OTMAR OEHRING

CHRISTIANS AND YAZIDIS IN IRAQ:
CURRENT SITUATION AND PROSPECTS

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Cover photo: © Ibrahim Shaba Lallo, Qaraqosh

(currently Ashti Camp, Ankawa, Autonomous Region of Kurdistan)

Caption of cover photo:

Vertically: We work together Horizontally: We are proud Diagonally: We love, we forgive

The three Arabic characters, starting with \dot{o} (nun), stand for Nazara (Christ).

The black IS flag bears the words:
There is no God but Allah
Allah
Prophet
Mohammed
Islamic State in Iraq and As-Sham (i.e. Syria)

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- The military campaign to recapture or liberate Mosul may offer Christians and Yazidis
 the chance to return to their traditional settlement areas in the Nineveh Plains and
 Sinjar District.
- However, a return to these territories is only realistic if a number of other conditions are met.
- Given the extensive destruction of privately-owned buildings and public infrastructure in the area, it would be unrealistic to expect a return unless they are rebuilt.
- Moreover, reconstruction and the population's subsequent return to their original settlement areas urgently require the provision of security guarantees for the future. However, such guarantees can only be provided if there are no further conflicts.
- The smouldering conflict between Baghdad and Erbil over "disputed areas" might well soon turn into an open conflict in which the respective parties can be sure of support from their "protecting powers", Iran and Turkey.
- Another smouldering conflict is threatening to erupt in the traditional Yazidi settlement area in Sinjar District because of disagreement between the Kurdish Peshmerga and the PKK – again involving not only Erbil and Baghdad, but also Ankara and Teheran.
- Further conflicts may galvanise Iran and Turkey into defending their interests as regional stakeholders in northern Iraq.
- Conflicts with ethnic minorities such as the Shabak people have been looming over the Christian settlements in the Nineveh Plains for quite a while now, but they are of minor significance.
- Unless these looming and smouldering conflicts are resolved peacefully, there are unlikely to be any genuine security guarantees for Christians wishing to return to the Nineveh Plains or for Yazidis wishing to resettle in Sinjar District.
- If conditions for the Christians and Yazidis do not improve significantly, thus giving them a realistic prospect of returning to their traditional homelands, there is every likelihood that they will soon leave Iraq.

1. Introduction

The invasion of Iraq in 2003 was a political turning point for non-Muslim minorities and the beginning of their decline in Iraq; indeed, it may well mark the end of their presence in the country. Sadly, this is a fate which has already befallen the Sabian Mandaeans. The number of Christians has also decreased substantially in Iraq. As a consequence Christian life may well disappear entirely from the country unless circumstances improve, offering the Christians better prospects. The same applies to the Yazidis. Both groups hope that the military campaign to recapture Mosul, launched in October 2016, will be brought to a successful conclusion and thus enable them to return to their settlements in the Nineveh Plains and the Sinjar District, which were captured by the IS in the summer of 2014. However, it is a matter of debate whether a military victory over the IS and the recapture of Mosul will provide sufficient grounds for Christians and Yazidis to return to their traditional settlements, as they hope to do, and so remain in Iraq.

The following description of the legal and political conditions represents an attempt to provide an answer to this question.

2. Legal framework

2.1 International law

The International Covenant on Civil and Political Rights (ICCPR) of 16 December 1966 came into force¹ on 23 March 1976 under Article 49 of the Covenant and was joined by the Republic of Iraq on 25 January 1971.² Article 18 of the ICCPR contains a definition of religious freedom which is binding upon Iraq under international law:

- (1) Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
- (2) No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.
- (3) Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.
- (4) The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.
- (5) The Republic of Iraq has not so far joined the Optional Protocol of 16 December 1966 on the right of individual petition, which also came into force on 23 March 1976; this allows individuals to submit complaints to the Human Rights Committee of the United Nations.³

2.2 National law

Iraq as it was under Saddam Hussein has often been misleadingly described as a secular state. The country's 1970 Constitution⁴ is contradictory in this respect. Article 1 mentions the "build-up of the socialist system" as a fundamental aim of the state, whereas Article 4 claims that "Islam is the religion of the State", and Article 25 says: "Freedom of religion, faith, and the exercise of religious rites, is guaranteed, in accordance with the rules of constitution and laws and in compliance with morals and public order." Irrespective of whether any further consideration of the constitution rests on "the build-up of the socialist system" as one of the fundamental aims of the state or on Islam as the "religion of the State", it is evident that religious freedom pursuant to Article 18 of the International Covenant on Civil and Political Rights (ICCPR) was neither intended nor achieved. That said, it is true that Christian churches and individual Christians did enjoy considerable room for manoeuvre, provided they limited their activities strictly to the practice of their faith. To all intents and purposes this remained the case after 1993 when, under the leadership of Izzat Ibrahim al-Duuri⁵, the Deputy Chairman of the Iraqi Revolutionary Command Council launched a Return to Faith Campaign.⁶

The national legal framework changed when the 2005 Constitution was adopted on 15 October 2005:⁷

Article 2 Religion and Democracy

- (1) Islam is the official religion of the State and is a foundation source of legislation:
 - (a) No law may be enacted that contradicts the established provisions of Islam
 - (b) No law may be enacted that contradicts the principles of democracy
 - (c) No law may be enacted that contradicts the rights and basic freedoms stipulated in this Constitution.
- (2) This Constitution guarantees the Islamic identity of the majority of the Iraqi people and guarantees the full religious rights to freedom of religious belief and practice of all individuals such as Christians, Yazidis, and Mandean Sabeans.

Article 41 Personal status

Iraqis are free in their commitment to their personal status according to their religion, sect, belief, or choice, and this shall be regulated by law.

Article 42 Freedom of thought, conscience and belief Each individual shall have the freedom of thought, conscience, and belief.

Article 43 Freedom of religion

- (1) The followers of all religions and sects are free in the:
 - (a) Practice of religious rites, including the Husseini rituals.
 - (b) Management of religious endowments (waqf), their affairs, and their religious institutions, and this shall be regulated by law.
- (2) The State shall guarantee freedom of worship and the protection of places of worship.

Saad N. Jawad⁸ from the London School of Economics comments that "Article 2 (1) (a) renders meaningless all the positive aspects mentioned in Chapter Two (Liberties), Articles 14-46. In reality, in everyday practice and in view of the domination of religious parties, institutions and figures any liberty can be revoked if a religious institution claims that it contradicts Islamic beliefs, as we have seen in many Middle Eastern countries." He goes on to say that sectarian affiliations were never mentioned in any Iraqi constitution prior to 2005, as the aim of previous governments had been to strengthen the sense of single identity. The 2005 Constitution, by contrast, mentions sects at least twice (in Articles 41 and 43) as well as in the preamble. Article 43 goes so far as to mention one sect's specific practices in affirming the freedom of 'practice of religious rites, including the Husseini (Shiite) rituals'.

Commenting on Article 41 (Personal status), Saad N. Jawad says: "Article 41, which in line with this sectarian-conservative religious stance permits the re-establishment of Shia and Sunni personal status courts, is no less disturbing. In addressing their personal status it classifies Iraqis by religious sect or belief, a problem that the legislation passed from 1959 on managed to avoid by means of a uniform [secular] personal status law."

A comparison of the 1970 and 2005 constitutions shows that Iraq remains a non-secular state. Moreover, Iraq still has no religious freedom, but merely freedom of religion and worship.

No secular state, no guarantee of religious freedom

When it comes to the future prospects for non-Muslim minorities in Iraq, however, a comparison of their actual living conditions is more revealing.

- 1| http://www.ohchr.org/Documents/ProfessionalInterest/ccpr.pdf
- 2| The Republic of Iraq signed the ICCPR as early as 18 February 1969. https://treaties. un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-4&chapter=4&clang=_en#EndDec
- 3| Optional Protocol to the International Covenant on Civil and Political Rights, New York, 16 December 1966 https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-5&chapter=4&clang=_en, in English: https://treaties.un.org/doc/Publication/UNTS/Volume%20999/v999.pdf from page 171
- 4| http://www.hrcr.org/hottopics/statute/scans/iraq1.pdf
- 5| https://en.wikipedia.org/wiki/Izzat_Ibrahim_al-Douri
- 6| In Arabic: al-Hamlah al-Imaniyyah https://en.wikipedia.org/wiki/Faith_campaign
- http://www.iraqinationality.gov.iq/attach/iraqi_constitution.pdf (official government site, but without the complete text of the Constitution); http://zaidalali.com/resources/constitution-of-iraq/ (unofficial, but a complete translation of the Constitution); a critical evaluation with suggested amendments can be found in: Iraq's Permanent Constitution (March 2006), Analysis and Recommendations, (revised in March 2006), United States Commission on International Religious Freedom http://www.uscirf.gov/reports-briefs/special-reports/ iraqs-permanent-constitution-march-2006
- 8| http://www.lse.ac.uk/middleEastCentre/people/SaadJawad.aspx
- 9| Saad N. Jawad, The Iraqi Constitution: Structural Flaws and Political Implications, LSE Middle East Centre
 Paper Series, 1 November 2013 http://www.lse.ac.uk/middleEastCentre/publications/PaperSeries/SaadJawad.pdf

3. Reduced scope for non-Muslim minorities after 2003

Although the 1970 Constitution did not provide for religious freedom, as defined in Article 18 of the ICCPR, and non-Muslim minorities were subject to many restrictions, they nevertheless had considerable scope in the practice of their faith, as long as they left it at that. After 2003, however, and especially since 2005, this room for manoeuvre has steadily shrunk. On 22 October 2016, for instance, the Iraqi parliament passed an act of law banning the production, import and sale of alcohol and alcoholic beverages. Any violation of this law incurs a fine of 10 to 25 million Iraqi dinars (around US\$8,000 to 10,000). The legality of this law was subsequently questioned by the well-known Christian Member of Parliament, Yonadam Kanna. He announced that he would be appealing against it in a federal court on the grounds of Article 2 of the Iraqi constitution, which guarantees everyone's right to freedom of religious belief and practice. The supporters of the new act, on the other hand, pointed out that Article 2 guarantees the Islamic identity of Iraq's majority, stipulating that no laws must be passed which are in conflict with the provisions of Islam.¹

It is, of course, arguable whether the new act limits religious freedom. Irrespective of that, it does impose massive restrictions on Christians, Yazidis and Sabian Mandaeans who sell spirits, since it affects their choice of livelihood and effectively leads to their financial ruin. The law was immediately implemented in all Iraqi governorates under central government control. Anyone contravening the law must expect a heavy fine. In some cases people have even lost their lives. On 27 October 2016, for example, a Christian spirits merchant was killed² and on 23 December 2016 eight Assyrian and one Yazidi employee were killed in a bomb attack on a spirits shop on Maysalon Square in the Shiite-controlled Al Ghadeer district of Baghdad.³ It was a sad reminder of the many similar cases perpetrated by Al Qaeda between 2006 and 2009.

So far the act has not been implemented in the Autonomous Region of Kurdistan (ARK). Before 2010, Ankawa – a Christian town next to Erbil, the capital of the ARK – had over 85 spirits shops. These retail outlets apparently served not only the town's native Christian population of 30,000⁴, but above all the Muslim population of the neighbouring city of Erbil, which has no spirits shops at all.⁵

In another example, Kufa University⁶ reports that female students have been banned from using make-up and carrying handbags on the grounds that such practices are *haram*, i.e. forbidden under Islamic law. Christian girls – and indeed others – see this as a massive restriction.⁷

The Chaldean Auxiliary Bishop, Shlemun Wardouni, reports even more serious oppression, as Christians and Yazidis as well as Muslims are being expelled from their homes and shops by criminals who take possession of their properties and sell them to others. The police, he says, are paying insufficient attention to such cases. Admittedly, the criminals involved – who include Shiite militias – have the support of certain institutions, including the state of Iran.⁸ At the same time there is brisk trade in properties abandoned by Christians several years ago when the overall situation forced them to leave Baghdad in a hurry and they were unable to sell their homes and shops beforehand. In such cases, property sellers conduct their business on the pretext of acting as intermediaries on behalf of the original owners. There are also cases in which the same properties are sold by criminals several times. If the legitimate owners try to sell

their properties on the market at some later date, they discover that they are no longer in possession of them.⁹

3.1 Drastic decline in the non-Muslim minorities' share of the population

The drastic decline of non-Muslim minorities among Iraq's population is partly related to general developments in the country. Between 2006 and 2010, in particular, numerous acts of terror were committed by radical Islamic groups such as Al Qaeda. This had a major impact on non-Muslim minorities and led to a massive exodus, particularly of Christians and Sabian Mandaeans.

Figures on the number of Christians in Iraq differ widely. In 1980 they were said to constitute 10.25%, 8.5% or as little as 7.4% of the Iraqi population. By 2003 their numbers had allegedly dwindled to a mere 3.1%, and at the end of 2015 Iraqi bishops believed the number of Christians remaining in Iraq might well have declined to just 200,000 or perhaps even less (see 11.1 Demographics: Christians in Iraq). Similar developments apply as regards the number of Iraqi Mandaeans, of whom there were still about 50,000 in the early 1990s. By 2009, however, at least 85% of Mandaeans had left the country, leaving behind just 3,500 to 4,000. The US State Department estimated in its Religious Freedom Report (2014) that the number of Mandaeans still living in Iraq at that time must have dropped to between 1,000 and 2,000. The US Mandaeans still living in Iraq at that time must have dropped to between 1,000 and 2,000.

The drastic fall in the numbers of Christians and Mandaeans, in particular after 2003, was related in part to the strong presence of both minorities in certain urban conglomerations, such as Baghdad. After 2003, these areas experienced a steady and massive increase in violent attacks on non-Muslim minorities with large numbers of casualties.

The Yazidis, on the other hand, remained for the most part in their traditional settlement areas right up to the very last moment, i.e. in Sinjar and Shekhan Districts in the Governorate of Ninawa in north-western Iraq. Even there, however, they were not spared the terror of Al Qaeda. On 14 August 2007 four trucks laden with explosives were blown up in the Yazidi villages of Siba Sheikh Khidir and Qataniya (Til Ezer). This left 796 dead and 1,562 injured, many of them seriously, and almost completely destroyed the two villages.¹²

In subsequent years the whole of Iraq was affected by the military campaigns of the IS, when it took the cities of Fallujah and Ramadi in the Governorate of Al Anbar at the turn of 2013/2014 and then, in the summer of 2014, Mosul and the former Christian settlement areas in the Nineveh Plains as well as Yazidi areas in Sinjar District. The extremely violent IS attacks on Christians in the Nineveh Plains and on Yazidis in Sinjar District as part of the IS military campaigns were described as genocide by the United Nations Special Rapporteur for Human Rights¹³ and the European Parliament.¹⁴

During the IS campaigns the Yazidis and Christians fled to the Autonomous Region of Kurdistan; many have left Iraq since then.

3.2 Changes in Baghdad's religious power structure

After the fall of Saddam Hussein's regime the future prospects of the Christians – and not just the Christians – were influenced by a major reversal in Baghdad's religious power structure. Saddam Hussein – himself a Sunni – and his regime were supported by the smaller of the two major ethnic and religious groups, Sunni Muslims, who are estimated to make up approximately 17% of the population. Today, however, the country's central government is backed by Iraq's majority Shiites, who account for 58% to 63% of the population. Whereas Saddam Hussein curried favour with the Christians, integrating them into his power structure in order to consolidate his political power but without really giving them much of a say, today's Shiitedominated governments do not require the support of Christians or, indeed, of any other non-Muslim minorities.

Saddam Hussein used Sunnis as his powerbase.

Today's government, on the other hand, relies on Shiites.

Another feature is the representation of non-Muslim minorities by their own MPs in the Iraqi parliament. Whereas there were 275 seats to be filled in the parliamentary elections on 15 December 2005, that number subsequently swelled to 325 for the elections on 7 March 2010 and then to 328 on 30 April 2014. In each of the three elections eight seats were reserved for representatives of non-Muslim religious communities, five for Christians and one each for Yazidis, Sabian Mandaeans and the Shabaks.¹⁵

Yazidis, Sabian Mandaeans and Shabaks are of no political relevance

Christians, too, are politically irrelevant

The relative powerlessness of the Yazidi, Sabian Mandaean and Shabak MPs in the Iraqi parliament is due to the fact that they each represent their individual group on their own and cannot normally assume that they will be needed at some stage to "tip the scales" in one direction or another. That would most likely apply in the case of the five Christian MPs, but to do so they would need to present a united front. In fact, there is a sizeable number of "Christian" parties which have joined different electoral lists at the level of the governorates, regions (e.g. the Autonomous Region of Kurdistan) and the Council of Representatives, i.e. the Iraqi parliament. Independent candidates have also stood at all the various elections. At the governorate representative assembly elections on 31 January 2009, for instance, the candidates of eight Christian parties stood on three different lists. Elections to the regional parliament of the Autonomous Region of Kurdistan on 25 July 2009 saw six Christian parties included on four lists, while elections to the Council of Representatives on 30 April 2014 had seven Christian parties on five lists - plus two independent Christian candidates. Seats in the Council of Representatives were taken by two candidates of the National Rafidain List¹⁶, two candidates of the Assyrian Democratic Movement¹⁷, two candidates of the Chaldean Syriac Assyrian Popular Council¹⁸ and one candidate of the Iraqi Communist Party¹⁹ standing on the Democratic Uruk List.²⁰ In view of all this, the only way Christian MPs might achieve something for their own voters would be to join an electoral alliance with a governing party, as various Christian parties

did with the ruling Kurdish Democratic Party (KDP) in the elections to the Kurdish regional parliament.²¹ Inevitably, this will only bring dividends if – at the decisive moment at least – their Christian interests coincide with those of the other party in the alliance.

- 1| Iraq embraces prohibition as parliament slaps ban on alcohol, alaraby, 23 October 2016, https://www.alaraby.co.uk/english/society/2016/10/23/iraq-embraces-prohibition-as-parliamentslaps-ban-on-alcohol
- 2| Interview with a Christian journalist, Ankawa, 28 October 2016
- 3| 23 December 2016, Terror targets and kills 8 Assyrians and 1 Yazidi, in the Shia militia "protected" district of Baghdad, NEAR EAST CENTER, 24 Dec. 2016 https://nec-se.com/2016/12/24/23-dec-16-terror-targets-and-kills-8-assyrians-and-1-yazidi-in-the-shia-militia-protected-district-of-baghdad/
- 4| After the IS overran Christian settlements in the Nineveh Plains in summer 2014, the population of Ankawa rose to approximately 100,000 through the influx of refugees.
- 5| Interview with a Christian journalist, Ankawa, 28 October 2016
- 6| Kufa, town, approx. 170 km south of Baghdad, 10 km north-east of Najaf. One of five towns in Iraq which are of major significance for Shiites.
- 7| Interview with a Christian journalist, Ankawa, 28 October 2016
- 8| Auxiliary Bishop of Baghdad: Christian properties targeted by criminals, government and police weak,
 AsiaNews.it, 2 September 2016 http://www.asianews.it/news-en/Auxiliary-Bishop-of-Baghdad:-Christianproperties-targeted-by-criminals,-government-and-police-weak-36635.html
- 9| Interview with a Christian journalist, Ankawa, 28 October 2016
- 10| Mandaean Human Rights Annual Report, November 2009 http://www.genocidewatch.org/images/Syria_09_11_xx_Mandaean_human_rights_annual_report.pdf
- 11| US State Department, International Religious Freedom Report for 2014, Iraq, Section 1: Religious Demography, 14 October 2015, http://www.state.gov/j/drl/rls/irf/2014/nea/238456.htm
- 12| Michael Howard, "They won't stop until we are all wiped out", The Guardian, 18 August 2007 https://www.theguardian.com/world/2007/aug/18/iraq.topstories3
- Report of the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Iraq in the light of abuses committed by so-called Islamic State in Iraq and the Levant and associated groups, A/HRC/28/18, 13 March 2015 http://docs.dpaq.de/8711-ohchr_report_iraq_-__18.03.2015_embargoed.pdf
- European Parliament 2014-2019, P8_TA(2016)0051 Systematic mass murder of religious minorities by ISIS:

 European Parliament resolution of 4 February 2016 on the systematic mass murder of religious minorities by the so-called 'ISIS/Daesh' (2016/2529(RSP)) http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P8-TA-2016-0051+0+DOC+PDF+VO//EN
- Distribution of parliamentary seats in the 18 governorates of Iraq Baghdad Governorate: 71 seats, including one seat for Christians and one for Sabian Mandaeans; Dohuk Governorate: 11 seats, including one seat for Christians; Erbil Governorate: 15 seats, including one seat for Christians; Kirkuk Governorate: 14 seats, including one seat for Christians; Ninawa Governorate: 35 seats, including one seat each for Christians, Yazidis and Sabian Mandaeans. http://www.ipu.org/parline-e/reports/arc/2151_10.htm
- 16| https://en.wikipedia.org/wiki/National_Rafidain_List
- 17| https://en.wikipedia.org/wiki/Assyrian_Democratic_Movement
- 18| https://en.wikipedia.org/wiki/Chaldean_Syriac_Assyrian_Popular_Council
- 19| https://en.wikipedia.org/wiki/Iraqi_Communist_Party
- 20| https://en.wikipedia.org/wiki/Assyrian_politics_in_Iraq
- The party goes under the name of Kurdistan Democratic Party (KDP) and Democratic Party of Kurdistan (DPK). It is the party of the ARK President, Masoud Barzani, and the ARK Prime Minister, Necirvan Barzani (https://en.wikipedia.org/wiki/Kurdistan_Democratic_Party)

4. Crucial for the future of Iraq: the recapture of Mosul

After a long period of preparation and several announcements, a campaign was launched on 16 October 2016 to retake territories in the Nineveh Plains and the city of Mosul, which had been conquered by the IS in the summer of 2014. The operations involved the Iraqi army, allied Shiite militias, the Kurdish Peshmerga, Christian, Yazidi and Turkmen militias as well as fighters from the Kurdistan Workers' Party (PKK)¹ and its allies. They were supported by special units and the air forces of several countries involved in the fight against the IS, including the United States, the UK and France.² Just five days after the beginning of the campaign the IS launched a surprise attack on the town of Kirkuk, some 175 km south-east of Mosul, but this was stopped within a matter of days.

Several Christian towns and villages in the Nineveh Plains east of Mosul were recaptured by the end of October and, as the campaign continued, further towns and villages east of Mosul were retaken, as was eventually the eastern part of Mosul itself. The recapture of western Mosul has begun, but will take some time due to the many narrow streets and alleys that make it easier for the IS to defend itself and more difficult for the attackers to advance.

However, the campaign to retake Mosul is not just a matter of capturing the city itself, but of regaining the entire governorate, of which Mosul is the provincial capital. Mosul has several million inhabitants and is the capital of the Iraqi Governorate of Ninawa³ with its nine districts: Akrê⁴, Al-Ba'aj,⁵ Al-Hamdaniya,⁶ Hatra,⁷ Mosul,⁸ Sheikhan,⁹ Sinjar¹⁰, Tal Afar¹¹ and Tilkaif¹².¹³

The districts of Al-Hamdaniya in the north-east and Tilkaif north of Mosul were mostly inhabited by Christians before the summer of 2014. Meanwhile, the districts of Sinjar, west of Mosul, and Shekhan, north-east of Mosul, were mostly home to Yazidis before the summer of 2014; the district of Tal Afar consisted mainly of Turkmens, while the districts of Al Ba'aj and Hatra and the provincial capital Mosul were mainly inhabited by Sunni Arabs and the district of Akrê mostly by Kurds.

4.1 Capture of Mosul by the IS in June 2014

The IS captured Mosul between 4 and 10 June 2014. The Iraqi troops stationed in Greater Mosul – about 60,000 in all – had previously fled the city and the area north-west of it, leaving their weapons and equipment behind. The soldiers fled to Yazidi settlement areas outside the Autonomous Region of Kurdistan in the Sinjar Mountains and the southern foothills. In the face of the IS advance, sections of the population also fled the city, including all the Christians still in Mosul at the time.

The Kurdish Peshmerga exploited the resulting vacuum in the Yazidi settlement areas northwest of Mosul, advanced into these regions and brought them under their control. The Yazidis, who included former soldiers from the Iraqi army, had already tried to take their destiny into their own hands by helping themselves to the weapons left behind by the Iraqi forces. However, they were immediately disarmed again by the Kurdish Peshmerga.¹⁴

4.2 Capture of Yazidi settlements in Sinjar District by the IS in August 2014

Just under two weeks later, in August 2014, the IS launched a second offensive in northern Iraq, which resulted in the capture of the Yazidi settlement areas north-west of Mosul around the town of Sinjar (3 August 2016) and near the adjacent northern Sinjar Mountains.

Centre of Sinjar, 27 October 2016 © Otmar Oehring

Yazidis not protected by Kurdish Peshmerga

The Peshmerga, whose ranks included Yazidi fighters, had previously withdrawn 60 kilometres northwards to Rabia¹⁵, a move they later described as a tactical retreat, leaving the Yazidis to fend for themselves. The Peshmerga general and press officer of the Peshmerga Ministry, Holgard Hekmat, admitted that the Peshmerga had simply fled. He described this as a disgrace, saying it was the reason for the false claim that they had been ordered to retreat. Those responsible for the action would be punished, he said.¹⁶ The Kurdish President Barzani also threatened punishment, but this is still pending to date.

Following the hasty retreat of the 250 Kurdish Peshmerga stationed in the Sinjar region, the local Yazidis were entirely at the mercy of the IS. 200,000 Yazidis and Shiites (other sources put the figure as high as 350,000) had no choice but to flee.¹⁷ Forty thousand Yazidis¹⁸ – possibly even 60,000 according to other sources¹⁹ – fled into the Sinjar Mountains, where they were surrounded by the IS and in serious danger of dying of hunger and thirst. It was not until 10 August 2014 that the stranded Yazidis received help, first from fighters of the Kurdistan Workers' Party (PKK) and then from the People's Protection Units (YPG)²⁰, who cleared a corridor from the Sinjar Mountains to Syria, thus opening up an escape route for the Yazidis into northern Iraq via Syria. The efforts to rescue the encircled Yazidis were assisted by air raids conducted by the US Air Force.

Yazidis saved by PKK and YPG

The IS killed at least 5,000 Yazidis during their attacks on Sinjar, local Yazidi villages and the Sinjar Mountains. Some sources put the figure as high as 7,000. Other Yazidis – mainly children, the sick and the elderly – died trying to escape; several hundred young women and girls were abducted.

Only a few days after overrunning the Yazidi settlements, the IS also captured the Christian areas in the Nineveh Plains south-east of Mosul, including the towns of Qaraqosh (Baghdida), Bartella (6 August 2014) and Karamles (7 August 2014).

4.3 Capture of Christian settlements in the Nineveh Plains by the IS in August 2014

When the Nineveh Plains were captured by the IS in August 2014, the experiences reported by local Christians were very similar to those of the Yazidis. Christians from Alqosh, Baquba, Bartella, Bashiqa, Batnaya, Qaraqosh²¹, Karamles and Tel Uskuf as well as from the villages in

the region said they had been betrayed by the Peshmerga twice, on 23 June and again on 6 August 2014. Instead of protecting them, the Peshmerga had first fled in haste in the face of imminent IS attacks (23 June 2014) and then again when the attacks actually took place (6 August 2014). Unlike the Yazidis, the Christians were fortunate enough to escape in time and find shelter straightaway in the nearby Autonomous Region of Kurdistan (ARK).

Peshmerga position on the front near Tel Uskuf, 6 November 2015 © Otmar Oehring

Christians not protected by Kurdish Peshmerga

These experiences shattered any trust the Christians and Yazidis had in the Peshmerga and the Kurds in general. As will be explained below, this represents a major obstacle in the path of any potential return of the Christians and Yazidis to their original settlements.

Peshmerga position on the front near Tel Uskuf, 6 November 2015 © Otmar Oehring

First of all, however, the ground must be laid to make their return a theoretical option at least. The town of Sinjar and the Sinjar Mountains have now been under Kurdish Peshmerga and PKK control since 13 November 2015, following a previously unsuccessful attempt to retake the territory on 20 December 2014. However, the front line continues to run directly south of Sinjar, so that the town itself and many Yazidi villages in the southern parts of the Sinjar Mountains are still very close to IS-controlled territories, from which the IS is still launching attacks on the areas controlled by the Peshmerga and the PKK. Up to the end of October 2016 the IS continually attacked the Kurdish Peshmerga stationed in the southern parts of the town of Sinjar, for instance.²² This ruled out any return to the traditional settlements. The Yazidis, especially those from the Sinjar District, who fled from the IS in the summer of 2014 and are now mostly living as internally displaced persons in refugee camps in the province of Dohuk in the Autonomous Region of Kurdistan, therefore hope that the campaign to retake Mosul will enable them to return to the town of Sinjar and to their villages in the Sinjar District.

However, even if the IS were to be driven out of the entire region, it would still be impossible for the Yazidis to return to their traditional settlements, as the town of Sinjar and the Yazidi villages have been completely destroyed. Reconstruction will require enormous sums of money and take a very long time. According to Iraqi civil servants, restoration of Sinjar's healthcare system and the power supply alone will require the immediate provision of US\$100 million. Only then would it be possible for the region's 400,000 refugees – Yazidis and Muslims – to return.²³ Moreover, the Yazidis have lost everything, either before or during their escape from the IS and, as internally displaced persons, have been unable to generate the money that would be needed to rebuild their homes and businesses. Meanwhile, the demographic and political circumstances pose an even greater obstacle to a return to their ancestral lands.

4.4 Classification of the IS attacks on religious minorities as genocide

A group of experts asked by the UN Human Rights Council to investigate the IS attacks on the Yazidis submitted a report²⁴ on 13 March 2015 in which it concluded that they should be classed as war crimes and as genocide.²⁵ On 3 February 2016, the European Parliament adopted a joint motion, submitted by several parliamentary groups, on the *systematic mass murder of religious minorities in Iraq by the so-called "ISIS/Daesh"*, which it described as *war crimes, crimes against*

humanity and genocide.²⁶ Finally, on 15 March 2016, the US House of Representatives also classified the murderous actions of the IS as war crimes, crimes against humanity and genocide.²⁷

4.5 Campaign to retake Mosul

The campaign to retake Mosul – called "We Are Coming, Nineveh" ²⁸ – was postponed several times and eventually went ahead on 16 October 2016. The first territories to be retaken from the IS were the areas it captured in 2014, i.e. the Christian settlements in the Nineveh Plains south-east of Mosul, including the towns of Bartella, Qaraqosh and Karamles. Bartella was reclaimed on 20 October, Qaraqosh on 22 October and Karamles on 24 October 2016.

Christians were initially relieved when they heard that the destruction in their settlements in the Nineveh Plains was much less than had been feared. However, it soon transpired that this news was unfounded. Having examined the situation on the ground in Qaragosh and Bartella, church representatives reported that between 75% and 85% of the buildings in both areas had been so badly damaged by the fighting and air raids that they would probably have to be demolished and rebuilt. They said that, although numerous buildings were largely intact on the outside, they were totally burnt out inside, making it doubtful whether the structural fabric could be maintained. (The Syrian Catholic Bishop of Mosul, Yohanna Petros Mouche, considers this destruction to be a clear message to the Christians not to return.²⁹) Reconstruction would take at least three or four years and require enormous sums of money. Without assistance reconstruction will hardly be feasible, since the vast majority of Christians who fled had to leave all their belongings behind, taking only what was absolutely necessary with them. The only refugees to enjoy a stable income over the past two years are those who were previously in government employment, i.e. in the public administration, the health system and education, even though they are presently condemned to inactivity. Those who previously worked in the private sector lost everything, however, and have had no income for over two years now. Farmers can at least expect to cultivate their land again following their return, although their fields will first need to be cleared of landmines and unexploded ammunition. They will initially face very difficult conditions, nonetheless, as they will be very short of resources.

Massive destruction in Christian settlements

Reconstruction too much for internally displaced persons

Demographic and political circumstances hamper repatriation

In view of these reports, hopes for a possible return have given way to disillusionment, if not despair, among the Christians who fled from settlements in the Nineveh Plains and are currently living as internally displaced persons, mainly in Ankawa (Erbil) and the Autonomous Region of Kurdistan. It is not just the extent of the destruction in these settlements which makes their repatriation appear unlikely. The current demographic and political circumstances do not augur well for a return either. The Christians wishing to return are not in a position to address the unresolved political issues, let alone exert any influence on their resolution. That applies not just in the short or medium term but quite possibly in the long run, too, or indeed permanently. A distinction must be made here between two constitutional issues: firstly, the current and possible future status of the Nineveh Plains within Iraq as a unified state and, secondly, the

relationship between the Christian minorities, on the one hand, and the Kurds and the Autonomous Region of Kurdistan, on the other.

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- 2| https://en.wikipedia.org/wiki/Mosul_offensive_(2016); https://en.wikipedia.org/wiki/Battle_of_Mosul_(2016%E2%80%9317)
- Ninawa or Nineveh. A map showing the situation in the Governorate of Ninawa in Iraq can be found at:

 https://en.wikipedia.org/wiki/Governorates_of_Iraq#/media/File:Iraqi_Governorates.svg A map showing
 the individual districts of the Governorate of Ninawa is available at:

 https://commons.wikimedia.org/wiki/Category:Maps_of_Nineveh_Province#/media/File:Ninevehdistricts.jpg
- 4| Akrê
- 5| Al-Baʿāj
- 6| Al-Hamdaniya, also known as Baghdida or Bakhdida (اديدخب / اديدغب) and Qaragosh
- 7| Hatra
- 81 Mosul
- 9| Shaichān, Shikhan or Shekhan
- 10| Sinjār or Shingal
- 11 | Tal Afar or Tel Afar
- 12| Tel Keppe
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- 19| Hayri Demir, The Betrayal of Shingal, Êzîdî Press, 13 August 2015 http://ezidipress.com/en/the-betrayAlof-shingal/
- 20| = Yekîneyên Parastina Gel, People's Protection Units, the armed branch of the PYD (Democratic Union Party), is regarded as the Syrian branch of the PKK https://en.wikipedia.org/wiki/People%27s_Protection_Units
- 21| Also known as Al Hamdaniya and Baghdida
- 22| Interview with Peshmerga commanders and officers, front south of the town of Sinjar, 27 October 2016
- 23| PKK announces new Yezidi armed unit in Shingal, RUDAW, 25 January 2017 http://www.rudaw.net/english/kurdistan/250120171?keyword=PKK
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- Joint Motion for a Resolution pursuant to Rule 123(2) and (4), of the Rules of Procedure replacing the motions by the following groups: Verts/ALE (B8-0149/2016) ECR (B8-0154/2016) ALDE (B8-0157/2016) S&D (B8-0159/2016) PPE (B8-0161/2016) EFDD (B8-0162/2016) on the systematic mass murder of religious minorities by the so-called "ISIS/Daesh" (2016/2529(RSP)) http://www.europarl.europa.eu/sides/getDoc.do?-pubRef=-
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- 29| Interview in Berlin on 12 December 2016

5. Territorial issues

5.1 Referendum in accordance with Article 140 of the Iraqi constitution on the future status of "disputed areas"

The Nineveh Plains belong to the Governorate of Ninawa and are thus outside the Autonomous Region of Kurdistan (ARK). The ARK and the Iraqi central government currently control parts of the governorates of Ninawa, Kirkuk, Salah ad-Din and Diyala which, subject to a referendum to be held on these areas, are legally outside ARK territory. Their assignment to the ARK or to other parts of Iraq is thus under dispute. In mid-June 2014, amidst the chaos accompanying the IS military campaign to conquer northern Iraq, the ARK gained control over the city of Kirkuk and the surrounding areas. Article 140 (2) of the Iraqi constitution specifies that a census must be held in any disputed areas by 31 December 2007. It does so with reference to Article 58 of the Iraqi Transitional Administrative Law adopted by the military administration after the 2003 invasion. The background to this legal provision is that, under Saddam Hussein, the population of Greater Kirkuk and other parts of northern Iraq were effectively Arabised and de facto ethnically cleansed, the Kurdish population being expelled and replaced by Arabs. The census was to be followed by a referendum on the parts of Iraq under dispute between the Autonomous Region of Kurdistan and Iraq's central government. When it became obvious that the deadline could not be met, the Kurdish regional parliament agreed to accept a proposal by Stefan de Mistura, then head of the UN mission in Baghdad, to extend the Article 140 deadline by six months.² Nine years have passed in the meantime and the referendum has still not been held. However, discussion of a referendum on the future of Kirkuk has gained in momentum since May 2016. Representatives of the ethnic groups in Kirkuk signalled their support for a referendum two months earlier in March 2016. Arabs and Turkmens were in no doubt at the time that they would vote for Kirkuk to stay under central government control.³ However, in mid-May the pro-KDP (Kurdish Democratic Party) news website RUDAW reported that both Arabs and Turkmens could envisage a future in an independent Kurdish region.4 It is of fundamental significance that Arabs and Turkmens are now prepared to support a referendum,⁵ as this opens up the possibility of talks between the various population groups. 6 At the same time, though, it appears that the non-Kurdish population groups would be happier with the formation of a new Kirkuk region controlled by the Iraqi central government rather than direct ARK control. Kurdish MPs in the Iraqi parliament are, therefore, now strongly advocating the integration of Kirkuk into the ARK.

Without a referendum on the "disputed areas" the situation will remain volatile

Kirkuk's governor, Najmaldin Karim, announced in April 2016 that there could be three options for voters in a referendum: maintenance of the status quo, the formation of a new Kirkuk region and the integration of Kirkuk into the Autonomous Region of Kurdistan (ARK). The demographics do not indicate a clear-cut preference for any of these options. Around 50% of Kirkuk's population is Kurdish, while Arabs and Turkmens account for the remaining 50%. In any event the Kurdish President, Masoud Barzani, believes that the referendum – which would decide the

status not only of the Kirkuk region but of all the disputed areas – should be held very soon, in October 2016.8

Мар:

Disputed areas in Iraq according to Article 140 of the Iraqi constitution9

Undisputed areas – controlled by the Autonomous Region of Kurdistan since 1991
Undisputed areas – controlled by the Iraqi central government
Disputed areas – controlled by the Autonomous Region of Kurdistan since 1991
Disputed areas – controlled by the Iragi central government

In June 2016, in a renewed attempt to resolve the dispute over Kirkuk, the Iraqi President's Office proposed turning Kirkuk into an independent region. In all probability this move was intended to obviate the still unresolved question of a referendum under Article 140 of the Iraqi constitution (see 5.1 Referendum under Article 140 of the Iraqi constitution on the future status of "disputed areas"). However, this proposal did not meet with unqualified approval among the Turkmens, who currently make up a considerable share of the Kirkuk population. On the other hand, contrary to all expectations, Kurdish representatives did not reject the proposal. So far the initiative has not delivered any results, although this can come as no surprise in view of the highly complex issues involved.

Referring to the IS attempt to capture Kirkuk, which was foiled by the Kurdish Peshmerga, the Kurdish President, Masoud Barzani, said the following in June 2014: "We waited for ten years for Baghdad to resolve the problem of Article 140," … "Now it has been resolved because the Iraqi army has pulled out and our Peshmerga forces were obliged to step in. So now the problem is over and we will no longer discuss it." ¹¹

In fact, however, "the problem" is still there. Moreover, since both the Iraqi central government and the ARK government are currently concentrating on recapturing Mosul and the surrounding areas, it is hardly surprising that the referendum announced by Kurdish President Barzani for October 2016 has still not been held. In a way, it would be good if the referendum were not to take place in the near future. After all, once Mosul has been successfully recaptured — and the current campaign makes this a likely prospect — the initial priority must be to consolidate the situation in the region.

5.1.1 Referendum on the future status of the "disputed areas" and on the independence of the Autonomous Region of Kurdistan in September 2017?

There are signs that the crisis over the future of the ARK parliament may be resolved very soon, thanks to talks between the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK),¹² and that the region's parliament can convene again after its de facto suspension in October 2015. Parliamentary sessions have not taken place ever since the security apparatus, which is essentially controlled by the KDP, barred the Speaker of Parliament, Yousif Muhammed Sadiq¹³ (Gorran Party¹⁴), from entering the capital, Erbil, thereby preventing him from convening parliament. This ban was allegedly triggered by clashes between KDP and Gorran supporters in Sulaimaniyah in August 2015, during which several KDP members lost their

lives. The crucial factor, however, was probably Yousif Muhammed Sadiq's refusal to convene parliament for a session to consider a KDP proposal extending Kurdish President Masoud Barzani's second term of office beyond 19 August 2015.

According to the deputy speaker, Jaafar Ibrahim Eminki (KDP), the ARK parliament had already laid the ground for a referendum on the so-called disputed areas (as defined in Article 140 of the Iraqi constitution) before October 2015, when a commission¹⁵ was set up and the relevant law was passed.¹⁶ In his view the "disputed areas" include all the territories that have been under Kurdish control since 2014. Participation in the referendum, he says, should be open to all Kurds living in and outside Iraq — a solution which could have been achieved through negotiations with Baghdad. However, an agreement on this is inconceivable given the lack of trust between Baghdad and Erbil and so he recommends that the decision should be handed to the people.¹⁷

In view of the many challenges facing the ARK, a resolution of this parliamentary crisis would undoubtedly be welcome. Yet it is doubtful whether the preparation and staging of a referendum on the future of the "disputed areas" and on independence for the ARK would be conducive to peaceful relations between Iraq and the ARK. After all, Article 140 of the Iraqi constitution specifies that a referendum should clarify the future of the "disputed areas" only, not the issue of an independent ARK. Furthermore, as pointed out earlier, there are no provisions governing the conditions for a referendum under Article 140. None of these developments give any cause for hope that relations between the Iraqi central government and the ARK government will take a positive turn in the foreseeable future. What is more likely is that there will be conflict – possibly of a violent nature – between Baghdad and Erbil over the "disputed areas".

5.2 Autonomous regions for Christians, Yazidis and Turkmens in the Governorate of Ninawa?

The main focus of attention is not on the interests of Christians, Yazidis and Turkmens but on those of Baghdad and Erbil

Nevertheless, Christians, Yazidis and Turkmens are still discussing the possible merger of their settlement areas to form an autonomous region within the Governorate of Ninawa.

What the realisation of this idea would mean for the future of the Christian settlement areas in the Nineveh Plains is not easily foreseeable. First of all, it should not be forgotten that the Kurdish Peshmerga withdrew on 23 June 2014 before the IS attacks on the Nineveh Plains even began and left the Christians to their fate. This has undermined, if not completely destroyed, any trust the Nineveh Plains Christians had in the Peshmerga, the ARK and the Kurds as a whole. On the other hand, the ARK subsequently gave shelter to Christian refugees fleeing from the IS occupation of the Plains.

The campaign to retake Mosul once again disrupted the timetable for a referendum under Article 140 of the Iraqi constitution (see 5.1 Referendum under Article 140 of the Iraqi constitution on the future status of "disputed areas")

For some time now, Nineveh Plains Christians have been pondering over a secure future for themselves in Iraq, given that both the Iraqi central government and the ARK lay claim to the area in which they have traditionally settled. The claims of the two parties are in no way prompted by any particular interest in the Christians living in the area, but by their desire for free access to the known and assumed oil deposits there.

5.3 The Nineveh Plains Project

Over the past few years several proposals have been made on how best to meet the Christians' justified desire for a future in Iraq. The proposal to have been taken furthest was the so-called Nineveh Plains Project. This envisaged the establishment of a new Iraqi province in the Nineveh Plains covering the entire Christian settlement area. The project was promoted primarily by ethnic Iraqi Christian groups in the European and US diasporas who believed they could exert considerable influence on the Chaldean Patriarchate in Baghdad. It was also supported by Protestant Free Churches and the then Minister of Finance in the Autonomous Region of Kurdistan (ARK), Sarkis Aghajan Mamendo¹⁸, an Assyrian Christian who was encouraging the reconstruction of numerous Christian villages and facilities with the help of generous state aid from the United States and the Netherlands. In October 2006 the Catholic Bishops' Conference of the United States even wrote to the then Secretary of State, Condoleezza Rice, urging Washington to consider the formation of an administrative region in the Nineveh Plains which would be directly answerable to the Iraqi central government in Baghdad and "could provide greater safety for Christians and other minorities and offer them better ways of regulating their own affairs." The protection of Christians in this region was to be effected jointly by the US government and the ARK.¹⁹

Karamles after its recapture/liberation, October 2016. © Stivan Shany, Chaldean Archdiocese of Erbil

From the very beginning, however, the churches in Iraq demonstrated unaccustomed unity in rejecting this project out of hand. The Chaldean Church described it as a "diabolical and dangerous plan". The then Chaldean Archbishop of Kirkuk and now Chaldean Patriarch, Louis Sako, acknowledged the need for an "end to the violence" while at the same time expressing concern about the project: "The Plains of Niniveh are surrounded for the most part by Arabs. Christians would be a handy and vulnerable buffer between Arabs and Kurds. In my opinion, it would be much better to proceed on the basis of the constitution ... to guarantee religious freedom and equal rights to the adherents of all the faiths over the entire territory, in other words for Christians, too, who live all over Iraq."²⁰

Nineveh Plains Project rejected by churches as putting Christians at risk

One might object that Louis Sako, too, must be aware that the Iraqi central government does not attach any priority to guaranteeing the religious freedom and equal treatment of Christians in Iraq and that his words quoted above were merely the expression of a hope, if not a dream. Nevertheless, his assessment should be unreservedly endorsed, as it remains hard to imagine how the safety of Christians might be guaranteed in a province of this kind. It was not possible then, nor is it now, to assume that US forces would protect Christians living in a Christian enclave in the Nineveh Plains. After all, Iraq remains a sovereign state which is responsible for

the protection of its citizens. While there are justifiable doubts about the fulfilment of this duty in Iraq, they do nothing to alter the fact that the Iraqi state has an obligation to protect its citizens.

On the other hand, developments in Iraq mean that the idea of autonomy or a protection zone for the Christians and for the Yazidis and Turkmens in northern Iraq has not been shelved.²¹ The original Nineveh Plains Project may have been largely unrealistic, but it is still under discussion in certain circles. Another key factor is that many stakeholders now believe the various Christian militias (see 6.3 inter alia) set up in recent years could make a substantial contribution to the protection of Christians and that the latter would no longer be as dependent on third-party protection – for instance by the United States – as they undoubtedly were in 2006/2007.

5.4 Autonomy solution under Article 125 of the Iraqi constitution?

In the meantime the talk is generally no longer of a separate Christian governorate in the Nineveh Plains – i.e. the Nineveh Plains Project – but rather of an autonomous region for Christians within the Ninawa Governorate. Yazidis and Turkmens think along similar lines. Some stakeholders are reportedly also toying with the idea of a nationwide autonomy solution for the Christians, Yazidis and Turkmens. This idea takes account of the fact that the Christians, Yazidis and Turkmens live not only in the Ninawa Governorate, but also in other Iraqi governorates throughout the country. All the different types of autonomy under discussion are based on Article 125 of the Iraqi constitution, which reads as follows:²²

Nationwide "autonomy" as a solution to the problem?

"This Constitution shall guarantee the administrative, political, cultural, and educational rights of the various nationalities, such as Turkmens, Chaldeans, Assyrians, and all other constituents (i.e. nationalities), and this shall be regulated by law."

This article in the Iraqi constitution was undoubtedly originally intended as the basis for the establishment of separate governorates for one or more nationalities within a federal national structure, which ultimately led to the development of the Nineveh Plains Project.²³ In the current discussion, by contrast, reference is made to the guarantee provided by Article 125 on the administrative, political, cultural and fundamental rights of the various nationalities, a guarantee not expressly tied to any specific location. The Christians, Yazidis and Turkmens along with other ethnic-religious groups (i.e. nationalities) can therefore use Article 125 of the Iraqi constitution to assert, for instance, the right to set up schools for their own groups. No matter how attractive and logically consistent this approach might seem, experience in Iraq has shown that, while such claims can be derived from the constitution, they are virtually impossible to put into practice.

The success of the campaign to retake Mosul and other territories captured by the IS in northern Iraq in 2014 has meanwhile shifted the focus back to the creation of autonomous regions for Christians, Yazidis and Turkmens within the Nineveh Governorate.²⁴ This is largely because these ethnic groups essentially still intend to return to their traditional settlement areas. Of course, they are well aware that they need guarantees of their safety. They feel that the simplest way of securing such guarantees, given that they cannot have their own

governorate.					

governorate, would be to live in an autonomous and geographically separate region within a

- Article 140: First: The executive authority shall undertake the necessary steps to complete the implementation of the requirements of all subparagraphs of Article 58 of the Transitional Administrative Law. Second: The responsibility placed upon the executive branch of the Iraqi Transitional Government stipulated in Article 58 of the Transitional Administrative Law shall extend and continue to the executive authority elected in accordance with this Constitution, provided that it accomplishes completely (normalization and census and concludes with a referendum in Kirkuk and other disputed territories to determine the will of their citizens), by a date not to exceed the 31st of December 2007. http://www.iraqinationality.gov.iq/attach/iraqi constitution.pdf
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6. Who guarantees the protection of the Christians, Yazidis and Turkmens?

For the moment there is no answer to the question as to who would be responsible for protecting the Christians, Yazidis and Turkmens in geographically separate, autonomous regions, e.g. in the Ninawa Governorate. The question implies that the Christians and the Yazidis, for example, do not assume they can rely on protection from the authorities in whose charge they would be. Should their settlement areas – Hamdaniye District in the Nineveh Plains in the case of the Christians and Sinjar District in the case of the Yazidis – remain under central government control, the security forces of the central Iraqi government would be responsible for their safety. Were these areas to come under ARK control at some time in the future – for instance if a referendum were to be held on the territories disputed by the Iraqi central government and the ARK – the safety of the Christians and Yazidis would then be in the hands of the Kurdish security forces.

One possible answer to the question of security guarantees for the Christians, Yazidis and Turkmens in the relevant areas might lie in the references made to their militias (see also 6.3 Christian militias and 6.4 Yazidi militias). However, contrary to what numerous propaganda reports would imply, especially from diaspora circles outside Iraq, those on the ground evidently do not see the ethnic groups' militias as being strong enough to afford adequate protection.

The intractable question of safeguards

Therefore whenever the question is put about who can guarantee the security of Christians in the relevant areas, the same answer is given time and again:

"International security guarantees are required if the Christians in Iraq, especially those in the Nineveh Plains, are to have a future. Soldiers are currently stationed there from several Western countries – 5,000 from the United States, 600 from Germany, 600 from Italy, 300 from France and 60 from Canada as well as some from the Ukraine and other countries. These foreign [Western] troops, first and foremost those of the United States, should guarantee the security of Christians for at least one or two years, better still for the next five years." ¹

My contacts refused to accept any objections to this approach, e.g. that Iraq is a sovereign state and that security guarantees therefore rest with the security forces of the Iraqi central government or the Autonomous Region of Kurdistan. I was told that no one had any trust in the security forces of either the Iraqi central government or the ARK. On more than one occasion conversations about security guarantees ended with the terse option: "protection or emigration".

The Christians' call for international security guarantees is also closely connected to the retreat of the Kurdish Peshmerga, described by Iraqi Christians as a betrayal.

6.1 Betrayal of Christians by the Peshmerga on 23 June 2014 and 6 August 2014

Christians' lack of trust among towards Kurds

Christians in Alqosh, Bartella, Bashiqa, Batnaya, Baquba, Qaraqosh, Karamles, Tel Uskuf and other Christian localities believe they were betrayed by the Kurdish Peshmerga twice in 2014, first on 23 June and then on 6 August. In both cases Peshmerga forces failed to protect Christians and fled in haste: in June when there were signs of impending IS attacks (23 June 2014) and in August when the attacks actually took place (6 August 2014). This "betrayal" has had such a harmful effect on the relationship between Christians and the Peshmerga, the Kurds in general and the ARK government that it could not be remedied even after Christians – forced to flee from their IS-occupied settlement areas – received shelter in the Autonomous Region of Kurdistan. Although they are grateful for being accepted, Nineveh Plains Christians have problems trusting the Kurds and their leaders.

6.2 Betrayal of the Yazidis by the Peshmerga on 3 August 2014

In the course of its second offensive in northern Iraq, launched in August 2014, the IS succeeded in capturing the Yazidi settlement areas north-west of Mosul around the town of Sinjar (3 August 2014) as well as the adjacent northern Sinjar Mountains. The Yazidis underwent much the same experience as the Christians on 23 June 2014 and 6 August 2014.

The Yazidis have likewise been building up their own militias in the past few years. However, there is very little confidence that they can provide proper protection, and so both the Yazidis and Christians are now demanding international guarantees for their safety.

6.3 Christian militias

In view of their mistrust towards the Iraqi and Kurdish security forces, it is understandable that Christian circles in Iraq should see Christian militias as their best source of protection. Yet there are good grounds for querying this approach. As long as it is merely a matter of controlling access to Christian settlements, churches and other church facilities, it would be possible for Christians to rely on their own resources, as they have done in the past using village guards. However, if the aim is to provide essential safeguards against military attacks from outside, the Christian militias would currently be very quickly overstretched, since they lack the necessary manpower, training and equipment. This tends to be ignored in frequently tendentious reports which are generally based on statements made by militia commanders or the Christian politicians who founded the militia groups. Claims that Christian militias had a major hand in the recapture of Christian settlements, such as Qaraqosh on 26 October 2016, must be treated with the utmost caution. Bishops have confirmed that the Christian towns of Qaraqosh, Bartella and Karamles were recaptured and liberated in October 2016 without any major combat operations, since the IS had apparently largely withdrawn when faced with the advance of large contingents of troops.²

Batnaya after recapture/liberation, October 2016. © Stivan Shany, Chaldean Archdiocese of Erbil

Christian militias are barely capable of protecting Christians on their own

Of equally serious import is information indicating that there might well be violent conflict between Christian militias once the territories in northern Iraq occupied by the IS in the summer of 2014 have been retaken. The crucial factor here is that each of the Christian militias is allied either with the Iraqi central government or with the Autonomous Region of Kurdistan. At the moment the central government and the ARK are conducting a joint campaign to re-conquer the territories captured by the IS in summer 2014. However, this arrangement is merely provisional and, as soon as the common objective has been fulfilled, the long-standing conflicts between Baghdad and Erbil will flare up again. The possibility cannot be excluded that this will lead to direct military confrontation, which could well involve Christian militias on both sides. While that would not be in the interest of the Christian militias, it would be a logical consequence of the fact that, over the years, Iraqi Christian politicians have regularly switched sides between Baghdad and Erbil in the pursuit of short-term goals and, in particular, of their personal advantage. This explains why the Christian Patriarch Louis Sako, for instance, has described the formation of Christian militias as unhelpful, even though the Christians naturally need to be able to defend themselves. He says the formation of such militias could well destroy the country. After the 2003 invasion Christians fell victim to clashes between Sunni and Shiite militias.³

This is perhaps an appropriate moment to provide a brief profile of the Christian militias.

Zerevani Peshmerga, the oldest of the Christian militias, was set up some ten years ago. It shares its name with the Kurdish Zerevani Peshmerga, a kind of gendarmerie responsible for maintaining law and order in Kurdistan.⁴ It is answerable to the Kurdish Interior Ministry, not to the Kurdish Peshmerga Ministry. The roughly 2,100 members of the Christian Zerevani Peshmerga also regard themselves as a police force. They were deployed in the Nineveh Plains for the sole purpose of protecting Christian facilities and homes until these were captured by the IS in the summer of 2014.

One awkward issue is the possible deployment of the Christian Zerevani Peshmerga in the event of any resettlement of the areas in the Niniveh Plains liberated in October, since the central Iraqi government would not authorise any such step.⁵ The ARK authorities, by contrast, would have no objection to the deployment of the Christian Zerevani Peshmerga in the region. However, the Nineveh Plains are outside the Autonomous Region of Kurdistan and classified one of the "disputed areas" on which a referendum was due to be held by the end of 2007, although this has not taken place to the present day (see 5.1 Referendum under Article 140 of the Iraqi constitution and the future status of the "disputed areas"). At the moment, therefore, approval can only be granted by the Iraqi central government.

Nineveh Plains Protection Units (NPUs)⁶ – a militia formed in 2014 to provide defence against the IS. Figures given for the number of militiamen in the units differ widely and are mutually contradictory. One source, for example, maintains that the militia had some 3,000 members at the time it was set up, that 500 men are stationed in Alqosh, another 500 are in training and a further 3,000 men have registered but are still waiting to be trained.⁷ Alternative sources claim that the militia has as many as 4,000 fighters⁸ or even over 5,000,⁹ while yet other sources mention just 400 to 500 militiamen.¹⁰ Whereas the news portal RUDAW, which is close to the Kurdish Democratic Party, says in a critical report that this militia is trained and equipped by the

Iraqi and US armies,¹¹ other sources say the Nineveh Plains Protection Units have not entered into any unilateral partnerships with the Iraqi central government or the Autonomous Region of Kurdistan.¹² More recent reports suggest that the NPUs are one of two ethnic militias officially recognised by Baghdad. Their members are therefore stopped by the ARK authorities from leaving ARK refugee camps instead of being allowed to return to the territories liberated from the IS. The ARK authorities are also said to be stopping these militiamen from returning to their units after taking leave and preventing the NPUs from recruiting 1,000 new members.¹³

Dwekh Nawsha (Aramaic, "self-sacrificers") is a small militia founded in northern Iraq after the IS conquests of June 2014 by the Assyrian Patriotic Party¹⁴ under its leader, Emanuel Khoshaba Youkhana. The militia, which operates from the village of Sharafiya south of Alqosh, had between 50 and 100 members in October 2014, while another 200 showed interest in joining. ¹⁵ Currently (2016) it is said to have a membership of around 310. ¹⁶ Since autumn 2015 Dwekh Nawsha's militiamen have been trained by a US security consulting and training firm called Sons of Liberty International. ¹⁷ Dwekh Nawsha is supported by volunteers from the United States, Australia and France. ¹⁸ It has recently been described as the militia of the Christian politician Yonadan Kana, an MP in the Iraqi parliament. It is currently cooperating with the Iraqi army and claims to have had a hand in the recapture of Qaraqosh on 22 October 2016. ¹⁹

*Nineveh Plains Forces*²⁰ – a Christian militia founded in the Christian town of Tel Eskof²¹ on 6 January 2015. It was established by two Christian parties, the Assyrian Bet Al-Nahrain Party (Huyodo Bethnahrin Athronoyo)²² and the Bet-Nahrain Democratic Party (Gabo Demoqratoyo Bethnahrin).²³ The militia is said to have had around 500 members at the time of its founding.²⁴ Its aim is to fight the IS and, in the future, to guarantee the protection of Christian settlements.²⁵ It works closely with the Kurdish Peshmerga.²⁶ In forum posts on the Syriac News website the militia is even described as part of the Kurdish Peshmerga and its fighters as Kurdish puppets who cannot be trusted.²⁷

Babylon Brigade – This militia, founded in 2015 and headed by Rayan Al-Kildani, forms part of the Shiite-dominated Al-Hashd Ash-Sha'abi (Popular Mobilisation Forces) with a total of 100,000 militiamen. No reliable information is available about the number of militiamen in the Babylon Brigade itself, their level of training or their equipment.²⁸

On 6 February 2017 Salman Esso Habba, the leader of a Christian militia called Popular Mobilisation, which forms part of the Shiite-dominated Popular Mobilisation Forces, announced that he would "dispose of" the Sunni Arab tribes and their fighters in the Tel Kayf area unless they left the region by 10 February. Habba emphasised that Iraq was now "a state" and that the Christians' homes and rights could no longer be usurped. It has long been feared that the campaign to retake Mosul would prompt attacks on the Sunni population by the Shiite Popular Mobilisation Forces. The balance of power between Sunnis and Shiites in Iraq suggests there is a real danger of this happening. The threat of regional ethnic cleansing by Christian militias, on the other hand, is simply playing with fire. Christian communities were therefore quick to distance themselves from Habba's pronouncements²⁹, emphasising that threats of revenge were incompatible with the Christian faith and would only fuel the conflict instead of solving it.³⁰ The Chaldean Patriarch, Louis Raphaël Sako, also said that the Church had no relations with the Babylon Brigades³¹ or any other militias.³²

6.4 Yazidi militias

Yazidi militias on their own are not capable of protecting Christians

The situation of the Iraqi Yazidis is similar to that of the Iraqi Christians, as both are equally distrustful of the Iraqi and Kurdish security forces. Yazidis likewise feel that the best way to protect themselves is to form their own militias. As with Christian militias, however, there are grounds for calling this approach into question. Again, as long as it is merely a matter of controlling access to the Yazidi settlements and facilities, it would be possible for the Yazidis to continue deploying their own resources, as they have done in the past, using village guards. However, if the aim is to provide essential safeguards against military attacks from outside, the Yezidi militias – just like their Christian counterparts – would very quickly be overwhelmed since they lack the necessary manpower, training and equipment. This tends to be ignored in frequently tendentious reports on the Yazidi militias which are generally based on statements made by militia commanders or by the Yazidi politicians who founded the militia groups.

A brief profile of the Yazidi militias will be useful at this stage.

Protection Force of Êzîdxan³³ – the largest of the Yazidi militias, numbering between 2,500³⁴ and 5,500³⁵ men. Originally allied with the Kurdish Peshmerga, it changed sides following the merger of the Sinjar Resistance Units³⁶ and the Êzîdxan Women's Units³⁷ to form the Sinjar Joint Command; it is now allied with the PKK.

Sinjar Resistance Units (YBŞ)³⁹ – the second largest Yazidi militia with 1,500 fighters; other sources put the figure as high as 3,000⁴⁰.⁴¹ Founded in 2007 in response to the increasing number of violent attacks on the Yazidis, it is intended to protect the Yazidis in Iraq and in the Autonomous Region of Kurdistan against attacks by Islamist rebels. During the IS campaigns in the summer of 2014 tension arose between the Sinjar Resistance Units and the ARK government after the Kurdish Peshmerga retreated from the Sinjar region in the wake of IS attacks on the region. The Sinjar Resistance Units initially joined forces with the PKK, as they were the first to come and help the Yazidis who were in peril of their lives in the Sinjar Mountains. However, they continue to maintain that they are not allied with the PKK.⁴² Since 2015, however, they have become part of the Sinjar Joint Command which, in turn, is allied with the PKK.

Êzidxan Women's Units⁴³ – a Yazidi militia founded on 5 January 2015 and composed entirely of women. The aim of the units, which are ideologically close to the PKK,⁴⁴ is to protect Yazidis from the IS and other groups regarded by the Yazidis as infidels.⁴⁵ Originally called *Sinjar Women's Protection Units*, the militia was a spin-off of the *Protection Force of Êzîdxan*.⁴⁷ It assumed its current name on 26 October 2015.⁴⁸ No details are known of the number of fighters it has.

 $\textit{Military base of the PKK-allied Sinjar Resistance Units (YBS) in the town of Sinjar, 27 October 2016 © Otmar Oehring$

Sinjar Joint Command⁴⁹ – also known as the *Ezidkhan Command for the Liberation of Sinjar*⁵⁰ – was set up in 2015 following a merger between the *Protection Force of Êzîdxan*, the *Sinjar Resistance Units* and the *Êzidxan Women's Units*. The *Sinjar Joint Command* is allied with the PKK and said to have over 6,000 militiamen.⁵¹ It seeks to implement Abdullah Öcalan's⁵² ideology of *Democratic Confederalism*⁵³ and to establish an autonomous Yazidi region within the

Autonomous Region of Kurdistan. Tensions arose between the *Sinjar Joint Command* and the ARK government when the Kurdish President, Masoud Barzani, demanded that the militias, despite their close ties with the PKK, should withdraw from the Sinjar Region.

Protection Force of Sinjar ((Şingal) (HPŞ)⁵⁴ or **Protection Force of Êzîdxan (HPÊ)**⁵⁵ – set up in 2014 in response to the IS attacks in the summer of that year, it initially had 2,500⁵⁶ men, a figure that rose to 3,000⁵⁷ in early 2016. It was supplied with weapons and equipment by the Iraqi government after the ARK government refused to provide any such assistance. Up to spring 2015 the HPŞ/HPÊ was registered as part of Al-Hashd Ash-Sha'abi,⁵⁸ the general mobilisation of Shiite militias, although it did not come under its command.⁵⁹ According to Heydar Shesho, the commander of the HP\$/HPÊ, the militia has been answerable to the Kurdish Peshmerga Ministry since spring 2015.60 Shesho had long called for the ministry to recognise and support the organisation. Talks with Masrour Barzani, head of the Kurdistan Region's Security Protection Agency, initially proved abortive because Shesho was not prepared to accept that the HPŞ/HPÊ should answer to the Peshmerga Ministry. Sheso remains the commander of the HP\$/HPÊ. Now that the HP\$/HPÊ is working with the Peshmerga Ministry, it no longer cooperates with the Iraqi central government, which previously provided financial support for 1,000 fighters of the 3,200-man strong HPŞ/HPÊ as well as aiding the organisation in military terms. By the spring of 2015 as many as 50% of HPŞ/HPÊ fighters had registered with the Peshmerga Ministry with the remaining fighters recommended to follow in their footsteps.⁶¹ The background to this deal shows how complex the situation in this region is as well as the extent to which developments can be influenced by political and personal interests. When the Yazidis accused the Peshmerga of abandoning them in the summer of 2014 and demanded that the relevant commander should be punished, the Kurdish security forces responded by arresting Heydar Shesho,⁶² the commander of the *Protection Force of Sinjar*.⁶³ However, Shesho was released again a week later on condition that he disband the "illegal" HPS/HPÊ, which he refused to do.⁶⁴ The governing KDP had called for a ban on all HPŞ military and political activities and that Shesho, a German citizen and a member of the opposition PUK, should be told to leave the country.65 Shesho's arrest was clearly an arbitrary measure. It is equally obvious that his release shortly afterwards was related to the above-mentioned deal, which resulted in the HPŞ/HPÊ relinquishing its ties with the Al-Hashd Ash-Sha'abi militias, supported by the Iraqi central government, and subsequently offering his services to the Kurdish Peshmerga.

Yazidi Special Units (YSU)⁶⁶ is a new Yazidi militia founded and funded by the PKK in January 2017 to protect Yazidis against renewed IS attacks. No detailed information is available on this organisation to date. The KDP politician and self-appointed⁶⁷ mayor of the Yazidi town of Sinjar, Mahma Khalil⁶⁸, criticised the founding of this new militia, saying it would merely reinforce existing tensions, exacerbate the crisis and deepen the wounds inflicted on the Yazidi people.⁶⁹

In December 2014 and November 2015 two offensives were launched in Greater Sinjar and the Sinjar Mountains, during which the Kurdish Peshmerga, the PKK and Yazidi militias jointly attempted to drive the IS out of the Sinjar region and its mountains. The December 2014 offensive⁷⁰ was only partially successful, and the IS even gained control of the road linking the Sinjar Mountains to the ARK. In the November 2015 offensive⁷¹ the Kurdish Peshmerga succeeded in retaking parts of the town of Sinjar as well as large areas of the Sinjar Mountains. At the same time, the militia of the Syrian PKK offshoot PYD, the People's Protection Units,⁷²

drove the IS out of the western Sinjar Mountains and reopened a corridor between the mountains and Syria. Forces close to the PKK had already retaken this corridor during the IS campaign in the region in summer 2014, enabling the Yazidis to flee to Syria and from there into the ARK.

The different experiences the Yazidis had of the Kurdish Peshmerga, of units associated with the PKK and of the PKK itself during the IS campaign in summer 2014 continue to colour their attitudes to each of the Kurdish militias. For the moment the Yazidis, the Peshmerga and the PKK have the IS as a common enemy. This is the sole reason why there has long been no armed conflict between the Peshmerga, on the one hand, and the PKK and militias associated with it, on the other. However, there have also been long-standing fears that the conflict between them might erupt again after the retaking of Mosul and other territories captured by the IS in the summer of 2014. How justified this concern is can be illustrated by an incident in Khanasor in Sinjar District on 3 March 2017, when fighting broke out between the Kurdish Peshmerga and fighters of the Sinjar Resistance Units (YBS), which are allied with the PKK. Both sides are said to have suffered losses. According to the Central Council of Yazidis in Germany, the incident was evidently caused by the Democratic Party of Kurdistan's attempt to deploy 500 Rojava Peshmerga, a unit consisting of Syrian refugees, in Khanasor.⁷³ The President of the ARK, Masoud Barzani, expressed concerned about the incident. However, the fact that he instructed the Peshmerga Ministry to bring the situation under control and to prevent the conflict from spreading, together with his remark to the effect that only the ARK was authorised to administer the Kurdistan Region and that "no one is allowed to interfere in Kurdistan Region affairs or to hinder the movements of the Peshmerga forces"74, is a further indication of the precarious situation in the region. After all, Khanasor lies in Sinjar District, outside the ARK, in a "disputed area" in which neither the PKK nor the Peshmerga has the right to decide anything. This incident was reported by the German news magazine Der Spiegel as it apparently also involved the use of German weapons.⁷⁵

It is important to bear in mind not only that the Yazidis act as allies of the PKK and of the Al-Hashd Ash-Sha'abi militias financed by the Iraqi government, but that there are also some 8,000 Yazidis fighting alongside the Peshmerga.⁷⁶

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7. Other developments in the Nineveh Plains and the Sinjar region

In theory, the recapture of the Christian settlement areas in the Nineveh Plains made it possible for Christians to return to their former settlements as of October 2016. However, as pointed out earlier, this necessitates the reconstruction of the destroyed buildings and infrastructure. That is more or less ruled out, at least in the short term, because the former inhabitants of the relevant settlements lack the necessary means. Although fundraising campaigns are now under way in Iraq, among the diaspora communities in Europe and, above all, in the USA to facilitate reconstruction work in the liberated Christian settlements, it is unrealistic to expect third parties to provide all the funds needed. There is also the still unresolved issue of a security guarantee for the inhabitants. An explanation has already been given of why this matter cannot be resolved in the manner hoped for by the Christian population and some church leaders.

Return to traditional settlements only realistic if all political obstacles are overcome in advance

However, the main problem as regards the Christians' return to their former settlements in the Nineveh Plains is the still unresolved status of the so-called "disputed territories" within the meaning of Article 140 of the Iraqi constitution (see 5.1 Referendum in accordance with Article 140 of the Iraqi constitution on the future status of "disputed territories"). It must be assumed that dissent over the "disputed territories" between Baghdad and Erbil will resurface at the very latest after Mosul has been recaptured. It is perfectly understandable that the Iraqi central government and the ARK each have what they regard as a justified interest in controlling the "disputed territories" in view of the major oil deposits there. Given the lack of clarity concerning the terms and conditions of a still conceivable referendum on the status of the "disputed territories" in accordance with Article 140 of the Iraqi constitution, it is not possible to foresee at the moment whether the outstanding issues can be resolved by peaceful means.

The progress of discussions on a possible secession of the Autonomous Region of Kurdistan (ARK) from the Republic of Iraq is clearly of importance in this respect. Up to the summer of 2014 the ARK's political leadership regularly cited independence for the region as a primary objective. However, the military campaigns launched by the IS in northern and central Iraq resulted in its temporary abandonment. Statements made by the ARK's deputy prime minister, Qubad Talabani, in December 2016 suggest that the ARK is reviewing the question of independence. Nechirvan Barzani, Prime Minister of the ARK, made a point of adding that a referendum was due on the subject. However, it remains unclear whether it will actually take place or not, as the conditions needed for it to be held have deteriorated in the meantime. Over the past two years the ARK has faced not only a major economic crisis, but also a political crisis which is deemed far more threatening, given that it has to

do, among other things, with Masoud Barzani's tenacious grip on the office of president.² Although his presidency actually ended in 2013, his term of office was extended until 19 August 2015 in view of the crisis of the Kurdish parliament.

7.1 Looming conflict over the Christian settlements in the Nineveh Plains

The absence of a mutually acceptable solution of the "disputed territories" issue in accordance with Article 140 of the Iraqi constitution (see 5.1 Referendum in accordance with Article 140 of the Iraqi constitution on the future status of "disputed territories") could result in fresh conflict between the Iraqi central government and the ARK which, in a worst case scenario, might end in fighting. This would very likely be the case if the ARK were not only to uphold its claims to Kirkuk, but also to annexe the Christian settlements in the Nineveh Plains.

Conflict looms over "disputed territories"

Observers are already talking of the threat of a new proxy war if this were to happen. The proxies in such a conflict would initially be Baghdad and Erbil, whose immediate interests are the root cause of a potential conflict scenario. However, Iran and Turkey as the powers protecting the Iraqi central government and the Autonomous Region of Kurdistan respectively would be pulling the strings in the background.³ However, the conflict looming over the Christian settlements in the Nineveh Plains is not the only one threatening the region.

7.2 Looming conflict over the Yazidi settlements in Sinjar and Shekhan districts

Armed conflict is also conceivable in the former Yazidi settlement area in the districts of Sinjar and Shekhan. Here again, the primary issue is sovereignty over the "disputed territories". Moreover, it is not just a question of who administers these territories, but also of access to the mineral resources there. Public discussion is currently focused on a completely different issue, however.

As was pointed out earlier, the Kurdish Peshmerga forces withdrew in advance of the IS military campaign in Sinjar District, leaving the Yazidis to their fate. Trapped in the Sinjar Mountains, the Yazidis were saved after a few days by YPG (People's Protection Units) and PKK (Kurdistan Workers' Party) fighters who hurried there from Syria and other regions of Kurdistan, supported by US air strikes. Later on, the Peshmerga also returned to the Sinjar region.

Sinjar and Shekhan districts are situated in the Governorate of Ninawa. They lie outside the ARK and are thus under the legal control of the Iraqi central government. Both districts are part of the "disputed territories", on whose future status a referendum is to be held in accordance with Article 140 of the Iraqi constitution (see 5.1 Referendum in accordance with Article 140 of the Iraqi constitution on the future status of "disputed territories").

Sinjar District was conquered by the IS in the summer of 2014. In an initial counter-offensive in December 2014⁴, Peshmerga forces and militias loyal to the PKK and the PYD – aided by the US, UK, Canadian and Australian air forces - made what proved to be only a partially successful attempt to recapture Sinjar District. During the offensive, parts of the town of Sinjar and large areas of the Sinjar Mountains were recaptured by the Peshmerga. At the same time, the PYD's People's Protection Units (YPG) succeeded in driving the IS out of the western Sinjar Mountains and, more recently, in opening a corridor from the mountains to Syria. The town of Sinjar and the Sinjar Mountains were fully recaptured from the IS during a second counter-offensive in November 2015.5 Taking part in the offensive alongside the Kurdish Peshmerga and the Zaravani Peshmerga – a police unit from the ARK's interior ministry – were the Yazidi Sinjar Alliance⁶, consisting of the Protection Force of Sinjar (HPS)⁷, the Sinjar Resistance Units (YBS)⁸ and the Êzidxan Women's Units (YJÊ)9; the People's Protection Units (HPG)10 and Free Women's Units (YJA STAR)¹¹ of the PKK; fighters from the Turkish Marxist-Leninist Communist Party (MLKP)¹² allied to the PKK; and the PYD's¹³ People's Protection Units (YPG)¹⁴ and Women's Protection Units (YPJ). 15 They were provided with support from the US Special Forces 16 and the US, UK and Canadian air forces.

In the light of developments since the early summer of 2014, it is not surprising, but noteworthy nonetheless, that neither the Iraqi army nor any of the numerous militias allied to it were involved in the offensives against the IS in the region in December 2014 or November 2015. After all, the region, which is part of the "disputed territories" within the meaning of Article 140 of the Iraqi constitution (see 5.1 Referendum in accordance with Article 140 of the Iraqi constitution on the future status of "disputed territories"), lies outside the ARK and is thus subject to the legal control of the Iraqi central government.

Moreover, the ostensibly joint action undertaken by the aforementioned motley coalition against the IS could easily lead to the erroneous assumption that the present peaceful coexistence between the Peshmerga and the PKK will continue in the future. In actual fact, the allegedly joint — or, to be more precise, the parallel or simultaneous — action taken was attributable solely to a common objective: the recapture or liberation of the territories conquered by the IS in the summer of 2014.

As in the case of the Christian settlements in the Nineveh Plains, not just one, but two overlapping conflicts can be expected in this region.

One of these relates to the issue of the so-called "disputed territories" — in this case the districts of Sinjar and Shekhan. Should no mutually acceptable solution be reached within the meaning of Article 140 of the Iraqi constitution (see 5.1 Referendum in accordance with Article 140 of the Iraqi constitution on the future status of "disputed territories"), a new conflict might flare up between the Iraqi central government and the ARK which, in a worst case scenario, could end in fighting. This would very likely be the case if the ARK were to attempt to annex the districts of Sinjar and Shekhan which, prior to the IS military campaign in the summer of 2014, were home to Yazidi settlements. Observers' predictions concerning a potential conflict in the Nineveh Plains also apply in this case: a new proxy war could loom, with Iran supporting the

Iraqi central government and Turkey throwing its weight behind the Autonomous Region of Kurdistan.¹⁷ Such a conflict could probably only be averted if the referendum on the "disputed territories", which was originally scheduled to take place by the end of 2007 at the latest, were to be held and the parties to the conflict accepted the result.

One of the reasons why this referendum has yet to be held is that it is still not clear who the participants would be.

The potential conflict over the Sinjar and Shekhan districts – "disputed territories" within the meaning of Article 140 of the Iraqi constitution – is just one of the dark clouds hanging over the region. Another is the looming clash between the Peshmerga forces and the PKK.

7.3 Looming clash between the Peshmerga forces and the PKK in Sinjar District

The Sinjar region is currently under the control of two armed groups: the Kurdish Peshmerga, on the one hand, and, on the other, the PKK, the People's Protection Units (YPG) of the PYD (the Syrian branch of the PKK) and several allied Yazidi militias. Travellers on the road out of Dohuk in the Autonomous Region of Kurdistan, which leads to Rabia, therefore encounter numerous Peshmerga and PKK checkpoints but just one Iraqi army checkpoint.¹⁸

Printed panel featuring the image of Abdullah Öcalan at the northern approach to the Sinjar Mountains, 27 October 2016 © Otmar Oehring

The single Iraqi army checkpoint can be seen as a pointer to the fact that the area in question actually lies outside the ARK and is under the jurisdiction of the Iraqi central government. However, the region is also part of the "disputed territories", ownership of which is a bone of contention between the Iraqi central government and the ARK.

However, the Sinjar region is not only the subject of a dispute between the Iraqi central government and the ARK, but also between the Peshmerga forces and the PKK and its allies.

PKK military cemetery at the northern approach to the Sinjar Mountains, 27 October 2016 © Otmar Oehring

As a result, there is an overlapping of two conflicts which have been simmering in the region for quite some time and to which no peaceful solution is currently in sight. The conflict between the Iraqi central government and the ARK must be resolved by means of a referendum held in accordance with Article 140 of the Iraqi constitution (see 5.1 Referendum in accordance with Article 140 of the Iraqi Constitution on the future status of "disputed territories"), as has already been stated.

Peshmerga fighter in front of a barricade erected by the PKK in the town of Sinjar, 27 October 2016 © Otmar Oehring

A resolution of the conflict between the Peshmerga and the PKK and its allies (YPG, PYD etc.) is also a matter of urgency, since the theoretically possible return of the Yazidis to the Sinjar region hinges upon it. However, there are valid doubts as to whether such an agreement can be reached in the foreseeable future – immediately after the successful conclusion of the

campaign to recapture Mosul, for instance, in which all the aforementioned parties to the conflict are involved.

Legally speaking, neither of the conflicting parties can assert a claim to the Sinjar region. The Peshmerga is unable to do so because it is a military unit of the ARK, which has no territorial jurisdiction over the Sinjar region. As non-government actors from Turkey and Syria, the PKK and its allied units (ignoring the Yazidi militias) also lack any grounds that would justify their presence in the region.

Recent statements by the ARK's prime minister, Nechirvan Barzani, must be seen in this light. On 15 December 2016 he thanked the PKK for its involvement, but subsequently requested its withdrawal from Sinjar because otherwise the population would not return and it would not be possible to rebuild their settlements.¹⁹ Not long afterwards, in early 2017, he threatened the PKK with violence if it refused to withdraw from Sinjar.²⁰ It can be assumed that Nechirvan Barzani based his demand on statements made by Admiral John Kirby, Spokesperson for the United States Department of State, who on 12 December 2016 called on the PKK and its allied militias to leave Sinjar.

No solution in sight to the conflict between Peshmerga and PKK

He said the USA classified the PKK as a terrorist organisation which had no place in Sinjar and that it represented a major obstacle to reconciliation in the region as well as to the return of internally displaced persons. Kirby's statement was notable not least for the clear distinction he made between the PKK, which is deemed a terrorist organisation, and its allied militias and the PYD – generally portrayed as a Syrian branch of the PKK – which the Obama administration supported in the fight against the IS in Syria. On 13 December, the pro-KDP news agency, BasNews, reported that the USA was seeking a means of ensuring the peaceful withdrawal of the PKK.

Shortly afterwards it was reported that the PKK's acting leader, Mustafa Karayilan²³, was holding secret talks with the ARK government on the PKK's withdrawal from the region and had confirmed that the People's Protection Units (YPG) would leave Sinjar after the talks were over. However, it is impossible to verify these reports, which do not sound particularly convincing in the light of developments to date.²⁴

Nevertheless, it can be assumed that the ARK and, above all, Turkey wish to enforce the withdrawal of the PKK and its allies from the region. The ARK, because it seeks control over the region with the help of its Peshmerga forces, although, as was pointed out earlier, it has no entitlement to a presence in the region; and Turkey, because it wishes to prevent the PKK from establishing an area of retreat for its Syrian allies from the PYD in the Syrian Kurdish region they call Rojava. There are also reports that Turkey is seeking to prevent the PKK from acquiring a further operating base in northern Iraq for its activities in Turkey – as an alternative to the base in the Qandil Mountains on the border between Turkey, Iran and Iraq. The Qandil Mountains are located on ARK territory not far from the Turkish border in a mountainous region which is very difficult to access and therefore also hard for the ARK to control.²⁵

Nevertheless, it seems hardly credible that the Sinjar region could serve as an alternative to the PKK bases in the Qandil Mountains for waging campaigns against Turkey. After all, the Sinjar region is some 150 to 200 kilometres from the Turkish border and ARK territory has to be crossed on the road from Sinjar to Turkey (however, given the very close relationship between Ankara and Erbil, this should pose no problems at present). Insiders such as the publicist, Ibrahim Osman, point out that the Sinjar region has no distinctive political, military or logistical features that would earmark it for the establishment of a second Qandil. Sinjar is completely different to Qandil, which is located in the Iraqi mountains. Sinjar, by contrast, is like an island in the middle of an ocean with no adjacent countries. To pursue a strategic plan of this nature would be tantamount to military suicide for the PKK.²⁶

The Qandil Mountains are located on ARK territory not far from the Turkish border in a region which, although very difficult to access, is also hard for the ARK to control.²⁷

Map revised on the basis of the map that can be accessed at: https://:commons.wikimedia.org/wiki/File:Iraq_Dist.png

The ARK President, Masoud Barzani, has argued against an armed conflict with the PKK, which seems only sensible in view of the political and economic challenges the region now faces. Nonetheless, the question remains of whether the ARK and the PKK are in control of the situation or whether they might be compelled to act in a one way or another by Turkey or Iran. For Turkey is no more willing to accept the PKK's continued presence in the Sinjar region than Iran is to witness its retreat into the Qandil Mountains on its border. At present, the dispute still appears to be going on in the media, although it is quite obvious that not all the reports are based on fact. Given the volatile developments in the region, however, the situation could change very quickly.²⁸

It is certainly legitimate to assume that the PKK's presence in the Sinjar region is not a real obstacle to the return of the Yazidis to their homelands, as was claimed by the ARK's prime minister and the former spokesperson for the United States Department of State. After all, the PKK and its allies were among those who came to the aid of the Yazidis immediately after the IS military campaign in summer 2014, enabling them to escape. As a result, it is highly likely that the Yazidis remaining in the region have more sympathy for the PKK and its allies than for the Peshmerga.

However, Iran and Turkey have other interests in Sinjar besides the conflict scenarios described above, which might well also lead to clashes and could affect the future of the Christians and Yazidis remaining in the region.

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8. Interests of the regional stakeholders Iran and Turkey

8.1 Interests of Iran

The Shiite Al-Hashd Al-Sha'abi militias, funded by the Iraqi central government and advised and trained by Iranian special forces, are cooperating with the Iraqi army and the Kurdish Peshmerga in efforts to recapture Mosul. In late October 2016, 3,000 militia fighters advanced from the vicinity of the town of Sinjar in the direction of Tel Afar. The progovernment Turkish newspaper *Yeni* Şafak¹ called this a dangerous advance by terrorist groups on the town, which is populated by at least 60,000 Turkmens. The reference to terrorist groups probably meant not only the Shiite militias, but also the PKK, which the paper incorrectly reported as exercising control over Sinjar. It was alleged that the attack had been planned shortly beforehand during a visit by Qasem Soleimani², Commander of Iran's Revolutionary Guards, to the city of Sulaymaniyah in the ARK.

It can be assumed that Iran's immediate interests had a role to play in this advance. Iran is crucial to the pursuit of Shiite interests in Iraq. Its main ally is not the current Iraqi prime minister, Haider al-Abadi, a Shiite intent on reaching a compromise between the country's ethnic-religious groups in order to secure the continued existence of Iraq as a unitary state, but rather his predecessor and fellow Shiite, Nouri al-Maliki.

What is at stake in this particular case, however, are not Shiite interests in Iraq nor fears of violent attacks or even massacres of the Sunni population by Shiite militiamen, which are not completely unjustified in the light of past experience. The fact is that the Turkmens in Tal Afar are not a homogenous religious group. Some are Sunnis and others Shiites. Turkey sees itself as the protecting power for the Sunni Turkmens, while Iran assumes the same role for the Shiite Turkmens. The Sunni IS launched massive attacks on Shiite Turkmens in Tal Afar during its military campaign in the summer of 2014. With that in mind, acts of revenge by Shiite militias on the Sunni population, regardless of whether they are Turkmens or members of other ethnic groups, cannot be excluded.³

Irrespective of this, the advance of the Al-Hashd Al-Sha'abi militias on Tal Afar was closely allied to Iran's military-strategic interests, the aim being to establish a land bridge between Iran and northern Syria. Just as the western area of the ARK, which includes the provinces of Erbil and Dohuk, must be regarded as a Turkish sphere of influence, so its eastern territories, including Sulaymaniyah province, are subject to the influence of Iran. However, Iran still lacks a bridgehead in the west of northern Iraq, which could be set up by means of a land bridge between Iran and its sphere of influence in Syria. It is in this context that the significance of Tal Afar must be seen.⁴

There is every reason to fear that Iran's involvement with Tal Afar could lead to a protracted conflict in the region. In the final analysis it will be irrelevant whether such a conflict is triggered by the establishment of an Iranian bridgehead in the west of northern Iraq or by sectarian clashes between Shiites and Sunnis. In both cases, Iran and the pro-Iranian Iraqi central government will be on the one side facing Turkey and the pro-Turkish ARK government on the other. The Christians and Yazidis living in northern Iraq would not be the first or, indeed, the only ones to be affected by such clashes. But there can be no doubting that any further conflict in northern Iraq — and conflicts cannot be ruled out — will considerably darken the future prospects for Christians and Yazidis in the region.

8.2 Interests of Turkey

Relations between Turkey and Iraq are complex, since Turkey maintains relationships on two levels – with the Autonomous Region of Kurdistan and the Iraqi central government.

The good contacts that exist between Turkey and the ARK and its leaders, President Masoud Barzani and Prime Minister Nechirvan Barzani, are principally attributable to the economic interests of both sides. Turkey is the ARK's most important trading partner. Most of the region's daily commodities are imported from Turkey, and a host of services, such as those in the construction and tourist sectors, are performed by Turkish companies. Conversely, the ARK uses the Turkish port of Ceyhan to distribute the crude oil extracted from its territory as well as from Kirkuk and the surrounding area, which is one of the "disputed territories" (see 5.1 Referendum in accordance with Article 140 of the Iraqi constitution on the future status of "disputed territories"). This arrangement concerns both the volumes the ARK is permitted to market on its own account, in line with an agreement with the Iraqi central government, and any surplus amounts, which allegedly now far exceed the volumes the ARK was originally permitted to market for its own profit. However, it is not only the charges levied on the crude oil transit to Ceyhan in which Turkey is interested. The ARK has also concluded a secret agreement with Turkey on the supply of crude oil; this runs for 50 years and guarantees delivery at preferential rates.⁵

Economic interests of Ankara and Erbil

Turkey's involvement in northern Iraq dates back to the era of Saddam Hussein and is connected with its fight against the PKK. In the 1990s, the Turkish army, acting in agreement with the Iraqi regime, set up what were initially small bases in northern Iraq in what is now the Autonomous Region of Kurdistan, e.g. in Darsinki and Kanimasi⁷ near the Turkish border. A command battalion stationed in Kanimasi⁸ is intended to ward off border transgressions by the PKK. Another, larger base is located at the Bamerne airbase⁹, near the village of the same name¹⁰, which was set up by the USA in the 1990s as part of Operation Provide Comfort¹¹ and was in use by the Turkish army prior to 2003.¹² The Turkish army has stationed a tank battalion here with outposts in Amediye and Suri.¹³ Turkey has also stationed 130 special operations professionals in Erbil, Zakho, Dohuk, Batufa¹⁴, Sulaymaniyah¹⁵ and Amadiye¹⁶. The approximate total of 3,000 soldiers now deployed in Iraq make Turkey's the third largest foreign military contingent in the country after Iran and the USA.¹⁷ The long-term involvement of the country's

army in Iraq is reflected primarily in press coverage of Turkey's battle against the PKK. The deployment of Turkish troops in northern Iraq took a new turn with the stationing of a 400-man strong battalion of the 3rd command brigade from Siirt near Bashiqa¹⁸ in the vicinity of Mosul in late 2015. This sent out a clear signal that the Turkish camp in Bashiqa was being converted into a military base.¹⁹ Up to that point the base in Bashiqa had been described as a temporary training institute for Peshmerga and Iraqi soldiers²⁰; other sources maintained that Sunni militiamen close to Atheel al-Nujaifi, the former Governor of Mosul, were undergoing training there.²¹ There were clearly differing views in Ankara, Erbil and Baghdad as regards both the Turkish presence and its real purpose as well as the expansion of that presence. In the short term, at least, it placed additional strain on relations between Ankara and Baghdad.

Turkey had already agreed the reinforcement of its troops during a visit to Erbil by the then minister of foreign affairs, Feridun Sinirlioğlu, in November 2015.²² To all intents and purposes this was a flagrant violation of Iraq's sovereignty, as Bashiqa does not lie in the ARK but in the territory controlled by the Iraqi central government. The decision taken by the Turkish parliament on 1 October 2016 to increase the number of Turkish troops in Bashiqa triggered a diplomatic crisis between Baghdad and Ankara, eliciting a harsh reaction from the Iraqi parliament, which deemed the operation an invasion by foreign troops and demanded an appropriate response from the UN Security Council and the Arab League. Turkey argued that the Iraqi prime minister, Haider al-Abadi, had requested the deployment of Turkish soldiers as early as 2014.²³ While there is documentary evidence that the operation was agreed with the government in Erbil, the precise nature of the prior arrangements Turkey claims to have made with the Iraqi central government remains unclear. Should no prior agreement have been reached, this is unlikely to have been an oversight, as statements by Turkey's deputy prime minister, Numan Kurtulmuş, suggest. He initially asserted that Erbil and Baghdad had been informed of the operation, subsequently adding that, in the light of Iraq's fragmentation, nobody had the right to reject the Turkish presence in Bashiga. However, he continued, Turkey would be willing to cooperate with Baghdad, provided the Iraqi government concentrated its efforts on maintaining the country's territorial integrity and on the fight against terrorist groups.24

Ankara's interests in the fight against the PKK

One might assume that Kurtulmuş' statement referred to the threat posed to Iraq's territorial integrity by the terrorist organisation IS. However, it is more likely that his reference was to the PKK, whose presence in northern Iraq can be interpreted as a threat to the country's territorial integrity and is regarded as problematic by both Turkey and its ally, the Autonomous Region of Kurdistan and its Peshmerga forces.²⁵

The dispute between Baghdad and Ankara culminated in coarse insults and invective directed at al-Abadi by Turkish president Erdoğan during a conference attended by Islamic leaders on 11 October 2016 in Istanbul and ended with the following declaration by Erdoğan: "We will do whatever is necessary, just as we have done in the past." Indeed, nothing has changed in the

meantime as regards the Turkish presence in Bashiqa and in northern Iraq. Any change would have been surprising, as Turkey's presence in Iraq serves specific objectives.

The conclusion Turkey has drawn from its experiences during the Syrian conflict is that, if it wishes to play a part in deciding the future of Mosul, it must make its presence and influence felt on the ground as of one of the key players. Furthermore, Turkey is keen to counterbalance the anti-IS alliance of Iraqi Shiites and Iran and is therefore attempting to form an alliance with the ARK and Sunni Arabs under the leadership of the Mosul-based Nujaifi clan. This serves the additional purpose of securing the support of Turkey's regional clientele in the Turkmen and Kurdish settlements. Finally, Turkey wishes to control the Sinjar region and the current land bridge between the PKK in the Sinjar region and the PYD in north-eastern Syria. Turkey also appears to be abandoning its previous stance in favour of Iraq's territorial integrity, because it is increasingly convinced that the country no longer has a central power. In Ankara's view, however, this power vacuum is likely to strengthen the position of the PKK and the Shiites. Under these circumstances an acceptable alternative in Turkey's view would be the establishment of a "Sunnistan Autonomous Administration" consisting of the Autonomous Region of Kurdistan and the Sunni institutions in Syria and Iraq under the protection of Turkey.²⁷ On the one hand, this scenario would be consistent with Recep Tayyip Erdogan's irredentist ideas in respect of Mosul, which have their roots in the Turkish "National Pact", and it would also accord with Sunni sectarianism, which is a key plank in his foreign policy strategy. What the implementation of such a strategy might mean in practice can be seen from the situation of the Turkmen population in and around Mosul. From Ankara's point of view it is both a cause for concern and a source of potential profit. Turkish special units have collaborated with the Iraqi Turkmen Front²⁸ in northern Iraq since 2003 in order to consolidate Turkey's influence and to clamp down on the PKK.²⁹ However, the example of the Turkmen population also serves to illustrate the immense complexity of the situation in Irag. Turkey has always presented itself as the protecting power for the Turkmens. However, only 60% of Iraq's Turkmen population are Sunnis; the remaining 40% are Shiites, who live in the same settlements. Turkmen politicians and activists have been at pains to point out that Turkey is only interested in the fate of the Sunni Turkmens.³⁰

Turkey's irredentist dreams

Erdoğan's stipulation that no Shiite militias should be involved in the retaking of Mosul³¹ and that only Sunni Arabs, Turkmens and Sunni Kurds should be allowed to remain in the city after its liberation immediately prompted the Shiite Al-Hashd Al-Sha'abi militias (Popular Mobilisation) to describe this statement by Erdoğan as "a racist proposition designed to alter the demography of Mosul". ³² Should Turkey insist on Shiites leaving the region in the wake of Mosul's recapture, the outcome would inevitably be conflict with Iran, amongst others (see 8.1 Interests of Iran).

From Turkey's point of view, the visit to Baghdad and Erbil by the Turkish prime minister, Binali Yıldırım, on 7 and 8 January 2017 was primarily intended to improve the highly strained political relations between Turkey and the Iraqi central government. It also involved a trade-off whereby Turkey would agree to withdraw its troops from Bashiqa, provided Baghdad and Erbil

ousted the PKK from Sinjar. Turkey envisages three scenarios to this end: "Firstly, you, i.e. Baghdad and Erbil, fight the PKK"; secondly, "we carry out combined operations"; thirdly, "if neither option is possible, we will go it alone with our own army."³³

The USA's support for the Syrian Kurds – and by extension for the PKK, as far as Turkey was concerned – had already cast a cloud over Turkey's relations with the Obama administration. Turkey repeatedly condemned support for the Kurdish YPG in Syria as an endorsement of terrorist activity. The country expressed its support for Trump during the US election campaign, resolutely rejecting Hillary Clinton because she staunchly defended the YPG, which Turkey regarded as inimical to its interests. "The optimism placed in Trump was a reaction to the Obama administration's stance in the final months of his tenure," commented Özgür Ünlühisarcıklı, the head of the German Marshall Fund's office in Ankara. "They believed that a Clinton administration would have been a direct continuation of the Obama administration and hoped for an improvement in relations under Trump."³⁴

Ankara's plans backfire - the USA continues to back the PYD/YPG

The visit by the new CIA director, Mike Pompeo, to Ankara on 9 February 2017 was therefore eagerly awaited by the Turkish government, despite the fact that the agency had described Turkey as an "Islamist dictatorship" just a few months previously in autumn 2016. Turkey expected the USA to at least assist in restricting the PKK's activities in Iraq and Turkey, although on the other hand Ankara had few illusions about a potential change in the role of the PYD [or YPG] in Syria.³⁵

Shortly afterwards, on 28 February 2017, images of YPG fighters were published on the Twitter account operated by CENTCOM, the US armed forces' regional command responsible inter alia for the Middle East. This confirmed that the USA continued to view the YPG as one of its allies in the fight against the IS.³⁶ The Turkish *Daily Sabah* responded with an article headlined "US CENTCOM supports YPG terrorists, promotes child soldiers".³⁷

It would appear that no solution acceptable to Turkey is in sight as regards the future presence of the PKK in the District of Sinjar. The USA and the Iraqi central government evidently intend to retain the Yazidi militias established by the PKK and by Haydar Shesho, since they enjoy the trust of the Yazidi population. During talks in January 2017, prior to Trump's assumption of office, it was reported that US diplomats had allegedly discouraged leaders of the Kurdish Democratic Party (KDP) from using violence against the Yazidi militia. Any resulting conflict would be interpreted as a clash with the Yazidis, and not with the PKK.³⁸

Since early 2017 neither the Turkish media nor the pro-KDP media, e.g. the RUDAW network, have made any mention of the demand that the PKK should leave the Sinjar region or of the PKK's alleged willingness to withdraw voluntarily.³⁹ It is doubtful whether this reticence as regards the PKK is due solely to the intervention by US diplomats. As regards the PKK's future in the region, the KDP certainly has its own priorities while at the same time representing the interests of Turkey. By contrast, the Patriotic Union of Kurdistan (PUK) and the GORRAN Movement for Change party either support or tolerate the PKK.

The current economic and political situation in the Autonomous Region of Kurdistan is so precarious that victory over the IS in connection with the campaign to recapture Mosul is unlikely to lead to independence for the ARK. A more likely prospect at present is that of "weakened autonomy, political entropy and even armed conflicts" (see 5.1.1 Referendum on the future status of "disputed territories" and the independence of the Autonomous Region of Kurdistan in September 2017?).

Any consideration of the future of the PKK in Sinjar District must take account of the fact that this area lies outside the ARK and is part of the "disputed territories" (see 5.1 Referendum in accordance with Article 140 of the Iraqi constitution on the future status of "disputed territories") and is thus officially under the control of the Iraqi central government. However, the Iraqi central government and its protecting power, Iran, are among the PKK's supporters.

8.2.1 Turkish air strikes in the Sinjar region on 25 April 2017

In recent years, and with the tacit agreement of Masoud Barzani, President of the Autonomous Region of Kurdistan, Turkey has regularly launched air strikes on PKK bases in northern Iraq, both in the Qandil Mountains and in the regions of [Shiv-a] Haftanin, Metina, Zab, Avasin [= Avaşin], Basyan, Hakurk on the Iraqi side of the Turkish-Iraqi border and in Makhmur — and is presently doing so on an almost daily basis.⁴¹

There can be no doubt that Turkey has long sought to attack SDF⁴²/ YPG⁴³ positions in northern Syria and those of the PKK in the Sinjar region in northern Iraq. However, the fact that the SDF/YPG in northern Syria are effectively treated as allies by the USA has deterred the country from turning words into deeds. This also applies to a certain extent to the PKK in the Sinjar region in northern Iraq, despite the fact that the USA's stance on the PKK is, and has never been, absolutely unequivocal. Observers note that President Trump's congratulation of President Erdoğan on the successful constitutional referendum on 17 April 2017, against the advice of the US State Department, was interpreted by Erdoğan as a "carte blanche" for Turkish action against the SDF/YPG in northern Syria and against the PKK in the Sinjar region in northern Iraq. During the telephone conversation between the two presidents, Erdoğan allegedly voiced Turkey's concerns over the USA's partnership with the YPG. The week before, it was reported that James Mattis, the US Secretary of Defence, had purportedly expressed sympathy for Turkish concerns about US cooperation with the YPG, including the delivery of heavy weapons, during talks with his Turkish counterpart Fikri Işık.⁴⁴ It is impossible to ascertain whether Trump and Mattis responded sympathetically or whether Işık and Erdoğan merely interpreted these reports in a manner conducive to their interests.

PKK camps in northern Iraq - Turkish air force targets. Map compiled by Otmar Oehring based on the map available at: https://commons.wikimedia.org/wiki/File:Kurdistan_2012.png

As it happens, the Turkish air force did launch air strikes on SDF/YPG positions in north-eastern Syria and on the PKK in the Sinjar region in north-western Iraq in the early morning of 25 April 2017 deploying 26^{45} – or, according to other sources, 30^{46} – F-16 fighter aircraft. The Turkish General Staff issued a statement stating that, in accordance with international law⁴⁷,

Turkish air forces had launched attacks on targets in north-eastern Syria (Qereçox / Karacok Mountains)⁴⁸ and in north-western Iraq (Sinjar Mountains). The military and civil authorities in the countries in question had been informed of the impending strikes in order to "avoid casualties among the civilian population and the personnel of other states."⁴⁹ In this case, it appears that Turkey did make efforts to get the go-ahead from the Combined Air Operations Center (CAOC) in Qatar, which coordinates the air force campaigns in Syria and Iraq with the US air force, among others. However, the CAOC apparently refused to authorise the attacks. Turkey carried out the air strikes nonetheless.⁵⁰ It subsequently emerged that the USA and Russia were only informed of the strikes less than an hour before they took place.

Turkey's air strikes on north-western Iraq were aimed at PKK positions and those of its ally, the YBS, in the region of Kerse, in Qeha and Amud in the Sinjar Mountains.⁵¹ However, as Turkey was allegedly provided with incorrect geographical coordinates, apparently by the Peshmerga⁵², the PKK and YBS positions were not bombed but a nearby Peshmerga base instead.⁵³ This resulted in the deaths of five Peshmerga fighters with a further nine suffering injuries. A YBS militiaman was apparently also killed, although the PKK and YBS fighters, having been warned in advance, were able to evacuate their bases on Mount Dari Gali Karse. The source of the relevant intelligence is unknown.

Mark Toner, Spokesperson for the US State Department, said the USA was deeply concerned about the air strikes, since they had been undertaken without sufficient coordination. He added that, while Turkey was an important partner in the fight against the IS, it was of the utmost importance that close coordination should be guaranteed in order to keep up pressure on the IS.⁵⁴ Although the US acknowledged Turkey's concerns over the PKK, actions like these hampered the efforts of the anti-IS coalition in its fight against the Islamic State and was harmful to the partners waging the struggle on the ground.⁵⁵ US Central Command also expressed its concern at the air strikes.⁵⁶ Russia only reacted to the strikes two days later, describing them as worrying and absolutely unacceptable.⁵⁷ However, it is possible that Russia wished to wait until America issued its reaction before making a statement itself. It is assumed that Russia thought Turkey's actions might place further strain on relations between Ankara and Washington, thereby potentially leading to a rapprochement between Ankara and Moscow. At the same time, however, Russia stated quite clearly for the first time that it regarded the YPG as an important force in the fight against terrorism.⁵⁸

One may well wonder what Turkey hoped to achieve by launching its air strikes. In an article for Al Monitor, Metin Gürcan observed that the attacks were obviously designed to sound out in advance what Turkey could expect from the meeting between Donald Trump and Recep Tayyip Erdoğan on 16 May. ⁵⁹ The meeting between presidents Erdoğan and Putin in Moscow on 3 May was also eagerly awaited by Turkey. It turned out that the meeting failed to deliver the results Turkey had hoped for. Following the lifting of the economic sanctions imposed by Russia on Turkey, the latter had hoped, in particular, to receive support for its plans to establish a security zone in the Kurdish-dominated areas along the Turkish-Syrian border in Syria, the majority of which are controlled by the SDF/YPG. From Turkey's perspective, this would have made it easier

to monitor the activities of the Kurdish militias in the region (SDF/YPG). However, this support was not forthcoming. Instead, presidents Putin and Erdoğan used a joint press conference on 3 May to present a document which had been drafted during the talks on Syria in Astana (Kazakhstan) by Russia, Turkey and Iran and approved by Syria and the USA. Signed in Astana on 4 May, it envisaged the creation of four de-escalation zones in Syria⁶⁰. 61

Lieutenant-General Alexander Fomin, Russia's Deputy Minister of Defence, commended the constructive stance shown by Turkey and Iran and the supporting role played by the USA. It was agreed that the following four safe zones should be set up in Syria:

- Zone 1 comprises the province of Idlib in northern Syria, the north-east of the province of Latakia, the west of the province of Aleppo and the north of the province of Hama
- Zone 2 comprises the north of the province of Homs
- Zone 3 the eastern Ghouta area
- Zone 4 greater Der'aa in southern Syria on the border with Jordan.

The precise delimitation of the borders of these zones has yet to be determined.⁶²

Although these developments should theoretically prove reassuring to the Kurdish SDF/YPG militias active in the Kurdish-dominated areas along the Turkish-Syrian border, the PYD expressed criticism of the agreement. It did so not least because it feared that the signatory states might extend the security zones to include the Kurdish "Autonomous Areas" (= Rojava)⁶³, which would certainly satisfy the wishes of Turkey's President Erdoğan. However, US support for the YPG and Russia's favourable statement on the YPG do not indicate that the YPG has any immediate cause for concern in the short term. Moreover, the USA has stationed three army units on the Syrian side of the Turkish-Syrian border between Derbesiye and Serekaniye (Ras al-Ayn), between Serekaniye and Tell Abyad, and between Tell Abyad and Kobani; other troops are in place in the Qamishli region. In addition, Russia has deployed a further military unit in the Afrin region. Turkish attacks on Syrian areas in which the Kurdish SDF/YPG are active have thus become less likely⁶⁴, provided Turkey has no aspirations to provoke a conflict with the USA and Russia.

Prior to the meeting between presidents Erdoğan and Trump in Washington on 16 May the Turkish side nurtured the expectation that the Americans would take the opportunity to provide clarification of their future dealings with the YPG and the PKK. In actual fact Erdoğan's Washington visit, described by the well-known Turkish journalist, Cengiz Candar, as one of the least successful visits to Washington by any leading Turkish politician, proved largely inconclusive — including in respect of these dealings. Even before the visit, Candar had remarked that Turkey was more alone and isolated than ever before, having made "frenemies" on all fronts.⁶⁵

Although Erdoğan emphasised that "terrorist organisations have no place in the future of our region. This is a situation that will never be accepted and one that is at odds with an international agreement reached by Turkey", his veiled reference to the YPG and the PKK as

terrorist groups is clear. What is unclear, however, is the alleged agreement he referred to. The statement released by the White House on the talks between Trump and Erdoğan merely remarked that the two presidents had met to discuss ways in which the deep-rooted, diverse relations between the two countries could be consolidated. President Trump emphasised the USA's commitment to the security of its NATO ally Turkey and the necessity of collaboration in the fight against terrorism. The statement was worded as follows: "We [the USA] support Turkey in the first fight against terror and terror groups like ISIS and the PKK, and ensure they have no safe quarter, the terror groups. ... We also support any effort that can be used to reduce the violence in Syria and create the conditions for a peaceful resolution." The statement was worded as follows: "We [the USA] support Turkey in the first fight against terror and terror groups like ISIS and the PKK, and ensure they

The only clear message to emerge from the above is that the USA is determined to continue its fight against IS/ISIS. However, room for conjecture remains as regards its future strategy concerning the PKK and the YPG. It can be assumed that, in the USA's view, the YPG is one of the militias contributing to a reduction of the violence in Syria and thus laying the ground for a peaceful resolution of the conflict. If that were not the case, it is unlikely that the USA would cooperate with the YPG and even go so far as to provide it with support in the form of heavy weapons. At an event hosted by the Middle East Institute on 17 May 2017, the Deputy Assistant Secretary in the US State Department, Jonathan R. Cohen⁶⁸, commented that the USA's relations with the YPG were "temporary, transactional, tactical".⁶⁹ This can, but need not, be interpreted as a qualifier in respect the time frame and the circumstances of the cooperation. In an interview given before Erdoğan's Washington visit Ross Wilson⁷⁰, US ambassador in Ankara from 2005 to 2008, expected the US administration to make a point of regulating US relations with the YPG prior to Erdoğan's visit - not least because the approaching summer months offered favourable conditions for the campaign to recapture Raqqa. None of the circumstances surrounding the decision were likely to change, he said, although there plenty of opportunities to discuss its implementation.⁷¹

The USA's stance towards the PKK remains vague, even though it was described in the statement referred to above as a terrorist group and it has been emphasised that the USA seeks to ensure such terrorist groups have no safe quarter. However, it is not clear whether this refers merely to the PKK's activities in Turkey or also to its presence in numerous locations in northern Iraq. Furthermore, remarks made by Jonathan R. Cohen during the event held by the Middle East Institute on 17 May 2017 suggest that the US administration views the issues Turkey has with the PKK primarily as a domestic challenge, which could be solved by a resumption of talks between the Turkish government and the PKK. In view of this assessment it is easy to understand why the USA sees no contradiction in collaborating in Syria with the YPG, which is said to maintain close ties with the PKK.

it remains to be seen whether fresh strikes by the Turkish air force in the Sinjar region can be expected in future. Should this be the case, a conflict might arise between Turkey and the Iraqi central government which, like the Iranian government, condemned the air strikes of 25 April as a violation of Iraq's sovereignty. It is difficult to foresee the precise shape such a conflict between the Iraqi central government and Turkey might take. In the wake of Mosul's recapture the ARK government, the Iraqi central government and the USA might conceivably urge the PKK

to leave the Sinjar region of its own free will and, should it fail to do so, take joint action against it.⁷² However, this would require the USA to resume a proactive policy on Iraq, after regularly emphasising, during Obama's tenure, that the solution to the country's domestic problems was the exclusive task of the government of *sovereign* Iraq and that the USA would only take action if requested to do so by the Iraqi government.

While it is still not apparent how the smouldering or looming conflicts over the Sinjar region can be peacefully resolved, another crisis is now in the offing. According to recent information, Shiite Al-Hashd Al-Sha'abi (Popular Mobilisation) militias are heading for the Sinjar region. For some time now, the Al-Hashd Al-Sha'abi militias have been based further east in the vicinity of the city of Tal Afar, which has a predominantly Turkmen population. They had intended to liberate Tal Afar from the IS and to establish a bridgehead there for a land bridge between Iran and its sphere of influence in Syria (see 8.1 Interests of Iran). However, fears of attacks by the Shiite militias on the predominantly Sunni population have so far hindered the militias' advance.

Reports are now emerging that the Al-Hashd Al-Sha'abi militias are currently preparing to liberate Yazidi villages in the southern part of the Sinjar Mountains⁷³ and have either almost reached Sinjar's military airport⁷⁴ or have already taken control of it.⁷⁵

It is fair to assume that the interests of the Al-Hashd Al-Sha'abi militias do not lie in the region of Sinjar as such. Rather, their approach must be seen in the context of the aforementioned efforts to establish a land bridge between Iran and its sphere of influence in Syria. Should they be pursuing interests related to the Sinjar region, that would only complicate what is already a difficult and potentially explosive situation, given the presence of the Peshmerga, the PKK and the latter's allies. Hence it can come as no surprise that the pro-KDP (the Kurdish ruling party) news site, BasNews, has reported that the Yazidis in Sinjar have asked the Peshmerga to prevent the Al-Hashd Al-Sha'abi militias from advancing into the Sinjar region. Whether the Yazidis actually said anything to that effect or whether BasNews was merely ascribing the KDP's likely stance to the Yazidis remains an open question.

These developments make it clear that the establishment of peace in the Sinjar region, which is cited as a key prerequisite for any credible plans to help the Yazidis return, is likely to be a long time coming. Moreover, the circumstances also make it plain that no *single* party can be blamed for the negative developments, which make it doubtful whether the Yazidis can return to their homelands.

^{1|} Dangerous advance of terrorist groups toward Tal Afar, Iraq, Yeni Şafak. 30 October 2016 http://www.yenisafak.com/en/world/dangerous-advance-of-terrorist-groups-toward-tal-afar-iraq-2555942

^{2|} https://en.wikipedia.org/wiki/Qasem_Soleimani

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9. Coexistence with other ethnic-religious groups

In Iraq, Christians and Yazidis have always lived side by side with Shiite and Sunni Arabs, Sunni Kurds and members of other smaller ethnic-religious groups in the same neighbourhood, town or region. This is also true of the Nineveh Plains and the Sinjar and Shekhan districts. the majority of reports on these regions imply that they are inhabited solely by Christians or Yazidis. However, the Nineveh Plains are populated not only by Christians, but also by Muslims and members of other, smaller ethnic-religious groups, such as the Shabak people. Prior to the capture of the Christian settlements by the IS in summer 2014, just 22% to 23% - other sources say around 40% - of the population in the Nineveh Plains were reported to be Christians. It is anticipated that in the future, given favourable conditions, Christians will make up a maximum of 10 per cent of the population.¹ In addition, around ten years ago the Iraqi central government earmarked plots of land for 6,000 civil servants, thus encouraging the settlement of a large number of Muslims. With the average family numbering at least five – and in reality far more than that – this strategy would result in the influx of at least 30,000 people.

Ethnic groups in Iraq		Religious groups in Iraq		Ethnic-religious groups in Iraq	
Arabs	75 to 80%	Shiites	60 to 65%	Shiite Arabs	58 to 63%
Kurds	15 to 20%	Sunnis	32 to 37%	Sunni Arabs	17%
Others	< 5%	Others	< 3%	Sunni Kurds	15 to 20%
TOTAL	100%	TOTAL	100%	Others	< 5%
				TOTAL	100%

If the return of the Christians, who fled from their settlements in the Nineveh Plains in summer 2014, and that of the Yazidis, who were similarly forced to flee their settlements in the Sinjar district, is to prove a viable option, coexistence with the Muslims is likely to be one of the biggest challenges. For even if the IS, as an organised terrorist militia, is eradicated, all my Christian and Yazidi contacts in the region agree that the IS mentality and ideology will stick in the minds of the population. It is generally assumed that the Muslims living in the area at the time the Christian and Yazidi settlements were overrun by the IS were hand in glove with the terrorists. It makes no odds whether this really was the case or not: as a group the Muslims have lost the trust of the non-Muslim minorities.

During talks with Yazidis about the conditions for a return to their former settlements in the Sinjar district it was generally said that the crucial prerequisite was the departure of all 'Arabs', the synonym for Muslims, from the region.² However, a glance at a map of Sinjar District reveals that, in addition to the Yazidi villages, there is a far larger number of

settlements which have always been populated by Muslims. They, too, will want to return to their villages.

The presence of the ethnic-religious Shabak group is deemed problematical as far as the potential return of Christians to their settlements in the Nineveh Plains is concerned.³

In the late 1990s this group was said to have comprised around 100,000 people⁴ living in over 60 villages distributed across the Nineveh Plains, with several thousand Shabak also residing in Mosul at that time. If the same population growth observed throughout the Iraqi population as a whole is attributed to the Shabak, their numbers are likely to have risen to at least 154,000 by 2013. The Shabak people, who speak a Kurdish dialect, are described as a heterodox, syncretistic religious community whose faith incorporates elements of Shiite Islam and Christianity. Reports on the group appear to confirm that, in their dealings with the dominant groups and stakeholders in the region, its people make every effort to secure or consolidate their position. This is probably due not least to their experiences during Saddam Hussein's rule, when they suffered discrimination and were forbidden to practice their religious rites. Church leaders responsible for the Christian settlements in the Nineveh Plains accuse them of claiming to be Shiites when dealing with representatives of the Shiite-dominated Iraqi central government while presenting themselves as Kurds to the representatives of the government of the Autonomous Region of Kurdistan.⁵ It is impossible to determine the truth of such accusations. In fact, the Shabak appear divided on the issue of whether, in terms of securing the group's future, it would be wiser to seek the protection of Baghdad or that of Erbil.⁶

Examples of the conduct of the Shabak people include reports on incidents which took place in the Christian town of Bartella. There the group is alleged to have forbidden the use of Christmas decorations and the holding of Christmas celebrations in deference to the Ashura Festival being held at the same time. Furthermore, the Shabak people allegedly wished to erect a Huseiniya, a Shabak place of prayer, in the middle of the town. Lengthy discussions between the Christian residents and the representatives of the Iraqi central government and the ARK government were apparently needed to prevent the implementation of this project. Nonetheless, there are fears that the Shabak will continue to exploit their good relations with both the Iraqi central government and the government of the ARK to consolidate or extend their position in the region. With this in mind, the above incident is interpreted to the effect that the underlying purpose of the Shabak plans to construct a place of prayer in the Christian town of Bartella was to gain control of this municipality, thus ensuring that, in the medium term, the Christians would leave the settlement. 8

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10. Prospects for a return of Christians and Yazidis to their original settlement areas

10.1 Migration movements in the country

After 2003, and especially in the wake of the onslaughts by Al-Qaeda and other radical Islamic groups on members of non-Muslim minority groups, Iraq experienced high levels of internal migration. This applied equally to all sections of the population. While there are settlement areas and regions that have witnessed very extensive emigration caused by armed conflicts, there are also settlement areas that have seen a marked influx of migrants as a result of developments in the country.

10.2 Possibilities for a return of the Christians and Yazidis

It has already been pointed out several times that the possibility of the Christians returning to their traditional settlements in the Nineveh Plains and of the Yazidis going back to their original settlements in Sinjar District depends on the fulfilment of a number of conditions.

10.2.1.1. Recapture / liberation of Christian settlement areas

One of the essential requirements for a possible return of the Christians to their settlements in the Nineveh Plains has meanwhile been met by the retaking of Bartella (20 October 2016), Qaraqosh (22 October 2016) and Karamles (24 October 2016).

10.2.1.2. Recapture / liberation of Yazidi settlement areas

The first Sinjar offensive from 18 to 21 December 2014¹ to regain control of the Yazidi settlement areas (Sinjar Mountains, the town of Sinjar and Yazidi villages in the region) taken by the IS in the summer of 2014 led to the recapture or liberation of large parts of the Sinjar Mountains. Additional areas were recaptured or liberated from the IS in the course of the second Sinjar offensive from 12 to 15 November 2015.² A number of Yazidi settlements south of the Sinjar Mountains remain in the hands of the IS, however. The front line runs south of the mountains.

10.2.2.1. Rebuilding of Christian settlements

With the Christian settlements in the Nineveh Plains now having been retaken or liberated, it would theoretically be possible for work to begin on reconstructing the damaged buildings and restoring the infrastructure. Whether it is currently feasible or sensible to begin tackling both is a matter of argument. While a number of internally displaced persons cannot wait to get back to the Nineveh Plains, others think a return in the present circumstances is not a real option and perhaps will not be in the medium to long term either.

Diaspora refugees living in the USA and Europe are busy raising funds to support reconstruction work in the Nineveh Plains and using their efforts to propaganda effect. What is often forgotten

in discussions, however, is the sheer extent of the damage: up to 85% of the buildings and infrastructure are affected.

Karamles after its recapture / liberation, October 2016. © Stivan Shany, Chaldean Archdiocese of Erbil

Reports on fundraising activities, for example in the USA, state that money is being collected for the reconstruction of several hundred buildings. However, damage has been inflicted on buildings which housed up to 100,000 people before the summer of 2014. So far no consideration has been given either to such key existential issues as a permanent security guarantee for potential returnees or to the threats posed by smouldering and looming conflicts in the region.

Batnaya after its recapture / liberation, October 2016. © Stivan Shany, Chaldean Archdiocese of Erbil

10.2.2.1. Rebuilding of Yazidi settlements

Now that large parts of the Yazidi settlement areas captured by the IS in the summer of 2014 have been retaken or liberated, work could conceivably begin on reconstructing the damaged buildings and restoring the infrastructure there. The question is whether the necessary conditions apply in all the recaptured or liberated settlements. Internally displaced Yazidis have settled in many places in the Sinjar Mountains. The majority of them continue to live in makeshift tents and patched-up buildings. At the moment it would certainly be inopportune to talk of any serious reconstruction. While many Yazidi refugees want nothing more than to return as quickly as possible to their former settlements in Sinjar District, others consider a return unrealistic under the present circumstances.

The ARK leaders and authorities have repeatedly claimed that the Yazidis cannot return to the Sinjar region and start reconstruction work because the PKK remains active there and would prevent the Yazidis from moving back in (see 7.3 Looming conflict between the Peshmerga forces and the PKK in Sinjar District). However, there have recently been persistent reports that it is not the PKK but the ARK authorities that are preventing the Yazidis from leaving the refugee camps in the region and returning to Sinjar District. It is certainly correct to say that the Yazidis are not free to decide on their return to Sinjar District.

10.2.3.1. Security guarantee for the Christian settlements in the Nineveh Plains

While it is understandable that many internally displaced persons long to return home, it would be completely naive to claim that it is possible to return to the settlement areas in the Nineveh Plains without any final clarification of the provision of security guarantees. My contacts on the ground frequently presented the option of "protection or emigration", and at the end of the day it is one that is likely to be of fundamental relevance for any decision to return. A solution to the question of permanent security guarantees for people living in the Nineveh Plains is still a very long way off at the moment. As long as the smouldering or looming conflicts in the region – especially in respect of the "disputed areas" (see 5.1. Referendum in accordance with Article 140 of the Iraqi constitution on the future status of "disputed areas") – remain unresolved, no answer can be given to the question of which government player would be responsible for the provision of security guarantees. International security guarantees remain a pipe dream for the time being because Iraq remains a sovereign country, even though one could be forgiven for

thinking occasionally that it is in the process of dissolution. The minimum conceivable solution — the provision of security guarantees by the Christian militias — is hardly a realistic option, for both their manpower and the level of their training and equipment contradict any notion that they might be seriously capable of guaranteeing the security of Christians in the region. Moreover, it is unclear whether the Iraqi central government or the Autonomous Region of Kurdistan would permit the deployment of Christian militias on the ground (see 6.3 Christian militias).

10.3 Smouldering conflicts

10.3.1 Smouldering conflicts affecting the Christians

The main smouldering conflict at the moment is that over the so-called "disputed areas" (see 5.1. Referendum in accordance with Article 140 of the Iraqi constitution on the future status of "disputed areas"). In view of the complaint raised by the Christians from the Nineveh Plains that they were betrayed twice by the Kurdish Peshmerga, who failed to give them any protection during the IS military campaign of summer 2014 (see 4.3 Capture of Christian settlements in the Nineveh Plains by the IS in August 2014), the Christians in the region might be expected to want the Iraqi central government to retain control of the Nineveh Plains. In actual fact, the Christians from the region are all in favour of incorporating the Nineveh Plains into the Autonomous Region of Kurdistan, their feeling being that overall they have fared better with the Kurds than with the Arabs. A decisive factor determining this attitude is probably the increasing pressure exerted by the Arab Sunni population in the region to elbow them out. This is not a new development; the Christians were confronted with efforts to displace them well before the summer of 2014. These efforts are seen as a corollary of measures taken by the government authorities.

However, the fact has to be faced that the view of the Christians is of negligible significance with respect to any decision made by the Iraqi central government or the ARK. Moreover, despite the impression sometimes created to the contrary, the Christians are not the only population group living in the Nineveh Plains. The Christians were latterly reported to make up no more than 22-23% of the population. Other sources put their share at 40%. Other groups living in the region are Yazidis, Kurds, Shabak and Turkmens.

In particular the prospect of having to go on living together with the ethnic-religious minority of the Shabak in the Nineveh Plains (see 9. Coexistence with other ethnic-religious groups) is regarded by the Christians from the region as a challenge, if not a problematic issue. Nothing will change in this respect as long as Christians and the Shabak people continue to live together in the Nineveh Plains and the responsible authorities make no effort to bring about a solution. Exacerbating the issue once again is the smouldering conflict over the "disputed areas" (see 5.1. Referendum in accordance with Article 140 of the Iraqi constitution on the future status of "disputed areas"), the resolution of which is essential if the conflict between the Christians and the Shabak is to be defused.

10.3.1 Smouldering conflicts affecting the Yazidis

The smouldering conflict over the so-called "disputed areas" is also crucial for the Yazidis. Here again one might expect that, since they felt betrayed by the Kurdish Peshmerga just as the Christians did (see 6.2 Betrayal of the Yazidis by the Peshmerga on 3 August 2014), they would be in favour of Sinjar District remaining under the control of the Iraqi central government. However, the Yazidis from the region are also all in favour of Sinjar District being integrated into the Autonomous Region of Kurdistan because, irrespective of their negative experience of being left to fend for themselves by the Kurdish Peshmerga, they think they have fared better overall with the Kurds than with the Arabs. One reason for this might be that the Iraqi army was absent from the region long before the IS launched its military offensive.

However, there can be no overlooking the fact that what the Yazidis think is unlikely to prove crucial to any decisions made by the Iraqi central government or the ARK. Moreover, despite the impression sometimes created to the contrary, the Yazidis are not the only population group living in Sinjar District. They do make up the majority of the population in the Sinjar Mountains and in the settlements on the mountainsides, but they are surrounded by Arab Sunni settlements.

Another smouldering conflict in the Sinjar region is that between the Peshmerga and the PKK (see 7.3 Looming conflict between the Peshmerga forces and the PKK in Sinjar District). A slight foretaste of what can be anticipated if this erupts was provided by an incident in Khanasor in Sinjar District on 6 March 2017. There was an open confrontation here between the Rojava Peshmerga and fighters of the *Sinjar Resistance Units* (YBS) allied with the PKK, which resulted in casualties on both sides (see 6.4 Yazidi militias).

10.4 Looming conflicts

Other conflicts in the region arise from the diverse interests and activities of Iran (see 8.1 Interests of Iran) and Turkey in northern Iraq (see 8.2 Interests of Turkey). These are likely to have an impact on the Christians and Yazidis living in that part of the country. Any further conflict in northern Iraq – and conflict cannot be ruled out – will diminish the future prospects for the Christians and Yazidis in the region.

10.5 The Prospects - Summary

10.5.1 The prospects for Christians

- Even before it began, the campaign to retake Mosul, which was launched in October 2016, nurtured hopes among the Christians who had fled their settlement areas in the Nineveh Plains in the face of the IS advance in the summer of 2014 that it would soon be possible for them to return to their homes.
- However, following the recapture / liberation of the Christian settlement areas, those hopes have turned into disillusionment if not despair, for the extent of the destruction in these settlements is far more extensive than previously thought, which rules out the prospect of rapid reconstruction and a return in the near future. Having undertaken a brief initial inspection, church representatives said that more than 85% of the buildings and infrastructure had been destroyed. There is no clear idea of how reconstruction can

proceed in the face of this destruction, particularly since the Christians who fled from their settlements and now wish to return there after spending two years in exile have in the meantime spent all their savings, have had no chance to earn anything and so do not have the funds needed for reconstruction.

Louis Raphaël I Sako, Patriarch of Babylon and Head of the Chaldean Catholic Church, visits Karamles after its liberation, October 2016 © Stivan Shany, Chaldean Archdiocese of Erbil

- The fundraising campaigns launched by the churches and various diaspora Christian groups in the USA and Europe for the reconstruction of the Christian settlements have not been unsuccessful, but the donation pledges made to date are essentially of a symbolic nature.
- This is not directly attributable to the fact that one of the main challenges related to a return of the Christians to their former settlements in the Nineveh Plains the provision of security guarantees has yet to be met. In the meantime, however, it has been largely accepted that there is a connection between the clarification of the security guarantees issue (see 6. Who guarantees the protection of the Christians, Yazidis and Turkmens? and 10.2.3.1 Security guarantee for the Christian settlements in the Nineveh Plains) and genuine prospects for a return. The aforementioned "protection or emigration" option is still valid and now constitutes a widespread attitude of mind.
- While the security guarantees issue in itself appears barely capable of resolution, it is rendered even more unlikely by the smouldering and looming conflicts in the region. At the moment there are no indications whatsoever that the various conflict scenarios can be resolved peacefully.
- If no fundamental changes take place in the foreseeable future it can be expected that the Christians from the Nineveh Plains and the rest of Iraq will soon begin leaving the country.

10.5.2. Prospects for the Yazidis

- The start of the campaign to recapture Mosul in October 2016 has also triggered hopes among the Yazidis who fled from Sinjar District in the face of the IS offensive that they will shortly be able to return to their homes.
- However, the troops involved in retaking / liberating Mosul have advanced towards the city from the east and south-east. Sinjar District lies to the west and north-west of the Mosul area and so with the exception of the areas which were recaptured or liberated during the first Sinjar offensive in December 2014 and the second Sinjar offensive in November 2015 there are still a number of Yazidi settlements waiting for their recapture or liberation from the IS.

Kaberto Two IDP camp, 5 November 2015. © Otmar Oehring

• The stability of the situation in Sinjar District is currently deemed so fragile that there can be no talk of any pending return of Yazidi IDPs to Sinjar District, let alone of a return having already begun. One reason for this negative assessment of the stability of the

- situation in Sinjar District is the smouldering conflict between the Peshmerga and the PKK which, as recent events have shown, can erupt into open conflict at any time.
- But even if the conflict between the Peshmerga and the PKK were to be resolved in the short term and there are valid doubts that this will happen the extent of the destruction in the former Yazidi settlements would constitute a major obstacle to the return of their inhabitants. Most of the buildings and infrastructure there have been destroyed.³ Moreover, there are no clear ideas of how reconstruction could proceed in the circumstances. Like the Christian refugees, the Yazidis who fled from their settlements and now wish to return there after spending two years in exile have had no opportunity to work or generate any income, have spent all their savings and therefore do not have the funds needed for reconstruction.

Lessons at Khanke IDP camp, ARK, 5 November 2015 © Otmar Oehring

- The issue of security guarantees for the Yazidi IDPs in the event of their return to Sinjar District also remains unresolved. Large numbers of Yazidis, like the Christians, consider that the connection between clarification of the security guarantees issue (see 6. Who guarantees the protection of Christians, Yazidis and Turkmens? and 10.2.3.1 Security guarantee for the Christian settlements in the Nineveh Plains) and genuine prospects for their return can be summed up in the option of "protection or emigration".
- As regards these last two points, the prospects of the Yazidis do not differ from those of the Christians.

- 1| https://en.wikipedia.org/wiki/November_2014_Sinjar_offensive
- 2| https://en.wikipedia.org/wiki/November_2015_Sinjar_offensive 3| Visit to Sinjar, 27 October 2016

11. Appendix –

Demographics in Iraq

The last censuses in Iraq were held in 1977 and 1987. In the period from 1977 to 1987 the total population increased by 35.3% from 12,029,000 to 16,278,000¹. No data were published on the share of ethnic and religious groups in the overall population.²

There are no reliable figures on the Iraqi population for recent years. The Iraqi population figures updated annually by the World Bank are based on the outcome of the aforementioned censuses and on estimates made by international organisations.

Year	Inhabitants								
1965	8,375,791	1975	11,684,585	1985	15,576,396	1995	20,217,759	2005	27,017,712
1966	8,651,167	1976	12,068,195	1986	15,937,864	1996	20,855,408	2006	27,716,983
1967	8,947,399	1977	12,460,997	1987	16,293,719	1997	21,519,356	2007	28,423,538
1968	9,260,685	1978	12,859,226	1988	16,657,708	1998	22,200,835	2008	29,163,327
1969	9,585,576	1979	13,257,910	1989	17,048,167	1999	22,888,600	2009	29,970,634
1970	9,917,982	1980	13,653,358	1990	17,478,455	2000	23,574,751	2010	30,868,156
1971	10,255,904	1981	14,046,273	1991	17,952,909	2001	24,258,794	2011	31,867,758
1972	10,599,846	1982	14,437,661	1992	18,468,521	2002	24,943,793	2012	32,957,622
1973	10,951,169	1983	14,824,876	1993	19,021,967	2003	25,630,426	2013	34,107,366
1974	11,312,304	1984	15,204,746	1994	19,606,895	2004	26,320,530	2014	35,273,293
						·		2015	36,423,395
								2016	37,547,686

World Bank, Data, Iraq, Population – /country http://data.worldbank.org/Iraq

11.1 Demographics: Christians in Iraq

What applies to the total population of Iraq is also true of the Christian share of the overall population. Apart from the results of the censuses there are no reliable figures, as is illustrated by the occasionally stark deviations in the absolute figures as well in as the percentage shares.

For example, one source puts the Christian share of the overall population in 1980 at 10.25% (= 1.4 million).³ Another says the share of the Christians is 7%.⁴ Assuming that the total population was 13,653,385⁵, that would mean, according to the second source, that Iraq had 955,735 Christians in 1980 - one third less than in the first source. According to the 1987 census, there were 1.4 million Christians⁶ (8.5% of the total population⁷) living in Iraq. Other sources say there were 1.2 million (7.4%).8 The drop in the number of Christians compared with the first figure for 1980 is quite understandable if account is taken of the large numbers of Christians who left Iraq because of the war between Iraq and Iran (1980-1988).9 According to Sarkhis Aghajan Mamendo, the number of Christians living in Iraq up to the invasion in April 2003 dropped to 800,000 (3.1% of the total population). The general lawlessness in Iraq and the increasingly bitter sectarian conflict accompanied by massive violent attacks on Christians led to a further drop in their numbers in the following years. It would, therefore, be surprising if there were still 800,000¹¹ (2.96%) or 700,000¹² (2.59%) Christians still living in Iraq in 2006. Perhaps there were really only 500,000¹³ (1.85%), half of whom allegedly lived in Baghdad. 14 In view of the civil-war like conditions in Iraq and the fact that the Christians, like other religious minorities, had become a major target of violent attacks by Al-Qaeda and other radical Islamic groups, the Christian share of the population greatly decreased in the years that followed. Data for the Christian share of the total Iraqi population which indicate a percentage identical to, or even higher than, the highest figure given for 2006 are not credible. Unfortunately, it must be assumed that the Christian share of the population in Iraq in the years since 2006 has continued to fall even compared with the smallest figure given above.

Nonetheless, one report in 2011 claimed that the Christian share of the population was still as high as 3%¹⁵ (956,032 out of 31,967,758¹⁶). Citing Christian leaders in Iraq, USCIRF talks in its 2012 report on religious freedom in Iraq of between 400,000 and 850,000¹⁷ Christians (1.21% or 2,57%). According to Ablaham Afraim, Chairman of the Chaldean Democratic Union Party, however, there were less than 400,000¹⁸ (1.17%) Christians in Iraq in 2013. USCIRF says in its 2016 report on religious freedom in Iraq, citing a number of Christian leaders, that the number of Christians had fallen to between 300,000 and 250,000¹⁹ (0.79% or 0.55%). On the other hand, Iraqi bishops were not prepared to rule out the possibility at the end of 2015 that there were no more than 200,000 Christians or perhaps even less in the country.²⁰ These figures were confirmed by Iraqi bishops in late 2016, although they made it quite plain that a further, possibly hasty, exodus of Christians could be expected if the conditions they regarded as essential for their return to their former homes were not fulfilled.²¹

11.1.1 Churches in Iraq

Up to 80% of the Christians in $Iraq^{22}$ – according to other sources two-thirds or perhaps just $50\%^{23}$ – allegedly belong to the *Chaldean Church*, more than 20% to the *Holy Apostolic Catholic Church of the East*, and possibly just 10% to both the Assyrian churches²⁴.²⁵

From left to right:

Louis Raphaël I Sako, Patriarch of Babylon, Head of the Chaldean Catholic Church;

Mar Gewargis III Sliwa, Catholicos Patriarch of the Holy Apostolic Catholic Assyrian Church of the East;

Nicodemus Daoud Sharaf, Syriac Orthodox Archbishop of Mosul;

25 October 2016, Ankawa, © Otmar Oehring (image 1, 2, 3)

Bashar Matti Warda, Archbishop of the Chaldean Catholic Archeparchy of Erbil;

Yohanna Petros Mouche, Syriac Catholic Archbishop of Mosul

© Kirche in Not (images 4 and 5)

Other churches in Iraq are the Syriac Catholic Church and the Syriac Orthodox Church, the Armenian Orthodox Church and the Armenian Catholic Church, the Greek Orthodox Church and the Greek-Melkite Catholic Church.²⁶ Assuming that "only" some 50% of all Christians in Iraq belong to the Chaldean Church and around 10% to the Assyrian churches, then the remaining roughly 40% are members of the Syriac Catholic Church and the Syriac Orthodox Church.²⁷ Protestant and Protestant Free Churches have roughly 5,000 members.²⁸

Given that there are some 250,000 Christians left in Iraq, it can be assumed that there are roughly 125,000 (= 50%) or 166,650 (= 66%) to 200,000 (= 80%) Chaldean Christians, around 100,000 Syriac Catholic or Syriac Orthodox Christians and some 25,000 Assyrian Christians (= 10%). Should there be no more than 200,000 Christians still left in Iraq, it can be assumed that there are roughly 100,000 (= 50%) or 133,333 (= 66%) to 160,000 (= 80%) Chaldean Christians, around 80,000 Syriac Catholic or Syriac Orthodox Christians and some 20,000 Assyrian Christians (= 10%).

Catholic Churches

Chaldean Diocese of Algosh²⁹

Year	1970	1980	1990	1999	2000	2001	2002	2003	2004	2006	2009	2012
Believers	13,000	13,000	13,500	16,190	16,500	17,000	15,000	17,947	17,487	20,820	32,070	22,300
AP ³⁰	1971	1981	1991	2000	2001	2002	2003	2004	2005	2007	2010	2013

Burned-out church in the Nineveh Plains

© Stivan Shany, Chaldean Archdiocese of Erbil

Out of the total population of 65,000 inhabitants there were 13,000 Chaldean Christians (= 20% of the population) living in the Chaldean Diocese of Algosh in 1970. In the period up to

2003/2004 the Chaldean Christian share of the total population increased steadily, albeit slower than that of the overall population, which is presumably because Chaldean Christians moved to the conurbations of Basra, Baghdad, Kirkuk and Mosul as Iraq's petroleum industry developed. There was a significant increase in the number of Chaldean Christians in the period from 2004 to 2006 (+19%) and again in the period from 2006 to 2009 (+54%). As with other dioceses in northern Iraq, this was attributable to the flight of Chaldean Christians from the conurbations of Basra, Baghdad, Kirkuk and Mosul in the wake of violent attacks by Al-Qaeda and associated groups. The huge drop of around 30.5% in the number of Chaldean Christians in the period between 2009 and 2012 is the result of the exodus of Christians from Iraq in view of the persecution they suffered in the conurbations of Basra, Baghdad, Kirkuk and Mosul and the general lack of any perspective in Iraq.

Chaldean Diocese of Amadiyah³¹

Year	1959	1970	1980	1990	1998	2001	2002	2003	2006	2009
Believers	6,783	8,580	2,500	1,500	2,452	2,452	2,000	2,000	4,000	3,800
AP	1960	1971	1981	1991	2001	2002	2003	2005	2007	2010

Chaldean Diocese of Zakho (Zaku)32

Year	1949	1970	1980	1998	2001	2002	2003	2004	2009	2010
Believers	11,300	11,165	7,400	6,548	6,048	12,000	12,500	12,700	26,000	12,555
AP	1951	1971	1981	2001	2002	2003	2004	2005	2010	2011

Out of the total population of 70,000 inhabitants there were 11,300 Chaldean Christians (= 16.1% of the population) living in the Chaldean Diocese of Zakho in 1949. Up to 1970 the number of Chaldean Christians dropped only marginally to 11,165, which in relation to the total population of 85,000 represents a loss of 3%. The marked drop in the number of Chaldean Christians between 1970 and 1990 is the result of Chaldean Christians moving from northern Iraq to the conurbations of Basra, Baghdad, Kirkuk and Mosul as the petroleum industry in Iraq developed. The marked increase in the number of Chaldean Christians in the diocese in the period between 2003 and 2009 is the result of their exodus from the conurbations of Basra, Baghdad, Kirkuk and Mosul in the wake of violent attacks by Al-Qaeda and associated groups. The further huge drop of around 50% in the number of Chaldean Christians in 2009/2010 can be explained by the exodus of Christians from Iraq in view of the persecution they suffered in the conurbations of Basra, Baghdad, Kirkuk and Mosul and the general lack of any perspective in Iraq.³³

Chaldean Diocese of Amadiyah and Zakho³⁴

Year	2013	2015
Believers	3,800	18,800
AP	2014	2016

Chaldean Diocese of Agra (Akra)³⁵

Year	1958	1970	1980	1990	1999	2000	2001	2002	2003	2004	2006	2009	2012	2015
Believers	1,636	550	150	245	176	192	263	271	300	310	508	1,051	1,190	1,372
AP	1960	1971	1981	1991	2000	2001	2002	2003	2004	2005	2007	2010	2013	2016

Out of the total population of 32,723 inhabitants there were 1,636 Chaldean Christians (= 5% of the population) living in the Chaldean Diocese of Aqra in 1958. Up to 1970 the population increased to roughly 85,000 inhabitants, whereas the number of Chaldean Christians dropped to 550 or 0.6% of the population. Based on the development of the total population, an increase in the number of Chaldean Christians up to 4,250 might have been expected in the period from 1958 to 1970. The marked decline in the number of Chaldean Christians between 1958 and 1970 is the result of Chaldean Christians moving from northern Iraq to the conurbations of Basra, Baghdad, Kirkuk and Mosul as the petroleum industry in Iraq developed.³⁶

Chaldean Archdiocese of Baghdad

Year	1980	1990	1999	2000	2001	2002	2003	2004	2006	2007	2012
Believers	250,000	481,000	151,000	151,000	155,000	145,000	140,000	130,000	145,000	135,000	150,000
AP	1981	1991	2000	2001	2002	2003	2004	2005	2007	2010	2013

Church leaders in Iraq are extremely doubtful about the figures given above for the years after 2003 in view of the massive violent attacks on Christians in Baghdad after 2003 and the resulting exodus of many Christians. The actual number of Christians in Baghdad, seen in an optimistic light, can be put at 25,000 at the most.³⁷

Chaldean Archeparchy of Basra³⁸

Year	1959	1969	1980	1990	1999	2000	2001	2002	2003	2004	2006	2007	2012	2015
Believers	82,000	9,285	6,700	4,500	2,500	2,500	2,400	2,500	2,500	2,500	2,600	1,000	850	800
AP	1960	1971	1981	1991	2000	2001	2002	2003	2004	2005	2007	2010	2013	2016

Chaldean Archeparchy of Erbil³⁹

Year	1969	1980	1990	1999	2000	2001	2002	2003	2004	2009	2012
Believers	7,600	9,650	12,530	12,000	11,492	11,330	11,750	12,000	12,200	20,000	30,000
AP	1971	1981	1991	2000	2001	2003	2003	2004	2007	2010	2013

Chaldean Archdiocese of Kirkuk⁴⁰

Year	1949	1970	1980	1990	1999	2000	2001	2002	2003	2004	2006	2007	2013
Believers	9,000	6,150	4,256	5,470	5,050	5,115	5,050	5,095	5,040	5,700	5,600	7,000	7,831
AP	1951	1971	1981	1991	2000	2001	2002	2003	2004	2005	2007	2010	2014

Chaldean Archeparchy of Mosul⁴¹

Year	1969	1980	1990	1999	2000	2001	2002	2003	2004	2009	2013
Believers	17,000	18,500	19,850	20,000	20,000	20,500	21,105	50,000	20,600	16,815	14,100
AP	1971	1981	1991	2000	2001	2002	2003	2004	2005	2010	2014

Syriac Catholic Archeparchy of Baghdad⁴²

Year	1949	1970	1980	1990	1999	2000	2001	2002	2003	2004	2006	2009	2012
Believers	6,000	14,800	20,800	23,350	24,000	24,000	24,500	25,000	25,000	25,000	22,000	18,000	8,000
AP	1951	1971	1981	1991	2000	2001	2002	2003	2004	2005	2007	2010	2013

Syriac Catholic Archeparchy of Mosul⁴³

Year	1949	1970	1980	1990	1999	2000	2001	2002	2003	2004	2009	2013
Believers	20,000	14,300	17,500	23,500	29,500	30,000	30,000	35,000	35,000	35,000	35,000	44,000
AP	1951	1971	1981	1991	2000	2001	2002	2003	2004	2005	2010	2014

The marked increase in the number of Syriac Catholic Christians in the Archeparchy of Mosul between 2009 (35,000) and 2013 (44,000) has to do with the flight of Syriac Catholic Christians from the conurbations of Basra and Baghdad (and to a lesser extent from Mosul) as a result of violent attacks by Al-Qaeda and associated groups. In arithmetical terms the number of Syriac Catholic Christians in the Syriac Catholic Archeparchy of Mosul in 2013 should have been much higher than the 44,000 given above, since the population of the town of Qaraqosh in the Nineveh Plains is put at 50,000, of whom 95% are Syriac Catholic Christians. The latter are also reputed to have accounted for one-third (= 10,000 inhabitants) of the population of Bartella, which is likewise situated in the Nineveh Plains. The number of Syriac Catholic Christians in the city of Mosul itself, where some 35,000 Syriac Catholic Christians are said to have attended Basile Georges Casmoussa's⁴⁴ assumption of office as Syriac Catholic Bishop in 1999, had fallen to 5,000 by 2011.⁴⁵

Burned-out church in Qaraqosh, Nineveh Plains. © Stivan Shany, Chaldean Archdiocese of Erbil

Armenian Archeparchy of Baghdad⁴⁶

Year	1970	1980	1990	1999	2000	2001	2002	2003	2004	2006	2007	2012
Believers	2,000	2,000	2,200	2,000	2,000	2,000	2,000	2,000	2,000	2,000	1,600	1,650
AP	1971	1981	1991	2000	2001	2002	2003	2004	2005	2007	2010	2013

Latin Rite (Roman Catholic) Archdiocese of Baghdad⁴⁷

Year	1949	1970	1980	1990	1999	2000	2001	2002	2003	2004	2006	2016
Believers	1,015	2,000	3,500	3,500	3,000	2,500	2,500	2,500	2,000	2,000	2,500	1,000
AP	1951	1971	1981	1991	2000	2001	2002	2003	2004	2005	2007	2013

Greek-Melkite Catholic Patriarchal Exarchate⁴⁸

Year	2011	2012			
Believers	400	200			
AP	2012	2015			

Assyrians

Even under optimistic assumptions, the number of Assyrian Christians in Iraq can be put at 30,000 at the most. Of these, 90% are members of the *Holy Apostolic Catholic Assyrian Church of*

the East, 7% belong to the Ancient Apostolic and Catholic Church of the East and the remaining 3% are members of Protestant and other churches.⁴⁹

Syriac Orthodox Church

In 1991 there were said to be between 15,000 and 20,000 Syriac Orthodox Christians living in Irak⁵⁰, i.e. 0.08 to 0.11% of the total population. Based on the population growth of Iraq as a whole, there would have been between 20,500 and 28,200 Syriac Orthodox Christians in Iraq in 2003.

Armenians

The Armenians in Iraq belong to the Armenian Apostolic Church (approx. 90%) and the Armenian Catholic Church (approx. 10%). A small number of Armenians belong(ed) to Protestant churches. In the 1950s there were between 35,000 and 40,000 Armenians living in Iraq. In 2004 there were still 20,000 in the country, of whom 10,000 to 12,000 lived in Baghdad. Other major settlement areas were Basra, Mosul and Zakho.⁵² By 2009 they still numbered 12,000, of whom 7,000 to 8,000 lived in Baghdad.⁵³ The reason for the exodus among the Armenians in Baghdad, as was the case with the members of other Christian groups, was the widespread violence directed in particular against Christians. Most of the internally displaced persons initially moved to northern Iraq, inter alia to Kirkuk and Mosul, and to the ARK. In 2011, 450 Armenian families (= 3,600 to 3,800 Armenians) were said to be living in the country: 60 families in Dohuk (115 families in 2013⁵⁴), in Erbil (500 persons in 2009⁵⁵) and Zakho [170 families (200 families in 2013⁵⁶) and in the villages of Avzrog[-Miri] (80 families with 350 persons⁵⁷) near Dohuk and Havresk (100 families) not far from Zakho in the ARK.⁵⁸ A further 500 Armenians lived in Kirkuk.⁵⁹ According to data provided by the Armenian MP, Yerwant Amanian (KDP), some 4,000 Armenians still live in Iraq, of whom there are around 2,000 in Baghdad and roughly 2,000 more in the Governorate of Dohuk (in Dohuk and Zakho) and in the villages of Avzrog[-Miri], Havresk and Ishkender. He considered all the Armenians to be well situated. 60 The village of Aghajanian (between Bartella and Karamles in the Nineveh Plains) has only recently been erected.

Anglicans, other Protestants

Protestant Free Churches: approx. 5,000⁶¹

11.2 Demographics: Yazidis in Iraq

The last censuses were held in 1965, 1977 and 1987. The available literature provides no clear indication of whether Iraqis were asked to state their ethnic or religious affiliation in the censuses of 1977 and 1987. Figures for the number of Yazidis in the country should be seen in this context. The renowned Pew Research Center consequently draws attention in a 2014 publication to the considerable differences in the published figures for the number of Yazidis – for 2004 between 200,000 and 300,000⁶² worldwide and up to 700,000 in northern Iraq alone – and comes to the conclusion that virtually no reliable statistical information is available.⁶³

The 1965 census was the last to provide statistical data on the Yazidi share of the population. At that time there were some 70,000 Yazidis living in the country and they made up less than 1% of the overall population of roughly eight million. Assuming that the Yazidi share of the total population remained the same in the following years, there would have been some 300,000 Yazidis in Iraq in 2014.⁶⁴ However, there is every likelihood that the persecution of the Yazidis and their consequent exodus from Iraq led to a reduction in their share of the population. In a report published in 2011⁶⁵ the International Organisation for Migration (IOM) estimated that the Yazidis accounted for roughly two-thirds (some 230,000 persons) of the overall population of Sinjar District (around 350,000 inhabitants), where the majority of Yazidis live.⁶⁶ In its 2012 International Freedom of Religion Report the US State Department – using figures supplied by Yazidi leaders - said there were between 500,000 and 700,000 Yazidis living in Iraq. The Governorate of Ninawa was said to be home to 85% of them and the Governorate of Dohuk to 15%.67 With regard to these latter figures, the Pew Research Center notes that they might be correct on the premise that population growth among the Yazidis was much higher after 1965 than among the rest of the population. It considered this a feasible proposition since there is generally higher population growth among less well-educated groups⁶⁸ – and, according to the IOM, 69% of the Yazidis were illiterate.⁶⁹

In actual fact, the number of Yazidis in Iraq has fallen noticeably in recent years. The US State Department revealed in its 2012 Freedom of Religion Report that, according to data furnished by Yazidi leaders, most of the 500,000 to 700,000 Yazidis live in northern Iraq – around 15% in the Governorate of Dohuk and the rest in the Governorate of Ninawa. In 2016, the United States Commission on International Religious Freedom (USCIRF), referring to Yazidi sources, said that the number of Yazidis had dropped by some 200,000 to around 500,000 in the period between 2005 and 2013. While it is impossible to establish how many Yazidis left Iraq after the IS captured the town of Sinjar and the Sinjar mountains in the summer of 2014, it can nevertheless be assumed that there has been a further massive drop in the number of Yazidis still in Iraq.

11.3 Christian settlement areas

Up to the 1960s most of the Christian settlements in Iraq were in the mountainous regions of northern Iraq and in the Nineveh Plains. From the 1960s onwards there was a steady drift of Christians to the cities further south – Kirkuk, Mosul, Baghdad and Basra. Numerous Christian villages were forcibly evacuated and destroyed during the rule of Saddam Hussein. After 2003, Christians fled from Basra and Baghdad to the Christian villages in northern Iraq. In the wake of the IS military campaign in the summer of 2014 there was a further wave of Christian refugees fleeing from Mosul and their settlement areas in the Nineveh Plains into the ARK. Many of the villages they went to had been settled before 2003 by Kurds who were now not prepared to leave them for the Christians. Talks between Christian religious and political leaders with the government of the ARK and the ARK President, Masoud Barzani, resulted in pledges that the

villages would be evacuated and returned to the Christians, but in many cases these pledges have yet to be redeemed.

Amadiya District, Dohuk Governorate: Araden, Enishke, Sarsing, Badarash,) Amadiya (town), Ashawa, Baz, Bebadi, Bebalok, Belejane, Belmand, Beqolke, Benatha, Botara, Chelek, Dehe, Dere, Derishke, Doreeh, Eyat, Halwa, Hamziya, Hayes, Hezany, Jelek, Kani Balari, Khalilane, Khwara, Komani, Magrebiya, Malkhta, Mangesh, Maye

Governorate of Erbil, Shaqlawa District: Shaqlawa

Governorate of Ninawa, Hamdaniya District: Bakhdida (= Qaraqosh), Balawat, Bartella, Karamles

Governorate of Ninawa, Shekhan District: Ain Sifni, Armash, Azakh, Beboze, Dashqotan, Dize, Mala Barwan, Merki, Tilan

Governorate of Ninawa, Tel Keppe District: Algosh, Bandwaya, Baqofah, Batnaya, Jambour, Sharafiya, Tel Keppe, Tel Esgof

Cities:

The settlement areas with the largest numbers of Christians in Iraq at present are the cities of Ankawa (Governorate of Erbil, Erbil District; roughly 100,000 persons), Baghdad (+/- 25,000 persons), Dohuk and Zakho (Governorate of Dohuk, Dohuk District).

11.4 Yazidi settlement areas⁷³

The main Yazidi settlement areas are villages and small towns in the districts of Sinjar and Shekhan in the Governorate of Ninawa, which is among the "disputed areas" (see 5.1 Referendum under Article 140 of the Iraqi Constitution on the future status of "disputed areas"). The central government is virtually absent from these two districts even though it is legally responsible for them. Sinjar District is controlled by the Kurdish Peshmerga from the Autonomous Region of Kurdistan (ARK) and the Kurdistan Workers' Party (PKK), while Shekhan District is controlled by the Kurdish Peshmerga.

The Yazidis left the villages and small towns they occupied in Sinjar District in the wake of the IS military campaign in the region in the summer of 2014. No significant numbers of Yazidis have returned to date.

Governorate of Ninawa, Sinjar District:

Adika (Adikah)⁷⁴, Alidina (Aldina, Aldinah), Bakhalif (Bakhulayf), Bara, Barana, Beled Sinjar [Sindjar town], Chilmera, Gabara (Qabara), Girezarka (Kuri Zarqah), Gunde, Halayqi (Halayqiya, Halayqiyya), Jaddala (Jidala), Jafri (Chafari, Jafariya, Jafriyan, Jafriyya), Kahtaniya (community village; inhabitants of the villages Al Khataniyah, Kar Izir (Giruzer), Qahtaniya (Qahtaniyah) and

Til Ezer were forcibly integrated into the community village of Kahtaniya in 1970), Karsi (Karse), Khanasor (Khana Sor, Khana Sur, Khanesor), Kulakan (Kulkan), Mamise (Mamisi), Markan (Mahirkan, Merkan, Mihirkan, Mirkhan), Maynuniyya (Majnuniya, Majnuniyya, Majnuniyah), Milik (Malik), Nakhse Awaj (Nahisat Awj), Quwesa (Quwasi), Rubaidiya, Sakiniyya (Sakiniya, Sukainiya, Sukayniyah), Samuqa (Zamukhah), Shamika, Siba Sheikh Khidir (community village; inhabitants of the villages Al Adnaniyah Jazeera and Jazirah were forcibly integrated into the community village of Siba Sheikh Khidir in 1970), Jazeera, Jazirah Sinuni (Sinone, Sinune), Taraf (Taraf Jundik, Teraf), Wardi (Wardiya, Wardiyya), Yusafan (Yusufan), Zerwan (Zarwan, Zeravan, Zirawan), Zorafa (Zarafah, community village; inhabitants of the surrounding villages were forcibly integrated into the community village of Zorafa in 1970).

Governorate of Ninawa, Shekhan District:

Atrush (Atrus), Baadra (Ba'adra, Baadhre, Baadre, Badra, Badre, Baedra, Bathra), Baadra -Sinjari area (part of the village of Baadra, in which displaced persons settled in 1970), Babira (Babirah), Bashiqe (Bashika, Bashiqa, Bashiqah), Beban (Biban), Behzani (Bahzan, Behzan, Behzane), Daka (Dakan, Dekan), Doghati (Doghan), Esiyan (Esian), Eyn Sifni (Ain Sifni, Ayn Sifni), Gabara (Kabara), Girepan (Gerepane, Gir Pahn, Girebun, Grepan), Jarahi (Jarahiya, Jarhiyah), Kebertu (Kibrtu), Kendali (Kandala, Qandal), Kersaf (Kar Saf), Khanke community village (Khanek, Khanik, Xanke), Kharshani (Kharshnya, Khirschnia, Khurshinah, Xershenya), Khetara (Hatara), Khorzan (Khursan), Klebadir (Galebader, Kelebadre, Qalat Bardi), Lalish (Lalesh), Mem Shivan (Mam Shuwan, Mamshivan, Mamshuwan), Mom Reshan (Mamme Rashan, Mamrashan), Rubaidiya (Rubaydiyah), Shariya (Scharia, Sharia), Shariya (Shaira, Shaire, Sharya; community village; inhabitants from the expropriated villages of Dakan, Girepan (Gerepane), Khirschnia (Xershenya), Klebadir (Galebader), Scharia (Shariya), Schekh Khadir (Shexedra) and Sina (Sena), after which parts of Shariya are named, were forced to resettle in Shariya in 1970), Sheikh Xadr (Schekh Khadir, Shayk Adarah, Shekh Khdir, Shexedra), Sheikhan, Simel (Semel, Semil, Simele, Sumail, Sumel), Sina (Sena, Sini), Sireski (Sireshkan), Taftyan (Taftian, Tiftijan), Telkef (Tall Kayf, Tel Keppe, Tilkaif).

In the triangle between the borders of Syria / Iraq / Turkey (= Governorate of Dohuk):

Yazidis live inter alia in the villages of Derebun (Derabin, Derabon, Derabun) some five kilometres to the east of the Iraqi-Syrian border and five kilometres to the south of the Iraqi-Turkish border and in Pesh Khabur (Bishkabur, Fish Habur, Fishkhabour) on the River Habur right on the Iraqi-Syrian border in the Governorate of Dohuk in the Autonomous Region of Kurdistan.

11.5 Internally displaced persons / refugees

Internally displaced persons

In the wake of the civil war-like developments in Iraq following the 2003 invasion and the resulting massive violent attacks on the members of non-Muslim minorities, Christians in particular fled from the cities of Basra, Baghdad, Kirkuk and Mosul to the areas settled by their ancestors in the rural parts of the Autonomous Region of Kurdistan as well as to the cities of Ankawa, Dohuk and Zakho in the ARK. A large number of these internally displaced persons has now left Iraq.

In early 2017 Iraq had a total of 3,030,006 internally displaced persons (= 505,001 families). The governorate with the largest number of IDPs in Iraq (461,766 persons = 15%) is Ninawa, of which Mosul is the capital. Ninety-five percent of the IDPs come from the governorate itself. Thirty-four per cent of the IDPs were expelled in August 2014 (IS military campaign) and a further 35% after October 2016 (campaign to retake the areas / cities captured by the IS in 2014). The governorate with the second largest number of IDPs in Iraq (395,934 = 13%) is the Governorate of Dohuk. The vast majority of IDPs in the Governorate of Dohuk were expelled in August 2014 or at the latest by September 2014. There are 345,798 IDPs (= 57,633 families) living in the Governorate of Erbil.⁷⁵

Governorate of Dohuk: Most of the IDPs living here are Yazidis from Sinjar District in the Governorate of Ninawa. A small number of IDPs are Christians from Christian settlement areas in the north-west of the Nineveh Plains in the Governorate of Ninawa.

Governorate of Erbil: The IDPs living here consist partly of Christians from Christian settlement areas in the north-west of the Nineveh Plains in the Governorate of Ninawa and partly of Yazidi IDPs from Sinjar District in the Governorate of Ninawa. Both these settlements areas were captured by the IS in the summer of 2014 and not retaken until the autumn of 2016.

According to data provided by the Chaldean Archbishop of Erbil, Bashar Matti Warda, there are currently 10,000 Christian families⁷⁶ living in the ARK, who fled there from Mosul and their settlement areas in the Nineveh Plains in the wake of the IS military campaign in the summer of 2014.⁷⁷

Refugees

According to data provided by the Chaldean Archbishop of Erbil, Bashar Matti Warda, there are currently around 100,000 Christians living as refugees in Jordan, Lebanon and Turkey.⁷⁸

JORDAN: By mid-2016 Jordan had taken in a total of 18,500 Christian refugees from Iraq, 8,200 of whom had fled to the country following the capture of Mosul by the IS. A further 10,300 Christian refugees from Mosul and the Christian settlement areas in the Nineveh Plains came to Jordan in the summer of 2014.⁷⁹

LEBANON: The number of Christian refugee families from Iraq is estimated to be around 4,200. The size of the families is generally given as comprising at least five and at the most ten persons. Hence it can be assumed that there are between 21,000 and 42,000 Christian refugees in Lebanon.

In early February 2017, some 2,700 Chaldean families from Iraq were registered in the Chaldean Archdiocese of Beirut. They live in Bouchrieh (800 families), Bourj Hammoud (850 families), Dekwaneh (850 families) and Zalqa (200 families) in Greater Beirut. A further 500 Chaldean families from Iraq were not registered at that time. The Syriac Catholic Patriarchate has said that there were around 1,300 Syriac Catholic families from Iraq living in Lebanon in 2016. In the meantime, Syriac Catholic refugees from Iraq have been resettled in Australia, Europe and Canada as part of the UNHCR's resettlement programme and so the number of Syriac Catholic refugees still living in Lebanon has gone down. Stock is currently being taken of how many Syriac Catholic families are now in Lebanon – estimates put their number at around 1,000.80

The Syriac League has said it is looking after some 1,500 Christian families from Iraq, most of whom come from Baghdad and the Nineveh Plains. The majority of them live in rented accommodation in the Metn region and a small number in Zahle. Some families have been accommodated by relatives.⁸¹

TURKEY: By the end of 2015, UNHCR and KADER⁸² had registered some 48,000 Christian refugees from Iraq (>90%) and Syria (<10%)⁸³; by late November 2016 that figure had risen to around 50,000 from Iraq (>90%) and Syria (<10%).⁸⁴ It is fair to assume that in both 2015 and 2016 at least as many, if not a very much larger number of, Christian refugees passed through Turkey without being registered there. UNHCR and KADER continue to record a regular influx of

Christian refugees, in particular from Iraq. In the week from 20 to 24 February 2017 they registered 170 Christian refugees from Iraq. As a rule, Christian refugees from Iraq who stayed in Turkey in recent years have tended to remain there for lengthy periods – up to several years. At the same time there has been a consistently high level of fluctuation. Refugees have either moved on – illegally – on their own initiative or they have been included in resettlement programmes organised by UNHCR and IOM which have taken them to Australia, Canada and the United States and, more recently, to New Zealand.

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Round64_Map_Location_Population_2017_February_02_IOM_DTM.pdf

76| The size of families is generally given as comprising at least five persons and ten at the most.

77| Josephine McKenna, Trump ban will hurt Christian refugees fleeing conflict, say Iraqi Catholic leaders, RNS Religion News Service, 30 January 2017 - http://religionnews.com/2017/01/30/trump-ban-will-hurt-christian-refugees-fleeing-conflict-say-iraqi-catholic-leaders

78| Josephine McKenna, Trump ban will hurt Christian refugees fleeing conflict, say Iraqi Catholic leaders, RNS Religion News Service, 30 January 2017 - http://religionnews.com/2017/01/30/trump-ban-will-hurt-christian-refugees-fleeing-conflict-say-iraqi-catholic-leaders/

79 | Conversation with Father Rifat Bader, Amman, 24 May 2016

80 | Email from Michel Constantin, Regional Director, CNEWA/Pontifical Mission, Beirut, 7 February 2017

81 | Email from Habib Afram, President of the Syriac League, Beirut, 5 April 2017

82 | KADER (Keldani-Asuri Yardımlaşma Derneği = Chaldean-Assyrian Aid Organisation) - http://kader-turkey.org/tr/; KADER was founded by the Chaldean Patriarchal Vicar in Turkey, Mgr. Francois Yakan, in order to ensure adequate care for Christian refugees, especially from Iraq, through consultation with government (AFAD = T.C. Başbakanlık, Afet ve Acil Durum Yönetimi Başkanlığı – Republic of Turkey Prime Ministry, Disaster and Emergency Management Presidency - https://www.afad.gov.tr/en), civil society (SGDD-ASAM = Sığınmacılar ve Göçmenlerle Dayanışma Derneği / Association for Solidarity with Asylum Seekers and Migrants - http://en.sgdd.info/ and international organisations (UNHCR, IOM, ICMC).

- 83 | Conversation with the Chaldean Patriarchal Vicar, Francois Yakan, Istanbul, 18 December 2015
- 84| Conversation with the Chaldean Patriarchal Vicar , Francois Yakan, Istanbul, 21 November 2016
- 85 | Telephone conversation with the Chaldean Patriarchal Vicar, François Yakan, 27 February 2017

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