

Violence Against Minorities in Iraq:

**Factors, Indicators, Key Actors,
Capacity-building, and an Early
Warning System**

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sa'ad salloum

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Violence Against Minorities in Iraq: Factors, Indicators, Key Actors, Capacity-building, and an Early Warning System

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العراق بغداد/ MCMD مؤسسة مسارات للتنمية الثقافية والاعلامية

مؤسسة غير ربحية متخصصة بدراسات التعددية في العراق وحوار الاديان والذاكرة الجماعية. تأسست في العام 2005، تصدر عنها مجلة متخصصة بالتعددية هي مجلة مسارات، وتنتج افلاما وثائقية حول تعزيز التعددية وحقوق الانسان، وصدرت عنها سلسلة من الدراسات عن الاقليات. مسارات هي ايضا احدى المؤسسات التي ساهمت في تأسيس (المجلس العراقي لحوار الاديان)

(Masarat MCMD) is Non-Profit organization focusing on minorities' collective memory Studies and interfaith dialogue; it was set up in 2005. MCMD issue a dedicated magazine to the study of cultural diversity in Iraq and the Middle East (Masarat magazine). MCMD produced a series of documentary films dealing with minority rights' human rights and promoting pluralism. Masarat also issued a series of studies on minorities. MCMD was among the institutions' which contributed to establishing the Iraqi Council for Interfaith Dialogue.



<http://masaratiraq.org/>



**Heartland Alliance International
Religious and Ethnic Minorities in Iraq Project
Sulaimaniyah, Kurdistan, Iraq
www.heartlandalliance.org**

هام: إن جميع الآراء الواردة في هذا الكتاب تعبر عن رأي كاتبها، ولا تعبر بالضرورة عن رأي الناشر.

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Introduction

The enormous consequences of the conflict and absence of stability that has swept Iraq ever since the US-led invasion in 2003 have exposed members of religious, ethnic, and linguistic minorities to massive violations of their rights. These violations are reflected in the various forms of violence such as kidnappings, murders, tortures, harassments, forced religious conversions, attacks, and destruction of homes, possessions, shops, commercial spaces, and places of worship for these minorities.

In the worst cases, violence against minorities took the form of collective atrocities, crimes against humanity, war crimes, ethnic cleansing, and even genocide, such as the massacres committed by Daesh in the occupied Ninawa province, especially in the areas where minorities are concentrated such as Sinjar (Yezidis), Tal Afar (Turkmen), and the Ninawa Plain (Christians, Shabak, and other minorities).

There has been reliable documentation regarding some of these violations, but in most cases perpetrators have been able to escape punishment. As a result,

many feel that there is no justice and suggest that the state does not take its responsibility for protecting minorities seriously. During the past ten years, many members of minorities have become internally displaced persons as a result of persecution, targeting, and human rights violations. There were also cases of mass exodus to neighboring countries (Turkey and Syria before the crisis in 2011 as well as Jordan and Lebanon) where they suffer from difficult living conditions and poverty.⁽¹⁾

However, minorities in Iraq have not been exposed to violence because of the on-going conflict but rather for reasons related to their small demographic size, their weak participation in public life along with their ethnic, religious, and linguistic differences, which marginalize those who are different from the majority. In addition to all these factors, minorities suffer from pre-conceptions, stereotypes, and social stigmatization.

The violence against minorities is usually committed by active non-governmental parties, such as members of majority parties, larger stronger groups, armed groups that implement criminal acts, such as kidnapping, blackmailing, and confiscation of property, and other groups, such as tribes that have a strong influence in some of the southern provinces of Iraq. This disrupts the

(1) See the reports of the Masarat Foundation on the following link: <http://masaratiraq.org/category/featured/> and the reports of the International Minority Right Group on: <http://minorityrights.org/publications/>

balance of power in favor of these groups and against local government security institutions. It weakens the confidence in the state which is considered absent in its duty. Sometimes, there are even some active government agencies that commit this violence against minorities.

Additionally, the absence of the state in protecting human rights, in general, and the rights of minorities, in particular, along with the presence of non-state actors who commit violence against members of minorities leave minorities more often than not with no tools to defend themselves and their rights. We should note that the mere mention of the rights of minorities in the Constitution does not provide a guarantee for protecting them against violence (Article 2.2 and 125 of the Constitution) if there are no institutional and realistic guarantees that provide them with enough practical and legal protection against attacks and ensure the prosecution of offenders. This will create an environment of insecurity and uncertainty and thus will undermine trust in the fairness of public institutions.

One of the main objectives of this report is to analyze the factors leading to this violence and draw a map of the key governmental and non-governmental actors. In an attempt to highlight the means to consolidate stability and prevent violence before it erupts, the report analyzes and proposes an initial capacity building map to confront the violence against minorities. It details the

building of the state on the first level and the building of the capacities of minorities to protect themselves on a parallel level along with the building of local capacities (informal dialogue, reconciliation, and conflict resolution structures). In the same context, the report emphasizes the importance of building a risk assessment and early warning system.

In order to achieve a better understanding, the report targeted some specific minority groups in areas of their demographic concentration, such as the Kaka'is in Kirkuk, Christians in Dohuk and Baghdad, Mandaean in the Maysan province (southern Iraq) and in the capital of Baghdad, the Shabak in Karbala and Baghdad, the Baha'is in Baghdad, and the Yezidis in Dohuk.

We hope that the recommendations of this report and the analysis contained in it contribute to the design of a training program to counter violence against minorities, especially since the tragic experiences of violence and atrocities committed against members of minorities in the past had to be used to reach a better understanding of the causes of violence, its factors, perpetrators, and its disastrous consequences which should be avoided in the future.

It is very difficult to anticipate or predict violence, but its indicators, as present in the Iraqi reality, are often neglected and its signs are not addressed. This has led to catastrophic consequences for the present and future of minorities and this reality should motivate the state,

the international community, and minorities themselves to develop a protection system to confront violence and address its causes.

If the state is unable to translate these clear early warning indicators into adequate, appropriate, and timely measures to prevent violence or put an end to it, this report emphasizes the need to reform this ineffectiveness or indifference by building the capacity of the state, especially since the state has the prime responsibility of protecting minorities. Thus, improving prevention mechanisms and transforming early warning signs into early procedures should be the aim and priority for security institutions and government agencies.

Sa'ad Salloum

BAGHDAD, April 2016

Prelude: A Map of Indicators Leading to Violence Against Minorities

The report issued by Minority Rights Group International considered that minorities in Iraq are now in danger of extinction. This report relied on known precedents of collective violence and indicators related to good governance, the rule of law, raging conflicts, and previous incidents of mass murder. It reveals that minorities are more at risk in closed countries with bad governance, in countries suffering from conflicts, and in countries with a previous record of killing. The report states that although ethnic diversity in a certain country is not closely related to the danger of conflicts, risks sharply increase when social and political divides occur in a society along ethnic or religious lines.⁽¹⁾

(1) For more information, please visit the following link: <http://peoplesunderthreat.org/> and to see Iraq's page on the site, please visit the following link:

<http://peoplesunderthreat.org/countries/iraq/>

In the report, the enormous impact of the conflict and instability on minorities in Iraq, including the Baha'is, Christians, Yezidis, Mandaeans, Kaka'is, Shabak, Turkmen and others has been documented. The Minority Rights Group International said in its report that «Iraq's minorities have remained targeted for reasons related to their religion or ethnic affiliation since the US-led invasion and the fall of Saddam Hussein's regime in 2003 and until today. They have suffered from acts of murder, kidnapping, torture, harassment, forced conversion from their religion, and the demolition of their homes and property.»⁽¹⁾

(1) Chris Chapman and Preti Taneja, *Uncertain Refuge, Dangerous Return: Iraq's Uprooted Minorities*, Minority Rights Group International, London, 2009, p.9



**Kurdish Muslim woman Convert to Zoroastrianism-
Sulaymaniyah**

There are many factors that could lead to exposing minorities to violence or increasing the chances of their exposure to it. In its report, the UN Committee on the Elimination of Racial Discrimination listed key indicators in any situation with a state party known to be important components leading to conflict and genocide. We will try to briefly review some of them, especially those that are present in Iraq and to alert to the danger of the emergence of others in the context of the Iraqi experience that could lead to violence or genocide:⁽¹⁾

1. Lack of a legislative framework and institutions to prevent racial discrimination and provide recourse to victims of discrimination.

This is clearly present in the case of Iraq. There are the ordinary courts that one can resort to in cases of discrimination, but the absence of specialized courts that look into discrimination cases, make the justice system lack the needed effectiveness to address the prevailing cases of discrimination.

2. Systematic official denial of the existence of particular distinct groups.

In this regard, the absence of recognition of some religious minorities in Iraq, such as Baha'is, Kaka'is, and Zoroastrians could be considered as

(1) See: UN, Report of the Committee on the Elimination of Racial Discrimination, Official Records, Sixtieth session, Supplement No. 18 (A/6018/), New York, 2005, paragraph 20.

systematic official denial. Moreover, the absence of recognition of the rights of some other minorities, such as the Iraqis of African origin, could also be considered as a systematic official denial.

3. The systematic exclusion - in law or in fact - of groups from positions of power and employment in state institutions and key professions such as in education, the judiciary, and the police.

The quota system ensures parliamentary representation on the national and provincial council levels, but its ineffectiveness and symbolism cast doubt about the nature and effectiveness of the participation of minorities in public life. This topic was dealt with in detail in the report entitled Political Participation of Minorities published by the Masarat Foundation.⁽¹⁾

4. Compulsory identification against the will of members of particular groups, including the use of identity cards indicating ethnicity or religion of individuals, which may lead to discrimination or even attacks as these identity cards make it easy for those who commit violence against religious or ethnic groups to identify potential victims.

In its recommendations, the report on Freedom of

(1) Political Participation of Minorities in Iraq, Violation of Minority Rights, Report No. 2, Masarat Foundation and Heartland International, Baghdad, 2015.

Religion and Belief of Minorities in Iraq published by the Masarat Foundation stressed that «if it is very important to mention peoples' religion in the official identity cards, the unified national identity card law should be more flexible and it should even give individuals the right to choose the religion they want to mention on the identity card. They should be also given the right to choose not to mention any religion and not to reveal their religious beliefs at all by leaving the religion field blank. This means that the mention of religious affiliation on the identity card should be optional.»⁽¹⁾

5. Grossly biased versions of historical events in school textbooks and other educational materials as well as the celebration of historical events that exacerbate tensions between groups and peoples, between minorities and the majority, or between certain religious or ethnic groups.

An example of this was the performance of a play at the al-Mustansiriya University about the killing of Fatima al-Zahra (the daughter of Prophet Muhammad and the wife of Imam Ali, the fourth caliph of Islam revered in Shia's beliefs) by the second Caliph Omar ibn al-Khattab, a respected figure in Sunni belief. Such a one-

(1) Freedom of Religion and Belief of Minorities in Iraq, Report No. 3 on Violations of Minority Rights, Masarat Foundation and Heartland International, Baghdad, 2015.

sided interpretation of an historical event may exacerbate sectarian tensions and threaten societal peace.⁽¹⁾

6. Policies of segregation, direct and indirect, like separate schools and housing areas, that build psychological barriers between the people of one nation along with the teaching of «hidden curriculum» in schools, where teachers delete or add material to the school curriculum according to their own beliefs and ethnic backgrounds.
7. Systematic and widespread use and acceptance of speech or propaganda promoting hatred and/or inciting violence against minority groups, particularly in the media.

Some organizations have documented such cases, but they are still happening and those who are committing them still escape punishment.

8. Grave statements by political leaders/ prominent people that support the affirmation of the superiority of a race or an ethnic group, dehumanize and demonize minorities, or condone or justify violence against a minority.

There are daily statements by Iraqi politicians that are not controlled by political leaders or

(1) In a sectarian scene, the second caliph kills Fatima al-Zahra. The play was attended by the dean of the Tourism Department, al-Ghad Press, available on the following link: <http://alghadpress.com/ar/news>

the judiciary in the absence of legislation that criminalizes hate speech or discrimination.

9. Violence or severe restrictions targeting minority groups perceived to have traditionally maintained a prominent position, for example, business elites or individuals in political life and state institutions.
10. Serious patterns of individual attacks on members of minorities by private citizens primarily motivated by such reasons as the victim's membership in a certain group that is accused of committing other violent events or widespread stereotyping that justifies violence, as well as others.
11. Development and organization of militia groups and/or extreme political groups based on a racist platform.

It is known that the existing political parties rely on religious, sectarian, and ethnic mobilization. They are not cross-sectarian and ethnic parties and this is a very dangerous issue, especially with the tremendous militarization of the society, including the minority society, to confront Daesh.

12. Significant disparities in socio-economic indicators evidencing a pattern of serious racial discrimination.
13. Policies aimed at the prevention of delivery of essential services or assistance, including obstruction of aid delivery or access to food,

water, sanitation, or essential medical supplies in certain regions or negligence of the infrastructure and delay of the transfer of budgets for the areas of targeted groups.

Examples of this are the complaints of the people of the Ninawa Plain, where some minorities are concentrated, such as the Christians and the Shabak, the negligence of their areas by the Ninawa provincial council, and the complaints by the Yezidis about the negligence of the Sinjar district, their area, during the pre-Daesh era.

We will try to analyze some of the factors in the next chapter.

First: Analysis of Factors Leading to Violence Against Minorities

1 - Weak Rule of Law and Absence of Good Governance

Tensions and conflicts affecting minorities in Iraq often clearly appear as conflicts of a religious or racial nature. However, their causes are closely related to other factors such as bad governance, competition over power, unequal distribution of wealth, land related problems, disputed areas where minorities are concentrated, use of ethnic, religious, and sectarian affiliations by major groups (Kurds, Shiites, and Sunnis) to achieve political gains, and the intended and deliberate attempts to displace members of minorities from their areas in the Ninawa province after the invasion of Daesh.

It is clear that violence can target any group in any country, but its levels decline in countries where the rule of law prevails. When the struggle for power and wealth (resources) takes place in the absence of the rule of law and the prevalence of discrimination against different

ethnic or religious groups, tensions between major groups competing for power and wealth can develop and threaten peace and stability. In the end, it leads to violence targeting minorities, who become, as a result of their demographic size and the absence of protection, targets for all conflicting parties. In many cases, attacks on minorities are motivated by opportunism and perpetrated when there are large scale political and social tensions that lead to the absence of the rule of law as in 2006 when the Ali al-Hadi and al-Hasan al-Askari Shrines were bombed.⁽¹⁾ Another example is the militarization of society after the invasion of Ninawa by Daesh in 2014. This militarization was used by criminal groups to violate the rights of minorities since there was nothing in place to deter them or hold them responsible for their acts.

(1) The bombing of Ali al-Hadi and al-Hasan al-Askari Shrines in Samarra in Iraq was an organized attack which took place in February 2006. These two shrines were targeted because of their sanctity for the Shiites and the bombing was considered the spark for the start of discord between Shiites and Sunnis in Iraq. When it happened, Baghdad became a scene for sectarian motivated acts of killing by armed parties, groups, and militias from the two sides. It was the cause of organized migration of members of Christian, Mandaecans, and Yezidi minorities because they were targeted for kidnapping for opportunistic gains and for murder on the sidelines of these tensions between the two major groups.

2 - Inequality and High Poverty Rates

Flagrant inequality and chronic poverty are often considered two elements in a complex social, economic, and geographical equation that leads to conflict and violence. Minority groups are often small in numbers, excluded and marginalized politically and economically, and often part of the poorest sectors of the society. An example of this is the Iraqis of African origin, who live in poverty belts in al-Zubair in the al-Basra province. They do not have any political representation at the levels of the provincial council, the federal parliament, and in other state institutions. It should also be stressed that the invasion of Daesh in the Ninawa province has left members of religious minorities in extreme poverty levels. They have lost their property and land and spent all their savings after their forced displacement from their areas, thus complicating their situation even more.

High levels of violence, discrimination, and poverty often force children of minorities not to enroll in schools as is happening with the Mandaean, Iraqis of African origin, and other minority members such as Christians, Yezidis, Shabak, and Turkmen, who were forcibly displaced after Daesh's invasion of the Ninawa province. This is also impacting on their integration in the society and will impact on any future policy aimed at reducing inequality.



Iraqis of African origin- Zubair in Basra

3 - Spread of Corruption and Loss of Confidence in the Fairness of Public Institutions

The spread of corruption in all social and political sectors undermine the institutional and legal pillars of the society and make people lose their confidence in the justice of public institutions. These institutions should be «neutral» and they are supposed to represent the interests of all citizens, regardless of their ethnic and religious differences. They are also supposed to facilitate peaceful coexistence between groups and individuals and for these reasons, the loss of confidence in these institutions, when they become servants of certain elites, makes it impossible to preserve a public space equally accessible to all people where diversity and equality between individuals and groups thrive.

This situation denies individuals of the alternatives that public institutions can provide thus forcing them to hide behind their narrow identities to feel protected by their ethnic or religious groups and the institutions and social networks these groups provide. This promotes unsociability that drives people to hold on to their ego identities against «others» and the emergence and development of the «we against others» mentality. This whole vicious circle creates a moral and legal vacuum, a lack of certainty, and absence of security, consequently paving the way for collective intolerance as diversity is considered threatening to certain groups.

4 - Weak Participation in Public Life

Poverty works in tandem with weak representation of minorities in government and other law enforcement and justice institutions. This creates the perfect environment for practicing discrimination and violence against minorities as long as the ability to influence decisions concerning minorities is not in their hands.

Active participation in public life and in the political decision-making process at both the local and national levels is important as it breaks the cycle of discrimination and exclusion experienced by members of minority groups which leads to disproportional levels of poverty and related obstacles that hinder minorities from enjoying their rights.

It is important to reaffirm what was stated in our report *The Political Participation of Minorities in Iraq* that discrimination, symbolic violence, cultural exclusion, insufficient political representation, barriers to participation in public life, insufficient recognition of minorities, and the absence of state neutrality are all factors that have equal impact on explicit violence and are equally responsible for the threat to diversity and the migration of minorities.

When we tackle the issue of building the capacity of the state to protect minorities in the third chapter of this report, it will become clear that the government's ability to effectively respond to the challenges of violence against minorities is directly linked to its awareness of

the conditions of these minorities and the threats they face. For this reason, if minorities are not effectively represented in the government, official positions, and decision-making bodies, and their representation is not enough and is not capable of reflecting their concerns, then challenges facing minorities will be neglected or misinterpreted and occupy an inferior position in the priorities of the government.

In addition to improving political participation of minorities, the building of communication channels between the state and minorities will enhance dialogue and consultation and will involve them in the decision-making. This will help the government to develop a better understanding of discrimination, threats, harassment, or violence faced by minorities.

Perhaps the most prominent example of the importance of this neglect which affects the ability of minorities to activate their political participation was the attempt of Rishema Skeikh Ganzabra Sattar Jabbar al-Hilu, the head of the Mandanean sect in Iraq and the world, to meet with former Prime Minister Nouri al-Maliki. He tried for years to meet with him but received no positive response. In addition, the representative of the Mandaean minority quota was not internally elected by the Mandaean themselves but was rather supported by major political parties and interests that ensured that he got enough votes to win the quota seat. As a result, the major political interests and groups were

able to manipulate the Mandaean representative in the parliament and government, so he was unable to defend the rights and interests of the Mandaeans and tackle the challenges they are facing.⁽¹⁾

(1) Interview with Rishema Skeikh Ganzabra Sattar Jabbar Jabbar al-Hilu, the head of the Mandanean sect in Iraq and the world, Beirut, 29 March 2016.



Rishema “ Sattar Jabbar al-Hilu” (Religious rituals in the Tigris River- Baghdad)

5 - Stereotyping and Misconceptions

Members of minority groups may suffer from social marginalization for a number of reasons, including race, religion, national origin, their historical ties with a certain country, their language, or perceptions that consider them strangers or invaders, for example, some consider the Shabak as remnants of the Safawi invaders, Christians as the remnants of the Crusaders, and the Turkmen as the remnants of the Ottoman occupier. This stereotyping also applies to major groups such as the Kurds who are considered as separatists,⁽¹⁾ the Sunnis who are considered as terrorists, and the Shiite who are considered as Safawis. These perceptions may contribute to the development of an exclusionary ideology and may expose powerless minorities to violence.

(1) Saad Salloum, *One Hundred Years of Illusions about Minorities in Iraq*, Masarat Foundation, Baghdad, 2015.



Kaka's of Halabja (right) with Kaka's of Kirkuk (left)

There are a number of stereotypes that reflect the ideological perceptions which stimulate certain behavior towards minorities, starting with discrimination and social exclusion and reaching political exclusion and genocide such as what happened with the Yezidis in Sinjar. The dangers of these perceptions and their proliferation are that they make violence against minorities socially acceptable and thus practiced on a large scale.

Among the main stereotypes responsible for the targeting of minorities are:

- Attempts to partly blame Iraq's Christians for the US-led occupation to justify targeting them because they embrace the religion of the occupier. This is despite the difference between the Church of the East and the Churches of the West and despite the fact that the Christians of the East were victims of the wars more than Muslims.
- Perceiving Mandaean as worshipers of planets and stars, which makes people look at the followers of this oldest monotheistic religion as infidels, sorcerers, and witches.
- Perceiving the Yezidis of Iraq as «worshipers of the devil», or at least a heretical Islamic group which makes killing them a religious duty.
- Perceiving the Kaka'is as a heretical religious group based on secretly performed rituals and traditions different from the prevailing culture and habits.

- Perceiving the Iraqi Turkmen as remnants of the Ottoman Empire, so people treat them as strangers and hold feelings of hostilities towards them driven by the collective memory of the rule of the Ottomans.
- The persistence of the stereotypical perception that the Baha'is are part of a political movement (rather than a modern religion), and thus perceived as part of the Zionist conspiracy or a Masonic Movement to divide followers of the Islamic religion of the majority.
- The description of the Faili Kurds as affiliated to Iran and questioning their Iraqi identity although they have suffered persecution for decades against the backdrop of the conflict with Iran.
- Asking the Shabak to prove their origin to recognize them as a group although they have been living in Iraq for five centuries.
- The continued social discrimination against Iraqis of African origin who are considered as «slaves» and inferior human beings because of the color of their skin, despite the equality rhetoric of Islam.
- Lack of differentiation between Zionism as a political movement based on the ideological orientation of Israel as a state built on a specific ethnic identity and the identity of Iraqi Jews who are part of the ancient and contemporary history of Iraq and its social fabric.

6 - Hate Speech and Violence Against Religious Minorities

Patterns of hate speech on religious or ethnic grounds incite discrimination, hostility, or violence. The popularity of hate speech could be considered as an important indicator of potential violence that will ultimately target minorities and create a negative dynamic which seems impossible to be stopped.

The initiators of this speech are religious elites (clerics and mosque preachers) or political elites representing political groups or even ordinary people who promote incitement and hatred in the mass media and on social networking sites, which may lead to direct and indirect violence against minorities.

Conspiracy theories are often used in such speeches which blame others for the political and social problems faced by the country. The prevailing misperceptions and stereotyping make it easy for hate speech to find an audience among those who have no critical thinking skills and can be manipulated by inciting their religious and sectarian feelings and affiliations. Hate speech can have a very destructive impact as the prevalence of preconceptions can become a collective paranoia deliberately consolidated by those who promote hate speech. It is disappointing that the politics of hate can become «attractive» to those who follow it as it offers scapegoats and people to blame to justify a number of fears. It also provides simplistic solutions to complicated

social and political problems that politicians are not able to solve by diplomatic means or by the use of wisdom and dialogue.



Yezidis (Religious ceremony in Lalish)

Religious minorities usually become victims of this hate speech, such as the Yezidis, Kaka'is, Baha'is, and Christians. This hate speech was documented by the Masarat Foundation in its comprehensive reports *Violations of Minority Rights*, *The Political Participation of Minorities in Iraq*, and *Freedom of Belief of Religious Minorities in Iraq*.⁽¹⁾ Other institutions, such as the Iraqi Media House, have also documented hate speech voiced by the different political groups in the media and by specialists in public affairs. In its report entitled *The Knights of Hatred*, the house monitored debate programs aired on the Iraqi satellite channels that dealt with general political affairs, security, and economic issues as well as events witnessed by Iraq during the period extending from January 1, 2015 until June 30, 2015. The report monitored about 455 debate episodes on 15 local satellite stations broadcasting from inside and outside Iraq. Specialists monitored around 25,026 TV minutes of debates and statements made by 319 guests among them politicians, members of the parliament, government employees, academics, journalists, experts, politicians, and security analysts.⁽²⁾

(1) See the reports of Masarat Foundation on the following link:

<http://masaratiraq.org/category/featured/>

(2) See: A comprehensive monitoring of the content of debate programmes on Iraqi satellite stations during the first half of 2015, Report No. 14, Iraqi Media House, available on the following link: <http://www.imh-org.com/>

Second: Violence Against Minorities Official and Non-official Actors

Violence against minorities can be perpetrated by many parties. In some cases, states, other non-state active parties, or both violate the rights of religious, ethnic, or linguistic minorities, so official and non-official actors represent the parties of the conflict or even official government bodies. In other words, active governmental bodies and active non-governmental bodies in addition to non-official social organizations (social forces) such as tribes can violate the rights of minorities. Moreover, religious institutions can become both an active positive actor in reducing violence and a negative actor when religious elites get involved in the promotion of religious and ethnic hate speech.

1 - State Actors

Violence perpetrated by state actors is closely associated with factors that help in the creation of a violent environment such as the absence of adequate legislation to protect the rights of minorities, ensure their right to exist, guarantee their right of belief, and oppose

discrimination against them. In Iraq, for example, there are no legislations that prohibit religious or ethnic discrimination and criminalize them, and there is no law that organizes the rights of minorities and provides them with protection. In some cases, the presence of legislation that bans some beliefs may become a factor in encouraging violence such as the law that bans Baha'i activity in Iraq, which is still in force, although it violates the Iraqi constitution.⁽¹⁾

One of the important indicators in this context is discrimination against members of minority groups by state employees, security bodies, and the judiciary, including the erection of obstacles to prevent minorities from exercising their rights, which could lead to depriving minorities of the right to practice their rights or access legal justice. In some cases, the existing laws that protect minorities are not implemented just because the officials refrain from helping them due solely to the ethnic and religious affiliation of the minority.

Among other indicators is the selectivity in condemning violations of minority rights by official authorities, as it appears that the religious or ethnic background of the victim affects conviction and not the act of violation itself. An example of this is the absence of official condemnation of the repeated attacks that took place in Baghdad against the Yezidis.⁽²⁾

(1) Resolution No. 105 of 1970 on the ban of Baha'i activity in Iraq.

(2) Saad Salloum and others, *In the wind: Iraq's minority communities*

The absence of accountability, a culture of impunity, encourages governmental actors to violate or just ignore the rights of certain religious or ethnic minority members. This shows that there is a vacuum in the protection of human rights which convicts the state and indicates that it is indirectly involved in these violations by its failure to provide minorities with needed protection.⁽¹⁾

These factors also encourage non-state actors, such as armed groups or militias operating under or outside an official umbrella to commit violations. An example of this is the targeting of the Yezidis in Baghdad, which remained outside the scope of accountability and there were no investigations into them, as well as the kidnapping of the Mandaean and Christians for ransom. Investigations related to these acts did not reach any results. The most prominent example, however, is the confiscation of the property of Christians in Baghdad by parties that have links with powerful political parties. All these cases are documented in the Masarat Foundation reports on the violations of the rights of minorities.⁽²⁾

after Daesh's tsunami, a report on the violation of minority rights (1), Masarat Foundation, Baghdad.

- (1) Saad Salloum, *Unity in Diversity: Pluralism and Enhancing Citizenship that Incubate Diversity*, Masarat Foundation, Baghdad, 2015, pp. 282 -183.
- (2) See: *In the wind: Iraq's minority communities after Daesh's tsunami*, a report on the violation of minority rights (1), Masarat Foundation, Baghdad.



Religious ceremony (St. George's Church-Ankawa, Erbil)

Regarding active governmental actors, it should be noted that the nature of the political climate, which is based on religious or sectarian polarization and on political activities that are based on narrow identities, consolidates unitary (ethnic, religious, or sectarian) identity concepts by utilizing religious sentiments to serve political purposes. This is very dangerous because it gives way to various forms of cruel violations, assault, and discrimination against members of minority groups who may be perceived as different from the prevailing ethnic, religious, and sectarian structure.

2 - Non-state Actors

Non-governmental actors exercise de facto authorities, i.e., they perform tasks similar to those performed by the government. In this context, authority to govern comes from the absence of state authority. These non-governmental actors target minorities who lack strength and protection, especially when these minorities are considered «the other side» of the conflict, or members of a group that are religiously, ethnically, or linguistically different.

A - Armed Groups

These entities behave in a discriminatory manner and perform acts involving discrimination, which include the practice of religious and ethnic violence or the use of minorities' differences as a reason to justify their criminal acts. Non-state active entities (such as armed groups

and criminal gangs) attack certain members of minorities that have no protection, seize their properties by force, or attack their worship places and their cemeteries.

The emergence of these violations and their recurrence require the interference of the state to confront them in an early stage before they fester and become a phenomenon that is difficult to be controlled. However, in the absence of the rule of law and the prevalence of the culture of impunity, these attacks become a trend that raises concerns and that leads to violations of the rights of minorities, ranging from discrimination and violent attacks to genocide.

Furthermore, armed non-state groups use members of the security institutions and government apparatuses to cover and facilitate their criminal behavior. Mashael Matta, who miraculously survived a kidnapping operation, said that her story had to do with corruption as the criminals involved in her kidnapping had mutual relations with clerics and members of the security institution, who usually help the groups to achieve their goals. Victims are usually members of minorities, but these groups might also target other people.

Mashael said that she was kidnapped in front of the department where she works by an armed gang in Baghdad. «They put me in a car that sped away to a predominantly Shiite area in Baghdad. All the way, I was hearing the kidnappers calling persons to secure their passage through the different checkpoints without being

stopped and I concluded that there was cooperation between the gang and members of the security apparatus. I was lucky to be released in a relatively short period of time because my family used to participate in Shiite occasions and they called influential clerics who have contacts with the gang. However, the damage was done. I left my job where I was responsible for the contracts department in one of the state ministries and I didn't approve any corrupt contracts. It seems that the kidnapping has had something to do with my work conduct,» she said.⁽¹⁾

In fact, many of the acts of violence or threats against members of minorities are perpetrated by active non-state actors, who in many cases can avoid punishment. Examples of this are the attacks on the graveyards of the Mandaean in the al-Basra province by some of the al-Basra tribes.⁽²⁾ It is obvious that these attacks do not only target individuals but also the religious group associated with the targeted place.

B - Tribes

Testimonies of Iraqis of African origin in Basra reveal that they fear tribal conflicts and the power of the tribes, which strongly affects their social life. In fact, the fear of engaging in a tribal dispute or becoming a party in

(1) Interview with Mashael Matta, Baghdad, April 2016.

(2) Interview with Mandaean spiritual leader Mazin Naif, al-Basra, February 2016.

a dispute with a tribe has become one of the fears of members of all minorities.⁽¹⁾

The persistence of these conflicts shows that it is important for the state to be an official actor to put an end to violence. For example, in a tribal conflict in the al-Qurna district, heavy weapons and mortars were used and the army intervened to impose security.⁽²⁾ It also shows that the absence of the state creates a vacuum which could be used by non-state actors and social forces that have the de facto power, such as tribes, to practice certain parallel powers. On the social level, this vacuum leads to continued and increased tensions between the different groups, and sometimes even among the same social forces or within them (conflicts between tribes and within the same tribe) and this creates an environment of unease and a sense of insecurity.

(1) Interviews with Iraqis from African origin, al-Basra, February 2016.

(2) The report on the al-Hurra channel about the armed tribal dispute in the al-Qurna district in al-Basra, available on Youtube on the following link:

<https://www.youtube.com/watch?v=RjXOqsWwEw8>



Tribal leaders with representatives of minorities (Basra)

A security source in the al-Basra province explained that the absence of the rule of law, the inability of the law to bring justice, the inability of the security apparatus to end conflicts, and the hesitation of security forces to interfere in solving tribal conflicts for fear of being prosecuted by the tribes and obliged to pay blood money, which has happened to many of them when they tried to solve these conflicts, are all reasons behind the rise in cases of tribal conflicts. The direct result is that those who commit violations of the law are not prosecuted as stipulated in the law. Moreover, the army is not present in most of the central and southern governorates as it is participating in the battles against Daesh.⁽¹⁾

Doctors in particular have suffered from many attacks by members of tribes when a member of a tribe dies in a hospital. A. S., a Baha'i doctor who works in a hospital outside Baghdad, said that a colleague of hers who is a dentist and who works in the al-Shaab Hospital in

(1) What are the reasons behind the increased tribal conflicts in al-Basra? Al-Ghad Press, available on the following link:

<http://alghadpress.com/ar/news/46657/%D9%85%D8%A7-%D9%87%D9%8A-%D8%A7%D8%B3%D8%A8%D8%A7%D8%A8-%D8%A7%D8%B2%D8%AF%D9%8A%D8%A7%D8%AF-%D8%A7%D9%84%D9%86%D8%B2%D8%A7%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D8%B9%D8%B4%D8%A7%D8%A6%D8%B1%D9%8A%D8%A9-%D9%81%D9%8A-%D8%A7%D9%84%D8%A8%D8%B5%D8%B1%D8%A9>

Baghdad treated a child who was suffering from teeth pain. «The child couldn't eat for a number of days because of the severe pain and the doctor gave him a pain killer to ease his suffering. However, the child was also suffering from other diseases and eventually died. The dentist was threatened with murder and was forced to hide, but he finally managed to solve the problem and return back to his work after paying blood money (a tribal compensation),» she said.⁽¹⁾

Feelings of fear and panic as a result of these conflicts contribute to the isolation of these minorities from the society. In some cases, minorities are pushed to live in separated areas and encouraged to immigrate leading to the destruction of the diverse social fabric of the society.

Based on the risks involved in these conflicts and their impact on minorities, the al-Basra Tribes and Components Council was established. The experience of this council will be discussed in the part allocated for capacity building in this report.

C - Clerics

The absence of the state and the weak rule of law are factors that encourage some religious elites, preachers of hate, to give speeches and fatwas that become a source for the practice of violence or at least

(1) Interview with a Baha'i doctor, Baghdad, April 2016.

justify it or make it legal. This contributes to increased religious tensions, encourages their continuation, and leads to increased polarization along religious lines in the future. This propaganda impacts the policy of non-state actors towards members of a certain minority and excludes them from participation in public life and economic and social activities and contributes to their isolation from the society.

Kaka'is in Kirkuk and other areas give other examples of how they are publicly accused of wrongdoing in mosques and the preachers doing so are not deterred by law or the public. In some cases, complaints were filed against these preachers, but no positive results have yet been achieved and no steps have been taken to put an end to such accusations. For example, one of the Kaka'is in Kirkuk said that «Mulla Ismail Sousi accused the Kaka'is of infidelity in one of his speeches that was published on social media networks. A Kaka'i lawyer filed a lawsuit against him and an order was issued to arrest Sousi on charges of incitement. However, the order was not implemented because of Sousi's influence and prestige. In another incident, one of the mullas attacked the president of the region in his speech and some of the persons present reacted by burning the mulla's beard.»⁽¹⁾

(1) Interview with a Kaka'i from Kirkuk, April 2016.



A meeting of religious leaders (Organized by Masarat-Baghdad)

Rajab Kaka'i, an activist, narrated another story that shows that there is a lack of control over materials that contain incitement against religious minorities. He said that «a book entitled *The Geography of Kurdistan* spoke about the distribution of religions in Kurdistan. The book dealt with the Kaka'is as one of the Shiite groups although we are not Muslims and it introduced the Kaka'is saying that they are followers of old religions and that they worship the 'Tantal' (a mythical character that can transform itself into a human being, an animal, or an object and Arabs in the old days used to fear it – the translator). In one of its pages, the book attacked the Kaka'is blatantly rudely saying that 'some people believe that the Kaka'is have honor and ethics, but this is not true.'» Rajab said that he was surprised to see this book in the market and that it was given an IBN number and published by a publishing house without reviewing its contents which are full of incitement.⁽¹⁾

Muyasar al-Adani, a Yezidi activist, gave another example regarding Mulla Anas Muhammad Sharif al-Doski, who wrote a book full of incitement against the Yezidis in 2006 entitled *The Followers of Sheikh Uday Bin Musafer al-Hakari*.⁽²⁾ He said that this is one of the

(1) Interview with Rajab Kaka'i, Kirkuk, April 2016.

(2) Mulla Anas Muhammad Sharif al-Doski, follower of Sheikh Uday Bin Musafer al-Hakari, «Mina Adawiyah Ila al-Yezidiyah,» Dohuk, Hawar Publishing House, 2006, and there is another version published by the al-Asalah Bookshop, al-Shajah.

most dangerous modern books written on the Yezidis and the one who wrote it won a seat in Kurdistan's parliament and became famous and popular. Muyasar stressed that «it is not easy to assess the impact of the book on the image of the Yezidis,» but he confirmed that «the society's attitude towards them has changed as a result of the publication of such books and speeches that build on them, which have further complicated the lives of the Yezidis.» He added that «if a Yezidi takes a taxi and the taxi driver discovers that he is a Yezidi, he obliges him to listen to the Quran on the car radio and tries to convince the Yezidi to convert to Islam.»⁽¹⁾

(1) Interview with Muyasar al-Adani, Dohuk, March 2016.



An old Yazidi (a camp for displaced people- Dohuk)

Third: Building Capacities for the Protection of Minorities

Capacity building should start with an overall assessment of needs to confront violence. For this reason, it is important to conduct studies on monitored violence cases and their impact. It is also important to collect data, build a data base about minorities, determine the formal and informal structures that could be used to stop violence or limit its impact, and rehabilitate these structures or build their capabilities.

Thus, efforts will focus on building the capacity of the state in the field of protecting minorities and improving their conditions. However, efforts should not be limited to the creation of formal institutions but should construct a suitable environment that fosters the culture of confronting violence. This can be done by addressing its root causes, raising awareness of the importance of fixed and consistent standards of respect for minority rights, creating monitoring and accountability mechanisms for authorities when any party including the authorities violate the rights of minorities, and periodically

assessing the effectiveness of capacity building to maintain an acceptable level of improvement capable of confronting the danger of possible conflicts. In addition, and parallel to these efforts, the capacities of minorities themselves should be enhanced so as to enable them to protect themselves and thus strengthen the role of the state. Moreover, local capacities (informal structures of dialogue, reconciliation, and conflict resolution) of non - governmental frameworks play an indispensable role in promoting peaceful coexistence and easing tensions leading to devastating conflicts.

1 - Building the Capacity of the State to Protect the Rights of Minorities

The state has the prime responsibility and duty to protect the rights of minorities against discrimination and all acts that pose a threat to members of these minorities or even incite these acts. It is also responsible for ensuring that none of the minorities' basic rights are violated such as the right to exist, the right to life, the right to identity, the right to non-discrimination, and the right to participate in public life.

The enjoyment of minority rights is necessary for the enjoyment of security and protection and thus it is one of the main duties of the state to protect the basic rights of minorities and their security and to ensure that active parties, affiliated with the state itself, do not contribute to the absence of security for these minorities and that they are protected from active parties outside its framework.

The fact that the state is able to provide such protection or not is in itself an indicator whether it is a state or not. Widespread violations of minority rights and violence against minorities are indicators of the absence of the state or at least the absence of its administration of diversity in a way that ensures the transformation of conflicts into creative competitions that enhance the pluralistic identity of the society and the integration of individuals and groups.

This requires building the institutional capacity of the state to ensure a successful administration of diversity. In this context, institutional capacity means the constructive management of conflicts and tensions between groups at times of sudden political and social transformation (e.g., what happened after the US occupation of Iraq in 2003) which could lead to the marginalization of certain groups, the rise to power of other groups, a monopoly of power, uneven and unequal growth in the center of power and its edges, or growth associated with widespread corruption that contributes to the creation of a political class which is separated from the society and preoccupied with the struggle over the distribution of wealth and resources.

Thus, the capacity building of the state in the field of protection of minorities should observe the following ten-point programme:

1. Build the state institutions as without them no peaceful coexistence can be achieved between

groups (the institution-based state). These institutions are characterized by neutrality, where all individuals feel that the state represents them and they belong, building loyalty to it.

2. Establish formal frameworks, such as the Commission for Civil Peace in Iraq or the National Council of Iraqi Minorities, to follow up on the concerns of minorities and to prepare policies that need to be followed for their protection.
3. Enhance capacities to confront crises and tensions and improve practices to address the impact of conflicts: first by encouraging diversity through the strengthening of minority rights and second by preventing violations of the rights of minorities and incitement to commit these violations through the adoption of appropriate and necessary means and obstacles to prevent them from happening again.
4. Employ active state participation with minorities and full communication with their representatives and leaders. Fully understand their cases and security concerns and challenges.
5. Monitor non-state active parties who are encouraging intolerance or spreading hate speech and inciting violence against minorities.
6. Develop monitoring procedures related to the above point and self-monitoring procedures for government security forces in mixed ethnic areas where minorities are present.

7. Establish a deterrent monitoring system in areas where state security forces may become engaged in violence committed against minorities. However, the building of a security sector capable of responding to threats posed by non-state parties will always remain one of the key issues in the building of state capacities.
8. Design training programs for security forces to confront conflicts, take precautionary measure before the eruption of violence, and raise awareness among active forces affiliated with the state on certain risks faced by minorities.
9. Enact appropriate legislations related to all acts of violence and incitement of hate and violence against religious and ethnic groups and ensure the enforcement of these legislations coupled with deterrent penalties.
10. Provide minorities with a non-discriminatory national educational environment and encourage knowledge of others' religions, their traditions, languages, and cultures because part of the building of the state's capacity to confront violence targeting minorities and threatening the societal peace is related to education. In addition, educational institutions must allow the mixing of children from different backgrounds as this practically contributes to the enhancement of knowledge about others and supports coexistence through joint activities and daily encounters.

2 - Building the Capacity of Minorities to Self-protect

Although the state has the prime responsibility and duty to protect the rights of all individuals in the society, including minorities, it is the minorities themselves that have a big responsibility towards their own members. They are responsible for enhancing their participation in public affairs and they should work towards effective participation in political life on the national and local levels in a way which strengthens their integration in the society and its causes. However, minorities often face conditions characterized by structural weaknesses and this may lead to a vicious circle of persistent discrimination, hostilities, and absence of security.

Thus, the challenge is to build the capacities of minorities to be able to confront violence by making appropriate decisions concerning the future of the concerned minority, the creation of institutional frameworks that contribute to preserving and protecting their rights, and the formation of active and effective change that contributes to the improvement of the status of the minority.

Therefore, any strategy for the building of the capacity of minorities should adopt the following the five-approach program:

- 1. Effective representation:** Minorities should organize themselves in a proper manner by choosing representatives capable of expressing their aspirations and goals.

- 2. Partnership with the state:** They should create similar successful partnerships with the various decision makers in order to express their needs and ensure that proper steps are taken to guarantee the enjoyment of all rights pertaining to minorities.
- 3. Partnership with civil society:** Minorities should establish partnerships with non-governmental organizations and individuals active in the field of defending the rights of minorities to protect and strengthen their rights and to achieve an important and tangible impact that touches the lives of members of minorities in a positive manner.
- 4. Resisting isolation and the ghetto mentality:** Minorities should resist isolation trends that emerge within their societies as a result of discrimination and in reaction to the deep-rooted misconceptions among the majority. These dangerous trends hamper and hinder the integration of minorities and their full participation in the different activities of the wider society.
- 5. Adaptation with the social environment:** Mechanisms for building relations with influential social forces should be developed in order to enhance the capacities of minorities to face conflicts and to make use of these forces to solve conflicts or confront them. Below are two examples of the capacity of minorities to develop

their adaptation means within the wider society through building relations with the majority society. These two examples are tackled given their importance: The first one relates to the interaction of members of minorities, particularly Christians and Mandaean, with Arab Muslim tribes in the center and in southern Iraq while the second focuses on the interaction of Yezidis with the Arab and Kurdish Muslim tribes in northern Iraq.

3 - Building an Imagined Kinship (Minorities and Tribes in Southern Iraq)

Tribal norms and traditions are considered the customary source of authority in the tribe. Over time, these norms and traditions became laws which govern the lives of the tribe and control it. They are so relevant in the current situation because tribes still believe that the impact of any conflict that is not resolved according to tribal norms and traditions will continue even if the party who committed the assault is penalized according to government laws.⁽¹⁾

For example, if one party attacks another one, the attacker should be identified in order to know his tribe. After identifying him, the tribe should be informed about the assault and ask for a truce «Atwa». In case the tribe of the attacker takes a long time to ask for the truce, the

(1) Karim Burhan al-Janabi, Tribal customs in the Iraqi society, al-Rafidain Publishing House, Beirut, 2013, p. 6.

tribe which suffered the attack threatens the tribe of the attacker through the «al-Dakkah»⁽¹⁾ until it responds and a meeting is arranged in the house of the person who was attacked to reach a solution.

During the past years, members of minority groups were subjected to opportunistic attacks, such as kidnapping for ransom, along with other attacks and individual violations of their rights. Given that the social structure of most of the minorities is not tribal in nature contrary to bigger Arab and Kurdish groups, minorities do not have militias to protect them and for this reason they usually find themselves without any kind of protection.

There fore, dealing with tribes has become imperative, so there are currently discussions on how to utilize tribal norms and traditions and their system of responsibility as part of the available options. This requires knowledge of tribal laws and how to approach tribal leaders. One of the persons gave the following example. He said that «we faced a problem with one of the tribes and when we were asked to pay the tribal compensation, we utilized our knowledge of Shiite history. We said that we are the descendants of John bin Huwai,⁽²⁾ who fought with

(1) Al-Dakka means knocking or beating. The tribe of the assaulted person opens fire on the house of the person who committed the assault to frighten him and to show they are seriousness. This act pushes the one who committed the assault to ask the one who was assaulted for reconciliation.

(2) John bin Huwai was a Christian from al-Habashah and a former slave

your imam Hussein in Karbala, and then we asked the tribe the following question: 'Is this enough reason for you to make a concession?' The mere mention of this fact was enough to make the tribe relinquish the entire compensation amount.»

In the cases where the victims are members of a minority, they will be in a weak position to negotiate and this might cause them to lose their rights, except in rare cases. Ahmad al-Mubarqeh, an anthropologist, gave an example of this exception based on his observations. He said that in July 2015, a dust storm hit Baghdad causing zero visibility. As a result, a man who was crossing the road was killed in the Qanat al-Jaysh area. The driver, a Muslim, who hit the man took him to the hospital for treatment and tried to save his life, but the man died. The driver was arrested and jailed according to the law. It turned out that the victim was Christian, but the family of the victim waived their rights, taking into consideration that the driver did not try to escape, transported their son to a hospital, and tried to save his life. The family of the driver, however, was obliged to pay the al-Diyyah (blood money) according to their tribal customs which dictate that the family should be compensated with Diyyah money in cases of involuntary manslaughter, which is

of Imam Ali ibn Abu Taleb, the 4th Muslim caliph, but he freed him. Shiites honor him as he was a companion of Imam Hussein ibn Ali and killed in the Battle of Karbala on Muharram 10, 60 AH (680 AD), the same battle that led to the killing of Imam Hussein.

often a fixed amount of money depending on the case, because the one who died had a family and children.⁽¹⁾

However, if the person who is attacked or hurt by a member of a tribe is a member of a minority group, there are a number of options for the victim:⁽²⁾

- **The first option is to resort to the state to protect one and preserve one's rights.** However, this is a weak option given the weakness of the state and the growing influence of social forces and non-state actors.
- **The second option is to join the tribe.** This means that one goes and joins one of the Iraqi tribes and thus become «Thabat Jarsh.»⁽³⁾ This option is often chosen by members of minorities who live in central and southern Iraq to ask for protection such as Christians, Mandaean, and Iraqis of African origin.

(1) Interview with Ahmad al-Mubaraqeh, an anthropologist, Baghdad, April 2016.

(2) These options were discussed and developed in consultation with Ahmad al-Mubaraqeh, April 2016.

(3) Wadi or Thabab al-Jarsh is the person who is forced for some reason to join a tribe other than his original tribe. One asks to become one of its members, and enjoys the rights of its members as well as the obligations. It happens in many cases such as tribal conflicts between two persons that obliges the one who is in a weak position to leave one's tribe and join another one (usually a stronger tribe) in order to get rid of punishments such as paying blood money.

- **The third option is to ask for the help of tribal leaders.** This means that one should rely on the assistance of influential tribal elders. However, this option is not always guaranteed especially if the person has no knowledge of the concerned society and has no previous or current relations with these influential elder leaders. Thus, the use of this option requires sufficient knowledge of prominent elders and familiarity with religious and tribal conditions in order to make use of the relation with these elders to solve the dispute and to receive protection. The Mandaean have resorted to this option in al-Diwaniyah when they encountered problems with some of the tribes. This strategy succeeded in resolving the problems.⁽¹⁾

4. Building an Imagined Kinship (Minorities and Tribes in Northern Iraq)

In central and southern Iraq, when one of the minority members asks an influential tribe for protection by building an imagined kinship with this tribe through the Thabab al-Jarsh, one becomes Thabat Jarsh with the tribe and enjoys the same rights enjoyed by the tribe members as well as the same responsibilities. In northern Iraq, the Yezidis constructed the al-Karafa al-

(1) Interview with Khaled Naji, head of the Sabean-Mandaean Affairs Council, al-Diwaniyah province, April 2016.

Dam (blood brother) ritual to build relations within their social environment as well as to build an imagined kinship with Muslim (Arab and Kurdish) tribes.

When a Yezidi child is to be circumcised, a Yezidi chooses a Karif (brother) who could be a neighbor, a partner, etc. The child's father puts his son in the arms of the Karif and when blood drops from the circumcised child on the suit of the Karif or on a white napkin which the father brings with him specially for the ritual, he becomes Karif al-Dam in reference to the mixing of the blood of the two and a ritual kinship is created that binds them despite their ethnic or religious differences.

It is clear that this ritual has been invented by the Yezidis, an isolated or closed group, given the non-missionary nature of their religion. The purpose behind it is to build bridges of communication with members of other groups in light of the absence of other binding factors such as those of «citizenship.» Even with the emergence of the modern state in Iraq and its attempt to create cohesion between the different ethnic and religious individuals, this ritual has continued to be practiced throughout the decades following the creation of modern Iraq in 1921.

This ritual can be considered the foundation of a ritual kinship that contributes to building the social relations between members of two ethnic and religious groups and makes them blood brothers. It is an attempt by the Yezidis to build bridges with others and given

its importance, the al-Karafa has become a cherished custom by the Yezidis and a big part of their inherited values, which has contributed, to the strengthening of the relations with others and to the cohesion of the social fabric in mixed areas.

In short, the social functions of this ritual are as follows:

- Promotion of coexistence with other groups that are different from the Yazidis in religion or ethnicity as the two parties (the Yezidis and Muslims) share joys and sorrows and participate in the various social events of each other.
- Consolidation of human relations and brotherhood in times of crises and troubles as the two parties commit to defend each other when confronting an external enemy or in case one of them is attacked by a third party.
- Cohesion of social relations among residents of the same geographic area with diverse ethnic and religious backgrounds, which ultimately becomes an important factor in easing ethnic conflicts between them.
- Adaptation with the new social environment. Many Yezidis, who were displaced from their areas after the invasion of Daesh, started to build a network of social relations with their new neighbors. Part of the adaptation with the new social environment

and building new relations is the blood brother ritual during the circumcision of children.

- Reduction of the discrimination and social blockade of the Yezidis. In many times, the Yezidis have resorted to the Karif to ease the severity of obligations facing them or to reduce the risk of dangers. For example, some Yezidis were not able to buy property inside Mosul (as they did not have a legal right to do so) and for this reason they register the property they buy in the names of their blood brothers.
- Reconstruction of trust between the Yezidis and others. The «al-Karafa» is considered an important ritual aimed at the rebuilding of trust. Thus, these rituals and traditions should be taken into consideration and utilized in the post-Daesh era when the question of rebuilding trust in areas where minorities are concentrated and who were subjected to collective violence, such as Sinjar, is raised. For this reason, it is important to activate this ritual collectively among leaders of Arab and Yezidi tribes in order to rebuild the relations that used to gather Muslim Arabs with Yezidis based on the effectiveness of this ritual to transform and adapt to the upcoming challenges.

5 - Building Local Capacities: Informal Dialogue, Reconciliation, and Conflict Resolution Structures

Very often, minorities face the consequences of

conflicts and violence targeting them alone while international intervention usually comes too late and the state is often described as weak and helpless. For these reasons, it is important to develop and build informal dialogue, reconciliation, and conflict resolution structures. This is especially needed when minorities are in the middle of conflicts between major groups battling over land and other resources, when the conflict has religious or ethnic reasons, or when the conflict has mere political motives. These structures or frameworks can strengthen the possibility of finding solutions that fit within the local cultures, compensate for the state's failure or absence in the peaceful settlement of disputes, and reduce the need for international mediation.

In these frameworks, tribal or religious elites (local leaders) in any region, given their irreplaceable role, can also help in defusing conflicts or at least reducing their impact. In this report, we will try to present two examples considered as initiatives: the al-Basra Tribes and Components Council and the Iraqi Interfaith Dialogue Council.

While the first framework gathers representatives of tribes and different ethnic and religious components in al-Basra, the second one gathers representatives of religious minorities and Muslim clerics and some specific institutions concerned with defending the rights of minorities for the purpose of promoting dialogue, reconciliation, and conflict resolution. These initiatives

serve as a model of the importance of gathering peacemakers to confront hate preachers in order to provide a positive contribution in resolving sectarian tensions.

A. The Experience of the Al-Basra Tribes and Components Council

The idea of the establishment of the Council⁽¹⁾ came when official and political elites failed to preserve the cohesion of the social fabric of al-Basra, a failure resulting in increased tensions between the components of the society along with the spread of tribal disputes in the north of the al-Basra province.

The guiding idea for the creation of the Council was the need to defend the components of al-Basra. The official conference to announce its creation was held on January 1, 2016 at the Sheraton Hotel in the presence of Iraqi Prime Minister Haidar al-Abadi.

(1) Information on the Council was collected during a special interview with Sheikh Abbas Saadoun al-Fadli, the head of the al-Basra Tribes and Components Council, February 2016.



Chaldean Bishop with Sheikh Abbas Saadoun al-Fadli –Basra

This conference was followed by meetings to develop the Council's strategy in places carefully chosen so as to represent minorities and to encourage them to contribute to public life. The first meeting was held in the Chaldean Mar Afram Archdiocese in al-Basra on Saturday February 20, 2016; the second meeting was held in the Mandi of the Sabeen Mandaeans in al-Basra on March 5, 2016. The meetings resulted in a list of priorities that should be addressed and on specifying challenges facing minorities in al-Basra.

The Council's conflict resolution mechanism:

Through its specialized committees, especially the «Conflict Resolution and Reconciliation Committee,» the council provides a mechanism for resolving disputes in al-Basra that erupt between tribes themselves and between tribes and one of the components of the al-Basra society. The committee directly interferes when there is a conflict between tribes and components.

It should be noted that the Conflict Resolution and Reconciliation Committee is composed of prominent tribal leaders and a representative of the Prime Ministry's National Reconciliation Committee, a representative of the Tribal Affairs Directorate of the Interior Ministry, and a representative of the al-Basra local government along with other components of al-Basra.

From the official bodies, the following are represented in the Council:

1. A representative of the Tribal Affairs Advisory Council of the al-Basra provincial council

2. A representative of the Tribal Affairs Office of the al-Basra provincial council's bureau
3. A representative of the National Reconciliation Affairs Council
4. A representative of the Ministry of Interior's Directorate of Tribal Affairs

The council is composed of representatives from the following minorities:

1. A representative of the Caldaneans
2. A representative of the Syriac Orthodox
3. A representative of the Syriac Catholics
4. A representative of the Armenians
5. A representative of the Evangelical Protestants
6. A representative of the Sabeen Mandaeans
7. A representative of the Faili Kurds
8. A representative of the Turkmen
9. A representative of the people with dark skin
10. A representative of the Shaykhiyyah⁽¹⁾ community

(1) The Shaykhiyyah school was founded by Shaykh Ahmad bin Zayn al-Din al-Ahsa'i (1166/1826-1241/-). He was born in al-Ahsa' in the eastern part of Saudi Arabia and buried in al-Madinah. He was a very controversial person. Some scholars regarded him as pious and faithful, while others considered him an extremist who had gone astray (the translator).

11. A representative of the al-Akhbariyah⁽¹⁾ community

The council is also composed of the following tribes:

Members of the Commons and the Senate officially accredited by the Interior Ministry's Directorate of Tribal Affairs. The following tribes are represented:

- The main Sunni tribes in al-Basra: Al-Saadoun, al-Dawaser, al-Jashaam, al-Ghanem, al-Faddagh, and al-Othman
- The original tribes of al-Basra who have lived there for centuries: Al-Fadoul, Tamim, al-Atab, al-Idan, Mayyah, al-Imarah, al-Sharash, Bani Mansour, and al-Katarneh
- Tribes that immigrated to al-Basra from Maysan and who settled there decades ago: Al-Bu Hamad, al-Saray, Kananah, Zerej, al-Bazzon, al-Maryan, al-Issa, and al-Sawary
- Tribes that immigrated to al-Basra from the Dhi Qar province and settled there decades ago:

(1) During the Safawid period, the Akhbariyyah movement emerged as a school of thought within the Twelver Shi'ah. Al-Akhbariyyah movement refers to the scholars who depend primarily on the traditions (akhbar) of the Imams as a source of religious knowledge. This is in contrast to the usuliyyah that admit a larger share of speculative reason in the Usui (principles) of theology and religious law (the translator).

Khafajah, Bani Rikar, Abboudah, Al Hamid, al-Zuwain, Hajjam, Al Hassan, al-Bu Saleh, and Al Ibrahim

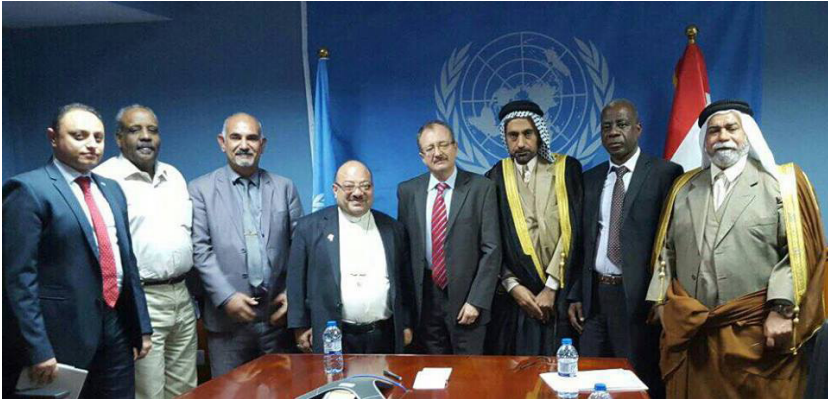
B - The Experience of the Iraqi Council for Interfaith Dialogue

To ease conflicts, it was imperative to create collective frameworks that gather representatives from the different religions in order to contribute to the creation of a climate of trust, understanding, acceptance, and cooperation and to initiate dialogue between representatives of religious minorities and the majority of the society.

These frameworks and initiatives that contribute to the promotion of a culture of dialogue are considered necessary elements for the prevention of tensions and disputes as well as making way for effective participation of active religious actors in popular diplomacy. These complement the diplomacy adopted by the official dialogue frameworks or at least they open a channel for another option of conflict preventive and curative diplomacy in case the former fails in its endeavors.



**Yazidis from different Tribes (a camp for displaced people-
Dohuk)**



**Basra Tribes and Components Council (Meeting with
U.N.A.M.I- Baghdad)**

The Iraqi Council for Interfaith Dialogue is an example of an initiative which came as a result of efforts made by representatives of the different religions in Iraq. Through this initiative, the interfaith dialogue took a more vital dimension with the participation of civil society organizations and their involvement in initiatives that respond to the challenges of the ever-changing Iraqi realities. It is a collective expression of the importance of having frameworks for interfaith dialogue between religious leaders and civilian leaders.⁽¹⁾

(1) Information of the Iraqi Council are gathered from the Councils site, available on the following link: <http://iraqid.org/> and from the monitoring of the work of the Council during the years extending from 2013 to 2016.



A meeting of religious leaders(Iraqi Council for Interfaith Dialogue- Baghdad)

The Iraqi Council for Interfaith Dialogue was started as an Islamic - Christian dialogue initiative. It is a civil framework established by a joint initiative of the Imam Al - Khoei Benevolent Foundation, the Dominican Friars Order in Iraq, and the Masarat Foundation for Cultural and Media Development and its creation came after the criminal act targeting Our Lady of Deliverance Church on October 31, 2010. It started by organizing a variety of debate activities, which were not covered by the media.⁽¹⁾ Topics covered were as follows:

- **Communicative dialogue:** This was expressed in joint visits exchanged by Muslim and Christian clerics during which deep and transparent discussions were held on obstacles facing the promotion of religious harmony and coexistence in Iraq.
- **Ritual dialogue:** This took the form of organizing ritual dialogue (joint prayers and readings of holy Muslim and Christian books in churches and mosques).
- **Intellectual dialogue:** This took the form of seminars and discussion sessions on commonalities between religions and the importance of spreading the culture of dialogue at the level of society as a whole.

(1) The main documents of the Iraqi Council for Interfaith Dialogue, Document No. 1 on the background of the creation of the Council, distributed on the occasion of the creation of the Iraqi Council for Interfaith Studies, 14 March 2013.

After more than two years of working on the creation of a solid ground for religious dialogue in Iraq, the Muslim-Christian dialogue initiative crystalized into the form of a more comprehensive Islamic-Christian dialogue framework. The idea of interfaith dialogue emerged as a diplomacy, i.e., as another option to deal with the sectarian conflict or reduce its effects, especially as sectarian tensions were reaching their peak in 2013 and the ghosts of civil war started to hover, creating a melancholy scene with the nearing of the general 2014 elections. The creation of the Iraqi Council for Interfaith Dialogue was announced in March 2013 as a framework that gathers religious and civilian leaders from the various Iraqi cultures.

During the past years, the Council organized a number of spiritual meetings gathering clerics, and these meetings contributed to the promotion of dialogue, consultation, and participation in order to reach the best means for protecting the rights of minorities. The importance of this informal mechanism increased after Daesh's invasion of the Ninawa province and genocide suffered by minorities in Sinjar, the Ninawa Plain, and Tall Afar. In addition, the Council provided a forum for debate that prepares for the reconciliation process in the post- conflict phase and paves the way for peace-building.⁽¹⁾

(1) See for example: Ali Mamouri, the Iraqi Council for Interfaith Studies - A courageous attempt to protect minorities, available on the following link: <http://www.al-monitor.com/pulse/ar/originals/2013/06/iraq-interfaith-dialogue-council-minorities.html#ixzz44gGtqnHQ>

Fourth: Building a Risk Assessment and Early Warning System

1 - Building a System for Gathering Information (Data)

Building the capacities of the state, civil society, and unofficial structures to confront violations of minority rights, construct effective mechanisms for the collection of data, and sort and analyze this data should be a priority. This should be done before the design of any capacity building system because:

1. The gathering of information raises the level of knowledge of the causes of the conflict and thus provides us with a better understanding of the best possible solutions. It facilitates the building of the needed structures, capacities, and knowledge to enhance the ability of the state to become immune against these violations.
2. It helps us understand the best means the state

can use to manage its internal diversity and how it can restore confidence horizontally between the different groups and vertically between these groups and the state. It also helps us to improve mechanisms used by the state when it deals with local conflicts.

3. In addition, any methodology for assessing possible risks should include an analysis of previous violent events. This allows those who are active in confronting violence (the state, minorities, and non-governmental organizations) the opportunity to assess the extent to which certain minorities are exposed to violence and thereby rapidly respond to these dangers.



Yezidis (Religious ceremony in Lalish)

4. Available data and its analysis help prepare clear indicators of the reasons for the outbreak of violence, improve the ability to send alerts, and activate early warning mechanisms to counter it. Thus, it is essential for the building of any early warning system or any preventive strategy to counter potential violence in the future.

It is thus clear that any practical steps to build capacities to confront violence and conflict should rely on the importance of familiarity with the existing tensions and the formation of a better understanding of what lies behind them. The development of a proper understanding of the nature and sources of tensions and the drawing of a map of key government or non-government actors are among the main challenges. Understanding is essential to effectively limit the risks of violence coming from the society or the state.

This requires at least the following:

1. Continuous communication with representatives of minorities, their religious leaders, institutions that represent them, and organizations working to protect minorities in order to identify concerns and quickly respond to emerging tensions. Dialogue with these parties may lead to effective solutions and help in preventing violence.
2. The gathering of accurate information on minorities to create a database of the areas where they live and the nature of these areas, sorted according to

ethnic and religious bases, geographic locations, size, and status of minorities so as to serve as an important resource in providing knowledge on the existing inequalities between groups. This will lead to a better understanding of the reasons of these inequalities in order to design and implement effective solutions.

3. The state should undertake research and data-gathering exercises, including national census surveys, aimed at compiling detailed information on the demographic and socioeconomic situation of religious minorities.
4. If the state itself cannot do that, then it should encourage research and studies in universities that serve the same purpose. It can also encourage and support non-governmental organizations working in the field of minorities after which it can benefit from their information and from the monitoring of violence cases.
5. The encouragement of comparative studies which allow access to the experiences of different countries that were able to avoid conflicts, those that fell into the traps, and those that recovered from them.

The first category (countries that have avoided conflicts): It is important to analyze the reasons that made these countries avoid destructive conflicts. This would provide reasons and mechanisms that have made

these countries avoid emerging tensions and show the ways they used to manage conflicts before they turn into violence.

The second category (countries that have experienced violence): The analysis of the experiences of this second category is important in order to know the reasons that make a society fall into the trap of collective violence that exposes its people to serious violations while its neighbors are enjoying a relative stability. Thus, benefiting from the mistakes of these countries and avoiding their repetition is one of the main pillars of building knowledge capacities to confront the risk of conflicts.

The third category (countries that have recovered from conflicts): It is also necessary to study the reconciliation processes and the rebuilding of confidence in countries that have faced violence to understand how they succeeded in preventing the recurrence of violence and the reproduction of the conflict again in new forms.

2 - Early Warning Activities

The outbreak of a conflict during which minorities are exposed to large-scale attacks and the repeated attacks on members of minorities are indicators that the state has failed in protecting them. From a preventive point of view, it is considered an institutional failure of the state because of the absence of an effective early warning mechanism. The presence of such a mechanism would

have provided analysis and assessment of the dangers and would have used the available information to stop, freeze, or contain violence, and thus minorities wouldn't have to suffer from the many crimes committed against them.

Information, assessment, and early warning have become common functions and widely accepted tools in any effort aimed at facilitating preventive measures and multilateral cooperation between official and non-official bodies concerned with confronting violence against minorities.

However, it should be noted that the importance of building and strengthening national capacities for risk assessment, identification of the state's weaknesses in addressing these risks, the mobilization of early response to prevent violence against minorities, the enhancement of the state's quick response through systematic assessment of risk factors, and signs of conflict and violence indicators are based on the correlation between access to information and submitting it to concerned authorities. In other words, information alone is not enough. Information should be given to policy makers who are able to take effective action in a timely manner.

An Applicable Framework

The Attacks of al-Miqdadiyah and the Bombing of Taza with Chemical Weapons

Following are two examples of the differences in response to attacks: one which had the respond of the government and was covered by media and the second where there was no official response or action. The first incident was the double suicide bombing in the al-Miqdadiyah district in the Diyala province⁽¹⁾ which targeted a popular café killing and wounding 63 people. The bombing was followed by acts of violence in the district on January 11, 2016 where Sunni mosques in the province were targeted and civilians were murdered.

This incident is another example of the failure of the state to set up an early warning system avoiding such incidents of violence and their consequent violent chain reactions, especially as the crime was another example of sectarian violence creating a deep rift in the society with implications for the political forces that live in a polarized

(1) Miqdadiyah (Chehrban- in Kurdish), an Iraqi city within the province of Diyala, and the second largest in Diyala after the center of the province. Named after the world's mystic Miqdad bin Mohammed Rifai buried in the vicinity.

sectarian space.⁽¹⁾ This event also demonstrates the dual polarization nature of the incident: A suicide bombing carried out by the «Sunnis» is followed by reprisals from Shiites against Sunnis. The danger of such incidents lies in the possibility that they may lead to the repetition of the 2006 scenario where the Samarra bombing and its subsequent incidents of violence and revenge in Baghdad and other provinces pushed the country into a sectarian war that lasted for two years.

The incident also reveals that the state has failed to establish an influential and respected presence and was slow to respond. Armed non-state actors in the province did not allow Prime Minister Haidar al-Abadi to enter the area to closely inspect the conditions of the district,⁽²⁾ but days later on Tuesday January 19, 2016 (i.e., more than a week after the incident), he was able to hold an expanded security meeting attended by tribal leaders of the district. He also visited the popular cafe which had been targeted by two subsequent bombs and the mosques that were destroyed. He was able to do all this on the same day.⁽³⁾

(1) Diyala events, The most prominent Sunni forces in Iraq boycott the parliament and the government, Radio Sawa site:

<http://www.radiosawa.com/content/iraq-parliament-sunni-diyala/292600.html#ixzz47KLww04o>

(2) Shi'ite militias prevent al-Abadi from entering al-Miqdadiyah, al-Watan newspaper, No. 3689 Saturday, January 16, 2016

(3) Al-Abadi arrives at al-Miqdadiyah to inspect the conditions in the district, al-Mada Press, January 19, 2016

The second example is Daesh's bombing of the Taza⁽¹⁾ sub-district, which is inhabited by a Turkmen majority. The organization used more than 50 mustard gas rockets to shell the people living in the district and according to eye witnesses who were present in the hospitals some 600 persons were exposed to poisonous gases. Some of them were taken to Baghdad and Kirkuk for treatment and some children died as a result of the bombing with the mustard gas.⁽²⁾

Ahmad Khair Allah, a Turkman activist from Kirkuk, said that members of minorities feel that there is discrimination against them. He explained that the government's reactions to crises are not the same. «We were shocked from the way the government dealt with the bombing of Taza with chemical weapons. Its reaction was very slow and indifferent when compared to its reaction to the attacks on the al-Miqdadiyah district. The Prime Minister kept on trying to visit al-Miqdadiyah until

(1) Taza is a Turkmen town located 20km southeast of Kirkuk. Administratively, it is part of the north Kirkuk province and Daesh bombed it with chlorine rockets that caused casualties among civilians. For more information, see: Daesh renews its shelling of Taza and the International Alliance responds for the first time, al-Mada, Issue No. 3615 dated April 4, 2016.

(2) Hundreds of injuries, Daesh targets the people of Taza with poisonous gases, al-Hurra channel, available on the following link :<http://www.alhurra.com/content/isis-uses-gaz-weapons-in-south-kirkouk/297856.html>

he succeeded in spite of all the obstacles,» he said.

He added that «I understand that the government sometimes does not want to talk about some of the disasters given the huge numbers of civilians who suffered and in the case of Taza, hundreds were injured and it argues that talking about them has its negative impact on the morale of the army in its war against Daesh. However, we were at least expecting the government to send medical teams to save the lives of injured people, or at least to hear a statement made by the Minister of Health that shows the people that there is an official attention to their cause, but this did not happen «.

Early warning activities include analysis and the development of communication strategies that raise public awareness of emerging crises. It requires the fulfillment of the following requirements:

- 1. The building of an expanded database:** The aim is to provide constant, accurate, and timely information on the nature of the conflict and a map of minorities who suffered or who are likely to suffer. It should combine quantitative and qualitative analysis of the data for the purpose of developing an appropriate approach on the best intervention options and response mechanisms.
- 2. Risk assessment methodologies:** It is important for official institutions to rely on risk assessment

methodologies, which include an analysis of events that took place before the conflict and during previous cycles of violence. This allows the assessment of vulnerability of certain minorities to risks of violence and the formulation of appropriate responses to quickly counter or contain it.

3. Systematic and practical correlation:

Anticipating and preventing violence should not be a mere research process isolated from active frameworks that are engaged in stopping it. If there are analyses made after the occurrence of previous violent incidents to prepare indicators, then the possibility of sending alarm messages and activating early warning mechanisms is improved. However, the conduction of analysis after the outbreak of current violence means that any action in response to it will often be meek and behind schedule. Thus, it is important to benefit from the lessons of atrocities committed in the past in a practical way when the warning signs are clear and the state's capacity to respond to these signs could be enhanced.

4. Partnerships to confront violence: In order to prepare the main infrastructure which is capable of ending violence and spreading the right culture, many active parties, each with its own skills, powers, and relations different than the other, should be involved in monitoring violence and

supporting ways to confront it, such as research centers, universities, institutions that monitor human rights, and other non-governmental organizations along with traditional structures in local communities such as tribes, religious institutions, local leaders , and the party with the prime responsibility, i.e., the state institutions concerned with the implementation and monitoring of the law.

In other words, if civil society is expected to play a very important role in detecting early signs that alert to the imminent outbreak of violence, draw the attention of official bodies to these signs, and implement local initiatives to counter it, they should not be left alone to confront violence as effective prevention requires the effective participation of the different actors.

- 5. Quick response of security institutions:** The process of creating mechanisms for monitoring and early warning that enables minority communities at risk to identify threats and communicate with law enforcement institutions expeditiously will have no value if viewed as mere mechanisms and structures for the gathering of information. Their effectiveness is dependent on the extent to which official security institutions respond to them and to the capacity of the state to develop quick and decisive responses to confront signs of violence or potential conflicts.

This is especially true in situations requiring immediate executive security response in order to avoid the imminent eruption of violence or to address it urgently. The state and its official institutions that implement the law bears the responsibility of acting firmly and in an appropriate manner since the availability of information may not be in itself an incentive to take action. Thus, a quick response should be developed in order to take several concrete measures whenever there are serious and accurate indications of violence.

6. Communication channels with minorities: Any structure for the assessment of risks and early warning should include continuous channels of communications with minorities through their representatives and leaders, especially between them and official institutions responsible for their protection and for the implementation of the law. There is no doubt that the availability of complete data on the most important holy places, worship houses, representatives, and leaders of minorities is important to promote trust and strengthen it between minorities and the state.

7. Systematic and protection-related training: The relation between training programmes and prevention of violence is deemed part of any prevention system. In order to make the early warning system effective, training which

targets parties that are active in the protection of minorities, such as security forces and the army, is considered an effective prevention tool in particular in any conflict assessment system.

Final Recommendations

In addition to the recommendations and ideas discussed in this report for the improvement of the capacity building, assessment, and early warning system, most of these additional final recommendations are general and help to improve the state's responsibility to protect minorities.

1. The Convention on the Prevention and Punishment of the Crime of Genocide, which criminalizes acts committed with intent to destroy - in whole or in part - national, ethnic, racial, or religious groups should be ratified and implemented. They should adopt the policy options for the prevention of incitement to atrocity crimes that were developed by the Office on Genocide Prevention and the Responsibility to Protect.
2. States should ensure that all cases of intimidation, harassment, persecution, and other serious human rights violations against persons belonging to religious minorities, including through the use of Internet tools and platforms, are thoroughly and immediately investigated and that the perpetrators

are punished. Appropriate measures, including legal assistance, should be made available to minority religious groups as required in order to document cases of violence or intimidation and to effectively prosecute those who commit attacks and communal violence against minorities. There should also be provisions made for adequate rehabilitation and compensation for victims of communal violence.

3. Existing United Nations early warning mechanisms such as the Special Adviser on the Prevention of Genocide and the Special Adviser on the Responsibility to Protect concerning the prevention of violence against persons belonging to religious minorities should be actively utilized.
4. Preventive measures should be taken against acts of violence directed against persons or religious sites belonging to religious minorities. In situations of extreme risk, appropriate preventive measures should be rapidly deployed by law enforcement bodies and adapted as the situation evolves.
5. States should take comprehensive measures against discrimination, intolerance, and — most notably — hostility or violence, torture, and killings on the grounds of religion or belief. National legislation conforming to relevant international standards should be adopted, where necessary, in order to create precise and coherent legal bases

for condemning perpetrators, bringing them to justice, and punishing them for all acts of violence.

6. The negative portrayal of religious minorities in the media or in official or political discourse has a significant influence on how they may be perceived by the population in general and should be addressed. When such discourse amounts to hate speech or incitement to religious hatred, appropriate legal penalties should be enforced in conformity with international standards.
7. States should take all necessary measures to ensure that hate speech has no place in public discourse, including in the political sphere and the media, and that the effects of certain policies, in particular anti-terrorism laws, do not arbitrarily target specific religious minorities.
8. In conflict situations, special attention must be paid to the situation and security of persons belonging to vulnerable religious minorities. Efforts should be made to fully reintegrate with dignity religious communities that have been internally displaced during conflict to allow access to all places of worship and other religious sites and to ensure the protection of religious minorities present in the territory. Religious minorities from all religions within a state should be actively involved, including at the earliest stages and throughout peacebuilding initiatives and reconciliation processes.

9. States should take all necessary measures to ensure the protection of minority religious communities and minority human rights defenders and representatives - including women, who may be at greater risk of violence. They should develop effective protection programmes, where necessary, that are defined by law and include early-warning systems.
10. In the countries hosting migrant workers, asylum seekers, and refugees, measures should be taken to ensure that decision-makers and immigration officers are knowledgeable about issues surrounding religious persecution.
11. In countries affected by conflict or natural disaster, crisis management and humanitarian response operations undertaken by national or international actors should incorporate knowledge of the religious terrain and religious diversity of the affected communities and ensure that responses are non-discriminatory and appropriate to religious values, traditions, and sensitivities.
12. The potential of religious and political leaders to help build tolerant, inclusive societies, and initiate and support such efforts and activities should be harnessed. Such influential community and national figures should be at the forefront of dialogue and inter-community cohesion efforts and of public condemnation of any advocacy

of religious hatred, discrimination, hostility, or violence. Political parties should also foster participation, tolerance, and dialogue.

First: General Recommendations for the State

The state discourse: The general discourse of the state should not express opinions that involve stereotypes, racism, hatred, or discrimination against minorities. The state should also take effective measures against such a discourse.

Building confidence: States should follow an integrated approach, which combines measures from different policy areas that contribute to the building of mutual trust between the majority and minorities. They should be willing to learn from past mistakes and encourage leaders of minorities to break the vicious cycle of discrimination and marginalization against them.. The approach should also ensure that minorities who are mostly vulnerable to discrimination and/or social and economic marginalization are targeted.

Capacity building: The state should work to build its capacities to prevent conflicts, manage them, and confront them through the training of government institutions regarding early warning signs of conflicts, early response, and field monitoring.

Second: An Effective Accountability System

- The Iraqi state should work more to confront

impunity, which has become the norm with no exceptions other than on a very narrow level. The first thing to be done is to use effective tools to put an end to impunity and enact national judicial procedures against any person who incites violence against minorities and against those who commit the violence, regardless of their religious, ethnic, or political backgrounds. This alone forms the first line of defense in confronting impunity, establishes the rule of law and confidence in state institutions, and promotes respect for the bodies responsible for its implementation.

- The Iraqi state should join the Rome Statute of the International Criminal Court, which is one of the basic legal references for any responsibility assumed by the state for the protection of minorities.
- The Iraqi state should make an effort to help the International Criminal Court and other international tribunals to extradite individuals accused of committing crimes and violations related to the incitement of hatred by arresting them, regardless of their religious, political, or ethnic backgrounds.

Third: Security Forces

- It is difficult to speak about providing protection without performing a periodic assessment of the performance of security forces. Over the past

decade, there were massive violations of the rights of minorities and direct attacks on individuals belonging to minority groups and on their property and places of worship, but security institutions were either present at the time of the violence, informed about it but did not arrive or interfere to stop it, or they were weak in terms of equipment and motivation and lacked adequate training or appropriate leadership structure for addressing violence.

- Even though the deployment of security forces may cause panic if they are accused of or involved in violations of minority rights, if these forces are professional and neutral, their deployment in main sites including holy or worship places or areas where minorities or mixed population are concentrated can serve as a deterrent to violence.
- In areas distant from city or authority centers, the presence of security forces and the authority of the state are weak. Therefore, the creation of local forces with official support could be an alternative for the protection of local minority communities. Many representatives of minorities suggested the creation of Shabak, Christian, and Yezidi government supported forces to achieve this aim. Guaranteed protection is considered very important in any process aimed at encouraging displaced minorities to return to their areas

as there is no trust in the federal government forces and in those of the Kurdistan Region's government.

- One of the appropriate suggestions for ending violence and reforming and developing the performance of the security institution is the creation of special highly-trained units specialized in crimes based on hatred. Such an example is present in countries like Canada and the USA.
- The Iraqi state should ensure that security institutions are keen to effectively investigate any crimes committed against individuals belonging to marginalized minorities in ways that include investigation in any alleged discriminatory motive behind these crimes.
- The improvement of the capacities of security forces, their training, and the presence of a monitoring and early warning system are considered important issues. A network of early warning can be created by utilizing the network of community police members present in most of the police centers in Iraq as they are considered an important nucleus for receiving the complaints of minorities in these centers and for building an early warning network that responds to any threat affecting minorities.
- Sustainable solutions of sectarian and ethnic violence should address political and economic

disparities and programmes for addressing poverty and marginalization should be designed as part of a broader approach for confronting prejudices, discrimination, and widespread racist attitudes that target minorities.

Fourth: Incitement and Hate Speech

- The state and the international community should support the efforts of non - governmental organizations in regards to supervising and monitoring hate speech, and studying its impact on the levels of violence against minorities and how it threatens social peace in general. Also, the phenomena where hate messages are used to destructively transform those who are religiously or ethnically different from the majority into scapegoats and strip them of their humanity and their rights as citizens by blaming them for societal crises or considering them a threat to the identity of the state and the cohesion of the national group needs to be studied and addressed.
- The state should particularly encourage conducting studies to understand how hate speech becomes hate acts or collective violent acts along with monitoring hate discourse in the media and religious and political platforms. An example of this is the series of studies prepared by the Masarat Foundation on minorities in Iraq and its series on genocide entitled One hundred

years of the Armenian genocide and reaching to the genocide of the Yezidis,⁽¹⁾ and the reports it prepares on the violations of minority rights, along with the work of the Iraqi Media House and its monitoring of hate speech.

- Non-governmental and other human rights monitoring organizations can analyze hate speech in the media, including printed and internet journalism, to identify trends that could constitute incitement to violence and hate speech and then develop policies to counter them.
- The state must take measures to monitor hate and incitement to violence speech against minorities in the traditional media along with social media in order to address this issue appropriately through the different means, including the prosecution of offenders. The state should collect data on hate crimes against minorities in order to help develop policies to combat this phenomena.
- The Iraqi state should develop policies and strategies that prevent and confront violence before it erupts and these policies and strategies should be rapidly implemented to fend off or prevent the threat of renewed violence. The

(1) This series included: One hundred years of the Armenian genocide, Masarat Foundation, Baghdad, 2015, and the book entitled «The last firman — Daesh and the Yezidi genocide, Masarat Foundation, Baghdad, 2016.

monitoring of hate speech and incitement to violence are opportunities to become alerted and respond to the risk of the evolution of the conflict, especially since hate speech is considered a possible prelude to gross violations of human rights, including possible genocide. Thus, it is necessary to take preventive steps before the eruption of violence and in this context honest investigative commissions, if created at the earliest possible stage, can play a fundamental role in halting the escalation of violence.

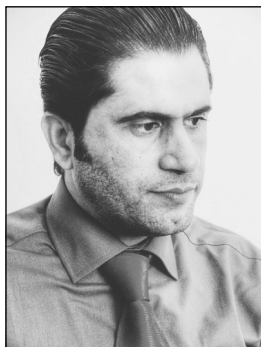
Fifth: Non-governmental Organizations

- Non-governmental organizations and youth voluntary initiatives can contribute to the process of understanding and reconciliation and can lead to a kind of diplomacy that eases conflicts. For example, the «Unity in Diversity» initiative launched by the Masarat Foundation during the 2015 Christmas celebrations aimed at encouraging Muslims to celebrate Christmas because Christians canceled the celebrations to protest the violations they were facing and that some Muslim clerics prohibited Muslims from congratulating Christians on Christmas.⁽¹⁾

(1) Bahaa Haddad, Researchers launch the «Celebrate Christmas» initiative to preserve cultural diversity in Iraq, the New World Newspaper, December 24, 2015.

- For its part, the media too can contribute and put similar efforts. An example of the role that the media can play is the Flowers Campaign «Penzagar» (The Flowers Discourse), which was launched by activists in 2014 to counter the hate speech against Muslims that became widespread in the media in Myanmar. This initiative is an example of the creative solutions civil society organizations implement and it shows how they are able to have a strong voice denouncing hate speech on the Internet. The campaign was launched by one bloggers in Myanmar, who is an activist, as an open opposition to hate speech by using the symbolic value of flowers and their strong messages in Myanmar. It encouraged Facebook users to beautify their pictures and their virtual space by using pictures of them carrying flowers in their mouths.⁽¹⁾
- Traditional and new media means can promote dialogue with minority groups and they should promote non-stereotypical images of minorities and give more attention to their culture and beliefs.

(1) Againao Kakardon and others, the fight against hate speech on the Internet, UNESCO publications, UNESCO series on freedom of the Internet, France, 2015, p. 38.



Saad Salloum was born in Baghdad in 1975. He is the general coordinator of the MASARAT Foundation for Cultural and Media Development (MCMD), and editor-in-chief of its magazine, "MASARAT." Salloum is one of the founders of the Iraqi Council for Interfaith Dialogue (ICID), and the Head of Studies and Research Department at the Political Sciences College, AL- Mustansiriya University 2014. He is also a Member of the Scientific Committee at the Baghdad Academy for Human Sciences, managed by the Dominican Fathers in Iraq.

Salloum's publications include Minorities in Iraq: Memory, Identity, and Challenges, 2012; Different and Equal, 2013; Creative Diversity, 2013, Christians in Iraq, 2014; Policies and Ethnicities in Iraq: From the Ottomans to the Present, 2014; and 100 Illusions about Minorities in Iraq, 2015. Unity in Diversity :Promoting Pluralism and Intercultural Citizenship in Iraq 2015. Êzidîs in Iraq : Memory, Beliefs and Current Genocide 2016.

Salloum's documentaries include Conditional

Freedom, 2010; Minority at Risk, 2011; Silent Scheherazade, 2011; Voices, 2012; Minorities in the Wind, 2012; Nation at Risk, 2012; Our Creative Diversity, 2013; and The Last Decree (2014).

saadsalloum@yahoo.com
saadsalloum1975@gmail.com
MCMD: <http://masaratiraq.org>
<https://independent.academia.edu/SaadSalloum>
00964709988007-009647901421677