IRAQ

The Struggle to Exist



Part I: An Introduction to the
Assyrians and their Human
Rights Situation in the New Iraq

Assyria Council of Europe

Hammurabi Human Rights Organization



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Violence and Discrimination against Assyrian Communities in Nineveh Province's Disputed Territories and in the Iraqi Kurdistan Region

Methodology... 4

Map: The Iraqi Kurdistan Region and Disputed Territories Claimed by the Kurdistan Regional Government... 5

The Struggle to Exist... 6

I. Relevant Legal Standards... 8

Iraq and International Standards Protecting Minority Rights... 8 Other UN Standards Protecting Minority Rights... 8 Regional Standards Protecting Minority Rights... 9 National Standards Protecting Minority Rights... 9 Iraq's New Constitution and the Disputed Territories... 10

II. Background Information... 12

"Arabisation" Policies... 14

The Anfal Campaign ... 14

"Arabisation" and "Nationality Correction" between 1991 and 2003... 15

III. Post-2003: Conflict in Assyria... 17

Regime-Change and Civil War... 17

Fighting over Nineveh... 19

Political Developments and the Situation in the Province... 20

Recommendations... 23

To the Kurdistan Regional Government... 23

To the Government of Iraq... 24

To the United States and Coalition Countries... 25

To UNAMI and International Human Rights, Humanitarian and Aid Organisations... 26

Appendix I: Tables showing the number of Assyrians and other Christians killed, wounded and kidnapped, as well as targets of terrorist attacks, in 2009 and 2010... 27

Appendix II: Assyrian IDPs and Refugees... 31

METHODOLOGY

This report is based on a six-week fact-finding mission in the northern Iraqi cities of Arbil, Kirkuk and Dohuk, the regions of Barwari-Bala, Sapna, Simel, Zakho and Nahla, and the towns or villages of Bakhdida (Qaraqosh), Tall-Kepe (Tell-Kayf), Tisqopa (Tell-Isquf), Batnaya, Beqopa (Baqofah), Alqosh, Ba'shiqa, Bahzani, Karimlish (Karemles), Baritleh (Bartillah), Sharafiyah, Bahindawaya, 'Ayn-Baqrah, Karanjok, Dashqotan, Pirozawah, 'Ayn-Sifne, Shaqlawa and Diyana.

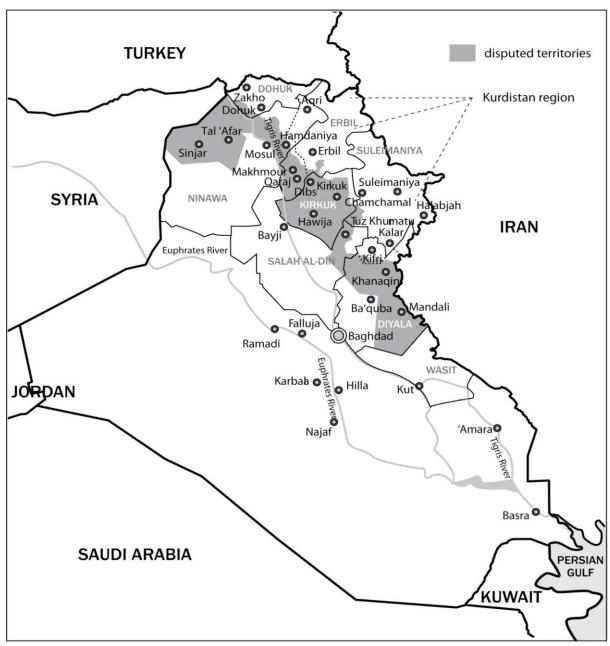
The fact-finding mission was conducted between November and January 2010 to investigate abuses against Assyrians in the disputed territories of the Nineveh Plains and in the Iraq Kurdistan Region. For security reasons the Assyria Council of Europe did not visit the city of Mosul.

Assyria Council of Europe interviewed over 70 men and women of the Chaldo-Assyrian community, both privately and in group settings. Interviews were conducted mainly in Syriac and Arabic, without a translator,

persons having been identified for interview largely with the assistance of Iraqi nongovernmental organizations serving Assyrian groups. In addition, Assyria Council of Europe conducted follow-up telephone interviews and consulted official documents provided by Assyrian representatives. All of these interviewees were informed of the purpose of the interview, its voluntary nature, and the ways in which the data would be collected and used, and verbally consented to be interviewed. The names and other identifying information of many of them have been withheld in the interests of their personal security.

The report also draws on meetings in Arbil with senior Assyrian official and Iraqi Parliament member Yonadam Yousif Kanna. Assyria Council of Europe also interviewed Nineveh Provincial Council elected representative Jevara Zaia, who in the 2008 provincial elections won the Christian minority quota seat.

Map: The Iraqi Kurdistan Region and the Disputed Territories Claimed by the Kurdistan Regional Government



Courtesy of the International Crisis Group and Human Rights Watch

THE STRUGGLE TO EXIST

The purpose of this report is to give the facts regarding the situation of Assyrians in northern Iraq, including the Iraqi Kurdistan Region (IKR). It also outlines the Kurdistan Regional Government's (KRG) policies towards Assyrians and other Christians of all denominations, as well as other minorities in the region. The report also outlines the reality of the Kurdistan Democratic Party (KDP) leadership's policies towards these groups. Additionally, it examines and responds to the seriously misleading report presented in December 2009 by Ms. Bayan Sami Abdul Rahman, the KRG's High Representative to the UK in retaliation to allegations of Kurdish involvement in the killing and displacement of Mosul's Christians, and lends its support to the November 2009 report by Human Rights Watch on violence against minority communities in Nineveh province's disputed territories.

Essentially at issue is the status of the Assyrians in the disputed territories immediately south of the semi-autonomous IKR, as well as those Assyrians residing within the IKR. For nearly three decades previous Iraqi governments attempted to "Arabise" northern Iraq, forcibly driving out hundreds of thousands of non-Arabs such as Assyrians and Kurds from their homes and settling ethnic Arabs in their place. Currently, since Saddam Hussein's overthrow, the leadership of the KRG insists that it is entitled to claim this land as part of an ever-expanding Kurdish territory, stretching from the Sinjar area near the Syrian border in the west all the way to Khanaqin near the Iranian border to the southeast.

Vast segments of these disputed territories claimed by the Kurdish authorities are historical regions of other indigenous Iraqi peoples. Kirkuk, for example is historically Assyrian and Turkmen, Mosul is Assyrian and Arab, and the Nineveh Plains are home also to Assyrians, Yazidis, Shabak, Turkmen and Kaka'is. Turkmen and Arabs also predominate and outnumber Kurds in the north of Diyala province. Furthermore, the Kurdish presence in most of these territories is not ancient and the non-Kurdish communities dominate. It would not be practical to thus construct boundaries and regions along ethnic lines.

The KRG has also intensified its Kurdish nationalist outlook since 2003, which through "Kurdification" is threatening the very existence and way of life of Assyrians indigenous to those areas presently under their control. The KRG authorities have been in power since 1991, governing with semi-autonomy. They hold a significant number of posts in the Iraqi state and the Iraqi constitution, grants the IKR powers almost equal to those of the central government. This impedes the state's functionality.

While both Kurd and Arab leaderships claim the 'disputed territories,' such as the Nineveh Plains or Kirkuk, the actual facts on the ground differ from the ethnically exclusive narratives they portray. These territories are historically one of Iraq's most ethnically, linguistically, culturally, and religiously diverse areas, and for centuries they have been home to indigenous Assyrian Christians, as well as Yazidis, Shabaks, Turkmen, and other minorities. The same is true for the IKR, which is not only home to communities of indigenous Assyrians and Yazidis, but also to considerable Turkmen, Arab and Armenian communities.

Of course, Iraq's Kurds deserve to be compensated for the atrocities committed against them by the various Iraqi governments, among them genocide and the displacement of hundreds of thousands of people. This issue though should be considered separate from the Kurds' current struggle for political control over the disputed territories, and does not justify one ethnic group controlling the area exclusively. All victims of Saddam Hussein's Arabisation campaign should to be able to return to, and rebuild, their historic communities – including Assyrians. Kurds also should not claim exclusivity of suffering, especially since, historically Kurds have been the victimisers of indigenous groups less numerous than themselves, such as Assyrians and Yazidis. In a sense nowadays, history is once again regrettably repeating itself.

The competing efforts of Arabs and Kurds to resolve their territorial disputes over northern Iraq's future have left the Assyrians, and other communities who live there in an uncertain situation. It is they who ultimately bear

the brunt of this conflict and come under growing pressure to declare their loyalty to either one side or the other, or face the consequences. They are being victimised by the heavy handed tactics of the Kurdish authorities, not the least arbitrary arrest and detention, torture, and intimidation, directed at anyone resisting Kurdish expansionist plans. The Kurdish thrust into the region has also created an opportunity and reason for Arab ultranationalists and Sunni extremists to continue killing members of minority groups, especially non-Muslims. It is precisely this segment of society, the shade of grey being neither Arab nor Kurd, which is struggling to exist in the new Iraq.

I. Relevant Legal Standards

Before describing the conditions of Assyrians and members of other minority communities in northern Iraq, it may be helpful to remind the reader of the Iraqi central government and its responsibilities towards its minorities, as well as an outline of their legal rights, as stipulated by the relevant international, regional and national standards, including the country's new constitution. Much of this relies on information presented by Human Rights Watch in their November 2009 Report, and serves as a useful background.

Iraq and International Standards Protecting Minority Rights

On gaining independence and joining the League of Nations in 1932 Iraq made a declaration that it would protect the rights of minorities. Even though it was the first non-European state to so declare, it went back on its word with the massacre of roughly 3,000 Assyrians in the Simel area in August 1933, forcing the flight of 12,500 refugees to neighbouring Syria and the abandonment of over 60 villages. This campaign of terror inflicted by the Iraqi monarchy has been described by modern-day scholars as genocidal.

When the United Nations was formed after the Second World War, the international community recognised that minorities around the world were particularly vulnerable to human rights abuses. In December 1948 the UN General Assembly adopted the Convention on the Prevention and Punishment of the Crime of Genocide. This was followed by others affirming the rights of minorities within international law. In 1971, Iraq was one of the first countries in the world to ratify the International Covenant on Civil and Political Rights. Article 26 of the Covenant bans discrimination on grounds of race, religion, and language, and article 27 is set aside exclusively for the rights of minorities, "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language."

Since then Iraq has assumed the obligation to take action to protect minority rights through other notable UN conventions, such as the International Convention on the Elimination of All Forms of Racial Discrimination, ⁴ and the Convention on the Rights of the Child. ⁵ The latter specifically requires the education of a child to be directed to the "development of ... his or her own cultural identity, language and values" and gives a child of a religious minority the right "to enjoy his or her own culture, [and] to profess and practise his or her own religion."

Other UN Standards Protecting Minority Rights

Additionally, the United Nations General Assembly (UNGA) has passed declarations that detail best practices and human rights standards for protecting minorities. In the UNGA Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (1981), the "freedom to have a religion ... and freedom ... to manifest his religion or belief in worship,

¹ Human Rights Watch, "On Vulnerable Ground," November 2009, pp. 14-17.

² Genocide Convention, adopted by Resolution 260(III)A of the United Nations General Assembly, December 9, 1948, G.A. Res. 260 (III) A, entered into force January 12, 1951.

³ International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, GA. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976, ratified by Iraq on January 25, 1971.

⁴ International Covenant on the Elimination of All Forms of Racial Discrimination (ICERD), adopted December 21, 1965, G.A. Res. 2106 (xx), annex, 20, U.N. GAOR Supp. (No. 14) at 47, U.N. Doc. A/6014 (1966), 660 U.N.T.S. 195, entered into force January 4, 1969, ratified by Iraq on January 14, 1970.

⁵ Convention on the Rights of the Child (CRC), adopted November 20, 1989, G.A. Res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167 U.N. Doc. A/44/49 (1989), entered into force September 2, 1980. Iraq acceded to the Convention on June 15, 1994.

⁶ Ibid., arts. 29 and 30.

observance, practice and teaching" is protected, and "coercion which would impair [t]his freedom" is prohibited. More specifically, assembly for worship, observance of religious holidays, maintaining and erecting buildings for worship, acquiring items for use in religious rituals, religious teaching and appointment of religious leaders, fundraising for religion and communication with coreligionists are activities that fall within the protection of freedom of religion. According to the UNGA's Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities (1993), states are obliged to protect minorities by taking "measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs." The declaration also says that states must protect the identity of minorities within their respective territories by encouraging "conditions for the promotion of that identity" and measures allowing minority members to "participate fully in the economic progress and development in their country." It states that minorities have the right to establish and maintain their own associations. Minorities also have "the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority."

Regional Standards Protecting Minority Rights

Protecting the rights of minorities is also incorporated into international law through regional instruments and standards, such as the Council of Europe's Framework Convention for the Protection of National Minorities and the European Charter for Minority Languages, and the Arab Charter on Human Rights. ¹² The Arab Charter, adopted in 2004 by the Council of the League of Arab States (of which Iraq is a founding member), states the following: "minorities shall not be deprived of their right to enjoy their culture or to follow the teachings of their religions." Further, the Arab Charter prohibits denying an individual's rights because of his or her "race, colour, sex, language, religion, political opinion, national or social origin, property, birth or other status and without any discrimination between men and women." ¹⁴

National Standards Protecting Minority Rights

Iraq's constitution, ¹⁵ adopted in October 2005 by popular referendum, has various provisions guaranteeing the rights of ethnic and religious minorities. The constitution specifically "guarantees the full religious rights to freedom of religious belief and practice of all individuals such as Christians, Yazidis, and Mandean Sabeans." ¹⁶ Article 3 explicitly recognizes that Iraq is a country of multiple nationalities, religions, and sects. ¹⁷

⁷ Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, G.A. res. 36/55, 36 U.N. GAOR Supp. (NO. 51) at 171, U.N. Doc. A/36/684 (1981), art. 1.

⁸ Ibid., art. 6.

⁹ Declaration of the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities, G.A. res. 47/135, annex, 47 U.N. GAOR Supp. (No. 49) at 210, U.N. Doc. A/47/49 (1993), art. 4.

¹⁰ Ibid., arts. 1 and 5.

¹¹ Ibid., art. 2.

¹² Framework Convention for the Protection of National Minorities, adopted February 1, 1995, ETS No. 157, entered into force

February 1, 1998; European Charter for Regional or Minority Languages, adopted May 11, 1992, CETS No. 148, entered into

force January 3, 1998; Revised Arab Charter on Human Rights, May 22, 2004, reprinted in 12 Int'l Hum. Rts. Rep. 893 (2005), entered into force March 15, 2008.

¹³ Arab Charter, art. 25.

¹⁴ Ibid., art. 2.

¹⁵ Constitution of the Republic of Iraq (Dustur Jumhuriyyat al-'Iraq), 2005, http://www.uniraq.org/documents/iraqi_constitution.pdf.

¹⁶ Constitution of the Republic of Iraq (Dustur Jumhuriyyat al-'Iraq), 2005, art. 2(2). The identity of Chaldean-Assyrian Christians and Yazidis, as well as Shabaks, is explained in Chapter II. Mandean Sabeans worship John the Baptist as their central prophet and belong to one of the oldest surviving Gnostic religions in the world, dating back to the Mesopotamian civilization.

civilization. ¹⁷ Constitution of the Republic of Iraq (Dustur Jumhuriyyat al-'Iraq), art. 3.

Article 4 guarantees the right to educate children in their mother tongue (such as Turkmen, Syriac, and Armenian). 18 Despite this many members of minority groups have claimed that it is discriminatory and attempts to emphasise the ethnic role of Arabs and Kurds, differentiating between them and other indigenous Iraqis. Article 4.2 for example unreasonably dictates the huge numbers of governmental official documents to be published in Kurdish. Article 4.4 also complicates mothertongue education for many indigenous groups. It demands a population density before recognising a particular language as official in any region, though it does not describe what constitutes population density. 19 This is dangerous for the Assyrians who, because of the vicissitudes of history, do not really have a large population density in one area.

According to article 14, all Iraqis are "equal before the law without discrimination based on gender, race, ethnicity, nationality, origin, color, religion, sect, belief or opinion, or economic or social status."²⁰ The constitution has its shortfalls though, in that it disturbs the function and viability of the Iraqi state with serious restrictions on its authority, and granting independence to regional authorities in important state issues, authority and decision-making. Up to now though, the constitutional review committee has yet to realise any amendments.²¹ Federalism and related paragraphs (the power of the federal and central authorities, the boundaries of the IKR, and underground wealth) remain the most controversial subjects to be amended.²²

Iraq's New Constitution and the Disputed Territories

The Iraqi constitution also stipulates a national law must be passed to "guarantee the administrative," political, cultural, and educational rights of the various nationalities, such as Turkmen, Chaldeans, Assyrians, and all other constituents."23

The constitution takes up the language of article 58 of its predecessor, the Transitional Administrative Law (TAL), which specified steps the government must take to "remedy the injustice caused by the previous regime's practices in altering the demographic character of certain regions, including Kirkuk, by deporting and expelling individuals from their places of residence, forcing migration in and out of the region, settling individuals alien to the region, depriving the inhabitants of work, and correcting nationality." These steps, now required by article 140 of the constitution, include the following:24

the following.
\square Restore expelled and deported residents to their homes and property, or, where this is unfeasible, provide just compensation; ²⁵
☐ Promote employment opportunities for persons who were previously deprived of employment or other means of support in order to force their migration out of the regions; ²⁶
□ Repeal all decrees relevant to "nationality correction" and permit affected persons the right to determine their own ethnic affiliation free from coercion and duress; ²⁷

¹⁸ Ibid., art. 4.

¹⁹ Iraqi Turkmen Human Rights Research Foundation (SOITM), "SOITM report to the UPR of Iraq," February 2010, p. 2.

²⁰ Constitution of the Republic of Iraq (Dustur Jumhuriyyat al-'Iraq), art. 14.

²¹ "Amendment of Iraqi constitution is still pending", PNA, July 16, 2009, http://www.aknews.com/en/aknews/4/54268/.

²² Iraqi Turkmen Human Rights Research Foundation (SOITM), "SOITM report to the UPR of Iraq," February 2010, p. 2. ²³ Ibid., art. 125.

²⁴ Ibid., art. 140; Law of Administration for the State of Iraq for the Transitional Period (TAL), March 2004, art. 58.

²⁵ TAL, art. 58(a)(1).

²⁶ Ibid., art. 58(a)(3).

²⁷ Ibid., art. 58(a)(4). Saddam Hussein's government policy of Arabization, which continued right up to April 2003, forced many Kurds and other non-Arabs in parts of northern Iraq to change their declared ethnic identity (commonly referred to as "nationality correction") to Arab or face expulsion from their homes.

□ Appoint a neutral arbitrator to make recommendations concerning the administrative boundaries that were modified by the previous regime; ²⁸ and
☐ Conduct a fair and transparent census followed by a referendum in Kirkuk and other disputed territories "to determine the will of their citizens" by a date not later than December 31, 2007. ²⁹ (This
referendum has yet to take place.)

²⁸ TAL, art. 58(b).
²⁹ "Normalization" refers to the removal of Arab settlers and the return of Kurds expelled from the region by former regimes as part of their Arabization policy. Constitution, art. 140 (2).

II. Background Information

Northern Iraq, and especially Nineveh province, is a microcosm of Iraq and its society. The area has been inhabited by Assyrians, Yazidis, Arabs, Kurds, Turkmen, Kaka'is and Shabaks for centuries and is indeed the most multi-ethnic, multi-cultural, multi-religious, and multi-lingual part of the country. The complex interwoven network of villages, each with their own churches, mosques and temples, stretching from the plains north and east of Mosul to the mountainous border with Turkey bears witness to the wealth of the area's human history. The table below, as well as appendixes I and II, are good examples that show the amount of cultural and linguistic diversity present in the Nineveh Plains.

Ethnic Group	Pop.
Sunni Arabs	60,000
Yazidis	35,000
Assyrians	30,000
Turkmen	15,000
Shabaks	7,000
Kurds	5,000
Kaka'is	3,000
Total:	155,000

Table: Ethnic makeup of Tell-Kayf District³⁰

A note on the usage of the term "Kurdistan":

The geographical term Kurdistan derives from a Persian word meaning "land of the Kurds" and was first mentioned in 1062 by an Armenian historian describing a battle near modern-day Diyarbakir. A map by Mahmud al-Kashgari from 1074 shows the "land of the Kurds" as an area adjacent to modern Iraq, Iran and Syria. In fact the term is said to have been coined in 1150 by the Seljuk Sultan Sanjar to denote a portion of present-day western Iran, which is held to be the original Kurdish homeland, and the term was thereafter sparingly used, next attested in Armenian and Persian texts from 1200 and 1340. Contemporary use of the term refers to parts of northwest Iran, northern Iraq, southeast Turkey and northern Syria, which in the last few hundred years have become home to a Kurdish majority, but were once inhabited mainly by Assyrians or Armenians.

Due to constant campaigns of massacre and Genocide by Kurdish princes and warlords in cooperation with Ottoman and Persian Muslim rulers under the old feudal system, the Christian Assyrians have gradually been bled into the ground in their historical homeland of Assyria and Northern Mesopotamia. At present they are an endangered indigenous minority with large Diaspora communities. It is thus quite offensive for Assyrians that their traditional lands now be called Kurdistan, in the name of the people who over the last thousand years have gradually culled them into being a minority in their own home. It is also seen by them as exclusive since, as "land of the Kurds," it leaves little place for other ethnic groups who call the region home, and disputes their rights as indigenous people.

Thus the term Kurdistan in this report is only used in an official capacity to denote the official terminology in place for areas currently known as the Iraqi Kurdistan Region (abbreviated here to IKR), and the ruling Kurdistan Regional Government (KRG). In no way does use of the term

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³⁰Information supplied by District Governor (*Qaimaqam*) Basim Bello, interviewed by Assyria Council of Europe at Alqosh in December 2009.

Kurdistan here lend it credit or justify their use of it to denote historically Assyrian lands.

A note on identities of northern Irag's ethnic minorities:

Assyrians constitute Iraq's indigenous Christian population and now number between 600,000 and 800,000.31 In 2003 their population was estimated at 1.4 million, and they now constitute a third of Iraqi refugees in neighbouring countries.³² Close to two-thirds of them belong to the Chaldean Catholic Church, and roughly one-fifth belong to the Assyrian Church of the East. The rest belong to the Syriac Orthodox Church, Syriac Catholic Church, Ancient Church of the East, and various protestant denominations. They call themselves Suraye, which is descended from the ancient term denoting a citizen of the Assyrian Empire. They are descendants of the ancient peoples of Mesopotamia, speak Aramaic, and originate from and live mainly in northern Iraq, with communities all over central and southern Iraq as well as adjoining parts of Turkey, Iran and Syria. They tend to be successful professionals, skilled workers, and businesspeople or independent farmers.

Yazidis practice a 4,000-year-old religion which focuses on Malak Ta'us (the 'Peacock Angel') as well as other deities. Numbering between 550,000 and 800,000, Yazidis live mainly around Siniar. with smaller communities in the Shaykhan district and in the IKR cities of Arbil, Dohuk and Sulaymaniyah.³³ Much mystery surrounds their origins and ancestry, and they are also to be found in adjoining regions of Turkey and Syria. They include Kurdish as well as Arabic speakers, though they claim neither as their original mother-tongue. The Yazidis are for the most part impoverished cultivators and herdsmen, and their community tends to be off-limits to outsiders. Historically, the Yazidis have been subject to acute persecution by Islamic fanatics who have misconstrued their beliefs and practices as satanic.34

Shabaks are an ethno-cultural minority that have been in Iraq since the beginning of the 16th century. They are descended from Turco-Persian elements and their name derives from Shah (Persian for 'King') and Bey (Turkish for 'Lord'). Their language is a mix of Turkish, Persian, Kurdish, and Arabic. They are mainly farmers and are all Muslim, with 70 percent of them belonging to the Shiite sect and the rest being Sunni. They number between 200,000 and 500,000, and are largely located in Mosul and some 35 towns and villages east of the city in the Nineveh Plains. 35 They have been recognised as a distinct ethnic group in Iraq since 1952.

Kaka'is (also known as Kikis, Yarsan or Sarlis) are a tiny minority in Nineveh province, numbering about 50,000. They are concentrated in Mosul, as well as a handful of villages at the confluence of the Upper Zab and Khazir rivers, in the eastern part of the Nineveh Plains. Their origins are unknown and they profess to be Muslims, though their beliefs are related to the Ahl-e-Haqq sect in neighbouring Iran. Like the Shabak, their language is a mix of Turkish, Persian, Kurdish, and Arabic and they are mainly farmers.

Armenians are a tiny minority in northern Iraq, numbering about 16,000 in the whole country. Apart from the descendants of a tiny merchant community from Iran dating from before the First World War, they are largely the descended from refugees that fled the Genocide in eastern Turkey between 1915 and 1918. Their handful of villages is concentrated mostly in the area between Zakho and Simel

³¹ Other Christian denominations to be found in Iraq (especially Baghdad) include the Armenian Orthodox and Catholic Churches, the Latin Catholic Church, the Anglican Church, the Greek Orthodox and Melkite Catholic Churches and the Coptic Orthodox Church.

³² Frances Harrison, "Christians besieged in Iraq," BBC News Online, March 13, 2008, http://news.bbc.co.uk/2/hi/middle_east/7295145.stm; and Andrew Harper, "Iraq's Refugees, Ignored and Unwanted," International Review of the Red Cross, March 2008, http://www.icrc.org/Web/eng/siteeng0.nsf/htmlall/review-869p169/\$File/irrc-869_Harper.pdf.

33 Minority Rights Group International, World Directory of Minorities (London: Minority Rights Group, 1997), p. 387.

³⁴ Human Rights Watch, "On Vulnerable Ground," November 2009, pp. 18, 41.

³⁵ US Department of State, "International Religious Freedom Report 2008," http://www.state.gov/g/drl/rls/irf/2008/108483.htm.

in Dohuk province, and their common vernacular is Kurdish, with the younger generation more proficient in Armenian. They have been used in northern Iraq to alter the region's demography and their presence has often been used as an excuse to dilute the Assyrians' ethnicity and brand them solely as Christians, presumably in an effort to be inclusive to Armenians.

"Arabisation" Policies

Since the 1930s, and particularly in the 30-year period between 1961 and 1991, Iraqi central governments have attempted to alter the demographic makeup of northern Iraq by expelling hundreds of thousands of Kurds, Assyrians and others from their homes, and repopulating the areas with Arabs transferred from central and southern Iraq. This government policy, known as "Arabisation" (*ta'rib*), intensified from 1974 with the aim of reducing minority populations whom authorities considered to be of questionable loyalty in this strategic area. In response to constant Kurdish insurgencies the government mounted a concerted campaign to change the ethnic composition of northern Iraq, especially in areas bordering Turkey and Iran. The government, using military force and intimidation as the primary methods, completely depopulated entire non-Arab villages which they then bulldozed or exploded. By the late 1970s the Iraqi government had forcibly evacuated as least a quarter of a million Kurds, Assyrians and other non-Arabs. Amongst the 4,500 villages in northern Iraq obliterated by the end of the Anfal campaign in 1988, more than 150 of them were Assyrian villages containing more than 60 historical churches.

The government followed up these expulsions with legal decrees meant to consolidate this displacement. First, the government invalidated the property titles of the displaced non-Arabs, often with nominal or no compensation. The government then nationalised agricultural lands, making them Iraqi state property (known as *islah zira`i*). They then embarked on a massive campaign to resettle the formerly non-Arab areas with Arab farmers and their families from other parts of Iraq, thus completing the process of Arabisation.

Finding a supply of settlers was not difficult. The Mesopotamian desert southwest of Mosul was then home to hundreds of thousands of nomadic Sunni Arab Bedouin who largely supported the government. These Bedouin tribespeople, lured with free, irrigated land, and encouraged by their tribal sheikhs, abandoned their difficult lives in the desert and moved north en masse. Although the land was declared property of the state, it was leased on annual contracts only to the new Arab farmers.

The Anfal Campaign

Between February 23 and September 6, 1988, as Iraq was nearing the end of its eight-year war with neighbouring Iran, government forces launched a military campaign against Kurdish insurgency which they officially codenamed Anfal ("the spoils"), derived from a passage in the eighth surah of the Qur'an. This infamous series of operations reached genocidal proportions and included the use of aerial bombardment, ground offensives, destruction of villages, mass deportation, and chemical weapon attacks. The campaign resulted in the "disappearance" of about 100,000 Kurds and thousands belonging to other ethnic groups; since the previous regime's overthrow, countless human remains have been recovered from mass graves in various parts of Iraq. By the time this operation was declared over by an amnesty in September 1988, northern Iraq was devastated. A large segment of the population was displaced, with refugees and those who survived forbidden from returning to their destroyed homes.

³⁶ Information in this section is largely summarized from Human Rights Watch, "On Vulnerable Ground," November 2009, pp. 19-21.

³⁷ CAPNI, "Introductory Report on Iraqi Christians," http://capni.net/articles_10_Introductory-Report-on-Iraqi-Christians.html.

After the amnesty, some Assyrians and members of other minorities who had fled alongside Kurds, or had joined the Iraqi opposition's guerrilla war in the mountainous north, surrendered to Iraq forces only to "disappear." It is presumed that they were bused out to remote desert sites, executed en masse, and buried in mass graves. In one known incident 26 Assyrians from Gund-Kosa were taken from a concentration camp at Baharka near Arbil, never to be seen again. These were among the 250 Assyrians known to have perished in the Anfal campaign and its aftermath. Baath officials considered them to be traitors who were "worse than Kurds" – not only because they acted like Kurds but they also rejected governments attempts to designate their ethnicity as "Arab."



An Assyrian woman in Gunde-Kosa who lost most of her family in the Anfal campaign

"Arabisation" and "Nationality Correction" between 1991 and 2003

From the end of the first Gulf War in 1991 the no-fly zone and the unofficial boundary known as the Green Line kept majority Kurdish areas of northern Iraq effectively outside Baghdad's control. Despite this, Arabisation continued to the south. The Iraqi government expelled about 120,000 people from Kirkuk and other areas under their control during the 1990s, continuing up to the regime change in April 2003.

From 1997 onwards the Baath Party government formally introduced another Arabisation policy, pressuring non-Arabs living in areas under their control such as Kirkuk, Khaniqin, Sinjar, and other

⁴⁰ Ibid., p.317.

³⁸ Human Rights Watch, Genocide in Iraq: The Anfal Campaign Against the Kurds, pp. 315-317.

³⁹ Ibid., p.317; Human Rights Watch, Iraq's Crime of Genocide,1995, p. 209.

districts to "correct" their ethnicity by registering as "Arabs." This was done on so-called "nationality correction forms," which were distributed by the government. Furthermore, those who did "correct" their nationality were compelled to participate in loyalist activities, including volunteering for paramilitary forces such as the popular army (*jaysh sha'bi*). The Iraqi government also refused to register newborns with non-Arabic ethnic or religious names. The government justified this practice labelling these names "foreign," "socially unusual" and "alien to the heritage of Iraqi society." For those who resisted these demands, officials simply ordered their expulsion, forcing them and their families to leave their homes for the KRG-controlled areas, or they were pressured to leave the country.

⁴¹ Human Rights Watch, Iraq – Forcible Expulsion of Ethnic Minorities, pp. 16-17.

III. POST 2003: CONFLICT IN ASSYRIA

With the US-led occupation of Iraq in 2003 came a new and unprecedented era of persecution for Iraq's indigenous minorities most notably in the Nineveh province, already mentioned as one of the country's most diverse areas and host to different cultures and civilisations over the centuries. Under the current state of affairs, with Kurdish nationalists and Sunni Arabs exchanging blows in a tit-for-tat struggle over the disputed territories and their resources, it is precisely the members of these minorities who stand the greatest risk of loss and face the most difficult challenges.

Regime-Change and Civil War

After the regime-change in Iraq in 2003, KRG authorities, close allies of coalition forces, with US support effectively took control of much of the disputed area south of the Green Line. As the *peshmerga* (Kurdish forces) moved south in cooperation with US and coalition troops, thousands of Arabs who had been settled during Saddam's Arabisation campaign up to thirty years previously quickly fled the area and most of them remain displaced. A number of those that have since returned now receive various forms of support from Kurdish authorities in return for their cooperation.⁴²

The vacuum created by Saddam's fall, and the chaos that followed drew Iraq deeper and deeper into sectarian violence as conflict between Shiite and Sunni Arabs took hold of the centre and south of the country, intensifying in 2005 and 2006. Whilst the rest of Iraq was occupied with quelling this intermittent conflict, Kurdish leaders quietly continued to secure their military and political grip on northern Iraq's disputed territories by moving their security forces into the area while simultaneously building Kurdish political and administrative structures to control it. Inside the IKR the outward show of Kurdish nationalism has become more pronounced and it is now rare to see Iraqi flags displayed, even though it was changed at the behest of the Kurds. Increasingly non-Kurds in this area, as well as those not belonging to the major Kurdish parties, are becoming marginalised and discriminated against.

After the conflict between Shiites and Sunnis had quieted in 2007, Arab politicians in the central government began to realise that while they were busy fighting one another, the Kurdish leaders had consolidated their control over much of the disputed territories. The fear that the KRG may possibly annex these areas by force now unites them against this perceived common threat. Furthermore, the neglect in providing proper redress for the victims of Saddam's Arabisation policies, many of whom were impoverished Kurds who have not been able to return to their former homes, has only widened the gap between them and Arabs. With the US accelerating towards full withdrawal from Iraq, these tensions threaten to explode into another full-scale conflict, this time not sectarian but ethnic – threatening to entice the involvement of neighbouring states and destabilising the entire region. Sunni Arabs see Kurdish claims as expansionist and illegitimate, threatening Iraq's unity and territorial integrity. This has also provided fuel for the insurgency in the area, where Iraqi insurgents and groups like al-Qaeda in Mesopotamia seek to make use of Sunni Arab anger, finding recruits especially among the Arabs displaced by the reversal of Arabisation.

The KRG in turn is impatient and unyielding in its demands that a 'constitutionally-mandated' referendum on the future of the disputed territories be implemented. The referendum is mandated by article 140 of the Iraqi constitution⁴⁴ and its December 31, 2007, deadline has long passed and there are no plans on the horizon for holding it due to the violence it may unleash.⁴⁵ Of course, with their

 ⁴² A case in point is the village of Badriya, which is dominated by a fortress manned by Kurdish peshmerga and surrounded by Kurdish checkpoints.
 ⁴³ Corey Flintoff, "Shift in Power Heightens Tensions in Iraqi City," NPR, February 27, 2009,

⁴³ Corey Flintoff, "Shift in Power Heightens Tensions in Iraqi City," NPR, February 27, 2009, http://www.npr.org/templates/story/story.php?storyId=101248555.

Human Rights Watch, "On Vulnerable Ground," p. 22.

⁴⁵ Sam Dagher, "New Kurdish Leader Asserts Agenda," July 28, 2009, New York Times http://www.nytimes.com/2009/07/29/world/middleeast/29kurds.html.

political and security presence in these areas it is obvious that Kurdish officials will do their best to ensure that its outcome will be in their best interests. If this occurs, Iraq's central government stands to lose 10% of Iraq's total area (including much of the country's most valuable agricultural lands) to the KRG, doubling the size of the IKR.

Not only that, more than half of Iraq's large oil and natural gas reserves are located in northern Iraq, with many in these disputed territories (such as 'Ayn-Zalah and Gayyarah near Mosul, Naftkhana in Diyala, and Baba-Gurgur near Kirkuk), and they also contain the highest-quality oil in the country. The main problem is that these fields are found in regions where Kurds are either a minority, or are equal in size to other ethnic groups. ⁴⁶ In the Nineveh Plains alone are nine strategic oil fields worth hundreds of billions of dollars, some of which (especially in the Shaykhan district) Kurdish authorities have already begun to illegally exploit. ⁴⁷ It is precisely this access to these high-quality oil fields which could inevitably lead to an enlarged IKR seceding from Iraq and thus causing an even greater regional problem drawing in neighbouring states with restive Kurdish populations.

The lucrativeness of what lies under these disputed lands thus serves as a motive for the current process of ethnic cleansing, intimidation and forced control being implemented by Kurdish authorities on indigenous Assyrians, Yazidis, Shabak and other communities. They are especially trying to rid the area of non-Kurdish elements, or at least sufficiently contain them, in an effort to ensure that the Kurds alone benefit from these natural resources. Their unpragmatic and provocative approach delays constitutional amendments, disturbs the post-war reconciliation process, worsens the already bad security situation, and consciously brings the region closer to war. It is also a significant move towards creating a 'Kurdistan for the Kurds' – a process which has already been started in the IKR and which, if other nationalist states are considered, may see disastrous consequences.



Map of Nineveh province showing its Districts. Shekhan and Aqra have been under KRG administration since 1991. Al-Hamdaniya, Tel Kaif and Al-Shikhan comprise the area referred to as the Nineveh Plains.

⁴⁶ Iraqi Turkmen Human Rights Research Foundation (SOITM), "SOITM report to the UPR of Iraq," February 2010, p. 2.

⁴⁷ Letter addressed to the sub-district governor of Alqosh, dated November 21, 2007, kept on file by Assyria Council of Europe.

Fighting over Nineveh

So far the world's attention has remained focused on the conflict between Kurds and Arabs over oilrich Kirkuk, a historically Assyrian and Turkmen city with a long history of multiculturalism. Despite that, one of the other main arenas in this clash is Nineveh, one of Iraq's largest provinces and the second most populous after Baghdad. Here also there is a unique concentration of diverse and largely indigenous ethnic groups who live mainly to the north and east of its capital, Mosul, in an area known as the Nineveh Plains.

Even though Nineveh is constitutionally and legally under the jurisdiction of Iraq's central government and Kurds here are a minority, Kurdish authorities have been active in reshaping the reality in the province and altering its demography. Travelling through the Nineveh Plains, it gradually becomes apparent how all-encompassing the Kurdish military and political presence has become. Security offices and checkpoints dot the landscape, each flying the Kurdish flag, or decorated with paintings of it, and bearing Kurdish slogans and instructions solely in Kurdish such as *mobayil qadaghaya* ("mobiles are forbidden"). These are all manned by well-armed Kurdish *peshmerga*, sometimes reinforced by local militia funded by the KRG, controlling village after village which, more often than not, are inhabited by non-Kurds. The KDP, the stronger of the KRG's two main parties, has offices complete with intelligence officers (*Asayish*) in even the smallest of these towns. ⁴⁸ Many also have offices of the second Kurdish party, the Patriotic Union of Kurdistan (PUK), or others such as the Kurdistan Communist Party or even the Kurdistan Islamic Union.



Left: The KDP office in Baritleh; Right: An official Kurdish School sign on the boys' school in Tall-Kepe.

The checkpoints affording access into many towns in the Nineveh Plains fly both the Iraqi and Kurdish flags, even though it is not right for the Kurdish flag to be displayed in such a manner outside the IKR, especially in non-Kurdish areas. Kurdish flags also fly high above many schools, government buildings, and from people's rooftops in these towns, while the flag of the central Iraqi state is seldom seen. The largely Yazidi and Assyrian municipalities of Ba'adre, 'Ayn-Sifne and Faida all bear large welcome signs in Kurdish and English, marked with the Kurdish flag, which are standard for municipalities in the IKR. Many schools as far south as the Assyrian town of Tall-Kepe now bear the standard signage in Kurdish which marks schools in the IKR. Even bus shelters marked in Kurdish as belonging to the province of Dohuk are placed as far south as the Assyrian village of Beqopa.

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⁴⁸ The KDP office in the purely Assyrian town of Tisqopa (population 11,000), in the Tell-Kayf district, was the target of a car bombing in 2007. Local Assyrians had previously pleaded with Kurdish authorities to remove the office due to the risk it placed many of the townspeople in, and since they did not want to jeopardise their friendship with local Arabs. Their calls went unheeded. Assyria Council of Europe interviews with community leaders (names withheld) in Tisqopa, December 2009.



A brand new school in the Assyrian and Yazidi town of Bahzani flies the Kurdish flag.



<u>Left:</u> A Dohuk bus shelter at the Assyrian village of Beqopa in the Tell-Kayf district; <u>Right:</u> A sign welcoming people to the Yazidi town of Ba'adre in the Shaykhan districts.

Political Developments and the Situation in the Province

In the years following the collapse of the Baath regime, the rebuilding of administration in northern Iraq developed under the chaotic, unstable, insecure and unmonitored authority of coalition forces, Kurdish political parties, and the *peshmerga*. This almost complete lack of monitoring, and a security-first approach, paved the way for the *peshmerga* to work on their parties' political agendas and soon

control 75 percent of Nineveh province, 20 percent of Salah al-Din, 90 percent of Kirkuk, and 50 percent of Diyala, with little regard for universal human rights. Being well armed, motivated and powerfully supported by coalition forces in those early years, Kurdish parties ensured absolute superiority over all other ethnic communities in the area, whose land they claim in order to expand their own region. With this security shift also came a demographic shift, which resembled that used by Kurds to change the ethnic makeup of Assyrian areas within the IKR. Hundreds of thousands of Kurdish families were brought to the newly controlled regions, building houses on all types of land including municipal, government, and the land of original inhabitants. Newly appointed government works also brough their families in from other provinces. Hundreds of Baath party buildings and government institutions have been occupied by the newcomers and used for housing or offices for Kurdish political parties. So far, most lawsuits presented to the Property Claims Commission come from members of indigenous ethnic communities and are still not completed.

Due to their positions of privilege and power under previous Iraqi governments Sunni Arabs (the majority ethnic group in the province), as well as Christians and members of other communities, have come to resist what they perceive as Kurdish domination over Nineveh. It was largely the refusal of the Sunni Arabs to participate in the political process after the regime change, and their support for the insurgency which allowed the Kurds to dominate Nineveh's provincial assembly after a large Kurdish turnout at the 2005 elections. During these elections the Kurdish authorities were also found to be guilty of electoral fraud and tampering with votes which would have secured more seats for Assyrian representatives – Assyrians were in effect blocked from voting. Some towns and villages never received ballot boxes or ballot papers, or were allowed to vote only when it was already too late. This was not surprising since the man in charge of the delivery of these was Mr. Khasro Goran, a high-ranking member of the KDP. This leverage gave the Kurdish leadership almost exclusive political and military dominance in the province, further alienating Sunni Arabs and turning Mosul into a powder-keg for the insurgency.

Kurdish domination of the local security and administration has disrupted the norm in favour of the Kurds. Most of the politicised appointments to government offices in Kirkuk have been Kurds, as well as contracts granted, decreasing those from non-Kurdish communities. Also, thousands of Kurdish teachers from Dohuk were appointed in the Mosul region, and Kurds constitute about 80 percent of the two Iraqi army divisions in Nineveh province. The security system in Kirkuk has almost been completely replaced by Kurds. Tens of thousands of *peshmerga* fighters were despatched in 2004 and 2005. The KRG receives 17 percent of the Iraqi budget, whilst other ethnic communities have no share in this budget. Since 1991, the KRG and its two main parties receive a huge income from border posts and customs, as well as selling oil to Turkey, which occurred even under Saddam. Thus, with their military and economical powers, it is much easier for Kurds to suppress of the already vulnerable ethnic communities (minorities).

Sunni Arab extremists have brutally attacked the vulnerable Assyrian, Yazidi and Shabak communities as part of this insurgency, labelling them crusaders, devil-worshipers and unbelievers. Truck bombings in August 2007 killed more than 300 Yazidis, and since 2004 Shabaks have reported that more than 750 of their community have perished. Since 2009 bombings targeting Yazidi and Shabak areas have increased. In November 2008 an orchestrated campaign of targeted bombings and killings in Mosul also left about 40 Assyrians dead and over 12,500 people internally displaced. The provincial elections which followed in January 2009 saw the ascendancy of the al-Hadba nationalist Sunni party which utilised widespread resentment against the Kurds to campaign against the KRG. It won against the Nineveh Fraternal List (i.e. the Kurdish coalition), blocking it out of all senior positions in the new administration. As a result of this tension the Kurdish coalition has since

⁴⁹ Iraqi Turkmen Human Rights Research Foundation (SOITM), "SOITM report to the UPR of Iraq," February 2010, p. 7, fn. 19.

⁵⁰ "Assyrian Christians say Kurds wouldn't let them vote", Christians of Iraq, January 30, 2005, http://www.aina.org/news/20050130200448.htm.

⁵¹ Human Rights Watch, "On Vulnerable Ground," pp. 37, 41.

boycotted the provincial council. Even Assyrian representative elected to the council Mr. Tanios Iyou, member of the Ishtar Patriotic List (Assyrians, including many KDP members, aligned with the KRG), has boycotted it in compliance with the Kurds.

Kurdish officials have threatened to resort to military force to annex what they call "Kurdishmajority" areas in the province unless they are offered senior posts in the provincial administration.⁵² Sunni Arab leaders refuse to negotiate until the Kurds recognise Nineveh's administrative borders and pull their security forces north of the Green Line. 53 Even Iraqi Prime Minister Nuri al-Maliki has branded this "unconstitutional" and demanded that Kurdish forces withdraw from areas outside the KRG's borders.⁵⁴ In response, Kurdish authorities have blocked Arab officials from carrying out their duties in the areas of Nineveh province under their control. They have even pressured many of these districts to boycott the new Sunni Arab governor Athil al-Nujayfi. 55 In one incident on May 8, 2009, Kurdish forces (presumably under orders from the KRG) blocked governor al-Nujayfi from entering the Assyrian-Yazidi town of Ba'shiqa, which is under their control. When Mr. al-Nujayfi recently crossed the unofficial boundary on his way to Tell-Kayf, his convoy was pelted with stones and tomatoes and briefly held up by the *peshmerga*. With encouragement from the Kurdish authorities, sixteen towns and districts under Kurdish control in the Nineveh Plains have severed contact with the provincial council and announced plans to create their own administrations to run local affairs.⁵⁶

⁵² Sam Dagher, "Tensions Stoked Between Iraqi Kurds and Sunnis," New York Times, May 17, 2009, http://www.nytimes.com/2009/05/18/world/middleeast/18nineveh.html?ref=middleeast: "Mosul teeters on brink of conflict." UPI, August 17, 2009, http://www.upi.com/Emerging Threats/2009/08/17/Mosulteeters-on-brink-of-conflict/UPI-49091250544442/; Ned Parker and Usama Redha, "Arabs, Kurds take their fight to the polls," Los Angeles Times, January 25, 2009, http://articles.latimes.com/2009/jan/25/world/fg-iraqmosul25.

Dagher, "Tensions Stoked Between Iraqi Kurds and Sunnis," New York Times.

54 "Transcript: Iraq's Maliki on the Kurds," Wall Street Journal, July 9, 2009, http://online.wsj.com/article/SB124715056156618319.html?mod=googlenews_wsj (accessed August 17, 2009). Also Ali Al Windawi and Ned Parker, "Iraq bombing kills 70, injures 182," Los Angeles Times, June 21, 2009, http://www.latimes.com/news/nationworld/world/la-fg-iraq-bombing 21-2009 jun 21, 0, 1042986. story.

⁵⁵ Dagher, "Tensions Stoked Between Iraqi Kurds and Sunnis," New York Times; Nada Bakri, "Dispute Over Land Simmering in Northern Iraq," Washington Post, May 18, 2009,

http://www.washingtonpost.com/wpdyn/content/article/2009/05/17/AR2009051702210.html; T. Christian Miller, "In Nineveh, tensions between Iraqi Kurds and Arabs simmer," Los Angeles Times, June 23, 2009, http://www.latimes.com/news/nationworld/world/la-fg-iraq-kurds23-2009jun23,0,3375847.story.

⁵⁶ "Looming U.S troop withdrawal creates alarm in Mosul", Kurdish Globe (Erbil), June 14, 2009, http://www.kurdishglobe.net/displayPrintableArticle.jsp?id=4AFCC243889260A2CBF073509560064C.

Recommendations

To the Kurdistan Regional Government:

☐ Modify the constitution of the Iraqi Kurdistan Region to recognise Assyrians (including Chaldeans and Syriacs) as one group, and as an indigenous population; and accord legal recognition to Shabaks, Yazidis and Kaka'is as distinct ethnic groups.
☐ Repeal all decrees relevant to "nationality correction" and "Kurdfication", and permit affected persons the right to determine their own ethnic affiliation free from coercion and duress.
□ Protect and guarantee the dignity and empowerment of indigenous non-Kurdish ethnic, religious and linguistic minorities at all levels of government, including provincial, regional and local administrations.
□ Remedy the injustice caused by the Kurdistan Regional Government's practices in altering the demographic character of certain regions by intimidating and threatening those who oppose them, causing them to flee their places of residence, forcing migration in and out of the region, settling individuals alien to the region, depriving the non-Kurdish inhabitants of work, and correcting nationality.
☐ Recognise non-Kurdish IDPs with ancestral roots from villages in the Iraqi Kurdistan Region as locals and refrain from making them apply for residence permits.
□ Restore all expelled and deported non-Kurds to their homes and property, or, where this is unfeasible, provide just compensation. Cease placing obstacles in their search for employment and sources of income and crack down on discrimination and corruption.
☐ Promote employment opportunities for non-Kurds who were have been deprived of employment or other means of support in order to force their migration out of the region.
□ Cease repression of political and civil society organisations that oppose Kurdish nationalist policies in the Iraqi Kurdistan Region and the disputed territories. Allow such organisations to operate freely and without intimidation and fear.
☐ Cease funding political and civil society organisations that divide ethnic communities and support the KDP's nationalist policies by undermining and challenging existing ones which do not.
☐ Ensure that independent non-Kurds can fully participate in public affairs without fearing retribution for differing political views. Cease arbitrarily arresting and detaining non-Kurdish activists.
☐ Transfer detainees originating from Nineveh and Kirkuk Provinces from prisons in the IKR to Nineveh and Kirkuk prisons supervised by local judicial bodies, and allow treatment of such detainees according to due process of law.
☐ Initiate independent and impartial investigations of individuals, including Kurdish security forces, alleged to be responsible for carrying out killings, kidnappings, beatings and torture against minorities. Make the results public and discipline or prosecute, as appropriate, the criminals and even officials who authorised or used excessive force.
☐ Recognise Nineveh Province's 19 March 2003 boundaries until such time as the status of the disputed territories may be altered by constitutional means, and take steps to resolve bilateral issues with the Iraqi Government, avoiding inflammatory rhetoric concerning mutual relations, the status of

disputed territories and the issuance of oil and gas contracts in these areas. Also, seek to minimise security risks by refraining from military manoeuvres in disputed territories without pre-notifying the other side.
\Box Cease funding private militias to carry out public security responsibilities in non-Kurdish towns and villages located in the disputed territories outside the Iraqi Kurdistan Region.
☐ Consult with the representatives on non-Kurdish communities to put in place policies for their protection. Allow municipalities to hire police officers from among their own communities, in accordance with existing procedures outlined by Iraq's Interior Ministry.
$\hfill \square$ Increase funding to non-Kurdish immersion schools and cease the obstacles placed in their operation.
\Box Cease the indoctrination of non-Kurdish children through educational programs in which they are made to glorify Kurdistan at the expense of their own ethnic identity.
\Box Cease the obstacles placed before non-Kurds claiming lands they have lost to Kurdish squatters and conduct proper inquests into incidents of non-Kurds being abducted or murdered in the Iraqi Kurdistan Region.
☐ Cease electoral fraud and allow foreign observers to monitor the election process in the Iraqi Kurdistan Region and disputed territories, as well as count the votes.
☐ Allow independent Iraqi and international human rights organisations to work unfettered in the Nineveh Plains and in the Iraqi Kurdistan Region and to provide unbiased information.
☐ Invite the UN independent expert on minority issues to provide an impartial assessment of the situation of non-Kurdish ethnic communities in the Iraqi Kurdistan Region and in the disputed territories.
To the Government of Iraq:
☐ Facilitate rebuilding the Iraqi state by reducing violence in the country and instituting stability in the region, to create a powerful and viable centralised Iraq.
☐ Amend the Iraqi Constitution to: Reduce the restrictions on the state authorities, remove contradictory articles, clearly define and strengthen the power of central government, and grant priority to the central government in shared authorities and all future decisions.
□ Article 4 of the Iraqi constitution should be rephrased so that it ensures protection of minority groups' linguistic and cultural rights, removes discrimination between the ethnic communities in Iraqi society, improves the access of ethnic communities to education in their own mother tongue, and prevents the publication of immense Iraqi state documentation in Kurdish.
☐ Implement joint administration in educational matters in disputed districts' educational facilities through the creation of a committee comprising members of all ethnic communities in the education directorates of Nineveh and Kirkuk.
☐ Transfer teachers in the disputed districts who receive their salaries from the KRG to the authority and payroll of Nineveh and Kirkuk's education directorates.

□ Protect and guarantee the dignity and empowerment of ethnic, religious and linguistic minorities at all levels of government, including provincial, regional and local administrations. Ensure protection of ethnic, linguistic and religious minorities in the disputed territories through security measures, by ceasing discriminatory resource and service allocation to areas with heavy minority presence, halting efforts to manipulate such groups or enlist them to their side and providing fair political representation.
☐ Local recruitment into Nineveh's security forces and especially integration of members of diverse ethnic groups in security forces deployed in disputed territories.
☐ Implement, as the new provincial governments are formed, an ambitious economic recovery program focused on infrastructure repair and revitalising the agricultural sector. Pressure the Nineveh Provincial Council especially to pledge to release \$500 million in unspent past budget funds to the local government sector.
\Box Facilitate the effective involvement of Iraqis in rebuilding of the state on a democratic basis – NGO laws should be instituted to international best practice.
\square Encourage international human rights organisations such as Human Rights Watch and Amnesty international to open offices in northern Iraq.
□ Create an independent inquiry to determine who was responsible for the carefully-planned systematic campaign of killings and bombings that targeted Assyrians in Mosul between September and November 2008, and November 2009 and February 2010, and the subsequent displacement of over 12,500 Assyrians. The inquiry should not only identify the killers, but also underline why the security services failed to prevent the attacks.
□ Restore the rule of law and the control of the Iraqi central government, police and military in all areas outside the Iraqi Kurdistan Region.
□ Emphasise to the Kurdistan Regional Government the need to remedy the injustices caused by the it's practices in altering the demographic character of certain regions by intimidating and threatening those who oppose them, causing them to flee their places of residence, forcing migration in and out of the region, settling individuals alien to the region, depriving the non-Kurdish inhabitants of work, and correcting nationality.
☐ Initiate independent and unbiased investigations of all individuals, including Kurdish security forces, allegedly responsible for carrying out killings, beatings, and torture against members of minority communities.
□ Pressure the Kurdistan Democratic Party to cease electoral fraud in the Iraqi Kurdistan Region and disputed territories. Invite and allow foreign observers to monitor the election process in the area, as well as count the votes.
☐ Look into the establishment of an area where indigenous minority communities can prosper, progress and protect themselves within the framework of a united and free Iraq.
To the United States, Coalition Countries and the United Nations:
☐ Urge the government of Iraq and the Kurdistan Regional Government to investigate allegations of human rights abuses of minorities by Kurdish and Arab officials.

Assist relevant Iraqi parties to reach the necessary compromises in Nineveh, primarily by: a) pressing the Iraqi government to reintegrate certain members of the Baath party and the insurgency in local civilian and security institutions; b) pressuring local allies that rely heavily on the U.S., notably tribal forces, to promote a power- and security-sharing agreement; and c) insisting on the necessary protection of the diverse indigenous ethnic groups.
☐ Seriously consider adding U.S. military officers to Arab and Kurdish patrols as a transitional confidence-building measure to improve communication, coordination and cooperation.
□ Emphasise to the Kurdistan Regional Government the need to remedy the injustices caused by the it's practices in altering the demographic character of certain regions by intimidating and threatening those who oppose them, causing them to flee their places of residence, forcing migration in and out of the region, settling individuals alien to the region, depriving the non-Kurdish inhabitants of work, and correcting nationality.
□ Emphasise to the Iraqi government the need for a thorough and independent inquiry into the September-November 2008, and November 2009-February 2010, killings of Assyrians in Mosul, as well as independent and unbiased investigations of all individuals, including Kurdish security forces, allegedly responsible for carrying out killings, beatings, and torture against members of minority communities.
\square Do not cooperate with the Kurdish Regional Government until the Kurdish authorities stop the suppression of other indigenous Iraqi communities, abandon claims to lands inhabited mainly by non-Kurds, and abandon the use of militias, intimidation and violence.
\Box Encourage the establishment of an area where indigenous minority communities can prosper, progress and protect themselves within the framework of a united and free Iraq.
To UNAMI and International Human Rights, Humanitarian and Aid Organisations:
☐ Complete the institution of offices in the disputed territories, such as Kirkuk, Mosul, the Nineveh Plains, Tell-Afar, Tuz Khurmatu and Diyala, and provide them with sufficient staff and experts.
☐ Initiate regular fact-finding missions independent of the Iraqi Government and Kurdistan Regional Government to discover what is really happening to minority communities on the ground.
□ Cease employing minders, guides or translators that have links to the governments and ruling parties and ensure that all guides or translators employed belong to the same community as that being researched. Otherwise informants will be too scared to provide accurate statements regarding abuses against them.
☐ Offer to act as foreign observers to monitor the election process in the Iraqi Kurdistan Region and disputed territories, as well as count the votes.

APPENDIX I:

Tables showing the number of Assyrians and other Christians killed, wounded and kidnapped, as well as targets of terrorist attacks, in 2009 and 2010

Murders and Targeted Killings

In total the Hammurabi Human Rights Organisation (HHRO) has counted up to 730 Christians, including Assyrians and Armenians, who have been killed all over Iraq since the regime change in March 2003 due to the following circumstances:

- 537 people killed by unidentified gunmen
- 126 people killed in by terrorist bombings and explosions
- 30 people killed by fire from American or Multi-National forces
- 21 people killed in exchanges of fire between Americans and insurgents
- 10 people killed in American military operations before 9 April 2003
- 6 people killed by the Iraqi National Guard forces

The following 23 cases are those most recently documented, having occurred within the last seven months, and alarmingly show a concentration in the northern city of Mosul.

Name	Date	Details	Location	Other
				Information
Samir Rasho Azo	20 September	43 years old	Baghdad	
	2009			
Imad Eliya	5 October 2009	55 years old,	Kirkuk	
Abdalkarim				
Bashar Samir	15 October 2009	Policeman	Industrial area,	From Baritleh
			Mosul	
Rami Khachik	13 November	16 years old, High	Hay al-Tahrir,	Armenian
	2009	School Student	Mosul	
Ranko Najib	10 December	24 years old,	Hay al-Baladiyat,	
Patros	2009	newly-wed	North Mosul	
Rimon Najib	10 December	18 years old	Hay al-Baladiyat,	
Patros	2009		North Mosul	
Zaid Majid Yusuf	17 December	39 years old	17 Tammuz	
al-Qazazi	2009		neighbourhood,	
			Mosul	
An Assyrian	23 December	?	Khazraj quarter of	Chaldean
(name unknown)	2009		Mosul's old city	Catholic
Basel Isho	24 December	23 years old	Hay al-Jaza'ir,	
Yohanna	2009		Mosul	
Hikmat Saadoun	12 January 2010	75 years old,	al-Saaah quarter,	
Sleiman		Grocer	Mosul	
Saadallah	17 January 2010	52 years old,	Thaqafah	Syriac Catholic
Youssif Jorjis		married with 2 sons	neighbourhood,	
		and 2 daughters,	near Mosul	
		Shop-owner	University	

Abdullahad Amjad Hazim	18 January 2010	Married, Grocer	Hay al-Baladiyat, North Mosul	Syriac Catholic
Rawand Zakir Hedo	8 February 2010	17 years old	Alqosh	
Rayan Salem Bashir Elias	14 February 2010	43 years old, married with children, businessman	Hay al-Mishraq, East Mosul	Chaldean Catholic
Fattuhi Munir	15 February 2010	40 years old, greengrocer	Sahaba district, West Mosul	Syriac Catholic
Najim Abdallah Fattuhi Rahimo	15 February 2010	50 years old, Shop- owner	17 Tammuz, Mosul	
Zia Toma Soro	16 February 2010	21 years old, Engineering Student	Hay al-'Arabi, North Mosul	
Wissam George Yousif Malki Jarjour	17 February 2010	20 years old, Education Student	Wadi al-'Ayn, South Mosul	
Adnan (Sabah) Yaqoub Hanna al-Dahan	20 February 2010	57 years old, married with children, shopkeeper	Hay al-Baladiyat, North Mosul	Syriac Orthodox
Ishoo Maroki	23 February 2010	59 years old	West Mosul	Syriac Catholic
Mokhlas Ishoo Maroki	23 February 2010	31 years old	West Mosul	Syriac Catholic
Bassim Ishoo Maroki	23 February 2010	25 years old	West Mosul	Syriac Catholic
Sabah Yaqoub Adam	16 March 2010	54 years old, married with one son, glassworker	al-Saah quarter, Old Mosul	

In relation to these killings and other attacks, a number of Assyrians have been badly wounded, some of them with little chance of recovery. Among them are the following six cases, all of them in Mosul:

Name	Date	Details	Location	Other Information
Raniya Hanna al- Qas Toma	10 January 2010	Student	Mosul University	
Assyrian girl (name unknown)	10 January 2010	Student	Mosul University	
Assyrian boy (name unknown)	10 January 2010	Student	Mosul University	
Raghid Sabah Tobia	26 January 2010	Young man, store owner	Dawwasa, Mosul	
Thaer Salem Bashir Elias	14 February 2010	Married with children	Hay al-Mishraq, East Mosul	Chaldean Catholic
Ramsin Shmael Lazar	16 February 2010	22 years old, Pharmacy Student	Hay al-'Arabi, North Mosul	Badly wounded to the head

Kidnappings

In total the HHRO has counted up to 182 cases of kidnappings of Christians all over Iraq since the regime change in March 2003. The following five cases are those most recently documented, having occurred within the last seven months, and alarmingly show a concentration in the Nineveh Province.

Name	Date	Details	Location	Other Information
Firas Behnam Ishaq Hanna	14 September 2009	Shop-owner	Bashiqah	Kidnapped, robbed, released six days later.
Mahasin Bashir Toma	26 September 2009	Doctor, married	Baritleh	Kidnapped, released a day later.
Samir Giwargis	October 2009	Paediatrician	Kirkuk	Kidnapped, tortured, released after three weeks.
Sarah Edmond Youkhana	28 December 2009	20 years old, Education Student	Mosul University	Kidnapped, still missing
Johnny Mikhael	15February 2010	12 years old	al-Dawrah, Baghdad	Kidnapped, presumed dead

Terrorist Attacks and Bombings

In total the HHRO has counted more than 51 terrorist attacks on churches and monasteries all over Iraq since the regime change in March 2003. The following 13 cases are those most recently documented, having occurred within the last six months, and alarmingly all of them are concentrated in Mosul and Assyrian towns in the Nineveh Province.

Date	Target	Location	Casualties
October-December 2009	Assyrian House	Hay al-Wahdah, Mosul	
October-December 2009	Assyrian House	Tall-Rumman, Mosul	
October-December 2009	Assyrian House	Matahin, Mosul	
October-December 2009	Assyrian House	al-Hadba, Mosul	
15 October 2009	Mayor of Baritleh, returning from a meeting in Mosul	Industrial area, Mosul	One Assyrian killed.
26 November 2009	St. Ephrem's Chaldean Catholic Church and St Theresa Convent of Dominican nuns	Western New Mosul	
15 December 2009	Annunciation Syriac Catholic church	New Mosul, Majmu'ah al-Thaqafiyah quarter	Five people killed, including a newborn
15 December 2009	Mary Immaculate (al- Tahirah) Syriac Orthodox church	al-Shifa' quarter of Mosul's old city	infant. Another 40 wounded.

23 December 2009	Chaldean Catholic church of St. George and Syriac Orthodox Cathedral of St. Thomas	Khazraj quarter of Mosul's old city	Three dead, including one Chaldean Catholic and two Muslims, and five injured.
4 January 2010	Town Centre	Baritleh	Many wounded.
10 January 2010	Bus for Christian University Students from Bakhdida	Mosul University	Two girls and a boy wounded.
26 January 2010	Two liquor stores	Dawwasa, Mosul	One Assyrian man wounded.
1 February 2010	Town Centre	Bakhdida (Qaraqosh)	12 wounded, including a woman, a child and a policeman.

APPENDIX II:

Assyrian IDPs and Refugees

According to the HHRO 2009 Report on the Situation of Christians in Iraq an average of 300 Christian families leave the country every month. This figure is staggering when we see that many of them are skilled workers, professionals and people with significant intellectual and monetary capital. The vast majority of them have no intention of returning due to the hardships they have experienced.

The report also states that out of the roughly 1,300 Christian families that fled Mosul in the wake of the autumn 2008 terror campaign before the 2009 provincial elections, only 800 have returned to their former homes in the war-torn city. More than 500 families refuse to return and remain internally displaced in towns and villages in the Nineveh Plains and in the IKR.

The more recent terror campaign in the lead up to the March 2010 parliamentary elections, and the spree of killings, kidnappings, bombings, led to another 154 families from Mosul joining the 500 existing IDP families. The following is a breakup of these families and where they have found refuge:

Town/Village	Number of IDP Families
Bakhdida (Qaraqosh)	25
Baritleh	20
Karimlish	3
Tisqopa	15
Ba'shiqah and Bahzani	3
Batnaya	8
Dohuk	2
Our Lady Monastery, Alqosh	33
Mar Mattai Monastery	23
Mar Behnam Monastery	22
Total:	154

The following is an almost complete list, compiled by the ADM, of the number of Assyrian IDPs living in Dohuk Province in early 2009:

Town/Village	District	Number of IDP Families	Number of IDPs
Dohuk Centre	Dohuk	226	981
Ba-Gaire	Doski	4	16
Rumta*	Doski	34	165
Babilo	Doski	10	40
Simel	Simel	20	80
Shiyoz	Simel	39	51
Mar Yaqou	Simel	34	155
Bakhitme	Simel	62	248
Mansuriyah	Simel	42	149
Sorka	Simel	23	77
Bakhluja	Simel	30	120
Sorya	Simel	11	41
Mawana	Simel	80	?
Zakho Centre	Zakho	130	680
Peshabur	Zakho	139	780

Bersive	Zakho	187	817
Levo	Zakho	39	621
Derabun	Zakho	133	466
Be-Daro	Zakho	68	244
Qarawilla	Zakho	67	288
Shiranish	Zakho	59	243
Hizawa	Zakho	37	174
Mergasor	Zakho	14	46
Dashtattakh	Zakho	9	67
Bajidda	Zakho	18	70
Pirakka	Zakho	20	81
Nav-Kandala	Zakho	40	181
Sarsang	Sapna	35	113
Araden	Sapna	72	234
Inishk	Sapna	30	107
Benatha	Sapna	61	223
Badarrash	Sapna	27	102
Dawudiyah	Sapna	43	153
Be-Bede	Sapna	19	62
Kani-Balav	Sapna	19	72
Dehe	Sapna	25	86
Blejane	Sapna	6	23
Hamziyah*	Sapna	19	85
Sardarawah	Sapna	18	69
Tin*	Sapna	21	60
Lower Deralok	Sapna	1	6
Derishke	Barwari-Bala	3	9
Dure	Barwari-Bala	3	10
Bishmiyaye	Barwari-Bala	5	9
Ayn-Nune	Barwari-Bala	9	23
Iqri*	Barwari-Bala	2	5
Malikhtha*	Barwari-Bala	1	2
Sardashte*	Barwari-Bala	8	23
Khwara	Barwari-Bala	1	1
Jedide	Barwari-Bala	2	7
Bas	Barwari-Bala	7	2
Tuthe-Shemaye	Barwari-Bala	1	2
Lower Challik	Barwari-Bala	1	6
Musakan	Barwari-Bala	5	30
Azadi and Shahidan	Aqrah	60	260
Collectives			
Malla-Birwan	Aqrah	62	233
Hazarjot	Aqrah	34	127
Banasora	Aqrah	85	324
Nuhawa	Aqrah	20	94
Be-Boze	Atrush	4	?
Adhekh	Atrush	6	25
Armashe	Atrush	1	3

Tilla	Atrush	20	90
Bilmand	Nahla	2	3
Kashkawa	Nahla	10	27
Meruke	Nahla	8	42
Hizane	Nahla	10	29
Zhoule	Nahla	9	29
Cham-Rabatke	Nahla	4	17
Khalilane	Nahla	10	33
	Total:	2,364	+9,780

^{*} denotes villages that had not been rebuilt prior to 2003 and their inhabitants consist entirely of IDPs who originate from there.

The following is a list of Assyrian IDPs in the towns and villages of the al-Shaykhan district of the Nineveh Province in 2007, compiled by the Assyrian Aid Society:

Town/Village	Place of Origin	Number of IDP Families	Number of IDPs
Ayn-Sifne	Mosul	8	31
	Baghdad	94	436
	Kirkuk	2	7
	Total:	104	474
Pirozawa	Baghdad	15	63
	Kirkuk	2	12
	Total:	17	75
Garmawa	Baghdad	7	36
Karanjok	Mosul	1	5
	Baghdad	3	13
	Total:	4	18
Ayn-Baqre	Baghdad	3	5
	Grand Total:	135	608

The following is a list of Assyrian IDPs in the towns and villages of the Shaykhan district of the Dohuk Province in 2007, compiled by the Assyrian Aid Society:

Town/Village	Place of Origin	Number of IDP Families	Number of IDPs
Tilla	Mosul	4	19
	Baghdad	26	120
	Total:	30	139
Adhekh	Baghdad	9	56
Armashe	Baghdad	12	46
Be-Boze	Mosul	2	4
	Baghdad	4	25
	Total:	6	29
Grand Total:		57	270

The following is a list of Assyrian IDPs in the towns and villages of the al-Shaykhan district of the Nineveh Province in 2009, compiled by the Assyrian Aid Society. It is interesting to compare the figures, and see the increase in the number of IDP families – more significant is the pronounced increase of IDPs from Mosul:

Town/Village	Place of Origin	Number of IDP Families	Number of IDPs
Ayn-Sifne	Mosul	57	258
	Baghdad	48	188

	Kirkuk	5	18
	Total:	110	464
Pirozawa	Mosul	11	52
	Baghdad	8	31
	Kirkuk	1	1
	Total:	20	84
Garmawa	Mosul	4	26
	Baghdad	3	20
	Total:	7	46
Dashtqotan	Mosul	5	12
	Baghdad	3	14
	Total:	8	26
Karanjok	Mosul	2	6
	Baghdad	10	41
	Total:	12	47
Ayn-Baqre	Mosul	2	9
	Baghdad	16	62
	Total:	18	71
	Grand Total:	175	738

The following is a partial list showing examples of the distribution of Assyrian IDPs in villages and towns of the Nineveh Plains, gathered from locals on the ground in late December 2009 and early January 2010:

Town/Village	Number of IDP Families
Bashiqah	100
Bahzani	70
Mergi	40
Alfaf*	49
al-Barakah*	75
Magharah*	28
Tisqopa	618
Baqopa	20
Sharafiyah	10
Dashtqotan	11
Karanjok	17
Ayn-Baqre	39
Pirozawa	15

^{*} denotes villages that had not been built prior to 2007 and their inhabitants consist entirely of IDPs.

The following is another partial list showing examples of Assyrian families from villages and towns of the Nineveh Plains and the IKR that have left Iraq altogether in the last two to three years, gathered from locals on the ground in late December 2009 and early January 2010. The figures are quite disturbing:

Town/Village	Families that have left Iraq	Persons
Bashiqah	30	300
Tisqopa	456	?
Baqopa	30	?
Sharafiyah	9	40

Ayn-Sifne	22	103
Pirozawa	6	?
Be-Boze	3	?
Tilla	7	39