

**Expert Mechanism on the Rights of
Indigenous Peoples**
Council of Human Rights



2nd Session
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Switzerland – Geneva

Agenda **Item 4a**: Implementation of the Declaration at
the regional and national levels;

Date: 4 August, 2009
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Title: Urgent need to address Human Rights Abuses of Indigenous populations in Northern Iraq

Mr. President, Excellencies, Ladies and Gentlemen,

Iraq is currently facing a challenging chapter in its history. Establishing and enforcing rule of law, maintaining security and stability and ensuring the fundamental rights of its people, particularly the Indigenous peoples are protected are not easy tasks to achieve. Despite the relative stability established in northern Iraq, there remains a bleak human rights situation in the region that requires the urgent attention of the UN Human Rights Council.

Sectarian conflict, extreme nationalism and a lacking democratic norms have hampered the reconciliation process in Iraq, particularly in northern Iraq. A state of insecurity after occupation has led to a significant deterioration of human rights conditions of the indigenous populations of Iraq.

Northern Iraq is a country with a mosaic of multi-ethnic and multi-religious communities. It consists of Arabs, Kurds, Turkmen, Chaldea-Assyrians, Yazidis and Shabaks. The non-Kurdish communities make up the majority of the population. Following the invasion of Iraq, the region was ruled by occupation forces and Kurdish Peshmerga militias. The subsequent administration established in northern Iraq has been disproportionately dominated by Kurdish authorities¹. Non-Kurdish groups are consistently alienated from political dialogue, with demographic and electoral manipulation having resulted in increased Kurdish domination of the region².

The mass in-migration of Kurdish families to regions, which have been historically populated by Iraqi indigenous populations, resulted in the increased marginalization of non-Kurdish populations, including the Turkmen, as well as significant demographic changes in the region. The peoples have since been subjected to assimilation policies, targeted violence and harassment.

Reports continue to indicate that non-Kurdish communities, their politicians and activists are being suppressed, intimidated, arrested, abused and in some cases executed³. Some examples include:

Relating to those of Arab ethnicity, Dr. Sabri Aba Al-Jabbar, from Kerkuk, spoke out against Article 140 and was subsequently kidnapped and killed in late October 2007.⁴

Relating to the **Turkmen**, on 27 May 2009, Mr. Saleh Ibrahim was kidnapped by the security agents (Asayish) of KUP. He was exposed to severe torture before he was rescued. On 29 May 2009, Mr. Istabraq Yazaroglu's home in Taze Khurmatu was subjected to gun shots. Yazaroglu is deputy of the chief of Turkmen Student Union. He played important role in defending Mr. S. Ibrahim. On 1 June 2009, a Turkmen shop was shot by Kurdish police Colonel Abdullah Kadir and his guards. Four were severely injured, the condition of two of them was critical. On 14 May 2009, two Turkmen were shot in the city of Tuz Khurmatu. Mr. Alaa Sabir Mecid was killed and Mr. Abd al-Hadi Kalandar Shahbaz was injured.

Regarding the **Chaldeo-Assyrian** community, they are frequently exposed to attacks and intimidations in the areas where the Kurdish soldiers dominate.⁵

SOITM

Stichting Onderzoekcentrum Iraaks Turkmeense Mensenrechten
Kan Pelsstraat 56, 6525 VZ, Nijmegen, The Netherlands
Tel: 0031 (0)616262586
E-mail: soitm@chello.nl
Web site: www.turkmen.nl

The **Shabaks** of Nineveh face oblivion as a people, targeted politically by Kurdish authorities with claims on their land.⁶ Mr. Kadhim Abbas, from Shabak minority, who was a fierce opponent of the recent demographic changes in Mosul, was killed at July 13th, 2008.⁷

Yazidi politicians who are disloyal to the Kurdish authorities are unable to visit their constituencies for fear of assassination. Many Yazidi politicians and activists have been arrested, persecuted and intimidated. Relatives of the Yazidi activists out of Iraq are arrested and intimidated.⁸

These brutal actions go un-investigated and un-challenged by Iraqi Government authorities, United Nation Office and International human rights organizations. As such we are asking the United Nations to increase their attention and action against human rights abuses in northern Iraq.

Mr. President, while we recognize the harsh challenge of monitoring human rights in current-day Iraq it should be said that it is vital to remain vigilant about human rights situations when peace and stability are at their worst. Therefore in view of the above stated information, we urge the UN Human Rights Council to:

- Increase its monitoring of the human rights situation in northern Iraq, including:
 - increased communication and bilateral cooperation between the Office of the High Commissioner for Human Rights and Iraq;
 - establishment of UNAMI offices in Mosul city, Nineveh plain, Tuz Khurmatu, Khanaqin and Mendeli regions
- Call upon all relevant Special Procedures Mandate Holders to include the following concerns when reporting back to the UN Human Rights Council in relation to the situation in Iraq:
 - Adequate representation of all ethnic and minority groups in regional administrations;
 - Impartiality of all police and military bodies in northern Iraq;
 - Adequate consideration for all concerns brought forward by relevant stakeholders, including all ethnic groups such as the Turkmen, Chaldea-Assyrians, Yazidis, Shabaks and Arabs.

¹ SOITM report entitled "US-made Kerkuk City Council decides once again in favor of the Kurds", <http://members.lycos.nl/soitum/USA-madeKCP.pdf>

² "Letter of a Group of 12 Iraqi Community Leaders", <http://members.lycos.nl/soitum/ThBa1.pdf> and, Iraqi Turkmen Front Elections Committee, http://www.turkmen.nl/1A_soitm/ITFEC.doc

³ Shamiran Mako, "The Current Situation of the Indigenous Assyrians of Iraq" http://www2.ohchr.org/english/issues/minorities/docs/11/Assyrian_3a.doc

⁴ Aljeeran, website of the association of Iraq and Kuwait, "Ignored by Kurdish political parties, the inhabitants of the Kerkuk attends the condolence ceremony of Abd al-Sattar Tahir Sharif", 7 March 2008, http://www.aljeeran.net/wesima_articles/reports-20080307-98907.html

⁵ Assyrian International News Agency, "Kurdish Involvement Suspected in Attacks on Assyrians in Mosul", 10-17-2008, <http://www.aina.org/releases/20081017000537.htm>

⁶ BBC interview with Hunain al-Qaddo, "Crushing Iraq's human mosaic", July 2007, http://news.bbc.co.uk/2/hi/middle_east/6293230.stm

⁷ SOITM Foundation, "To the international community: The Iraqi people are in severe need of your help", 13 July 2008, http://www.turkmen.nl/1A_soitm/PR.20-G1308a.doc

⁸ SOITM Foundation, "Kurdish authorities and Iraqi Indigenous populations: the suppression of Iraqi Yazidis", 27 October 2008, http://www.turkmen.nl/1A_soitm/Rep.29-J2708.doc

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