



## **Stakeholder Reports**

**The report was submitted by the Alliance of Iraqi Minorities Network (AIM),  
Which includes 28 local organizations advocating on minority issues in Iraq**

---

**Report to the Committee on the Elimination of Racial Discrimination  
From Stakeholder Reports  
Session ( )  
For the period ( ) to ( ) 2024  
Geneva, Switzerland**

**The committee overseeing the report**

- Hussam Abdullah**
- Hogar chato**
- Mikhail Benjamin**

## List of the 28 Local partner organizations of AIM:

#	Name of Organization	Representative	Contact	E- Mail Address
1	Ezidi Fraternity Organisation	Bassam Salim	+9647507940387	<a href="mailto:bassamsalim777@gmail">bassamsalim777@gmail</a>
2	Ghasin Alzaiton for Youth	Ghanem Elias	+9647507476351	<a href="mailto:Ghasin.alzaiton@gmail.com">Ghasin.alzaiton@gmail.com</a>
3	Eyzidi Organisation for Documentation	Hussam Abdullah	+9647507621352	<a href="mailto:hussam.aim.net@gmail.com">hussam.aim.net@gmail.com</a>
4	Dak Organization Ezidi Women Development	Susan Ismail	+9647711735588	<a href="mailto:sozan@dakngo.org">sozan@dakngo.org</a>
5	Hammurabi Human Rights Organization	William Warda	+9647504133178	<a href="mailto:williamwarda4@gmail.com">williamwarda4@gmail.com</a>
6	Nineveh Center for Research and Development	Adad Youssef	+9647504780597	<a href="mailto:Adad.yousif@gmail.com">Adad.yousif@gmail.com</a>
7	Hoiathan Cultural Association	Rostam Shimon	+9647502828100	<a href="mailto:rostamshamoonshaya@yahoo.com">rostamshamoonshaya@yahoo.com</a>
8	CAPNI for Humanitarian Aids	Matthew Yago	+9647507617210	<a href="mailto:advocacy@capni-iraq.org">advocacy@capni-iraq.org</a>
9	Nisha Organization for the Empowerment of Youth	Issa Boutros	+9647508194265	<a href="mailto:Nisha.org2@gmail.com">Nisha.org2@gmail.com</a>
10	Justice Organization for Minority Right	Hussein Zainal	+9647701700026	<a href="mailto:Jomr_ngo@yahoo.com">Jomr_ngo@yahoo.com</a>
11	Al Shabak Women Association	Syria Ahmad	+9647822332531	<a href="mailto:suriagado@yahoo.com">suriagado@yahoo.com</a>
12	Rasty Organization for Human Rights	Azhar Hamed	+9647701602196	<a href="mailto:rastyorgan@gmail.com">rastyorgan@gmail.com</a>
13	Association Mosuily Legacy Restoration	Jassim Haidar	+9647709995126	<a href="mailto:jasim.haydar@yahoo.com">jasim.haydar@yahoo.com</a>
14	Association Supporters of Freedom	Maytham Mohammed	+9647802219807	<a href="mailto:Abd55683@gmail.com">Abd55683@gmail.com</a>
15	Association Yardna charity	Alaa Salah	+9647510327558	<a href="mailto:alaasalahalbriji@gmail.com">alaasalahalbriji@gmail.com</a>
16	Mandaean Culture Society	Fayzeh Sarhan	+9647701387538	<a href="mailto:faizadyab@gmail.com">faizadyab@gmail.com</a>
17	Public Aid Organization	Hogar Sheikha	+9647802534616	<a href="mailto:Hogr.aim@gmail.com">Hogr.aim@gmail.com</a>
18	Al-Mada Foundation for Human Rights	Azhar Zaid	+9647901490419	<a href="mailto:Azhar_almada@yahoo.com">Azhar_almada@yahoo.com</a>
19	Ufuq for Human Development	Taleb Nawroz	+9647504632261	<a href="mailto:taleb_gana_67@gmail.com">taleb_gana_67@gmail.com</a>
20	Gender Studies and Information Organization	Ramziya Abdul Wahab	+9647708514077	<a href="mailto:Ramziya_zana@yahoo.com">Ramziya_zana@yahoo.com</a>
21	Development and Prosperity	Faiza Khalil	+9647714609305	<a href="mailto:Faizafoad2@hotmail.com">Faizafoad2@hotmail.com</a>
22	Methra Organization for Yarsan Cultural and Development	Rajab Asi	+9647707007513	<a href="mailto:rajabkakaiei@gmail.com">rajabkakaiei@gmail.com</a>
23	Assembly of Al-Inbithaq	Maher Mahmoud	+9647702213771	<a href="mailto:mahersbdc@yahoo.com">mahersbdc@yahoo.com</a>
24	Faili Kurd Organization for Human Rights	Israa Hussein	+9647704463431	<a href="mailto:Asraa_b@yahoo.com">Asraa_b@yahoo.com</a>
25	Wardak organization	Aref Mohammed Hussein	+96477030530650	<a href="mailto:Am7812916@gmail.com">Am7812916@gmail.com</a>
26	TumooH Organization for Development	Qidar Hassan	7517465713	<a href="mailto:Kydar1977@gmail.com">Kydar1977@gmail.com</a>
27	Accept Other Organization	Elisha Robinson	7705684998	<a href="mailto:alisha@aooiraq.org">alisha@aooiraq.org</a>
28	Larsa Organization	Hind Fattah	7507476351	<a href="mailto:hind@larsa-iq.org">hind@larsa-iq.org</a>

## **First: Difficulties impeding the implementation of the Convention**

1-Although Iraq has complied with the Convention on the Elimination of all forms of Racial Discrimination and continues to submit reports to the committee, we at AIM note:

- Iraq has not yet harmonized its national and local legislation with the Convention.
- National legislation is still not comprehensive in addressing the principle of non-discrimination, especially regarding cultural and societal policies and practices.
- AIM emphasizes the urgent need to enact a law to prevent discrimination and protect the rights of Iraq's religious and ethnic minorities.

2-Despite the military elimination of the 'Islamic State - ISIS' within the areas it controlled in Iraq, we at AIM note the following:

- Iraq has adopted policies to eliminate the methodology and ideology of ISIS, but they lack many components, as many of those who were involved in this ideology still believe in it despite the military elimination of the organization. We recommend activating these tasks to fight ISIS with ideology after its military elimination or developing special programs for this purpose in coordination with international organizations.
- Religious and ethnic minorities express their fears of the return of ISIS ideology because these minorities were the most exposed to violations and crimes at the hands of the terrorist organization, and we recommend activating the necessary protection for them and actively involving the members of these minorities in any protection efforts.
- AIM organizations monitored that the investigations regarding the crimes committed by the "Islamic State - ISIS" against members of religious and ethnic minorities are still inadequate, as Iraqi legislation and courts still apply the Iraqi Penal Code and the Anti-Terrorism Law for crimes committed by individuals who joined the "Islamic State - ISIS", while AIM organizations believe that these crimes are cross-border crimes as well as international crimes, whether (war crime, crime against humanity or genocide) as Iraqi law does not include any provision to deal with all these crimes as there is no description or characterization in national legislation.

## **Second: Concerns and responses to the recommendations under review**

### **Regarding recommendation number 22 related to language**

3- Although the Iraqi constitution recognizes Arabic and Kurdish as official languages of Iraq and guarantees the right of Iraqis to educate their children in their mother tongue, such as Turkmen, Syriac and Armenian, in government educational institutions.

However, the AIM organizations monitored the following:

- The Iraqi government continues to show a lack of interest in enhancing the personnel and resources of the language directorates within the Iraqi Ministry of Education. These governmental institutions are plagued by insufficient staffing and inadequate financial allocations.
- The Iraqi Ministry of Education is still reluctant to remove discrimination in educational curricula, especially with regard to the religion curriculum followed in Iraqi schools, despite the fact that Iraq is a predominantly Muslim country, but it has many religious diversities such as Christianity, Yazidism, Sabeen Mandaeans, Kaka'i, Zoroastrianism, Baha'i and others.
- Despite the adoption of the Law on Languages in the Kurdistan Region of Iraq, the Ministry of Education in the region is reluctant to amend the educational curricula submitted by the Alliance of Iraqi Network in cooperation with other organizations in order to cancel, amend and add to those curricula in order to adapt them to the imposed reality.
- Despite the creation of a department at the University of Baghdad (Syriac language department), the number of those receiving education in this department is small and the support provided to this department is almost non-existent in terms of curricula, resources, etc.
- The Ministry of Culture's efforts to remind people of heritage and diversity through its activities, but these efforts need more support and allocation of funds to raise wider awareness and pay more attention to the heritage and diversity of minorities.
- The Ministry of Culture's efforts to remind people of heritage and diversity through its activities, but these efforts need more support and allocation of funds to raise wider awareness and pay more attention to the heritage and diversity of minorities.
- Although the Kurdistan Regional Government has opened dozens of schools for national and religious components, these schools, according to our monitoring, show that they lack cadres of the same nationality or followers of the same religion, where, for example, education for the Turkmen language is provided by non-Turkmen cadres, thus missing the essence of the right.

**We recommend the following:**

- The Iraqi government and the Kurdistan Regional Government should expedite the removal of any discriminatory words or phrases in educational curricula because they contradict Iraq's international commitments.
- The need to deal with the right to language fairly by providing more material support and human resources from the same components in order to promote the right to language to better levels.
- It is essential to address and find a solution for the issue of teaching the (religion) curriculum in schools, particularly the noble Islamic religion, while also addressing the problems faced by students who do not follow Islam.
- The Kurdistan Regional Government (KRG) should expedite the recruitment of human resources to teach the language in schools from the same component and solve the shortage of teaching staff, in addition to solving the issue of religious curricula and moving towards teaching the subject (science of religions) instead of each religion separately.

**Regarding Recommendation number 24 on the Survivors Law**

4- The Yazidi Women Survivors Law was issued in 2021, and the Survivors Directorate was formed based on the law and the regulations to implement the law were established in 2022, and work began on providing compensation to women survivors of the gangs of the so-called ISIS organization that invaded Iraq in 2014.

However, we at the Alliance of Iraqi minorities Network the following:

- Only 1529 out of more than 6117 Yazidis, more than 800 Turkmen women, and nearly 100 Shabak women have been covered, as this directorate suffers from the lack of financial allocations, and this is reflected in the fact that not all survivors who should be covered by these compensations have been covered so far, as this directorate suffers from the lack of allocations.
- The creation of the Survivors Directorate in response to the law and its attachment to the Ministry of Labor and Social Affairs as any other directorate in the ministry, and the failure to give this directorate importance by making it linked to the Ministers Council weakened the importance of the directorate and the lack of financial and human allocations working in that directorate, as well as the lack of financial and human resources working in that directorate.
- What ISIS has committed against members of religious and ethnic minorities, especially Yazidis, Christians, Shabak and Turkmen, are international crimes that amount to genocide, while the Iraqi government is still dealing with the file of these

- grave violations at a level that does not rise to the national recognition that these crimes and violations are crimes of genocide and crimes against humanity.
- AIM organizations express their fears and concern about the cases of impunity that occurred during the operations to liberate Iraqi territories from ISIS, as the lack of clarity of legal procedures in dealing with suspects contributes to impunity, as the policy of dealing with the (government database) of individuals suspected of cooperating with ISIS and committing crimes is of concern, and the multiplicity of institutions concerned with security audits contributes to impunity due to conflicts and attempts to influence the decisions of these security agencies.
  - The Iraqi government still has not prepared a comprehensive file on the crimes committed by ISIS against members of religious and ethnic minorities, as the mass graves are still not dealt with, in addition to the file of those executed by ISIS, as well as those women and girls who were enslaved and raped.

**We recommend the following:**

- Making the Survivors Affairs Directorate an independent unit directly linked to the Council of Ministers.
- Increase the financial allocations specified in government budgets to cover all survivors and reparations and allocate compensation commensurate with the standard of living for them and their families.
- Working to prepare a comprehensive file on the violations suffered by members of religious and ethnic minorities at the hands of ISIS and recognizing what happened as crimes of genocide and crimes against humanity, through the Iraqi parliament and the Iraqi government.
- Work to prevent impunity, ensure the modernization and control of the government database on ISIS suspects, end the multiplicity of security agencies involved in security vetting, and ensure the control of trial procedures to prevent impunity for perpetrators of international crimes.
- Ensure the implementation of legislative measures and executive policies aimed at mitigating the risks encountered by members of religious and ethnic minorities. This will prevent their emigration and the consequent depopulation of these communities, while also enhancing their participation in government institutions, national policies, and both local and national decision-making processes.

## **Regarding Recommendation 26 on elections and adequate representation of minorities**

5- The amended Elections law of 2020, in the second paragraph of Article 13, approved the granting of ethnic components (quota) to be calculated from the allocated seats, provided that this does not affect their percentage if they participate in the national lists.

However, AIM organizations monitored the following:

- - The quota system does not comply with the population ratio, as the Iraqi Constitution guarantees every 100,000 inhabitants a parliamentary seat, and therefore this is not reflected in the quota system. It also contradicts previous decisions of the Federal Supreme Court, including Ruling No. (11/2010).
- The deliberate and continuous exploitation of major political parties blocs by confiscating the quota system for minorities, including what happened in the 2021 elections for Christians, Shabak, Faili Kurds and Yazidis, where, according to organizations within AIM, political, financial and military influence overshadowed the results of the quota in the recent elections.
- The electoral law and voting system does not encourage the independent movement of minority votes to the quota blocs, but rather the exploitation of these votes by the major political parties.
- Failure to meet the seats allocated to minorities to the level of their population, despite the existence of the Federal Court's decision (11/2010) to raise the number of quota seats allocated to the Yazidis based on their number according to the statistics of the Ministry of Planning, but the Iraqi Parliament did not respond to this.

6-The parliamentary election law in the Kurdistan Region of Iraq stabilized the quota system for national minorities as follows (Syriacs, Chaldeans and Assyrians have 5 seats, Turkmen have 5 seats and Armenians have 1 seat in the region) While the rest of the minorities, such as Yazidis, Akkadians, Zoroastrians, Zoroastrians and Faili Kurds, were not granted quota seats in the Kurdistan Parliament, and despite this, the Federal Supreme Court in its decisions issued on 2/21/2024 to cancel all quota seats and the illegality of seats in the Kurdistan Regional Parliament in this procedure is a clear violation of fundamental rights, especially the political rights for minorities, despite the Kurdistan Regional Government objected to this decision issued by the Federal Supreme Court, in addition to the objections of national minority groups in the Kurdistan Region, and then a decision was issued by the competent temporary elections court in its decision issued on 5/16/2024 that 5 of the 100 general seats would be allocated to members of national minorities, to be divided by districts, but the situation so far remains the same.

**AIM organizations recommend the following:**

- Find a formula to address the lack of interference by major political parties and the exploitation of state resources to interfere in how minority candidates are selected in Iraq and the Kurdistan Region by having special electoral registers for minorities, a special voting day, and special electoral centers and stations.
- Finding a formula to address the restoration of the quota for national minorities in the Kurdistan Region and maintaining the representation ratio, as the members of national minorities consider it an essential part of their political rights, in addition to being an essential part of political stability in the region.
- The need to include other religious, ethnic and cultural minorities in a quota system for minorities in the Kurdistan Regional Parliament, similar to other components, in accordance with Law No. 5 of 2015 on protecting the Rights of Components in the Kurdistan Region of Iraq.

**Regarding Recommendation number 34 regarding the Faili Kurds:**

7- There is discrimination in Article 18 of the Iraqi Nationality Law No. 26 of 2006, which stipulate

- Any Iraqi whose Iraqi nationality has been revoked for political, racial or sectarian reasons may regain it by submitting a request to that effect, and in the event of his death, his children who have lost Iraqi nationality following their father or mother have the right to apply to regain Iraqi nationality.
- The provisions of clause (I) of this article shall not benefit an Iraqi who has been deprived of his nationality under the provisions of Law No. 1 of 1950 and Law No. 12 of 1951 (relating to Jews).
- The unjust decision No. 358 by the Directorate of Civil Status against the Baha'is, which involves freezing their records in civil status registers and authorizing the directorate to alter the religion field, has led to significant deprivation of civil and legal rights. This encompasses the inability to obtain civil status IDs and other official documents, as well as difficulties in registering births and marriages, among other civil actions, unless the religion field specifies "Muslim.
- However, the decision was revoked with the issuance of Ministry of Interior letter 5441 on 19/3/2007, which was circulated to all civil status departments by the General Directorate of Travel and Nationality letter No. 5708 on 04/04/2007. Following this decision, the freeze on restrictions was practically lifted, and a number of Baha'is were issued IDs with the religion field (Baha'i).
- Although there is no direct persecution of Baha'is, adherents of this religion are still struggling to repeal Law No. 105 of 1970, in addition to the cancellation of the letter



issued by the General Secretariat of the Iraqi Council of Ministers on 26/07/2007 with the number 1215, which included preventing the Civil Status Departments from confirming (Baha'i) in the religion field in the civil status identity card and registering him as a Muslim.

- There is a challenge to changing religion in personal status documents, as a Baha'i would be considered a convert to Islam, which is prohibited.
- Challenges in restoring the citizenship of those whose citizenship was revoked by the Baath regime, especially the Faili Kurds, due to the conditions imposed on the applicant, such as having a name in the 1957 census database and the like.
- This applies to first-time applicants for citizenship, such as the Bidun, gypsies, Bedouins, and those who were not registered in the 1957 census.
- The exception for gypsies in their Iraqi citizenship certificate, which denies them the right to education, work and health, deepens the ostracism and social isolation they face, as they are stigmatized by society in inferior terms, which has caused them to be almost completely isolated from life.

#### **Concerning Recommendation number 36 regarding the Iraqi Nationality Law regarding the Iraqi child**

The Iraqi legislator is still reluctant to enact a law to address cases of births in the event that one of the parents declares his Islam, in the event that there is a non-Muslim family (father, mother, boys and girls) and one of the parents declares his Islam, Iraqi law prevents the children from remaining in their religion but forces them to follow one of the parents who have declared their Islam. AIM organizations have monitored many cases in which children are almost prevented from going to school or updating their personal IDs for fear that they will be replaced by a new one with the religion written in the "Muslim" field.

Followers of the Baha'i faith in Iraq are still afraid to renew and update their personal data in the civil status departments, due to the ban they face, and thus are deprived of their previous identity cards with the inscription (Baha'i), while if they are issued new cards, the religion field will be written in the "Muslim" field according to the law.

Iraq is still facing the issue of births from fathers (who were organized to ISIS or other terrorist groups) and their mothers who are Yazidi survivors, as by law the child must be registered (Muslim) while the mother is Yazidi, and here there will be major issues in matters such as inheritance and personal status issues, as the father is considered anonymous, while the other legal treatment considers the child a "bastard" and here the mothers of the children born object and thus the issue remains unresolved.

**AIM organizations recommend the following:**

- The need to address the issue of minority children born to a parent who has converted to Islam, which is known in Iraq as the phenomenon of Islamization of minors, and to establish rules and procedures that are in the interest of the child and not discriminatory.
- The need to recognize the existence of the Baha'i, Zoroastrian and Kakai religions in Iraq and the freedom to practice rituals for their followers.
- AIM organizations have observed that there are dozens of births of Yazidi mothers and their fathers who were members of the terrorist organization ISIS, as there is no treatment in the interest of the child and his mother in Iraqi laws that would be in the best interest of the child and his mother.

**On recommendation (38/b/c) regarding a national plan for the return of displaced persons**

9- Despite Iraq's adoption by Cabinet Decision No. (100) of 2021 of the National Plan for the Return of Displaced Persons to their original areas, we at AIM monitored many cases that we must draw attention to, including:

- The government closed many other camps and forced the residents of those camps to return to their areas or integrate into other camps, especially in the south of Mosul.
- Despite the great efforts of the international community and international organizations working in Iraq to provide proposals and ideas about the needs of the displaced, the amount of aid and services provided by the government is very small compared to the percentage of displaced people and their daily needs.
- The Iraqi government has set an amount of 1,500,000 Iraqi dinars, equivalent to 1,000 US dollars, for each returning family, which is not enough to live for half a month in light of the high cost of living.
- The restoration of infrastructure and the provision of essential services in areas of return remain significantly inadequate compared to the extensive damage these areas sustained during the armed conflict.
- The Iraqi government provided many facilities in terms of legal services for displaced families and provided many roving teams in this regard, in addition to that, the Iraqi government provided many facilities in terms of exam procedures for displaced students.
- At the beginning of 2024, the Iraqi government decided to close all camps by August of the same year, introducing several new incentives to encourage voluntary return of the displaced, as per a decision by the Council of Ministers. These incentives include

increasing the financial grant to 4,000,000 Iraqi Dinars (equivalent to \$3,000 USD), creating job opportunities, appointing individuals to public sector positions, expediting the provision of compensation, and other measures. However, this decision has caused significant concern among displaced families, as many of their areas still lack basic services and the foundations for peaceful coexistence, based on scientific principles and clear procedures, are not yet established. Additionally, there is a need to raise awareness about the importance of living together peacefully and avoiding a return to violence.

**AIM organizations recommend the following:**

- The Iraqi government is urged to not hastily decide on closing all displacement camps at this time without first ensuring the provision of necessary services and infrastructure. Additionally, it is crucial to address the aftermath of internal conflict and the absence of justice, which have significantly impacted the demographic composition of Iraqi families.
- Create a clear and transparent system in the process of delivering services to displaced families in IDP camps that takes into account the fairness of distribution for all without discrimination.
- Granting high privileges to returning families in order to overcome the difficulties of living in the event of return, in addition to enhancing the factors of stability and not displacing again.

**10. Prohibition of discrimination and hatred and legal reform**

- There is still no prohibition of discrimination in national laws and legislation, and even draft laws are devoid of the principle of prohibiting discrimination, as AIM organizations observed that the Iraqi Penal Code in Article 372 imposes a penalty of imprisonment or a fine on anyone who attacks a belief or degrades the rites of a sect or desecrates or damages a building or temple, while the legal article did not rise to prohibit discrimination and hatred towards any attack on the beliefs, rites and places of worship of non-Muslims.
- AIM organizations also monitored the obvious discrimination in the recently enacted Unified National Identity Card Law, as it contains a clear reference to discrimination against members of religious minorities, as it recognized what was stated in the Personal Status Law, regarding the phenomenon of "Islamization of minors", which considers every minor child in the event that one of his parents becomes Muslim, according to the law, all minor children become Muslims, despite the parents being non-Muslims before the Islamization of one of them.

- According to the monitoring carried out by AIM organizations, the inequality in employment opportunities is not codified by law, but rather in the policies of applying the law and in the application procedures, as the AIM report showed in 2021 that there is still no Yazidi judge, while there are many applicants to the "Judicial Institute" to obtain a judge's certificate, but during the application procedures, they are given a "public prosecutor" certificate, and this is a obvious discrimination in employment opportunities, and the statistics collected by AIM show that the level of participation of members of minorities in the judiciary "This is a clear discrimination in job opportunities, and the statistics collected by AIM show that the level of participation of minorities in public jobs and decision-making is still low compared to their numbers and the level of their participation, especially in opportunities in diplomatic missions, military and aviation commands, directors general, and others.

#### **11- Transitional justice institutions and lack of minority representation**

The transitional justice institutions, which include the Martyrs and Reconciliation Foundation, the Political Prisoners Foundation, the Human Rights Commission, and the Property Disputes Commission, are still lacking real representation of religious and ethnic minorities within their formations.

They lack real representation of religious and ethnic minorities within their formations, as religious and ethnic minorities are the communities most affected by the ongoing violence in Iraq, and therefore the procedures of these bodies still do not live up to the required level in the principle of participation, and since Iraq is a country that is beginning to recover from the post-ISIS conflict phase, it is necessary to work on:

- Include members of religious and ethnic minorities in Iraq's transitional justice institutions by giving them leadership roles in these institutions.
- Fairness in the way these institutions deal with the files of violations and challenges facing members of religious and ethnic minorities, and the need to adopt the principle of "positive discrimination" in some files in order to do justice to victims, especially religious and ethnic minorities in Iraq.