

WILTING IN THE KURDISH SUN

THE HOPES AND FEARS OF RELIGIOUS MINORITIES IN NORTHERN IRAQ

EXECUTIVE SUMMARY AND KEY FINDINGS



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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A COPY OF THE FULL REPORT MAY BE FOUND AT WWW.USCIRF.GOV

By Crispin M.I. Smith and Vartan Shadarevian

This report was prepared for the
United States Commission on International Religious Freedom
between May and August 2016.

MAY 2017

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The U.S. Commission on International Religious Freedom (USCIRF) is an independent, bipartisan U.S. federal government commission created by the 1998 International Religious Freedom Act (IRFA) that monitors the universal right to freedom of religion or belief abroad. USCIRF uses international standards to monitor violations of religious freedom or belief abroad and makes policy recommendations to the President, the Secretary of State, and Congress. USCIRF Commissioners are appointed by the President and Congressional leaders of both political parties. The Commission's work is supported by a professional, nonpartisan staff of regional subject matter experts. USCIRF is separate from the State Department, although the Department's Ambassador-at-Large for International Religious Freedom is a non-voting, *ex officio* Commissioner.

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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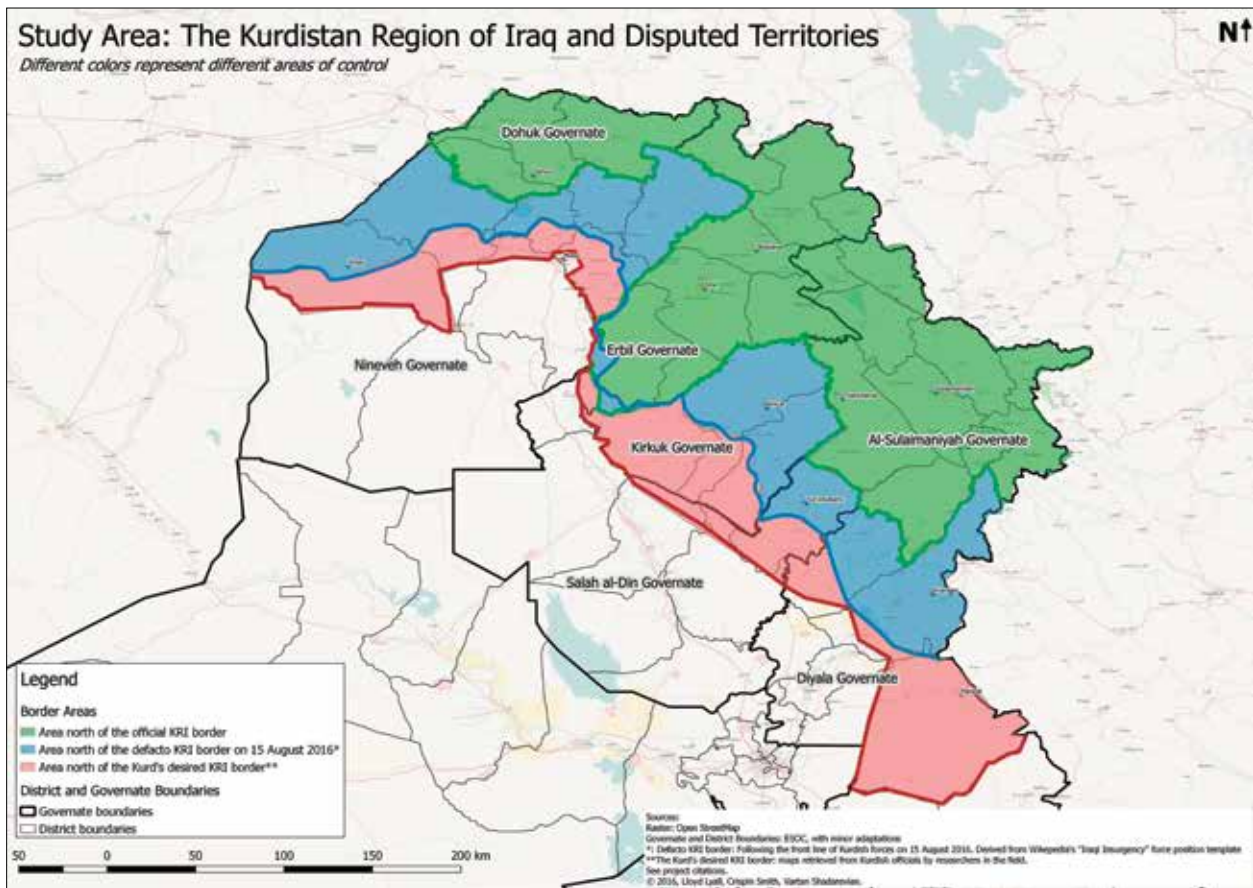
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Acronyms

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)



The following briefing paper is drawn from, and makes reference to a more extensive report, “*Wilting in the Kurdish Sun: The Hopes and Fears of Religious Minorities in Northern Iraq*,” which was commissioned by the United States Commission on International Religious Freedom (USCIRF) in 2016, and published in 2017. That report is based on in-region research and interviews with KRG officials, religious and political leaders, activists, and other experts. The majority of the research was conducted between May and September 2016. Refer to the full report (www.USCIRF.gov) for additional information and for specific sources and citations.

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 robust religious freedoms compared to those of its regional neighbors. Even so, troubling issues related to discrimination and even violence targeting ethnic and religious minorities exist within this haven, exacerbated by the KRI’s strained resources and security situation. These issues risk being overshadowed not only by the security situation in Iraq, but by the KRI’s successes relative to the wider region.

The KRI is home to considerable religious and ethnic diversity. That diversity is growing as internally displaced persons (IDPs) pour in, fleeing the fighting against the so-called Islamic State (ISIS). Over the last three years, Kurdish forces themselves have been at the forefront of the fight against ISIS, and have retaken or occupied large swathes of land, where both the federal government of Iraq in Baghdad and the Kurdish Regional Government (KRG) in Erbil have claimed control. Today, Sunni Arabs, Sunni and Shi’a Turkmen, Assyrian Christians, Yezidis, Kaka’i, Shabak, and others populate these “disputed territories,” now controlled by the KRG.

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, a collection of political militias which make up Northern Iraq’s unofficial security forces.

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 fully realizing their 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. 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 minority rights. 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.

Also of concern are alleged Kurdish policies in the disputed territories. Kurdish authorities, parties, and security services have been accused of attempting to “Kurdify” more ethnically diverse parts of the disputed

... *the Kurdistan Region of Iraq (KRI) has been a haven for minorities fleeing the turmoil and sectarian violence in the south of Iraq.*

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. Officials deny such a policy exists,

but a growing number of nongovernmental organizations, 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. Some are even targeted if they do not support or are critical of local Kurdish parties. This may be part of a strategy to entrench control of the disputed territories.

A number of specific issues affect minorities residing in the KRI or KRG-controlled territories. The Yezidi,

an ethnoreligious group that suffered enormously at the hands of ISIS in 2014, have faced discriminatory practices from authorities in Sinjar. Within the KRI, Yezidi 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 a sectarian conflict.

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.

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. The case of the KRI is of particular importance and urgency because

Should the KRI become independent in the near future, it will face economic uncertainty, hostile neighbors, and growing extremism.

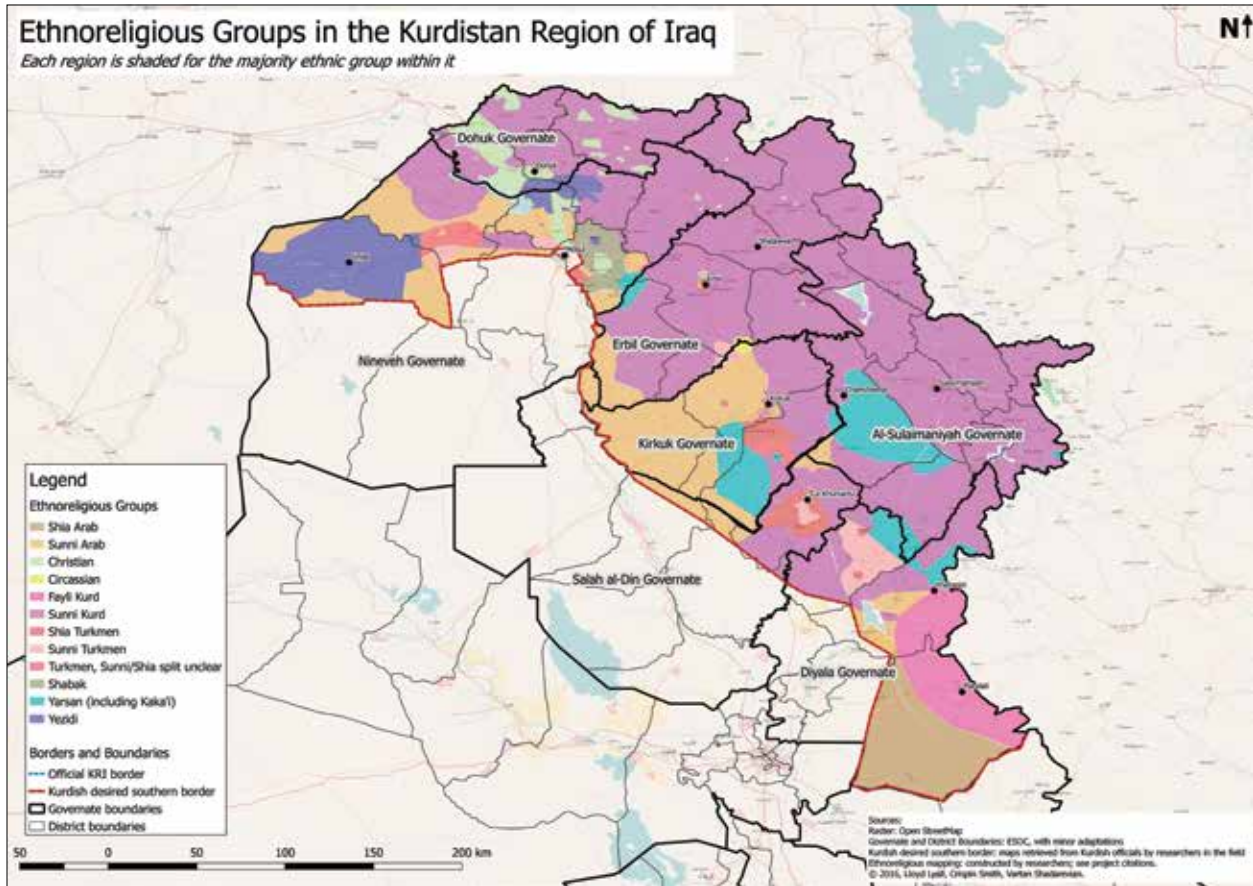
of growing calls for independence from Baghdad. The Kurdish president has called for a referendum as soon as possible, though it is unlikely that this will be held in the immediate future. Should the KRI become independent in the near future, it will face economic uncertainty, hostile neighbors, and 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 in Iraq, 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 and in anticipation of any possible moves toward creating a new state in the Middle East.

Kurdistan Region of Iraq: Background

- The KRI and disputed territories are home to increasingly diverse populations.
- Most of the KRI population is Kurdish and Sunni Muslim, but other major groups are present.

Kurds who adhere to Sunni Islam make up the majority of the KRI’s population. Indeed, the three main governorates of the region are overwhelmingly Sunni Kurdish. However, the KRI is also home to considerable religious and ethnoreligious diversity. Diversity is especially intense in those regions and territories where control is disputed between the federal government of Iraq in Baghdad and the Kurdish Regional Government in Erbil. The Nineveh plains, for example, 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.

Within this region, the KRG exercises considerable autonomy, and Baghdad's rule has little effect. The KRG makes its own laws, runs its own security services and judicial system, and is administratively responsible for all affairs within the region and for the well-being of the increasingly diverse population.

Since 2003 when many minority groups fled the instability and violence in Iraq's south, KRI diversity has become more pronounced. 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 the entire Yazidi community, Shi'a and Sunni Turkmen, Shabak, Kaka'i,

in addition to adherents to Zoroastrianism, and very small populations of Sabeen Mandeans and Baha'i.

Areas of Concern: Overview

- Compared with the situation in many of its regional neighbors, the KRI possesses a robust state of religious freedom.
- Even within the KRI, 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.

Although the KRI has a better track record for upholding religious freedom and minority rights than its neighbors, the KRI's success has been marred by a number of concerning trends in recent years. 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 unevenly, and sometimes ineffectually, enforced. This is particularly relevant since some political elements in the region are pushing for full independence from Baghdad. Such a move will likely put more pressure on the KRI, which already faces economic uncertainty, mass migration, and ongoing conflict with its regional neighbors.

Moreover, the KRG has moved 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. Some communities claim 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 its autonomy increases. 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 implemented effectively, religious freedoms and rights can be enshrined firmly in the law, in institutions, and in popular understanding. This will ensure that these values become an integral part of Kurdistan’s future.

Specific Issues

Systemic Biases

Minority religious groups and ethnoreligious groups face systemic discrimination against them. The Kurdish state and its society frequently favor ethnic Kurds over other groups. Individuals and groups from the Christian, Yezidi, Turkmen, and other communities have complained that opportunities and freedoms afforded to Sunni Kurds are not available to other religious and ethnic 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.

Nevertheless, meaningful inclusion remains elusive. This issue 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.

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Fear of the Sunni Majority

Christians and Yezidis both have expressed a deep fear of the Sunni Kurdish majority. Such fears are undoubtedly influenced by experiences of these minorities at the hands of ISIS. Members of these communities believe extremist Islamism is rising in the KRI and that their respective communities could be in danger if the government does not keep this growing movement in check. Christian leaders have 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 jeopardized should the authorities ever begin to appease the growing extremism in some mosques.

Security Forces

The Peshmerga are effectively, if not officially, Northern Iraq’s security forces. Individuals from the Yezidi, Shabak, Turkmen, and Christian communities independently told researchers that they do not believe the Peshmerga forces prioritize protecting non-Kurds to the same degree as Kurds and Kurdish political interests. The Peshmerga withdrawal from the Yezidi homeland of Sinjar when it was overrun by militants in 2014 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 forces have been slower to act to protect non-Kurds. In fact, their lack (or perceived lack) of neutrality and previous failures to protect have driven minorities to form their own militias. Such actions result in further militarizing Iraq.

Control of the Disputed Territories, and Allegations of “Kurdification”

“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.

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. Many of the disputed areas now 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). Several individuals interviewed for USCIRF’s report claimed that Peshmerga loyal to the Kurdistan Democratic Party (KDP) have been known to enter non-Kurdish villages and destroy property. In January 2016, Amnesty International published a report that identified several villages where civilian homes were destroyed or looted by Kurdish forces.

Other reports exist of displaced populations not being allowed to return to their homes. When put to ministers and KRG officials in interviews, their justifications for this policy amounted to various “security concerns.” However, a January 2017 Amnesty International report notes that in two majority Kurdish towns that were recaptured by Peshmerga forces, Kurdish residents have long returned to their homes. By contrast, Arab residents continue to be denied permission to return. A

second report by the Danish Refugee Council published in April cites regional experts who further supported these findings. These reports are corroborated by many of the interviews researchers held in the KRI while compiling USCIRF’s report.

RISKS

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 actions to hold territories it 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 Kurdistan Workers’ Party (Partiya Karkeren Kurdistan, PKK) (generally composed of Turkish Kurds), the Democratic Union Party (Partiya Yekitiya Demokrat)/People’s Protection Units (Yekineyen Parastina Gel) or 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. Such a conflict could also further erode regional stability.

The IDP Crisis and Treatment of IDPs

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 have led the KRG to raise concerns that it may struggle to adequately provide for all the IDPs in its territory.

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. An April 2016 Danish Refugee Council 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.

When it comes to Arabs, a general sense of suspicion prevails among many Kurds. This suspicion was alluded to by some officials interviewed for USCIRF's report, who asserted that Sunni Arabs generally approve of or support ISIS.

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RISKS

The Kurdish population has thus far been relatively tolerant toward the growing numbers of (non-Kurdish) IDPs. In a report from April 2016, the Danish Refugee Council cites interview subjects who claimed that self-sufficient IDPs face little discrimination, whereas discrimination against IDPs is more noticeable in areas where IDPs are poorer and more dependent on the KRG for basic needs. According to one interview subject in that report, because of all the IDPs living in informal settlements, "there is a sneaking xenophobia."

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.

- Although 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.

- Alleged 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 upholding 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 nongovernmental organizations 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.

The Treatment of Yazidis in the KRI

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 rapidly overrun by militants. Large segments of Iraq's Yazidi 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. 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.

Hatred has been fueled by a number of Kurdish Sunni clerics and academics, who have in some instances called for violence against [Yezidis].

Some Yezidis have struggled to gain recognition and acceptance of a separate “Yezidi” ethnic identity by the Kurdish authorities and the wider population. Kurdish authorities claim Yezidis are Kurds, or “original Kurds.” Some Yezidi leaders accept this categorization, but others elements in the community fiercely contest it. Those that do are frequently targeted by the authorities. 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 protect villages in Sinjar effectively, thus contributing to the rapid ISIS advance.

More recently, Kurdish authorities may have attempted to incite conflict among the Yezidi population residing within the KRI. A speech by the KRG president in May 2016 considered by some to be inflammatory was coupled with the extrajudicial killing of an unarmed Yezidi man by a KRG-affiliated Peshmerga unit. Those events and a rise in political violence and harassment against Yezidi IDPs left the Yezidi community in a state of panic.” In addition, Yezidi communities in Sinjar region of Iraq have been effectively under blockade by Kurdish forces, and freedom of movement for Yezidis is limited.

Underpinning all of these tensions is a five-way political conflict being played out in the Sinjar region

by the KDP, Patriotic Union of Kurdistan (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.

Since the completion of the main USCIRF report, additional allegations have arisen against the KRG. These include the continued economic and humanitarian blockade of the Yezidi area of Sinjar, in addition to the shutting down of Yezidi aid organizations and humanitarian providers. This has occurred despite increased attention to the issue from human rights organizations such as Human Rights Watch.

- 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 (at Lalish), which is located in Kurdish-controlled territory.
- Withdrawing protection (or threatening 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.

Disputes with Turkmen Groups

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. Turkmen have clashed with Kurds politically and at times militarily over control of Kirkuk city and governorate, and over Peshmerga control of disputed 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 of the governorate, even as Kurds move into the city and its environs in greater numbers.

... many Turkmen are concerned that they are being frozen out of the politics of the [Kirkuk] governorate.

Open conflict between the Peshmerga and Turkmen Shi'a militias broke out in Tuz Khurmatu (Sala-huddin governorate) last year. 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.

Each side blames the other for starting the fighting, which has 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. 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.

- 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.
- 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.

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. 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. 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. 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.

Effectively, two types of land appropriation exist. Significant portions of the claims are long-standing land ownership issues. Through the late 20th century, Assyrians were caught up in various regional uprisings and suppressions. As a result of these events, large portions of the population fled their homes and land, for which they continued to hold the deeds. Over time, Kurds moved in to the fallow land. Now Christians are returning with their deeds and attempting to reclaim lands or be compensated.

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. Seizures in the Nahla Valley have received particular attention; here, Christians allege 42 encroachments in the villages in recent years.

Christians attempting to protest have had their rights curtailed. Protests have been blocked and free-

dom of movement restricted. The decision by Kurdish authorities to deny Christians their right to assemble and peacefully demonstrate is concerning, as is the decision to restrict freedom of movement for all Christians. Prohibition of travel based on religious affiliation amounts to religious discrimination.

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. There is also 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.

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. Regardless of the reasons, this threatens the Iraqi Christian community's ability to survive in the region. 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.

- Christian lands have been appropriated by Kurds in Dohuk and Erbil governorates and on the Nineveh plains.
- 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 appropri-

ation 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 United States should monitor the issue closely to help local authorities reach a solution through a process that 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.

The Plight of Sunni Arabs

Sunni Arabs are uniquely vulnerable in northern Iraq and the KRI. The vast majority of IDPs displaced by the Islamic State are Sunni Arabs, and this group makes up the majority of those still trapped in the city of Mosul. Kurdish officials appear to view Sunni Arabs with particular suspicion, and reports abound of discriminatory practices aimed at Arabs attempting to flee fighting. In addition, Kurdish forces are believed to have specifically targeted and destroyed Arab homes in disputed territories. These actions further terrorize an already endangered population.

According to some estimates, displaced Sunni Arabs now constitute about 20 percent of the Kurdistan region's population. Most of these IDPs have been displaced by the actions of ISIS. Due to the dangers presented in other parts of the country, the KRI is a safer option for many families than fleeing south. 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. A deep-seated worry also persists that the immigrants' presence threatens to dilute the "Kurdishness" of the autonomous region. The memory of Saddam Hussein's "Arabization" policies makes Kurdish authorities especially wary 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 ethnoreligions equally.

Furthermore, Sunnis (specifically Sunni Arabs) face reprisals from communities affected by ISIS. As ISIS has been driven back in the disputed regions, Sunni Arabs have been targeted in revenge attacks. Having de facto control of these regions, the KRG must take measures to protect Sunnis from reprisals.

As ISIS has been driven back in the disputed regions, Sunni Arabs have been targeted in revenge attacks.

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. Over the course of 2016, a number of reports have been published outlining abuses by Peshmerga forces, including the destruction of Arab property and homes in disputed regions.

There is a need to protect members of all persecuted for their ethnicity and religious identity. Kurdish authorities must not be allowed to turn a blind eye to policies and practices that marginalize Sunni Arabs in northern Iraq, whether due to ethnic tensions, a fear of terrorism, or a desire for vengeance against ISIS. Mistreating Iraq's Sunni Arab population risks further fueling the ethnic grievances that have given rise to greater conflict and regional instability.

- Discriminatory policies aimed at Sunni Arabs from Iraq must end. Collectively punishing Sunni IDPs for the actions of ISIS must be avoided.
- The destruction of Sunni Arab property in the disputed territories must be stopped.
- Authorities must resist temptations to mistreat Sunni Arabs. Failing to do so risks reigniting ethnic tensions in the region and may contribute to extremist recruitment.

Future Concerns

Economics

The KRI has experienced an economic slowdown as a result of falling oil prices, regional instability, the fight against ISIS and resultant IDP crisis, and economic mismanagement. This has sparked underlying dissent, as public sector salaries have gone unpaid. Issues of religious freedom are strongly related to economic freedom and development. 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, and economic inequalities that persist across a country can be both the cause and the result of grievances that spillover into the political sphere and can threaten religious freedom. 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. This may also threaten local and regional security.

Econometric research undertaken for USCIRF's report on the Kurdistan Region of Iraq suggests inequalities are increasing between "Kurdish" areas of the region and "minority" areas. The research provides reinforcement to the interview-based evidence compiled in USCIRF's report concerning potential issues in Kurdistan's institutional structure that may work to disadvantage minority religious groups. Institutions that prevent—deliberately or not—individuals from attaining equal access to economic success on the basis of minority or religious status probably cannot be trusted to safeguard these groups from other, more clear-cut

infringements on 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.

Further, regardless of the accepted explanation for the relationship between minorities and economic growth, it is nonetheless salient that highly diverse areas, which are home to large numbers of religious and ethnic minorities, are stagnating economically. 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. If adherents of a minority religion in Kurdistan are left behind economically, it bodes poorly for their rights and freedoms, religious or otherwise.

Security

Finding solutions to issues surrounding minority rights and religious freedoms will be paramount for regional security. If the rights and freedoms of local communities and minorities are eroded in the KRI, the risk of sectarianism and violence becomes greater. The rise of ISIS was on some level precipitated by failures of regional governments and powers to address the grievances of Sunni Arab communities. These grievances included a perceived sense of indifference toward, or even discrimination against, Sunni Arabs, emanating from political and socioeconomic institutions in Iraq. If the KRI is to remain a beacon of comparative tolerance and security in a troubled region, it must continue to scrupulously address the needs of all of its populations, regardless of faith or ethnicity. Addressing religious freedoms and minority rights represents a way to partially diffuse existing tensions and security threats, while helping to counter the folklore of injustice that allows extremism and unrest to flourish.

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 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.

For more detailed information on the subject of minorities in the Kurdistan Region of Iraq, refer to the USCIRF’s full report:

Crispin Smith et. al., *Wilting in the Kurdish Sun: The Hopes and Fears of Religious Minorities in Northern Iraq*, U.S. Commission on International Religious Freedom (2017), www.USCIRF.gov.

This report is based on in-region research and interviews with KRG officials, religious and political leaders, activists, and other experts. The majority of the research was conducted between May and September 2016.

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