



Contributions of the Republic of Iraq at the 14th Session of the Forum on Minority Issues

(Geneva: 2–3/12/2021)





Forum on Minority Issues/14th Session

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1 – Root causes of contemporary conflicts involving minorities

- Iraqi Constitution guarantees all the religious rights of all individuals to freedom of religious belief and practice, such as Christians, Yazidis, and Sabeen-Mandaeans. All religious components and sects in Iraq practise their legal rights regarding marriage and associated rites and are protected by law.
- Iraqi laws forbid inciting religious hatred that results in discrimination, hostility, or violence. Every effort is made to ensure full respect and protection of religious places, sites, shrines and symbols, and extra precautions are taken wherever these holy sites are at risk of desecration or vandalism.
- Iraqi laws guarantee the right of all persons to worship or assemble within the framework of religion or belief and to establish and run places necessary for these purposes, along with everyone's right to write, issue and distribute relevant publications in these areas in accordance with international human rights law. They fully respect and protect the freedom of all persons and members of components to establish and run religious, charitable or humanitarian institutions.
- In Chapter 2 'Rights and Rights' of Iraqi Constitution, Article 14 states, "Iraqis are equal before the law without discrimination based on gender, race, ethnicity, nationality, origin, color, religion, sect, belief or opinion, or economic or social



status”; in addition, Article 15 provides, “Every individual has the right to enjoy life, security and liberty. Deprivation or restriction of these rights is prohibited except in accordance with the law.”

- Regarding cultural rights, the people of the national and religious components have satellite channels in their own languages, such as the Kurds, Turkmen, Assyrians and Syriacs, in addition to publications of magazines and books.
- All educational curricula in Iraq are based on a civilized and humane perspective that opposes racial discrimination. The purpose of adopting such a perspective is to achieve equality and equal opportunities for all citizens, to eliminate gaps affecting minorities and religious communities and to create an educated, open-minded and aware generation that respects privacy and believes in acceptance of the other, in accordance with the principle and the rule of peaceful coexistence for all.

2– Legal and institutional framework: the human rights of minorities and conflict prevention

- The Iraqi Elections Law No. (9) of 2020 allocates a quota of nine (9) seats for the Iraqi ethnic components as an additional quota in the Iraqi parliament. These seats are split into five (5) seats for Christians, one (1) seat for Yazidis, one seat for the Sabian–Mandaeans, one seat (1) for Shabaks and one seat (1) for Faili Kurds, with candidates from these components retaining the right to compete for the remaining 320 seats.





- The draft Law on the Protection of Diversity and the Prevention of Discrimination was first read in the Iraqi parliament. It included justifications for why Iraq is a multi-ethnic, religious, sectarian and cultural country in order to preserve the heritage and to promote the principles of equal citizenship, understanding, social cohesion and build civil peace. Article (9) of the draft Law on the Protection of Diversity and the Prevention of Discrimination stipulates, “the State shall ensure that all necessary measures are taken to protect individuals and components from being subjected to intimidation, hatred or discrimination on the grounds of their national, ethnic, religious, sectarian or gender identity”.
- Iraqi government has enacted Law No. 58 of 2018 to regulate the endowments of the Iraqi components; the office dealing with those endowments was expanded and its name was changed to the Office of Christian, Yazidi and Sabeen Mandaean Endowments,
- In its Decision No. 92 of 2014, the Council of Ministers designated as genocide the suffering inflicted by ISIS terrorist groups on components of the Iraqi people, including Yazidis, Turkmen, Christians, Shabaks and other communities.
- The Supreme Judicial Council established specialized courts in each appellate region, charged with investigating crimes committed by ISIS against the components of the Iraqi people.
- Iraq, in cooperation with the Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD) established pursuant to Security Council Resolution No. 2379 of 2017, seeks to strengthen accountability and gather evidence for the crimes of ISIS against religious minorities.





3– Focusing on the rights of minorities and effective early prevention of conflicts

- Iraqi laws protect the rights of all components of the Iraqi people without exception or discrimination when applied and provide special protection for the rights of components.
- Under Iraqi law, no one subject to Iraqi jurisdiction may be denied the right to life, liberty or security of person on the ground of religion or belief or the expression or avowal of either. Similarly, no individual may be tortured, arrested, arbitrarily detained or deprived of the right to work, education or adequate housing. All those who violate these rights are brought to justice.
- The Media and Communications Commission, an independent body in Iraq, strives to consolidate the rules of free and independent media and develop its various channels, whether with regard to its own activities or through active participation in any media activities taking place on the Iraqi arena in a way that promotes the growth of both freedom of expression and free media. Given that freedom of expression is one of the fundamental requirements of a democratic system, the Commission is committed to fulfilling its duties with the principles of objectivity, transparency, non-discrimination, proportionality and due legal





processes. To guarantee everyone's rights, the Commission issued a number of regulations governing media broadcasting, along with general directives on accuracy and balance in news broadcasting as well as refrainment from inciting to violence and hate.

- According to security plans prepared in advance, the Iraqi government makes sure that all churches and other places of worship for religious and other ethnic groups are adequately protected. During the days leading up to Christmas and the New Year, additional security measures are taken to prevent terrorists and outlaws from carrying out their plans by attacking citizens, causing casualties among them, or interfering with ceremonies of their own religious rituals.
- Through its Human Rights Section, the Ministry of Education protects the rights of minorities by promoting tolerance and acceptance of others. The Ministry works with civil society organizations to carry out awareness activities through the country's educational satellite channel, the media, and poster campaigns. It furthermore organizes workshops and meetings with civil society organizations and associations concerned with minority rights, and builds the concept of those rights into the standard textbooks.
- The Ministry of Justice holds training workshops aimed at introducing the principles and concepts of human rights mechanisms. The High Commission for Human Rights and the Independent Commission for Human Rights in the Kurdistan Region strive to consolidate and enhance the values of human rights culture through organizing workshops, conferences, training programs and promoting publications.





- The Yazidi Supreme Spiritual Council manages the affairs of the Yazidis, and the Office of Baba Sheikh, the Yazidis' supreme religious authority, is a branch of it that manages their social and religious affairs.
- There are 27 Yazidi shrines in Nineveh and Dohuk.
- In addition, there are 11 mandis for the Sabeen Mandaeans.
- There are also thirteen (13) officially recognized Christian religious institutions, and for each denomination there are annexes of churches and monasteries.

4– Towards a lasting peace: positive initiatives to better protect the rights of minorities to prevent conflicts

- ISIS carried out a terrorist attack on Iraq in 2014, during which it gravely violated both international humanitarian law and human rights. The Iraqi government resettled the displaced to their areas of origin after their liberation and reconstruction. It also promoted social cohesion and reconciliation national reconciliation to support durable solutions for internally displaced persons.
- In its Decision No. 92 of 2014, the Council of Ministers designated as genocide the suffering inflicted by ISIS terrorist groups on components of the Iraqi people, including Yazidis, Turkmen, Christians, Shabaks and other communities.
- Iraq passed the Yazidi Survivors Law No. (8) of 2021, which recognizes the crimes committed by ISIS against women and girls from the Yazidi, Turkmen, Christian and Shabak minorities, including kidnapping, sexual slavery, forced marriage, pregnancy and abortion, as genocide and crimes against humanity.





The law provides compensation for the survivors, as well as measures to rehabilitate and reintegrate them into society and prevent such crimes in the future, and makes sure that the Iraqi government will further prosecute and hold the perpetrators accountable in accordance with Iraqi laws, and will continue its efforts to find out the fate of the remaining victims of the missing and kidnapped, in order to bring justice to the victims and hold the perpetrators accountable.

- The Iraqi government provided psychological rehabilitation for women and girls who were subjected to violations and assaults by the ISIS terrorist groups. Necessary assistance was also provided to the victims of women and girls who have been freed from the control of ISIS terrorist groups, as well as children who have been held captive by ISIS in order to physically and psychologically recover and integrate into the society.
- The Supreme Judicial Council has decided to form a special judicial body in Nineveh to investigate the terrorist crimes against Yazidis, to document the crimes that this group was subjected to, and prevent the accused from going free.
- The Nationality Law was consulted in order to address issue of the nationality of the surviving children, and the Yazidi religious authority was given responsibility over Yazidi religious affairs.
- In March 2018, the people of Nineveh Plains signed the document of peaceful coexistence. The document emphasizes national unity and the beginning of reconstruction as well as cleansing of souls. It provides for “criminalizing sectarianism and racism, rejecting the use of violence by ISIS, discarding hatred





and grudges, fostering social harmony and open-mindedness, eradicating ISIS presence from all aspects of daily life, and renouncing the crimes of forced displacement against all sects of Nineveh Plains, including Christians, Shabaks, Yazidis, Turkmen, Kaka'is, Kurds and Arabs.

