁾

The Turkmen bloc in the Iraqi parliament confirmed that "the Iraqi Council of Ministers voted in approval of the appointment of Dr. Abbas Taqi as president of Kirkuk University, but some political parties were against this appointment." The Turkmen bloc further stated that "this stance reveals that there is a systematic exclusion policy being implemented against the Turkmen minority, aimed at preventing Turkmen from occupying any administrative position in the Kirkuk Governorate." The bloc called on the Minister of Higher Education and Scientific Research and the Council of Ministers not to accept the resignation of Dr. Abbas Taqi, which he had been forced to submit by the student mob.⁽²⁾

According to the Save the Turkmen Institute, "this incident is only one in a series of acts that have targeted the Turkmen. The president of Kirkuk University was attacked because he is a member of the Turkmen minority despite the fact that he was chosen by the Ministry based on his knowledge, competence and experience."⁽³⁾

The world of civil and academic affairs should be free from interference by political factions, and these acts of violent opposition engender feelings of uncertainty and lack of confidence among Turkmen. These apprehensions grow stronger when the Kirkuk local government and central government in Baghdad take no action to stop such acts from being repeated. Turkmen are left feeling that they are not protected by either government, and that political channels of support are not open to them.

A group of young students active under the name "Turkmen Youth" demanded the formation of a committee to investigate violations committed at the University of Kirkuk and to take strict measures against those students who threatened Dr. Taqi and forced him to resign. The group is also calling for and to any and all influence on the university

(1) Interviews conducted by Masarat with Turkmen students from Kirkuk University.

(2) Abdullah al-Amiri, armed Kurdish university students force the president of the governorate's university to resign, the New Sabah, available on the following link: <http://www.newsabah.com/wp/newspaper/47632>.

(3) Statement issued by the Save Turkmen Institute on the threatening of the president of Kirkuk University by Kurdish militias, Press Office, April 5, 2015.

by political parties and for the formation of a federal police regiment, composed of all components of Kirkuk society, to be established to protect the university campus. According to the “Turkmen Youth”, the regiment should be given authority to address any similar violations in the future, and its work should be supported by the Government of Iraq (Gol).⁽¹⁾

In another bid for representation, many Turkmen have been calling for one of their number to be appointed to the position of Kirkuk Educational Director. Tahseen Kahya, a member of Kirkuk provincial council, told Masarat, “we nominated three Turkmen candidates for this position over a year ago, but Muhammad al-Tamimi, the former minister, did not approve any of them. Instead, he chose an Arab to occupy the position. This position should have been given to a Turkmen, but al-Tamimi violated their rights to political participation.”⁽²⁾

Dr. Torhan Katana, a Turkmen activist, explained why this appointment should be considered an act of discrimination. “Whenever there is an opportunity to marginalize the Turkmen, decision-makers usually take it. There has only ever been one Turkmen general manager of education in Kirkuk, but when he retired, the next manager appointed was an Arab. Moreover, Kirkuk’s Kurdish leaders had entered into an agreement with the Turkmen that the head of the provincial council would always be a Turkmen. This agreement was honored for four years, but when the sitting council head became a member of Federal Parliament, Kurdish authorities refused to give the position to another Turkmen. Outside of these positions, no Turkmen have served as director general of any department.”

It could be said that the Turkmen want a member of their minority to serve as Kirkuk Education Director because they want compensation for the forced resignation of Dr. Taqi as Kirkuk University president or they want to reiterate previous demands constantly rejected by former administrations. However, the Ministry is still not responding to the Turkmen demands, and it has requested that the Kirkuk provincial council submits an official request for points contained in the Turkmen demands. This exchange of demands demonstrates the give-and-take system behind the allocation of Kirkuk’s administrative positions. The victims of this system, however, are Iraqi minorities who lack the political weight necessary to effectively defend their interests. Outside the context of this political struggle, Turkmen further suffer as victims of the conflict between the Gol and the Kurdistan Regional Government (KRG) over disputed territories, which appears to have been resolved, at present, in favor of the KRG.

Zahid al-Bayati, a Turkmen researcher, considers the best example of discrimination against the Turkmen to be the imbalance in distribution of administrative and security positions and the double standards applied by the Kurdish administration of Kirkuk.⁽³⁾

Mahdi Saadoun Jaffar, a Turkmen activist, believes Turkmen representatives have no

(1) Statement issued by the Turkmen Youth Group. The statement has no date and Masarat received a copy of it by e-mail.

(2) Turkmen are demanding the post of Kirkuk Director of Education, Rudaw, dated September 5, 2015, available on the following link: <http://rudaw.net/arabic/kurdistan/090520159>.

(3) Interview conducted by Masarat, Baghdad.

chances of achieving real influence in the Kurdish-Arab negotiations on the future of the city of Kirkuk, constrained as they are under discriminatory policies. Turkmen also suffer from feelings of inferiority, Jaffar explains, due to the massive disparity between Turkmen and non-Turkmen areas of Kirkuk in terms of urban development and government services. Turkmen don't see strong prospects for an improvement in their conditions so long "survival of the fittest" policies continue to steer development policy within the city.⁽¹⁾

Delay in paying the employees' salaries in Tuz Khormato:

On the level of daily life for Turkmen persons, many Turkmen workers in the Tuz Khormato district of Sallahudin Governorate complain about delayed payment of salaries. In some cases, workers receive their salaries two to three weeks behind schedule. Moreover, employees do not receive the entire salary amount. In many cases, employees only receive half of their contracted salary, paid to them in small denominations. This has been described by the "Save the Turkmen Institute" as an economic war against the Turkmen because most inhabitants of the city stake their livelihood on their monthly government salary. Delays in salary disbursement impacts workers' living conditions as well the broader economy of Tuz Khormato.⁽²⁾

Shaheen Turkmen Oglu, a Turkmen Front official in Kifri, Sulaymaniyah Governorate, believes that "the sectarian divide in Tal Afar has been politically manipulated in order to end the Turkmen presence in Tal Afar." Oglu believes that efforts by dominant political factions to divide Turkmen into Shiites, Sunnis and Christians will bring about the destruction of the Turkmen as an ethnic group. Once Turkmen leaders have been divided along sectarian lines, the inevitable second phase is the fragmentation and elimination of the Turkmen people. "This is our story as Turkmen. We are being divided and dispersed."⁽³⁾

The demolition of houses and buildings:

On August 3, 2015, the "Save the Turkmen High Commission" issued a statement on the following measures taken against Turkmen:

1. The expulsion of 38 Turkmen displaced families from Tal Afar, who had been living for a year in the Sunni Waqf building in Kirkuk: the family's mattresses and clothes were thrown from the building with no attempt made to find another shelter for them.
2. The issuance of a direct order to demolish Turkmen houses. The Kirkuk Commission for Ending Violations is a department of the Kirkuk Governorate responsible for illegal zoning issues of private residences. The Commission issued an order to demolish approximately 60 houses owned by Turkmen citizens in Kirkuk's Tiseen neighborhood on the basis of their violation of building codes. This order came despite residents' possession of land ownership documentation and without collecting any of the necessary judicial orders for such an action. A statement by the

(1) Interview conducted by Masarat, Istanbul.

(2) Other than the security and terrorism war: A continued economic war in the Tuz Khormato, Press Office of the Save the Turkmen Institute, 23 May, 2015.

(3) Interview conducted by Masarat, Kirkuk.

Commission noted that many Kurdish homes in northern Kirkuk were also in violation of regulations, and yet these houses were not targeted by the Commission for demolition.⁽¹⁾

In an interview with Masarat, members of the "Save the Turkmen Institute" declared that they oppose these measures, which reflect double standards and clear discrimination against the Turkmen. They explained that the Commission for Ending Violations was formed three years ago, but in that time it has not demolished a single Kurdish house in central or northern Kirkuk despite the existence of many housing violations in those areas. Moreover, the Commission confirmed that these houses sit on Turkmen-owned lands, whose title deeds are still in the possession of their Turkmen owners. Finally, they pointed out that Supreme Judicial Council decision has banned the demolition of any house without a prior judicial order, but the executing committee has not abided by this decision in its destruction of Turkmen houses.⁽²⁾

Commenting on the issue of land and property, Zahid al-Bayati, a Turkmen researcher, emphasizes "this administration turns a blind eye to the construction of Kurdish houses on Turkmen lands within the governorate. At the same time, the same administration has been destructing the buildings of the original Turkmen inhabitants, constructed on Turkmen lands, without waiting for the proper decision from the Property Lawsuit Commission. "Turkmen believe that there are hidden hands preventing the Property Lawsuit Commission from reaching decisions on Turkmen property lawsuits," explains al-Bayati.⁽³⁾

3. Discrimination and violation of the rights of displaced Turkmen

Turkmen suffer from discrimination in their home neighborhoods in Kirkuk and other disputed areas as well as in the areas of their displacement following the ISIS invasion. Masarat researchers have found that displaced Turkmen women, especially widows and women heads of household, are particularly vulnerable to oppression.

While the government was slow to respond to the ISIS disaster despite its responsibility to protect its citizens, other organizations quickly responded to the needs of IDPs. Zahid al-Bayati, a Turkmen researcher, said that "the religious authorities and the people in the center and south of Iraq have endured a lot. They devoted their full capacities to support and shelter displaced Turkmen. Turkmen in the south were housed in the visitors' city, Shiite shrines, caravans and hotels. On July 20, 2015, dozens of apartments were given to IDPs, and they were provided with three meals per day."⁽⁴⁾

While these responses were commendable and greatly appreciated by Turkmen IDPs, they do not imply that no harassment of Turkmen took place in Karbala, Najaf, or other cities of the Middle Euphrates region. Specifically, Turkmen have felt harassed by security forces at checkpoints where they were turned away for lack of supporting document.

(1) Statement issued by the "Save the Turkmen High Commission" on "the racist policy of the Kirkuk governor against the Turkmen", 3 August, 2015.

(2) Interview conducted by Masarat with members of "Save the Turkmen Institute".

(3) Interview conducted by Masarat, Baghdad.

(4) Ibid.

In many cases, these documents had been burnt, lost, or forgotten in houses during panicked flights from areas overtaken by ISIS. These Turkmen IDPs also suffered deep anxiety over the lack of an established timeframe for their return to their homes.⁽¹⁾

Mahdi Saadoun Jafar, a Turkmen activist, identified some of the violations perpetrated against displaced Turkmen:

1. Violation of the right of displaced persons to move within the same governorate despite the fact that these persons have documents establishing their status as IDPs.
 2. Deprivation of salaries for over a year, despite employment in civil and security departments.
 3. Social discrimination and harassment from citizens of areas of Turkmen displacement.
 4. Inability of IDPs to work due to lack of employment opportunities, itself a consequence of Iraq's ongoing financial crisis.
 5. Complicated transactions required to finalize administrative procedures, in particular those precipitated by the lack of necessary documents. In many cases, these documents were left in the cities and towns IDPs had to flee after ISIS' invasion, and were therefore entirely inaccessible during completion of administrative processes.
 6. Housing of displaced persons in poorly furnished hotels incapable of accommodating large numbers of displaced persons and deprived of basic services.
 7. Impressment by local governments of IDPs above 18 years old into Popular Mobilization Units (PMUs), even though some of these recruits were the only providers, and sometimes the only men, in their families.
 8. Violation of the right of displaced persons to health, evidenced by the spread of scabies, lice, and contagious diseases. While some IDP camps have managed to keep diseases under a degree of control, such as those in Basra, other camps have seen the rapid development of numerous health risks.⁽²⁾ Some of these risks include:
- **The spread of skin diseases:** Skin diseases spread quickly in camp settings due to overcrowding and the scarcity of washing water. Scabies and lice cause severe itching and may lead to painful complications; they also impede many carriers from performing ordinary work.
 - **The spread of water-borne diseases** such as typhoid fever, cholera and jaundice: These diseases are transmitted by contaminated water and food and have become commonplace among refugees and IDPs in camp settings. These illnesses can be fatal in severe cases.
 - **Factors that encourage the spread of disease:** Diseases flourish in heat, which makes the summer a particularly dangerous time for residents of camps. Those who

(1) Interviews conducted by Masarat, Karbala and Najaf.

(2) Interview conducted by Masarat, Basra.

are not struck down by Iraq's immense summer heat are still rendered vulnerable to numerous diseases, which may easily overcome their weakened immune systems.

- **Deterioration of conditions of persons with special needs:** Treatment for special needs cases are often costly and unavailable in government institutions.
- **Deterioration of conditions of children, pregnant women and the elderly:** Members of these groups require greater care than other even in ideal conditions. Under the inhumane conditions of refugee and IDP camps, even more special attention is needed to protect their health and well-being.
- **Absence of special diets:** Patients suffering from high blood pressure, diabetes, and kidney disease, require special diets. These diets are often unaffordable luxuries in camp settings.

4. Restrictions on the right to access public media

Positive participation of minorities in public life is an essential element of any peaceful, democratic society. Governments should make arrangements to promote this practice rather than working actively to restrict it. Minorities in particular need special protection in order to preserve the specific characteristics of these minorities and to prevent their assimilation into the culture of the majority. The production and broadcasting of radio and TV programs explaining and celebrating the cultures of these minorities, including programs in the native languages of minority groups, is vital to this effort. Governments should not restrict the right of minority groups to promote their cultures in this fashion: they should ensure minority access to the media and support minority endeavors to establish their own media outlets.⁽¹⁾

This right has been almost entirely neglected by previous Iraqi governments. The Atyaf channel, a former affiliate of the Iraqi Media Network which was dedicated to introducing the cultures of the Iraqi minorities, is no longer in service. In Iraq, positive participation of minorities in the public life has been limited at best, due in large part to the weakness—or complete absence—of media outlets engaged in these efforts. A report published by the Iraqi Media House in June, 2015 described media representation of minorities as “weak” and “[without] any big impact for various reasons, such as the lack of funding and experience, as well as political conflicts between the poles of single minority groups.” The report also describes the tendency of non-minority Iraqi groups to treat Iraqi minorities as political or national/ethnic symbols in media portrayals. This was particularly clear in the media coverage of Feyli Kurds, whom Iraqi Kurds and Shiites, respectively, consider as members of their own ethnic and religious affiliation.⁽²⁾

(1) Minority Protection: A comparative look at minority legislation, Institution for International Law & Human Rights, November 2008, p. 7.

(2) The media of big groups is swallowing up minorities, the 10th Media Monitoring Report, The Iraqi Media House, 2015, available on the following link:
<http://www.imh-org.com/%D9%85%D8%B5%D8%A7%D9%84%D8%AD-%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A%D8%A9-%D9%88%D9%85%D9%8A%D9%88%D9%84-%D8%B9%D8%B1%D9%82%D9%8A%D8%A9-%D9%88%D8%A-5%D8%AB%D9%86%D9%8A%D8%A9-%D8%AA%D8%B6%D8%B1%D8%A8-%D8%A7%D9%84%D8%AA%D8%BA%D8%B7%D9%8A%D8%A9-%D8%A7%D9%84%D8%B5%D>

Turkmen are often treated differently than other minority groups because Turkmen political factions historically allied themselves with the State of Law bloc headed by former Iraqi Prime Minister Nouri al-Maliki. With the personal support of al-Maliki, Turkmen persons were able to establish their own satellite station—The Iraqi Media Network—in April, 2013. The Network was funded by public money and supervised by the General Authority for Broadcasting Services and Transmission. Iraq’s recent financial crisis and the dearth of public funds, however, led to the closing of the channel on June 2, 2015.⁽¹⁾ The closing of this channel should not be perceived as an attack on Turkmen rights or interests, because the Council of Minister’s vote to shut down the channel also mandated the closing of numerous other networks. Nevertheless, the closure of this network will deprive the Turkmen of a key resource through which they could promote their culture, lobby their interests, and communicate with diaspora Iraqi Turkmen across Iraq and the world. This will also weaken Turkmen access to public media and negatively impact Turkmen’s ability to communicate their causes, culture, and demands for equal treatment.

In general, the right of minorities to view and produce public media is still restricted in Iraq. The BBC media network, which was created primarily for this purpose, instead became a mouthpiece for the central government, and in particular for the prime minister and his party. As such, it has become a vehicle for government interests instead of a tool for broadcasting public opinion. The BBC network had been criticized as an instrument of government propaganda, particularly since its use as such under former Iraqi Prime Minister Iyad Allawi. This practice was continued under subsequent prime ministers al-Jafari and al-Maliki.⁽²⁾ During the era of the current Prime Minister Haider al-Abadi, it seems that still nothing has changed to expand this network to incorporate a broader collection of viewpoints. For this reason, BBC has failed to make any positive contribution in strengthening the participation of minorities in Iraqi public life or in providing Iraqi minorities a bigger space in managing media platforms or appearing in public programming.

5. Restrictions on the rights of the Turkmen to use their language

Article Four of the Iraqi constitution directly acknowledges the country’s multilingualism, stating, “First: The Arabic language and Kurdish language are the two official languages of Iraq. The right of Iraqis to educate their children in their mother tongue, such as Turkmen, Syriac and Armenian, in government educational institutions in accordance with educational guidelines, or in any other language in private educational institutions, is guaranteed.”⁽³⁾

The Constitution further acknowledges that the “Turkmen language and Syriac language are two other official languages in the administrative units in which they represent density of population.”

8%AD%D8%A7%D9%81%D9%8A%D8%A9-%D9%84%D9%84%D9%85%D9%83%D9%88%D9%86%D8%A7%D8%AA-%D8%A7%D9%84%D8%B5%D8%BA%D9%8A%D8%B1%D8%A9-

(1) News on the decision voted by the council of ministers on suspending the broadcasting of the Turkmen satellite station, Turkmen News Agency, available on the following link: <http://tnanews.net/news.php?id=1326>.

(2) Saad Salloum, *Minorities in Iraq*, op cit, p. 344.

(3) Article 4 of the Iraqi Constitution of 2005.

In practice, however, there have been restrictions on the use of the Turkmen language as an official language in the administrative units of regions where Turkmen form a majority. Reports have been released revealing that many schools located in Turkmen-majority areas are unable to use the Turkmen language. Among the challenges of teaching the Turkmen language is the absence of language educators as well as a lack of Turkmen-language curricula from the Ministry of Education. Moreover, very few educators possess the expertise and skills needed to teach Turkmen language and literature.⁽¹⁾

(1) Public Hearing on Human Rights Situation of Turkmen of Iraq, op cit., p.15.

SIXTH

VIOLATIONS AGAINST KAKA'IS

Cataloging the violations of Kaka'i rights taking place on a daily basis is challenging: Masarat observed that Kaka'is usually do not report human rights violations committed against them, since the disclosure of information required for this conflicts with keeping their societal practice of secrecy. Several Kaka'is encountered by Masarat while compiling this report furthermore explained that Kaka'is are afraid to make the secrets of their beliefs known because of the backlash they receive when Kaka'i beliefs are seen to be at odds with those of the Iraqi Muslim majority. Kaka'is fear and experience that these discrepancies result in accusations of heresy on the part of Kaka'is, potentially leading to banishment and further persecution. Thus for Kaka'is, secrecy is a means of preserving their lives and their lifestyles. According to Mahdi Kaka Yi, a Kaka'i writer, secrecy about religion began as a tool for self-protection, to keep Kaka'is safe from humiliation, persecution, and ethnic violence. With the passage of time, however, this attitude of secrecy has become an intrinsic part of Kaka'i belief as well as a religious duty.⁽¹⁾ In Iraqi society, someone who keeps many secrets may satirically be referred to as a "Kaka'i."⁽²⁾

1. Hate speech and incitement against the Kaka'is

Spurred by the brutal targeting of the Kaka'is by ISIS, as well as by fear that Kaka'is might be exposed to similar attacks in Kurdish areas, many Kaka'is have been taking steps to mitigate future violent acts. In September 2014, high-ranking Kaka'i personalities sought to deter acts of religiously fueled hatred against Kaka'is by publicly announcing that Kaka'is are Muslims. The declaration was made at a press conference held at the Union of Religious Scholars building in Kirkuk, where 30 Kaka'i leaders gathered to publicly state that they would "never be non-Muslims." As proof, Kaka'is pointed to their national identification cards, on which their religion is listed as "Muslim."⁽³⁾

Rahim Athim, a society elder and Kaka'i sheikh, made a public address at this gathering.

(1) Mehdi Kaka Yi, The Yarsanis (The Kaka'is) and the preservation of their religious identity, al-Hewar al-Mutama-den, ed. 4805, 13/05/2015.<http://www.ahewar.org/debat/show.art.asp?aid=467817>.

(2) Saad Salloum, Minorities in Iraq - memory, identity, challenges, Masarat Foundation for Cultural and Media Development, Baghdad - Beirut, 2013, pp. 221-222.

(3) The proceedings of the declaration and the press conference, available on Youtube via the following link: <https://www.youtube.com/watch?v=v3Mbm7FMDMc&feature=youtube>.

“We are a group of Muslim Kaka’is and we have gathered to affirm that we are Muslims, as we have been throughout our history. We believe in the Islamic religion, the holy book and the teaching of Prophet Muhammad, peace be upon him.” He further stressed that all the customs and traditions of the Kaka’is, such as circumcision, weddings, and holidays, are Islamic customs and traditions. “Our names—Muhammad, Qasem and Mustafa—are Islamic names, and our sons study the Quran in their schools.”⁽¹⁾

Some Kaka’is did not approve these statements and suggest that they were only made out of fear that Kaka’is would otherwise remain targets of future ISIS attacks. Kaka’i persons have also indicated to Masarat that some Kaka’is had converted to Islam out of fear of being killed.⁽²⁾ In any event, there is no objective answer to whether Kaka’is should be considered Muslims or not. Indeed, Kaka’i marginalization in Iraqi society likely stems in part from the inability to place the Kaka’i faith into any simply defined religious category.

Warya Kakai was the organizer of the conference declaring Kaka’is’ Muslim affiliation. Warya is aware that there may be some inconsistency in Kaka’i rhetoric on this point. In a September 2014 interview with the news site Awene, Warya noted that “some irresponsible Kaka’i personalities, who consider themselves intellectuals, introduce themselves as non-Muslims. For this reason, we thought it was very important to hold this conference to clarify things.”⁽³⁾

These divided views on Kaka’i religious status threaten the integrity of the Kaka’i minority community. Schisms have already appeared between Kaka’i leaders who affirm Kaka’is’ Islamic identity and those who instead stress that Kaka’i is an independent faith, distinct from Islam. Members of this second group believe that Kaka’is have the right to publicly declare their own distinct identity. Kaka’is interviewed in Kirkuk communicated to Masarat that their religion is monotheistic but otherwise bears no relation to Islam. Many of these Kaka’is also believe that claiming to be Muslim will not end the persecution faced by minority members, and that mainstream Muslim preachers will continue to label them as heretics.⁽⁴⁾

Many extremist Muslim clerics are quick to attack the Kaka’is whenever given the chance. Some sources say that many Muslims perceive Kaka’is as very similar to Yezidis, believing that both are devil worshippers.⁽⁵⁾

Many Kaka’is have encountered examples of inflammatory speech against them and their religion. One such incident took place in June 2015, at the al-Jibouri mosque in Kirkuk’s al-Wasiti neighborhood.

A young Muslim man praying in the mosque had begun to incite the other men present against the Kaka’is of Kirkuk. “We should treat the Kaka’is in the same way that our

(1) The Kaka’is: We have always been Muslims and who ever say that we are not should repent to God, available on the following link:<http://www.iraqpressagency.com/?p=89837&lang=ar>.

(2) Interviews conducted by Masarat with Kaka’is, Kirkuk.

(3) Controversy in Kurdistan after the Kaka’is’ declaration that they are Muslims, Awene Arabic site, available at the following link:<http://www.awene.com/ar/article/2014/09/11/35633>.

(4) Interviews conducted by Masarat, Kirkuk.

(5) Kaka’is as Yezidis are believed to be devil worshippers because both do not believe in the notion of the devil. See Robert Lindsay, The Yezidis – A Mysterious Kurdish Religious Sect, available on the following link: <https://robertlindsay.wordpress.com/2009/06/03/the-yezidis-a-mysterious-kurdish-religious-sect/>.

brothers have treated the Yezidis in Mosul,” the young man was heard to say. Two policemen guarding the mosque—who, by coincidence, were also Kaka’i themselves—approached the man and expressed their disapproval of his behavior. The inciter soon left the scene.⁽¹⁾

Despite the seriousness of such behavior and the possibility of its recurrence, the Kirkuk government has taken no steps—such as closer monitoring of mosques—to deter this subversive conduct. Monitoring of hate speech and incitement to violence are already difficult to track, because some clerics and religious institutions interfere to hide such behavior among their congregations instead of implementing truly impactful measures to combat discrimination and hate speech. Following the al-Jibouri incident mentioned above, the Union of Islamic Scholars in Kirkuk and other society leaders preferred to reduce the media attention given to this issue, under the pretext of keeping the peace and thereby countering incitement⁽²⁾

Such interactions reflect life in Iraq for members of the Kaka’i minority, where they are exposed to intolerance of any religious variation. However, unlike the case of Yezidis—who unanimously attest to the independence of the Yezidi faith—Kaka’i reluctance or inability to clarify their religious identity further complicates their situation. In the past, some Kaka’is have made public declaration of non-Muslim status. Taleb Shukur Darwish made such a statement in the Kurdish Times newspaper in al-Sulaymaniyah in 2001, in order to put an end to centuries long confusion and secrecy surrounding the Kaka’is. However, true freedom from secrecy and fear is intrinsically bound to the degree of tolerance exhibited by the social environment. Kaka’is will not enjoy complete freedom of religion until they receive guarantees that their religion and beliefs will be respected, no matter how different from those of the Arab or Kurdish Muslims.⁽³⁾

Dr. Adam Baydar, professor of theology and sects at Salahuddin University in Erbil, IKR, explained the dichotomous views of Kaka’i religion held by Iraqi Kurds:

“On one side, the religious discourse on the Kaka’is incites hatred and accuses them of disbelief and polytheism. On the other side it is a discourse characterized by tolerance, which considers Kaka’i to be a Muslim sect that never left the broader Islamic faith. These two discourses are also based on the internal divisions among the Kaka’i themselves. Many Kaka’is believe that their religion is fully separate from Islam, and that they are non-Muslims. Some members of this faction have demanded the addition of Kaka’i to the IKR Draft Constitution as a distinct religion. However, there is another group which strongly opposes this demand, stressing the Islamic core of the Kaka’i faith. Moreover, not all clerics practice hate speech against the Kaka’is. There are some of them who respect Kaka’i beliefs even with the understanding that the Kaka’i religion is separate from Islam.”⁽⁴⁾

(1) Interviews conducted by Masarat with eye witnesses of the incident.

(2) Interviews conducted by Masarat with Kaka’is, Kirkuk.

(3) Fareed Asesrd, The origin of the al-Barzaniya, the Kurdistan Center for Strategic Studies, Cairo, 2nd edition 2012, pp. 60-61.

(4) Interview conducted by Masarat, Erbil.

2. Persecution based on religious differences

In interviews conducted by Masarat in Kirkuk, many Kaka'is complained about common stereotypes of their minority. Despite Kaka'is' declarations that they are traditional Muslims, consider the Quran their holy book, and perform the same rites and rituals as all Muslims, stereotypical beliefs to the contrary engender intolerance among Kirkuk society: Kaka'is explained they are frequently accused of not observing Islamic teachings or practicing religious rituals such as prayers, fasting, and the Hajj.⁽¹⁾ To many mainstream Muslims, Kaka'is are "people of pleas, not prayers."⁽²⁾ This reference to Sufi rituals as they differ from mainstream Muslim practice illustrates the variety of methods implied to further marginalize the Kaka'is.⁽³⁾

For the Kaka'is, religion is a mystical process, in which introspection and the heart play critical roles. These are not elements of mainstream Islamic practice, however, and their inclusion in Kaka'i religious belief makes it easy for majority Muslims to accuse them of heresy and disobeying Islam's religious teachings. This leads, in turn to resentment, exclusion, discrimination and violent treatment of Kaka'is by other elements of Kirkuk society. There have been numerous reported cases of children being abused in schools due to calls of Kirkuk preachers and other society leaders to boycott Kaka'i businesses and otherwise exclude them from society.⁽⁴⁾

Even full conversion to Islam does not protect Kaka'is from this treatment. Masarat was told a story of a Kaka'i who converted to Islam. This Kaka'i had left the city of Mosul to settle in Erbil Governorate's Khabat district, where he began to attend mosque for daily prayers with other Kurdish Muslims. When the other attendees of his mosque learned that he was originally a Kaka'i, they began to antagonize him, telling him he "could not be a Muslim" because of his Kaka'i identity. The harsh treatment he received from his fellow Muslims eventually drove him to return to Mosul.⁽⁵⁾

Another story reported to Masarat of Kaka'i converts to Islam ends in similar frustration. A family of converted Kaka'i Muslims traveled from Kirkuk to Sulaymaniyah. When the son of this family wanted to marry a Muslim woman, the woman's father agreed until he learned of the family's Kaka'i origins. He immediately withdrew his approval for the marriage.

It is not commonly known that the Kaka'i religion, similar to Yezidism and Mandaism, is a non-missionary faith, meaning it accepts no converts. If a person is not born Kaka'i, she or he can never become Kaka'i.⁽⁶⁾ This rule was implemented as a protective measure, born out of Kaka'is fear of persecution from practitioners of other religions, but this culture

(1) The five pillars of Islam include the declaration of faith, obligatory prayer, compulsory giving, fasting in the month of Ramadan, pilgrimage to Mecca.

(2) Interviews conducted by Masarat, Kirkuk.

(3) Karim Najm Khader al-Shawani: *The Kaka'i religion, its origins and its beliefs*, Bassam Bookshop and Publishing House, al-Mosul, Iraq, 2011, p. 101.

(4) Interviews conducted by Masarat, Kirkuk. Interview subjects were unwilling to speak about these cases in greater detail.

(5) Interviews conducted by Masarat, Kirkuk.

(6) Karlos Zurutuza. "Where a Moustache Can Mean Life or Death." *IPS News*. September 7, 2013. <http://www.ipsnews.net/2013/09/where-a-moustache-can-mean-life-or-death/>.

of secrecy and seclusion has opened the door for numerous accusations and rumors about the nature of Kaka'i beliefs.⁽¹⁾

3. Social and cultural differences as sources of discrimination

Specific style and attire of Kaka'is has been a source of discrimination. As in Yezidi culture, Kaka'i men usually cultivate large mustaches, making them easily identifiable among other minority groups. Some interpretations of Islam prevent Muslims from growing long moustaches, but Kaka'is believe them to bring the bearer great blessings.⁽²⁾

Gender relations in Kaka'i society differ significantly from those in the rest of Iraq and have been a source for discrimination against Kaka'is. In Kaka'ism, women are completely equal to men, a cultural concept widely absent from traditional social practice among other elements of Iraqi society. This creates difficulties for Kaka'i women, who live in a broader social environment that they perceive undervalues them, discourages their interaction with men outside their family, and discriminates against them on the basis of their presumed inferiority. Abbas al-Azzawi, an Iraqi historian, wrote about this discrepancy as early as 1949 in a book about the history of Kaka'i people. "The Kaka'i women are the sisters of the Kaka'i men, and they are allowed to mix with them. The Kaka'is do not hide their relations or keep them in secret, on the basis that the relations between men and women can also be fraternal."⁽³⁾ This mixing of genders was uncommon at that time, but continued discrimination against women today, the spread of extremism by Islamist groups, and the force of misogynistic tradition now hinders Kaka'i women in their efforts toward societal integration. In their view, traditional and close-minded attitudes prohibit them from engaging with social elements outside of their own immediate communities.⁽⁴⁾

4. Social, economic and administrative discrimination against the Kaka'is

Among the daily manifestations of social and economic discrimination against the Kaka'is is the reluctance of people to buy products from their shops. Reports from international organizations have revealed that this is often a result of sermons by Islamic preachers in Kirkuk, who periodically call on local Muslims to boycott Kaka'i businesses.⁽⁵⁾

More than one Kaka'i source has confirmed this practice, while acknowledging that it is not a frequent occurrence. One such source, a Kaka'i university professor, recalls with pain watching his father sneak watermelons to grocers under cover of night, afraid that locals would reject his produce if they knew that the vendor was a Kaka'i. "My father used to return from the city with a mask on his face in order not to let people see his thick mustache, which always aroused fear and resentment." Speaking of the impact of these experiences today, the professor told Masarat that "although these experiences

(1) Saad Salloum, One Hundred Illusions about Minorities in Iraq, Masarat Foundation for Cultural and Media Development, Baghdad - Beirut 2015, p. 14.

(2) Saad Salloum, End of Diversity in Iraq, History under the Sword: Tracking Cultural Heritage destruction, Human Migration, and the Dynamic Nature of Conflict in Iraq, Exploratory Seminar at the Radcliffe Institute for Advanced Study, July 9-10, 2015, p. 40.

(3) Abbas al-Azzawi, "The Kaka'is in history." Trade and Printing Co., Ltd.. Baghdad, 1949, p. 71.

(4) Interviews conducted by Masarat, Kirkuk.

(5) For Instance: "Iraq: Country of Origin Information, (col) Report, UK Border agency. August 30, 2011. P. 188.

happened in the past, they have still impacted my psychological health. I do not dare to grow out my mustache, and I tend to hide my Kaka'i identity to avoid resentment and discrimination."⁽¹⁾

Dr. Adam Baydar, theology and Islamic sects specialist, is also the host of the Rudaw Media Network "Adam World" religious issues talk show. Regarding discrimination against Kaka'is, Baydar explains, "some Muslims in Kaka'i areas are reluctant to buy goods from them because they consider them to be impure infidels. They base their understanding on a passage of the Quran: 'Those who ascribe divinity to aught beside God are nothing but impure.'"

In a June, 2015 talk show installment on the issue of Muslim perceptions of Kaka'is, a Kaka'i viewer called in to the show to share his experiences working with Muslims. The caller described Muslims' reluctance to buy the yogurt of Kaka'i goats, as well as other products, when Kaka'is try to sell them to Muslim-run shops. The caller also mentioned Muslim sermons in which parishioners are admonished not to buy from "infidel" Kaka'is or eat from their tables, due to claims that Kaka'is are impure.⁽²⁾

Other sources contacted in Erbil reported that the Kaka'is also face discrimination in public service employment. Very few Kaka'is are able to find work in government departments, whether at the local or provincial level. In many parts of the IKR, employment discrimination occurs not because of Kaka'i religious affiliation but due to language issues.⁽³⁾ While the Kaka'is either speak Arabic or Kurdish, there are accounts of discrimination taking place, perhaps because Kaka'is speak an unfamiliar dialect of Kurdish, or because Arabic-speaking Kaka'is are applying for jobs in departments where only Kurdish is accepted.

Some Kaka'is have also been refused Iraqi nationality, in a pattern of discrimination dating back to Saddam Hussein's regime. At that time, hundreds of Kaka'is living in Kirkuk and other areas were forced into Iran during the violent conflict between the Kurds and the Saddam government. This period of exile also cost many Kaka'is their Iraqi identity cards, in particular those known to be supporters of either side of the conflict. Upon return to Iraq, some Kaka'is were able to retrieve their identity documents, but even this small success has done little to improve their societal standing. Majority Iraqis commonly treat Kaka'i returnees as Iranians, rather than Iraqis, and express skepticism about their identities and political or national affiliation. Meanwhile, many more Kaka'i returnees are still struggling through complex procedures just to recover their identity documentation.⁽⁴⁾

5. Violations of the right to education and enjoyment of the Kaka'i culture

Due to the fact that Kaka'is are considered Muslims by the Iraqi education system, they are compelled by educational institutions to study Islamic educational materials. Teachers strictly discipline Kaka'i students and often force them to pray.

(1) Interview conducted by Masarat, Kirkuk.

(2) Interview conducted by Masarat, Erbil.

(3) Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, Institute for International Law and Human Rights, Washington, D.C., 2013, p152.

(4) Ibid, p. 103.

One Kaka'i student, who was studying the Kurdish language at Kirkuk University, complained that he was forced to write a paper about the Kaka'i religion by his university professor even though he felt uncomfortable disclosing secret information about Kaka'i doctrine and beliefs. If the assignment was given maliciously, or with intent to exploit the student to uncover mysteries of the Kaka'i faith, this act can be considered a violation of the student's freedom to manifest her or his beliefs, demonstrating the abusive view that majority Iraqis hold toward members of the Kaka'i minority.

Kaka'i students are also exposed to frequent harassment in schools. One female Kaka'i student in a Kirkuk secondary school told Masarat researchers that she felt excluded by her classmates after a teacher told another female student not to be friends with her because of her minority status.

Comments and practices like these are rarely disciplined in the Iraqi schooling system. Even when a Kaka'i parent objects to discriminatory treatment, school administrations do not establish penalties severe enough to prevent the repetition of such acts. Instead, complaints of this nature are usually resolved through personal settlement. Precise statistics of discrimination in schools and official and unofficial methods of resolution, however, are difficult to obtain. Statistics of discriminatory acts in other government institutions are similarly inaccessible or non-existent.⁽¹⁾

(1) Interviews conducted by Masarat, Kirkuk.

SEVEN

VIOLATIONS AGAINST MANDAEANS

Widespread emigration following the ISIS invasion is now posing a severe demographic threat to the Mandeans of Iraq. While no Mandaean had any wish to leave their home, remaining in ISIS-controlled areas has fatal implications for members of the religious minority. ISIS does not consider Mandeans to be “people of the book,” and it has not given any Mandaean the option to pay Jizya, as it has with Iraqi Christians.⁽¹⁾ Remaining in ISIS territory would mean almost certain forced conversion to Islam, and death to any who refused. Faced with such a choice, dozens of Mandaean families chose to flee both from areas of ISIS activity and from regions adjacent to ISIS-held territory to the IKR and Iraq’s central and southern provinces.⁽²⁾

Current estimates of Mandaean displacement suggest that as many as 53 families from the governorates of Anbar, Ninewa, Salahuddin, Falluja, Diyala, and Baghdad have all been pushed from their homes. After leaving their houses and possessions behind, these families now live under strenuous conditions in their locations of displacement. A special committee was formed to provide them with relief and assistance, and both the Red Cross and the Office of Christian, Yezidi, Sabean, and Mandaean Religious Endowments have furnished aid. However, only a small fraction of Mandaean people’s needs have been met.

At the same time, violations of Mandeans’ rights, including a range of abuses from abduction to discrimination, negatively impact their physical, social, and psychological wellbeing. These abuses are also driving many Mandeans to leave the country.

In the first days of this displacement, Mandeans held emergency meetings chaired by Sheikh Sattar Jabbar Helou, the most senior Mandaean cleric, and attended by local council leaders. In these meetings, Mandeans agreed to form a higher emergency

(1) Minority Rights Group (MRG), “From crisis to catastrophe: The conditions of minorities in Iraq.” October 2014.

(2) Report issued by the Human Right Section, Yridna Charity Society, December, 2014.

committee in coordination with official Mandaean bodies outside of Iraq and official councils in the governorates⁽¹⁾ in order to discuss the latest developments in Mandaean displacement and accomplish the following core tasks:

1. Receive displaced persons, satisfy their essential needs, and provide special areas for them to seek shelter and practice religious rituals.
2. Coordinate with government agencies, including the Ministry of Displacement and Migration (MoDM), the Baghdad provincial government, and the Office of the Christian, Yezidi, and Sabeian-Mandaean Endowments and others.
3. Open communication channels with the Baghdad Operation Room and other security bodies to meet IDP needs.⁽²⁾

“I cannot step outside the temple door because of my identity”

Abu Ardawan, an old, joyful Mandaean, has lived with his three daughters and two sons in the city of Ramadi. Before settling in Ramadi, he had visited and lived in many cities in Iraq. His memories of Basra, in particular, bring him much happiness compared to the events he’s witnessed since leaving. “We Madaeans can live anywhere in Iraq. So long as there’s running water, anywhere is perfect for us.”

His life had changed forever after ISIS’ successive invasions of Mosul, Salahuddin, and Anbar. He was obliged to leave his city, his home, his belongings, and his profession; his children had to leave their schools and friends. It was hard for him and his family to leave their memories behind, and harder still to leave the city where he and his fellow citizens had lived so long in peace.

Ardawan first traveled to Baghdad in search of a new home, but the only shelter he found was the Sabeian-Mandaean temple. When the presidency of the Mandaean community announced that it would embrace the displaced people and that it would find shelters for them, he settled in a modest room inside the temple.

Ardawan’s eldest son dropped out of school and was able to find some work in the temple. Ardawan’s younger son, Basem, however, was less successful. Basem’s identity card stated that he had been born in Anbar Gov. ISIS’ prevalence in Anbar has caused many in Iraq to associate Anbari people with terrorism, and Basem’s identity card established him as hailing from this now-feared region. Even though he is Mandaean, an ethnic group with no demonstrated affiliation to terrorist activities, Baghdadi citizens still fear him as a potential terrorist. Ardawan’s younger son is now afraid to leave the temple, even to go buy everyday items.

“This is not a life. I cannot stay here forever. The temple has become a prison. I left my city together with my family because we feared ISIS. I can understand and deal with this issue. However, I cannot understand why I should be afraid of leaving this temple just

(1) Outside of Iraq, religious and civil Sabeian-Mandaean institutions and organizations represent the Sabeian-Mandaean communities in each country where they are present; within Iraq, elected councils represent members of the minority communities and work to meet their needs in each province.

(2) Telephone interview on July 10, 2015 with Ghazwan Yahya, Human Rights Official, Yridna Charity Society, and the representative of the Sabeians in the former Ministry of Human Rights.

because of my identity.”

The identity card of Ardawan’s older son, meanwhile, states his birthplace as the Basra Governorate; he is able to leave the temple and live a normal life, free from the suspicion and discrimination of the people of Baghdad.

1. Violations of the right to life and safety of individuals

One consequence of the national instability produced by the ISIS invasion has been the militarization of much of Iraqi society, which in turn has led to numerous acts of violence throughout Iraq’s cities. Baghdad, in particular, has become the site of frequent violent acts. The Human Rights Section of the Yridna Charity Society and the Mandaean Charity Society have recorded the following violent incidents.⁽¹⁾

A. Acts of killings:

1. On August 21, 2014, Nawar Hussein Radi Zaboun was killed by an unidentified armed gang after his kidnapping on August 18 of the same year. Zaboun had been walking home from his jewelry shop in the New Baghdad neighborhood. Zaboun’s kidnappers executed the young man despite the family’s payment of a ransom for his release.
2. On October 10, 2014, an armed gang attacked Mandaean jewelry store owner Wasfi Abdul Nabi al-Zuahair and committed an armed robbery of al-Zuahair’s shop. Al-Zuahair died of his wounds in a hospital in Missan.
3. On October 14, 2014, jewelry store owner Atheer Abdul Qader Laxem was kidnapped and tortured. His battered body was found ten days later.
4. On October 24, 2014, the body of Husam Naji Sawadi was found in the al-Mashrah district. Sawadi had been kidnapped on August 1 of that year by unidentified men, and his family had paid a ransom for his release.

B. Kidnappings:

1. On August 13, 2014, Wisham Washah Saad was kidnapped from the city of Shatra in the Dhi Qar Governorate. He was released three days later in exchange for a ransom fee.
2. On November 7, 2014, Salim Farhan Shabib, a jeweler, was kidnapped in the al-Shaab area in Baghdad by an unidentified gang. He was released three days later in return for a ransom fee.
3. On November 8, 2014, brothers Muhannad and Firas Alkam Dakhan al-Othmani were kidnapped in Diyala Governorate. They were released after four days in return for a ransom fee.
4. On July 10, 2015, jewelry store owner Muthaffar Aziz was kidnapped from his shop in the al-Kayyarah area. He was released three days later in return for a ransom fee after difficult negotiations with the kidnappers.

⁽¹⁾ Report issued by the Human Right Section, Yridna Charity Society, December 2014; with further information gathered from Basem Ajeeb, a member of the Mandaean Charity Society, July 17, 2015.

C. Robbery and armed attack:

1. On November 13, 2014, an unidentified gang opened fire on the house of the Basra branch head of the Mandaean Affairs Council. Many believe this attack was related to the man's efforts to end the desecration committed against the Mandaean Community Cemetery in Basra.
2. In early 2015, Mandaean-run gold shops were held up by armed robbers in the Shaab area in Baghdad. The robbers seized large quantities of money and jewelry.

2. Discrimination against Mandaeans in the educational sector

A group of young Mandaean men in al-Amarah, Missan Governorate, described to Masarat the discrimination they face on a daily basis. A young Mandaean man working as a primary school teacher spoke of challenges he faces in the classroom: "It is difficult for me to deal with my students the way that other teachers do. Missan society is arranged along tribal lines. Mandaeans have no tribal affiliation and are therefore seen as vulnerable and unprotected, and it affects the way I teach. I cannot perform my work in a comprehensive way like other teachers. Any student could complain about me to his tribe. I can lose my job or even be forced to leave the city if a student does not like my behavior".

"Dealing with teachers is also becoming very complicated," he noted, "especially with the influence of extremism on society. I have to bring my own bottle of water, because if I drink from the bottle of a colleague, he will not drink from it again. The same goes for food. I feel like I have been abandoned, or like I have been infected with leprosy; no one wants to eat or drink with me."⁽¹⁾

Mandaean students also suffer, primarily from their classmates' stereotypes about them. Khaled Naji, the head of the Mandaeans Affairs Council in Diwaniya in Qadisiyah Governorate, said that there have been repeated attacks on Mandaean students by classmates. Mandaean students' books and bags are frequently damaged in these attacks. "We try to solve these problems by working between the students and by complaining to school officials, but in the end there are no preventive measures taken to stop these acts."⁽²⁾

Sheikh Ala Tarish Aziz, Deputy Chairman of the Mandaean Community in Iraq, currently resides in Turkey. He and his family had been forced to live for years in a Mandaean *mandi* (a Mandaean temple) in the Qadisiyah neighborhood in Baghdad. He spoke to a Masarat interviewer about his experience in the temple: "My children left their school because of harassment by other students. They rarely leave the *mandi* now, and I am always afraid of kidnappings. I believe that most of our community members have the same fears, and that this is why they are thinking of emigration: they want to secure a better future for their families and children."⁽³⁾

(1) Interview conducted by Masarat, Missan.

(2) Interview conducted by Masarat, Diwaniyah.

(3) Interview conducted by Masarat with Alaa Aziz Tarish, Istanbul, Turkey.

3. Hate speech and religious discrimination

It is not easy for Mandaean to live in a religiously charged environment. They, like the Yezidis, are believed to be unaffiliated with the Abrahamic faiths, even though they associate themselves with the religious icon Ibrahim.⁽¹⁾

Mandaeans often complain about Muslim clerics' ignorance of their beliefs, even though the holy Mandaean Book has been translated into Arabic. The Ginza Rba, one of the chief holy scriptures of the Mandaeans, has been read by few, if any, Muslim clerics. A similar paucity of Muslim religious leaders deals with Mandaeans based on the actual tenets of the Mandaean faith, rather than their own wrong perceptions.

Shiite clerics in Basra have issued various fatwas against the Mandaeans, containing accusations of impurity, practice of witchcraft, and adultery, and called on Muslims to guide Mandaeans to Islam.⁽²⁾

Many religious leaders critical of Mandaeans tend to lump them together with other Iraqi religious minorities like Christians and Yezidis. This climate has contributed to the spread of stereotypical, usually negative conceptions of Mandaean persons. In some cases, the name "Sabeen" is used to insinuate Mandaean apostasy, due to the name's Arabic meaning of "conscious abandonment of the fathers and grandfathers' religion to another religion." According to this interpretation, Mandaeans are by definition abandoners of Islam.⁽³⁾

Mandaeans usually interact positively with the Muslim majority and they participate regularly in Muslim religious events. However, this interaction is very one-sided, according to a young Mandaean living in al-Amarah: "We join the rituals of our Shiite brothers every year, and we share their joys and sorrows with them, but I have never received any congratulatory note from any of them on Mandaean holy occasions. It could be that they do not know about our holy days because the government gives no significance either to Mandaean holidays or Mandaean society. When the Muslim festivals come to an end, I end up back where I started in their esteem, because they only accept me in these specific moments."

This young man shared with Masarat a story that left a very deep impression on him, making him believe that his Mandaean identity may prevent him from ever being accepted in Iraqi society. "We Mandaeans frequently join Iraqi Shiites in their ceremonial visits to the shrines of Muslim imams. On the road to the shrine of Imam Ali in Najaf and Imam Hussein in Karbala, there are tents offering food and beverages to visitors free of charge. One year, while drinking tea in one of these tents, the young man pouring the tea found out that I was a Mandaean. When I finished, he broke the cup. He said it was forbidden for a Muslim to drink from a cup used by a Mandaean."⁽⁴⁾

(1) Ibrahim, "the father of prophets," is a universal figure represented in all three major monotheistic religions in the region, namely: Judaism, Christianity, and Islam. These religions are known collectively as the Abrahamic faiths.

(2) Bariti Tanija, "Assimilation, Exodus, Eradication: Iraq's minority communities since 2003," translated by Abdul Ilah al-Naimi, London, p. 17.

(3) Saad Salloum, "One hundred illusions about minorities in Iraq." Masarat, Baghdad, 2015.

(4) Interviews conducted by Masarat with Mandaeans, al-Amarah, Missan.

This discriminatory attitude towards the Mandaeans follows from the social isolation that has been imposed on them. Some Muslims refuse to eat or shake hands with Mandaeans because they are “impure”—ironic, perhaps, because of the Mandaean religion’s foundation upon the principle of cleanliness and a reverence of “running water.”

4. The migration path and its danger on the Mandaean presence

Since 2003, almost 90% of Iraqi Mandaeans living in Iraq have left the country and settled in Australia, Sweden, the United States, and other countries to escape the threats they faced in their country of birth.⁽¹⁾

In late 2014, Deputy Chairman of the Mandaean Community in Iraq, Sheikh Alaa Aziz Tarish, sent a letter to Masarat complaining about the kidnapping of Mandaeans in central and southern Iraq. Tarish’s letter explained that Mandaeans had no community militias to protect them, and that moreover their beliefs ban all forms of violence. On the political level, there were no politicians to speak for them in government, because Mandaean votes are barely sufficient to achieve representation in local parliaments and governments. Sheikh Tarish’s letter ended on a further negative note: “This is the end; there is no reason for us to stay in this country.”⁽²⁾

After submitting his letter, Sheikh Alaa began a process of seeking asylum, first by simply knocking on the doors of refugee agencies. He now resides with his family on a temporary basis in Turkey, where they plan to stay until a safe, stable refuge can be identified.⁽³⁾ The fact that Mandaean leaders are now seeking asylum, along with Mandaean known academic and community figures, deals a severe blow to the identity of the Mandaean community and its presence in a country where it had coexisted with other communities for more than 20 centuries.

At the beginning of 2015, a study issued by Masarat on the looming threat of the Mandaean extinction identified the following challenges currently facing Mandaeans:⁽⁴⁾

- Religious conversion: Many Mandaeans have converted to other religions, such as Islam or Christianity, as a result of external pressure and a need to find harmony within majority cultural structures.
- Pressure to adjust with the diaspora: Emigrating from Iraq has forced many Mandaeans to abandon their religious rituals and assimilate into their new societies, whose customs and rituals are different from those of the Mandaeans in significant ways.
- Non-missionary nature: The Mandaean religion does not allow its followers to marry persons from outside the community, and any Mandaean who marries from outside his community is considered a conscious abandoner of her or his religion. Moreover, the Mandaean religion, similar to Judaism, does not allow converts to the faith, a

(1) Saad Salloum, “End of Diversity in Iraq, History under the Sword: Tracking Cultural Heritage Destruction, Human Migration, and the Dynamic Nature of Conflict in Iraq” Exploratory Seminar at the Radcliffe Institute for Advanced Study, July 9-10, 2015.

(2) There is a reference to the content of the message in the following article: Saad Salloum, “The cultural genocide of a millennium group, The end of the Mandaean miracle.” *Almada News*. 3155, August 24, 2014.

(3) Interview with Sheikh Alaa Aziz Tarish, Deputy Chairman, Mandaean Community in Iraq and the World, Istanbul, Turkey.

(4) Saad Salloum, “One hundred illusions about minorities in Iraq.” Masarat, Baghdad, 2015.

stance that may prove fatal to the vitality of the Mandaean belief system, as many religions that incorporate these practices quickly find themselves faced with extinction. By contrast, certain modern religions such as Baha'ism now enjoy a global reach, in part because of their openness to all nationalities and religions.⁽¹⁾

Sheikh Sattar Jabbar Helou announced in June, 2015 that more than 25,000 Iraqi Mandaean had left Iraq to escape the current situation. In his announcement, Helou formally accused the former and current Iraqi governments of “neglecting the Mandaean.”⁽²⁾

Salem Farhan, director of the Mandaean Human Rights Group, said that his organization had declared a state of alert in 2015. The Society has rung a disaster bell in recognition of the small percentage of the Madaeans currently left in Iraq. Many of these remaining persons are currently seeking asylum in Turkey, Jordan, Malaysia, Indonesia and other countries.⁽³⁾

It was clear that Mandaean emigration—and Iraqi security—was reaching a dangerous point when leaders of Mandaean youth and religious and cultural leaders, as well as members of society's institutional structure, began electing to migrate away from the region. The emigration of Sheikh Alaa Aziz Tarish, for example, is often considered a loss, from the perspective of Iraqi Madaeans' ability to maintain a political and social presence in the country.

Worse still, the loss of Mandaean clerics to regions abroad has complicated Iraqi Madaeans' ability to complete their religious rituals. With only three Mandaean clerics remaining in the country, and all of them based in Baghdad, clerical attendance of Mandaean events outside of the capital is difficult.⁽⁴⁾

In addition, the emigration of Mandaean leaders has weakened efforts to monitor Mandaean human rights violations in Iraq. Ghazwan Yahya Yusuf, the human rights coordinator at the Mandaean Yridna Human Rights Society and the Sabeian representative in Iraq's former Ministry of Human Rights, left Iraq for Amman to join his relatives and family. His departure leaves a vacuum in the fields of rights observation and protection for Madaeans. Ghazwan says that he hopes that conditions in Iraq improve, that he may return to further serve his country and community.⁽⁵⁾

The continued emigration of Mandaean political representatives, goldsmiths, and other professionals, will also negatively impact Mandaean public participation and economic vitality both inside and outside Iraq. Even the unemployed may be affected: young Madaeans who would in the past seek employment under skilled Mandaean business and trade professionals are now deprived of these opportunities by the absence of Madaeans business leaders in the country. Al-Nahr Street, the traditional marketplace for Mandaean goldsmiths for decades, is now almost empty of its Mandaean jewelers,

(2) Interview conducted by Masarat with Sheikh Sattar Jabbar Helou, Deputy Chairman of the Mandaean Community in Iraq.

(3) Telephone interview conducted by Masarat with Salem Farhan, the director of the Mandaean Human Rights Group.

(4) Telephone interview with Salem Farhan, Mandaean Human Rights Group.

(5) Telephone interview with Ghazwan Yahya Yusuf.

itself another indicator of the mass exodus currently gripping Iraq.

Isam Sabti, a Mandaean family man, describes Mandaean emigration in terms of its impact on the emotional health of family members. His desire to leave the country is not driven by security concerns or issues of discrimination, but rather by the loss of the Mandaean community in the country: "It has become difficult to hold on to the idea of staying here. All of our relatives in Iraq do not exceed three small families, while before it was more than 200. When Eid comes, we watch our children sit and wait for relatives to knock on our door, wish them happy Eid, and offer them some sweets and special pastries, but no one comes. Everybody has migrated." ⁽¹⁾

⁽¹⁾ Interview conducted by Masarat, Baghdad.

EIGHT:

VIOLATIONS OF THE RIGHTS OF IRAQIS OF AFRICAN ORIGIN

Iraqis of African origin (IAOs) live primarily in the Basra governorate; their historical residence in the Basra city of al-Zubair gave the city its nickname as the ‘stronghold of the blacks’ in Iraq. Outside of al-Zubair, IAOs can be found across Iraq, with population centers in the Basra districts Abi al-Khasib, Hay al-Hussein and al-Jumhuriyah, the governorates of Dhi Qar and Missan, and Baghdad Governorate’s al-Sadr city. Accurate numbers of IAOs are difficult to obtain: according to estimates of black activists, there are approximately 200,000 African-descended Iraqis in the country. International reports estimate that Iraq is home to 2 million black residents.⁽¹⁾ Based on interviews with activists in Basra and Baghdad, Masarat believes 400-500 thousand to be a more accurate estimate.

The social status of these citizens reflects an institutionalized pattern of social discrimination that has developed over centuries of Iraqi history and has now become part of mainstream Iraqi cultural consciousness. Examples used in this report have been selected to give a clear picture of violations suffered by IAOs and to publicize their demands for dignity and equal treatment. Compared to Iraq’s better-known religious and ethnic minority groups, specifically Christians, Yezidis, Mandaean, Turkmen, and Shabaks, the treatment and needs of IAOs has received minimal coverage by local and international media.

(1) Mumtaz Lalani, “Still Targeted: Continued Persecution of Iraq’s Minorities.” Minority Rights Group International. June, 2010. <http://minorityrights.org/publications/still-targeted-continued-persecution-of-iraqs-minorities-june-2010/>.

Political discrimination

The year 2007 witnessed the birth of the Free Iraqi Movement, the first political movement representing IAOs. The movement aimed to express the aspirations of African-origin Iraqis, defend their cause, and revive their identity in Iraqi culture.

The movement made a number of demands on Iraqi government and society, including ending social discrimination against IAOs and establishing IAO representation within the parliamentary and local government quota systems alongside other Iraqi minorities. The movement presented this representation as an essential step in making sure that IAO voices were heard.⁽¹⁾

The struggle for political acknowledgement and representation, however, has been largely unsuccessful. IAO demands are often neglected on the basis that IAOs are Muslims and therefore have no need to represent themselves as an independent group. In other instances, IAO bids for political recognition are blocked on technicalities. Attempts by IAO activists to establish a separate political bloc for African-origin Iraqis are frequently rejected with the justification that existing political parties and factions already represent IAO issues.⁽²⁾

In an interview with Masarat, Salah Rakhis, the president of the Free Iraqi Movement, described various forms of political discrimination IAOs are exposed to today. Rakhis shared that IAOs are frequently referred to as “Abd”, the Arabic word for “slave”. Despite minority members’ preference for less derogatory terms such as “Aswad” (meaning ‘black’, or ‘colored’), no measure or policy has ever been put in place in Iraq to prevent the use of derogatory labels.

According to Rakhis, many IAOs generally feel that they receive insufficient attention from local and federal government; the absence of a single IAO in Iraq’s parliament or among high-ranking officials contributes to a sense of marginalization and non-representation. Rakhis points out that many minority members live in the slums of the al-Zubair area in unimaginable poverty; their children have no access to education, and unemployment rates are high.

Despite this, many Iraqis in both government and civil society completely deny that discrimination against IAOs exists at all, refusing to support initiatives to address this discrimination, build IAO public participation, or improve their economic conditions.⁽³⁾

Discrimination and violence against female IAO activists

Marwa Hassan⁽⁴⁾ is an active defender of IAO rights. Marwa faces twofold discrimination in her work as a humanitarian in Basra: first as a woman, and second as a black Iraqi. Constant acts of discrimination complicate her daily life and impede her work. Marwa spoke to Masarat about a number of incidents of direct and indirect discrimination she has faced.

(1) Saad Salloum, “From the revolution of the blacks to the birth of Human Freedom Supporters Movement.” Baghdad, Issue No. 3346. April 25, 2015.

(2) Saad Salloum, “Will Iraqi Blacks Win Justice?”. The New York Times, 22 Jul 2014.

(3) Interview conducted by Masarat with Salah Rakhis, the president of the Free Iraqi Movement, Basra.

(4) The subject’s name has been changed to protect her identity.

“Once I was traveling overland to the IKR. At a Kurdish checkpoint on the border of Erbil, a Kurdish security official asked to see my passport. I told him that I am an Iraqi citizen, but he thought I was African and insisted on seeing my passport.”

Hassan is one of many activists who left Basra due to security concerns. Hassan’s own move to Erbil was prompted by a series of threatening phone calls and messages she received while working as a human rights activist in Basra. Hassan is a fluent English speaker, and used to attend meetings at the US consulate on behalf of the human rights organization where she worked. Hassan began receiving threatening calls soon after she started attending these meetings; the calls ultimately prompted her to leave Basra for Erbil.

In Erbil, Hassan married a Kurdish man she had met during previous visits to the IKR. As an IAO, Hassan believed that her marriage to a Kurdish citizen might improve her treatment in Kurdish society. On the contrary, it only led to a new series of abuses. “I did not have any other choice except to marry this man. I cannot communicate well with people in Erbil, because I am not fluent in the Kurdish language. My husband abuses me and beats me continuously, but I cannot divorce him because I have no place to go and I do not want to return to Basra.”

Security concerns throughout the country have worsened an already debilitating financial crisis in Iraq, which has also limited Hassan’s options. “I want to live a normal life. If I can find a job in Erbil, I will divorce my husband, but without one I will never be able to regain my freedom.”⁽¹⁾

Hassan’s story offers a glimpse at the plight of IAOs in Basra and across Iraq.

Assassinations, assaults, and impunity policy

Ammar Basri is an IAO activist living in Erbil. Before leaving Basra, he had worked on human rights issues with Jalal Thiab, a prominent civil rights activist in the defense of the rights of Iraqis of African origin.⁽²⁾ After Thiab’s assassination in 2013, family and colleagues feared that Basri would also become a target. Basri faced immense pressure from his family and community to remain silent about Thiab’s assassination to keep himself safe. When his life came under threat nevertheless, Basri left the city and brought his family to the IKR. He makes surreptitious trips back to Basra from time to time, where he has paid witness to the loss of momentum of the IAO cause since Thiab’s murder: “The assassination of Jalal Thiab was meant to be a message to all blacks. It aimed to tell them that they would never become important. Since this crime, we have felt like an orphaned people with no power or might; we have become so frustrated. We have returned to square one, with no one willing to defend the rights of blacks. Today, nobody has the courage to do that. The criminals were able to achieve their aims. Their bullet killed our liberation spirit.”⁽³⁾

(1) Interviews conducted by Masarat in Erbil and al-Basra on different dates during the months of June and July 2015.

(2) Thiab was one of the most prominent civil activists in Basra until his assassination in April, 2013 by unknown assailants. It is believed that he was targeted for his defense of IAOs.

(3) Interview conducted by Masarat with Ammar Basri, Basra.

Masarat spoke with Sami Thiab, Jalal Thiab's brother, about Jalal's death and its impact on the Thiab family. "My brother devoted his life to the defense of human rights, and after his assassination, there were no investigations, no official follow-up on the case. Now my brother's family has no one to provide for it."

The government of Iraq (GoI) has expressed symbolic sympathy to the bereaved family. Sami said that he went to the former Ministry of Human Rights and met with then-minister Shayyaa al-Soudani, who, after listening to the story of Thiab and his assassination, ordered the payment of 500 thousand Iraqi dinars (around US \$400) to his family.⁽¹⁾ Now, two years after Thiab's assassination, the perpetrators of the crime are still unknown, and there has been no serious effort made to identify the assailants.

Wassim al-Asmar,⁽²⁾ another activist defending the rights of IAOs, spoke to Masarat about assaults carried out against minority members. "Mandaeans are often kidnapped because their kidnappers want ransoms. Most Iraqis of African origin are not rich, so they are rarely kidnapped or killed for economic reasons. Nevertheless, any such incident creates a state of panic in the IAO community. A taxi driver near the al-Faw neighborhood was left dead in his car with none of his possessions stolen-even his mobile phone. This raises many concerns among people, who know that the motive of the crime was not theft."

According to Wassim's narration of the story, "after the driver failed to return home as expected, the family of the victim had been repeatedly calling his phone when it suddenly stopped ringing, as though the phone had been switched off. This happened during the airing of the final soccer match between Real Madrid and Barcelona. When the match ended, a police officer answered the mobile phone of the dead taxi driver and told the family that they had found the body of their son."

Wassim interprets these events as a sign of severe apathy on the part of Basra law enforcement agents. "The police had found the body, but they turned off the victim's mobile phone in order to watch the match without being disturbed by phone calls. They left his family terrified and worried all that time." Wassim suggests that this flippancy on the part of the police officers reflects the weak position of IAOs in Iraqi society. "Can you imagine such a thing happening to a member of a strong tribe, or to a person with political connections?"⁽³⁾

Violations of the right to express their culture

In general, Wassim and his family feel as though they are being oppressed by a society that rejects their culture. Wassim is a member of a family that loves music, and singing is his primary source of income. Wassim describes that he now feels as though he is suffocating. "I can't find the job I want, and I am losing my talent, living in a world without hope."

Wassim is proud of his distinctive identity and all of its artistic and musical elements. He is proficient in performing African arts, brought to Basra by the black community

(1) Interview conducted by Masarat with Sami Thiab, Basra.

(2) The subject's name has been changed to protect his identity.

(3) Interview conducted by Masarat with an activist referred to as Wassim al-Asmar in this report, Basra.

through several historical periods of trafficking of Africans into Iraq. Today, this culture is threatened by the conservative interpretations of Islam enforced on Iraqi society by Shiite Islamic political parties, whose extremist stances influence the social atmosphere of the city. Members of these Islamic parties disapprove of cultural activities centered on music and song, considered by religious extremists to be prohibited under Islam.

“It is difficult for a musician or a singer to work as a carpenter, a blacksmith, or a construction worker,” explains Wassim. “Giving up a passion, or depriving a person of the ability to practice his art, leaves a deep psychological impact. It is like putting a person in jail and telling him not to speak.”⁽¹⁾

An environment that encourages and justifies violations of human rights in Basra

After ISIS’ invasion, living conditions in Basra simultaneously became more complicated and more dangerous, despite the southern city’s geographic distance from ISIS operations. Human rights violators have discovered new justifications for their violations, and minorities in the city feel like they are living in an environment of fear. As mentioned in previous chapters, the war against ISIS has led to societal militarization through the establishment of local militias and gangs of armed militants.

According to one civil activist, “armed groups and weapons are everywhere, and this has given people an unprecedented opportunity to carry their weapons publicly, while in the past they used to hide them and only show them when it was necessary to do so. Now, people justify carrying their guns under the pretext of fighting ISIS. Moreover, it has become more difficult to know who belongs to which of the many armed formations established under the Popular Mobilization Units. Many armed groups have taken advantage of the new circumstances to carry out acts of intimidation, kidnapping, and homicide.”⁽²⁾

According to Ammar Basri, IAO activist living in Erbil, it has also become easier to justify attacks and human rights abuses of victims. Violators commonly assert that victims are affiliated with armed groups, are members or supporters of ISIS, or even that they are Baathist supporters of the former Saddam regime. Such justifications, usually given before or after instances of violent assault, protect their perpetrators by discouraging any further questioning on the motive behind these assaults. The use of these false justifications also encourages law enforcement investigation agencies to turn a blind eye or otherwise perform only cursory investigations into the details of the case. Police and security force negligence is also a result of the partisan and ideological affiliations that undergird the entire security apparatus throughout Iraq, “creating an environment that encourages human rights violations carried out under spurious justifications.”⁽³⁾ Under these conditions, violators are granted complete impunity, and police investigations end with the registration of a violation as a “crime committed by unknown persons.”

(1) Interview conducted by Masarat with an activist referred to as Wassim al-Asmar in this report, Basra.

(2) Interview conducted by Masarat, Basra.

(3) Interview conducted by Masarat, Basra.

NINE: THE MILITARIZATION OF MINORITIES AND THE FATE OF IRAQ'S DISPUTED AREAS

In a recent phenomenon taking place across Iraq, certain ethnic and religious minority groups have begun forming armed units to protect their neighborhoods, cities, and communities. These distinct Christian, Yazidi, Turkmen, Kaka'i, and Shabak militias are often inspired by the belief that their superior knowledge of local terrain makes them more capable defenders of their home areas than any other defensive force. Similarly, supporters of these militias believe that members of a minority will be more motivated, and thus more reliable, to defend their minority communities.

The formation of these militarized groups, however, can create political conflicts among minority members. The formation of militias has also created a space for political exploitation by external actors, in particular dominant Kurdish and Arab political factions. These conditions threaten further internal conflict for minority groups. Moreover, the existence of multiple, self-interested armed groups opens the door for myriad conflicts between minority and majority actors attempting to expand their control in the vicinity of Iraq's disputed areas.

Christian militias and conflict on the Ninewa Plain

The invasion of ISIS into Ninewa Governorate has resulted in significant displacement of Christians from lands they have occupied for a millennium. Iraqi minority regions, like the Ninewa Plain, have long hosted several co-existing elements of Iraqi society. Today, they have become the subject of land disputes by majority populations. Arguments over borders, escalating levels of violence in disputed areas, and the targeting of Christians has encouraged the formation of non-governmental "special guards" in the villages of the Ninewa Plain.

The KRG has played an active role in this process, pressuring Christians to form a militia to defend the Ninewa Plain. This initiative was led by former KRG Finance Minister Sarkis

Aghajan; his plan involved a force consisting of 3000 Christians, whose salaries would be paid by Aghajan.⁽¹⁾

The formation of this militia suggests a departure from Iraqi Christians' historic commitment to avoiding political conflicts and military confrontations. Iraqi Christians have desired to establish local, police-style protection services in the past, but no calls had ever been made for the formation of a confrontational armed force.

Traditions of neutrality and non-violence, however, have been largely abandoned by Iraqi Christians following ISIS' invasion of Christian villages and surrounding areas. Faced with the threat of ISIS occupation, Christians began to seriously consider the formation of an armed group of Christian fighters. Christian leaders were growing increasingly skeptical with the GoI's and KRG's abilities to protect them, and they began to seek other means of defending themselves. While Christians had little faith in the armed forces of either government, they did not rule out cooperating with these governments to establish a more effective defense. Christians were also aware that Iraqi and Kurdish leaders had interests in the lands inhabited by Iraqi Christians. Specifically, many Kurds see these lands as Kurdish, and support their inclusion in the IKR; the GoI, meanwhile, considers them to be under Iraqi administration, even if they are currently under Kurdish control.⁽²⁾

Support for an armed Christian militia has also been echoed in Iraqi media. Alexander Baiqacha, a Christian writer, suggests in a 2014 editorial that return of Christians to their homes and villages in the Ninewa Plain is a goal shared by Iraqi Christians, the Christian church, and Iraq's political parties. "I also see these groups accepting Christian bearing of arms for self-defense. Finally, all agree on the importance of Christians participating in the liberation of our lands, but we cannot do it by ourselves. And if Christians do not participate in these efforts, our lands and our villages will be at the mercy of those liberators, whoever they should be."⁽³⁾

The establishment of an armed Christian force might draw hundreds of Assyrian Christians to Iraq to fight with their co-religionists to liberate those areas formerly home to Iraqi Christians. Christian organizations outside Iraq have voiced support for such a movement, as they believe it will further their cause of establishing an autonomous Christian region on the Ninewa Plain.⁽⁴⁾

The discussion of armed Christian militias frequently turns to the question of a Christian region inside Iraq, and the topic has been visited even at the highest levels of Iraqi government. Yaacoub Korkees, an Assyrian member of the Iraqi parliament, said that "all Iraqi minorities in general are against the division of Iraq. We want Iraq to remain united as it has been throughout history." Korkees added, however, that "if they want to divide this country into Sunni, Kurdish and Shiite states, then we will call for a fourth state: a Christian state."⁽⁵⁾

(1) Saad Salloum, "Prospects of pluralism and the future of citizenship in Iraq in light of the current transformations", a paper submitted to the Carnegie Endowment for International Peace, Beirut, July 29, 2015.

(2) On these difficulties see: Saad Salloum, "Christians in Iraq". Masarat Foundation, Baghdad, 2014, pp. 397-404.

(3) Iskandar Baiqacha, "The paradox of arming Iraq's Christians and options for the liberation of the Ninawa Plain." Ankawa. <http://www.ankawa.com/forum/index.php?topic=760228.0>.

(4) "Call to Arms: Christians Joining Forces Against ISIS" <http://www.aleteia.org/en/world/article/reverse-jihad-christians-joining-forces-against-isis-5899858875514880>.

(5) "Iraqi Turkmen: Minorities United Against US Bill, Underrepresented Nations and Peoples Organization" <http://unpo.org/article/18180>.

An independent Iraqi Christian state is an unlikely prospect at present, but the Gol has, in the past, agreed to grant Christians and minorities their own province in the Ninewa Plain.⁽¹⁾ An association of Christian organizations has also proposed a project to afford more independence to Iraqi minorities under Article 125 of the Iraqi constitution, which guarantees the administrative, political, cultural, and educational rights of Turkmen, Chaldeans, Assyrian, and other constituents.⁽²⁾ However, the disputed authority of these areas complicates any agreements made between the Iraqi government and inhabitants of the Plain.

Based on analysis of recent events and potential future scenarios, Masarat perceives Iraqi Christians to have the following options regarding military formation and the future political status of Christian lands:

- Forming armed regiments under the control of IKR Peshmerga forces to liberate their home regions, while preparing for the possibility that, if liberated, these regions will be taken under IKR control;
- Forming armed regiments under the control of the Gol and working for the creation of a Christian province in the Ninewa Plain;
- Creating an independent armed force, while simultaneously demanding independence for predominantly Christian regions to be managed under international administration or with guarantees by the international community for their future independent status.

Debate continues on which of these options may be most feasible or appropriate. Last year, Patriarch Louis Sako, Head of the Chaldean Church, insisted that Iraqi Christians have the absolute right to self-defense, but protection must come from the state, which is responsible for the protection all of its citizens. He believes that the creation of militias on ethnic and religious bases could destroy the country. Sako fears as well the spread of the militarization phenomenon, which could deepen sectarian divides and contribute to the escalation of the current conflict, potentially becoming a card in the hands of Islamic jihadist groups that want to revive the specter of the Crusades.⁽³⁾

Sako's comments were made in response to IKR attempts to arm special Christian combat formations under the control of the Ministry of Peshmerga in Erbil and to support similar formations under control of the Popular Mobilization Units (PMUs) in Baghdad.⁽⁴⁾

Lt. Gen. Jamal Muhammad, chief of staff of the Peshmerga forces, commented on the anticipated organization of these formations at the beginning of this year: "According to orders by the President of the IKR and Commander-in-Chief of the Peshmerga forces, Massoud Barzani, the Peshmerga Ministry has decided to form regiments within the Peshmerga for every minority group. Members of each of these minorities will be trained to be able to protect their own areas in the future."⁽⁵⁾

(1) Iraqi Media Network, "The government introduces four provinces and abolishes the Sabbath for students." <http://www.imn.iq/news/print.35773/>.

(2) The Assyrian Democratic Movement, "Statement of the Chaldean, Syriac, and Assyrian Political Organizations, Gathering on the Occasion of Akitu." Posted April 01, 2013. <http://www.zowaa.org/Arabic/national%20ins/news/na%20ins%20news%20010413.htm>.

(3) Edward Pentin, Patriarch Sako, "Christian Militias Would Escalate Iraq Crisis." <http://www.ncregister.com/daily-news/patriarch-sako-christian-militias-would-escalate-iraq-crisis/#ixzz3gRZAHS5X>.

(4) Ibid.

(5) Dilshad Abdullah, "The formation of a Christian regiment to be trained by the Peshmerga in the Ninewa Plain to be added

The Peshmerga initiative is not the first to mobilize popular militias in the Ninewa region. On January 6, 2015, the Bait al-Nahrain National Union and the Bait al-Nahrain Democratic Party issued a statement announcing the formation of the Ninewa Plain Force (NPF). “These forces have been created in coordination with the relevant official authorities in the KRG. We announce to you and to the world the formation of a military force, the Ninewa Plain Force, tasked with liberating the Ninewa Plain areas, controlling the land, and protecting our people and property after the liberation.”⁽¹⁾

Lt. Gen. Jamal Muhammad has shown support for the formation of the NPF, pledging that the Peshmerga forces will cover all ammunition and financial needs of these forces upon the completion of their training because they will be employees of the Peshmerga Ministry.⁽²⁾

Christian organizations have also called for united militarized action. In two separate statements, Iraqi organizations the Sons of the al-Nahrain and the Chaldean National Council have both called for uniting all armed Christian units—Chaldean, Syriac, and Assyrian—including the National Assyrian Party’s Duej Nuche and the armed branch of the Assyrian Democratic Movement.⁽³⁾

Armed Christian regiments have already been organized within Iraq’s PMUs. One group formed in response to the ISIS invasion was the Babylon Brigades, a 500-strong force established to liberate territory from ISIS.⁽⁴⁾ Rayan al-Kildani, Secretary General of this battalion, announced that the main objective behind the Brigades’ formation “is the liberation of Mosul, but we have participated in the liberation of Tikrit city and other operations, among them the Baiji operation in Salahuddin Governorate.”⁽⁵⁾

The authors of this report see numerous hazards in the propagation of unaffiliated armed Christian forces. Currently, there exists no united command for these forces, nor any written agreement on their objectives, organization, or intended function following the liberation of the Ninewa Plain. These ambiguities could open the door for conflict between Christian groups as well as between Christian and non-Christian combat units in Ninewa.

Yezidi militias and the battle for influence in Sinjar

Following their genocide in Sinjar, Iraqi Yezidis formed the Shingal (Sinjar) Defense Unit (HPS). The Unit was originally commanded by Haydar Shasho, a Yezidi who returned from life abroad in Germany to support the HPS. The HPS is the first force to bear a

to other Yezidi and Shabak forces.” *The Middle East*. January 6, 2015. <http://aawsat.com/home/article/260096/%D8%AA%D8%B4%D9%83%D9%8A%D9%84-%D9%81%D9%88%D8%AC-%D9%85%D8%B3%D9%8A%D8%AD%D9%8A-%D8%AA%D8%AF%D8%B1%D8%A8%D9%87-%D8%A7%D9%84%D8%A8%D9%8A%D8%B4%D9%85%D8%B1%D9%83%D8%A9-%D9%81%D9%8A-%D8%B3%D9%87%D9%84-%D9%86%D9%8A%D9%86%D9%88%D9%89>.

(1) The content of the statement can be found on the following link:

<http://www.ishtartv.com/viewarticle,58251.html#sthash.qhe6na2s.dpuf>.

(2) Dilshad Abdullah, “The formation of a Christian regiment to be trained by the Peshmerga in the Ninewa Plain to be added to other Yezidi and Shabak forces.” *The Middle East*. January 6, 2015.

(3) “Ninewa Plain military forces call for uniting the Christian military forces.” <http://surayanews.com/?p=11462>.

(4) “The Christian Babylon Brigades: We have tens of fighters in the popular crowd and our goal is to liberate our city.” <http://www.mustaqila.com/news/163431.html>.

(5) “The Babylon Brigades, the military wing of the Christian Movement in Iraq.” <http://www.sasapost.com/babylon-brigades/>.

unique Yezidi flag, whose design symbolizes resistance to oppression against all Yezidis, anywhere in the world.⁽¹⁾

As a result of political conflict over the control of Sinjar, Shasho was arrested in April 2015 by IKR security forces (“Asayesh”), which drew an uproar from Yezidi communities. A wave of denunciations and demonstrations followed in Yezidi cities and IDP camps in the IKR. This backlash, in turn, led to the arrest of a number of Yezidi activists. Yezidi civil society organizations documented the imprisonment of many of these activists by security forces.⁽²⁾

The Kurdistan Democratic Party (KDP) has stated that the KRG opposes the existence of any independent military force within its borders, as well as the presence therein of any military force not under Peshmerga control. It is the KDP position that all minority armed units should fall under the umbrella of, and take orders from, the KRG Ministry of Peshmerga.⁽³⁾

Kurdish media has confirmed that the HPS has received funding from Iraqi PMUs, which may contribute to the KRG’s negative response to HPS activities, due to concerns that PMU influence among Yezidi fighters may threaten IKR interests. Yezidi soldiers, however, have been accepting funding from any source that provides it; PMU resources have continued to fund HPS efforts, while the Erbil government has not made any financial contribution to this militia since Sinjar fell to ISIS.⁽⁴⁾

This crisis has revealed the nature of the conflict of wills between the Kurds and the largely Shiite PMUs in the exercise of influence over militias in the disputed territories. It also reflects the ongoing conflict between the two major political parties in Kurdistan, the KDP and the Patriotic Union of Kurdistan (PUK), and their struggle for influence in the Sinjar region. Shasho is a PUK member, and furthermore a long-time associate of elements within the Gol. Neither of these affiliations are looked upon favorably by the KDP.

Other militarized groups operating in Sinjar further complicate the situation. Sinjar is currently the base of operations for three distinct Yezidi militias. While the primary objective of these groups is to eliminate ISIS, they are also engaged in an internal battle for influence over the Sinjar region. The militias are described here, ordered from largest to smallest:⁽⁵⁾

1. The Sinjar Resistance Units (YBS), considered to be part of the Kurdistan Workers’ Party (PKK). These forces, composed of 1200 fighters, were trained by the Kurdish People’s Protection Units in Syria. YBS includes one all-female unit, and many of their fighters are European Yezidis who have returned to Iraq to fight against ISIS.
2. The Sinjar Defense Units (HPS), Yezidi’s second largest Yezidi militia, led by Haydar Shasho and comprising 5,000 fighters, among them 400 women. These units have

(1) Interview conducted by Masarat, Bamberg, Germany.

(2) Interview conducted by Masarat, Dohuk.

(3) Farah Hamadi, “The Yezidi force fuels conflicts between the KDP and the PUK.” The Iraqi Future. August 04, 2015. <http://almustakbalpaper.net/content.php?id=3461>.

(4) Nasir Ali, “Shiite militia recruiting Yezidis, strengthening foothold in Shingal.” <http://rudaw.net/english/kurdistan/02032015>.

(5) Joanna Paraszczuk, “Yezidi IS Militias Fight in Iraq, Kurdish Amid Rivalries.” <http://www.rferl.org/content/islamic-state-Yezidi-militias-kurdish-region/27066780.html>.

eschewed Peshmerga affiliation or control, a policy which has been met with condemnation and resistance from the KDP.

3. An unnamed armed group led by Qasim Shasho⁽¹⁾ and operating under the supervision of the Peshmerga in areas surrounding the shrine of Sharaf al-Din in the Sinjar area of Ninewa.

The future of the Sinjar region will likely involve both military and political struggles between these groups. Numerous political factions have already begun formal discussions over self-administration of the region,⁽²⁾ which KRD President Barzani has interpreted as “a step...aimed toward breaking up the unity of the country.”⁽³⁾ Meanwhile, displaced Yezidis continue to watch the situation, though they see little hope for returning to their homeland. Even with Sinjar liberated from ISIS, the region is likely to remain a focus of ongoing political conflict.

Turkmen demands for arms and conflict over Kirkuk

In light of continued attacks against Iraqi minority persons, particularly following ISIS' invasion, Turkmen have followed suit with other minority groups, issuing calls for government arms and training. Minority groups consider these necessary to defend themselves and their former lands now occupied by ISIS.⁽⁴⁾

In an interview with Masarat, Mahdi Saadoun Jaafar, a Turkman activist, shares his opinion that the lack of a Turkmen militia has contributed to violence in Turkmen regions. “The Arabs and Kurds in the Iraqi and Kurdish militaries only care about defending their own areas. The absence of Turkmen partisan militias, similar to those formed by other Iraqi components and political parties, explains why Turkmen areas since 2003 have become the stage for terrorist operations such as assassinations, car bombs, and IEDs.”⁽⁵⁾

In this context, Turkmen believe that it is their right to receive arms from Iraq's arms dealers, whether through the Gol or the KRG, in order to liberate Turkmen lands and ensure their future protection. Arshad al-Salihi, the head of the Iraqi Turkmen Front, stated that Turkmen in Iraq should be included in the distribution of Iraqi military aid approved by the Armed Forces Commission of the US Congress. He has called on the Ministry of Defense to form a committee to decide on mechanisms to be used in

(1) Qasim Shasho and Hayder Shasho share no relation.

(2) “Persons close to the PKK create the Shingal/Yezidi Council.” Aranews. <http://aranews.org/2015/01/%D9%85%D9%82%D8%B1%D8%A8%D9%88%D9%86-%D9%85%D9%86-pkk-%D9%8A%D8%A4%D8%B3%D8%B3%D9%88%D9%86-%D9%85%D8%AC%D9%84%D8%B3-%D8%A5%D9%8A%D8%B-2%D9%8A%D8%AF%D9%8A-%D8%B4%D9%86%D9%83%D8%A7%D9%84..>

(3) “The Turkish media focuses on al-Barzani stance regarding the Shingal Canton.” Aranews. <http://aranews.org/2015/01/%D8%A7%D9%84%D8%A7%D8%B9%D9%84%D8%A7%D9%85-%D8%A7%D9%84%D8%AA%D8%B1%D9%83%D9%8A-%D9%8A%D8%B1%D9%83%D8%B2-%D8%B9%D9%84%D9%89-%D9%85%D9%88%D9%82%D9%81-%D8%A7%D9%84%D8%A8%D8%A7%D8%B1%D8%B2%D8%A7%D9%86.>

(4) There are many examples on these demands, see: Ali Mamouri, Iraq's minorities demand weapons, training, Al-Monitor, available on the following link: <http://www.al-monitor.com/pulse/en/originals/2014/09/iraq-minorities-calls-for-international-protection-arms.html>

(5) Interview conducted by Masarat, Istanbul.

distributing US military allocations.⁽¹⁾

Other Turkmen groups have voiced similar demands. The Turkmen Eli Party has also proposed the formation of a distribution committee, insisting as well on the placement of a Turkmen representative on the committee. As proposed by the Eli Party, the committee should provide the Turkmen with a certain amount of the total US military aid given to Iraq, similar to amounts received by other armed groups and in accordance with an established consensus mechanism. The Eli Party suggests that this will enable the Turkmen to organize effective defenses of their cities and regions against the threat of terrorist attacks.⁽²⁾

Turkmen demands for military provisions are a response to fears of attacks by ISIS, which had recently occupied the Tal Afar and was threatening Tuz Khormato and Kirkuk, all cities with large Turkmen populations. In all of these areas, Turkmen found themselves unprotected by either the Iraqi army or Kurdish Peshmerga forces.⁽³⁾

Demands for weapons also reflect Turkmen concerns about a future Iraqi partition, which Turkmen fear will leave them left out of a territorial division between Iraqi Sunni, Shi'a, and Kurds. Turkmen are especially protective of their status and interests in Kirkuk,⁽⁴⁾ the source of 22% of Iraq's oil and some of its most fertile land.⁽⁵⁾

Internal conflicts among the Shabak

Similar to other internally conflicted minority groups mentioned in this chapter, Iraq's Shabaks also face complications in forming unified objectives and messages from their locations of displacement across central and southern Iraq. In many cases, alliances formed between Shabak representatives and the Iraqi and Kurdish actors with whom they interact cause tangled political conflicts among different Shabak factions.

Inter-Shabak tensions, particularly among Shabak political leaders, also reflect conflicted allegiances between Shabaks aligned with the central government and those aligned with the KRG. For example, in June, 2015, Shabak representative to the Iraqi Parliament Dr. Hanin al-Qadu testified that Erbil Asayesh had prevented Shabak and Turkmen police men from entering the city. Al-Qadu further noted that Shabak PMU members had been arrested when attempting to visit their families in northern Iraq and confirmed that many of them are currently under Asayesh detention. Salem al-Shabaki, Shabak MP in the Iraqi Parliament, denied any wrongdoing on the part of Asayesh, ascribing the arrests to standard and appropriate security procedures.⁽⁶⁾

Like the Yezidis, Turkmen, and Christians, Shabaks are also now seeking to establish

(1) "Iraqi Turkmen request arms to fight ISIL rebels." World Bulletin. <http://www.worldbulletin.net/haber/142723/iraqi-turkmens-request-arms-to-fight-isil-rebels>.

(2) Statement issued by Turkmen Eli Party about the inclusion of Turkmen in the US military assistance, available on the party's website: <http://www.turkmeneliparty.com/>. Accessed: May, 2015.

(3) "Iraqi Turkmen Front Takes Up Arms Against ISIL." World Bulletin. <http://www.worldbulletin.net/haber/139118/iraqi-turkmen-front-takes-up-arms-against-isil-updated>.

(4) Various Kurdish policies involving Kirkuk have been labeled as "Kurdification", and Turkmen are vigilant of efforts from either government to elbow them out of the city.

(5) Interview conducted by Masarat, Kirkuk.

(6) Statement issued by the Shabak MP in the Federal Parliament, Dr. Hanin al-Qadu which Masarat received a copy of by e-mail.

armed forces to liberate ISIS-held areas and protect these lands in the future. Iraqi MP Salem al-Shabaki has requested the KRG Prime Minister to approve the arming of 1000 Shabak Peshmerga specifically tasked with the protection of Shabak villages against armed groups.⁽¹⁾

Al-Shabaki announced in late 2014 that the Ministry of Peshmerga had approved the formation of a Shabak regiment to liberate the Ninewa Plain, noting that over 2,250 Shabak volunteers had already volunteered, and that an initial regiment of 655 had already been activated. Al-Shabaki has called on the KRG to approve the formation of the second regiment, promising that “if we are given the opportunity, there will be a Shabak brigade.” He further confirmed that the Shabak regiment will serve as a strike force for the Ministry of Peshmerga to defeat ISIS everywhere.⁽²⁾

Shabak fighters, however, have already begun to self-organize. In an interview with Masarat, MP Hanin al-Qadu, a member of the parliamentary Committee on Displaced Persons, informed interviewers that Shabak fighters operating within the Ninewa Plain Force had already begun calling themselves the “Shabak Brigade.” “The Brigade has already participated in a number of engagements outside the Ninewa Plain areas,” al-Qadu reported, “including the battles over Samarra and skirmishes with ISIS in the Hammarin sub-district.”⁽³⁾

Shabak members have also been fighting as part of Iraq’s PMUs, and more fighters are preparing to join the effort. As al-Qadu explains, “members of the Shabak, who did not participate in the combat operations, are now being trained to help liberate their land from ISIS gangs with the support of the Popular Mobilization Units.”⁽⁴⁾

As described previously, Massoud Barzani and the KDP have forbidden the formation of any armed force in the IKR outside the framework of the Ministries of Interior and Peshmerga. Regarding Shabak fighters involvement in such groups, Barzani stated in a speech on the subject, “whoever wants to join the Popular Mobilization Units should go to them, but this will not happen in Kurdistan.”⁽⁵⁾

The KRG considers many Shabak areas to be part of the IKR, and therefore forbid the establishment of non-Peshmerga armed forces to liberate them. Many Shabaks support this interpretation, and argue for collaboration with the KRG to regain Shabak territories. However, other Shabak representatives advocate for a more independent Shabak identity, and seek to build stronger relations with Iraqi political factions in Baghdad. The cracks produced by these internal conflicts may threaten Shabak unity in the post-ISIS era.

(1) “Salem Shabak: The Peshmerga did not Prevent Shabak Volunteers from Joining Duberdan Camp.” Rudaw, June 13, 2015. <http://rudaw.net/NewsDetails.aspx?pageid=135985>.

(2) “Volunteers form a regiment for the Liberation of the Ninawa Plain in coordination with the Peshmerga.” Almada News, Issue No. 3234, 06.12.2014.

(3) Interview conducted by Masarat with the Shabak MP Dr. Hanin al-Qadu, Baghdad.

(4) Ibid.

(5) “Massoud al-Barzani: Whoever wants to join the popular crowd should go to them.” available of the following link: <http://aranews.org/2015/04/%D9%85%D8%B3%D8%B9%D9%88%D8%AF-%D8%A8%D8%B1%D8%B2%D8%A7%D9%86%D9%8A-%D9%85%D9%86-%D9%8A%D8%B1%D9%8A%D8%AF-%D8%A7%D9%84%D8%A7%D9%86%D8-%B6%D9%85%D8%A7%D9%85-%D9%84%D9%84%D8%AD%D8%B4%D8%AF-%D8%A7%D9%84>.

Kurdish political conflicts over the command of the Kaka'i armed force

According to information gathered from interviews with Iraqi Kaka'is, 650 armed Kaka'i fighters have received training in Kirkuk militia camps. These fighters constitute a special three-battalion regiment, intended to protect the Kaka'i people from ISIS attacks and to liberate ISIS-occupied areas. However, this effort has encountered obstacles from the dominant Kurdish political parties on who should have operational control of the regiment. Kaka'is have demanded that the leader of the Kaka'i regiment be a member of the Kaka'i minority group. However, this suggestion was rejected by the KDP, which prefers to place the Kaka'i battalions within the Peshmerga and under the command of a party ally.⁽¹⁾

As a result of this dispute, the Peshmerga Ministry decided in July of 2015 to appoint Adel Kakai, a former Iraqi army commander, to supervise the Kaka'i force for two months until an agreement is reached on the appointment of a new leader.⁽²⁾

The conflicts described here have rendered the Kaka'is unable to make independent decisions on protecting their existence without relying on Kurdish political forces. Unless Kaka'is find a way to raise their profile in Kurdish politics and society, the fate of this religious minority will remain subject to political conflicts between rival IKR blocs, and Kaka'i interests will remain underrepresented.

(1) Interviews conducted by Masarat with Kaka'is, Kirkuk and Erbil.

(2) "Kaka'is: A dispute between the PUK and the KDP over the command of our armed force." al-Alam Newspaper, issue No. 1298, July 9, 2015.

RECOMMENDATIONS

The recommendations collected below are based on analysis of the numerous human rights abuses perpetrated against Iraqi minorities as documented in this report. The primary target of these recommendations are the Government of Iraq (GoI) and the Kurdistan Regional Government (KRG) along with United Nations Iraq (UN Iraq) and the Coalition Forces (CF) fighting against ISIS.

The issues documented in the previous chapters: religious hate speech, racial discrimination, humanitarian suffering caused by mass exodus, and inter-community mistrust, are challenges to diversity and stability not only in Iraq, but around the world. These challenges call for solutions on multiple levels, and the authors of this report believe that the crisis of minority rights violations in Iraq requires collaborative effort by actors both inside and outside the country. Therefore, the recommendations below have been organized not by target implementing authority, but by topic.

First: Hate speech and incitement against minorities

Confronting hate speech and incitement against religious minorities requires a national plan focused on the following core issues:

1. Religious dialogue:

1.1 Training sessions and awareness workshops targeting religious leaders from Iraq's numerous sects and religions and aimed at deepening their knowledge of one another should be expanded and intensified

1.2 A civil framework for dialogue between Muslim clerics and those of Iraq's religious minorities should be established. Continuous dialogue through meetings, joint participation in religious festivals (Islamic, Christian, Yezidi, Mandaean, Baha'i, etc.) and other shared activities will create opportunities to break down existing stereotypes.

1.3 Iraqi clergy members should be incorporated into international discourse. Encouraging the participation of the clergy in international conferences and global events on tolerance and dialogue – held by the UN and other international organizations – will encourage them to open up to new experiences, enhancing moderate discourses and easing extremism and incitement against those with other religious beliefs.

2. Modifying school curricula: Primary and intermediary school curricula should be reviewed and adapted to discuss issues of incitement and hatred. New curricula need to respond to the needs of Iraq's multi-ethnic, multi-religious, multi-sect society.

3. Enforcing legal penalties: Article 372 of the Penal Code 111 /1969 on incitement, hatred, and offenses against the religious feeling of minority members should be better enforced.

4. Legislation against hate speech: A new law should be passed containing specific deterrent penalties for those who encourage hatred and violence against minorities.

Second: Discrimination against minorities

1. Anti-discrimination legislation: Actors should work to secure an array of legislation on equality and non-discrimination, addressing exclusion of minorities and all forms of social, political, and economic discrimination. This law will create the legal foundation to maintain diversity, enhance the preservation of minorities' identities and cultures, and protect the pluralistic identity of Iraqi society.

2. Positive discrimination policies in education: Actors must pass a new law establishing educational scholarships and quotas for minorities in Iraq and the IKR. This law would ensure tuition support to minority students studying both in the country and abroad.

Third: The conditions of displaced minority individuals

1. Emergency plans: Concerned actors should develop a plan to address the human aspect of the displacement disaster and its consequent threats to minority members in areas of health (i.e. transmitted diseases), social units (family disintegration) and psychological well-being (damage to mental health). This plan should include implementable policies addressing current critical needs, and it should be granted the institutional support needed to anticipate and prevent crises similar to one Iraq is currently experiencing. This plan should also be afforded sufficient implementation resources to ensure its success and sustainability.

2. Legislative protection for IDPs: Lawmakers should work to pass legislation addressing violations of IDP's rights in the areas of their displacement. This legislation should guarantee protection of fundamental rights, including non-discrimination, education, residence, and free movement. No restrictions on fundamental freedoms should exist under any pretext whatsoever.

Fourth: Disputed territories

1. Negotiations on internal borders: Internationally supervised negotiations should be held on resolving Iraq's territorial disputes concerning its internal borders. The richly diverse regions in question are caught between competing claims issued from the Iraqi and Kurdish government. Continued ambiguity, and worse, the threat of military confrontation, endangers the region's diverse collection of minority communities.

2. Self-administration legislation: The Iraqi government should further implement Article 125 of the 2005 Iraqi Constitution by creating legislation upholding minority group's rights to self-administration in disputed areas as well as distancing them from areas of major conflict. This recommendation does not imply support for the secession of any minority group from the Republic of Iraq.

3. Prevention of demography manipulation through war/military action: Military operations aimed at changing the demographic composition of territories, as conducted by any party to the conflict, should be stopped in order to preserve the presence and rich diversity of minority communities.

Fifth: Rebuilding confidence

The confidence of Iraq's minority communities should be restored, but rebuilding this confidence requires addressing several issues:

1. Trust in government protection: Until minority communities can take more active roles in government administration, the GoI and KRG should gain the trust of these communities by proving their capacity to protect them from violence, promote equality, and achieve conditions for their full participation in society. Absent such trust, IDPs will not believe that conditions exist for safe and sustainable return to their places of origin.

2. Trust in economic support: The plan for the return of the displaced minorities to regions liberated from ISIS should be afforded sufficient resources for the rehabilitation of basic infrastructure and services.

3. Trust in political relevance: Protection of minority communities in areas of origin is not a component of the conflicted dialogue between the GoI and the KRG nor between political parties within the IKR. Restoring minority member's faith in political entities will require greater government attention in this area, and particularly on the issue of arming minority groups and displaced persons for conflict with ISIS.

4. Trust in government reform: The GoI should initiate a political reform and reconciliation program, focusing on the following objectives: combating corruption, releasing arbitrarily arrested detainees, promoting transparency and accountability, conducting immediate investigations into human rights violations, abolishing legislation that oppresses or discriminates against minorities, joining the Rome Statute of the International Criminal Court, recognizing minorities not mentioned in the Constitution, and abolishing all legislation inherited from the Baath regime that contradicts the articles of the present constitution.