



Is there a future for minority communities in Iraq ?

A significant part of Iraq's population is made up of religious and ethnic minority communities. They include Armenian and Chaldo-Assyrian Christians, Jews, Baha'is, Mandeans, Turkomans, Shabaks and Yezidis, Palestinians and Faili Kurds. Some of these minority communities are indigenous populations that have managed to live in the region for more than 2000 years despite numerous external and internal threats. The rich and colorful diversity of present-day Iraqi culture and its historical roots inherited from a glorious and millennial past are however severely threatened at the dawn of the 21st century. There are now legitimate fears that they may not survive the current conflict and that their unique culture and heritage may be extinguished forever.

Dark clouds over religious and ethnic minority communities

The first threat comes from the huge **exodus** that has been taking place in the last few years and has recently dramatically accelerated.

A year ago, the Iraqi Ministry for Migration and Displacement in Iraq estimated that nearly half of the minority communities had left the country but since then, the situation has dramatically worsened and the flow of refugees has been growing in neighboring countries. According to the United Nations High Commissioner for Refugees, minorities make up approximately 30 per cent of the 1.8m Iraqi refugees seeking sanctuary in Jordan, Syria and across the world.

Chaldo-Assyrian Christians represent a substantial share of the refugees in neighboring countries as their community has been particularly targeted by sectarian violence: kidnapping and executions of members of the clergy, bombing of their churches, destruction of their shops or assassinations. In response to the violence, Christians have fled by the thousands to northern Iraq or neighboring countries. Half of the Christians who were living in Iraq in 2000 have left their homes and are now in Kurdistan, Syria, Jordan, Turkey and

Lebanon. The Catholic philosophy and theology faculties in Baghdad had to move to Erbil, and the Mosul seminary is now closed.

Jews, whose history in Iraq goes back 2600 years and who once numbered 150,000, have all left or been forced out.

Another danger comes from **assimilation** by other regional ethnic or ethno-religious powers.

Minority communities also face assimilation because the areas they live in, such as Mosul, Basra and Kirkuk, put them at the centre of power struggles between Kurds, Sunni Arabs and Shia Arabs, fighting over historical claims and – crucially – Iraq's great oil wealth. At the collapse of Saddam Hussein's rule, many minority communities felt they had a unique opportunity to improve their lives and develop their culture but lack of security, religious and ethnic racism, and discriminatory laws still active from the time of former dictatorial rule have killed their hopes.

A number of *Assyrian Christians and Turcomans* in the Kurdish region say they are excluded from the political decision-making processes at all levels or instrumentalized by the dominant political party and under threat of being dispossessed of their ethnic identity. Reports of the London-based Minority Rights Group and Christian Solidarity Worldwide, as well as statements of the Iraqi Minorities Council (IMC) confirm these complaints. Moreover, the *Turcomans and Assyrian Christians* of Kirkuk also say they feel more and more marginalized and silenced by the local Kurds who want this oil-rich city to be included in their region through some forced change of the internal administrative borders.

A last danger must not be underestimated: it is **physical annihilation**.

The situation is catastrophic for the *Mandaeans*, an ethno-religious group estimated to number about 30,000 in the Saddam Hussein era and now only about 13,000ⁱ. For millenniums, they have been part of the mosaic of peoples living in the region but now they are on the verge of extinction. From October 2003 until May 2004, 504 were killed because of their religion and from February 2003 until March 2006, 118 were kidnapped as a way of forcing their conversion and for ransom. Two years ago, UNESCO listed their language in its *Atlas of the World's Languages in Danger of Disappearing*.

Yezidis have been estimated by the UNHCR to number approximately 550,000 in Iraq. Islamist groups have declared them "impure" and have distributed leaflets calling for the death of all Yezidis. On 14 August, 2007 a chain of blasts hit the heretofore tranquil and isolated Yezidi Kurdish villages of Gir Uzeir and Siba Sheikh Khidir in the Jebel Sinjar areaⁱⁱ, near the Iraqi-Syrian border. Four truck bombs destroyed a large portion of the houses in these villages, killing 500 of their inhabitants and leaving many others severely wounded.

Ethnic accommodation through territorial federalism?

The idea of having Iraq constructed as a federal state seems at first sight to be the only way of guaranteeing the security and the rights of minority communities but as of today, it is not possible to say what constitutional set-up would be preferable and politically feasible. Several models are on the table.

Two or three federated entities

A Kurdish project foresees a federal republic of Iraq as consisting of two regions – the Arabic region and the Kurdish regionⁱⁱⁱ. The Arabic region would include the middle and southern parts of Iraq along with the Province of Ninevah in the north excepting the districts and sub-districts that have a Kurdish majority. The Kurdish region would include the provinces of Kirkuk, Sulaimaniyah and Arbil within their administrative boundaries before 1970 and the province of Dohuk and the districts of Aqra, Sheihkan, Sinjar and the sub-district of Zimar in the province of Ninevah and the districts of Khaniqin and Mandali in the Province of Diyala and the district of Badra in the Province of Al-Wasit.

Some advocate the partition into three autonomous regions along ethnic/religious lines between the three majority communities: the Sunni Arabs, the Shia Arabs and the Kurds. This model has however been ruled out by Jalal Talabani, one of the reasons being that it would freeze the present-day internal borders and would not allow the Kurdish region to absorb Kirkuk and some other sub-districts of neighboring provinces claimed as historical Kurdish lands.

In both of these scenarios, Chaldo-Assyrians, Turcomans, and a number of other ethnic/religious, communities would be in the minority in the Arabic Region and the Kurdish Region. If minority rights were fully guaranteed by law in each federated entity, small religious and ethnic communities would enjoy some protection in theory. However, in practice, there is no guarantee that there would be a political and a societal will at the local level to respect minority rights and that the federal authorities would have the power to have them respected. In the “least bad” scenario, they would be progressively assimilated culturally, linguistically and religiously. In the worst scenario, they would be victims of systematic ethnic and religious cleansing, and they would only be able to survive - for some time - in the diaspora before being irremediably assimilated.

Eighteen federated entities (governorates)

The 18 existing provinces already provide for a political and administrative structure that has been existing and working since Iraq's law of governorates was enacted in 1969. It is however arguable whether such a model would be the most feasible and preferable one.

The main advantage of this federal structure for the minority communities would be that ambitions of some ethnic groups, especially the most powerful, to establish rigidly delineated territorial units or to impose their domination over vast areas could be fragmented and curbed. Another positive point is that there would be better opportunities to accommodate and balance ethnic demands on a local level of authority.

However, within a highly decentralized state, the minority communities would be further fragmented and dispersed in several governorates, e.g. Nineveh governorate, Ta'mim governorate, or the Kurdish controlled territories; they would act on their own in an isolated way according to the local political, religious and cultural setting without any official connection whatsoever among them; their cultural and religious issues would not be regulated in their entirety, and with the passing time, their identity would be diluted in their various environments.

Last but not least, the political leaders of the Kurdish Region reject this option and demand that "the Kurdistan region be dealt with as a geographic and political unit within a federated Iraq".^{iv}

Federated entities for minorities

Last but not least, the Iraqi Minorities Council (IMC) has called for an area 'for minorities across the Nineveh plain' while the Assyrian community is lobbying for the creation of an Assyrian Administrative Area to include the smaller minorities^v.

Under the Iraqi Constitution, this is possible. However, the creation of one or several territorial and administrative units for Chaldo-Assyrians, Turcomans and Yezidis would necessitate a revision of the internal borders of the existing regions and this could not be achieved without the agreement of the federal parliament, the existing governorates and the Kurdish region.

Moreover, ethnic minority groups living outside or far from that autonomous area would not enjoy any protection and would be more vulnerable than ever.

Ethnic accommodation through territorial and extra-territorial federalism?

A federal state is generally expected to be organized on the principle of territoriality but it is however difficult to apply it in ethnically mixed territories such as the north of Iraq. However, territorial federalism can be completed by an extra-territorial community-based federalism whereby specific human communities are in a position to retain substantial autonomy in one or several regions with mixed population through the formation of separate political and administrative institutions.

Despite all its structural problems, the Belgian federal system still provides an efficient mechanism that enables its various communities to have their own powers, their own elected parliament, their own government and their own administration.

Their political and administrative institutions are financed by the federal state and through some mechanism of levying taxes at the local or regional level, and they have authority in one or several regions on education, cultural matters such as cultural heritage, audiovisual media, support for printed press, artistic training, youth policy, family policy, the use of languages in administrative matters, education, social relations between employer and personnel, etc.

Concretely, in these areas, the French community of Belgium regulates important matters of the French-speakers living not only in the francophone region but also in another region. Similarly, the Flemish Community of Belgium regulates important matters of the Dutch-speakers living not only in the Flemish Region but also in another region.

Transposed in Iraq, the community-based federal system could ideally complete any form of territorial federalism by providing the various ethnic communities – the Chaldo-Assyrians, the Turcomans and the Yezidis - with the powers, the political and administrative institutions that are necessary for them to preserve their own identity, their own culture, their own language, their own religion, their own social structures in all the regions of Iraq where they have some organized presence.

Conclusions

Iraq's society is a mosaic of various segments: a resurgent Shiite majority which had been under political repression for decades; a humiliated Sunni minority, which had been in power in Iraq until recently; Kurds in search of autonomy; Chaldo-Assyrians, Turcomans and other minorities whose rights had been severely neglected.

To outweigh radicalization of fears, Iraqi people should be encouraged to establish structures that will mitigate ethnic divisions and institutionalize moderation in the state's governance.

All in all, whatever the number and the configuration of the territorial federated entities that are to compose the Federal State of Iraq, it will have:

- to seriously take into consideration the community component politically and administratively;
- to address the needs of different segments of the society with the participation of all political and social forces;
- to treat all stakeholders of the process as equal with equal guarantees for their security and respect for their needs and interests;
- to provide for a high degree of autonomy of each segment in running its internal affairs, especially concerning education, religion and culture;
- to secure the cultural rights of geographically scattered ethnic groups by providing non-territorial, community-based political and administrative institutions;
- to provide for a federal mechanism of checks and balances, which would protect national communities
- to provide uniform guarantees for the protection of human rights and freedoms.

In conclusion, it could be said that there are strong arguments in favor of power-sharing between territorial institutions and community institutions as they would certainly offer better guarantees for the future of minorities while facilitating the relations between majority and minority populations, and thereby contributing to better social cohesion.

Willy Fautré, director

Human Rights Without Frontiers Int'l (Brussels)

Email: w.fautre@hrwf.net - Website: <http://www.hrwf.net>

ⁱ Mandaean sources even indicate 5,000.

ⁱⁱ The number of Yezidis residing in Iraqi Kurdistan is estimated at 300,000 residents, divided into two secluded enclaves: the first, in Jebel Sinjar, 150 km. from Mosul, adjacent to the Syrian border; and the second, in the Shaikhan region, 50 km. northeast of Mosul, and home to the holiest Yezidi shrine the sanctuary of Sheikh `Adi, the renovator of the Yezidi religion, in Lalish. It is noteworthy that while Shaikhan has been an integral part of the Kurdish autonomous region since 1991, Sinjar has always officially fallen under the authority of Iraq's central government. Although the Yezidis of Sinjar identify themselves as Kurds and take an active part in the activities of the Kurdish national movement and in the Kurdish Regional Government (KRG), the Sinjar area is not officially attached to the Kurdish Region.

ⁱⁱⁱ 18 See the text at the website of the Iraqi Kurdistan National Assembly at www.kurdistan-parliament.org

^{iv} Massoud Barzani's statement appeared in the Arabic newspaper Al-Qabas on November 21, 2003, as reported by KurdishMedia.com.

^v See Report of Minority Rights Group International "Assimilation, Exodus, Eradication: Iraq's minority communities since 2003" by Preti Taneja, p. 30. Published in 2007.