



I. EXECUTIVE SUMMARY

1. The following report is submitted on behalf of the Assyrian Universal Alliance - Americas Chapter (AUA Americas) in consultation with the Nineveh Center for Research and Development (NCRD) in response to Iraq's fourth periodic report to the Committee on Economic, Social and Cultural Rights (the Committee). Founded in 2007, and in Consultative Status with the United Nations since 2013, AUA Americas works to increase public awareness and understanding of the Assyrian culture and people, to promote human rights and indigenous rights at the national and international level. NCRD is a local non-governmental organization working to promote the rights of indigenous peoples and national, ethnic, religious and linguistic minorities in Iraq.

2. Serious violations of Iraq's obligations under the International Covenant on Economic, Social and Cultural Rights (ICESCR) persist throughout Iraq since the state underwent its last review before the Committee in December 1997. This report examines those abuses pertaining to Iraq's indigenous Assyrian Christian minority that have occurred since 2003. These abuses stem largely from instances of *de jure* and *de facto* discrimination, inadequate security, large-scale internal displacement, and targeted persecution by members of the self-proclaimed Islamic State (IS) and their affiliates who have recently taken large swaths of northern Iraq from government administration. Ongoing political and sectarian discord continues to impede the Iraqi Government from providing a timely and effective response to such abuses.

3. Five provisions of ICESCR will be examined in this report: freedom from discrimination under Article 2(2); the right to equality between men and women under Article 3; the rights of internally displaced persons under Article 11 and Article 12; and the right to education under Article 13. In order to help cure the human rights violations alleged here, AUA Americas offer the following recommendations to the Government of Iraq:

Recommendations regarding Article (2)

- **End policies resulting in the unlawful expropriation of Assyrian Christian properties.**
- **Ensure Assyrian Christians and other minorities enjoy equal access to the judiciary and law enforcement when raising property disputes.**
- **Enforce all judgments calling for the return of unlawfully expropriated Assyrian Christian properties.**

Recommendations regarding Article 3

- **Amend existing laws or implement new legislation to end discrimination against religious minorities in their commitment to their personal status.**
- **Amend existing laws or implement new legislation allowing all Iraqis the right to change their religious designation on identity cards and other government documents to the religion of their choice.**

Recommendation regarding Article 11

- **Implement long-term subsidized housing programs and income-generating opportunities for IDPs in areas where they are displaced.**



Recommendation regarding Article 12

- Improve access to the right to the highest attainable standard of health by ensuring critical health services are affordable to IDPs.

Recommendation regarding Article 13

- Ensure that that the heritage of Iraqi minorities and their contribution to Iraqi society is better reflected in the State’s textbooks and lesson plans.
- Remove all mention of Simko Shaikh as a national hero in the State’s education curricula.
- Provide safe and affordable means of transportation for students to access educational institutions, especially in areas with large IDP populations.

II. INTRODUCTION

4. Assyrians, referred to also as Chaldeans or Syriacs, represent a distinct, ethno-religious and linguistic community in Iraq with a heritage stemming from the pre-Islamic and pre-Arab civilizations of Mesopotamia. They are politically non-dominant, mostly profess to various early traditions of Christianity, and were historically the first to settle in many of the territories they currently reside. They speak Syriac, a dialect of Aramaic known commonly as “Sureth” which served as the *lingua franca* of Western Asia before the advent of Arabic. But now, the language once spoken by Jesus Christ has been designated as “definitely endangered” by UNESCO and faces the threat of extinction in the lands where it originated.¹

5. The situation of indigenous Assyrians Christians and other vulnerable groups in Iraq remains precarious. Between 2010 and 2015, Iraq has consistently been ranked among the top ten most dangerous countries for minorities by Minority Rights Group International (MRG),² labeled a “Country of Particular Concern” by the US Commission on International Religious Freedom (USCIRF)³ and received “Not Free” status in Freedom House’s annual *Freedom in the World* report.⁴ The rampant rate of emigration is also indicative of the reality that many Assyrian Christians have been forced to leave the country in the face of protracted human rights challenges. While Assyrian Christians were believed to number 1.4 million before the 2003 invasion,⁵ roughly a third continue to remain in Iraq.⁶ Their population continues to dwindle as church officials claim that more than six Assyrian Christian families leave Iraq every day.⁷ In 2011, Assyrian Christians represented 52 percent of new UNHCR-registered Iraqi refugees in Turkey⁸ and more than half of new UNHCR-registered Iraqi refugees in Lebanon.⁹ The statistic is alarming when considering that the community represented just 3 percent of Iraq’s population before 2003.¹⁰

6. Since the members of the so-called Islamic State captured Mosul in early June 2014, Assyrian Christians and other minorities in the city have endured targeted persecution in the form of forced displacement, sexual violence, and other egregious human rights violations. All 45 churches and monasteries inside Mosul are in the hands of IS militants, who have reportedly removed the buildings’ crosses and burned, looted, or destroyed much of the property.¹¹ By late July, the last of the Assyrian Christians in Mosul escaped the city following an edict by members of IS offering minorities the option to either convert to Islam, pay a tax, flee, or be killed.¹² The UN Security Council issued a



statement in July 2014 expressing “deep concern” over reports of such threats and condemning “in the strongest terms the systematic persecution of individuals from minority populations.”¹³ Secretary General Ban Ki Moon also condemned the actions claiming that such systematic targeting may amount to a “crime against humanity.”¹⁴

7. The persecution of Assyrian Christians at the hands of the so-called Islamic State is compounded by a long-standing legacy of discrimination targeting minority communities within Iraq. While such a legacy emerged prior to the fall of Saddam Hussein, much of this discrimination against Assyrians persists – and is even reinforced at times – by various levels of Iraq’s new democratic government. Without increased protection by all levels of the Iraqi Government, Assyrians face the reality of no longer remaining a viable component in Iraq’s once vibrant social fabric.

III. SELECT PROVISIONS

A. Freedom from Discrimination in the Right to Own Property

8. Systematic policies of unlawful expropriation and state-sanctioned efforts to effectively alter the demographic characteristics of their indigenous territories have both violated Constitutional safeguards and served to undermine the right of Assyrian Christians to own property free from discrimination.

1. Kurdistan Regional Government

9. In the Kurdistan Region, unconstitutional confiscation and illegal occupation of lands belonging to Assyrian Christians has escalated inter-ethnic conflict and continues to undermine the right of minorities to own property without discrimination. Challenges in resolving such issues have also highlighted the bias held by both law enforcement and the region’s judicial system against aggrieved Assyrian Christian landowners.

10. In the KRG-controlled Governorate of Dohuk, Assyrian Christians have complained that Kurdish officials and tribal leaders have illegally occupied and used their agricultural lands for commercial and investment purposes.¹⁵ In June of 2013, tensions escalated when Kurdish security forces arrived at the village of Cham Rabatki with materials to construct a house on land that local Assyrian Christians claimed legally belonged to them.¹⁶ Following protests against the construction, armed men in civilian clothes arrived firing ammunition into the air and attacking residents. Police turned up two hours later and allegedly refused to take complaints from residents at the police station.¹⁷ Reports in 2009 from local organizations also contend that the KRG has seized more than 4,300 hectares of land from eight Assyrian Christian villages in the region and illegally expropriated four other such villages in their entirety.¹⁸

11. Despite the KRG’s declaration that it has not taken land from Assyrian Christians, and that any property disputes must be solved through courts of law, Assyrian Christians and other minorities have claimed on several occasions that court judgments on return of property have not been upheld.¹⁹ According to the United Nations Assistance Mission in Iraq (UNAMI), the President of the Kurdistan Region issued a decree (No. 2226 of December 2012) establishing a committee to inquire



into the allegations raised by Assyrian Christians concerning the affected lands.²⁰ The Committee recommended that most of the property should be return to the original Assyrian Christian owners but favored giving some of the contested land to the current occupants.²¹ The proposition was rejected by the affected Assyrian Christians who perceived the arrangement as a way of circumventing their right to have all the property at issue fully restored.

2. Central Government

12. Under the Central Government, the Commission for the Resolution of Real Property Disputes (CRRPD) (formerly called the Iraq Property Claims Commission) provided victims of property confiscated for political, religious or ethnic reasons or because of “ethnic, sectarian, or nationalistic displacement policies” under Saddam the opportunity to make a claim—at their discretion—for either restitution or compensation.²² However, only about 30,000 of the 153,000 filed claims are deemed to be final and enforceable; compensation has been paid in only about 1,000 cases.²³ Further, the enforcement of restitution decisions has been difficult due to the unstable security situation. Evidence suggests that many claimants have been unable to reoccupy their houses or land despite CRRPD decisions in their favor.²⁴

13. Reports from human rights organizations identify that between 1967-1988, more than 190 villages inhabited largely by Assyrian Christians were either destroyed or heavily Arabized.²⁵ In light of the challenges around enforcing restitution decision, many Assyrian Christians from these villages who submitted a claim opted to obtain compensation for their confiscated property often receiving payment at below market value. Additionally, since the CRRPD’s mandate does not provide any redress for destroyed or damaged property, Assyrian Christians whose villages were completely razed by Saddam’s regime did not enjoy any reparation.²⁶ The CRRPD’s policies, in effect, legally sanctioned the demographic alteration of indigenous Assyrian territories. Particularly, in the historic Nineveh Plain region, the impact of such demographic alterations is compounded by the large-scale forced displacement of Assyrian Christians and other minorities at the hands of the so-called Islamic State. Ultimately, the impact will sever not only the community’s legal ties with their ancestral territories but will weaken their historic cultural and social connection as well.

14. Notwithstanding the existence of constitutional protections against unlawful expropriation, targeted confiscation of Assyrian Christians’ property in the Kurdistan Region as well as ineffective government mechanisms to address historic grievances result in both formal and substantive discrimination against Assyrian Christians.²⁷

RECOMMENDATIONS

- End policies resulting in the unlawful expropriation of Assyrian Christian properties.
- Ensure Assyrian Christians and other minorities enjoy equal access to the judiciary and law enforcement when raising property disputes.
- Enforce all judgments calling for the return of unlawfully expropriated Assyrian Christian properties.



B. Right to Equality Between Men and Women

15. Although Article 14 of Iraq’s Constitution provides that Iraqis are equal before the law without discrimination based on gender or religion, an earlier provision establishes Islam as the official religion of the State and bars any law that “contradicts the established provisions of Islam.”²⁸ This potential conflict within the constitution adversely affects a range of rights of Assyrian Christians and other non-Muslim minorities. For instance, the constitution grants Iraqis freedom “in their commitment to their personal status according to their religions, sects, beliefs, or choices,”²⁹ but implementing legislation has not yet been passed.³⁰ As a result, courts continue to apply the 1959 Personal Status Law, which includes principles of Shari’a.³¹ The law largely exempts non-Muslims by requiring civil courts to apply the opinion of the religious authority of non-Muslims parties in court.³² Despite this exemption, there remain instances in which religious minorities, particularly minority women and girls, continue to endure legal discrimination in their commitment to their personal status.

16. One example is found in the 1972 Law of Civil Affairs, which forms part of the larger Personal Status Code. While the law explicitly allows non-Muslims to convert to Islam, principles of Shari’a prohibit converting away from the faith.³³ Although there is no penalty for converting from Islam, the many non-Muslims who converted voluntarily or to avoid discrimination during the Ba’athist regime are now unable to change their religion on identity documents.³⁴ The law also requires the conversion of minor children to Islam if either parent converts to Islam, even if the other parent objects.³⁵ Many minor children of a parent who converts to Islam also lacked the ability to change their religious designation upon reaching the age of maturity.

17. Secondly, the present legal framework proves particularly problematic for non-Muslim girls whose parents have converted to Islam when the girls were minors. While the 1959 Personal Status Law allows inter-religious marriage between Muslim men and non-Muslim women, it bars Muslim women from marrying non-Muslim men.³⁶ Minor girls who are otherwise unable to legally change their religious designation from Islam following a parent’s conversion are thus prohibited to marry within the religious community of their birth. In Iraq, Assyrian Christians represent not only an indigenous religious community, but also a distinct ethnic and linguistic segment of society. Preventing such girls from marrying other Christians not only leaves some Assyrian women culturally isolated but also threatens the continued vitality of the community as a whole. Furthermore, the discriminatory aspects of the Personal Status Law have caused some Iraqi families to marry in religious services and hide the marriage from state authorities.³⁷ Consequently, children born from such marriages may not receive governmental identification documents, which prevent them from enrolling in school and accessing other services.³⁸

18. Legal barriers preventing individuals from replacing their religious designation and precluding marriages between Muslim women and non-Muslim men are inconsistent with both Article 14 of Iraq’s Constitution, which guarantees equal protection before the law without discrimination as to religion or gender,³⁹ as well as similar safeguards under the ICESCR calling for the equal right of men and women to the enjoyment of the Covenant’s rights.⁴⁰



RECOMMENDATIONS

- Amend existing laws or implement new legislation to end discrimination against religious minorities in their commitment to their personal status.
- Amend existing laws or implement new legislation allowing all Iraqis the right to change their religious designation on identity cards and other government documents to the religion of their choice

C. Rights of Internally Displaced Persons

19. Successive waves of large-scale internal displacement of Assyrian Christians throughout Iraq have posed practical barriers to enjoying the right to adequate housing and the right to the highest attainable standard of health under Articles 11, and 12 of the ICESCR respectively.

20. Targeted attacks against Assyrian Christians since 2010 have produced four waves of displacement from Iraq's major cities to the Nineveh Plain and to territories controlled by the Kurdish Regional Government (KRG). In weeks leading up to the March 2010 parliamentary elections, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) reported that over 800 Assyrian Christian families were displaced from Mosul after sporadic violence directed at the community left at least 12 dead.⁴¹ Soon after the deadly attack at Baghdad's Saidat al-Najat Church in October of the same year which killed over 50 worshippers, the International Organization for Migration (IOM) reported that as many as 1,300 Assyrian Christian families endured displacement.⁴²

21. In June 2014, following the so-called Islamic State's capture of Mosul, an edict was issued to all non-Muslims in the city to either convert to Islam, pay a tax, flee or be killed. As nearly all of the city's 35,000-50,000 Assyrian Christian residents escaped Mosul, IS members of a marked their homes with the Arabic letter "noon" to symbolize the word "Nasrani," a pejorative term meaning Christian.⁴³ In late June, the Chaldean Catholic Church's Archbishop of Erbil stated that for the first time in 1,600 years, mass was not celebrated in Mosul.⁴⁴ Many of Mosul's displaced Christians initially sought refuge in the Nineveh Plain region, one of the only places within the country historically dominated by native non-Muslim and non-Arab populations and which houses the greatest concentration of Assyrian Christians in Iraq.⁴⁵

22. On August 6, the largest wave of displacement came after nearly all of the roughly 200,000 mostly Assyrian Christian inhabitants in the Nineveh Plain, including many who have endured repeated displacement, fled to the Kurdistan Region as IS militants advanced.⁴⁶ The resulting humanitarian crisis has garnered the highest-level emergency designation by UN officials as tens of thousands of perpetually uprooted ethno-religious minorities struggle to access basic services.⁴⁷ Additionally, a recent fact-finding report in Iraq by the OHCHR revealed that the deportation and forced transfer of population by the so-called Islamic State may amount to crimes against humanity against Assyrian Christians and other communities.⁴⁸

1. Right to Adequate Housing

23. Access to adequate housing was among the top priority needs of Assyrian Christian IDPs surveyed by the IOM in 2011.⁴⁹ In some areas with high numbers of displaced Assyrian Christians such



as Ankawa in the Erbil Governorate, rental prices for very modest accommodations rose 200-300 percent between November 2010 and January 2011. Rent in many IDP-populated cities continues to average between \$700-\$1,000 USD a month. According to the World Health Organization (WHO), approximately, 576,000 of Iraq's 2.1 million IDPs were settled in Dohuk in January 2015 with a significant percentage of them housed within 17 IDP camps, in unfinished buildings and informal settlements, such as schools. The majority of IDPs in Dohuk are from either Nineveh and Kirkuk, including the roughly 83,000 IDPs from the majority Assyrian district of Telkaif in the Nineveh Plain.

24. The central government provides support in the form of a one-time subsidy of roughly \$700 USD to cover the housing costs of displaced families. Yet despite the existence of such subsidies, bureaucratic challenges have precluded many IDPs from accessing aid. Of the 143,791 registered IDPs in Dohuk, 11,776 families have not received the subsidy and in Erbil, of the 98,300 registered IDPs, roughly 15,000 families have not received the subsidy. Churches have worked to fill the gap by covering the housing costs for 3 or more families sharing a dwelling, though this program is only available to IDPs in Dohuk.

25. Rising cost of rent and a lack of employment opportunities for IDPs exacerbate the trend of secondary displacement as many Assyrian Christians are electing to seek refuge abroad after being unable to afford the cost of housing in areas where they reside.⁵⁰ Those staying with relatives or in churches also endure housing challenges. Homes accommodating multiple families are overcrowded and churches lack beds and sufficient protection from the elements.

26. Assyrian Christian IDPs burdened by unreasonable rent increases and overcrowded and otherwise inadequate housing conditions are also unable to enjoy the right to housing under Article 11(1) of the ICESCR, which includes, *inter alia*, the right to affordable and habitable housing with legal security of tenure.⁵¹ To fully guarantee equal access to education and housing, the State must prioritize the needs of Assyrian Christian IDPs and other disadvantaged groups by implementing necessary measures that will help overcome such threats to their physical and financial security.

RECOMMENDATION

- **Implement long-term subsidized housing programs and income-generating opportunities for IDPs in areas where they are displaced.**

2. Right to the Highest Attainable Standard of Health

27. While the large influx of displaced Iraqis into Dohuk has posed serious health concerns including cardiovascular disease, respiratory infections, and the risk of measles outbreak, the World Health Organization (WHO) has supported the Department of Health in providing limited access to health services in hard to reach areas of displacement through visits by mobile medical services.⁵² Since the service was launched, 10 mobile teams have provided roughly 69,000 IDPs with essential medical treatment. Still, the mobile medical service is not able to treat chronic disease and offer major surgeries to IDPs. Challenges in accessing such necessary medical service is compounded by the barriers IDPs face in accessing work as well as the high cost of rent in areas with a large internally displaced population.

28. Financial constraints in accessing critical healthcare prevents IDPs from enjoying the right to the highest attainable standard of health under Article 12, which the Committee notes, must be economically accessible to everyone, especially the most vulnerable or marginalized sections of the



population.⁵³

RECOMMENDATION

- **Improve access to the right to the highest attainable standard of health by ensuring critical health services are affordable to IDPs.**

D. Right to Education

29. Assyrian Christians and other minorities have largely been ignored by Iraq’s educational system. Texts typically refer to Iraq’s ethnic mosaic as one of “Arabs, Kurds, and others.”⁵⁴ In late 2010, a coalition of Iraqi minority civil society organizations provided amendments to state textbooks for grades five through nine in four subjects: history, geography, civics and Arabic language, with the aim of better reflecting their heritage and contribution to Iraqi society.⁵⁵ Despite the support of Iraq’s Education Ministry, many of the amendments were not incorporated, and updated textbooks continue to include lessons that promote intolerance. For instance, current textbooks in the KRG continue to regard as a national hero Simko Shaikh, a Kurdish chieftain responsible for assassinating Mar Shimun XXI Benyamin, the late Patriarch of the Assyrian Church of the East.

30. Sudden displacement has forced many Assyrian Christian students to leave school in the middle of the academic year. Among Assyrian Christian IDPs surveyed by IOM in December 2010, 68 percent indicated education as a priority need.⁵⁶ Prior to the fall of Mosul to the so-called Islamic State, barriers to accessing education from their location of displacement had forced many Assyrian Christian university students from Mosul to return to the city in order to take their exams despite security risks. Displaced students electing to commute from the Nineveh Plain to Mosul also faced similar threats to safety. On May 2, 2010, a roadside bomb targeted a convoy of buses carrying Assyrian Christian students from the district of Hamdaniya in the Nineveh Plain to the University of Mosul.⁵⁷ The attack killed one person and injured 70.⁵⁸ Soon after, Assyrian Christian students stopped attending classes at the university out of fear for their safety and nearly 1,000 students reported dropping out of classes for the remainder of the semester.⁵⁹

31. Displaced Assyrian Christian students forced to endure dangerous conditions in order to continue their lessons are thus denied their right to education under Article 13 of the ICESCR, which must be afforded “within safe physical reach.”⁶⁰ Furthermore, Iraq is in violation of its obligation to ensure education promotes “understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups”⁶¹ by regarding divisive historical figures as national heroes and failing to promote increased understanding of the country’s various minority communities.

RECOMMENDATION

- **Ensure that that the heritage of Iraqi minorities and their contribution to Iraqi society is better reflected in the State’s textbooks and lesson plans.**
- **Remove all mention of Simko Shaikh as a national hero in the State’s education curricula.**
- **Provide safe and affordable means of transportation for students to access educational institutions, especially in areas with large IDP populations.**



¹ *Interactive Atlas of the World's Languages in Danger*, UNESCO <http://www.unesco.org/languages-atlas/en/atlasmap/language-id-2232.html> (accessed September 1, 2015).

² *People Under Threat*, Minority Rights Group International, <http://peoplesunderthreat.org>

³ “Countries of Particular Concern - Iraq,” US Commission on International Religious Freedom, <http://www.uscirf.gov/countries/iraq>

⁴ *Democracy Index 2015*, Freedom House International, <https://freedomhouse.org/report/freedom-world/freedom-world-2015#.Vf7AEbSFv8E>.

⁵ “Iraq: Christians live in fear of death squads,” IRIN News, October 18, 2006, <http://www.irinnews.org/report/61897/iraq-christians-live-in-fear-of-death-squads> (accessed March 14, 2014).

⁶ *Annual Report 2013*, United States Commission on International Religious Freedom, April 2013, 88, [http://www.uscirf.gov/sites/default/files/resources/2013%20USCIRF%20Annual%20Report%20\(2\).pdf](http://www.uscirf.gov/sites/default/files/resources/2013%20USCIRF%20Annual%20Report%20(2).pdf)

⁷ Amjad Salah, “Chaldean Church: Six Christian families leave Iraq every day,” *Alsumaria*, December 18, 2013, <http://www.alsumaria.tv/news/88513/chaldean-church-six-christian-families-l/en>.

⁸ *Mid-Year Review of the Regional Response Plan for Iraqi Refugees 2012*, United Nations Office for the Coordination of Humanitarian Affairs, September 10, 2012, 115: https://docs.unocha.org/sites/dms/CAP/MYR_2012_Iraq_RP.pdf.

⁹ *Id.* at 76.

¹⁰ Steven Lee Myers, “More Christians Flee Iraq After New Violence,” *The New York Times*, December 12, 2010, <http://www.nytimes.com/2010/12/13/world/middleeast/13iraq.html?pagewanted=all>.

¹¹ “All 45 Christian Institutions in Mosul Destroyed or Occupied By ISIS,” *Orthodox Christian News*, July 30, 2015 <http://myocn.net/45-christian-institutions-mosul-destroyed-occupied-isis/>.

¹² Hamdi Alkhshali and Joshua Berlinger, “Facing fines, conversion or death, Christian families flee Mosul,” *CNN*, July 20, 2014 <http://www.cnn.com/2014/07/19/world/meast/christians-flee-mosul-iraq/>.

¹³ “Security Council denounces persecution of minorities in northern Iraq,” *UN News Centre*, July 22, 2014, <http://www.un.org/apps/news/story.asp?NewsID=48322#.Vf7EBbSFv8E>.

¹⁴ “Statement attributable to the Spokesman for the Secretary-General on the systematic persecution of minorities in Mosul,” *Secretary General Ban Ki-moon Statements*, July 20, 2014, <http://www.un.org/sg/statements/index.asp?nid=7880>.

¹⁵ *July-December 2013 Report on Human Rights in Iraq*, United Nations Assistance Mission for Iraq, June 2014, 22, http://www.uniraq.org/index.php?option=com_k2&view=it

[em&task=download&id=496_013743d58623666e26b230b389012eb0&lang=en](http://www.uniraq.org/index.php?option=com_k2&view=it&task=download&id=496_013743d58623666e26b230b389012eb0&lang=en).

¹⁶ *January-June 2013 Report on Human Rights in Iraq*, United Nations Assistance Mission for Iraq, August 2013, 14, http://www.protectingeducation.org/sites/default/files/documents/hro_human_rights_report_january_-_june_2013_final_eng_15dec2013_2.pdf.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ “The Struggle to Exist,” *Assyria Council of Europe and Hammurabi Human Rights Organization*, February 2010, 103, <http://www.aina.org/reports/acetste.pdf>

²⁰ Mumtaz Lalani, *Still Targeted: Continued Persecution of Iraq's Minorities*, Minority Rights Group International, June 10, 2010, 21,

<http://www.refworld.org/docid/4c43f4322.html>.

²¹ *Supra* note 16.

²² Land, Property, and the Challenge of Return for Iraq's Displaced, *US Institute of Peace Special Report*, April 2009, 8,

<http://www.usip.org/sites/default/files/SR221.LandPropertyChallengeofReturnforIraqsDisplaced.pdf>.

²³ *Id.*

²⁴ *Id.*

²⁵ “Iraq: continuous and silent ethnic cleansing – Appendix A” International Federation for Human Rights, 40, <https://www.fidh.org/IMG/pdf/iq350a.pdf>

²⁶ *Supra* note 22.

²⁷ General Comment 20, Par. 8, Committee on Economic, Social, and Cultural Rights.

²⁸ Constitution of Iraq, Article 2(1).

²⁹ *Id.* at Article 41.

³⁰ *Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights*, Institute for International Law and Human Rights, May 2013, 56, http://lawandhumanrights.org/documents/MinorityHB_EN.pdf (accessed March 14, 2014).

³¹ Law No. 188 of 1959, Article 1(2), (available at: http://gjpi.org/wp-content/uploads/2009/01/iraq_personal_status_law_1959_english_translation.pdf).

³² *International Religious Freedom Report 2010*, U.S. Department of State Bureau of Democracy, Human Rights, and Labor, November 17, 2010, <http://www.state.gov/j/drl/rls/irf/2010/148821.htm> (accessed March 14, 2014).

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*

³⁶ *Supra* note 31 at Article 17.

³⁷ *Supra* note 32.

³⁸ *Id.*

³⁹ *Supra* note 28 at Article 14.

⁴⁰ *International Covenant on Economic, Social, and Cultural Rights*, Article 3.



⁴¹ *Iraq, Displacement in Mosul: Situation Report No. 3*, Office for the Coordination of Humanitarian Affairs, March 6, 2010, 2, <http://www.jauiraq.org/documents/78/OCHA-Iraq-SitRep-No-3-Displacement-in-Mosul-6-March-2010.pdf>.

⁴² *IOM Emergency needs assessments: Displacement of Christians to the north of Iraq*, International Organization for Migration, January 31, 2011, 5, <http://www.iomiraq.net/Documents/Christian%20Displacement%2031%20January%202011%20EN%20Final.pdf>.

⁴³ Alissa J. Rubin, “ISIS Forces Last Iraqi Christians to Flee Mosul,” *New York Times*, July 28, 2014, http://www.nytimes.com/2014/07/19/world/middleeast/isis-forces-last-iraqi-christians-to-flee-mosul.html?_r=0.

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ “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 the so-called Islamic State in Iraq and the Levant and associated groups,” A/HRC/28/18, *OHCHR*, March 27, 2015, par 21, http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_18_ENG.docx.

⁴⁷ “UN declares Iraq ‘Level 3 Emergency’ to trigger more resources, speed up aid delivery,” UN News Centre, August 14, 2014, <http://www.un.org/apps/news/story.asp?NewsID=48483#.Vf7PfbSFv8E>.

⁴⁸ *Supra* note 46 at par. 76.

⁴⁹ *Supra* note 42 at 4.

⁵⁰ *Id.* at 1.

⁵¹ General Comment 4, Par. 8, Committee on Economic, Social and Cultural Rights.

⁵² “IRAQ: Snapshot of WHO Response Activities in Dahuk Governorate January to June 2015,” *World Health Organization* http://www.who.int/hac/crises/irq/sitreps/irq_dahuk_who_activities_january_june2015.pdf?ua=1,

⁵³ General Comment 14, par. 12(b), Committee on Economic, Social and Cultural Rights.

⁵⁴ Thomas Omestad, “Vulnerable Iraqi Minorities Making Gains with USIP Help,” *US Institute of Peace*, December 26, 2012, <http://www.usip.org/publications/vulnerable-iraqi-minorities-making-gains-usip-help>.

⁵⁵ *Id.*

⁵⁶ *Supra* note 42 at 4.

⁵⁷ *Annual Report 2011*, United State Commission on International Religious Freedom, May 2011, 90, <http://www.uscirf.gov/sites/default/files/resources/book%20with%20cover%20for%20web.pdf> (accessed March 14, 2014).

⁵⁸ *Id.*

⁵⁹ Mumtaz Lalani. *Still Targeted: Continued Persecution of Iraq’s Minorities*, Minority Rights Group International, June 10, 2010, 13, <http://www.refworld.org/docid/4c43f4322.html>.

⁶⁰ General Comment 13, Par 6(b), Committee on Economic, Social and Cultural Rights.

⁶¹ *Supra* note 40 at Article 13(1).