

Protection: the root cause of the lack of protection is the political parties

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Presentation by Pascale Warda

President of the Hammurabi Organization for Human Rights

Former Minister of Displacement and Migration

Definition of Protection

Protection means keeping danger away from human existence and from any subject matter of protection.

Physical protection is for a person to remain unscathed in his existence, meaning his body, his psyche, the place in which he or she lives and what he or she owns.

Moral protection is that which represents the preservation of heritage, language, culture, knowledge and traditions from the danger of external exposure and damage, caused by the environment and other [things], as well as by the factor of time as happens to historical sites, museums, intellectual property and so on.

Tools of protection

There are legitimate, agreed upon means to protect a human being, as an individual, a citizen or a[s part of a] group, from the loss of dignity. These means are considered tools whose institution is necessary, whether through democratic elections or in other ways imposed by regimes such as totalitarian regimes. These are legislation and implementation.

a) Legislation

- Local legislation: laws, regulations, and directives in line with the the practical necessities to preserve the individual and collective rights in an area, such as [in] a town, district or province.
- National legislation: the mechanisms enacted in the legislative council and made available everywhere in the country.

- Regional legislation: all resolutions, laws and provisions of any international mechanisms regarding the protection of human rights, which were or are enacted by the United Nations, starting with the Universal Declaration of Human Rights in 1948, treaties and conventions regarding the protection of human rights and concluding with the UN Security Council's resolutions with the purpose of preserving international security and peace and calling for the use of force as a last solution.

b) Implementation

- Local implementation: implementation of legal norms and directives regarding the management of the public interest, meaning the conveyance of rights to their owners on a local level in all places, where it is designated to be, counties, districts, and provinces or territories.
- National implementation: formulating policies and setting mechanisms in order to implement legislations at the national level after a vote of the legislative council. For example, make every effort to build strong and experienced security forces, bearing the responsibility of preserving security and peace in different regions of the country, such as the army, the police and the other intelligence services, and building institutions of all kinds, in order to manage people's affairs and preserve their dignity from the ferocity of poverty, exploitation, armed hostility and other [things]. In this sense we can talk about sovereignty.

*The Ninveveh Plains before the evils of
ISIS*



- Regional implementation: implementation of regional resolutions and legal norms on different local levels, such as the province within a single country or region in a specific geographic area, such as the European Union's agreement to protect human rights as one example, but not limited to it.
- International implementation: the implementation of international resolutions and legislations represented by international conventions and declarations concerning the protection of human rights, such as the Universal Declaration of Human rights, the International Covenants on the Protection of Economic, Social, and Cultural as well as Civil and Political Rights Political of 1966 and their optional protocols, the Declaration on the Rights of Persons Belonging to National or

Ethnic, Religious and Linguistic Minorities of 1992, and other United Nations provisions, which represent in one way or another an international authority, which can oblige states to [fulfil] their responsibilities towards their people. Hence the importance of the International Bill of Human Rights, which often remains weak in the implementation due to the failure of these international provisions on Human rights to gather the force of law in most countries of the world. Rather, it remains non-binding, which leads to a weak international position in front of the people, whether during periods of calm or war. After nearly a century of UN's international experience, this organization should take it upon itself more seriously to follow up on the field and [have] effective accountability not only [from] the main government of a member country, but also regional governments, which enjoy the advantages of the region in a particular state. International organizations were not endowed with the legal possibility of accountability nor given time limits for each situation. The traditionally known conduct, represented by certain penalties for a state disobeying the Security Council's resolutions, is not useful anymore, despite the success of the latter in imposing its resolutions in the case of the military intervention, which took place in Iraq in 2003 as an example, but not limited to it.

c) Judiciary

The judiciary is an authority adjudicating the disputes brought before them. It is the third power of the state and shares power with the legislative and executive body. It is responsible for interpreting the laws the Parliament enacted and their implementation by the government. It is responsible for the judges and the courts in the State and for the attainment of justice in the state, as well as it is responsible for the credibility of the laws in the state.

In other words the judiciary establishes justice and equality by implementing the terms of the constitutional laws in its various levels, in order to preserve the rights of every individual and group in society.

d) Supervisory authority

Supervisory authorities are many and differ from one country to the other among them the national [ones] such as the regulatory system adopted in Iraq. As an example [there is] the financial supervision, which at the end of the financial year oversees a yearly audit on the condition of expenses and the state budget spending in its precise details. There is also the impartial commission, which was established by the Americans after the change of the dictatorial regime and which was expanded to all government departments in order to implement control mechanisms, not only after the occurrence of corruption, but to

reduce it or prevent it. There are also other official regulatory tools such as the Human Rights Committee in parliament, the Ministry of Human Rights within the Executive Council, the Independent High Commission for Human Rights, the Human Rights commissions in institutions and departments of the state in addition to large numbers of non-governmental organizations, voluntarily continuing supervision and issuing annual reports, etc., in order to reduce or prevent the occurrence of violations of human rights.

e) Regional and international supervisory authority

This represents a number of competent organizations and committees, whether on financial control or on supervising the implementation of binding international provisions through periodic or annual reports, requiring the member states to follow up on the compliance of regimes to the norms of promoting, developing and safeguarding human rights. On the human rights level, we mention as an example the European Convention for the Protection of Human Rights, and on the international level the United Nations Human Rights Council, where the situation of human rights is monitored periodically on the field, independently from the incomplete official government reports, through shadow reports, which are issued by collectives of the countries' non-governmental organizations and by other means. But the reality is that the issue of deterrence and of representatives of the regimes taking responsibility remains very weak, which does not bring about a change in the mentality in regards to the normalization of the violations of peoples' human rights. This is worst when it comes to the nations with a small population and is vulnerable.



What causes the continuous increase of human rights violations, [which are becoming] more dangerous and brutal day after day?

The answer to this question needs to come in the first place from the narrow approach to political work and the ambition for power of every political party, especially those who are able to participate in different official authorities. These are often parties standing on the shoulders of sectarianism and nationalism far from a sense of citizenship, exerting different influences, especially sectarian and national extremism, in addition to internal and external personal relationships, through which political compromises are made at

the expense of communities and their issues. This is currently the case of the minorities in Iraq. These human populations agree among themselves which individuals will be provided to become the means of planning and building state institutions. Unfortunately, the practical reality of these means is that they become the first to turn a blind eye to legal norms, [even though] they might have personally participated in putting them in place. Thus, they prefer to circumvent them (legal rules) in any way for personal gains, including the twisted ones with the aim to increase personal and sectarian gains. Due to the normalization of the political culture of corruption and its dissemination through themselves, transmitting the infection to institutions of the state by imposing themselves, their relatives and their followers as representatives of the people in various institutions to secure their way. The strange thing about this state of affairs is that the regimes clearly pursue it, and especially in the states described as developing. Often they are not confronted with any constraint by the mentioned regulatory bodies. Not only [that], even if they were confronted with some constraints by the regulatory bodies, there are agreements, normalization and compliance that happen between operators in official decisions as is the case with the sorting of the elections' results in Iraq for example. Nobody denies systematic fraud, which is an affront and [means] engaging in the ugliest flagrant violations of the opinion of the people through the ballot box, which can cost them their lives because of the heightened danger surrounding them on their way to it. This leads to an adoption of what is prohibited by laws and required by the supervisory [authority] and justice. Days and years go by and the negative developments alter the 'contexts' considered acceptable not only in political, executive and legislative circles, but also in the judicial circle, whose duty it is to interpret the laws for the benefit of the public interest and not for the benefit of a specific authority. However, this state of affairs is not only caused by the deteriorating security situation and the continued targeting of judges and lawyers, but also by the existence of a part of the prevailing cultural heritage and promoting the dominant religious bias, which encourages biased scaling and alignment as a result of pressure exercised by armed partisan actors. The solution here might be a direct international supervision imposed by the international community more effectively than is the case now. These levels of protection tools were created for the protection of rights and not for their violation by the presence of security forces. Unfortunately, it is what we see today. On all these levels, especially at the national level there are blatant violations and most of them pass without any punishment of those in charge. This leads to their recurrence. The causes leading to the continuing violations throughout history are numerous despite the many means to avoid and fix them.

The Hammurabi Organization for Human Rights collaborated with the Ministry of Higher Education for the purpose of developing a University in Hamdaniya. In the center of St. Paulus and Qaraqosh the students are happy about the first Department of Geography, 2010.

1. The protection working towards preventing crimes is very weak for many reasons, including:

- The weakness of the government's performance and the lack of good governance upholding the above mentioned causes, which are very significant challenges, particularly for minorities.
- The lack of developing the freedom of real time monitoring and documentation which don't exist to start with. This due to the lack or poor performance of the competent independent means, such as non-governmental and international organizations, and even the governmental [organizations] considered independent, such as the High Commission for Human Rights, the High Electoral Commission and others.
- Lack of respect for national legislation and the non-application of international conventions in all their forms, such as the constitutional provisions and various laws for safeguarding human rights, whatever the circumstances a person is in, even in the event of imprisonment.
- Limited or lack of ability of interlacing the implementation of combined activities to deter the policies leading to a lower level of security, especially at the level of neighboring countries.
- The non-commitment of the state to implement international obligations indicating the weakness of the international authority and its inability to enforce international law.
- Persistence of regulations [based] on traditions and laws of the totalitarian dictatorship, and the discouragement of radical change and changes to the previous laws.
- The impact of controlled media and the absence of the role of ethnic and religious minorities by their continued displacement.

2. Protection during the occurrence of crimes

Even during the occurrence of criminal incidents such as wars at all internal or external levels, protection is required and it has tools not only legitimized through the current regime, rather through particular international law or international provisions such as the United Nations conventions, including the Geneva Conventions of 1949, which provides for the protection of victims during wars, whether they are soldiers, wounded, civilians or prisoners, and property; protection is required. Yet, not punishing the perpetrators of these crimes leads to their increase and worsening. We saw through the media how people of Yazidis, Christians and Shiites were slaughtered by ISIS in Mosul. What are the Geneva Conventions and basic international treaties in the field of international humanitarian law, if not legal means at the international level. They define the rules of protection of persons in situations of armed conflict, including soldiers from certain injuries, prisoners of war, but also civilians and their property, resorting to protection and treatment as the mechanisms of the UN High Commissioner for Refugees (UNHCR) in addition to the Red Cross and other relevant institutions. The first Geneva Convention dates back to 1864. However, provisions have been written after World War II applicable today. Seven provisions are being worked on at the moment. The four Geneva Conventions of 12 August 1949, and the ratified Additional Protocols of June 8, 1977, and the third Additional Protocol of 2005. The four Geneva Conventions are on a global level; this means that all the countries of the world agree to comply with them. Here international intervention has proven its legitimacy in more than one place in the world. Yes, international intervention has become inevitable in order to save innocent people, not only in situations of war, but also during the [phase] of reconstruction after the war. The example of Iraq is very clear in this regard. It will not be possible for the Iraqis to succeed in its reconstruction with all their resources, abundance in oil, and agricultural, industrial, touristic and human wealth, as the decision lies in restricted hands, which created for themselves a special status and immunity at the expense of the state, and they are not easily ousted by the people, not only because of the violence exercised against them, but also [due to] the presence of members of these parties in all administrative and legislative facilities, which try to pretend to apply directives, but say to those who do not have a [member of a] party or gunmen behind them, "you cannot get close to them." Violence has different forms.

3. Protection after the occurrence of crimes

After crimes have occurred, it is on the government to learn from the many lessons in order to restore the respect for the rights of a person, independent from the reasons and the type of destructive incidents the victim experienced. At the same time, compliance to the national and international legal tools is unavoidable to begin to rebuild the human being and the destroyed property, costing what it costs. In case

the state alone is unable [to do so], it can draw upon international cooperation by demanding direct support not [only] on the economic level, but also on the security level with international means and logistics to empower local agencies. Iraq is a perfect example of that. Iraq did not plan for the [re]construction and development after the regime change. This led it to fall into sectarianism after a century without political and economic stability, because of successive regimes unable to manage Iraq's wealth, the continuing war and the combination of Islamic religious and civil - meaning man-made - legislations .. All this created laws and a discriminatory spirit, which left its impact on the psyche of the citizen, and opened the field wide open to the promotion of political, administrative and financial corruption, and especially among those in [a position of] power of all kinds. Therefore, vulnerable nations, such as religious and ethnic minorities, face continuous danger due to the lack of planning for their protection in the midst of the absence of justice and peace in general. The lack of the freedoms of assembly and expression, complementary initiatives to partake in power and the numerous mass slaughters through invasions and repeated occupation of Iraq, made unarmed people called minorities constant targets and [made them] live under the pressure of the people in power in the different authorities, which is the reason for their internal displacement first and then [their emigration] to distant lands. The rest of them are still suffering a tragic situation and that is the case for Iraqis today. Christians, Yazidis, Turkmen, and Shabak live in a situation of genocide, which left its mark on their psyche, which cannot be treated, except by starting to find possible realistic practical mechanisms or through [the factor of] time. Protection practically [means] to challenge injustice and violations such as hunger, poverty, danger to the physical, moral and financial being in [all] their forms, and racial discrimination, etc. Therefore, the demands of the Iraqi minorities are currently summarized with the following quick and possible standards in order to restore what is possible of their squandered rights by violence, which has no comparison, especially against women, children and innocent people in general.

1. Provide sufficient and fast humanitarian aid to meet the need of the victims of ISIS, who have been uprooted from their houses by the operations of genocide without any belongings and which are now in the depth of a cold winter in the province of Iraqi Kurdistan and other regions. They are in dire need of fast temporary housing solutions compatible with preserving their dignity.



2. Clear out Mosul and the Nineveh Plains, Sinjar and the rest of the Iraqi areas under the conquest of ISIS and ease the return of Christians, Yazidis and others to their homes.
3. Provide international protection in the Nineveh Plain and Sinjar for a period of not less than 10 years, in which members of minority groups can be included as to protect themselves and their areas within all kinds of Iraqi security services. All [shall] be trained and armed for self-defense and the lost confidence in these forces [shall] be restored.
4. Compensate the victims favorably for all the harm that befell them. This can be made possible by the very rich Iraqi state and also by the international community, which to this moment has not performed its duty on the level of responsibility towards the wounded Iraqis from the ravages. [The latter] are innocent, especially the minorities, and in particular non-Muslim minorities like Christians and Yazidis, since they were unarmed and peaceful.
5. The area of the Nineveh plains [shall] become an internationally and Iraqi protected area with the participation of international forces to protect minorities, not only now from the evils of ISIS, but also from the reckless actions of those in charge of the security forces, which withdrew [from the area], whether this is the army in Mosul or the Kurdish militants in the Nineveh Plains. They have demonstrated a lack of national spirit and responsibility, as well as the weakness of the professionalism of these security forces. Emphasize the importance of governance in accordance with the rights' section of the Iraqi constitution. It is up to the United Nations to support the Iraqi minorities such as Christians and Yazidis in achieving safety in their historical areas with their effective involvement with international and local forces to make the area from the Nineveh Plains to Sinjar an autonomous region or a new province, according to available constitutional possibilities in the new constitution. This will support the security and economic strategies more adequately, as the annual budgets in regards to these regions will be spent on building stability in the region, ending discrimination and liberating enslaved Yazidi and Christian women.

Inquiry by Pascale Warda with one of the Yazidi survivors, survivor of enslavement.





6. Fast international recognition of the existence of the ongoing genocide since 1915 against Christians in particular, and Yazidis in general, around which there is still the silence of the failure of recognition of these crimes, despite them being crimes against humanity, which demands from the United Nation the issuing of a special resolution in this regard, but also from the European Union. [This] not only to support the victims and their families in recovering their rights, but also to work to prevent the recurrence of such criminal acts in other places in the world. Currently these ongoing crimes are against individuals as well as against the groups. The absence of accountability for the criminals make the Iraqi minorities continue to experience continuous genocides since 1915 in a way that cannot be pictured, except by those who experience these conditions. Hope is the door of relief.