

# WILTING IN THE KURDISH SUN

THE HOPES AND FEARS OF RELIGIOUS MINORITIES IN NORTHERN IRAQ



UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The Kurdish flag waving in the wind above the Quru Gusik refugee camp, 20 kilometers east of Arbil, the capital of the autonomous Kurdish region of northern Iraq.  
(Getty Images/Safin Hamed)



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United States Commission on International Religious Freedom  
between May and August 2016.



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### WHAT IS RELIGIOUS FREEDOM

Inherent in religious freedom is the right to believe or not believe as one's conscience leads, and live out one's beliefs openly, peacefully, and without fear. Freedom of religion or belief is an expansive right that includes the freedoms of thought, conscience, expression, association, and assembly. While religious freedom is America's first freedom, it also is a core human right international law and treaty recognize; a necessary component of U.S. foreign policy and America's commitment to defending democracy and freedom globally; and a vital element of national security, critical to ensuring a more peaceful, prosperous, and stable world.



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## Acronyms

CPC	Country of Particular Concern
ISIS	Islamic State (Dawlat al-Islamiyya fil-'Iraq wash-Sham)
DIS	Danish Immigration Service
DRC	Danish Refugee Council
IDP	Internally Displaced Person
IOM	Institute of Migration
IRFA	United States International Religious Freedom Act (1998)
ITF	Iraqi Turkmen Front
ISIS	Islamic State of Iraq and Syria
KDP	Kurdistan Democratic Party
KRG	Kurdistan Regional Government
KRI	Kurdistan Region of Iraq
NDI	National Democratic Institute (of Iraq)
NGO	Non-Governmental Organization
NPU	Nineveh Plains Protection Units
PKK	Kurdistan Workers' Party (Partiya Karkerên Kurdistanê)
PUK	Patriotic Union of Kurdistan
PYD	Democratic Union Party (Partiya Yekîtiya Demokrat)
UNHCR	The Office of the United Nations High Commissioner for Refugees
USCIRF	United States Commission on International Religious Freedom
YBŞ	Sinjar Resistance Units (Yekîneyên Berxwedana Şengalê)
YPG	People's Protection Units (Yekîneyên Parastina Gel)
Zowaa	Assyrian Democratic Movement (Zawa'a Demoqrataya Athuraya)



## Executive Summary

In recent years the Kurdistan Region of Iraq (KRI) has been a haven for minorities fleeing the turmoil and sectarian violence in the south of Iraq. The KRI offers religious freedoms that are comparatively robust as compared to those of its regional neighbors. Even so, troubling issues related to discrimination and even violence targeting ethnic and religious minorities exist, exacerbated by the KRI's strained resources and security situation. Such issues must not be disregarded just because of the security situation in Iraq, or because of the KRI's successes as compared with the wider region.

The KRI is home to considerable religious and ethnic diversity. However, the disputed territories now controlled by the Kurdistan Regional Government (KRG) are exceedingly diverse, with populations of Sunni Arabs, Sunni and Shi'a Turkmen, Assyrian Christians, Yazidis, Kaka'i, Shabak, and others. Within the KRI's official borders, diversity is also increasing, as Zoroastrian leaders convert Kurds, and internally displaced persons (IDPs) pour in, fleeing the fighting against the so-called Islamic State of Iraq and Syria (ISIS). In addition, over the last three years, Kurdish forces have been at the forefront of the fight against ISIS, and have retaken or occupied large swathes of land in the so-called "disputed territories." Control of these territories is disputed between the KRG, and the federal government of Iraq in Baghdad.

Against this backdrop, the KRG must adapt to administering an increasingly diverse population, where previously it represented a more homogenous Sunni-Kurdish majority. A more inclusive administrative approach has presented mixed results. To protect and include minority religions and ethnicities, KRG policy has taken positive steps by introducing protective laws, appointing religious representatives, and attempting to diversify the Peshmerga.

Nevertheless, in practice these policies are frequently ineffectual. While the KRI remains far more welcoming and tolerant to minorities than its regional neighbors, minorities complain of systemic biases leveled against them that prevent them from realizing rights or fully participating in society. Rule of law and law enforcement as it applies to non-Sunni Kurds can be arbitrary. Minorities continue to fear growing extremism in the majority population, which they believe could threaten them in the long term. Economic uncertainty,

combined with political stagnation and a young Kurdish population, could become a breeding ground for extremism. To ensure religious freedoms do not erode over time, it will be important to strengthen protections and institutions that protect these freedoms. And, given the number of vulnerable communities residing in the KRI, potential causes and vectors for extremism must be monitored and addressed as a matter of urgency.

Alleged Kurdish policies in the disputed territories are also of concern. Kurdish authorities, parties, and security services have been accused of attempting to "Kurdify" more ethnically diverse parts of the disputed territories, possibly as part of KRG policy to boost retention of the disputed territories once Baghdad turns its attention to its territories now occupied by Peshmerga following battles with ISIS. Although officials deny such a policy exists, a growing number of NGOs, activists, and reports have detailed evidence of the destruction of properties and attempts to prevent IDPs returning to their homes. In addition, some minorities are precluded from aid or support, or are even targeted, if they do not support or are critical of local Kurdish parties. This may be part of a long-term strategy to entrench control of the disputed territories.

A number of specific issues affect minorities residing in the KRI or KRG controlled territories. The Yazidi, an ethno-religious group that suffered enormously at the hands of ISIS in 2014, have faced discriminatory practices from authorities in Sinjar. Within the KRI, Yazidi are pressured to identify as Kurds, and individuals who object or criticize Kurdish authorities are persecuted. Christians have faced land appropriations by Kurdish landowners, and when they have attempted to protest have collectively had their freedom of movement curtailed based on religion. Further, recent clashes between Peshmerga and Shi'a Turkmen militias in Tuz Khurmatu could risk spilling over into Kirkuk, or could draw Kurds into sectarian conflict in the disputed territories.

If the KRI was considered by the United States Commission on International Religious Freedom (USCIRF) separately from the rest of Iraq, it would likely not meet the necessary standard to be designated a "country of particular concern" under the International Religious Freedom Act. Though violations of religious freedom do exist in the KRI, they are not systematic, ongoing, and egregious. However, Kurdistan might well be considered

a so-called “tier 2” country, requiring close monitoring due to the nature and extent of violations of religious freedom engaged in or tolerated by its authorities.

The case of the KRI is of particular importance and urgency because of growing calls for independence from Baghdad. The Kurdish president has called for a referendum as soon as possible, although it is unlikely that this will be held in the immediate future. Should the KRI become independent in the near future, it will face economic uncertainty, hostile neighbors, and growing extremism — all while caring for an increasingly diverse population. By strengthening institutions and encouraging reforms to promote and protect religious freedoms and minority rights now, the KRI and its population will ensure that these rights and freedoms are deeply engrained in the makeup of any new nation and its social contract. On the other hand, allowing rights and freedoms to be eroded now risks setting a trend that will likely continue after independence. Minority religions remain in a precarious position, even in the KRI, and so special effort must be taken to preserve their freedoms and rights.

The United States and partners should encourage reforms and the strengthening of Kurdish institutions wherever possible, in the interest of creating a robust and permanent culture of religious freedom in anticipation of any possible moves towards creating a new state in the Middle East.

## **Methodology**

This report was produced by researchers commissioned by the United States Commission on International Religious Freedom. The period of research began in May 2016, and ran to the end of August 2016. Research was divided into a qualitative analysis of pre-existing data and sources, a period of in-region research and interviews, and a quantitative study of economic trends and developments in the different areas of the KRI. During this period detailed mappings of the religious and ethno-religious groupings residing in the areas being reported on were developed in order to inform the other areas of research.

## **Review of Pre-Existing Data**

The research team began with a review of pre-existing materials in English, Arabic, and Kurdish. Themes, trends, and gaps in the information were identified for

further research. Information about the various religious groups and ethnicities of the KRI and its disputed territories was collated to produce profiles of the groups and the major challenges each group was facing, and had faced in the last decade. Conversations were held with academics and experts specializing in Kurdistan and issues of religion and religious freedom, allowing researchers to identify further issues of concern and areas requiring additional research.

## **In-Region Research**

The in-region research took place through the month of July 2016. A researcher<sup>1</sup> traveled to the Kurdistan Region of Iraq to meet and interview KRG and local government officials, religious leaders and political figures, and activists. The researcher was primarily based in Erbil and traveled Dohuk governorate, as well as to the disputed territories in the Nineveh plains and Kirkuk, to meet with individuals. Hard-to-reach individuals were interviewed by telephone or video call. Interviews were conducted by the researcher in English and Arabic. In addition, a sizable portion of interviews were conducted in Kurdish (Sorani and Kurmanji), the Yezidi language, and Syriac. Interpreters were used for these interviews. In total, 84 interviews were conducted.

## **Quantitative Research**

The team compiled a wide variety of sources to construct an ethno-religious mapping of Kurdistan. For additional details, see Appendix B. These sources and mappings were then combined with nighttime luminosity data to create estimates of the economic activity of ethno-religious groups in each area of Kurdistan, drawing on literature that points to the efficacy of satellite luminosity as a proxy for economic development. Finally, this was used to compile a database detailing economic growth for each community for which the team had data, on which statistical analysis was carried out to determine whether there are systemic disparities between Sunni Kurdish and minority communities, and whether the level of diversity in a particular region explained economic achievement.

## **Limitations**

Time and budgetary constraints limited the number of interviews. As a result, political and religious leaders

and, in some cases, activists were focused on exclusively. These leaders may not always accurately reflect the views of the people they represent. Future surveys or polling of local populations would be valuable to build a fuller picture of the opinions of the population at large. Despite the small sample size, the interviews, when taken along with the extensive research undertaken by the team, including quantitative analysis (detailed below in “Economic Analysis”), and an in-depth review of the literature and pre-existing reports, have allowed the team to build a broad overview of the situation in the KRI, as it pertains to religious freedom and minority rights. When possible, the researchers have attempted to convey some of the many disputes within specific communities, by including details from interviews with individuals from a range of areas or organizations. The report also focuses in depth on specific issues identified during the interviews. This report should be used in conjunction with other valuable reports published in recent months on Iraq and Kurdistan. Further, it should be weighed against other available country of origin information on the situation in the KRI and other Kurdish controlled areas. Where especially valuable reports exist, we highlight them in the body of this report for further review.

## **Kurdistan Region of Iraq General Overview**

The Kurdistan Region of Iraq (see map on p. 7) is home to considerable religious diversity and has provided a comparatively safe haven for minorities fleeing violence in the rest of the region. Compared with the situation in many of its regional neighbors, the Kurdistan Region of Iraq possesses a robust state of religious freedom. Even so, minority religious and ethnic groups face specific challenges, such as systemic discrimination by elements within the authorities or wider society. In addition, the deteriorating political and economic situation in the region, combined with poorly enforced protections and relatively weak rule of law, could put minorities increasingly at risk in the future.

### **Background**

The Kurdistan Region of Iraq (KRI) is located in the north of Iraq and consists of three of Iraq’s 22 governorates: Erbil governorate, Sulaimaniya governorate, and

Dohuk governorate. It is bordered by the rest of Iraq to the south and has border crossings with Syria in the west, Turkey to the north, and Iran to the west.

Within the KRI, a fourth governorate, Halabja, is recognized; it is formed of territory considered part of Sulaimaniya governorate. The Kurdistan Regional Government (KRG) also lays claim to considerable territory situated between its three governorates and the rest of Iraq. This includes the city of Kirkuk and all of Kirkuk (formerly *Ta’amim*) governorate; the Sinjar (Shengal) district, in addition to the Nineveh plains, in Nineveh governorate as well as in the Tuz Khurmatu district of Salahuddin governorate and parts of Diyala governorate. Kirkuk in particular has been a flashpoint between Erbil and Baghdad, with large populations of Kurds, Arabs, and Turkmen contesting control of the governorate and city. Article 140 of the Iraq constitution (which called for a referendum on the governorate’s status before 2008) was intended to settle the issue, but was not put into force.

Since the rise of the Islamic State (referred to as ISIS in this report), the KRG has taken de facto control of large parts of these disputed territories. The Kurdish Peshmerga (militias loyal to either the Kurdistan Democratic Party (KDP) or the Patriotic Union of Kurdistan (PUK), rival Kurdish political parties) have moved into territory abandoned by Iraqi security forces in 2014, or have taken control of towns after driving ISIS out. As a result, over the last three years the land and populations controlled directly by the KRG in Erbil has grown dramatically, with up to a 50 percent increase in held territory.

The majority of the KRI’s population are Kurds who adhere to Sunni Islam. The three main governorates of the region are overwhelmingly Sunni Kurdish. Yet, the KRI is also home to considerable religious and ethno-religious diversity. This is partially a result of Iraq’s ancient cultural heritage. Diversity is especially intense in the disputed territories. The Nineveh plains are home to large numbers of Christians, Shabak, and Yezidis. The Sinjar area is a Yezidi heartland. Kirkuk and its governorate are home to large numbers of Sunni and Shi’a Turkmen, as well as Christians and Sunni Arabs.

The KRI is governed by the Kurdish Regional Government, which has its seat at Erbil and is officially subordinate to the Iraq federal government in Baghdad. In reality, the KRG exercises considerable autonomy,



and Baghdad's rule has little effect within the KRI. The KRG makes its own laws, runs its own security services and judicial system, and is administratively responsible for all affairs within the region.

KRI diversity has become more pronounced since 2003, as many minority groups fled the instability and violence in Iraq's south. Some of these populations fled abroad, but others relocated to the relatively stable Kurdish north, further concentrating minority populations there. This trend has been accelerating in response to ISIS's campaigns and genocides against minority communities, and the KRI has been the destination of choice for many Iraqi civilians fleeing extremism and conflict.

Today, the Kurdistan Region of Iraq and the areas also controlled by the KRG are home to the majority of Iraq's Christian populations (largely of Assyrian, Chaldean, and Syriac ethnicities), almost all of the Yezidi community, Shi'a and Sunni Turkmen, Shabak, Kaka'i, in addition to adherents to Zoroastrianism, and very small populations of Sabean Mandeans and Baha'i.

### Independence Movement

Between 1991 and 2003, the KRI was effectively independent from the rest of Iraq. Operation

Provide Comfort was launched in 1991 by the United Kingdom, the United States, and allies, and provided a no-fly zone to protect Kurds from Saddam Hussein. Up to 2003, the KRG passed laws and administered the region without input from Baghdad. In the mid-1990s the major Kurdish parties, the KDP and PUK, fought one another in a civil war.

After the U.S.-led invasion of Iraq, the Kurdistan region ratified the Iraq federal constitution, which recognized the KRI as a semi-autonomous region, and recognized the KRG and its post-1992 laws.

In recent years, the relationship between the KRG and the federal government in Baghdad has deteriorated, following disputes over the status of Kirkuk, the

supply of oil from the KRI to Baghdad, and the apportionment and release of the part of the federal budget set aside for Kurdistan. These disputes, along with internal Kurdish politics and political gridlock, have led to renewed calls for independence. In March 2016, KRG President Massoud Barzani made calls for an independence referendum before the end of the year.

Though it is likely that economic and political pressures will ultimately delay any independence bid in the immediate future, should a referendum be held it is highly probable that the result would favor an independent Kurdish state. As such, it is vital that the Kurdistan Region and its government are scrutinized independently of Iraq and Baghdad. The societal, ethnic, and political distinctions between the two regions are considerable, and the Iraq federal government has little, if any, effect on the laws, politics, and popular freedoms of the KRI.

Kurdish support for independence could enable the emergence of a new state in the Middle East in the relatively near future.

KRG commitments to rights and freedoms of minorities should be closely scrutinized in anticipation of any possible independence bid. While many residents of the KRI currently enjoy comparatively robust religious freedoms, it will be important for local authorities to

ensure these freedoms are safeguarded by laws and institutions. It will also be important for the KRG to guarantee support for all minority ethnicities and religious groups.

### Overview of Religious Freedom in the KRI

As the Baghdad-based Iraqi federal government has almost no real power within the KRI, responsibility for religious freedom within the region falls entirely on the Kurdistan Regional Government. Either the KRG, or one of the major Kurdish parties (KDP and PUK)<sup>2</sup> also serves as the de facto authority in much of Kirkuk governorate, Sinjar, and the Nineveh plains.

Compared with full-fledged states in the region, and with the rest of Iraq, the KRI is a haven of religious

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## KURDISH AUTHORITIES & LOCAL POWERS

The KRG is a semi-presidential system, with an elected president, and a parliament. Historically, real power has been concentrated in the hands of the two largest parties: the KDP, which controls Dohuk and much of Erbil governorates, and the PUK which dominates Sulaimaniya and Kirkuk. The Peshmerga units are loyal to, and controlled by one of the two parties.

In recent years, a third party, Gorran (Change) has become a force on the political stage, and in 2013 joined the KDP in coalition government. This relationship has now broken down, and the Kurdish parliament has become gridlocked and nonfunctional, with the parties hostile to one another (physical violence is not unknown).

To date, the KRG President, Massoud Barzani of the KDP, has refused to step down, despite his term limit expiring. This has caused further tension and gridlock in the KRG and between parties.

In much of the KRI, and in all of the disputed territories, the KDP or PUK are the de facto authorities, and for many minorities, loyalty to the local dominant party is the best (or only) way to succeed in gaining office, resources, or government support.

tolerance. Over the last decade, religious groups have been targeted less frequently in the KRI and have been relatively free to worship as they choose. However, integration between different religious communities is limited, and adherents of a given religion tend to live in villages or city quarters separate from members of other faiths and ethnicities.

KRG policy is outwardly favorable to religious freedom in the region. Senior religious leaders are frequently consulted by ministers and government officials. Clauses in the draft constitution and passages in laws written by the Kurdistan parliament explicitly defend freedom of worship and other minority rights. Some minority ethnic and religious groups also have legislative seats or representation in the regional government, with set quotas mandated by Kurdistan law.

Implementation of expressed policy is sometimes less positive. Many religious groups complained to researchers that they remain second-class citizens compared with Sunni Kurds. Some groups suggested that while legal protections do exist, these rights are not always respected by the wider community. In addition to systemic biases, particular problems exist, including the appropriation of Christian lands and properties in the north of the region; the placement of strong political and coercive pressure on Yezidis to

support KRG and KDP designs on Sinjar; and the mistreatment (often for political gain) of minority groups living in the disputed territories.

## Wider Regional Context

The Kurdistan Region of Iraq is surrounded by countries which have been monitored by the United States Commission on International Religious Freedom (USCIRF) and the U.S. State Department Office of Religious Freedom. In 2016, Iran was re-designated a “country of particular concern” (CPC) under the International Religious Freedom Act, a designation reserved for any country whose government engages in or tolerates particularly severe violations of religious freedom that are systematic, ongoing, and egregious. Since 2014, USCIRF has recommended that the State Department add Syria to the list of CPCs. Turkey, which also borders the Kurdistan Region of Iraq, was designated a “Tier 2” country, where the violations engaged in or tolerated by its government are serious and characterized by at least one of the elements of the CPC standard. Until 2017, it was also recommended that Iraq be included in the list of CPCs, but improvements in the country have led to USCIRF revising its assessment.

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Within this regional context, this report’s research team considers the KRI to be notable for having provided a safe haven for refugees and internally displaced persons (IDP) of many faiths from Iraq, including individuals fleeing broad religious persecutions across the wider region. The KRG estimates that it plays host to 1.5 million Iraqi IDPs and around a quarter of a million Syrians. This number is likely to increase in the immediate future because of ongoing campaigns against ISIS.

## SUMMARY | IMPLICATIONS FOR RELIGIOUS FREEDOM

- A Kurdistan Region independent from Iraq is a likely reality in coming decades. The KRG is already highly independent from Baghdad.
- The KRI and territories controlled by the KRG are exceedingly diverse in terms of religious and ethno-religious groups. Ongoing turmoil in the south has created a flow of displaced persons into the KRI; this is likely going to increase diversity in the KRI.
- It is not yet clear whether the KRI will quickly recover from its economic slowdown and political dysfunction. It is unclear what opportunities will exist for the region's young population, regardless of independence.
- While many minorities are currently relatively secure not all have guaranteed rights and freedoms. Some violations of the freedoms and rights of religious and ethno-religious groups occur. Some minority groups believe that they remain at risk from elements among the Sunni Kurdish majority population.
- Measures, including laws and institutions, should be put in place now to safeguard minority rights and religious freedoms. Independent and empowered bodies should be created to ensure policies are effectively implemented. Positive developments, such as 2015's Minority Rights Law should be built upon and effectively upheld.
- Improvements and reform should be encouraged as a matter of urgency, in light of the increasingly large non-Sunni Kurdish minority populations. Reform should also be prioritized to ensure the region has a robust culture of religious freedom and ethnic tolerance in advance of any moves toward independent statehood.
- All groups and individuals should be actively afforded rights and freedoms. Identification as Kurdish, or as any other group, should not be a prerequisite for receiving rights in the KRI. All individuals should be treated as persons before the law.

### Areas of Concern

Although the KRI has a better track record for upholding religious freedom than its neighbors, a number of concerning trends exist or have begun to emerge in recent years. This is of particular relevance at a time when some political elements in the region are making movements toward full independence from Baghdad. The KRI faces economic uncertainty, mass migration, and ongoing conflict with its regional neighbors. At the same time, the rights and freedoms of minorities are only loosely enshrined in law and in the popular social contract. Those laws and protections that do exist are enforced unevenly, and sometimes ineffectually.

Moreover, the KRG has made moves to take control of the territories disputed by Baghdad and Erbil. De facto KRG control now extends to much of Sinjar district, Kirkuk, and the Nineveh plains. These are exceptionally diverse areas, with many faiths and ethnicities. However, some communities protest that loyalty to the KRG, or even to specific political parties, is a prerequisite for aid and protection in these areas. More worryingly, accusations of "Kurdification" of areas and populations are linked to the suppression of those groups and minorities unwilling to declare themselves to be Kurds, or unwilling to support being subsumed into a future Kurdish state.

As a result, the United States and international partners should monitor the KRI as it becomes even more autonomous. Partners should help the KRG

and other local actors to strengthen the institutions and safeguards that protect minorities and religious groups, and should work with those groups to ensure their voices are heard and respected. Problems should be identified early, and policies introduced to correct and reverse negative trends. If done effectively, religious freedoms and rights can be enshrined firmly in the law, in institutions, and in popular understanding, allowing these values to be an integral part of Kurdistan's future.

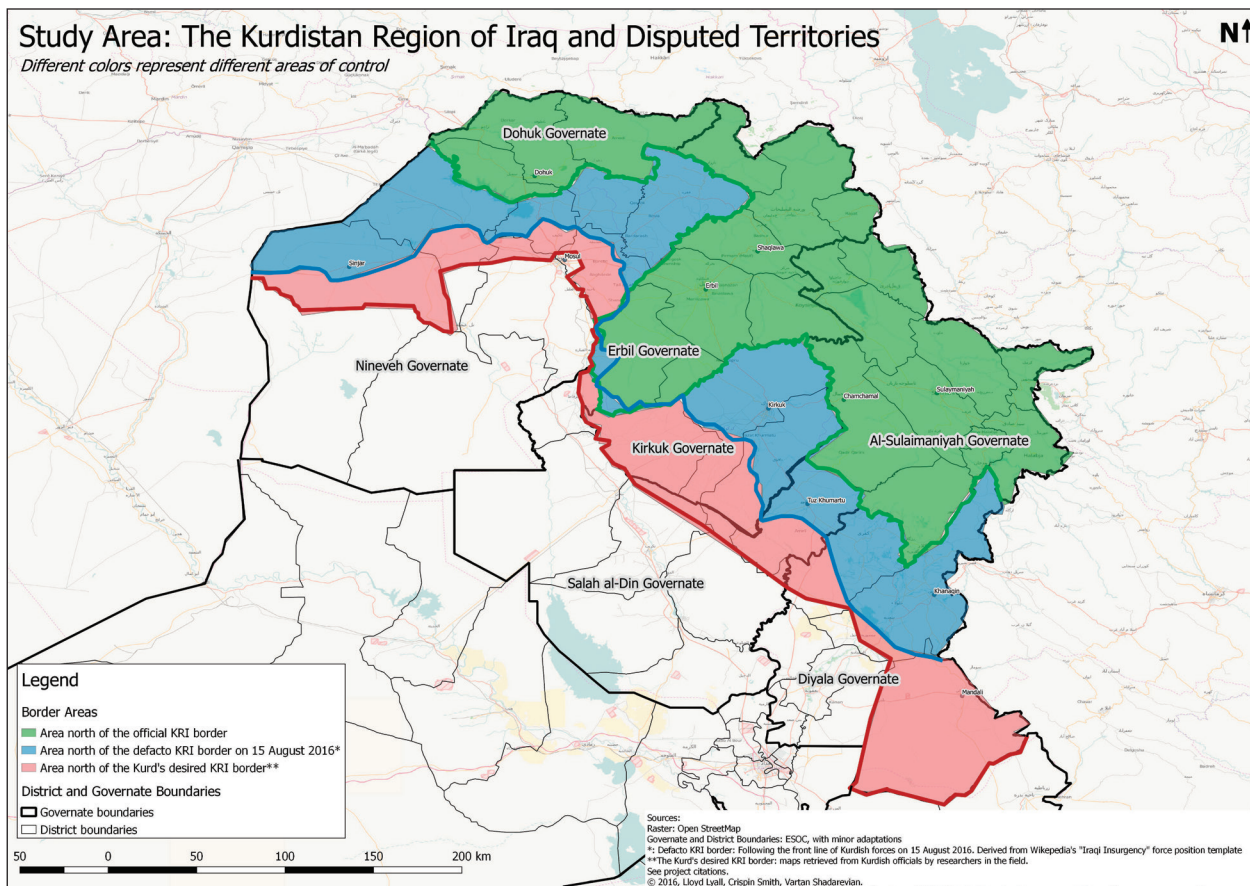
### Kurdistan Region of Iraq Law and Religious Freedom

#### Role of the Iraq Constitution and Federal Laws

Officially, the Iraqi constitution is the ruling governing document for the KRI, with the region's autonomy established in law under Article 117. However, the constitution states that in the event of contradictions between central and local laws of any regional administration, authority is conferred on the local administration.<sup>3</sup> Increased autonomy in recent years has further reduced the limited power of federal law and the constitution over Kurdish affairs. As such these sources of law have only a limited effect on religious freedom in the KRI.

#### THE IRAQ CONSTITUTION

The Iraq Constitution itself contains various provisions aimed at guaranteeing protections for religious



and ethnic minorities. These rights include freedom of religious worship, education, and promulgation of cultural languages. Since its adoption, the Iraq Constitution has come under various criticisms.<sup>4</sup> It has not always been observed or respected by the federal and regional governments or courts.

Article 2 makes Islam the official religion of the state and establishes it as a foundation source of legislation. Under the Article, “no law may be enacted that contradicts the established provisions of Islam.” However, Article 2 also “guarantees the full religious rights to freedom of religious belief and practice of all individuals such as Christians, Yazidis, and Mandaean Sabaeans.” The centrality of Islamic principles in Iraq’s legal system is reinforced by Article 92(2), which requires the Federal Supreme Court to be made up of experts of both secular and Islamic law.

USCIRF has previously expressed concern that a constitutional arrangement establishing a role for Islam as a source of legislation nevertheless “could be used by judges to abridge the internationally recognized human rights of political and social reformers, those voicing

criticism of prevailing policies, religious minorities, women, or others.”<sup>5</sup>

The Constitution has other provisions that could protect the religious freedoms of the population, including peoples in the KRI. Article 37, for example, provides that “the State shall guarantee protection of the individual from intellectual, political and religious coercion.” While Articles 42 and 43 explicitly provide for freedom of belief and worship. USCIRF has previously produced detailed analysis and recommendations for each article of Iraq’s permanent constitution.

#### RELEVANT FEDERAL LAWS

Throughout the in-region research, multiple religious leaders and politicians expressed their concerns about the recently passed federal National Identity Card Law.<sup>6</sup>

Article 26 of the law includes two provisions that Iraqi minorities argue discriminate against non-Muslims. According to the first provision, only non-Muslims can convert to Islam; Muslims, by contrast, cannot change their religious affiliation. The second provides that a child born to one Muslim and one non-Muslim parent is listed

on its National ID card as Muslim. As a result, if a spouse decides to convert to Islam, any child born to that parent is automatically registered Muslim – and may be unable to alter the child’s ID card at a later date.

Christian leaders in the KRI in particular are worried about this law, and some priests told researchers that Muslims wanting to convert to Christianity have faced difficulties from police and security services.<sup>7</sup>

Under the United States International Religious Freedom Act (1998), IRFA, arbitrary prohibitions on, restrictions of, or punishment for changing one’s religious beliefs and affiliation is considered a violation of religious freedom.<sup>8</sup> The ID card law is a product of the federal Iraq parliament, and not the Kurdistan parliament or KRG. Nevertheless, it effects the religious freedom of individuals within the KRI, and pressure should be put on the federal government to remove the law.

## Kurdistan’s Draft Constitution

Due to the legislative, judicial, and political autonomy afforded to the KRI, it is important to consider its laws, practices, and sources of law. This is especially important in light of growing calls for independence, as current practice within the region may indicate future practice should a new state emerge.

The Kurdistan Constitution has not been formally adopted, and remains in draft form. In its current form, the draft constitution contains several provisions aimed at promoting freedom of religion (for a more detailed overview, see Appendix A). The constitution has gone through various revisions. Most recently, the Kurdistan Parliament formed a Constitution Drafting Committee in 2015. However, to date no updated document has been released, and political gridlock in the KRI and its parliament cast doubt on when the new draft will be ready.<sup>9</sup> The following analysis is based on the 2009 draft.<sup>10</sup>

As with the Iraq Constitution, Shari’ah law is a source of legislation in Article 7. Yet, the language is very different from Article 2 of the Iraq Constitution; specifically, it contains no prohibition on legislation violating the established principles of Islam. There is no article requiring courts to include religious legal experts. Several KRG officials and lawyers have stressed in interviews that Shari’ah is only one of many sources of law in the KRI.<sup>11</sup> However, the prominence of Shari’ah

## OTHER INSTITUTIONS

The Ministry of Endowment and Religious Affairs hosts two Directorates for Minority Affairs, one for Yezidi Affairs, and the other for Christians.

The Ministry also is home to the “Seven Religious Representatives,” including individuals who represent Muslim, Christian, Yezidi, Kaka’i, Alevi, Baha’i, Jewish faiths. These representatives meet monthly at a specially created directorate for religious co-existence.

within the document leaves many non-Muslims nervous. Various Christian religious leaders and politicians expressed fears that this inclusion might open the way to judicial interpretations curtailing their rights.<sup>12</sup> Yezidis also expressed concern, with even pro-KRG leaning Yezidi leaders observing that the provision risks a long-term erosion of non-Muslim freedoms while potentially encouraging non-pluralistic Islamism.<sup>13</sup>

Elsewhere in the draft constitution, Article 7 would secure all the rights of Christians and Yezidis and members of other religious groups regarding the freedom of belief and practice of religion, and Article 18 would establish equality before the law, regardless of faith. Article 65 holds that religious affiliation is not compulsory and would give citizens freedom of religion, belief, and thought, and Article 124 states that no one religion may be imposed on other religious groups. For a fuller analysis of the draft constitution, see Appendix A.

The Kurdish draft constitution contains multiple provisions that would enshrine religious freedom as fundamental to the KRI and a future Kurdish state. In future drafts, it will be important to ensure these articles are preserved. It will also be necessary to ensure these rights are upheld.

## Kurdistan Election Law and Minority Quotas

Under the Iraq Constitution, the Kurdistan Parliament has full legislative control over the region, except for those enumerated powers reserved for the Iraqi parliament. With this level of power, healthy minority involvement in the parliament must be maintained to ensure that statutes are passed assuring minority protections.

The 111-member parliament has a number of seats reserved for minorities under the Kurdistan National Assembly Elections Law (1992, amended 2009). Five

seats are reserved for Turkmen parties; five for Assyrian, Chaldean, or Syriac parties; and one for Armenian parties.<sup>14</sup> This ensures that the various Christian ethnic groups of the KRI, along with the sizable Turkmen population, are guaranteed some representation in the Kurdistan Parliament. However, other religious groups and ethnicities remain unrepresented, or underrepresented. Notably, there is no seat reserved for Yezidis or Shabak populations. In the case of the former, this may be justified by Kurdish policy makers on the grounds that Yezidis are frequently considered to be ethnic Kurds. However, this categorization is fiercely disputed by many Yezidis. Several Yezidi leaders suggested that a lack of political representation contributed to poorer outcomes for Yezidis in the KRI. While some Yezidis are in elected positions, almost all are members of the KDP. By contrast, Christians effectively have six seats dedicated to parties devoted to representing the Christian community.

### **2015 Kurdistan Minority Rights Law**

In 2015, the Kurdistan Parliament passed the Law of Protecting the Rights of Components in Kurdistan (The Minority Rights Law).<sup>15</sup> This law lists national groups (Turkmen, Chaldeans, Assyrians, Syriacs, and Armenians) and religious groups (Christians, Yezidis, Sabian Mandaeans, Kaka'is, Shabak, Faylies, Zoroastrians, and others) as components of the citizenry of the KRI.<sup>16</sup> The law enumerates a series of rights, including freedom of thought, religion, speech, and culture.<sup>17</sup> The law also mandates the government to guarantee equality and equality of opportunity to all component groups of the region, while requiring religious discrimination to be punished.<sup>18</sup> This law is notable for its comprehensive listing of the various religious groups and minorities, and its unambiguous granting of rights and religious freedoms to all. The law formalizes many of the not yet ratified provisions of the draft constitution and is a stronger legal protection, as it formally acknowledges all of region's specific groups, and grants them rights equally.

The Minority Rights Law reflects a push on a policy-level to ward off the types of systemic and arbitrary actions that are the primary focus of IRFA.

However, although the Minority Rights Law is undoubtedly a positive step for religious freedom in the

KRI, and in Iraq, it is unclear how effective it will be. Implementation of the law will require a strong commitment to the rule of law, for prosecutors and local authorities to uphold the rights outlined, and for the courts to administer the law fairly. It is too soon to know how effectively this nascent law will be implemented.

### **Effectiveness of Law Enforcement and Rule of Law**

Compared with much of the rest of Iraq, rule of law is strong in the KRI. Nevertheless, access to justice varies depending on location, connections, ethnicity, and religion. An April 2016 report produced by the Danish Refugee Council (DRC) and the Danish Immigration Service (DIS) cited interviews with various experts on KRI in collecting updated information relevant to cases of Iraqi asylum seekers and their access to the KRI.<sup>19</sup> In that report, Human Rights Watch characterized the Kurdish court system as under political influence and used to stifle dissent. Further, according to the Office of the United Nations High Commissioner for Refugees (UNHCR), the local population in KRI makes little use of the police or the courts. UNHCR said that the courts are not seen as responsive, even though, in principle, they have a number of sound laws that meet international standards. In addition, UNHCR explained that access to rule of law is dependent on ethnic and religious affiliation, tribe, connections, family and relatives, and it is very difficult, if not impossible, for an individual to stand up for his rights by himself.<sup>20</sup>

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*Compared with much of the rest of Iraq, rule of law is strong in the KRI.*

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This analysis is consistent with the observations gleaned by this report's research team from interviews with many Christians, Turkmen, and Yezidi leaders. Some Assyrian Christians expressed skepticism about gaining a fair hearing in the courts, especially if making a claim against a Sunni Kurd.<sup>21</sup> Many Yezidis are reluctant to use the court system at all.<sup>22</sup> The DIS/DRC report from April 2016 also included interviews referring to a

## SUMMARY AND RECOMENDATIONS

- The Iraq Constitution's reliance on Shari'ah law as a foundational source of law creates a legal system in which equal protection under the law for religious minorities is tenuous. However, the autonomous nature of the KRI and its government means that the Iraq Constitution is largely ineffectual in areas controlled by the KRG.
- If enacted the Kurdistan's Draft Constitution would temper the role of Shari'ah, and enforce religious minorities' rights to freedom of worship. It is recommended that future constitution drafts contain enhanced rights allowing self-identification for certain minority groups, including the Yezidi.
- The Iraqi National Identity Card law impinges religious freedoms by preventing parents from raising children in a faith other than Islam when at least one parent is a Muslim. The statute should be repealed by the parliament in Baghdad, and the Kurdish parliament should take steps to counteract this law in the KRI.
- The Kurdish parliament reserves seats for Turkmen and Christian groups, preserving their voice in the legislature, but additional seats should be reserved for groups who do not have guaranteed representation, such as Yezidis and Shabaks.
- The 2015 Minority Rights law further enhances protections for religious minorities in Kurdistan, but the results of the law should be monitored to ensure that the protections are respected and enforced locally.
- Kurdish courts do not seem to be an effective avenue for enforcing religious minority rights. Although it is unclear that this deficiency is primarily motivated by religious differences, the effects clearly occur along religious divides and must be addressed to assure an adequate, independent judiciary, and equality before the law for all faiths and ethnicities.

“lack of protection of minority groups by authorities,” which manifests itself in IDPs creating ghettos based on ethnic affiliations inside camps and other areas.<sup>23</sup>

These findings may indicate some degree of arbitrariness with regard to the treatment of religious minorities in the region – which is relevant when considering whether a state is a “Country of Particular Concern.” It would also be necessary to ascertain whether repression faced by specific communities is of a systemic nature, which is beyond the scope of this report.

### KRG Attempts to Improve

The KRG has been keen to show the international community that it protects minorities, especially Christians. According to one scholar interviewed by the DRC, Kurdish authorities have taken steps to prevent incidents of disputes based on ethnic affiliation.<sup>24</sup>

The KRG has attempted to include religious groups in the political process, with multiple religious representatives affiliated with the government, and regular consultations with religious leaders.<sup>25</sup> Further, the KRG stressed to researchers that it does not differentiate between IDPs from different ethnic backgrounds.<sup>26</sup>

Nevertheless, protections from the KRG frequently appear to rely on links to the authorities or to the major Kurdish political parties. Some activists and local leaders accuse those individuals who represent their respective communities within the KRG, or who succeed in climbing to positions of political authority, of being paid or otherwise coerced by the KRG or KDP.<sup>27</sup> These

dissenters hold that rights and protections under the law are only granted to minorities and religious groups if they do not object to mainstream Kurdish political objectives. This is somewhat borne out in the respective treatment of different religious groups, discussed in depth later in this report.

### Economic Analysis of Religious Minority Welfare in Kurdistan

Issues of religious freedom are strongly related to economic freedom and development.<sup>28</sup> In communities and countries where diverse groups thrive in parallel and without substantial disparities, political tensions and infringements of religious freedom, whether from the government or wider society, are less likely to arise. On the other hand, underdevelopment can fuel tensions in areas with high ethnic or religious diversity, and economic inequalities that persist across a country can be both the cause and effect of grievances that spillover into the political sphere and can threaten religious freedom.<sup>29</sup> Evidence of a systemic bias against the economic development of minority areas in the KRI may reflect an institutional setup that is less likely to ensure that minority religious groups are safeguarded and their religious freedoms protected.<sup>30</sup>

Complete and accurate statistical data on Kurdistan's economy is scarce, and even less exists to link economic welfare with particular ethnic or religious groups. This paucity of reliable data can obscure potential disparities and issues and make it difficult to generalize

from particular observations. The evidence presented in the rest of the report contributes substantially to an understanding of the general state of different minorities in Kurdistan. Further, the following analysis of the official Kurdistan region (the governorates of Dohuk, Erbil, Sulaimaniya (and Halabja)) provides additional evidence, both in terms of macro level analysis, and in building a body of statistically based evidence.

### **Minority vs. Majority Status**

The results outlined in brief here involve analysis that uses nighttime satellite imagery of Kurdistan to proxy for economic activity. This analysis is then combined with precise mappings of ethno-religious groups to find statistical patterns in the levels of growth and activity for different groups. The study tests the hypothesis that being Sunni Kurdish offers a significant economic advantage, in terms of growth. The analysis examines data from 1992 to 2015 but focusing specifically on the high growth peacetime period from 2004 to 2013.

The findings indicate that Sunni Kurds have experienced significantly higher levels of growth than other groups, as is shown by Appendix B, Figure A4. This result is not explained by accounting for differences in geography, urbanization, existing development, weather, and other factors. Moreover, this effect became more pronounced in the final years before ISIS occupied territory in Iraq (2014), and less pronounced since.<sup>31</sup> This effect may be due to poor growth overall after ISIS became a significant factor in Iraq, and oil prices crashed.

Because other factors and explanations cannot account for the difference, the findings are strong evidence that Kurdish authorities or significant elements in society favor Sunni Kurds over other groups. This is probably due at least in part to government institutions that have favored the Kurds. The analysis mostly identifies disparities that remain consistent across geographic regions; such ethno-religious inequality across regions, rather than at the micro level of interactions between individuals, suggests a more centralized source of the disparity. An institutional theory also accords well with findings in other parts of this report pointing to some behavior on the part of Kurdish parties, including the KDP and PUK, governmental elements, and the wider society that does ultimately favor the Sunni Kurdish majority.

The findings remain highly significant when different methods of measurement are applied as illustrated in Figures A13, A15 and A18 in Appendix B. For a full analysis and discussion of why possible objections and alternative explanations are rejected, see Appendix B of this report.

### **Fragmentation**

The study additionally tests hypotheses positing that the level of fragmentation in a community has an effect on the growth rate of that community. The fragmentation metric is a measure of how diverse a region is; specifically, the metric measures the probability that two randomly selected individuals in a region will be from different groups. This measure is standard and well-documented in the literature.

The analysis reveals another highly significant finding; the very strong negative effect of fragmentation in a given community on growth, as demonstrated in Appendix B, Figure A6. That is, more fragmented areas of Kurdistan experience significantly lower levels of luminosity growth over the studied time period. This is true whether similar groups, such as the various Christian ethnicities, are considered together, or separately when calculating fragmentation.

This study on the effect of fragmentation also survives potential critiques. As before, the results are statistically significant and robust to different specifications. More pertinently, accounting for a number of potential confounding variables leaves the conclusion unaltered: differences in geography, urbanization, existing development, or weather cannot explain away the significant negative effect of fragmentation on growth.

Many possible explanations support this effect, but academic literature suggests that fragmented communities are unlikely to cohere enough to bargain with and lobby politicians for greater levels of investment in their community.<sup>32</sup> This has been borne out to some degree by the various interviews conducted with minority leaders in the regions during the in-region research period for this report.

### **Implications for Religious Freedom**

The results carry important consequences for a general study of the current and future status of religious freedom, and should inform any policy approach aimed at ameliorating issues of religious freedom.



## SUMMARY

- Assessing the socioeconomic wellbeing of various minority religions is an important factor in making a determination on issues of religious freedom. Economically disadvantaged areas are more likely to experience radicalization, conflict, and polarization which in turn can lead to infringements of religious freedom.
- Combining data on the location of ethno-religious groups with satellite data on luminosity is a useful way of breaking down economic activity by religious group where better subnational data does not exist.
- Sunni Kurdish communities perform significantly better with regards to growth than minority groups, suggesting a systemic bias against economic achievement by minority groups.
- More diverse communities experience significantly lower levels of economic growth and constitute potential 'problem areas' for religious freedom. These communities should constitute a focal point of further investigation and policy.
- Policy designed to improve rights and religious freedoms should take into account that religious freedom and substantive equality in economic development between groups go hand-in-hand.

First, the research provides reinforcement of interview-based evidence compiled elsewhere in this report of potential issues in Kurdistan's institutional structure that in some cases may work to disadvantage minority religious groups. Institutions that prevent individuals from attaining the same level of economic success on the basis of minority or religious status (even if this is not a deliberate policy) are probably insufficient to safeguard groups from other, more clear-cut infringements of religious freedom. This is in-line with the concerns stated elsewhere in the report of minorities claiming they face systemic biases that prevent them from realizing their rights. The analysis here outlines that, at least in terms of economic development, evidence exists to support this claim.

Second, regardless of the accepted explanation for the relationship between fragmentation, minorities, and economic growth, it is nonetheless salient that fragmented areas, which are home to large numbers of religious and ethnic minorities, are stagnating. This is cause for concern, given that economically disadvantaged areas are more likely to experience radicalization, conflict, and polarization, which in turn can lead to infringements of religious freedom.<sup>33</sup> If adherents of a minority religion in Kurdistan are left behind economically, it bodes poorly for their rights and freedoms, religious or otherwise. That these areas are diverse to begin with only adds to this argument:

*If adherents of a minority religion in Kurdistan are left behind economically, it bodes poorly for their rights and freedoms, religious or otherwise.*

given the potential in such areas for strife and inter-group tensions to become problematic, any economic stagnation in these areas should be seen as potentially threatening to religious freedom.

### Religious Groups and Ethno-Religious Minorities in the KRI

The KRI, along with the disputed areas, plays host to a diversity of religions, ethno-religious groups, and other minorities. The vast majority of the KRI population is Muslim. Sunni Islam is the dominant sect, with a very small Shi'ite minority. Fayli Kurds and Iraqi Turkmen account for the majority of the Shi'ite population.

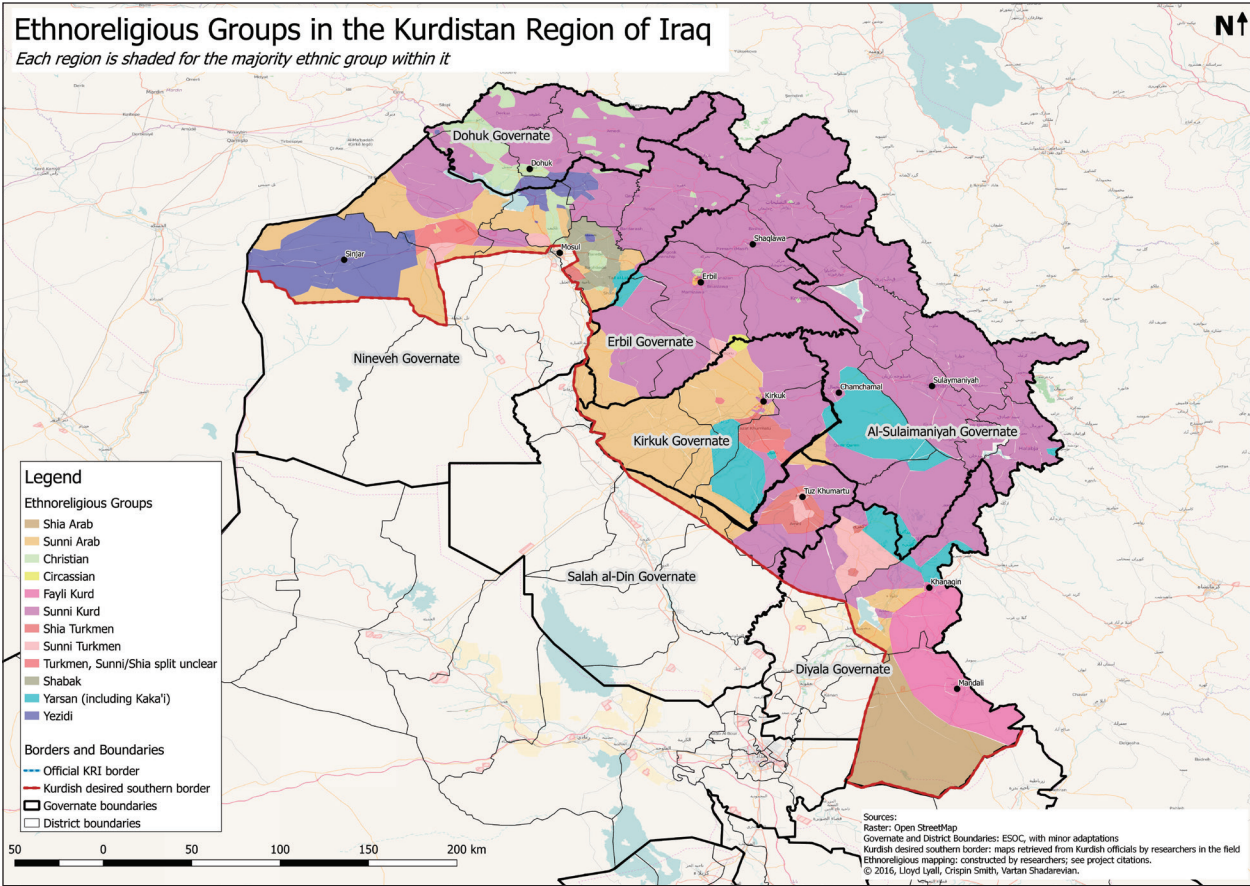
The second largest religion in the Iraqi Kurdistan region is Christianity, adherents of which are primarily divided among three main denominations: the Chaldean Catholic Church, the Assyrian Church of the East,

and the Syriac Orthodox Church. While Iraq's overall Christian population has precipitously declined since the 2003 invasion, in recent years large numbers of Christians have fled from Iraqi governorates into the three official KRG-controlled governorates. This

is primarily due to the actions of ISIS. Christians have fled (or been forcibly deported) from Syria, Mosul, and the wider Nineveh governorate.

Zoroastrianism is a monotheistic religion with small numbers of followers residing in Kurdistan.

**Fig 1. Majority Religious and Ethno-Religious groups in the KRI and disputed territories.**



Note: on this map, a block color denotes the majority population, but does not show the level of diversity in each area. See maps below for more.

There are reports of growing numbers of converts into the religion, possibly fueled by its perceived links with Kurdish nationalism.

Beyond these religions, Iraqi Kurdistan is home to a host of ethno-religious groups. This includes the Yezidi, the Kaka'i (Ahl-e-Haqq/Yarsani), the Shabak, and the Mandaean peoples. For these groups it is almost impossible to disentangle adherents' religious affiliation from their ethnic identity. Where Muslims and Christians frequently are identified (or self identify) as ethnic Kurds, Arabs, or Assyrians, ethno-religious groups tend to resist being subsumed into Kurdish or Arab culture. In recent years this has occasionally led to tensions between some groups and the KRG, which has at times been accused of attempting to "Kurdify" minority groups.

Ethno-religious groups frequently display close social cohesion and can be secretive in their practices. They tend to number only a few hundreds of thousands. For these reasons and others, they have

historically been discriminated against. This discrimination continues today. In addition to the genocides perpetrated by ISIS against the Yezidis, Shabak, and others, ethno-religious groups can face difficulties from local communities, and systemic injustices stemming from local government policy.

Other minorities also reside in the Iraqi Kurdistan region who, though not defined by their religious affiliation, are nevertheless directly affected by issues of religious freedom. These minorities include the Iraqi Turkmen, who are divided between adherents to Sunni Islam and Shi'a Islam; and the small Armenian population (a majority of whom worship at the Armenian Apostolic Church, with the balance being Armenian Catholics).

The remainder of this section serves as a brief overview of the religions and minorities present in the KRI, and highlights issues facing these groups for later discussion.

## ISSUES OF CONCERN

- Sunni Muslims are a majority in the KRI, are well represented throughout society, and are free to practice their religion. However, attention should be paid to the rights of Sunni Muslims (especially Arabs) who have fled to KRG-controlled areas.
- Some Sunni Arabs have not been allowed to return to their homes now under the control of the Peshmerga and KRG, and in some cases, homes may have been destroyed or looted by Kurdish elements. Some IDPs and organizations believe this is part of a Kurdification policy by the KRG, KDP or PUK (discussed later in this report, under “General Issues of Concern”). Both the KRG and the parties strongly deny this allegation.
- Sunni Arabs returning to disputed areas currently under KRG control are at risk of reprisals from communities previously targeted by ISIS.
- Declining standards of living and youth unemployment risks a rise in radicalization. This is a threat to regional stability and could ultimately fuel a backlash from Kurdish nationalists and secularists against the religious freedoms of the Sunni majority. Sunni Arabs are already treated with a degree of mistrust. In addition, a rise in extremism and radicalization may threaten the security and freedoms of non-Muslims in the KRI.
- The United States and the international community should monitor the risk factors for unrest and increased extremism. The KRG and local actors should be empowered to tackle causes of extremism, without unreasonably restricting the freedoms of population.

## Religious Groups and Minorities

### Islam

#### SUNNI ISLAM

The overwhelming majority of Kurds in the KRI are adherents to Sunni Islam, although in Iraq there has never been a clear split between between Sunni and Shiite Kurds.<sup>34</sup> The KRG Ministry of Endowment and Religious Affairs estimates there are 5,340 mosques in the region, with around 3,000 in Erbil governorate.<sup>35</sup> For most of the last century Kurdish nationalism was distinct from Islam, although nationalist sentiment was stronger among Sunni Kurds than among other religious groups.<sup>36</sup>

Kurdish cultural associations and political parties that have emerged in Iraqi Kurdistan have been almost entirely secular.<sup>37</sup> During the Iran-Iraq war era, both Iran and Saudi Arabia attempted to encourage Islamic movements among Iraqi Kurds, with only limited success. The largest of these movements continues to exist as the *Bizûtnewey Îslamî Kurdistan* (Kurdistan Islamic Movement), with its support centered around Halabja. Other Islamist parties in the Kurdish parliament include the Kurdistan Islamic Group (*Komelî Îslamî Kurdistan*), and the Kurdistan Islamic Union (*Yekgirtûy îslâmî Kurdistan*). Collectively these parties hold seventeen of 111 seats in parliament.

Sunni Muslims are very well represented in government, civil society, and the legal profession and judiciary. Sunni Kurds experience no significant restrictions on their freedom of religion in the KRI, nor do they face any legal or social barriers on the basis of their religion.

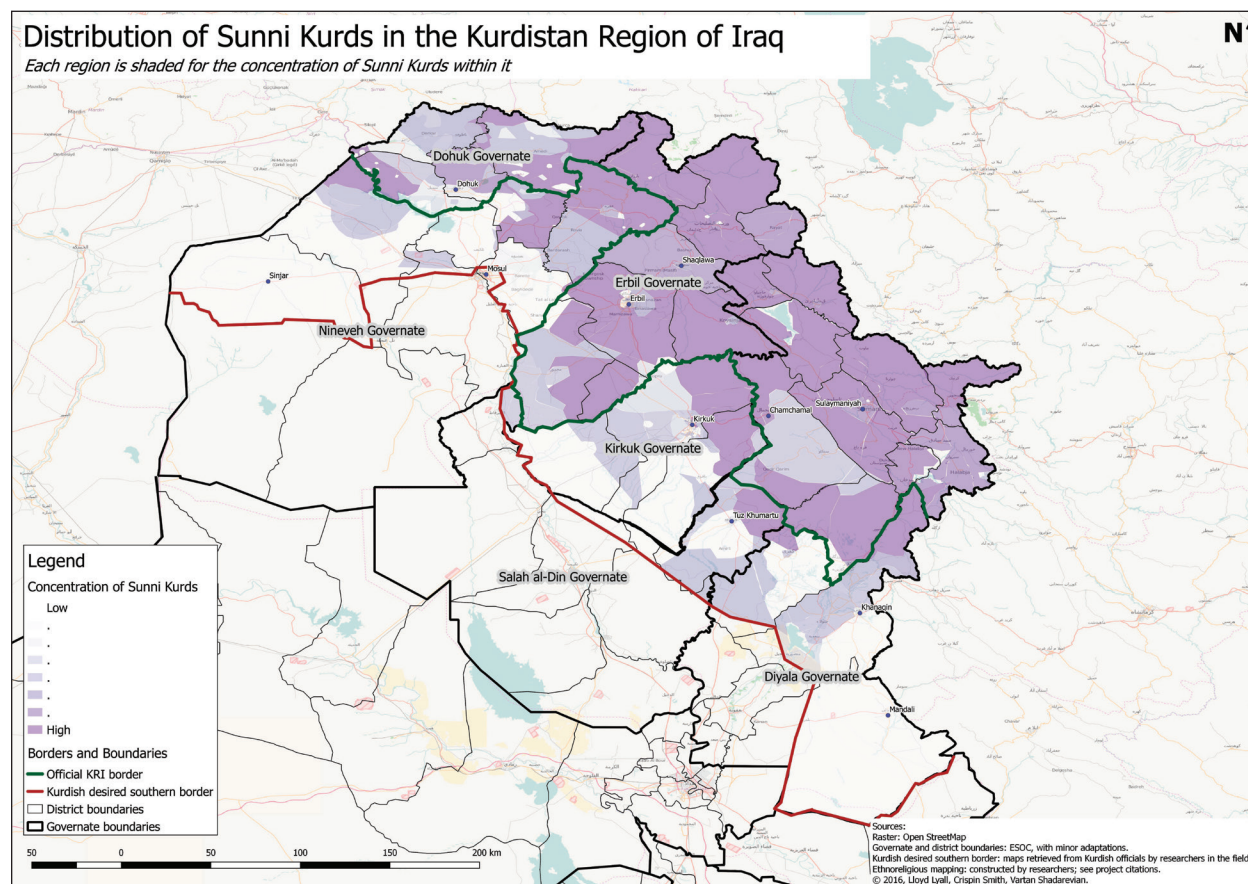
#### IDPs and the Disputed Regions

Over the last five years, a large influx of Sunni Muslim IDPs has flowed into the KRI. Most of these groups are composed largely of Iraqi Arabs, but also consist of Iraqi Turkmen along with Syrian refugees. According to some estimates, displaced Sunni Arabs now constitute about 20 percent of the Kurdistan region’s population.<sup>38</sup> Most of these IDPs have been displaced by the actions of ISIS. Although the rights of these individuals may have been curtailed to varying degrees by local authorities, their freedom of religion has not. Nevertheless, Kurdish authorities view the incoming population with great suspicion. This is partly due to a fear of being infiltrated by terrorists.<sup>39</sup> However, there is also a deep-seated worry that immigrants risk diluting the “Kurdishness” of the autonomous region. The memory of Saddam Hussein’s “Arabization” policies makes Kurdish authorities especially nervous of major demographic changes.

A significant percentage of the IDPs (including Sunni Muslims) come from the disputed territories. During the conflict against ISIS, the KRG gained de facto control of many of these territories. The newly controlled regions are more ethnically and religiously diverse than the rest of the KRI. It will be necessary to monitor the KRG to ensure it upholds the rights and protections of members of all religions and ethno-religions equally.

There is also a risk of reprisals against Sunnis (specifically Sunni Arabs) from communities affected by ISIS. As ISIS has been driven back in the disputed regions, Sunni Arabs have been targeted in revenge

**Fig 2. Distribution & Density of Sunni Kurdish population, KRI & disputed territories**



attacks.<sup>40</sup> Having de facto control of these regions, the KRG must take measures to protect Sunnis from reprisals. The need for such measures will only increase in urgency as greater numbers of IDPs are able to return home as ISIS is defeated. Reconciliation between the groups targeted by ISIS and Sunnis is likely to be extremely difficult.<sup>41</sup>

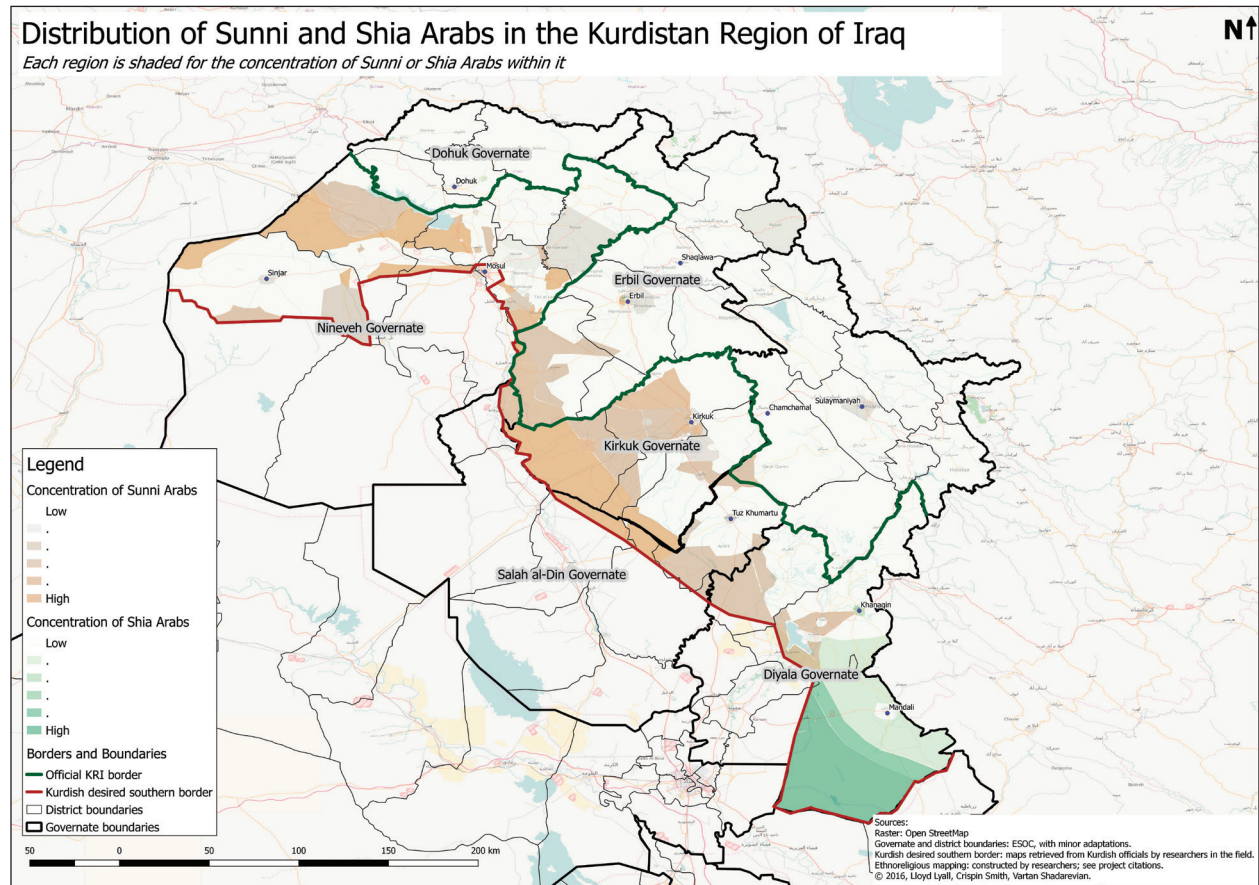
Some IDPs and activists have accused KRG officials of not allowing members of certain groups (including Sunni Arabs) to return to their homes, even after their villages and towns have been liberated from ISIS. Some individuals suggested this is an attempt to undo Saddam Hussein’s “Arabization” policies and to make the disputed regions more ethnically Kurdish. KRG officials confirm that they have occasionally prevented civilians returning home, but fiercely deny that this is ethnically or religiously motivated. Officials claim villages are not safe for return, and that IDPs can harbor terrorists and terrorist sympathizers among them<sup>42</sup> (see the following discussion on Sunni extremism).

### Sunni Extremism

Some Sunni extremism exists in the Kurdish autonomous region. In the early 2000s *Ansar al-Islam*, a terrorist insurgent group, was based in the KRI. In May 2015, Kurdish security forces prevented a bombing plot in Erbil by local members of ISIS, revealing the group’s societal reach beyond the front lines of Iraq’s disputed territories.<sup>43</sup> Fears of terrorist infiltration have alarmed Kurdish authorities, leading to the imposition of strict travel limitations on Sunni Arab populations – though critics suggest this policy is also motivated by a desire to make life difficult for Sunni Arabs and to discourage them from remaining in the region.

In addition, the economic downturn after the war on ISIS, declining global oil prices, increasing unemployment rates, and widespread corruption and nepotism all add to the risk of radicalization, especially among the region’s youth. In the KRI, 36 percent of the population is under the age of 14; the median age is slightly over 20.<sup>44</sup> According to the Ministry of Social

**Fig 3. Distribution & Density of Arab population, KRI & disputed territories**



Affairs, unemployment skyrocketed from 7 percent in 2013 to 21 percent in 2015. Since June 2014, more than 500 young Sunnis have joined ISIS from Kurdistan.<sup>45</sup>

To counter the threat of radicalization, the KRG plans to offer “courses to retrain and attempt to ‘moderate’ the nearly 3,000 imams in the Kurdistan Region and to change the Islamic program in public schools, which is under the authority of the Ministry of Education.”<sup>46</sup> Imams and mosques are now monitored for signs of radicalism.<sup>47</sup> Anecdotally, this has led to radical preachers and recruiters meeting in secret.

### SHI’A ISLAM

Shi’a Muslims are much less common in the KRI. Those that are present tend to live in the disputed territories, and are Turkmen or Faily Kurds. These groups are discussed in more detail later. Unlike much of the rest of Iraq, Kurdistan has largely avoided sectarian conflict between Sunni and Shi’a groups. However, developments in Kirkuk province, and in

Tuz Khurmatu, have sparked clashes between Kurdish forces and Shi’a militias, including the *al-Hashd al-Sha’abi* (Popular Mobilization Units). Should these clashes become more frequent or widespread, Kurds may find themselves drawn into sectarian conflict in some of the disputed territories.

### CHRISTIANITY

Christianity is the second largest religion in Iraq after Islam, although the percentage of population identifying as Christian has continuously fallen since a high of about 10–12 percent in the middle of the 20th century. Some sources estimate that the number of Christians in Iraq has been reduced by half since the 2003 invasion. Others have the pre-war population of 1,500,000 dropping by two thirds.<sup>48</sup> Inconsistent census gathering has obscured the true population size of Christians in both Iraq and the KRI.

Christians are generally not ethnic Kurds, and variously identify as Assyrians, Chaldeans, and Syriacs. They

speak Arabic and dialects of Syriac (a form of Aramaic). There is also a small Armenian community (see the full profile in “Other Ethnic Groups and Minorities Affected by Issues of Religious Freedom in the KRI”).

Even prior to the decline in Christian population, the community was heavily centered either in the KRI (especially in Dohuk governorate) or in nearby portions of Iraq (Nineveh governorate.) Since the rise of ISIS and the fall of Mosul, the relative security of the KRI has led to a further concentration of Christians in the area. Consequently, Christians in the KRI remain a relatively prominent religious and political force, even as the overall Iraqi Christian population decreases.

Christians in the region generally fall into one of three main denominations: the Chaldean Catholic Church (which makes up the largest portion of the Region’s Christian population); the Assyrian Church of the East; and the Syriac Orthodox Church. Small pockets of other Christian groups all exist throughout the area.

Adherents to Christianity in the KRI tend to ethnically identify with their respective sects. Followers of the different denominations tend to be geographically concentrated together, and tend to share political affiliations. Followers of various strands of Christianity sometimes accuse other denominations of preferential treatment by local authorities, or claim to have been specifically targeted or discriminated against.

#### Treatment by the Authorities

The KRG makes special efforts to provide for Christians. Several leaders interviewed stressed that the efforts of the

KRG directly benefited and protected their communities. Three archbishops from different denominations detailed money provided by the government for the building of churches. Ainkawa, the Christian quarter outside of Erbil, has seen considerable development in recent years.

IDPs have also been well provided for, with Christians receiving better care than many others thanks to the support networks organized by local and international churches. A bishop who had fled Mosul praised the KRG and the region for its role in protecting Christians from the genocide against them perpetrated by ISIS.

However, away from population centers Assyrian Christians have complained of land appropriations by ethnic Kurds. This is especially true in the countryside

in Dohuk governorate and around Zakho, and in the Nahla Valley area. In some cases the appropriations emerge from long-standing disputes complicated by population displacements

and resettlements. In other cases, the origins of the disputes are more recent, and appropriations may have occurred with the blessing, or tacit consent, of Kurdish officials. When Christians have attempted to protest, they have been prevented from traveling through checkpoints, where *Asayish* (KRG security services) have turned back individuals with ID cards marked “Christian” — regardless of purpose of travel (see “Specific Issues of Concern,” later in this report).

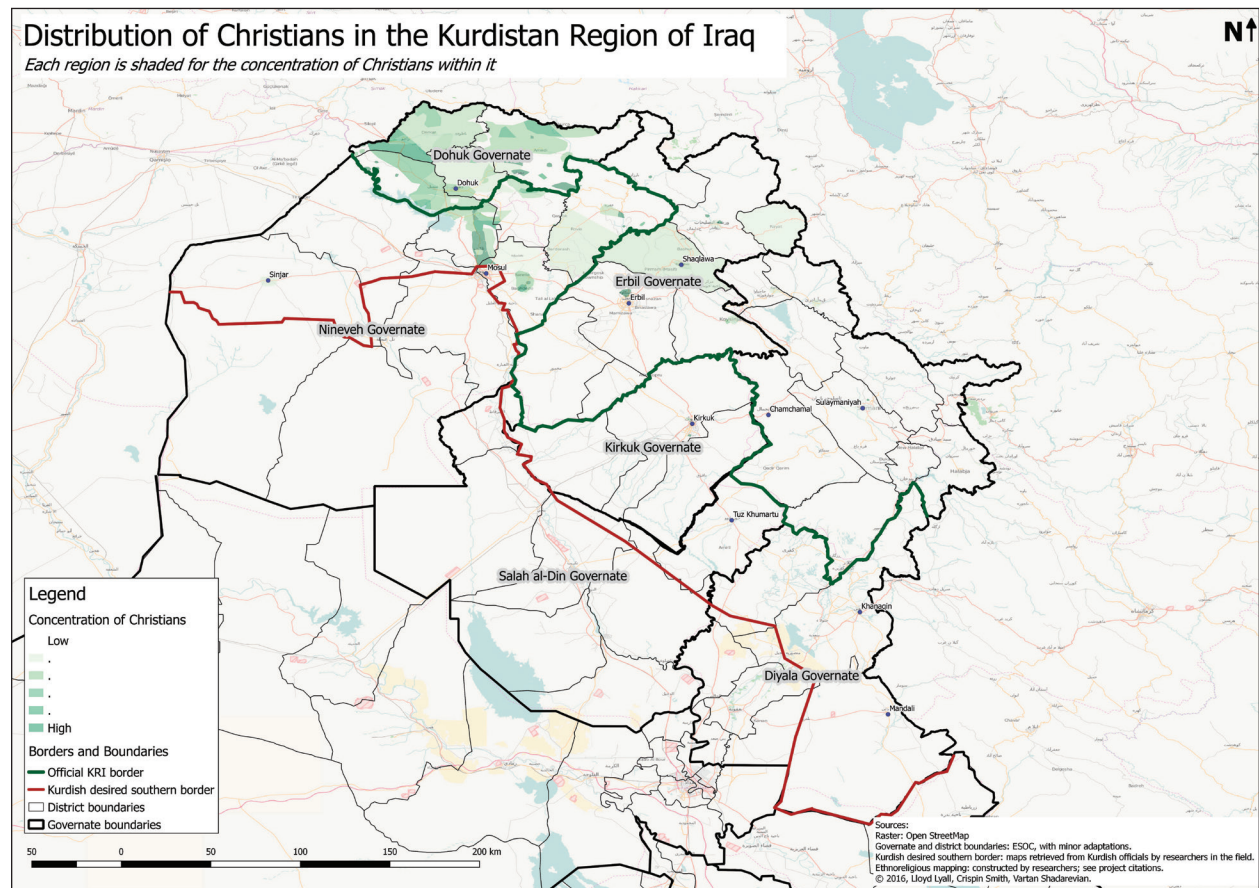
Identify card laws cause further concern for Christian priests and politicians. The 2015 National ID Card Law passed in Baghdad has infuriated Christians because it makes changing religions extremely difficult for Muslims, and compels children from

*Accusations of land appropriations against Christians by Kurds are commonplace in some parts of the KRI.*

#### ISSUES OF CONCERN

- Accusations of land appropriations against Christians by Kurds are commonplace in some parts of the KRI. Such appropriations targeted against Christians are examples of religious discrimination. Where true, they also represent violations of Kurdistan’s 2015 Minority Rights Law.
- Some Christian groups call for a Christian Zone in the Nineveh plains area. Although the vulnerabilities of the Christian community in Northern Iraq are clear, the creation of a Christian canton as a remedy is not without issue.
- Some Christian leaders expressed concern about the threat against them from growing extremism. Institutions, protections, and rule of law must be strengthened to ensure Christians remain safe from extremist elements of the wider population.
- In April, Kurdish Forces prevented Assyrian Christians from passing roadblocks, stopping them from traveling to Erbil to peacefully protest land appropriations by Kurds.

**Fig 4. Distribution and Density of the Christian population in KRI and Dispute Territories**



mixed-religion marriages to be registered as “Muslim.” One priest related incidents where a Muslim who had converted to Christianity was unable to change his ID card and subsequently faced difficulty from security services when trying to attend churches in a Christian quarter.

#### Relationship with the Wider Community

Some Christian leaders expressed concern to the researcher about underlying hostility from some more extreme elements of the Sunni Kurdish majority. Priests unanimously warned of growing extremism emanating from the mosques and sections of society. Christians acknowledge that the authorities have safeguarded them to date, but fear that these protections could be eroded if Kurdish leaders choose to appease extremists in future governments. One priest claimed that Kurdish contractors had refused to carry out a contract upon learning that the work was on behalf of a Christian church.

Christian politicians from the Chaldean Assyrian Syriac Popular Council also expressed concern about the lack of economic opportunity for the population. These politicians fear that regional persecution, combined with opportunities abroad, will lead to the complete disappearance of Assyrian Christians from their historic homeland. A senior bishop echoed this sentiment, noting that bureaucracy and officials can be linked to religious cronyism. He called for more transparency in the region to prevent hidden discrimination or favoritism based on religion.

#### Christian Governorate

Several political figures told the researcher that the Christian community hopes to be permitted to create a Christian governorate in the Nineveh plains (between the Tigris and Greater Zab rivers, and the Dohuk governorate border). One leader, former finance minister Sarkiz Aghajan, claimed that Christians are plurality in the plains (according to him, about 150,000 out of a total

population of nearly 400,000), and that the Assyrian diaspora would also return to increase that number if given autonomy. Several Christian leaders confirmed that if given an Assyrian Christian governorate, the governorate would be a part of the KRI subordinate to Erbil.

Creating political units solely based on religion or ethnicity can fuel discontent. In this case, there is a risk (if such a plan was permitted) of creating tensions with other minorities in the area, including Shabak and Yezidis. In the long run, groups in the minority might find themselves at a disadvantage, or compelled to leave.

### What Christians Want from the International Community

Representatives of the Chaldean Syriac Assyrian Popular Council told the researcher that the Christian leadership wants five things from the international community. These are: 1) the swift liberation and rebuilding of the Nineveh plains, 2) recognition of the ISIS orchestrated genocide against Christians, 3) the creation of a protected zone with 4) the eventual establishment of a governorate in the Nineveh plains, and 5) an effort to end the ongoing dispute over the sovereignty of the Nineveh plains region of Nineveh Governorate.

### ZOROASTRIANISM

Zoroastrianism was founded in ancient Iran approximately 3500 years ago. From 600 BCE to 650 CE it was the official religion of Persia. In 2006 the number of Zoroastrians worldwide was estimated to be fewer than 190,000.<sup>49</sup>

Zoroastrianism is monotheistic: the Zoroastrian God is referred to by followers as Ahura Mazda, and the religion is the world's oldest based on divine revelation.<sup>50</sup> Zoroastrians believe Ahura Mazda revealed the truth through the Prophet Zoroaster, and revere a book of Holy Scriptures called The Avesta.

Today, Zoroastrians are present in several areas of the KRI and other areas of Iraq. According to a leader of the Iraqi Zoroastrians, Zoroastrians are mainly found in Duhok (specifically in Zakho) and in Sulaimaniya (in the Darbandikhan, Ranya, Qalaat Daza and Chamchamal districts).

Nevertheless, there are no accurate estimates of their numbers; they are still referred to as "Muslims" on identity

### ISSUES OF CONCERN

- Zoroastrianism's success in converting Muslim Kurds has led to hostility from extreme Sunni clerics and from some sections of the wider population.
- Hate crimes towards Zoroastrians, and towards Zoroastrian converts, should be investigated.
- Clerics inciting violence towards Zoroastrians or other minorities should be held accountable.

documents despite engaging in Zoroastrian religious rituals. The spokesperson for the Ministry of Endowment and Religious Affairs told researchers that Zoroastrian leaders have reported up to 100,000 members, although the official stressed that this number may be exaggerated.<sup>51</sup>

Zoroastrians enjoy more recognition in Kurdistan than other regions. Sulaimaniya is home to not only the Zoroastrian Cultural and Heritage Center, but also a small temple where Zoroastrian rituals are being held for the first time in modern Iraqi history.<sup>52</sup> Luqman Karim, the leader of the Zoroastrians in Iraq, currently lives in Sulaimaniya.

Zoroastrianism is recognized as one of Kurdistan's religions in 2015's Minority Rights Law. In addition, the presence of NGOs such as the Zoroastrian Cultural and Heritage Center represent the community's interests. However, as of February 2016, the Center has yet to be recognized by the KRG as a place of worship despite repeated attempts by Zoroastrians to lobby the KRG Ministry of Endowments and Religious Affairs to do so. Yet, the Ministry appears to have outwardly expressed goodwill and the intention to help Zoroastrians prosper.<sup>53</sup> The Ministry told researchers that the reason for the lack of recognition was due to a rental disagreement.

A potential issue for Zoroastrians arises out of the recent trend in conversions from Islam to Zoroastrianism. Zoroastrians claim increasing numbers of Kurdish Muslims are converting to Zoroastrianism.<sup>54</sup> There is little agreement about the numbers of converts; local media reports estimate the number of converts in the year of 2015 as ranging from 10,000<sup>55</sup> to 100,000.<sup>56</sup>

There are two possible reasons for the upward trend in conversions. The first is the perception on the part of Kurds that their roots are closer to Zoroastrianism than Islam, with Kurdish adherents often talking about the inherent "Kurdishness" of Zoroastrianism.<sup>57</sup> The second, more speculative reason is that conversion



to Zoroastrianism is a reaction to the rise of ISIS and extreme sects of Islam in the region.<sup>58</sup>

For some of these extreme sects, apostasy is often seen as a crime and an act of treason. According to some reports, a result of these conversions has been the incitement of hatred and defamation by some Sunni clerics. Recent examples of this backlash include Mullah Abdul-Latif Ahmad of Sulaimaniya defaming Zoroastrians publicly in front of an audience in January 2016,<sup>59</sup> and prominent followers of Zoroastrianism reporting threats and harassment from Islamic groups.<sup>60</sup>

Zoroastrians converts also risk falling afoul of the Iraqi ID card laws, which do not permit Muslims to change their religion.

## Ethno-Religious Groups

### YEZIDI

The Yezidi (also Ezidi, or Yazidi) are a secretive ethno-religious group found in Iraq, Syria, Georgia, Armenia, and parts of Iran.<sup>61</sup> The Yezidi believe in reincarnation, sacrifice bulls, and revere an angel known as Melek Taoos who takes the form of a peacock.<sup>62</sup> Yezidis pray in distinctive conical roofed shrines,<sup>63</sup> and around 150 of these are present in Dohuk and Nineveh plains.<sup>64</sup> The group has a caste-based social structure, including a priestly caste. Religious figures include the sheikhs, the faqirs (self-deniers), the kawwals (song reciters), the

kockeks (who guard the shrine at Lalish), and the pirs (a junior priestly caste to the sheikhs).<sup>65</sup>

Yezidism is closely linked with Kurdish culture and heritage. A distinct Kurdish dialect, known as the Yezidi language, is the language of the religion's texts and invocations. Even in areas where Yezidis speak Arabic (due to systematic Arabization policies under Saddam Hussein), the Yezidi language is often also used. Meanwhile, Yezidis are geographically attached to Kurdistan, with their main temple located at Lalish, 45 kilometers to the east of Dohuk.<sup>66</sup> Yezidis are found at and around Lalish and are also scattered throughout the KRI. Until 2014 they were also heavily concentrated in the Sinjar district of the Nineveh governorate in Iraq, although many of those are now IDPs.

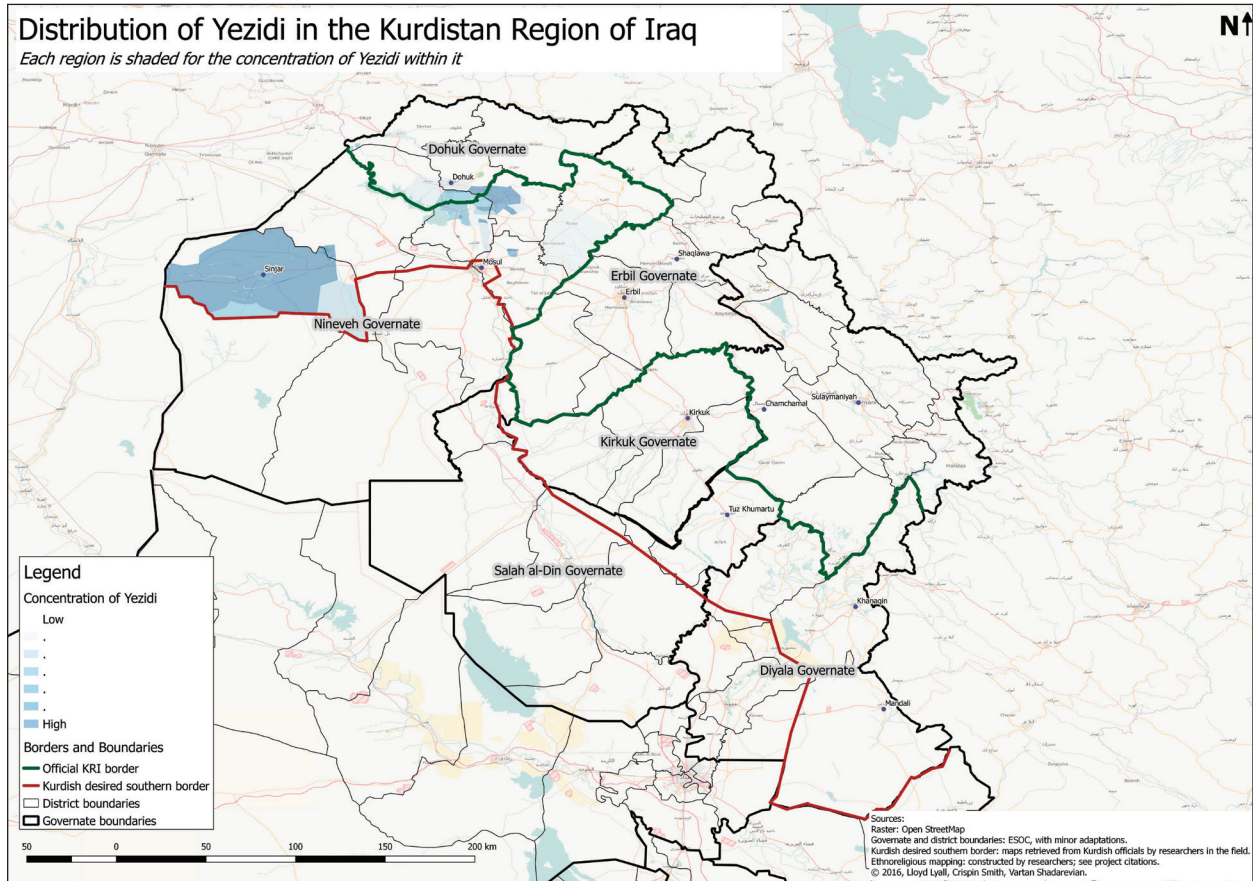
Geographical location is central to the Yezidi faith. Unlike mosques or churches, shrines and temples cannot be built anywhere, and require the religious leaders to preside over any building or rebuilding project. Lalish, Mount Sinjar, and surrounding areas are locations with deep meaning to Yezidis, which cannot be replicated in other places. Although a large and established community has settled in Germany after fleeing past persecutions, for example, no Yezidi shrines have been built there.

The guarantee of religious freedom for Yezidi in the KRI does not necessarily translate to acceptance.

### ISSUES OF CONCERN

- Yezidi activists accuse the KDP (and the wider KRG) of actions targeting Yezidi leaders who oppose KDP and KRG actions. Activist also accuse Kurdish authorities of targeting the wider Yezidi population. Accusations include detention for political activities, looting of villages, and murder (see "Specific Issues of Concern," below).
- There is anger in the Yezidi community at the Iraqi-Kurdish Peshmerga's slow and allegedly lackluster attempts to defend Yezidis from ISIS.
- Kurdish officials frequently put pressure on Yezidis to identify as Kurds. For some Yezidis this is an affront that they believe threatens the existence of the Yezidi people. Regardless, rights should not be attached to ethnic identity or religious affiliation.
- Yezidis who do not identify as Kurds, or who challenge the authorities and KDP's control over Sinjar and Yezidi affairs, risk harassment and being barred from entering the KRI. As the holiest Yezidi shrine is at Lalish and is under KRG control, this presents a problem for Yezidis hoping to make the pilgrimages required by the religion.
- Conditions in refugee camps are reportedly poor. Large numbers of Yezidis are IDPs located in camps and private accommodation in Northern Iraqi Kurdistan. Some Yezidis claim there is a systemic bias against them in the receipt and distribution of aid and food supplies. It has been alleged that aid is withheld for political reasons by Kurdish officials.
- Yezidis in Sinjar are calling for help in forming and strengthening locally run protection units. They do not believe Kurdish forces or Iraqi forces prioritize Yezidi security. The United States and the international community should continue to support attempts to provide reliable security for minorities including the Yezidi.
- Yezidi religion is tied to land and places, such as Mount Sinjar and Lalish. Policies that restrict Yezidi access to these places, deliberately encourage their depopulation, or Kurdify these areas risk damaging the religion. The KRG and other local authorities should avoid implementing such practices.

**Fig 5. Distribution and Density of the Yezidi population in KRI & Dispute Territories**



In fact, their reverence for the angel Melek Taos has contributed to their ostracism and worse. Melek Taos is often identified with Iblis and Azazael, which are names in the Islamic tradition for the greatest angel of God, who rebelled and was cast down. This association has led the Yezidi to be erroneously labeled devil-worshippers by followers of Abrahamic faiths in the region. It has become common for young Muslims to refuse to eat with Yezidis.<sup>67</sup>

From 2014 onwards, ISIS directly targeted Yezidis in areas it successfully overran, massacring men and enslaving women. Notably, Yezidis in Sinjar became stranded and besieged on Mount Sinjar until a combination of Syrian-Kurdish forces and U.S.-led airstrikes broke the siege and removed civilians to safety. It is estimated that nearly 600,000 Yezidis reside in the KRI following the influx of IDPs from Sinjar and surrounding areas.<sup>68</sup>

Within KRG-controlled areas, Yezidis frequently come under pressure to identify as Kurds. Like several

other small ethno-religious groups, they are not identified as a unique ethnicity in the draft constitution, their status likely being derived from their presumed “Kurdishness.” Many Yezidi leaders told researchers in interviews that they feel Yezidis have few legal rights, and even fewer in practice. Even those leaders and religious figures with close ties to the KRG and KDP were skeptical about whether Yezidi rights are respected by Kurds.

Some Yezidi activists go further, accusing the KRG of various discriminatory policies that have led to the deaths of Yezidi. These groups accuse the Peshmerga of looting Yezidi villages in the Sinjar region, of detaining Yezidi activists and political leaders, and of preventing food and supplies reaching IDPs. A particular point of contention (detailed later) is the Iraqi Kurdish Peshmerga’s role in the 2014 assault and subsequent massacres. The Peshmerga is accused of confiscating Yezidi arms, telling Yezidis not to flee, and then suddenly withdrawing before ISIS arrived.

Yezidis who dissent, or refuse to identify as Kurds, risk harassment, detention, or deportation. Several Yezidi leaders researchers spoke to are not allowed to enter the Kurdistan Region, and this includes members of the Yezidi Movement for Reform and Progress (which is the only Yezidi party with seats in Iraq's parliament – although other Yezidi members sit with parties including the KDP). This means these Yezidis are unable to visit the shrine at Lalish, to which Yezidis are expected to make pilgrimages. The shrine at Lalish hosts many of the religion's most important festivals.

### Political Representation

Yezidis are poorly represented politically, and their rights are derived from the status of “Kurd” applied to them by the KRG. In one internal report produced by a Western-run humanitarian organization, it was stressed that loyalty to the KDP is valuable (if not essential) for Yezidis to reach office; the report claimed that many Yezidi elites are part of the KDP, while the majority of the population resent the party. Speech critical of the party and the KRG is cracked down on harshly. A senior establishment Yezidi figure, along with other Sheikhs, told researchers that the lack of political representation, especially as compared with other minorities, is a significant challenge for the community. Where some minorities have reserved seats in the Kurdistan parliament reserved by quota, no seats exist for the Yezidis. This means Yezidi interests are less likely to be heard by the KRG. Some rights have been established under Law No. 5 of 2015, which was passed in the Kurdistan Region's parliament to protect the rights of groups in the region.<sup>69</sup>

### Fear of the Wider Community

Hostility from the wider population is also a problem. Several religious and political leaders drew attention to the unwillingness of Sunni Kurds and Arabs to eat or interact with Yezidis.<sup>70</sup> A Yezidi leader noted that systemic biases exist that make it difficult for Yezidis to gain prominence in the affairs of the region.<sup>71</sup> A senior religious figure said that while he had seen no problems from the government, considerable Yezidi discrimination continues to emanate from the population at large.<sup>72</sup>

Some leaders from Sinjar were particularly vocal about the need for greater efforts from the international community and local governments to provide Yezidis with arms and training to form protection units. These

leaders do not believe that Yezidis can trust the KRG or central government to prioritize Yezidi interests and security concerns. Given the Peshmerga withdrawal from Sinjar (detailed later) this fear is understandable. In addition, continued hostility from some Kurds and Arabs make Yezidis worry that another massacre could happen in the future.

NGO workers interviewed pointed to various incidents from the IDP camps where clashes or other unrest broke out between the Sunni and Yezidi residents. One aid worker recalled an incident when Sunnis were augmented by armed Sunni Kurds from the local population living outside of the camps.

### Economic Blockade of Sinjar

A de facto economic blockade has been put in place by KDP forces controlling entry and exit from Sinjar. Ostensibly this is to prevent PKK forces from Turkey and Syria (or affiliated Yezidi units) from establishing themselves. However, the overall effect is that thousands of Yezidis are cut off from their homelands around Mount Sinjar. One aid worker suggested that this was linked to a policy of Kurdification in Sinjar. The same individual expressed fears that the KRG might be tempted to never allow Yezidi IDPs to return, instead resettling this population in Dohuk province.

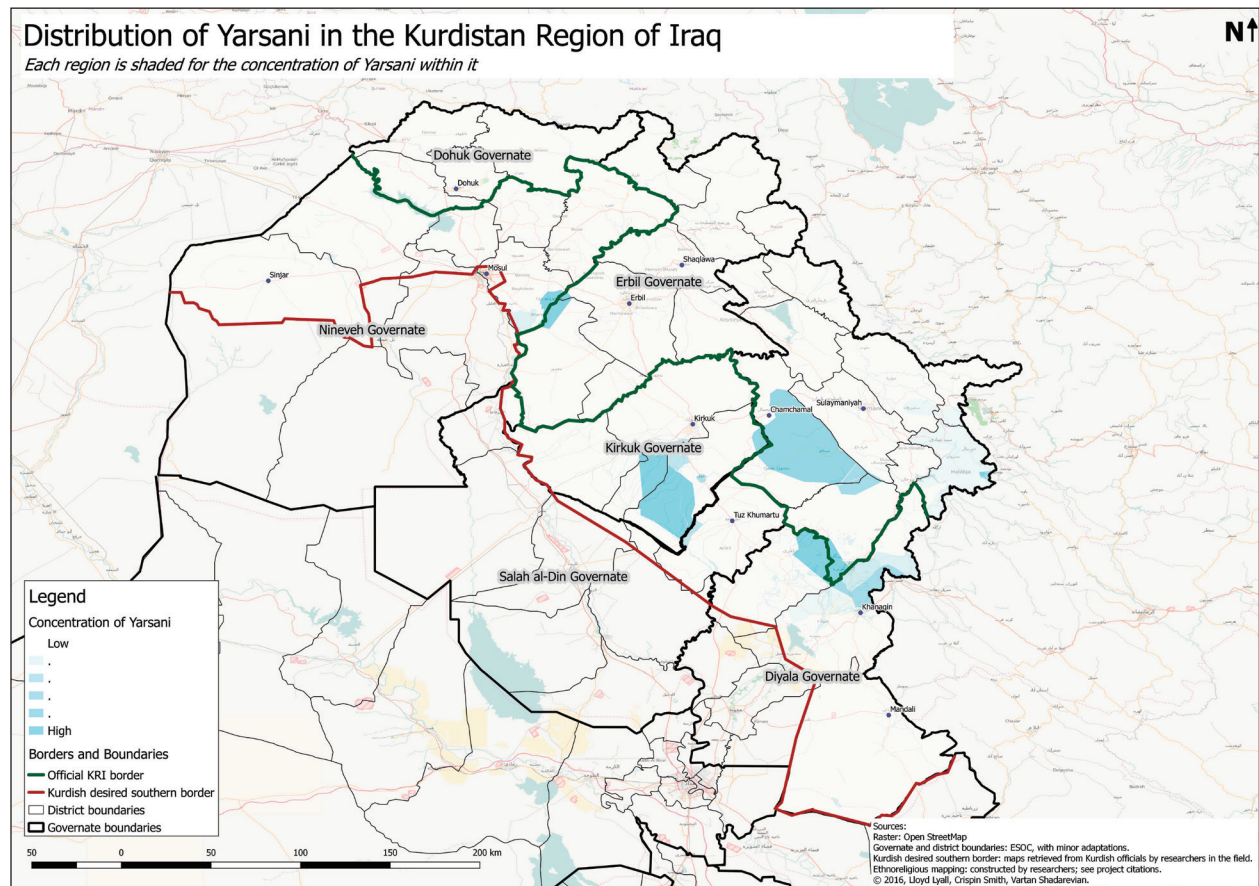
Regardless of the underlying policy considerations, restricting the movement of people and goods into and from Sinjar will make it difficult for Yezidis to remain in the area. As the religion is so closely tied to land and places, this could harm the faith's long term survival. The economic blockade is discussed further in subsequent sections of this report.

### KAKA'I / AHL-I-HAQQ

The Kaka'i, also known as the Ahl-i-Haqq or Yarsani, are a religious minority located throughout Northern Iraq, in the provinces of Sulaimaniya area, the Nineveh plains, and Kirkuk governorate. The largest population resides in the Halabja area.<sup>73 74</sup> There may be about 200,000 Kaka'i living in Iraq. The Ministry of Endowment and Religious Affairs estimated only 30,000 Kaka'i live in the KRI.

This religious affiliation is hereditary. Kaka'i do not accept converts, and are secretive in nature. It is claimed that the faith is syncretic, incorporating Zoroastrianism

**Fig 6. Distribution and Density of the Kaka'i population in KRI & Dispute Territories**



**ISSUES OF CONCERN**

- Parts of the Kaka'i community clearly consider their safety at risk from wider society.
- KRG legislative efforts to protect Kaka'i should include actual protections on the ground in the disputed areas such as Kirkuk. Greater efforts to include Kaka'i in

ministries like the Ministry of Endowment and Religious Affairs should be made.

- Though policy appears to be moving in favor of the Kaka'i's religious freedoms, it is unclear the extent to which these policy changes are implemented and reflect reality on the ground.

and Shi'a Islam. Followers believe in the transmigration of the soul. Kaka'i also believe Ali is one of many manifestations of God on earth.

Kaka'i have been targets of violence and oppression, due to their small numbers and lack of political protections. In the aftermath of the 2003 invasion, religious tensions against the group increased, forcing some members of the community to declare themselves Muslim. In September of 2015, 30 leading Kaka'i figures met at a conference at the Union of Religious Scholars in Kirkuk and declared themselves Muslims.<sup>75,76</sup> Other Kaka'i have reacted by reaffirming independence from Islam. It is possible that Kaka'i living in more diverse

regions (including Kirkuk and Nineveh) are more likely to feel the need to align with Islam for safety, whereas Kaka'i living in areas such as Halabja feel less at risk. In September 2016, ISIS targeted a Kaka'i community near Tuz Khurmatu with a car bomb.<sup>77</sup>

The Kaka'i have faced discriminatory practices from the wider community in some areas. In 2010, the Minority Rights Group reported that Muslim religious leaders in Kirkuk told people not to purchase goods from Kaka'i owned shops.<sup>78</sup> Nevertheless, the Kaka'i community has made some gains in recent years, obtaining a "quota-mandated" seat in the Halabja provincial council—the first Kaka'i to hold office in the KRG.<sup>79</sup>

Despite this recent gain, official recognition remains limited for the Kaka'i —neither the 2005 Iraq Constitution nor the Kurdistan Draft Constitution “make any reference to the Kaka'i as a religious community.”<sup>80</sup> Article 6 of the Kurdistan Draft Constitution refers by name to many religions in the region, but does not mention the Kaka'i.

Further, the Kaka'i are not represented in the Ministry of Endowment and Religious Affairs in the Kurdistan Region, and therefore are afforded no official state support.<sup>81</sup> A Ministry spokesperson explained to the researcher that this was due to confusion over whether the Kaka'i constitute a distinct religion or whether they are a sect of Islam. The first mention of the Kaka'i in any official capacity in modern history was in the Law No. 5 of 2015 passed in Kurdistan Region's parliament to protect the rights of groups in the region.<sup>82</sup>

## SHABAK

The Shabak are an ethno-religious group consisting of three tribes: the Hariri, the Gergeri, and the Mawsili. Most identify as Muslim, with the majority Shi'ite, and a small minority Sunni. However, the Shabak faith actually diverges (often significantly) from Islam. Among other beliefs, Shabak believe that Allah, Muhammad, and Ali constitute a trinity, in which Ali appears as the dominant manifestation of the divine.

Shabak population estimates range from 100,000 up to 500,000. Until the rise of ISIS, the population was largely concentrated in the Sinjar area, around the Nineveh plains, and in the Mosul area. The actions of ISIS have forced much of the population to relocate, often to the KRI. A KDP 2015 report held that 90 percent of Iraq's Shabak population had relocated into Iraqi Kurdistan in recent years,<sup>83</sup> although the KRG claims it

will be facilitating their return. However, the 90 percent figure may be exaggerated, as a sizable portion of the Shabak population has in fact relocated to the region around Karbala (in southern Iraq).

Located in an area that has been increasingly disputed between Erbil and Baghdad, the Shabak have been detrimentally affected by power struggles between the two governments.<sup>84</sup> The Shabak have faced enormous pressure (and even harassment) from the KRG to assimilate and declare themselves to be “Kurds.”<sup>85</sup> This is contrary to the wishes of many of the Shabak and their representatives. In addition, Shabak villages have lacked basic services.<sup>86</sup> KDP documents and press releases frequently refer to Shabak as “Shabak Kurds”<sup>87</sup>

Shabak are also systematically prevented from serving in essential roles in the Kurdish society; for example, in 2006 the Shabak were banned from being part of police forces.<sup>88</sup> It has been suggested that the KDP's behavior in this vein is designed to continue its dominance over local minorities. Further, Shabak have been unable to access employment in the civil service.<sup>89</sup>

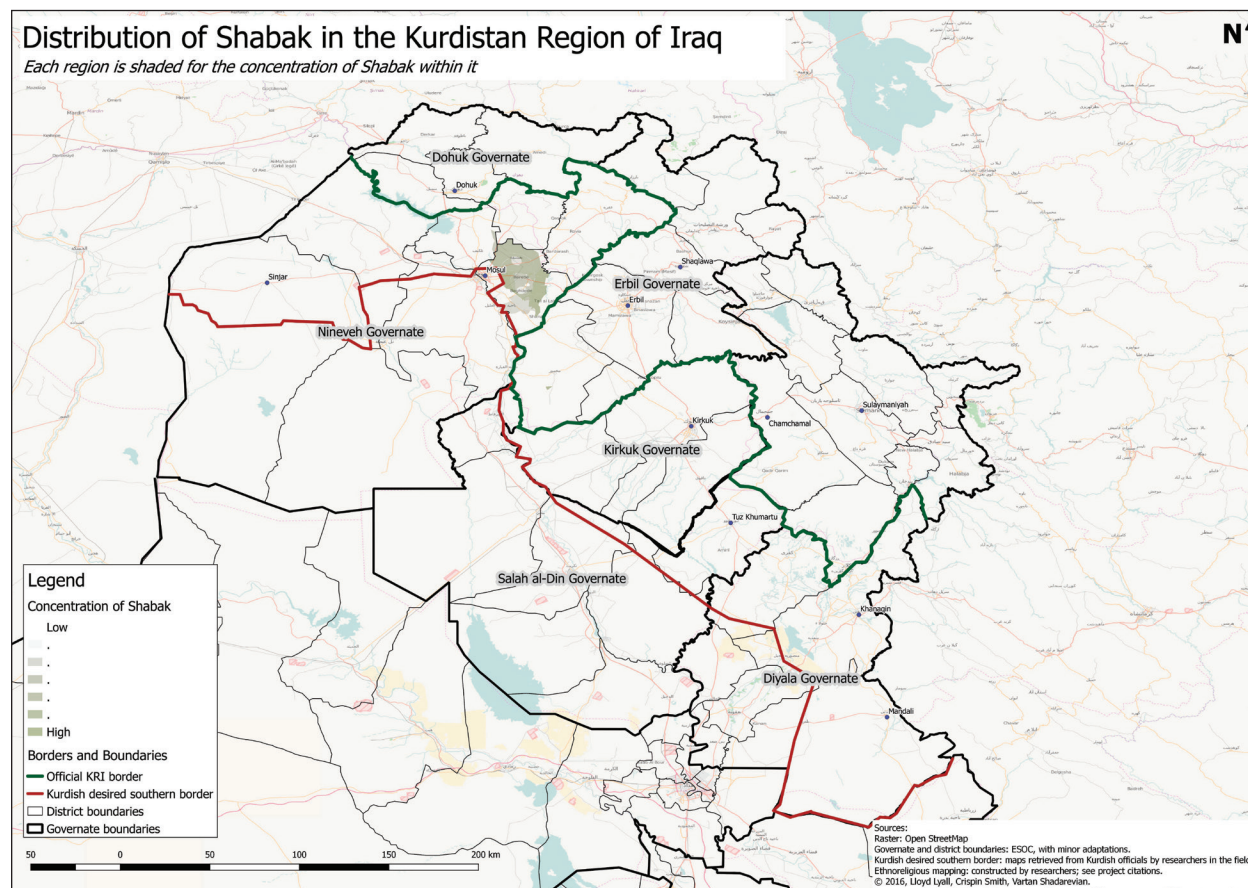
The KRG has tried to assert power over the Shabak by attempting to add Shabak inhabited areas to their jurisdiction; Shabak leaders rejected this ploy and some claimed that Kurdish authorities tried to force them into signing the incorporation petition.<sup>90</sup> In addition, in 2008 Shabak accused the Peshmerga of the murder of a member of the Democratic Shabak Assembly.<sup>91</sup> The community remains divided on whether to join the KRG or remain with Iraq. On August 4, 2016, Shabak leader Salem Juma'a called for a public referendum on the issue, favoring joining the KRG.<sup>92</sup>

According to the Kurdish press, in recent months a Shabak division of the Peshmerga has been established to defend Shabak communities from ISIS.<sup>93</sup> The creation

## ISSUES OF CONCERN

- The Shabak community is at risk from ISIS and many members of the community have fled to KRG controlled areas. IDPs should be protected, provided for without discrimination, and should be allowed freedom of movement to return to their homes.
- Comparatively recent reports document systematic abuses against the Shabak by the KRG. Some reports specifically blame KDP actions, while others more generally blame discriminatory practices by Kurds against non-Kurds. These abuses include forced or coerced “Kurdification,” blocks to holding certain roles in society, in addition to violence, detention, and murders.
- Kurdish authorities have traditionally been afraid of the “Kurdish-ness” of Kurdistan being diluted. This may be a throwback to Saddam Hussein's policies of “Arabization.” With so many Shabak having fled to the Kurdish region, KRG policy should be watched for signs of forced assimilations or other discriminatory practices.
- Shabak are offered few legal protections as “Shabak.” Some Shabak feel the KRG forces a “Kurdish” identity upon them.

**Fig 7. Distribution & Density of the Shabak Population, KRI & Disputed Territories.**



of this division was confirmed to researchers by officers in the Peshmerga, and could represent a step forward for the Shabak. However, the Shabak right to identify as Shabak, and to participate fully in society or avail themselves of protections against ISIS, without having to represent themselves as Kurds, should be respected and defended.

### Other Ethnic Groups and Minorities Affected by Issues of Religious Freedom in the KRI

#### TURKMEN

The Turkmen population of Iraq descends from Turkic tribes that began settling in Iraq around the year 500. Turkmen are overwhelmingly adherents of Sunni or Shi'a Islam. Although no reliable estimates exist for the proportions, it is likely that around half of the Turkmen population is Shi'ite, the other half Sunni.

The overall Turkmen population of Iraq (and of Iraqi Kurdistan) is disputed. Sources agree that the Turkmen represent Iraq's third largest ethnic group (after Arabs

and Kurds), with the estimated percentage Turkmen within the total Iraqi population ranging from 5 percent to 13 percent. Some Turkmen activists have claimed that the Turkmen represent the second largest ethnic group in the KRI.<sup>94</sup> The percentage of Turkmen in specific areas of Kurdistan varies even more than the previously cited range. For example, a former Kurdish official cites the number of Turkmen in Kirkuk at more than 20 percent.<sup>95</sup>

#### Representation

Turkmen are represented politically by a number of relatively small political parties. Many of these parties seek to counter attempts by the major Kurdish parties (KDP and PUK) to marginalize the Turkmen and "Kurdify" historically Turkmen areas. Some parties, such as the Iraqi Turkmen Front (ITF) go further, and call for an independent or autonomous area in Northern Iraq reserved for the Turkmen, which they call "*Turkmeneli*." Turkmen regard Kirkuk to be their historic capital, which puts the minority at odds with KRG policy as it moves to implement Article 140 of Iraq's constitution, and incorporate Kirkuk province

into the KRI. Some groups seek to make Kirkuk a special territory with a joint administration (32 percent for each of the Turkmen, Arabs and Kurds, and 4 percent for the Chaldo-Assyrians).<sup>96</sup> These groups also demand Tal Afar in Nineveh and Tuz Khurmatu in Salahuddin (both districts are majority Turkmen) be given governorate status.<sup>97</sup>

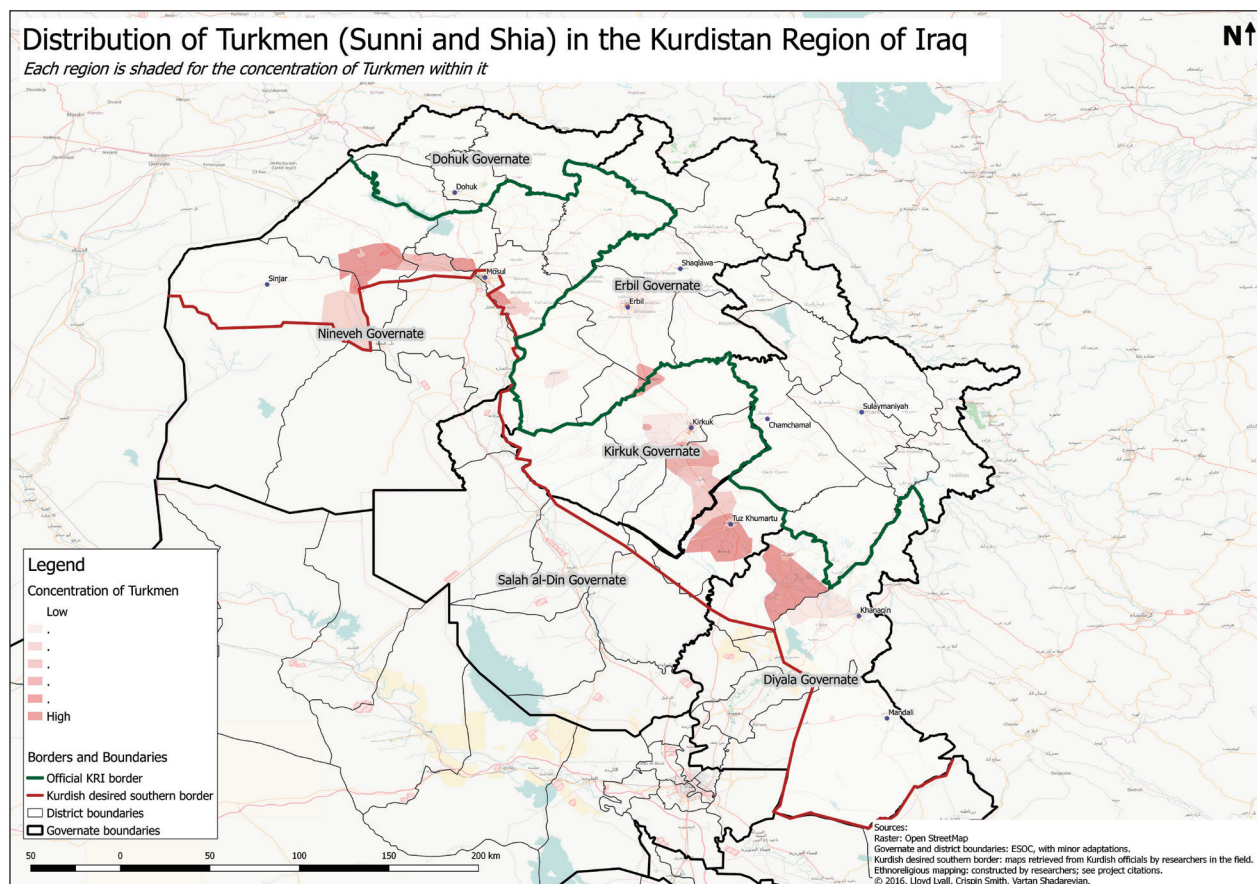
Relationships between Turkmen groups and the Kurdish political parties are frequently fraught, and have at times resulted in violence. Nevertheless, Turkmen have been included in the political process. In 2002 the

KDP created the Turkmen National Association from five Turkmen parties in the Erbil area. While the ITF regards the party as a KDP puppet, it nevertheless expands Turkmen inclusion in the political process. Further, 5 out of 111 seats in the Kurdish parliament are reserved for Turkmen candidates (though religion is not accounted for). Researchers also heard concerns that Turkmen were being frozen out of power in Kirkuk because of long-term favoritism toward Kurds by the governor and the Kurdish-dominated provincial council.

### ISSUES OF CONCERN

- If unrest between Turkmen Shi'a and Kurdish forces continues or increases, it will be necessary to monitor KRG policy and actions for signs of infringing on the rights and freedoms of Shi'a Turkmen.
- Similarly, if tensions do rise in areas such as Kirkuk province, attempts by militias and political groups to infringe on the religious freedoms of others should be monitored.
- Kurds have avoided the worst of the sectarian tensions seen in the wider region between Sunnis and Shi'ites. The KRG should be encouraged to take steps to strengthen Sunni-Shi'a tolerance in areas under its control.
- Alleged "Kurdification" of areas with large populations of Turkmen should be monitored. Failure to respect the rights of minority groups to exist risks leading to conflict. In the case of the Turkmen, such a conflict could take on sectarian aspects.
- Turkmen calls for a separate autonomous region put Turkmen politics directly at odds with Erbil.

**Fig 8. Distribution & Density of the Turkmen Population, KRI & Disputed Territories.**



### Sectarian Violence

There is a possibility that future sectarian conflict could arise between KRG forces and Shi'a Turkmen. In 2016, violence erupted between Shi'a Turkmen paramilitaries and the Kurdish Peshmerga in Tuz Khurmatu in the Salahuddin governorate, 55 kilometers south of Kirkuk. The Turkmen Shi'ite militias may have been linked either directly or indirectly with Iran.<sup>98</sup> The fighting left 69 dead and millions of dollars in uncompensated damage. Some reports have communities in the town putting up dividing walls to prevent conflict among the Sunni Arabs, Shi'a Turkmen, and Kurds. One source told the research team that if "Kirkuk is a microcosm of Iraq, then Tuz Kurmatu is a microcosm of Kirkuk."

### Implication for Religious Freedom

Overall, issues concerning the Turkmen in the KRI are less focused on religion than on ethnic identity. Nevertheless, recent conflict has clearly had a sectarian element. It will be necessary to consider whether the KRG could be drawn into Iraq's wider sectarian conflicts, and whether its leaders, institutions, and population are able to avoid infringing on the rights of Shi'a Muslims (Turkmen or otherwise) while addressing violence against its forces and other groups. The possibility of Iranian involvement must also be considered.

### ARMENIANS

Armenians settled in Iraqi Kurdistan following the Armenian Genocide in 1915. However, the number of Armenians living in the KRI today is relatively small as compared with neighboring regions, with estimates suggesting a population total of less than 3,000.

The Armenian presence is particularly strong in the northern city of Zakho, Dohuk governorate, which lies on the border with Turkey. In Dohuk governorate there is an estimated total Armenian population of 2,690. The only sizable community outside of Dohuk governorate is a community of about 440 in the Ain-kawa district of the city of Erbil.

A senior Armenian Christian religious figure told researchers that the KRG has funded the building of four churches for Armenians in the KRG and helped source the necessary land. This source also stressed that Armenians, as Christians, have the freedom to worship as they choose in the KRI.<sup>99</sup>

Outside of the KRI, large populations of Armenians have resided in the cities of Mosul and Kirkuk. The Mosul population has largely been displaced by ISIS, which has attacked Armenian churches, and in 2015 burned down the city's St. Etchmiadzin Church.

### Implications for Religious Freedom

Almost all Armenians are Christians, with the majority belonging to the Armenian Apostolic Church, while a small percentage belongs to the Armenian Catholic Church. The Armenians appear to be able to practice their religion without obvious restraints. A number of churches exist in the region, particularly near Dohuk. In addition, there are Armenian Schools in Dohuk and in Erbil.<sup>100</sup>

### ISSUES OF CONCERN

- ISIS has had a notable effect on the Armenian communities, as it has had with many Christian groups. Armenians have been displaced from Mosul and the Nineveh plains to the KRI.
- The KRI has done much to provide for the welfare and religious freedoms of Armenian Christians and other Christians. This work has been supplemented by churches and charitable donations. The KRG should continue to support these efforts to rebuild Armenian communities.

### FAYLI

Fayli Kurds are Shi'a Muslims who live near the Iran-Iraq border in the Zagros Mountains. Population estimates have the number of Fayli Kurds at 2.5 million in Iraq, and 3 million in Iran. The majority of Iraqi Faylis live outside of the three KRG-controlled governorates, with only about 10,000 living in areas officially controlled by the KRG.

Historically, the Fayli Kurds have faced significant persecution in Iraq. Under Saddam Hussein their faith and perceived ties with Iran led to waves of forced deportations. Faylis were stripped of their citizenship and their property seized. Seized Fayli property has subsequently been occupied by both Kurds and Arabs at various times.

Fayli Kurds do not appear to have established their own political organizations, and have instead integrated into Iraqi-Kurdish institutions. The Fayli are represented up to the ministerial level in the KRG and may be found as commanders in the Peshmerga. Faylis are considered to be – and consider themselves – ethnically Kurdish,



which allows them to be unambiguously protected by the laws of the KRI.

The restoration of property rights lost during the Saddam Hussein era remains an issue of contention for Faylis. The KRG leadership has expressed sympathy and has vowed to help compensate Fayli losses. The extent and practicality of this compensation is unclear, as is any evidence that it has yet been implemented.

#### ISSUES OF CONCERN

- The practical extent of Iraqi government – or KRG – compensation for formerly displaced Faylis should be ascertained. The successes and failures experienced by Faylis seeking compensation for displacement will be a useful indicator of some of the challenges that may be experienced settling claims from groups displaced during recent Iraqi conflicts.
- As with other Shi'a groups living in disputed territories, signs of discrimination or hostility from other local populations should be monitored.

#### BAHÁ'Í

The Bahá'í Faith is a monotheistic faith that has historically faced considerable persecution in the Middle East, especially in Iran. Unlike in Iran, the Bahá'í faith was recognized by the KRG in 2015, and Bahá'í are to receive a representative at the Ministry of Endowment and Religious Affairs. This is a positive development for the tiny number of adherents in the region (fewer than 100 families). Kurdistan is the location of Sar-Galu cave, a holy site for Bahá'ís, situated to the northwest of the city of Sulaimaniya.

#### JEWS

In 2015 the KRG announced a new Jewish religious representative in government. Several officials mentioned the representative (Mr. Sherzad Mamsani) and his role ensuring Jews are represented in government. However, it is not clear that any practicing Jews live in the KRI. Historically, a Jewish community was present in the region, especially in the North in the Dohuk governorate. Most (if not all) of this community, though, emigrated in the second half of the 20th century. In notes passed to the researcher by the Ministry of Endowment and Religious Affairs, it appeared that KRG officials are unsure if any practicing Jews live in the region. The notes acknowledged that the population may amount to a handful of families who

are descended from the original Jewish community, but have long ceased to actively consider themselves Jews. Nevertheless, the appointment of a representative for Jews is a positive sign of tolerance in a region often beset by anti-Semitism.

#### SABEAN MANDAEANS

The KRI plays host to a small community of Mandaean. Many Mandaean fled their homes in the south of Iraq after the 2003 invasion in response to sectarian violence. Some of these refugees settled in the KRI. Sabean Mandaean are frequently referred to by KRG documents and laws aimed at safeguarding religious communities. Water and baptism are important to adherents, and the community has built a Mandi (place of worship) in the west of Erbil.

Mandaean have faced some difficulties settling in the KRI. In 2006, the European Centre for Kurdish Studies claimed that “it is not possible for Mandaean to establish presence in northern Iraq due to lack of job opportunities, language difficulties and continued religious harassment by Kurdish extremists.” This concern was reaffirmed in a 2009 report.<sup>101</sup> Nevertheless, Mandaean are represented in laws and to the KRG. The difficulties the tiny community faces stem from being a small minority among a Kurdish population with potentially hostile elements.

#### SUMMARY

- The KRG has taken positive steps to ensure very small minority communities are represented.
- These efforts will only be successful if these tiny groups can feel safe and protected from potentially hostile elements of the Kurdish population.

### General Issues of Concern

#### Systemic Biases

Minority religious groups and ethno-religious groups face systemic biases against them. The Kurdish state and society frequently favors ethnic Kurds over other groups. Throughout the research period, interview subjects from the Christian, Yezidi, Turkmen, and other communities complained that opportunities and freedoms afforded to Sunni Kurds were not available to other religious and ethnic groups.

For some groups the biases against them stem not from specific government policy, but from antipathy from the wider community. Christians cited incidents where Kurdish contractors would not work for Christians or on Christian projects. Other groups complained that advancement in specific industries, and particularly in government service, requires the patronage of high ranking officials. Nepotistic practices effectively freeze increasingly large numbers of non-Sunni Kurds out of decision making roles. According to local religious and political leaders, this has the effect of further concentrating power and resources away from minority groups.

The KRG has made efforts to consult with religious groups, and the Ministry of Endowment and Religious Affairs holds meetings with leaders once each month. However, meaningful inclusion remains elusive. Although not directly an issue of religious freedom, as long as non-Sunnis struggle to occupy senior and mid-level positions throughout the KRI's society, they are less likely to have their religious rights and freedoms respected in the future. This will be particularly important should independence occur, as minority religious and ethnic groups could find themselves shut out of positions influencing the formation of new institutions and practices.

#### FEAR OF THE SUNNI MAJORITY

Christians and Yezidis both expressed a deep fear of the Sunni Kurdish majority. This is undoubtedly influenced by experiences of these minorities at the hands of ISIS. Nevertheless, members of both communities told the researcher that extremist Islamism is rising in the KRI, and that if the government did not keep this growing movement in check, their respective communities would be in danger. Christian leaders praised the current government for its efforts in this respect, which they credit with allowing them to live in safety in recent decades. Still, minority groups fear that their safety would be in jeopardy should the authorities begin to appease the growing extremism in some mosques.

It is difficult to ascertain how accurately these views reflect reality, and how much they are a product of the trauma inflicted on minorities by extremist groups in recent years. However, it is clear that extreme interpretations of Islam have been encouraged, with funders in countries such as Saudi Arabia working to spread doctrines

previously unpopular in the Kurdistan region. ISIS has also worked in the past to recruit Kurdish youths.<sup>102</sup>

#### SECURITY FORCES

Individuals from the Yezidi, Shabak, Turkmen, and Christian communities independently told the researcher that they do not believe the Peshmerga forces prioritize protecting non-Kurds to the same degree as they do Kurds, or the political interests of Kurdish parties. The withdrawal from Sinjar in 2014 (discussed later) as compared with the rapid occupation of Kirkuk may be an example of this. Although the policy may not be deliberate, it does appear that Peshmerga have been slower to act to protect non-Kurds.

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*Individuals from the Yezidi, Shabak, Turkmen, and Christian communities . . . do not believe the Peshmerga forces prioritize protecting non-Kurds to the same degree as they do Kurds. . . .*

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For its part, the Peshmerga does have units and fighters drawn from among the KRI's minority populations. Officers from the Peshmerga confirmed that there are Christian, Yezidi, Kaka'i, Shabak, and Turkmen fighters. The inclusive composition of Peshmerga forces is not disputed by religious and ethnic minorities; rather, they criticize the Peshmerga's leadership for failing to prioritize the protection of minorities and their villages. Various Yezidis, Christians, and Turkmen told the researcher that they hope for funding, training, and arms for their own protective units, to be run independently of Erbil. Some such units exist already, often funded by the central government in Baghdad, or by international sources. The Nineveh Plains Protection Units (NPU) is one of several militias raised from the Assyrian Christian community in the north of the KRI. Several Yezidi militias now also exist. The HPE (Hêza Parastina Ezidkhane) is a PUK affiliated militia, and the YBŞ: (Yekîneyên Berxwedana Şengalê) is a PKK affiliate.

The Peshmerga are effectively, if not officially, Northern Iraq's security forces. However, their lack (or

perceived lack) of neutrality and previous failures to protect, have driven minorities to form their own militias, further militarizing Iraq.

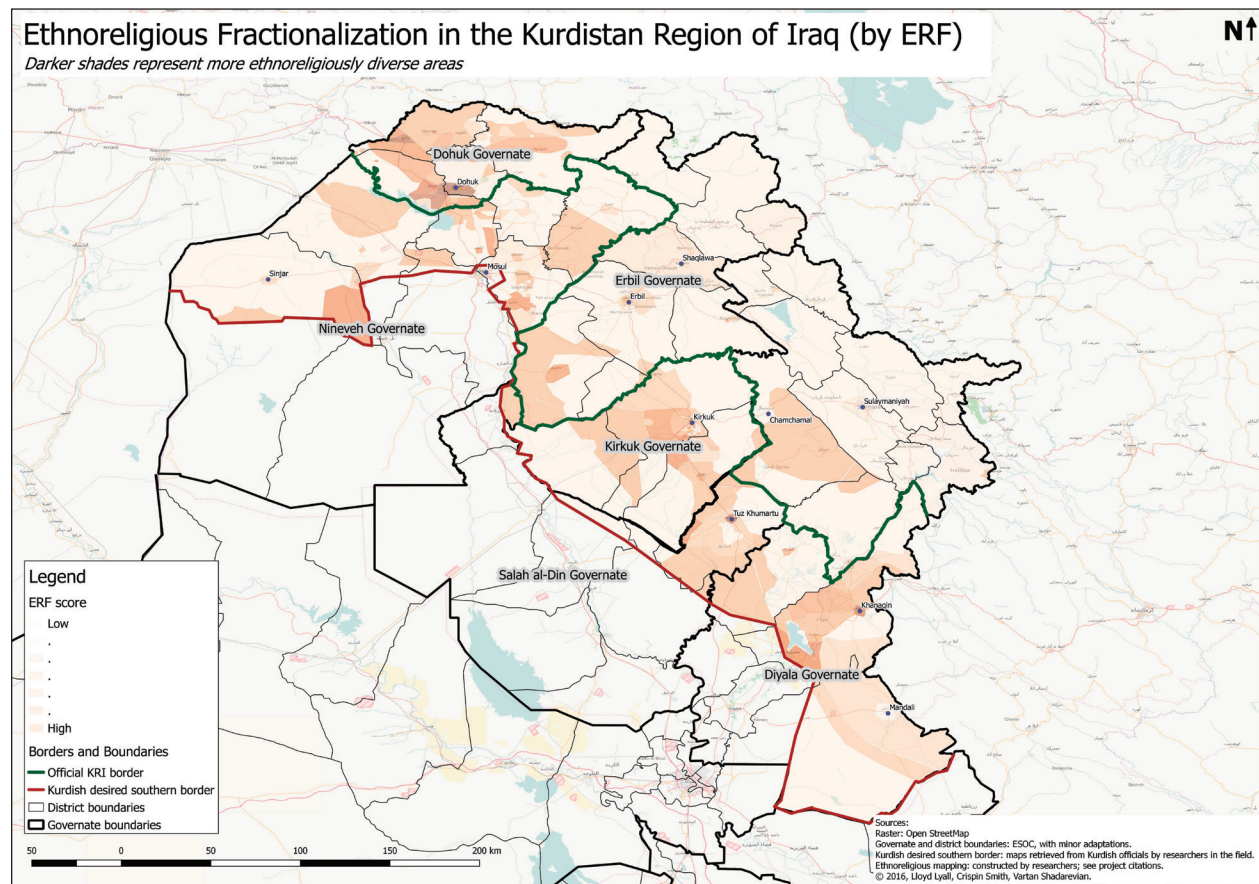
### CONTROL OF THE DISPUTED TERRITORIES, AND ALLEGATIONS OF “KURDIFICATION”

The official governorates of the Kurdistan region are relatively homogenous, being overwhelmingly Sunni-Kurdish, with comparatively small enclaves of other groups scattered throughout. The territories disputed between Erbil and Baghdad – which have largely been controlled by the KRG since 2014 – are much more diverse (see Figure 9). The KRG and local authorities must therefore adapt to administering a considerably more diverse population than it has previously. At the same time, Kurdish authorities may worry about the loyalties of newly controlled populations – and how they might vote in the event of referenda to determine whether each territory joins the Kurdistan region or remains administered by the federal government in Baghdad.

“Kurdification” is the alleged policy by which lands and populations, particularly within the disputed territories, are being converted to majority Kurdish. Different minorities claim to have experienced this policy in different ways. Elements of the Yezidi community fiercely oppose the Kurdish practice of listing Yezidis as ethnic Kurds, arguing this is a policy that amounts to the destruction of their religious and national identity. Turkmen groups object to Kurdish families moving to the Kirkuk area, shifting the demographic ever closer to a Kurdish majority. Some Christian leaders believe that the appropriation of Christian land by Kurdish officials and the repopulation of formerly Christian towns and villages are part of a systemic policy to Kurdify their ancestral lands.<sup>103</sup>

For some Kurds, Kurdification is a chance to undo the Saddam Hussein era policy of Arabization (ta’arib). From the 1970s until 1991, successive Iraqi administrations forcibly displaced hundreds of thousands of ethnic Kurds, Turkmen, and Assyrians from northern Iraq, and repopulated the area with Arabs moved from central and southern Iraq.<sup>104</sup> Many of the disputed areas now

**Fig 9. Ethnoreligious Fractionalism in IKR. The darker the shaded area, the less homogenous the population.**



occupied by Peshmerga forces are considered to have been Kurdish lands historically.

The ongoing campaigns against ISIS may be creating an environment that accelerates Kurdification (whether at the hands of local commanders, or in response to a centrally organized policy). Over the course of researching this report, several individuals claimed that Peshmerga loyal to the KDP have been known to enter non-Kurdish villages and destroy property.<sup>105</sup> In January 2016, Amnesty International published a report that identified several villages where civilian homes were destroyed or looted by Kurdish forces.

Reports exist of displaced populations – particularly, but not exclusively, Sunni Arabs – not being allowed to return to their homes. When put to ministers and KRG officials in interviews, the justifications given for this policy amounted to various “security concerns.” One official told researchers that the continued presence of fighters and ordnance risks civilian casualties should IDPs be allowed to return home too soon. The official speculated that returnees so injured might then lay the blame with the KRG. Former Kurdistan Parliament speaker Kemal Kirkuki (now a Peshmerga commander) stressed that incidents of destruction of property have been isolated, and at no point were condoned. He told the researcher that on several occasions individual local commanders have been disciplined for allowing abuses to occur. In addition, he stressed that the [KDP Peshmerga] “has not settled one Kurd in an Arab village.”<sup>106</sup>

However, the January Amnesty report noted that “in two majority Kurdish towns [Makhmour and Zummar], which were recaptured by Peshmerga forces after brief IS [ISIS] incursions in August and September 2014, Kurdish residents have long returned to their homes whereas Arab residents continue to be denied permission to return.”<sup>107</sup>

Peshmerga told Amnesty International the same argument repeated to this report’s researchers, but Amnesty also met a group of young men in civilian clothes who told the organization’s researchers that they “would blow up the houses of Arab residents so that none would return.”<sup>108</sup> A second report by the Danish Refugee Council published in April cited regional experts who further supported these findings.<sup>109</sup>

These reports are supported by many of the interviews researchers held in the KRI while compiling

this report. Taken collectively, there is extensive evidence that points toward a policy (implicit or otherwise) aimed at permanently displacing certain non-Kurdish populations from some parts of the disputed territories in the Nineveh plains area, Kirkuk governorate, and Sinjar.<sup>110</sup> Various minority leaders confirmed to researchers the existence of such a policy. Several Sunni Kurdish former officials from the opposition parties also claimed a policy of displacement aimed at Kurdifying the disputed territories existed, going as far as claiming the policy was ordered by officials in Erbil.

Forced displacement and the destruction of civilian property may be war crimes and should be investigated as such. A policy of “Kurdification” would threaten the religious and ethnic diversity of Northern Iraq. Such a policy may also risk Balkanizing Iraq further, encouraging Sunni Arabs to relocate to majority Sunni Arab regions. In the long run, the homogenization of regions based on religious or ethnic background will accelerate the breakup of Iraq, and will threaten the security of those minorities too small to create their own regions.

KRG moves to hold territories occupied during the fight against ISIS will also invite long-term conflict with Baghdad. Unlike the rest of the KRI, some of the disputed territories play host to Shi’a militias and al-Hashd al-Sha’abi affiliates, who may be hostile to Kurdish incursions on lands perceived to belong to Shi’as. In parts of Sinjar, KDP Peshmerga are only one of several groups vying for control, including the PKK (generally composed of Turkish Kurds), the PYD/YPG (Syrian Kurds), and local Yezidi militias.

A conflict between any of these parties will undoubtedly disadvantage minority ethnic and religious groups living in the disputed regions. Recent statements from KRG ministers have implied that the Peshmerga will not withdraw from territory they have occupied, including territory formally part of non-KRI governorates.

### **The IDP Crisis and Treatment of IDPs**

The KRI and territories under Kurdish control now plays host to about 1.5 million IDPs, including Sunni Arabs, Kurds, Yezidis, Christians, Turkmen, and others. This number represents approximately a quarter of the KRI’s total population.

IDPs choose to come to the KRI because it is comparatively tolerant and considerably more stable than much of the rest of Iraq. Economic pressure and the strain of three years fighting ISIS has led the KRG to raise concerns that it may struggle to adequately provide for all the IDPs in its territory.<sup>111</sup>

IDPs are variously housed in camps or in private accommodations (often run by KRI natives of the same religious or ethnic affiliation). Typically, IDPs cannot move freely within the KRI and are unable to cross between governorates without specific approval from *Asayish* officers.

Treatment of IDPs varies by religion, ethnicity, and location. Overall, Kurds have the best prospects, especially if they are connected with authorities in the region. April's DIS/DRC report quoted sources that mentioned Sunni Arabs, Arabs in general, Turkmen, and to some extent Shabaks as ethnicities that face denial of entry or varying degrees of difficulty in entering the KRI.<sup>112</sup> While all Sunni Arabs must have a sponsor to enter KRI, this is not the case for Christians, Yazidis, Kurds, and Turkmen.

Christian leaders interviewed by the researcher confirmed that their respective churches were providing food, supplies, and accommodation to Christian IDPs and refugees. The researcher interviewed senior priests who fled ISIS controlled areas. These individuals confirmed that Kurdish authorities provided a safe haven, as well as funding and supplies. They confirmed that — as far as Christians were concerned — the KRG had provided for them and ensured that their freedom to worship was unimpeded.<sup>113</sup>

This is less true for other minorities, especially those who belong to communities without the resources or numerical strength to care for large numbers of new residents. Around 20 percent of IDPs are located in camps, where conditions are frequently poor (in part because of the strain on local authorities resulting from the economic situation and scale of the crisis). The KRG itself has a policy of not differentiating between IDPs

from different ethnic groups, and it does not register the ethnicity and religion of new IDPs.

When it comes to Arabs, however, a general sense of suspicion prevails among many Kurds. This suspicion was alluded to by some officials interviewed for this report, who asserted that Sunni Arabs generally approve of or support ISIS. Officials interviewed were keen to emphasize the risk of jihadists infiltrating the KRI among Arab IDPs.

### Long Term Risks

The local population has thus far been relatively tolerant toward the growing numbers of (non-Kurdish) IDPs. In a report from April 2016, DRC cited interview subjects who claimed that self-sufficient IDPs face little discrimina-

tion, whereas discrimination against IDPs is more noticeable in areas where IDPs are poorer and more dependent on the KRG for basic needs. One interview subject in that report stated that because of all the IDPs living in informal settlements, “there is a sneaking xenophobia.”<sup>114</sup>

Economic pressures in the KRI are already felt keenly by the Kurdish population. If the IDP population increases significantly, or fails to leave the KRI after the defeat of ISIS in Iraq in coming months, it is plausible that xenophobic attitudes will boil over. This could lead to the targeting of already at-risk religious and ethnic groups, and exacerbate tensions between Kurds, Arabs, and other populations.

### Specific Issues of Concern

In addition to the general issues such as Kurdification of territories, the treatment of IDPs, and threats and hostility from the majority population toward minorities, a number of more specific issues have been identified. These issues affect some the various minority groups of the KRI.

### The Treatment of Yazidis in the KRI

#### BACKGROUND

The Yazidi community suffered a genocide at the hands of ISIS in the fall of 2014, after their homeland in Sinjar (also known as Shengal), Nineveh governorate, was

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*The KRI and territories under Kurdish control now plays host to about 1.5 million IDPs . . . This number represents approximately a quarter of the KRI's total population.*

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rapidly overrun by militants. Large segments of Iraq's Yezidi population were subsequently displaced to the KRI, and continue to reside there, in camps and private accommodations in the north of the region.

Even pro-Kurd publications note that reaction to increased Yezidi presence has been mixed. While a great many locals have accepted Yezidi IDPs openly, others have not.<sup>115</sup> For instance, in 2015, according to *EKurd*, a pro-KRG publication, many Kurds in Dohuk feel a sense of resentment and distrust towards the Yezidi.<sup>116</sup> Kurdish Muslims' historic distrust of Yezidi partially stems from the misconception of their faith (which includes the exaltation of a fallen angel) as amounting to "devil worship."<sup>117</sup> Hatred has been fueled by a number of Kurdish Sunni clerics and academics, who have in some instances called for violence against them.

Other overt signs of this resentment can be seen in demonstrations held by Kurds denouncing the presence of Yezidis in the city of Dohuk, and in the frequent exclusion of Yezidi traders (whose goods are considered "unclean" by conservative Muslims) from the city's markets.<sup>118</sup>

Among the challenges Yezidis face is a most basic one: gaining recognition and acceptance of their ethnic identity by the Kurdish authorities and the wider population. Kurdish authorities claim Yezidis are Kurds, or "original Kurds." While some Yezidi leaders accept

this categorization,<sup>119</sup> other elements in the community fiercely contest it. Those that do are frequently targeted by the authorities.<sup>120</sup>

Additional tensions between Kurds and Yezidis arise from grievances going back to the 2014 massacres. Some Yezidis and activists believe that Peshmerga loyal to the KRG and KDP failed to effectively protect villages in Sinjar, contributing to the rapid and unexpected ISIS advance.

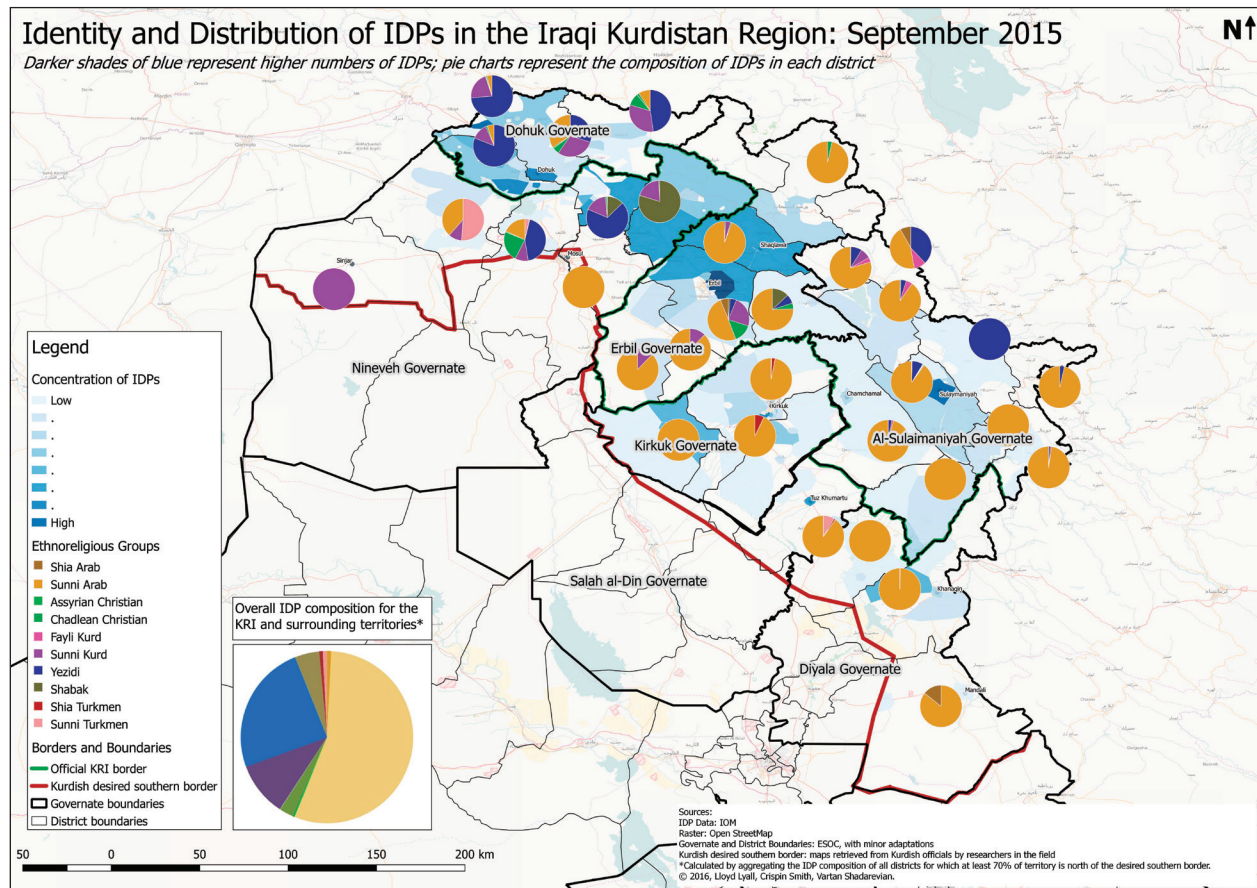
More recently, Kurdish authorities may have attempted to incite conflict among the Yezidi population residing within the KRI. A speech by KRG president Massoud Barzani at Feshkhabour in May 2016, which was considered by some to be inflammatory, coupled with the extrajudicial killing of an unarmed Yezidi man by a KRG-affiliated Peshmerga unit and a rise in political violence and harassment against Yezidi IDPs left the Yezidi community in a state that "bordered on panic."<sup>121</sup>

Underpinning all of these tensions is a five-way political conflict being played out in the Sinjar region by the KDP, PUK, PKK, the Iraq central government, and local Yezidi actors. This dispute centers on which government and political groups will control the district in the long run. In particular, Syrian Kurdish groups and the PKK have established a presence, backed up by local support as a result of their actions to liberate the area in 2014. This is at odds with KRG and KDP designs for the future of Sinjar.<sup>122</sup>

## SUMMARY AND RECOMMENDATIONS

- While the KRI is comparatively successful at safeguarding religious and ethnic minorities, researchers have identified general issues of concern in the region. These include systemic biases against non-Kurds; security forces' failure to prioritize non-Kurdish defense; ongoing attempts to seize control of the disputed territories, and attempts to "Kurdify" these regions; and issues concerning the pressures and strain of caring for disproportionately large numbers of IDPs now living in the KRI.
- Abuses and failings by the Peshmerga militias should be investigated fully. Where possible war crimes or violations of the International Covenant on Civil and Political Rights (to which Iraq is a party) have occurred, they should be investigated as such. Pressure should be placed on commanders to continue to uphold high standards as they take control of territory.
- An effort should be made to move Kurdish security forces away from being political militias, heavily influenced by political parties. A unified, politically independent force, representative of all KRI residents should be encouraged.
- IDPs should be allowed to return to their homes, regardless of their ethnicity.
- Kurdish authorities are dealing with an enormous population of IDPs. Authorities and NGOs working with IDPs should be supported by the United States.
- A plan to ensure IDPs are shielded from discrimination or hostility should be implemented. A breakdown in the relationship between IDPs and local Kurdish populations would have repercussions for the safety of religious minorities.
- Allegations of a policy of "Kurdification" of disputed areas must be investigated fully.
- A peaceful solution to the control of the disputed territories must be worked out before the defeat of ISIS. Any solution will likely vary by territory, but it must take the desires of the local populations (frequently vulnerable minorities) into account. Coercion, threats, the destruction of property, forced relocations, and any other such method cannot be tolerated for securing the future of the disputed territories.

**Fig 10. Distribution & Density of IDPs in the KRI & Disputed Territories.**



### KRG and Yezidi Relations since August 2014

The trust of the Yezidi community with the KRG is irreparably shattered because of KRG actions during the Sinjar massacres on August 3, 2014. This delegitimizes the KRG as a partner for reconstruction in or as administrator over Sinjar, which remains a disputed territory claimed by the KRG.

The issue of August 3rd, 2014 is not frequently discussed publicly in the KRI, and the KRG generally avoids the topic. When pressed government officials respond with these three claims: 1) the ISIS campaign against Sinjar was a surprise attack for which there was not adequate time to prepare; 2) the KRG had not been provided with sufficient weapons to enable its forces to protect the area; 3) the frontline collapsed after being overwhelmed by ISIS jihadists, and the Peshmerga were forced to flee.

Yezidis and NGOs<sup>123</sup> respond to these claims by noting the advance on Sinjar following Mosul's fall was gradual (two months), and ISIS intentions toward Yezidi "pagans" were already clear. They note that

the Syrian Kurdish YPG forces, which fought through ISIS lines days after the Peshmerga withdrawal, were armed with inferior weaponry and possessed less regional knowledge. Finally, the Peshmerga pullout is alleged to have begun in the early hours of August 3rd, before the jihadists' advance, without engaging the enemy or attempting to defend the local population.

Further souring the relationship, Yezidi activists and NGOs have claimed that KRG Peshmerga disarmed the Yezidi population in advance, prevented families from evacuating on August 2 and in one incident killed two Yezidis in Zorava who attempted to seize weaponry to defend themselves.

These incidents fueled grievances towards the KRG and the wider Kurdish community, felt by some Yezidis. The incidents also raised questions as to why Iraqi-Kurdish forces withdrew from a majority Yezidi area, while in other regions the Peshmerga advanced and held territories abandoned by Iraqi security forces and threatened by ISIS. In August 2016, these questions

### THE KDP AND THE PKK

The KDP is particularly concerned by the strength of the PKK and affiliates in Sinjar. The role of Turkish and Syrian Kurdish forces in protecting Yezidis has built these groups a base of support in the region. President Barzani's meeting with Yezidis in May 2016 was reportedly part of an attempt to dissuade Yezidis from working with PKK forces.

The KDP led economic blockade of Sinjar is also part of an attempt to weaken non-KDP forces, such as the YBS, PKK, and YPG.

In August 2016, a Kurdish journalist with links to the PKK was abducted and murdered, allegedly by Asayish officers. The journalist had worked to publish stories about KDP treatment of Yezidis in Sinjar.<sup>122</sup>

surfaced when the Kurdish KDP and Gorran parties engaged in a public spat over who was to blame for the withdrawal from Sinjar.<sup>124</sup>

### Yezidis or Kurds?

One Yezidi sheikh in Sinjar told researchers that “Yezidis have no rights in Kurdistan.” Yezidis are listed as a religious group in the Law of Protecting the Rights of Components in Kurdistan-Iraq (Law No. 5, 2015), but not as an ethnicity. By contrast, Christians are listed as a religious group to be protected, and also as ethnic groups, afforded protections and rights to protect their ethnic identity.<sup>125</sup>

Some Yezidis claim that being able to identify as ethnically Yezidi is vital to their spiritual well-being. Ethnic identity, these Yezidis claim, is as much a part of the Yezidi religion (known as Sharfeddin) as the ability to celebrate traditional festivals. One sheikh told the researcher that “[Yezidi] ethnicity is the base of our religion.” Kurdish insistence that Yezidis are a Kurdish sect is met with hostility from many Yezidi sheikhs and activists. Some of these community leaders claim that they have been intimidated and even detained for their opposition to being classified as Kurds.

Not all Yezidi share this view on ethnic identity, which can vary in intensity by location. Some leaders, particularly in the Shexan area, are receptive to the KRG narrative of Yezidis as Kurds. A representative of the office of Baba Sheikh, the Yezidi spiritual leader, said Yezidis are indeed Kurds.

There may be a political element to Kurdish efforts to define Yezidis as Kurds. Some interview subjects suggested that elements within the KRG, and particularly

in the KDP, see Sinjar district as an area that should naturally be under the administrative control of Erbil, rather than Baghdad. Ongoing overtures to the Yezidi community are part of a strategy to bring the region under Kurdish control.

However, restricting the Yezidi right to identify as Yezidi, especially through forcible and coercive means, would be a violation of the community's religious freedom. Specifically, this KRG policy risks placing an arbitrary prohibition or restrictions on the Yezidis' right to speak freely about their religious beliefs.<sup>126</sup>

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*. . . restricting the Yezidi right to identify as Yezidi, especially through forcible and coercive means, would be a violation of the community's religious freedom.*

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### Government Abuses Directed at the Yezidi Community

NGOs and activists report economic blockades of Sinjar, along with restrictions on freedom of movement and return, and the prevention of goods and supplies being distributed. NGO workers and medical supplies have also been blocked. According to one internal report from an NGO worker the interference does not stem from a specific or organized central policy. “The blockade is ad hoc, being implemented outside of any official legal framework, and in violation of the human rights of civilians who are being prevented from receiving essential resources in their areas.”

This same NGO worker observed, “There is no consistency in how it is implemented. Neither NGOs, nor local civilian families, nor local merchants know what to expect when they reach the checkpoint, or whether or not they will be allowed to bring in their goods.” This makes life in Sinjar intolerable for Yezidis. The community is tied closely to places, and these blockades may cause Yezidis to leave their ancestral lands which risks harming the religion's long-term chances of survival.

Yezidis who disagree with or criticize the KRG or KDP, or who work with groups such as the YBS or the



YPG are frequently barred entering KRG-controlled territory, and so are prevented access to the shrine at Lalish. Since August 3, 2014, *Asayish* have cracked down on peaceful demonstrations of Yezidis who are frustrated with the KRG's role in the crisis or tactics of intimidation against the community. Activists allege that this has involved: 1) the arrests and jailing of activists; 2) the torture of young Yazidi activists by Kurdish *Asayish*; 3) the conviction in a court of law of one Yazidi activist who posted messages critical of the KRG/KDP on Facebook; 4) threats against the lives and health of the family members of Yezidi activists and journalists by Kurdish security forces; 5) the shutting down of humanitarian organizations when members of these organizations are found to have participated in demonstrations or have expressed sympathetic sentiments for the KDP's political opposition on social media.

### Attempts to Incite Violence within the Yezidi Community

In May 2016, KRG President Massoud Barzani held meetings with KDP-loyal figures from Sinjar. The meeting content was leaked within the Yezidi community. It became widely reported that President Barzani told the Yezidi community to join with and support the Peshmerga in taking up arms against the PKK affiliated Yekîneyên Berxwedana Şengalê (Sinjar Resistance Units), in order to drive them out of Sinjar.<sup>127</sup> Attached to this demand was some kind of threat about another Peshmerga withdrawal to create another security vacuum, if the Yezidi community did not side with the KDP against the YBŞ.<sup>128</sup>

These comments resulted in panic among the Yezidi community, with families fearing conflict between

different Yezidi groups. A conflict between the YBŞ, a defense force which enjoys widespread support in Sinjar and poses no threat to Kurdistan, and the Peshmerga (which also has Yezidis within its ranks) would be a disaster for the wider community.

On Saturday May 14, 2016, a KRG-controlled Peshmerga unit (Peshmerga Rojava) shot and killed an unarmed Yezidi civilian near Khanasor. This act seemed to coincide with the Barzani meeting, and Yezidis felt that it was an attempt to spark armed conflict between the groups. Peshmerga Rojava's treatment of Yezidis in the Sinjar area has been described as "highly abusive" by local NGOs.

### Sectarian Violence

On a number of occasions, tensions between Kurds and Yezidis have boiled over, taking the form of acts of violence perpetrated by citizens or soldiers.

*On a number of occasions, tensions between Kurds and Yezidis have boiled over, taking the form of acts of violence perpetrated by citizens or soldiers.*

In one instance in 2012, prior to the ISIS massacres, riots in the northern city of Zakho culminated in the destruction and ransacking of businesses selling alcohol.<sup>129</sup> Given that alcohol can be consumed by Christians and Yezidis but is forbidden by Islam, its sale was a point

### SUMMARY AND RECOMMENDATIONS

- Yezidis face ongoing discrimination from authorities, and from the population at large.
- Restrictions on Yezidis' right to identify as ethnic Yezidis is concerning, as is harassment directed at Yezidis who raise grievances against the KRG and KDP.
- Harassment against Yezidi activists must stop. Yezidis should be permitted to identify as Yezidi, or as Kurdish, depending on their personal preferences and beliefs.
- Restricting Yezidi freedom of movement, or exiling Yezidis resident in the KRI should be discouraged except where legitimate security concerns exist. Yezidi freedom of movement must be protected to allow them access to their holiest shrine, which is located in Kurdish-controlled territory.
- Withdrawal of protection (or the threat to withdraw protection) in retaliation for not supporting KRG or KDP policy should never be permitted.
- Economic blockades and arbitrary restriction on freedom of movement must end. Blockades and restrictions on Sinjar place considerable pressure on local and displaced Yezidi populations. The KRG must ensure humanitarian aid and supplies are allowed to reach civilians in need.
- Violence or discrimination against Yezidis by clerics or citizens of the KRI should be met with zero tolerance.

of contention for conservative Muslim Kurds who came to see its presence as corrupting and offensive. Zakho's Christian and Yezidi populations perceived these attacks as being directed at their freedom and safety as communities within the KRI.<sup>130</sup>

Another example of violence occurred in November 2015, when Kurdish Peshmerga encountered Yezidi Peshmerga while attempting to bring sheep that had been liberated from ISIS into Duhok. The Yezidis identified the sheep as having been owned by members of their community prior to their capture by ISIS, and demanded that they be returned.<sup>131</sup> The confrontation then erupted into violence, with two Yezidi and one Kurd being killed. The incident fueled conflicting eyewitness accounts as to who initiated the conflict.<sup>132</sup>

Another incident occurred as Yezidis fled Sinjar in 2014. According to multiple Yezidi eyewitness accounts,<sup>133,134</sup> an unspecified number of Sunni Muslims in Sinjar turned on their Yezidi neighbors and aided in their massacre by ISIS. It is worth noting that after the resettling of Sinjar, these acts of violence were reciprocated by the Yezidi, who killed 21 Arab civilians.<sup>135</sup>

These issues relate mainly to the actions of private citizens in KRI, rather than the actions of the state. Nevertheless, these tensions are significant. The long-term stability of the KRI is contingent on the ability of groups like the Yezidis, Kurds, and Arabs to coexist.

### Disputes with Turkmen Groups

The Turkmen are not a religious group, but an ethnic group, consisting of Sunni and Shi'a Muslims (see above, "Other Ethnic Groups and Minorities"). By some accounts, Turkmen comprise the third largest ethnic group in Iraq. Despite its size, this group has been targeted by other groups in the country. From 2014, ISIS targeted Shi'a Turkmen during their campaigns in Sinjar, the Nineveh plains, Kirkuk governorate, and elsewhere. According to a Turkmen activist, around 600 women abducted by the group remain missing.

With respect to the KRI and Kurdistan, Turkmen have clashed with Kurds politically and at times militarily over control of Kirkuk city and governorate, and over Peshmerga control of areas such as Tuz Khurmatu.

Kirkuk, in particular, is considered of particular importance to Turkmen, and many Turkmen are concerned that they are being frozen out of the politics

### SUMMARY AND RECOMMENDATIONS

- Turkmen voices must be respected and represented within the KRG.
- Clashes between Turkmen Shi'a militias and Peshmerga in Tuz Khurmatu must be monitored. Should fighting break out again, there is a risk it could spill over on a widespread basis. To date Kurdistan has largely been immune from Sunni-Shi'a violence common in Iraq.
- Efforts should be made to avoid further clashes. Authorities and States able to exert pressure on regional militias should be encouraged to work to avoid further clashes in Tuz Khurmatu or Kirkuk.

of the governorate, even as Kurds move into the city and its environs in greater numbers.

### REPRESENTATION

Turkmen are mentioned as a component ethnicity of Kurdistan in the 2015 Minority Rights Law, and they are guaranteed seats in regional legislative bodies within the KRI by quota systems outlined in election law. Turkmen have reached high office, with the KRG's current justice minister coming from Kirkuk's Turkmen community.

Nevertheless, Turkmen activists complained that they are underrepresented on the Kirkuk provincial council.<sup>136</sup> According to these activists, Turkmen are discriminated against and struggle to make it to high office in the province. Rights "derive from party politics" and affiliation.

### CONFLICT IN TUZ KHURMATU

Conflict between the Peshmerga and Turkmen Shi'a militias has broken out in Tuz Khurmatu (Salahuddin governorate) in the last year. In November 2015, and April 2016 fighting erupted, and when the fighting has not been live, walls have been erected between the Shi'a Turkmen community, the Kurdish population, and Sunni Arabs living in the town.<sup>137</sup>

Each side blames the other for starting the fighting, which killed dozens and caused millions of dollars of damage. Among the Turkmen militias are members of the al-Hashd al-Sha'abi, Iraqi Shi'a militias fighting for Baghdad and having links to Iran.

Conflict between Kurdish Peshmerga and Shi'a militias risks harming communities caught between the two sides. More worrying for the status of religious

freedom in the region, clashes between Shi'a militias and Sunni Kurds could lead to sectarian violence and targeting from both sides. Sectarian violence between Sunni and Shi'a communities has been commonplace in Iraq since 2003, but the Kurds and Kurdish forces have largely been unaffected to date.

Further, a Sunni-Shi'a conflict, or a Kurdish-Turkmen conflict, might break out on a more widespread basis. Kirkuk, in particular would be at risk of suffering an increase in violence and instability.

## Appropriation of Christian Land

Christian citizens of the KRI have issued complaints and held protests against Kurdish residents for attacking and seizing their land and villages in the provinces of Dohuk and Erbil.<sup>138,139</sup> Some Assyrian Christians accuse Kurdish government and party officials of taking lands for personal use or financial gain. These Christians believe they are specifically targeted as part of a policy to Kurdify historically Christian areas.<sup>140</sup> Other Christian leaders do not believe a policy exists, but do concede that individual Kurds and Kurdish businesses have been known to build on or take Christian land.<sup>141</sup> In April 2016, Human Rights Watch published a report after Kurdish security forces prevented Christians from traveling to Erbil to demonstrate against land appropriations in the Nahla Valley, and other areas of Dohuk and Erbil governorates.<sup>142</sup>

## Background

Many individuals interviewed, both within the Christian community and outside it, noted that issues surrounding Christian land go back decades.<sup>143</sup> Officials interviewed for this report at Zowaa, the Assyrian Democratic Movement, said at least 54 villages have been subject to partial or complete appropriation by Kurds since the 1960s.

Effectively, two types of land appropriation exist. Significant portions of the claims are long standing land ownership issues. Through the 1960s, and 1970s, Assyrians were caught up in various regional uprisings and suppressions. In the 1980s and 1990s, Assyrians were among groups targeted by Saddam Hussein's campaigns. As a result of these events, large portions of the population fled their homes and land, while continuing to hold the deeds to the land. Over time, Kurds moved in to the fallow land and took them over. Now Chris-

tians are returning with their deeds and attempting to reclaim or be compensated for their apparently abandoned property.

In addition to these long standing claims are alleged incidents where powerful local officials or businesses seize land on which to build new properties. Assyrian leaders alluded to various cases where Kurdish officials, or individuals or developers with links to officials, have built on land owned by Christians. Assyrian Christians from Zowaa pointed to incidents throughout Dohuk governorate, the Nineveh plains, and in Erbil. Seizures in the Nahla Valley have received particular attention; here, Christians allege 42 encroachments in the villages in recent years. Most recently, a Kurd building on communal agricultural land sparked protests, after requests to cease and desist were ignored.

A case involving Erbil International Airport was raised independently by various Christian leaders interviewed (both religious and political). In that case, land owned by the Chaldean Catholic Church (and others) was built on by developers without permission.

Over recent decades, the KRG has made various statements and issued orders calling for appropriations against Christians to end, while denying any central involvement. Christians, however, are frustrated by a perceived lack of action by the authorities and a lack of recourse in the courts. They believe that encroachments are increasing.

Taken together, the various types of land appropriation are a source of deep concern for Christians in Iraq. Yonadam Kanna, an Assyrian MP from Zowaa in the federal parliament, recently told the *Al-Monitor* publication, that "The seizure of Christian lands is part of the process of demographic change."<sup>144</sup> These sentiments were echoed by several of the Christian leaders interviewed by researchers for this report. There is a worry that even if this effect is not intentional, failures to protect the rights and property of Christians will contribute to the continued decline of the Christian population of Iraq, and the disappearance of Assyrians from their historic homeland.

## Demonstrations Blocked

In April 2016, Kurdish security forces blocked Christians from traveling through checkpoints to attend a demonstration against land appropriation. The demonstration

## SUMMARY AND RECOMMENDATIONS

- Christian lands have been appropriated by Kurds in Dohuk and Erbil governorates, and the Nineveh plains. Incidents in Nahla Valley are a high profile example, but only one part of a broader issue.
- Christians have been prevented from protesting and traveling freely in response to this issue because of their religion.
- It is unclear whether Christians are targeted for their faith or ethnicity. It is clear that land appropriation is a long standing, unresolved problem. While some examples go back decades and are a result of the apparent abandonment of the lands, other cases are more recent.
- Christians doubt the effectiveness of the courts in resolving the issue.
- The loss of lands, livelihoods, and faith in the Kurdish population and authorities risks further emigration of Christians from Kurdistan.
- A closer investigation of this issue should be made, focusing on the motivations for the land appropriation, and the response of the authorities, as well as their commitment to a resolution. Countries including the U.S. should monitor the issue closely to help local authorities resolve the issue through a process which respects the rights of all parties, and the rule of law.
- Fully independent and neutral tribunals to hear cases should be encouraged and support arranged for setting up such hearings. The international community should put pressure on local authorities to ensure this issue is resolved.

was to be held in Erbil. The *Asayish* set up roadblocks at the exit of Nahla Valley, and checkpoints throughout the region prevented Christians, including those not intending to protest, from reaching Erbil, as reported by Human Rights Watch.<sup>145</sup>

As detailed elsewhere in this report, Iraqi ID documents list an individual's religious affiliation. Identity documentation is generally required to pass *Asayish* checkpoints.

The decision by Kurdish authorities to deny Christians their right to assemble and peacefully demonstrate is concerning. Equally concerning was the decision to restrict freedom of movement for all Christians. Prohibition of travel based on religious affiliation amounts to religious discrimination. It should be noted that this action was a violation of the Kurdistan Parliament's Minority Rights Law (2015) and the principles of the region's draft constitution.<sup>146</sup>

### KRG Response

Various counter narratives emerged from individuals aligned with the KRG and the ruling KDP. Mariwan Naqshbandi, representative of the Ministry of Endowment and Religious Affairs, has stressed that in many cases, Christians abandoned the land, only returning recently. According to Naqshbandi after Kurdish citizens refused to leave, the Ministry of Endowment and Religious Affairs issued a fatwa prohibiting such practices.

On the other hand, a KDP advisor interviewed by the researchers identified recent appropriations as the work of "corrupt local officials," who have subsequently been investigated and punished. A lawyer at the KRG-

funded Independent Human Rights Commission told researchers that in some cases the lands were already government owned and that Christians were tenants rather than owners.

It is also worth noting that not all Christian groups have prioritized fighting this issue. A senior religious figure in Ainkawa told the researcher that although in time his church would bring their case in court, now is not the right moment. He argued that his church is overextended caring for Christian IDPs, and he felt that the government should deal with the security and economic crisis first, before turning to settling land disputes. He plans to go to court once stability returns.<sup>147</sup> Another priest noted that in the older cases being disputed, there is the difficulty of displacing long-settled Kurdish families. Without offering details he said that a "strong resolution" is needed that takes into account the needs of all parties.

### Possible Relevance to Religious Freedom

The restriction of Christians' movements based on their religion is clearly a violation of religious freedom. However, it is unclear whether the underlying issue of land appropriation also amounts to an issue of religious freedom.

The International Religious Freedom Act (1998) requires countries that commit systematic, ongoing, and egregious violations of religious freedom to be designated "countries of particular concern." USCIRF has also established a second tier of countries in which religious freedom conditions do not rise to the statutory level that would mandate a CPC designation but require close monitoring due to the nature and extent of

violations of religious freedom engaged in or tolerated by governments.

Under IRFA (1998) the imposition of onerous financial penalties, along with forced mass resettlement, can be sufficient to constitute a violation of religious freedom, if committed on account of an individual's religious belief or practice.<sup>148</sup> Many Christians in Northern Kurdistan believe that they are being targeted because of their religion, with the intent of replacing their population with a Sunni Kurdish population.

If land is being systematically taken from Assyrian Christian communities, it would be a clear breach of the rights of this population. However, it is unclear whether Christians are targeted because of their religion, or their non-Kurdish ethnicity, or simply because of the minority's relative political weakness as compared with some of the KRI's Sunni Kurdish residents. Christians interviewed frequently claimed that appropriation and abuses against their community are religiously motivated, and that these abuses are linked to a rise in more extreme Islamic thought in the region, which influences government policy and manifests in the increasing influence of various Islamist parties.<sup>149</sup>

Regardless of the reasons for the appropriations, Christian leaders were clear about the effect. The Assyrian Chaldean Syriac Christian communities of Northern Iraq, already reduced after 2003, are being pushed out of their ancestral homeland. Many Christians in Iraq fear that Christians are emigrating from the country in ever greater numbers, risking an even weaker community, and loss of culture. As ancestral lands and property are taken from Christians, and this action is condoned (whether explicitly or tacitly) by local authorities, fewer incentives will remain for one of the world's oldest Christian communities to stay in Kurdistan and Iraq.

### **Abuses Against the Shabak Community Kurdification in the Nineveh Plains**

Alleged Kurdification can also affect the Shabak, due to the historic concentration of their population on

the Nineveh plains. One of the most powerful ways in which the KRG has suppressed the Shabak in Nineveh is through the imposition of unrepresentative leadership and law enforcement. In recent years, the police force of predominantly Shabak villages in Nineveh has been composed primarily by Kurds from outside the local community. Feeling as though these officers do not practice justice impartially, local Assyrian and Shabak communities filed complaints, resulting in the appointment of 800 new policemen from the local communities in March of 2006.<sup>150</sup> However, the implementation of Nineveh's new police force was repeatedly delayed by the KDP-controlled Provincial Court of Nineveh until June 2006. When it was finally implemented, the 800 Assyrian and Shabak officers were assigned to the city of Mosul, rather than the local communities.<sup>151</sup> This denied Shabak communities their representative police force.

This is part of a larger trend in which local Kurdish

authorities have applied coercive pressure to Shabak communities in Nineveh Province to incorporate within the Kurdistan Regional Government. Documents published on Wikileaks by the Nineveh Provincial

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*The restriction of Christians' movements based on their religion is clearly a violation of religious freedom.*

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Reconstruction Team (PRT, teams established by the U.S. government intended to promote stable and representative democratic development in unstable regions) shed light on the extent to which some Kurds (and possibly KRG officials) have coerced community leaders into supporting the integration of their communities into the KRG. For instance, the aldermen and community leaders of three Shabak villages all confirmed to the PRT that they have been threatened for refusing to sign a KDP-circulated petition that expresses support for incorporating Shabak areas into the KRG.<sup>152</sup> One of these aldermen also asserted that a deceptive petition form had been circulated and that he had been tricked into signing it.<sup>153</sup>

Although information that would paint a clearer picture of the percentage of Shabaks who support incorporation into the KRG is not available, the information that is available suggests that a majority opposes it. When the PRT arranged a meeting with ten Shabak

community leaders, they unanimously asserted that Shabak areas in the Nineveh plains near Mosul should not be considered in support of KRG incorporation.<sup>154</sup>

The PRT has claimed that further coercive power is applied through Nineveh government and the Provincial Council, which are both controlled by the Kurdish Alliance. Kurdish dominance of Nineveh plains governance can be seen in the Provincial Council, in which 31 out of 41 members ran on the Kurdish Alliance List (though only 8 profess to be KDP); the Deputy Governor also happens to be the KDP Chief for the Nineveh region; and the majority of judges and police officers (as previously mentioned) are Kurdish.<sup>155</sup> One Shabak Hamdaniya District Council member reported that provincial reconstruction projects planned for Shabak areas and submitted by his district were blocked at the Provincial Council, which is KDP controlled.

The ambitions of the KRG in the Shabak dominated Nineveh plains were laid bare in June of 2006, when PM Barzani referred to them as “Kurdish towns.”<sup>156</sup> Rather, leaders such as Democratic Shabak Assembly Chair Qusay Abbas Muhammad have suggested that the Shabak would vote for an autonomous region of their own if given an opportunity, while Shabak Council of Representatives member Dr. Hunain Qaddo assessed that Shabaks “just want to be left alone.”<sup>157</sup>

### Violence against Shabaks

The fact that about 70 percent of Shabaks are Shi’a Muslims has made them a target in the eyes of ISIS, who see their faith as heretical.<sup>158</sup> But others have also targeted Shabaks for reasons other than theology. Groups like Human Rights Watch have noted that since 2008, Shabaks have increasingly fallen victim to violent attacks in their communities. Violence has fallen disproportionately on those who vocally oppose KRG political control of Shabak communities.<sup>159</sup> Attacks have ranged from suicide bombings by terrorist groups that targeted large Shabak communities to political violence by Kurds directly targeting Shabak community leaders.

Shabak communities in Nineveh are disproportionately the target of violence from other political groups. For instance, in October of 2013, a truck drove into the Shabak village of Mwafaqiya, and then detonated, killing about a dozen and injuring 55 more.<sup>160</sup> The previous

month, suicide bombers targeted the funeral of a Shabak man, killing 23 and injuring many more in a Shabak village near Mosul.<sup>161</sup> Even EKurd, a pro-KRG publication, acknowledges that the “amount of violence directed at the Shabaks in Northern Iraq is rising.”<sup>162</sup> Yet another attack occurred in June of 2014, when two car bombings killed at least 27 people in the Shabak village of Tahrawa.<sup>163</sup>

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*The fact that about 70 percent of Shabaks are Shi’a Muslims has made them a target in the eyes of ISIS, who see their faith as heretical.*

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Although the KRG cannot be expected to stop these attacks in their entirety, many within the Shabak community feel that little is being done to keep them safe. These attacks have driven multiple protests calling for greater KRG action, and Shabak former MP Hunain al-Qaddo remarked, “Security forces keep repeating that they can control the terrorists and that they have arrested hundreds, but nothing has really changed. There’s no clear plan for security and the security forces don’t have any idea of where the terrorists hide out or their targets or how they achieve their work.”

Similar sentiments have been expressed by protesters in the aftermath of many mass killings. It seems probable that the KRG places less value on the protection of Shabaks, but regardless, the KRG should consider following the advice of al-Qaddo and other leaders by empowering Shabak communities to address their own security (contrary to past actions, such as the refusal to assign Shabak police officers locally, as discussed previously in this report).

At other times, violence against Shabaks has targeted individuals of political significance within the Shabak community. For instance, in January of 2009, al-Qaddo reported to Human Rights Watch that he had been targeted for assassination when his convoy was fired upon by assailants wearing Kurdish security uniforms while he was on his way to celebrate the Shia festival of Ashura.<sup>164</sup>

Another instance of deeply politicized violence between Kurds and Shabaks occurred in July of 2008, when Shabak Assembly member Abbas Kadhim was

returning home after a conference on the upcoming election. In spite of Kurdish Peshmerga checkpoints all over the road, Kadhim was gunned down by a group of armed men.<sup>165</sup> Although his killers were not apprehended, Hunain al-Qaddo claimed that Kadhim had previously been threatened over the phone and in person by members of the Kurdish Militant Peshmergas and members of the Kurdistan Democratic Party.<sup>166</sup> Allegedly, these threats centered on demands that Kadhim stop campaigning against Kurdish parties and interests. Al-Qaddo (now the head of the Shabak Democratic Assembly) survived another assassination attempt in May of 2014.<sup>167</sup>

At worst, these attacks were the result of a coordinated attempt by Kurdish officials to violently suppress the Shabak people. Even in the best case scenario - where these attacks were conducted by lone wolves against the wishes of all Kurds - they still reflect a fundamental failure of the KRG to give sufficient protection to the rights of those Shabaks who oppose the KRG (within Shabak regions where Kurds still overwhelmingly control the government institutions).

Conclusively, it is clear that the KRG has an incentive to expand its control to Shabak territory in the Nineveh plains. This incentive is amplified not only by their desire to project notions of ethnic and cultural homogeneity, but by the oil-rich nature of Shabak territory. Political exclusion and violence raise troubling questions concerning the future of Shabak treatment by Kurds and the KRG.

## Concluding Remarks

The International Religious Freedom Act (1998) requires countries that commit systematic, ongoing, and egregious violations of religious freedom be designated “countries of particular concern” (CPCs). USCIRF also established a second tier of countries in which religious freedom conditions do not rise to the statutory level that would mandate a CPC designation but require close monitoring due to the nature and

extent of violations of religious freedom engaged in or tolerated by governments.

Until 2017, it was recommended that Iraq as a whole should be included in the list of CPCs. In its most recent annual report, USCIRF revised its assessment. It is the opinion of the research team compiling this report that if the Kurdistan Region of Iraq were considered separately from the rest of Iraq, it also would not meet the necessary standard for designation as a “country of particular concern” under the International Religious Freedom Act. Though violations of religious freedom do exist in the KRI, they are not systematic, ongoing and egregious.

Nevertheless, Kurdistan still requires close monitoring due to the nature and extent of violations of religious freedom engaged in or tolerated by its authorities. In general, the region, its government, its political parties and their Peshmerga militias should all be monitored closely for signs of ongoing violations of religious freedom. Private attitudes toward non-Kurds and non-Muslims should also be considered, and potential threats from elements of the local population addressed.

Conscious of its public image, the Kurdistan Regional Government is likely to respond positively to scrutiny, but economic and security pressures cannot

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*Though violations of religious freedom do exist in KRI, they are not systematic, ongoing and egregious . . . Nevertheless, Kurdistan still requires close monitoring. . . .*

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be accepted as a carte blanche for local authorities to violate rights and freedoms. Kurds should be assisted in improving and strengthening their institutions. Where appropriate, funds should be allocated to support institutions and programs aimed at preserving

minority rights and the rule of law. Minorities in the region should be engaged with and further empowered with the help of Kurdish authorities.

## Appendices

### Appendix A - Kurdistan's Draft Constitution and Minority Rights (Selected articles)

**Article 2:** Specifies a number of regions that are considered part of Iraqi Kurdistan and designates that all people in those regions gain citizenship if those regions join Iraqi Kurdistan.

**Article 7:** Establishes that Shari'ah principles and the majoritarian Muslim identity of Kurdish citizens are sources of legislation. However, religious minorities have rights to freedom of belief and practicing religion.

**Article 13:** The Kurdish Peshmerga have a monopoly on force: No other militias may exist. This poses potential problems for minority rights given the Peshmerga's track record on the protection of minority rights.

**Article 14:** Kurdish and Arabic are the official languages, but citizens have the right to teach their children in their native tongue, and children have the right to learn their native languages in educational institutions. In administrative units where Turkmen and Syriac are the majority, theirs will be the official languages.

**Article 18:** All citizens are equal under the law; discrimination under essentially any metric is banned.

**Article 21, 23 subsection 2:** Establishes equal treatment for women and a quota for the number of seats for women in parliament.

**Articles 37-38:** Prohibits discrimination against prisoners based on the characteristics under Article 18 and specifies that prisoners' religious beliefs, moral principles, and ethics are to be respected.

**Article 42:** No groups may participate in or encourage a number of harmful things; racism and ethnic cleansing are specifically mentioned and are pertinent to minority rights.

**Article 46:** Employees are only promoted due to seniority and competence.

**Article 49, subsection 5:** All forms of discrimination in society, family, and school are banned.

**Article 55, subsection 3:** The state has a duty to educate children about Kurdistan's cultural and national heritage.

**Article 63:** Every legal resident has the right to free movement within Iraqi Kurdistan. Mobility rights are useful in protecting the safety of minorities.

**Article 65:** Religion is not compulsory, and everyone has freedom of religion, belief, and thought.

Furthermore, citizens have the right to practice their worship and create sites of worship.

**Article 66, subsection 4:** Dismissal of employees based on ethnicity or religion is banned.

**Article 67, subsection 6:** Political parties and associations may not use any aspect of religion or religious ceremonies to degrade the political or social standing of others. This can mitigate the likelihood of conflict

**Article 71:** Guarantees the rights and freedoms under the Constitution unless any infringements on those rights or freedoms are not substantial as determined by a metric of the underlying principles of a "just, free and democratic [society]." This allows for a potential override on minority rights.

**Article 80:** The structure of the Kurdish Parliament will reflect a fair representation of nationalities and religious organizations in Kurdistan, regardless of the member's constituency.

**Article 111:** A fair representation of the "Minorities" should be reflected in the Kurdish Council of Ministers.

**Article 116:** Provides for an independent judiciary. This helps in ensuring minority rights.

**Article 123:** Courts will be organized to address crimes committed by the Peshmerga or Internal Security Forces.

**Article 124:** Religion may not be imposed on other religious groups. Allows for non-Muslim religious groups to establish their own spiritual communities and practice their beliefs.

**Articles 133-139:** Establishes a Supreme Court. This is useful for creating precedents about minority rights. However, the Court is decided by the Judicial Assembly in consultation with the President, so demographics within Parliament may determine the legitimacy of the Court.

**Article 146:** In forming the Local and Municipality Council, a fair representation of the ethnic groups in an administrative unit will be taken into consideration.

**Article 147:** Establishes a commission concerned with Fayli Kurds' rights





## Appendix B - Technical Appendix: Economic Analysis

### ECONOMIC ANALYSIS OF ETHNORELIGIOUS GROUPS USING LUMINOSITY: TECHNICAL APPENDIX

03/11/2016

#### 1 DATA

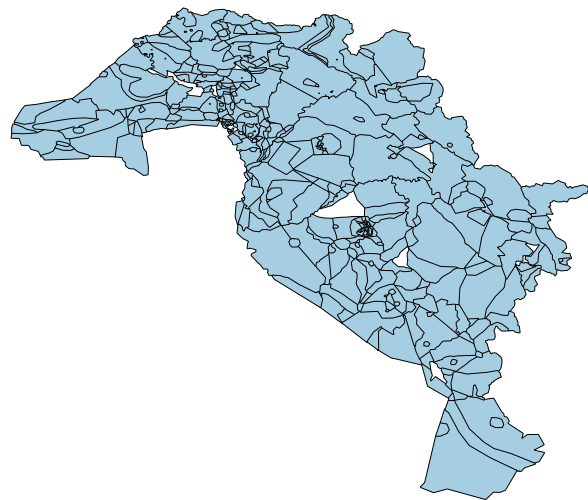
##### 1.1 Location of ethnic groups

The project drew upon a great number of sources to plot on a map the locations of ethnic groups. Researchers tried to determine the location and mix of ethnoreligious groups in as granular a fashion as possible. The result is a map that splits Kurdistan into a number of polygons (see pictured), where each polygon represents the greatest level of granularity that the researcher was able to achieve for an area. Each polygon contains information on the estimated relative make-up of each group, expressed as a fraction. At times, this fraction was an expression of the best judgment of the researcher based on the sources used. That is to say, sources which did not identify a specific percentage but gave some qualitative sense of the composition were used by the researcher to comprise an estimate of the fraction. Of course this approach admits of the possibility of error, but the belief of the team is that at worst this will increase unbiased measurement error, which can be accounted for statistically and will cancel out over the region at large. For the sake of robustness, however, we also run our analysis under the stylized assumption that, in any polygon, the majority group is the only group in that area, which removes the possibility of measurement error entering our specification via the estimates of relative composition.

Another issue that was salient to the construction of a reliable mapping of ethnoreligious is the dating of sources. The team used a variety of sources spanning a timeframe 1972-2016, with all but two sources from 1992 or later. The concern of researchers is that, due to the movement of ethnoreligious groups, particularly due to Ba'athist Arabization policies, past sources about demographics may be inaccurate. In considering this problem the team took several measures. First, recent sources are prioritized, particularly in areas where the team has prior reason to believe that the old data may be inadequate. As such our approach was more or less successful in avoiding some of the older sources that are likely to be inaccurate. For example,

the 1957 census contains precise data on the composition of groups in Kirkuk, but these values are unlikely to be a realistic assessment of the current composition of Kirkuk, and so we did not use this or similar data. We also note, for the sake of posterity, the date of the oldest source used for each polygon.

The below diagram is a representation of the polygons that comprise the final mapping. Note, however, that for statistical analysis we use only a subset of this map, specifically the subset covering the official KRG area.



##### 1.2 Luminosity data

To proxy for economic output we use satellite image data, available at approximately the square kilometer level, on light density at night as a proxy for economic output. There are two repositories for such information. The first is the Defense Meteorological Satellite Program's Operational Linescan System (DMSP) dataset, which provides at least yearly data<sup>168</sup> from 1992 to 2013, but was discontinued afterwards in favour of the Visible Infrared Imaging Radiometer Suite (VIIRS) dataset. The DMSP data reports a six-bit number that ranges from 0 to 63. The second, consequently, is the VIIRS dataset, which uses different satellites and an improved methodology to provide luminosity images for every month from January 2014 onwards, and instead reports values of radiance, in nanoWatts/cm<sup>2</sup>/sr.

The use of satellite data as a proxy for economic output is well documented. While we outline some of the more prominent papers, the use of luminosity data goes

well beyond these papers. Henderson et al. (2012) find it to be a useful measure of economic growth for countries with poor statistical data. Chen and Nordhaus (2010) also argue that where there is a shortcoming of standard data sources, luminosity data provides a highly valuable proxy for economic growth. Alesina et al. (2012) presents a methodology for combining luminosity data with data on ethnicity groups to compile measures of ethnic inequality, which sets an important precedent for our work. I-Martin and Pinkovskiy (2010) use luminosity data to analyze economic development and poverty in Africa. Hodler and Raschky (2014) use luminosity to find evidence of economic favoritism for the birth region of a leader by analyzing luminosity data from 126 countries. This is a similar concept to our own work, which seeks to test for evidence of economic favoritism for the majority Sunni Kurdish group.

There are several reasons why we believe the use of luminosity is particularly well-suited to the analysis of Kurdistan. First, our research approach requires the use of subnational data. While there are extant measures of GDP for Kurdistan, they are only of reliable quality at the national level. Further to this, the existing measures are all time invariant, using a variety of surveys dating from 2011-2013, and thus are insufficient to do the kind of growth analysis that we do in our work. There is, to the best of our knowledge, no substitute for the use of luminosity data to analyze the economic relationships between ethnoreligious groups in Kurdistan over time.

While the new satellite data is superior to the old for various reasons<sup>169</sup>, the not insubstantial differences make it difficult to compare across DMSP and VIIRS and in particular creates variation in our metrics that cannot easily be explained by trends. Therefore for most of our work we utilize the DMSP data as it provides the dataset with a greater length of continuity. However, we also report our work including luminosity growth from 2014-2015 which are both VIIRS years. We do not calculate growth from 2013-14 as, because 2013 and 2014 are from different datasets, the measure will be meaningless.

We argue that it is most productive to focus on the 2004-2013 subset of the DMSP data. This marks the greatest period of peacetime (from post Iraq war to the rise of ISIS)<sup>170</sup> and saw the greatest level of growth, stemming from international investment into Iraq,

and which we believe would highlight any disparities between groups in Kurdistan. Figure B1 highlights our argument here, with the greatest levels of growth coming in the years after the Iraq war. Moreover, the rise of ISIS led to the KRG siphoning funding away from domestic investment and into the military, resulting in reduced growth in the country overall, and therefore we the differential between Kurdish and non-Kurdish growth will be less noticeable. Lastly, while this is partially offset by taking differences in logs, the ultimate problem is that we are using two different satellite datasets with radically different recording policies, which increases uncertainty in our results, and reduces the possibility for significant results when such results would be possible with complete continuity in the type of dataset.

### 1.3 Other variables

The team used population density information from Worldpop which provides density values at a geographically precise level for Iraq for 2010 and 2015. In the current layer of work we used the UN-adjusted 2010 values, working under the assumption that the relative populations of different areas have not changed enough to significantly affect our work. This density data was used to calculate the population of each polygon to assist in calculating per capita luminosity values. It was also used to calculate a population density variable as a control.

We employ a number of controls to evaluate in greater detail the effect of ethnoreligious status on growth and output as proxied by luminosity data. Climate data for temperature and precipitation was downloaded for 2005 from the Consortium for Spatial Information. We employ the mean value from 2005 for all years, as a way of coding for differences in climate across Kurdistan that may affect suitability for agriculture.

We encode a variable for distance to border, calculated for each polygon, which is the distance from the center of a polygon to the nearest point on the official KRG border. This allows us to control for the possibility that more conflict prone and less secure areas to the south of Kurdistan are less likely to face positive economic outcomes.

Our work adds controls for urban extents. These were taken from the GRUMP database provided by the Socio-economic Data and Applications Center. The variable is

coded as a 1 if a polygon partially overlaps with an urban extent, a 2 if a polygon is fully within an urban extent, and a 0 otherwise. We code two such variables - one for urban areas greater than 100,000 habitants, and one for urban areas with greater than 500,000 habitants.

Road density information was also included by accessing the OpenStreetMap database. Road density was calculated by taking the total length of road per polygon and dividing by the area of the polygon.

## 2 ESTIMATES OF GROUP AND POLYGON OUTPUT

For a set of polygons  $\mathcal{A}$  set of ethnoreligious groups  $\mathcal{B}$ , proportion of polygon  $i$  that is group  $j$  given by  $\alpha_{ij}$ , population of polygon  $i$  given by  $Pop_i$ , the average luminosity per square meter is given by  $lum_i$ , and the area of the polygon by  $A_i$ . The population of group  $j$  is given by:

$$N_j = \sum_{i \in \mathcal{A}} \alpha_{ij} Pop_i$$

Then the per capita luminosity of group  $j$  is given by:

$$y_j = \frac{\sum_{i \in \mathcal{A}} \alpha_{ij} A_i lum_i}{N_j}$$

Additionally, we are interested in estimates of the luminosity per capita individuals. We assume that each individual in a polygon has the same level of luminosity, equal to the luminosity per capita of that individual. That is, we assume that where we lack the information to further delineate geographically between ethnicity or religion in an area, the level of output of every individual in that area is identical. The luminosity per capita of each polygon is given by:

$$y_i = \frac{A_i lum_i}{Pop_i}$$

## 3 ETHNORELIGIOUS FRAGMENTATION

The mapping data also allows researchers to construct a measure of fragmentation for each region. Let denote the share of group  $j$  in a region. Then the ethnoreligious fragmentation measure is given by:

$$1 - \sum_{j \in \mathcal{B}} s_j^2$$

Since we have estimates of the share of each group in each polygon, we can construct a measure both for each polygon and for each district. Note, however, that in order to calculate the shares  $s_j$  for a district using the polygon level data, we need to combine it with the density information in order to determine the population in each polygon.

The intuitive interpretation of this metric is that it measures, for a specified area, the probability that two individuals picked at random will be from different ethnoreligious groups. Therefore, it can be said to be a measure of fragmentation or diversity. An area comprised of many small groups will score high, whereas an area with a large majority will score low.

We calculate two different fragmentation measures which vary in what they consider to be the salient group divisions. The first, which we refer to as 'ERF', treats all groups as separate. The second, 'sumERF', fuses groups that we consider to be similar, such as the different Christian denominations, the Turkmen and the Arabs. We report regression results for both measures.

We represent visually each measure. Figure B2 demonstrates the map visualizing the ERF measure, whereas Figure B2 reports the map visualizing the sum-ERF measure.

## 4 ECONOMETRIC DESIGN

The assumptions outlined in Section 2 allow estimation of a particular individual's luminosity. With such estimates we can specify models regressing the luminosity of an individual on the level of fractionalization of the community they live in. We outline each model and the formal results below.

### 4.1 Effect of ethnoreligious status on economic output proxied by luminosity

There are several alternatives we can test. We examine the model with each individual-year as a unit of observation:

$$y_{it} = X_{1t} \beta_1 + X_{2it} \beta_2 + \epsilon_i$$

Where  $y_{it}$  is the luminosity value of a given individual,  $X_{1t}$  is a dummy that is coded as 1 if the individual

is Sunni Kurdish, and 0 otherwise.  $X_{2it}$  is a vector of relevant controls, which we outline in greater specificity below.

Figure B20 highlights our results here, showing in some places a negative effect of being Sunni Kurdish status on luminosity per capita levels. This may be a residual of pre-autonomous Iraq where Kurds were not a favoured group under the Ba'athist regime.

#### 4.2 The effect of group status on growth

We further outline a model examining the effects of membership of the Sunni Kurdish majority group on growth in luminosity. We look at the log changes, which for small values will be approximately equal to the percentage change, and examine different time periods (including looking at an aggregate specification that bunches all years). The model is as below.

$$\sigma_i = X_{1i} \beta_1 + X_{2i} \beta_2 + \varepsilon_i$$

Where  $\sigma_i = \log(y_{i,T_1}) - \log(y_{i,T_1-T_0})$ , and  $T_0$   $T_1$  and are the desired times over which growth is measured.

When examining the model with each individual-year as a unit of observation, the model becomes

$$\sigma_{it} = X_{1it} \beta_1 + X_{2it} \beta_2 + \varepsilon_{it}$$

Where  $\sigma_{it} = \log(y_{i,t}) - \log(y_{i,t-1})$ .

We give results for both specifications, but focus on the second as it allows us to exploit more of the data that is available to us, and take advantage of the yearly data that is provided to us by the DMSP satellite data.

#### 4.3 Controlling for per capita luminosity

We run the regressions in the table above but with the base value of luminosity as a control. That is, we run the regression:

$$\sigma_i = X_{1i} \beta_1 + X_{2i} \beta_2 + y_{i,t-1} \beta_3 + \varepsilon_i$$

This allows us to test for the alternate hypothesis that the above correlations were a result of growth in less developed areas rather than specifically growth for the Sunni Kurdish majority.

#### 4.4 The effect of fragmentation on growth

We can additionally test a model that posits fragmentation as a significant determinant of output and growth. The models are identical to the above, but instead of regressing on a dummy variable for membership of the majority Sunni Kurdish group, the relevant variable is the ethnic fragmentation value earlier mentioned.

Of course, the measure of the fragmentation is very sensitive to the level at which the analysis is carried out. If the individual unit is the household, then very few units will show any level of fragmentation, since any particular household will most likely be homogeneous. Polygons yield a greater degree of fragmentation than taking households overall, and districts higher still.

We choose polygons as our level of observation. The argument for this is that, where the researcher has enough information to parse groups into distinct polygons, the groups live distinctly enough to be allocated separate regions. If on the other hand, the researcher cannot geographically distinguish groups within an area and chooses to include them in a single polygon, they are genuinely interspersed (and therefore fragmented) and not geographically distinct. Of course this does not hold true in all cases; there will be regions where groups might be geographically distinct in terms of the particular area of the city etc, but there is not enough information available to the researcher to divide the region accordingly. Nonetheless we feel that this approach works well enough generally in identifying genuine fragmentation in a given area and identifying its economic effects.

#### 4.5 Frequency weighting

The models as specified above assume that the observation for each individual in Kurdistan is i.i.d. However, for the estimates that we calculate, this is clearly not the case; we observe one set of luminosity values for all individuals in a given polygon. To get around this issue we select a polygon-group-year as our unit observation. That is to say, our database includes a single observation for every group in a select polygon, for every year. We then use analytic weights with the population of the group in that polygon as the value to weight by. Finally, we cluster standard errors by polygon, allowing us to account for the likely fact that the errors for two groups in a polygon are correlated.

## 5 RESULTS

Figures B4, B5, and B6 highlight our basic results, showing a significant advantage of Sunni Kurdish status for growth, even when we control for luminosity per capita as we do in B5. This suggests that investment in underdeveloped areas cannot explain the Sunni Kurdish advantage.

We outline some of the additional controls that were used in the regressions. Urban extents, road density and population density controls try to account for the discrepancy by using data on existing development and population demographics. Using the distance from the southern border allows us to account for the hypothesis that being closer to potential disputed regions and conflict zones negatively affected growth. Mean precipitation and mean temperature allow the researcher to control for variations in weather across Kurdistan which may potentially affect agricultural suitability. We introduce these controls in sequence for all regressions and find that in almost all cases the effect of both being Sunni Kurdish and fragmentation remains highly significant.

Figure B13 gives additional results using just a difference in logs between an initial and final data: 'lumgrowth' giving the difference where the initial date was 1992, and 'lumgrowth04' giving the difference where the initial data was 2004.

The negative effects of fragmentation are also very strong, when given with the ERF measure as in B6, and persist even when we use the sumERF measure, as in Figure B14.

As stated beforehand, we also report the regressions for the full timeline for DMSP data, as in Figures B7, B8, B9, and with the VIIRS data included, Figures B10, B11, B12. The results are generally robust, although less so with the VIIRS data, as is argued would be the case.

## 6 ROBUSTNESS

### 6.1 Regression on share

We consider an alternative specification of the model, with a polygon-year as the unit of observation, and the relevant regressor being the share of Sunni Kurds in that polygon. Figures B15, B16, and B17 show the results of this analysis, finding significance just as with the original analysis and providing a confirmation of the robustness of our results.

### 6.2 Majority-only polygon specification

We run the same analysis but with a specification that posits that only the largest group within a given polygon is assumed to exist within a polygon. This addresses potential criticism that our estimation of relative shares within a given region admit to any kind of bias or uncertainty. Figures B18 and B19 show the results under such a specification, providing additional support for the Sunni Kurdish advantage, and increasing the robustness of our results.

### 6.3 Discussion

This section deals with some of the further critiques of the work that might arise; this study seriously alternative explanations for the observed results, and finds them unconvincing. First, we consider that there is no underlying discrepancy and that the analysis we conduct misinterprets imperfect data as a result. Such an explanation is not credible. The effects were statistically significant: the statistical tests show that the probability of observing a pattern as strong as is present, given no underlying disparity exists, is extremely small. Moreover, the findings remain highly significant when trying different methods of measurement and model specification, such as considered in Figures B18, B15, and B13. Were the objection to be feasible, the chances of observing an effect at least as large as that which is observed is very small.

It might be argued that the disparity between Kurdish and non-Kurdish growth rates can be explained by investment flowing into underdeveloped regions and, in general, faster development in less well off regions. While this is possible - historically, Kurds were not a favoured group in Iraq - Figure B20 specifically highlights that Kurds on average live in slightly less developed areas. Nonetheless, this does not account for the disparity in growth rates. The study controls for disparities in development in our analysis, and find that even for a given level of current development, the average Sunni Kurd can expect to have an advantage, in terms of output growth, over his peers. This cannot be explained purely by investment in underdeveloped areas.

The following counter is also unconvincing: Kurds are more urbanized than their minority counterparts, and have therefore experienced the brunt of better growth. The study finds little evidence for such an

effect. On the contrary, the largest cities have experienced lower rates of growth overall than other areas, as demonstrated in Figure B4 - a mildly surprising result, but in accord with economic literature which emphasizes the economic potential of less developed areas to experience high levels of percentage growth as they 'catch up' to more developed areas. Moreover, any such effect cannot account for the increased growth rate of Sunni Kurds: the study includes urban extents in our models and find that there remains a substantial systemic disparity unexplained by urbanization.

There may be concerns that luminosity is not a plausible indicator of economic activity. The first response to this is that there is no substitute for the method used. Kurdistan's statistical agencies are still in a nascent stage and do not have the capacity to construct good measures of GDP over time. What good measures do exist are not available over different time periods, and are for the national level - not nearly the precision we need to compare different regions with each other and have some idea of the performance of different groups in Kurdistan. This criticism of the inaccuracy of such methods is well founded. The quality of satellite luminosity data as a proxy for GDP is very strongly supported and articles using the method have found their way to the top journals in remote sensing, economics and political science. The data is not a perfect measure of GDP, and of course there will be uncertainty in using luminosity to proxy for activity, but this is not an argument against the presented method, since the statistical results specifically rule out random fluctuation or uncertainty as an explanation for the observed data. Finally, even in the sense that luminosity detects something distinct from economic activity, it still constitutes evidence for economic favoritism of the Kurds that they have experienced statistically higher levels of luminosity growth than their minority counterparts.

**Fig B1. The evolution of output for the Kurdish majority vs minority groups in general in Kurdistan, 1992-2013**

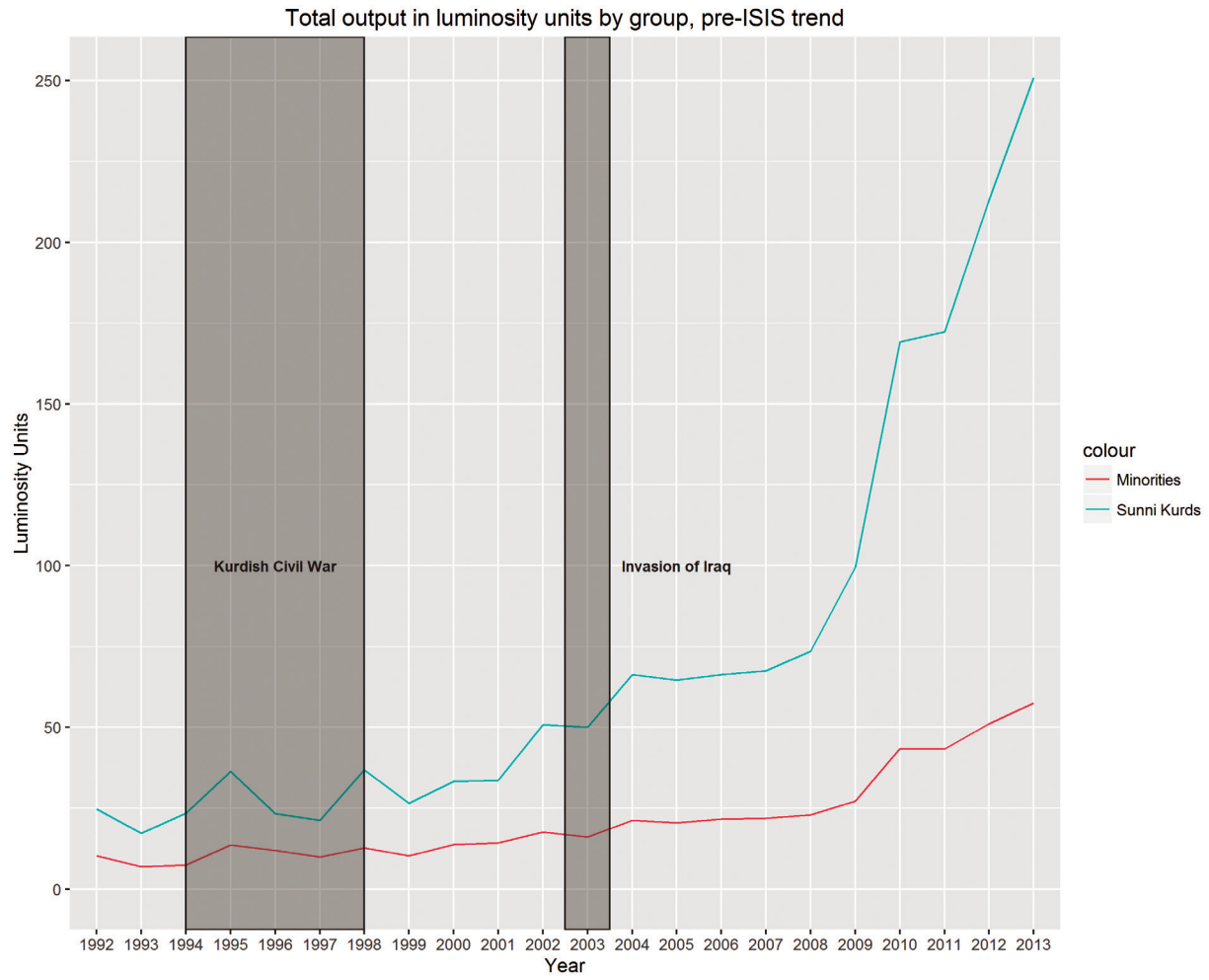




Fig B2. ERF mapping

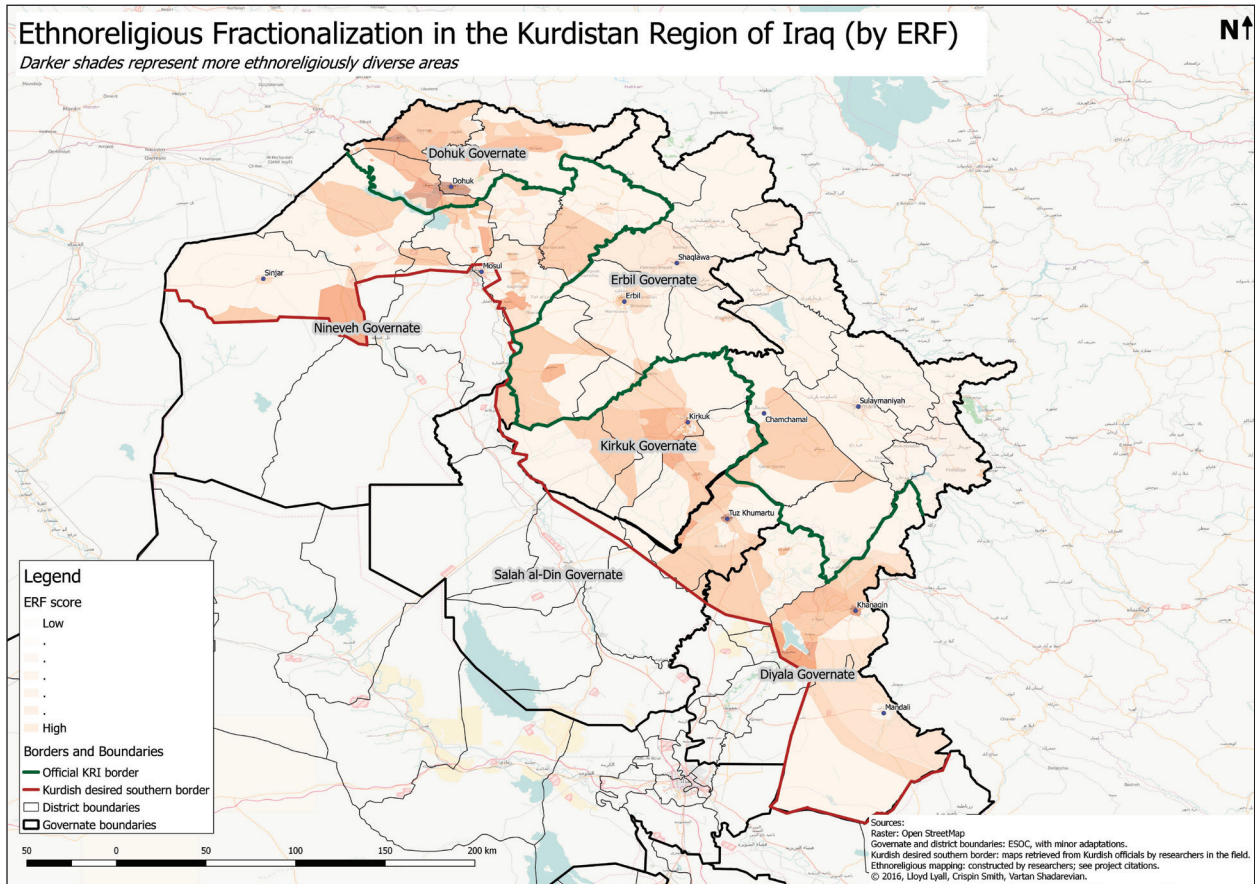
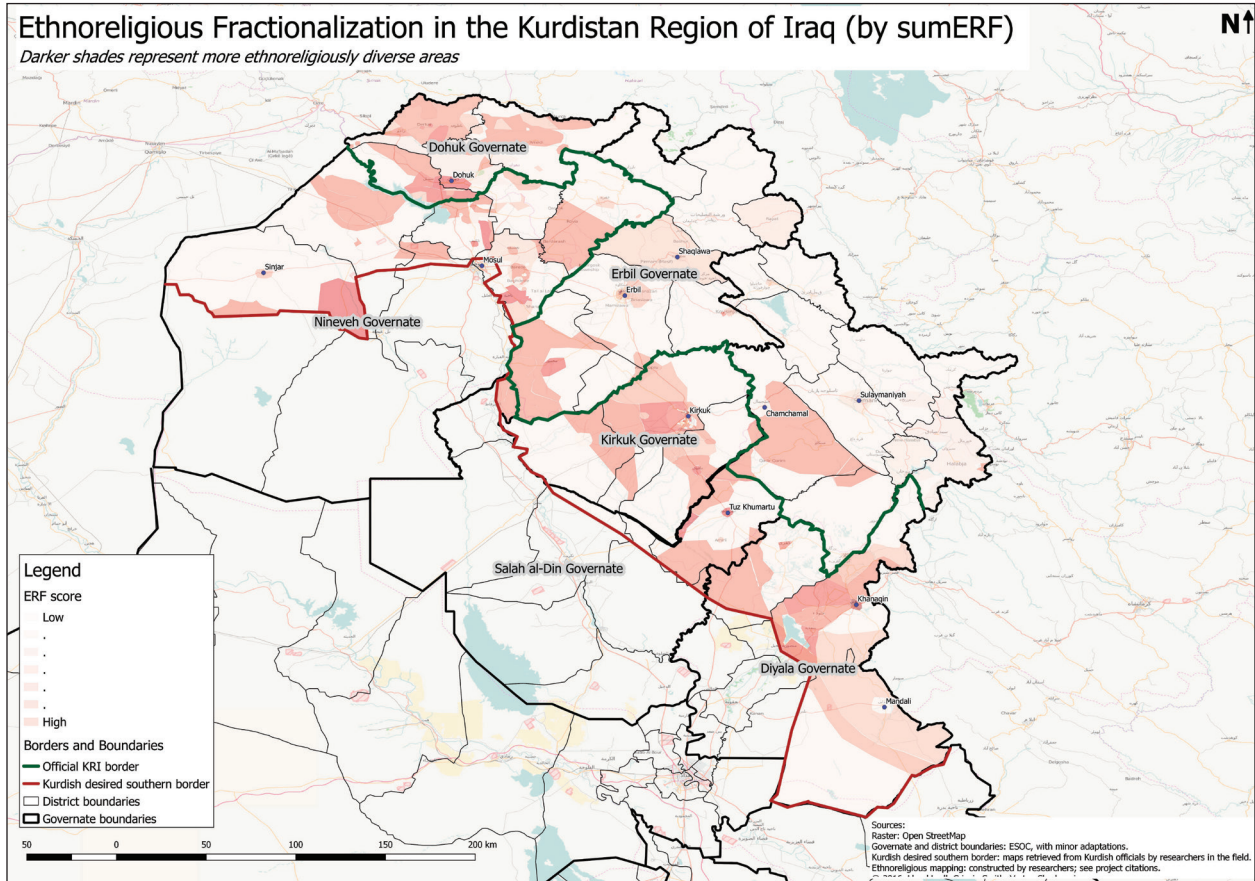


Fig B3. ERF mapping



**Figure B4: Regression of luminosity growth on Sunni Kurd status: 2004-13**

	(1) lumgrowth b/se	(2) lumgrowth b/se	(3) lumgrowth b/se	(4) lumgrowth b/se	(5) lumgrowth b/se	(6) lumgrowth b/se
Sunni Kurdish	0.040*** (0.01)	0.042*** (0.01)	0.028*** (0.01)	0.018** (0.01)	0.018** (0.01)	0.020** (0.01)
Urban Extent (>500k)		-0.022** (0.01)	-0.025*** (0.01)	-0.019*** (0.01)	-0.020*** (0.01)	-0.026*** (0.01)
Urban Extent (>100k)		-0.004 (0.02)	0.040*** (0.01)	0.041*** (0.01)	0.041*** (0.01)	0.040*** (0.01)
Road Density			-8.641*** (0.85)	-2.205 (1.42)	-2.309 (1.58)	-4.501** (1.91)
Population Density				-58.028*** (12.12)	-57.247*** (13.08)	-41.123** (15.73)
Distance, Southern Border					0.000 (0.00)	0.000 (0.00)
Mean Precipitation						-0.000 (0.00)
Mean Temperature						-0.000 (0.00)
Constant	0.106*** (0.01)	0.123*** (0.01)	0.140*** (0.01)	0.152*** (0.01)	0.151*** (0.01)	0.197* (0.11)
R2	0.00	0.01	0.01	0.01	0.01	0.02
Obs	2177.0	2177.0	2177.0	2177.0	2150.0	1844.0

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

**Figure B5: Regression of luminosity growth on Sunni Kurd status, controlling for starting luminosity: 2004-13**

	(1) lumgrowth b/se	(2) lumgrowth b/se	(3) lumgrowth b/se	(4) lumgrowth b/se	(5) lumgrowth b/se	(6) lumgrowth b/se
Sunni Kurdish	0.032** (0.01)	0.034*** (0.01)	0.026** (0.01)	0.017** (0.01)	0.017** (0.01)	0.020** (0.01)
Luminosity P/C	-0.000*** (0.00)	-0.000*** (0.00)	-0.000** (0.00)	-0.000** (0.00)	-0.000** (0.00)	-0.000** (0.00)
Urban Extent (>500k)		-0.025*** (0.01)	-0.026*** (0.01)	-0.020*** (0.01)	-0.020*** (0.01)	-0.027*** (0.01)
Urban Extent (>100k)		0.004 (0.02)	0.038*** (0.01)	0.039*** (0.01)	0.039*** (0.01)	0.037*** (0.01)
Road Density			-7.538*** (1.18)	-1.269 (1.64)	-1.319 (1.80)	-3.447 (2.13)
Population Density				-57.107*** (12.91)	-56.516*** (13.81)	-40.545** (16.78)
Distance, Southern Border					-0.000 (0.00)	0.000 (0.00)
Mean Precipitation						-0.000 (0.00)
Mean Temperature						-0.000 (0.00)
Constant	0.118*** (0.01)	0.134*** (0.01)	0.142*** (0.01)	0.154*** (0.01)	0.154*** (0.01)	0.187* (0.11)
R2	0.01	0.01	0.01	0.01	0.01	0.02
Obs	2177.0	2177.0	2177.0	2177.0	2150.0	1844.0

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

**Figure B6: Regression of luminosity growth on fragmentation: 2004-13**

	(1) lumgrowth b/se	(2) lumgrowth b/se	(3) lumgrowth b/se	(4) lumgrowth b/se	(5) lumgrowth b/se	(6) lumgrowth b/se
Fragmentation	-0.093*** (0.02)	-0.095*** (0.02)	-0.072*** (0.02)	-0.054*** (0.02)	-0.057*** (0.02)	-0.074*** (0.02)
Urban Extent (>500k)		-0.023*** (0.01)	-0.026*** (0.01)	-0.022*** (0.01)	-0.021*** (0.01)	-0.025*** (0.01)
Urban Extent (>100k)		0.000 (0.01)	0.041*** (0.01)	0.041*** (0.01)	0.040*** (0.01)	0.033** (0.01)
Road Density			-8.110*** (0.71)	-3.929*** (1.30)	-3.862*** (1.37)	-3.830** (1.73)
Population Density				-38.956*** (12.17)	-38.541*** (12.39)	-25.928* (13.97)
Distance, Southern Border					-0.000 (0.00)	-0.000 (0.00)
Mean Precipitation						0.000 (0.00)
Mean Temperature						0.000 (0.00)
Luminosity P/C						-0.000** (0.00)
Constant	0.154*** (0.01)	0.173*** (0.01)	0.174*** (0.01)	0.174*** (0.01)	0.175*** (0.01)	0.145 (0.11)
R2	0.00	0.01	0.01	0.01	0.01	0.02
Obs	2177.0	2177.0	2177.0	2177.0	2150.0	1844.0

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

**Figure B7: Regression of luminosity growth on Sunni Kurd status: 1992-2013**

	(1) lumgrowth b/se	(2) lumgrowth b/se	(3) lumgrowth b/se	(4) lumgrowth b/se	(5) lumgrowth b/se	(6) lumgrowth b/se
Sunni Kurdish	0.035*** (0.01)	0.039*** (0.01)	0.027** (0.01)	0.019** (0.01)	0.014 (0.01)	0.018** (0.01)
Urban Extent (>500k)		-0.040*** (0.01)	-0.042*** (0.01)	-0.038*** (0.01)	-0.042*** (0.01)	-0.047*** (0.01)
Urban Extent (>100k)		-0.010 (0.02)	0.027** (0.01)	0.027** (0.01)	0.030** (0.01)	0.031** (0.01)
Road Density			-7.188*** (1.01)	-2.302 (2.55)	-3.260 (3.06)	-6.429*** (2.25)
Population Density				-44.159** (19.82)	-40.022* (24.10)	-13.885 (16.29)
Distance, Southern Border					0.000* (0.00)	0.000 (0.00)
Mean Precipitation						0.000 (0.00)
Mean Temperature						-0.000 (0.00)
Constant	0.090*** (0.01)	0.124*** (0.01)	0.138*** (0.01)	0.148*** (0.01)	0.135*** (0.01)	0.158 (0.11)
R2	0.00	0.00	0.01	0.01	0.01	0.01
Obs	4542.0	4542.0	4542.0	4542.0	4479.0	3809.0

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

**Figure B8: Regression of luminosity growth on Sunni Kurd status, controlling for starting luminosity: 1992-2013**

	(1) lumgrowth b/se	(2) lumgrowth b/se	(3) lumgrowth b/se	(4) lumgrowth b/se	(5) lumgrowth b/se	(6) lumgrowth b/se
Sunni Kurdish	0.027** (0.01)	0.031*** (0.01)	0.025** (0.01)	0.018** (0.01)	0.013 (0.01)	0.017** (0.01)
Luminosity P/C	-0.000*** (0.00)	-0.000*** (0.00)	-0.000** (0.00)	-0.000** (0.00)	-0.000** (0.00)	-0.000** (0.00)
Urban Extent (>500k)		-0.043*** (0.01)	-0.044*** (0.01)	-0.040*** (0.01)	-0.043*** (0.01)	-0.048*** (0.01)
Urban Extent (>100k)		-0.001 (0.02)	0.023* (0.01)	0.024* (0.01)	0.026** (0.01)	0.027* (0.01)
Road Density			-5.488*** (1.45)	-0.687 (2.87)	-1.724 (3.28)	-4.846* (2.65)
Population Density				-43.577** (20.11)	-39.809* (23.83)	-14.538 (16.72)
Distance, Southern Border					0.000 (0.00)	0.000 (0.00)
Mean Precipitation						0.000 (0.00)
Mean Temperature						-0.000 (0.00)
Constant	0.102*** (0.01)	0.135*** (0.01)	0.141*** (0.01)	0.151*** (0.01)	0.139*** (0.01)	0.144 (0.11)
R2	0.00	0.01	0.01	0.01	0.01	0.01
Obs	4542.0	4542.0	4542.0	4542.0	4479.0	3809.0

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

**Figure B9: Regression of luminosity growth on fragmentation: 1992-2013**

	(1) lumgrowth b/se	(2) lumgrowth b/se	(3) lumgrowth b/se	(4) lumgrowth b/se	(5) lumgrowth b/se	(6) lumgrowth b/se
Fragmentation	-0.075*** (0.02)	-0.078*** (0.03)	-0.058** (0.02)	-0.044** (0.02)	-0.036 (0.02)	-0.054** (0.02)
Urban Extent (>500k)		-0.041*** (0.01)	-0.043*** (0.01)	-0.040*** (0.01)	-0.043*** (0.01)	-0.046*** (0.01)
Urban Extent (>100k)		-0.006 (0.01)	0.028** (0.01)	0.028** (0.01)	0.029** (0.01)	0.024* (0.01)
Road Density			-6.865*** (0.98)	-3.577 (2.59)	-4.174 (2.96)	-5.099* (2.59)
Population Density				-30.730 (20.45)	-29.301 (23.12)	-4.630 (18.32)
Distance, Southern Border					0.000 (0.00)	0.000 (0.00)
Mean Precipitation						0.000 (0.00)
Mean Temperature						0.000 (0.00)
Luminosity P/C						-0.000** (0.00)
Constant	0.132*** (0.01)	0.169*** (0.01)	0.170*** (0.01)	0.170*** (0.01)	0.153*** (0.01)	0.119 (0.11)
R2	0.00	0.01	0.01	0.01	0.01	0.01
Obs	4542.0	4542.0	4542.0	4542.0	4479.0	3809.0

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01



**Figure B10: Regression of luminosity growth on Sunni Kurd status: 1992-2013, 2014-15**

	(1) lumgrowth b/se	(2) lumgrowth b/se	(3) lumgrowth b/se	(4) lumgrowth b/se	(5) lumgrowth b/se	(6) lumgrowth b/se
Sunni Kurdish	0.032*** (0.01)	0.036*** (0.01)	0.024** (0.01)	0.016** (0.01)	0.009 (0.01)	0.014* (0.01)
Urban Extent (>500k)		-0.036*** (0.01)	-0.039*** (0.00)	-0.034*** (0.01)	-0.039*** (0.01)	-0.042*** (0.01)
Urban Extent (>100k)		-0.013 (0.02)	0.024** (0.01)	0.024** (0.01)	0.027** (0.01)	0.029** (0.01)
Road Density			-7.134*** (0.98)	-1.834 (2.47)	-2.832 (3.02)	-5.620*** (1.98)
Population Density				-47.889** (19.43)	-43.952* (23.95)	-20.689 (14.61)
Distance, Southern Border					0.000** (0.00)	0.000 (0.00)
Mean Precipitation						0.000 (0.00)
Mean Temperature						-0.000 (0.00)
Constant	0.086*** (0.01)	0.117*** (0.01)	0.132*** (0.01)	0.142*** (0.01)	0.128*** (0.01)	0.147 (0.10)
R2	0.00	0.00	0.01	0.01	0.01	0.01
Obs	4823.0	4823.0	4823.0	4823.0	4756.0	4052.0

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

**Figure B11: Regression of luminosity growth on Sunni Kurd status, controlling for starting luminosity: 1992-2013, 2014-15**

	(1) lumgrowth b/se	(2) lumgrowth b/se	(3) lumgrowth b/se	(4) lumgrowth b/se	(5) lumgrowth b/se	(6) lumgrowth b/se
Sunni Kurdish	0.024** (0.01)	0.028*** (0.01)	0.022** (0.01)	0.014* (0.01)	0.008 (0.01)	0.013* (0.01)
Luminosity P/C	-0.000*** (0.00)	-0.000*** (0.00)	-0.000** (0.00)	-0.000** (0.00)	-0.000** (0.00)	-0.000** (0.00)
Urban Extent (>500k)		-0.040*** (0.01)	-0.040*** (0.01)	-0.036*** (0.01)	-0.040*** (0.01)	-0.043*** (0.01)
Urban Extent (>100k)		-0.004 (0.02)	0.020 (0.01)	0.020 (0.01)	0.023* (0.01)	0.024* (0.01)
Road Density			-5.282*** (1.43)	-0.079 (2.79)	-1.174 (3.22)	-3.919 (2.42)
Population Density				-47.233** (19.79)	-43.694* (23.71)	-21.316 (15.45)
Distance, Southern Border					0.000* (0.00)	0.000 (0.00)
Mean Precipitation						0.000 (0.00)
Mean Temperature						-0.000 (0.00)
Constant	0.098*** (0.01)	0.129*** (0.01)	0.135*** (0.01)	0.145*** (0.01)	0.132*** (0.01)	0.133 (0.10)
R2	0.00	0.01	0.01	0.01	0.01	0.01
Obs	4823.0	4823.0	4823.0	4823.0	4756.0	4052.0

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

**Figure B12: Regression of luminosity growth on fragmentation: 1992-2013, 2014-15**

	(1) lumgrowth b/se	(2) lumgrowth b/se	(3) lumgrowth b/se	(4) lumgrowth b/se	(5) lumgrowth b/se	(6) lumgrowth b/se
Fragmentation	-0.071*** (0.02)	-0.074*** (0.03)	-0.054** (0.02)	-0.038* (0.02)	-0.028 (0.02)	-0.052** (0.02)
Urban Extent (>500k)		-0.037*** (0.01)	-0.039*** (0.01)	-0.036*** (0.01)	-0.039*** (0.01)	-0.041*** (0.01)
Urban Extent (>100k)		-0.009 (0.01)	0.024** (0.01)	0.025** (0.01)	0.026** (0.01)	0.021 (0.01)
Road Density			-6.809*** (0.96)	-2.937 (2.52)	-3.605 (2.90)	-4.135* (2.39)
Population Density				-36.175* (20.05)	-34.662 (22.63)	-11.380 (17.28)
Distance, Southern Border					0.000* (0.00)	0.000 (0.00)
Mean Precipitation						0.000 (0.00)
Mean Temperature						-0.000 (0.00)
Luminosity P/C						-0.000** (0.00)
Constant	0.125*** (0.01)	0.159*** (0.01)	0.160*** (0.01)	0.161*** (0.01)	0.141*** (0.01)	0.102 (0.10)
R2	0.00	0.00	0.01	0.01	0.01	0.01
Obs	4823.0	4823.0	4823.0	4823.0	4756.0	4052.0

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

**Figure B13: Regression of long-distanced luminosity growth on Sunni Kurd status, for: 1992-2013, 1992-2013, 2004-13, 2004-13 respectively**

	(1) lumDelt b/se	(2) lumDelt b/se	(3) lumDelt04 b/se	(4) lumDelt04 b/se
Sunni Kurdish	0.746*** (0.23)	0.363** (0.16)	0.399*** (0.10)	0.195** (0.09)
Urban Extent (>500k)	-0.693*** (0.15)	-0.763*** (0.16)	-0.203** (0.09)	-0.257*** (0.09)
Urban Extent (>100k)	-0.047 (0.34)	0.727*** (0.26)	-0.041 (0.15)	0.381*** (0.13)
Road Density		-128.757*** (42.88)		-45.904*** (17.51)
Population Density		-169.411 (309.89)		-315.980** (136.89)
Distance, Southern Border		-0.000 (0.00)		-0.000 (0.00)
Mean Precipitation		-0.002 (0.00)		-0.002 (0.00)
Mean Temperature		-0.000 (0.01)		-0.003 (0.00)
Constant	2.285*** (0.23)	3.608* (2.07)	1.103*** (0.10)	2.754*** (0.95)
R2	0.35	0.60	0.12	0.29
Obs	173.0	146.0	243.0	206.0

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

**Figure B14: Regression of luminosity growth on fragmentation (group sums measure), 2004-13**

	(1) lumgrowth b/se	(2) lumgrowth b/se	(3) lumgrowth b/se	(4) lumgrowth b/se	(5) lumgrowth b/se	(6) lumgrowth b/se
Fragmentation	-0.114*** (0.02)	-0.116*** (0.02)	-0.082*** (0.02)	-0.061*** (0.02)	-0.064*** (0.02)	-0.079*** (0.02)
Urban Extent (>500k)		-0.024*** (0.01)	-0.026*** (0.01)	-0.021*** (0.01)	-0.020*** (0.01)	-0.026*** (0.01)
Urban Extent (>100k)		0.002 (0.01)	0.040*** (0.01)	0.041*** (0.01)	0.039*** (0.01)	0.033** (0.01)
Road Density			-7.876*** (0.78)	-3.065** (1.34)	-2.981** (1.44)	-3.417* (1.78)
Population Density				-45.128*** (12.53)	-44.805*** (12.71)	-28.612* (14.62)
Distance, Southern Border					-0.000 (0.00)	-0.000 (0.00)
Mean Precipitation						0.000 (0.00)
Mean Temperature						0.000 (0.00)
Luminosity P/C						-0.000** (0.00)
Constant	0.156*** (0.01)	0.174*** (0.01)	0.174*** (0.01)	0.175*** (0.01)	0.175*** (0.01)	0.171 (0.11)
R2	0.00	0.01	0.01	0.01	0.01	0.02
Obs	2177.0	2177.0	2177.0	2177.0	2150.0	1844.0

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

**Figure B15: Regression of luminosity growth on share of Sunni Kurds in region, 2004-13**

	(1) lumgrowth b/se	(2) lumgrowth b/se	(3) lumgrowth b/se	(4) lumgrowth b/se	(5) lumgrowth b/se	(6) lumgrowth b/se
Sunni Kurdish	0.067*** (0.02)	0.070*** (0.01)	0.047*** (0.02)	0.033*** (0.01)	0.038** (0.02)	0.044** (0.02)
Urban Extent (>500k)		-0.022** (0.01)	-0.025*** (0.01)	-0.020*** (0.01)	-0.021*** (0.01)	-0.026*** (0.01)
Urban Extent (>100k)		-0.004 (0.02)	0.038*** (0.01)	0.039*** (0.01)	0.040*** (0.01)	0.038*** (0.01)
Road Density			-8.127*** (0.90)	-2.646** (1.25)	-2.911** (1.40)	-4.324** (1.83)
Population Density				-50.818*** (11.19)	-47.446*** (12.46)	-36.871** (14.52)
Distance, Southern Border					-0.000 (0.00)	-0.000 (0.00)
Mean Precipitation						0.000 (0.00)
Mean Temperature						-0.000 (0.00)
Constant	0.084*** (0.01)	0.101*** (0.01)	0.124*** (0.01)	0.140*** (0.01)	0.137*** (0.01)	0.144 (0.12)
R2	0.00	0.01	0.01	0.01	0.01	0.02
Obs	1141.0	1141.0	1141.0	1141.0	1123.0	979.0

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

**Figure B16: Regression of luminosity growth on share of Sunni Kurds in region, controlling for base luminosity, 2004-13**

	(1) lumgrowth b/se	(2) lumgrowth b/se	(3) lumgrowth b/se	(4) lumgrowth b/se	(5) lumgrowth b/se	(6) lumgrowth b/se
Sunni Kurdish	0.054*** (0.02)	0.057*** (0.01)	0.045*** (0.02)	0.031** (0.01)	0.036** (0.02)	0.043** (0.02)
Luminosity P/C	-0.000*** (0.00)	-0.000*** (0.00)	-0.000* (0.00)	-0.000** (0.00)	-0.000** (0.00)	-0.000** (0.00)
Urban Extent (>500k)		-0.025*** (0.01)	-0.026*** (0.01)	-0.021*** (0.01)	-0.021*** (0.01)	-0.027*** (0.01)
Urban Extent (>100k)		0.003 (0.02)	0.036*** (0.01)	0.037*** (0.01)	0.038*** (0.01)	0.035** (0.01)
Road Density			-7.151*** (1.21)	-1.729 (1.48)	-1.934 (1.63)	-3.300 (2.04)
Population Density				-50.469*** (11.85)	-47.260*** (12.99)	-36.470** (15.24)
Distance, Southern Border					-0.000 (0.00)	-0.000 (0.00)
Mean Precipitation						0.000 (0.00)
Mean Temperature						0.000 (0.00)
Constant	0.099*** (0.02)	0.115*** (0.01)	0.127*** (0.01)	0.142*** (0.01)	0.141*** (0.01)	0.135 (0.12)
R2	0.01	0.01	0.01	0.01	0.01	0.02
Obs	1141.0	1141.0	1141.0	1141.0	1123.0	979.0

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

**Figure B17: Regression of luminosity growth on fragmentation of region, 2004-13**

	(1) lumgrowth b/se	(2) lumgrowth b/se	(3) lumgrowth b/se	(4) lumgrowth b/se	(5) lumgrowth b/se	(6) lumgrowth b/se
Fragmentation	-0.094*** (0.02)	-0.095*** (0.02)	-0.072*** (0.02)	-0.054*** (0.02)	-0.057*** (0.02)	-0.073*** (0.02)
Urban Extent (>500k)		-0.023*** (0.01)	-0.026*** (0.01)	-0.022*** (0.01)	-0.021*** (0.01)	-0.025*** (0.01)
Urban Extent (>100k)		0.000 (0.01)	0.041*** (0.01)	0.041*** (0.01)	0.040*** (0.01)	0.033** (0.01)
Road Density			-8.088*** (0.71)	-3.906*** (1.30)	-3.839*** (1.37)	-3.790** (1.74)
Population Density				-39.012*** (12.18)	-38.599*** (12.40)	-26.102* (13.99)
Distance, Southern Border					-0.000 (0.00)	-0.000 (0.00)
Mean Precipitation						0.000 (0.00)
Mean Temperature						0.000 (0.00)
Luminosity P/C						-0.000** (0.00)
Constant	0.154*** (0.01)	0.173*** (0.01)	0.174*** (0.01)	0.174*** (0.01)	0.175*** (0.01)	0.145 (0.11)
R2	0.00	0.01	0.01	0.01	0.01	0.02
Obs	1141.0	1141.0	1141.0	1141.0	1123.0	979.0

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01



**Figure B18: Regression of luminosity growth on Sunni Kurd status, majority-only mapping, 2004-13**

	(1) lumgrowth b/se	(2) lumgrowth b/se	(3) lumgrowth b/se	(4) lumgrowth b/se	(5) lumgrowth b/se	(6) lumgrowth b/se
Sunni Kurdish	0.045*** (0.02)	0.047*** (0.01)	0.033*** (0.01)	0.021** (0.01)	0.022* (0.01)	0.026* (0.01)
Urban Extent (>500k)		-0.021** (0.01)	-0.024*** (0.01)	-0.019*** (0.01)	-0.020*** (0.01)	-0.026*** (0.01)
Urban Extent (>100k)		-0.005 (0.02)	0.040*** (0.01)	0.041*** (0.01)	0.041*** (0.01)	0.040*** (0.01)
Road Density			-8.604*** (0.91)	-2.673* (1.39)	-2.761* (1.56)	-4.831** (1.91)
Population Density				-53.861*** (12.12)	-52.760*** (13.33)	-37.393** (15.18)
Distance, Southern Border					-0.000 (0.00)	-0.000 (0.00)
Mean Precipitation						-0.000 (0.00)
Mean Temperature						-0.000 (0.00)
Constant	0.101*** (0.01)	0.118*** (0.01)	0.134*** (0.01)	0.149*** (0.01)	0.149*** (0.01)	0.183 (0.11)
R2	0.00	0.01	0.01	0.01	0.01	0.02
Obs	1141.0	1141.0	1141.0	1141.0	1123.0	979.0

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

**Figure B19: Regression of luminosity growth on Sunni Kurd status, majority-only mapping, controlling for base luminosity, 2004-13**

	(1) lumgrowth b/se	(2) lumgrowth b/se	(3) lumgrowth b/se	(4) lumgrowth b/se	(5) lumgrowth b/se	(6) lumgrowth b/se
Sunni Kurdish	0.036** (0.02)	0.037*** (0.01)	0.031** (0.01)	0.019** (0.01)	0.021* (0.01)	0.025* (0.01)
Luminosity P/C	-0.000*** (0.00)	-0.000*** (0.00)	-0.000** (0.00)	-0.000** (0.00)	-0.000** (0.00)	-0.000** (0.00)
Urban Extent (>500k)		-0.025** (0.01)	-0.025*** (0.01)	-0.020*** (0.01)	-0.020*** (0.01)	-0.027*** (0.01)
Urban Extent (>100k)		0.003 (0.02)	0.038*** (0.01)	0.039*** (0.01)	0.039*** (0.01)	0.037** (0.01)
Road Density			-7.606*** (1.24)	-1.711 (1.63)	-1.748 (1.79)	-3.780* (2.14)
Population Density				-53.658*** (12.80)	-52.648*** (13.87)	-37.066** (15.95)
Distance, Southern Border					-0.000 (0.00)	-0.000 (0.00)
Mean Precipitation						-0.000 (0.00)
Mean Temperature						-0.000 (0.00)
Constant	0.114*** (0.02)	0.131*** (0.01)	0.137*** (0.01)	0.152*** (0.01)	0.152*** (0.01)	0.174 (0.11)
R2	0.01	0.01	0.01	0.01	0.01	0.02
Obs	1141.0	1141.0	1141.0	1141.0	1123.0	979.0

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

**Figure B20: Regression of luminosity per capita on Sunni Kurd status, 2004-13**

	(1) lumcap b/se	(2) lumcap b/se	(3) lumcap b/se	(4) lumcap b/se	(5) lumcap b/se	(6) lumcap b/se
Sunni Kurdish	-35.825*** (12.49)	-35.839*** (12.82)	-14.178* (8.16)	-13.312 (9.92)	-8.966 (10.44)	-4.790 (11.46)
Urban Extent (>500k)		-14.836* (7.65)	-10.295 (9.51)	-10.806 (8.83)	-7.360 (8.04)	-5.082 (9.41)
Urban Extent (>100k)		39.266** (18.36)	-30.067* (17.86)	-30.126* (18.01)	-32.102* (17.70)	-40.295** (17.77)
Road Density			13583.320*** (3253.03)	12989.452** (5214.66)	13677.666** (5377.73)	14764.866** (7290.86)
Population Density				5349.392 (30750.68)	2763.520 (33053.38)	-4984.906 (49671.99)
Distance, Southern Border					-0.001 (0.00)	-0.000 (0.00)
Mean Precipitation						0.103 (0.09)
Mean Temperature						0.538** (0.23)
Constant	53.211*** (12.83)	48.788*** (10.93)	22.817*** (8.57)	21.675* (11.42)	30.844** (14.85)	-104.567 (64.48)
R2	0.02	0.05	0.26	0.26	0.27	0.27
Obs	5901.0	5901.0	5901.0	5901.0	5817.0	5103.0

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

## Endnotes

<sup>1</sup> Crispin Smith traveled to Iraq to perform the in-field research and interviews.

<sup>2</sup> While other large and influential parties – notably the Gorran Party – exist, they exercise less direct influence in disputed areas due to their lack of significant Peshmerga militias.

<sup>3</sup> See, Saad N. Jawad, *The Iraqi Constitution: Structural Flaws and Political Implications*, MIDDLE EAST CENTRE, Nov. 2015, at 16, <http://www.lse.ac.uk/middleEastCentre/publications/Paper-Series/SaadJawad.pdf>. “The constitution states that in the event of contradictions between central and local laws of any regional administration, authority is conferred on the local administration . . . . Article 115 of the Iraqi Constitution states: ‘The priority goes to the regional law in case of conflict between other powers shared between the federal government and regional governments’. Article 121, 2 states: ‘In case of a contradiction between regional and national legislation in respect to a matter outside the exclusive powers of the federal government, the regional authority shall have the right to amend the application of the national legislation within that region’ . . . . Article 126 states that ‘articles of the Constitution may not be amended if such amendment takes away from the powers of the regions that are not within the exclusive powers of the federal authorities, except by the approval of the legislative authority of the concerned region and the approval of the majority of its citizens in a general referendum’. In other words the drafters awarded the Kurdish region an iron clad veto.”

<sup>4</sup> See, e.g., *id.*

<sup>5</sup> See, USCIRF, *Iraq’s Permanent Constitution: Analysis and Recommendations*, Mar. 2006, <http://www.uscirf.gov/reports-briefs/special-reports/iraqs-permanent-constitution-march-2006>.

<sup>6</sup> Interview with Representatives of the Chaldean Syriac Assyrian Popular Council, in Ainkawa, Iraq (July 19, 2016); Interview with Bashar Warda, Archbishop, Mar Youssef Cathedral, in Ainkawa, Iraq (July 15, 2016).

<sup>7</sup> Various interviews.

<sup>8</sup> International Religious Freedom Act § 3(13)(A)(iii) (1998).

<sup>9</sup> A Kurdish lawyer told researchers political gridlock in KRI means no progress has been made by the committee.

<sup>10</sup> Interview with Kemal Kirkuki, former speaker, Kurdistan Parliament, in Kirkuk, Iraq (July 26, 2016). Dr. Kirkuki confirmed no material changes have occurred.

<sup>11</sup> E.g., Interview with Mariwan Naqshbandi, Religious Affairs Spokesperson, KRG Ministry of Endowment, in Erbil, Iraq (July 17, 2016); Interview with a Representative of the Independent Commission of Human Rights-Kurdistan Region, in Erbil, Iraq (July 18, 2016).

<sup>12</sup> Interviews with senior Christian religious figures, Ainkawa, Iraq, (July 15, 2016; July 19, 2016).

<sup>13</sup> Interviews with Yezidi leaders, Shexan, Iraq, (July 26, 2016). In light of the 2014 genocide, Yezidis are particularly afraid of Islamic extremism.

<sup>14</sup> Kurdistan National Assembly Elections Law No. 1 of 1998, Art. 36(2)(1) - (3) (amended 2009, 2014).

<sup>15</sup> The Rights of National and Religious Minorities Protection Law in Kurdistan – Iraq Law No. 5 of 2015.

<sup>16</sup> *Id.* at Art. (1)(2); Art. (2).

<sup>17</sup> *Id.* at Art. 4.

<sup>18</sup> *Id.* at Art. 3.

<sup>19</sup> See, Danish Refugee Council, *The Kurdistan Region of Iraq: Access, Possibility of Protection, Security and Humanitarian Situation*, Apr. 2016, <https://www.nyidanmark.dk/NR/rdonlyres/>

4B4E8C12-84B7-4ACB-8553-5E0218C5689A/0/Factfindingreport-KurdistanRegionofIraq11042016.pdf.

<sup>20</sup> *Id.* at 45.

<sup>21</sup> E.g., Interviews with senior Christian religious figures, Ainkawa, Iraq, (July 15, 2016; July 19, 2016); Telephone interview with a representative of Zowaa, living in Dohuk governorate, July 31, 2016. Telephone interview with a Turkmen activist (Aug. 2016).

<sup>22</sup> Interview with Yezidi Sheikh, in Sinjar, Iraq (July 28, 2016); Interview with Yezidi activist, Khanke, Iraq (July 30, 2016); Telephone Interview with Yezidi political figure (Aug. 6; Aug. 14, 2016).

<sup>23</sup> See, Danish Refugee Council, *The Kurdistan Region of Iraq at 50*.

<sup>24</sup> *Id.*

<sup>25</sup> E.g., interview with Hoshang Mohammed, Director of the Joint Crisis Coordination Center, Ministry of the Interior, in Erbil, Iraq, (July 16, 2016); interview with Mariwan Naqshbandi, Religious Affairs spokesperson, KRG Ministry of Endowment, in Erbil, Iraq (July 17, 2016); interview with a representative of the Independent Commission of Human Rights-Kurdistan Region, in Erbil, Iraq (July 18, 2016).

<sup>26</sup> *Id.*

<sup>27</sup> One local leader told the researcher that [minorities] “cannot be in any government position in Dohuk governorate, if they are not [also] in the KDP.” This sentiment was echoed by leaders from other minorities in the area.

<sup>28</sup> See, Ilan Alon & Gregory Chase, *Religious Freedom and Economic Prosperity*, 25 CATO J. 399 (2005); See also, Brian Grim, *God’s Economy: Religious Freedom & Socio-Economic Wellbeing*, in RELIGIOUS FREEDOM IN THE WORLD, 42-47 (Paul Marshall, ed., 2007); Theodore Malloch, *Free to Choose: Economics and Religion*, in RELIGIOUS FREEDOM IN THE WORLD, 48-53 (Paul Marshall, ed., 2007); See also, BRIAN GRIM & ROGER FINKE, *THE PRICE OF FREEDOM DENIED: RELIGIOUS PERSECUTION AND CONFLICT IN THE 21ST CENTURY* (2011); See also, Brian Grim, *The Link Between Economic and Religious Freedoms*, WORLD ECONOMIC FORUM, Dec. 18, 2014, <https://www.weforum.org/agenda/2014/12/the-link-between-economic-and-religious-freedoms/>.

<sup>29</sup> Abbas P. Grammy & Isabella Kasselstrand, *Factors Hindering Religious Freedom: International Evidence*, 4 Int’l J. Bus. & Soc. Sci. 44, (2013) [http://ijbssnet.com/journals/Vol\\_4\\_No\\_13\\_October\\_2013/7.pdf](http://ijbssnet.com/journals/Vol_4_No_13_October_2013/7.pdf).

<sup>30</sup> John D. Huber, *Ethnic inequality and the ethnification of political parties: Evidence from India*, (2013) <http://polisci.columbia.edu/files/polisci/u86/huber%20suryanarayan.pdf>.

<sup>31</sup> For a full discussion, see appendix.

<sup>32</sup> Alberto Alessina et. al., *Public Goods and Ethnic Diversity: Evidence from Deforestation in Indonesia*, National Bureau of Economic Research (2014) <http://www.nber.org/papers/w20504>.

<sup>33</sup> Oeindrila Dube, *Commodity Price Shocks and Civil Conflict: Evidence from Colombia*, 83 REV. ECON. STUD. (2013) <http://restud.oxfordjournals.org/content/early/2013/02/15/restud.rdt009>.

<sup>34</sup> See e.g., MARTIN VAN BRUINSEN, *RELIGION IN MULLAS, SUFIS AND HERETICS: THE ROLE OF RELIGION IN KURDISH SOCIETY* (2000).

<sup>35</sup> Interview with Mariwan Naqshbandi, Religious Affairs Spokesperson, KRG Ministry of Endowment, in Erbil, Iraq (July 17, 2016).

<sup>36</sup> See, Martin van Bruinssen, *The Kurds and Islam*, ISLAMIC AREA STUDIES PROJECT, 1999 at 19.

<sup>37</sup> *Id.*

<sup>38</sup> Official numbers indicate that the population rose from 5.2 million people to 7 million after the recent migration. See, *The People of the Kurdistan Region*, KURDISTAN REGIONAL GOVERNMENT (Aug. 30, 2016), <http://www.gov.krd/p/p.aspx?l=12&p=214>.

<sup>39</sup> This attitude was confirmed in interviews with various KRG officials, who warned of the risk of ISIS militants hiding among the refugees.

<sup>40</sup> See, Amnesty International, *Iraq: Yazidis Carried Out Village Massacre of Sunnis as Anti-Islamic State Backlash Continues*, Jun. 10, 2015, <https://www.amnesty.org.uk/press-releases/iraq-yezidis-carried-out-village-massacre-sunnis-anti-islamic-statebacklash>; see also, Isabel Coles, *Trapped Between Iraq Frontlines, Refugees Illustrate Sunni Arab Predicament*, REUTERS, Feb. 25, 2016, <http://www.reuters.com/article/us-mideast-crisis-iraq-refugees-idUSKCN0VYOLP>; Isabel Coles, *Iraqi Yazidis Take Revenge on Islamic State Atrocities Unearthed*, REUTERS, Feb. 10, 2015, <http://www.reuters.com/article/us-mideast-crisis-iraq-yazidis-idUSKBN0LE1YQ20150210>; *Yazidis Accused of Reprisal Attacks on Sunnis in Iraq*, AL-JAZEERA, Jun. 10, 2015, <http://www.aljazeera.com/news/2015/06/yazidis-accused-reprisal-attacks-sunnis-iraq-150610132156089.html>.

<sup>41</sup> When asked during interviews about the potential for reconciliation, many Yazidi leaders stated it would be impossible. A senior Christian cleric from Mosul echoed the sentiment. Shi'a Turkmen have also suffered greatly at the hands of *Da'esh*.

<sup>42</sup> Interview with Hoshang Mohammed, Director of Joint Crisis Coordination Center, KRG Ministry for the Interior, in Erbil, Iraq (July 16, 2016).

<sup>43</sup> See, Denis Natali, *Islamic State Infiltrates Iraqi Kurdistan*, AL-MONITOR, June 4, 2015, <http://www.al-monitor.com/pulse/originals/2015/06/is-infiltration-iraqi-kurdistan.html>.

<sup>44</sup> See, *The People of the Kurdistan Region*, KURDISTAN REGIONAL GOVERNMENT (Aug. 30, 2016), <http://www.gov.krd/p/p.aspx?l=12&p=214>.

<sup>45</sup> Erbil Hub, *Youth Between Two Options: Migration and Joining Extremist Groups*, GLOBAL SHAPERS COMMUNITY ERBIL, (Aug. 30, 2016), <https://www.globalshapers.org/news/youth-between-two-options-migration-and-joining-extremist-groups>.

<sup>46</sup> See, Denis Natali, *Islamic State Infiltrates Iraqi Kurdistan*.

<sup>47</sup> Interview with Mariwan Naqshbandi; Interview with a Representative of the Independent Commission of Human Rights-Kurdistan Region, in Erbil, Iraq (July 18, 2016).

<sup>48</sup> See, MINORITIES IN IRAQ, MASARAT INSTITUTION, 60, <http://masaratiraq.org/wp-content/uploads/2013/04/Minorities-in-Iraq.pdf>. See also, Saad Salloum, *At Crossroads: Human Rights Violations After ISIS*, MASARAT INSTITUTION, <http://masaratiraq.org/wp-content/uploads/2015/09/AT-CROSSROADS.pdf>.

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<sup>55</sup> *Id.*

<sup>56</sup> *Id.*

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<sup>60</sup> *Supra* note 54.

<sup>61</sup> GERARD RUSSELL, *HEIRS TO FORGOTTEN KINGDOMS*, 39, (2014).

<sup>62</sup> *Id.* at 40.

<sup>63</sup> *Id.* at 41.

<sup>64</sup> According to documents passed to researchers by the Ministry of Awqaf and Religious Affairs. This figure does not include Sinjar/

<sup>65</sup> *Id.* at 42.

<sup>66</sup> MINORITIES IN IRAQ, MASARAT INSTITUTION, 70, <http://masaratiraq.org/wp-content/uploads/2013/04/Minorities-in-Iraq.pdf>. See also, Saad Salloum, *At Crossroads: Human Rights Violations After ISIS*, MASARAT INSTITUTION, <http://masaratiraq.org/wp-content/uploads/2015/09/AT-CROSSROADS.pdf>.

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<sup>69</sup> *Id.* See also, Law No. 5 (2015) of the Kurdish Parliament.

<sup>70</sup> Various interviews, between July 1 and August 13, 2016. Subjects in various locations, including Shexan, Lalish, Sinjar, and Baghdad.

<sup>71</sup> Interview with a senior Yazidi political leader and other local leaders, July 28, 2016, at Shexan, Nineveh Governorate, Iraq.

<sup>72</sup> Interview with a religious leader, July 28, 2016, at Shexan, Nineveh Governorate, Iraq.

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