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THIS REPORT WAS PREPARED BY THE OF THE ALLIANCE OF IRAQI MINORITIES (AIM), COMPOSED OF 18 ACTIVE MINORITY ORGANIZATIONS, TO FOLLOW UP ON THE RESPONSIVENESS OF IRAQ'S IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS STANDARDS IN THE FRAMEWORK OF THE UNIVERSAL PERIODIC REVIEW, <http://www.aim-iq.net/>

THE FIRST SECTION - THE SCOPE OF INTERNATIONAL COMMITMENTS AND COOPERATION WITH INTERNATIONAL HUMAN RIGHTS MECHANISMS AND BODIES

1. Scope of international obligations and cooperation with international human rights mechanisms and bodies and minorities.

Iraq is one of the countries committed to redress international obligations in relation to the timely submission of periodic reports, and within the framework of Iraq's obligations with respect to the rights of minorities, the following:

1. The 2005 Iraqi Constitution referred to the mention of minorities and did not address the concept of minorities but included some of the rights of those minorities.
2. The Iraqi Council of Representatives began the law of organizing holidays and events as well as the law of organizing endowments for non-Muslims.
3. The Iraqi Council of Representatives has not yet enacted a law to regulate the administrative rights of areas where minorities live, based on Article 125 of the Iraqi Constitution.
4. Iraq shall submit to the committee on racial discrimination at its usual session in November 2018, in its report before the committee, a commitment to the international conventions and treaties to which it is bound.
5. The Iraqi Council of Representatives issued a law to protect diversity and prevent discrimination, despite the preliminary reading that took place during the previous parliamentary session.
6. The Parliament of Kurdistan-Iraq ratified the presidency of the province on the law to protect the national and religious components in Kurdistan Iraq and took effect by the end of 2015.

Recommendations:

- A. The need to enact legislation to regulate the administrative rights of minority areas on the basis of article 125 of the Iraqi constitution.**
- B. Legislation should be enacted to protect the rights of minorities and prevent discrimination.**
- C. The need to amend Law No. 5 of 2015 in Parliament of Kurdistan-Iraq to include a clear mechanism of application, as well as greater guarantees for minorities.**

B. Institutional framework for human and minority rights

1. In response to government trimming, the Iraqi government abolished the Ministry of Human Rights in 2015, where the ministry was responsible for the file of international reports and to respond to international obligations, including the rights of minorities.
2. Despite the existence of the Independent Commission for Human Rights since 2012, the selection of a new Council and Presidency of the Commission for the second session in 2017, but its response to the file of human rights, including the rights of minorities require more space for work and that the appointment of the Council of the Commission should not be based on party quotas.

3. Iraq has a national electoral management body, the Independent Electoral Commission, but there is lack of effective representation of minorities in this national body.
4. Although representatives of minorities in the House of Representatives made official claims to the establishment of a special committee regarding minority affairs, these requests have been neglected and did not take their way to the discussion in the Council, knowing that the rules of procedure of the Council does not contradict the existence of a committee on the issue of minorities within the committees of the Iraqi Council of Representatives.
5. Despite the multiple claims of minorities, there is still no executive entity (ministry - council - body) to manage the affairs of minorities at the executive level.
6. This situation also applies at the level of the Kurdistan Region - Iraq, despite the existence of a law to protect the rights of minorities, but there is no executive body to manage their affairs in addition to there is no parliamentary committee on the affairs of minorities.

Recommendations:

A. Broader participation of minorities in executive bodies and national institutions, with the administration of some of those institutions, based on the recommendations of the universal periodic review (UPR) of previous sessions.

B. It is vital to create an executive body responsible for implementing and enforcing the law on minority rights in the Kurdistan Region-Iraq.

C. It is necessary to establish an operational entity for the management and representation of minority issues at the level of the executive branch.

D. Establishment of a committee on minority groups in the Iraqi parliament to follow up on legislation and laws on minority rights.

Implementation of international obligations in the field of human rights and minority rights

1. Iraq has not developed a national plan for the implementation of the universal periodic review recommendations at the previous session of 2014, nor has Iraq developed a plan for the implementation of recommendations on minorities.
2. The Iraqi government has read the national plan for the implementation of Security Council resolution 1325, but the plan lacks a reference to the protection of women in minority groups and how to provide solutions for their violations.
3. Iraq submitted its report to the **Commission of Racial Discrimination CERD** however, Iraq is required to operationalize the Committee's recommendations and concluding observations.

Recommendations:

A. Establishing a clear mechanism and a national plan for the implementation of UPR recommendations with a competent authority to follow up on recommendations at the executive level.

B. Implementation of recommendations on the promotion of minority rights and the prevention of discrimination

Second Section: -Common Issues

A. equality and non-discrimination

1. The Iraqi Constitution guarantees the principle of non-discrimination and that Iraqis are equal before the law. However, many of the previous national legislations, which are being legislated, continue to perpetuate discrimination and inequality.

2. In particular, many members of religious minorities have stated that there is discrimination against them in relation to the "Islamization of minor children of non-Muslims". If Islam is declared by one of the parents, underage children become Muslims by law and national cards will be issued for them as Muslims.

Legal adaptation of the case: Article 26 of the Unified National Card Act, paragraph 2, refers to the principle of the islamization of minors in the event of the islamization of a parent.

Recommendation: Amending the text of the second paragraph of article 26 of the National Unified Card Act, guaranteeing freedom of belief and abolishing the principle of coercion and compulsion.

3. Many people from minority community made complaints of discrimination against them in relation to attacks on their beliefs, rituals, places of worship and the absence of legal texts putting an end to the contempt of religions and the protection of rituals and religious symbols for them.

Legal adaptation of the case: Article (372) of the Penal Code (111) of 1969, which imposes penalties for insulting religions and sanctity. Whether worship or incitement to hatred is completely disrupted, according to reports of the human rights organization Hamorabi belonging to the AIM, it could not detect that someone has been held accountable in accordance with this article for the past ten years despite the existence of abuses against Iraqi religious minorities issued here or there by known people, and publicly in the media.

Recommendation: The need to amend and activate the text of Article 372 of the Iraqi Penal Code

4. According to monitoring reports of the AIM, the deprivation of children of the gypsy minority of work, education, and detention in places that prevent them to exit and enter only with security approvals, especially in central and southern Iraq.

Legal adaptation of the case : There is no legal provision preventing them from the right to education and the right to work, but government practices and discrimination prevent them from facing the situation and to keep their children without learning or work.

Recommendation : Enacting legislation or governmental decisions granting them the right to educate their children, as well as the right to work freely and to prevent discrimination against them as immoral and discriminatory, derogatory to their dignity.

5. According to monitoring reports of the AIM, the fear of members of the Baha'i constituent of the review of government departments, institutions, the completion of marriage contracts and renewal of national cards because of the change of their civil records and their personal identity and writing in the religion slot Muslim instead of Baha'i.

Legal adaptation of the case :Dissolved Revolution Command Council Decree No. 105 of 1970 prohibiting Baha'i activity in Iraq.

Recommendation: To enact legislation permitting the exercise of Baha'i activity in Iraq and the freedom to practice the faith and religion.

6. According to AIM monitoring reports on the persistence of hate speech and contempt directed against religious and ethnic minorities, whether from mosques, husseiniya or other platforms.

Legal adaptation of the case : There is no law prohibiting any hate speech against the practice of contempt of religion in Iraq

Recommendations : Legislation should be enacted to prohibit and penalize any individuals who practice hate speech against others or practices of contempt of religions.

7. According to monitoring reports for the AIM, the inability of the authorities to prevent community practices that demean and humiliate others, especially non-Muslims because of their religion and beliefs, and thus refrain from eating their food and others.

Legal characterization of the case : There is no legal provision to stop discrimination socially in this case.

Recommendation :The need to increase awareness and education regarding minorities, their specificities and practices, as well as to hold those who discriminate in such social situations accountable.

8. According to monitoring reports of the AIM, the exposure of dark skinned people in Iraq to discriminatory practices because of color, especially in schools and the education sector, forcing them to leave their schools in some cases.

Legal characterization of the case : There is no legal provision that prevents such discriminatory practices and holds the perpetrator accountable.

Recommendation :Working on legislation to prevent such discriminatory practices against the black and to build awareness that prevents this kind of negative discrimination.

B. Minority rights and counter-terrorism

1.The threat of terrorism of the Islamic State in Iraq and the Levant (ISIL) continues to pose a serious threat to the existence of minorities, as well as to many extremist and armed religious groups, as throughout the past period the terrorist organization known as "ISIS" has committed many crimes of genocide against minorities, war crimes and crimes against humanity, especially the period in which large areas of Iraq were occupied in mid-2014, but with the efforts of Iraq and the international community, Iraq was able to eliminate the terrorist organization (ISIL) militarily and expel it from all Iraqi territory, with the exception of some enclaves and the unstable presence. There is no doubt that terrorism and the threat of extremist groups have a significant impact on the reality of human rights, including the

rights of minorities, where the Yazidis, Christians, Shabaks and Kakais encountered crimes of genocide and ethnic cleansing.

Legal adaptation of the case : In Iraq, there is, the Anti-Terrorism Act No. 13 of 2005 and its amendments are in place, but the law does not deal with human rights in detail, and it lacks a lot to deal with the crime of terrorism, to define the crime of terrorism and to assign appropriate penalties against this crime.

Recommendation: The need to amend the anti-terrorism law in line with international treatment of the crime of terrorism and consistent with human rights.

The third section: - Civil & Political rights

A. The right to life, freedom and personal security

1. According to monitoring reports of the AIM, about the direct, intended targeting and target of the children of minorities because of religious affiliation, national, ethnic or linguistic, Jalal Dhiab was targeted because of his colour, many people for being Kakays , Yazidiz were attacked in addition to targeting goldsmiths, Sabeen Mandaeans and targeting Christians in Dora in Baghdad and other places.

Legal adaptation of the case : Although there has been a recommendation in the Universal Periodic Review (UPR) of the previous two sessions to expedite the opening of in-depth investigations into targeting of minority members, the Iraqi government still considers the case to be a criminal incident and deals with the dossier under the Iraqi Penal Code.

Recommendation: The need to expedite the opening of in-depth investigations into the targeting and violations against the children of minorities because of their affiliation.

B. Administration of justice, including impunity and the rule of law.

1. According to monitoring reports of the AIM regarding the reluctance of the judicial institution to deal with the vast amount of crimes in particular with regard to the decision of investigation dossiers of individuals affiliated with ISIS, and the reported fact that the criminal courts are still operating in accordance with the anti-terrorism law and the Iraqi Penal Code with regard to the large-scale crimes that have occurred in Iraq, especially when the minorities are targeted, where the Iraqi courts decide on the files of individuals belonging to the ISIS, not the size and scope of the crime, such as genocide, war crimes or crimes against humanity, but in accordance with the anti-terrorism law and Article 4.

Legal adaptation of the case : There is no law regulating the crimes of genocide, war crime and crime against humanity in Iraq, but the anti-terrorism law and the Iraqi Penal Code are in effect.

Recommendation: The need to enact legislation to regulate the crimes of genocide, war crime and crime against humanity, in particular, and that Iraq has ratified the International Convention for the Prevention of genocide.

2. According to reports received by AIM, many perpetrators of crimes of genocide, war crimes and crimes against humanity are not punished for insufficient evidence or because families fear victims of prosecution and evidence of conviction as most of the perpetrators belonging to the Daash organization used other names not their real names. The judicial system is also subjected to political and security pressures that sometimes force its workers to overlook the search for facts. The system should deal with them more professionally.

Legal adaptation of the case :Despite the existence of a law regulating the work of the judiciary, including all courts and all those working in the judiciary, it still needs to be developed in terms of tools, the use of modern techniques, capacity building for workers, accountability of the delinquent and compliance with international standards.

Recommendation: The need to support the judiciary, build the capacity of staff and develop the tools of work that are used to detect crime and hold perpetrators accountable.

3. According to monitoring reports of the AIM organizations that there are abuses and rapes on the property of Christians and their role in Baghdad, gangs and its implementers, and despite the judicial authorities take decisions to achieve justice, but the executive authorities lag behind in imposing the law and restore the right to their owners. In the same context, there are excesses on the number of properties and villages for Christians in the Kurdistan region of Iraq by individuals or ethnic groups or its implementation, but the procedures of the authorities in the region to resolve this problem is dilatory, which has not been resolved this dossier so far.

Legal adaptation of the case :Article 14 of the Iraqi Constitution affirms that Iraqis are equal before the law without distinction as to sex, race, nationality, origin, colour, religion, creed, doctrine, opinion, economic or social status.

Recommendation: The need to work to enforce the law to achieve equality and justice among all Iraqis without distinction on the basis of religion or origin or other.

C-The right to participate in public and political life

1. The religious and ethnic minorities in Iraq, particularly Christians, Yazidis, Sabeen Mandaean, Shabak and finally the Faily Kurds, have been granted quotas at the level of parliamentary seats and local governments. However, AIM organizations have identified the following:

- Intentional and persistent exploitation of quotas by large political blocs.

- The electoral law and the current voting system do not encourage the independence of the electoral votes of minorities to the blocs competing for the quota.
- Failure to meet the seats allocated to minorities to the level of the population of them, despite the existence of the decision of the Federal Court 2010 to increase the number of quota seats allocated to Yazidis based on their census and according to the statistics of the Ministry of Planning, but the Iraqi Council of Representatives did not respond to it.
- No quotas have been allocated so far (for Yazidis, Kakayis, Zardashtin and Baha'is) seats at the level of the People's Assembly in Kurdistan - Iraq, despite the continuous demands to amend the law and the need to represent them along the lines of both Christians and Turkomans and Armenians.

Legal adaptation of the case : The Elections Law No. (45) for the year 2013 and its amendments, in addition to the Provincial Councils Law No. (21) of 2008, as well as the procedures, policies and regulations of the Independent Electoral Commission.

Recommendations: -

A-Amending the electoral law and raise the level of representation of minorities within the system of quota previously headquarters with the amendment.

B-Amending the voting system and allocate a clear mechanism for the voting of quotas to avoid exploitation by the large political blocs.

C-The People's Assembly of Kurdistan - Iraq should reconsider the electoral law and the need to allocate seats for minorities not represented by the quota system in Kurdistan - Iraq.

D. Prohibition of all forms of slavery.

1. AIM received through its organizations official statements and statistics received from an office of kidnapers (men and women) of Yazidis indicating that the organization of the preacher of the terrorist was captured for the purposes of slavery of (6,418) women, young men and children in the town of Sinjar Iraq. The latest statistics issued in March 2019, (3,371) women, children and men were rescued, but still holding a tight grip of (3,047) women and children are exposed daily for sale and enslavement.

2. Information obtained by AIM through its observatories indicates that the fate of approximately 400 Turkmen women and girls is not known, apparently through the statements that the Daa'esh organization had captured, sold and enslaved them, particularly from the Turkmen component of the Shiite community, most of them from Tal Afar ,Tuzhurmatu and the outskirts of the city of Kirkuk.

3. The Hamorabi Human Rights Organization, an organization affiliated with the AIM, reports that more than 400 Christian Christians remained under his control in the Nineveh Plain and Mosul areas, although a number of them survived his control, , While others were liberated during the liberation of their areas. However, 65 of them are still missing or disappeared, whose fate is unknown. They were enslaved, robbed, raped or killed according to the information of the survivors who were interviewed.

4. AIM has shown that the Iraqi judicial system has no clear indication of accountability for the crime of slavery and slavery, and that government policies did not address the issue of slavery and enslavement, while after 2014 many Iraqi minority women were subjected to slavery and sale in what was later known as " Slave market".

Legal adaptation of the case : There is no law or text in Iraqi legislation prohibiting slavery, despite the need for Iraq to do so.

Recommendations: It is necessary to work on the legislation of a law that prohibits slavery in all its forms and practices, in addition to preventing the use of Iraqi land for trading in slavery, accounting for the defaulters and establishing a clear reporting mechanism.

Fourth theme: Economic, social and cultural rights

A. The right to work, fair and favorable conditions of work.

1. The children of religious and ethnic minorities continue to complain about unequal employment opportunities of basic jobs and issue the decision. According to the monitoring carried out by the AIM organizations, the inequality in employment opportunities is not codified by law, but in the implementation policies of the law and the applied procedures. 2016, that there is still no judge (Yazidi) while there are many applicants to the "Institute of Judiciary" to obtain the certificate of a judge, but during the practical procedures they receive certificate of "prosecutor", and this is a clear distinction in employment opportunities, That the level of participation of minorities in jobs. In general, positions of decision-making are still low compared to the population of the level of participation, especially in the employment opportunities in the diplomatic missions, in the military leadership, aviation, directors general and others.

2. AIM organizations express their dissatisfaction with the continued imbalance in the real representation of members of the religious and ethnic minorities in the Iraqi security and military system, including the police and army, including the Peshmerga forces in the Kurdistan Region of Iraq, and according to the monitoring of the AIM organizations that they are still no position of leadership and decision-making security and military corps in the areas of minority existence is not in the hands of the people of these areas, despite the expulsions suffered after the expropriation of those areas by the recent encouragement and liberalization.

3. The AIM organizations also confirm that the formation of the "Crowds of Minorities" within the People's Mobilization Organization of the Commander-in-Chief of the security Forces is a situation that can not be considered a best practice, given that all of these crowds were founded on religious and sectarian bases, although they represented sects, religions and ethnic groups. This is a threat to the protection and sustainability of security in minority areas.

Legal adaptation of the situation: Although there is a constitutional text on the need to balance the employment opportunities for all components of Iraq, including minorities, but there is no clear policies and a mechanism to create a balance in jobs.

Recommendations: -

- A. Increased levels of minority participation in the local police force, the army and the peshmerga, while raising their level of participation in security decision-making in their areas.**
- B. To dissolve the crowds of minorities in the areas of Ninawa and Sinjar and to work for their integration into the local police and military forces and to hold leadership positions to manage security in their areas rather than military formations on sectarian or religious grounds.**
- C. To raise the level of representation of minorities in the diplomatic corps and the military, and to give them and their genuine participation in the security and military decision.**

B-the right to education.

1. Aim organizations have observed that there is a negative distinction in educational curricula that have become an impediment to dealing with and addressing the rights of minorities by means of a clear and systematic discrimination in educational curricula through the lack of mention of religious, national and ethnic nationalism, not just in terms of their existence their ancestors or the reference to their history and their heritage, as well as the absence of an incubator environment for their cultural, social and heritage diversity, which includes educational curricula from the fourth grade to the universities.
2. Submission of monitoring reports received by AIM, that the existence of the Islamic education curriculum is a negative discrimination against the children of non-Muslim minorities, because the Islamic education curriculum is specialized for Muslim students and students while the children of non-Muslim minorities do not have the right to learn by curriculum and to raise their religion, while On the contrary, in the Kurdistan region of Iraq, there is a religious education curriculum for all religions, and the absence of a "religion" curriculum brings together all religions that discriminate and divide in the event of a religious education curriculum for each religion.
3. The AIM of monitoring reports to deprive the children of the gypsy component of the right to education is not legislatively regulated, but government policies and practices prevent the children of this component from the right to education and to confine them to places like closed camps.

Legal adaptation of the situation: The curriculum is based on the curricula of the Ministry and is amended according to the policies of the Ministry of Education.

Recommendations:-

- a. Amend the educational curricula to refer to and publicize religious, national, ethnic and linguistic minorities with clear signals that enhance the culture of diversity in Iraq.**
- b. Abolish the Islamic education curriculum and seek to adopt the curriculum of the "Science of religion" instead of having a religious curriculum for each religion.**
- c. The need to enact clear legislation and decisions affirming the right to education for the children of the gypsy component in all areas of Iraq.**

The fifth section: - Other concerns.

Migration and its impact on minorities in Iraq.

1. The immigration of religious and ethnic minorities continues to pose a serious threat to their presence in Iraq because of the constant and systematic targeting of them by extremist groups that fall under the responsibility of the state to protect their children. AIM organizations have observed high levels of migration for Yazidis, Christians and Sabeen Mandaeans since 2003 and until now. Especially after the events of "Daash", as weak government measures to ensure their survival and reduce the risks to their existence and forcing them to migrate outside Iraq.

Recommendations: -

- b. To prepare a complete file on the violations committed against members of religious and ethnic minorities by the Organization of the Islamic State, calling for the recognition of the crimes of genocide and crimes against humanity and endorsing them as a document through the Iraqi parliament and the Iraqi government.**
- c. To ensure that the government database is not updated with respect to those suspected of belonging to "da'ash", to end the plurality of the security authorities concerned with security checks, and to ensure that the trial procedures are enforced to prevent the impunity of the perpetrators of international crimes.**
- d. Ensure that legislative and executive measures are put in place to reduce risks to members of religious and ethnic minorities to reduce immigration and to empty the country of their presence and to increase their participation in government institutions, national policies and decision-making sources, whether local or national.**

B. Population census and the guarantee of representation of religious and ethnic minorities.

1. Iraq has not yet made any move towards a census of the Iraqis, including members of religious and ethnic minorities, since the last 1987 census of a political nature, and according to AIM organizations, political discourse often exploits the absence of a population census in particular of religious and ethnic minorities, While speaking of the principle of political participation in State institutions, although the electoral law of the Iraqi parliament granted religious minorities a system of "quota" reserved seats, those seats do not rise to their population in accordance with the Iraqi constitution and also do not live up to their real level of representation.

Recommendation:-

- A. Accelerating the conduct of a comprehensive census, and the need to amend national laws and policies to increase the representation of religious and ethnic minorities in line with the size of their population census.**
- B. The need to carry out comprehensive national surveys to identify social, economic and cultural indicators, as well as indicators of extremism, racism and violence, to measure the importance of the principle of non-discrimination, to ensure better participation of minorities in cultural, social and economic life and to fight violent extremism.**

List of coalition partner organizations :

#	Organization Name	Ethnicity	Tel	Email
1	Eyzidi Organization For Documentation	Eyzidi	07507476351	eyzidi.center@gmail.com
2	Ghasin Al-zaiton Organization for Youth	Yezidi	07701666339	Ghasin.alzaiton@gmail.com
3	Public Aid Organization	Human Right	07701387538	Hogr.aim@gmail.com
4	Hammurabi Human Rights Organization	Christian	7901448651	williamwarda4@gmail.com
5	Assembly of Al-Inbithaq for Development and Economic	Kurd Faile	07803561844	mahermahmmod@yahoo.com
6	Justice Organization For Minorities Rights	Shabak	7701626571	husinzainal222@yahoo.com
7	Ninveh Center For Minorities Rights	Christian	7504680489	mikhael.benjamin@yahoo.com
8	Ansar Al-Hureya Humanity Association	Dark skin	07705604639	Ansar-alhureya63@gmail.com
9	Alshabak Women Association	Shabak	7701700026	suriqado@yahoo.com
10	Yardina Charitable Society	Sabian Mandaean	7901259829	basim7094@yahoo.com
11	Ufuq Organization For Human Development	Faili Kurds	7901490419	Taleb_gana_67@yahoo.com
12	Hoiathan (Our Unity) Cultural Association	Christian	7703012193	rostamshamoonshaya@yahoo.com
13	Azidi Solidarity and Fraternity League	Yezidi	7507940387	bassamsalim777@gmail.com
14	Rasty Organization For Human Rights	Shabak	07822332531	rastvorgan@gmail.com
15	Yarsan Organization for Cultural Development	Kakae	07702434631	Lavla_taher71@yahoo.com
16	Development and Recovery Organization	Zaradashty	07708514077	Faizafoad2@hotmail.com
17	Mithra Organization for the development and culture of Yarsana	Kakae	07714609305	rajabkakaei@yahoo.com
18	Almosily Heritage Revival Association	Shabak	07701602196	info@aim-iraq.org