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RELIGIOUS FREEDOM IN IRAQ

www.ECLJ.org
4, quai Koch
67000 Strasbourg, France
Phone: +33 (0)3.88.24.94.40
Fax: +33 (0)3.88.24.94.47

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Introduction.

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organisation dedicated to promoting and protecting human rights around the world. The ECLJ also holds Special Consultative Status before the United Nations Economic and Social Council¹. The purpose of this report is to highlight systemic human rights abuses in and by the Republic of Iraq [hereinafter Iraq] for the 2014 Universal Periodic Review (UPR). These abuses primarily result from the sectarian and religiously motivated violence and persecution carried out by Iraqi citizens and the government's inability and/or unwillingness to protect religious minorities.

Despite Iraq's Support of Recommendations Made by the UPR in 2010 to Improve the Plight of its Christian Population, the Situation for Christians in Iraq Remains Perilous.

2. Even though Iraq has taken steps towards formalizing the protection of religious minorities, such as the ratification of the International Covenant on Civil and Political Rights (ICCPR)², these minorities, especially Christians, live in constant fear of threat of violence and death. Iraq, which was once home to 1.2 million Christians, is now only home to an estimated 330,000 Christians³ as they flee to neighboring countries like Turkey and Jordan and some even as far as Europe or the United States⁴ to escape persecution. If this trend continues, the Christian population in Iraq will become extinct⁵.

3. In the 2010 Report of the Working Group on the UPR, fourteen countries—Armenia, Australia, Belgium, Bosnia and Herzegovina, Denmark, Ghana, Hungary, Italy, Kazakhstan, Nigeria, Poland, Slovenia, Switzerland, and the United States—expressed concern about the situation of religious minorities and non-Muslims in Iraq⁶. In the same report, no less than seven recommendations were made regarding improving the situation for religious minorities in Iraq, six of which enjoyed the support of Iraq⁷. Unfortunately, the situation in Iraq has not improved. Christians are routinely forced to flee their homes, kidnapped, attacked, and murdered, while

¹NGO Branch, U.N. Dep't of Econ. & Soc. Affairs, Consultative Status for the European Centre for Law and Justice (2007), <http://esango.un.org/civilsociety/> (accessed by searching "European Centre for Law and Justice" in the iCSO Database).

²*Status of Treaties, Ch. IV Human Rights, 4. ICCPR Status*, UNITED NATIONS TREATY COLLECTION, (25 Feb. 2014, 5:00 PM), http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&lang=en.

³*Christian Persecution in Iraq*, OPEN DOORS, <http://www.opendoorsuk.org/resources/worldwatch/iraq.php> (last visited 25 Feb. 2014).

⁴Jack Healy, *Exodus From North Signals Iraqi Christians' Slow Decline*, N.Y. TIMES, 11 Mar. 2012, at A6, available at http://www.nytimes.com/2012/03/11/world/middleeast/exodus-from-north-signals-iraqi-christians-decline.html?pagewanted=all&_r=0.

⁵*Christians Face Extinction in Iraq*, RELIGIOUS FREEDOM COALITION (27 Dec. 2013), <http://www.religiousfreedomcoalition.org/2013/12/27/christians-face-extinction-in-iraq/>; see also Colin Freeman, *Iraq's Battle to Save its Christian Souls: 'Christians are finished here'*, TELEGRAPH (15 Dec. 2013), <http://www.telegraph.co.uk/news/worldnews/middleeast/iraq/10517810/Iraqs-battle-to-save-its-Christian-souls-Christians-are-finished-here.html>.

⁶Rep. of the Working Group on the Universal Periodic Review, Human Rights Council, 14th sess., 15 Mar. 2010, ¶¶ 19, 25, 29, 34–35, 44, 54, 58, 81, 83 U.N. Doc. A/HRC/14/14 [hereinafter 2010 UPR].

⁷*Id.* at ¶¶ 81, 83.

their places of worship are attacked⁸. It is imperative that the 2014 UPR specifically urge Iraq to address these issues and make recommendations that require Iraq to actively protect its religious minorities and prosecute those who do them harm so that the minorities are able to worship freely in their country in accordance with international human rights norms.

Iraqi Government Unable to Stop Bombings and Attacks on Iraqi Christians.

4. As the examples below indicate, those who are responsible for attacks on Iraqi Christians are not brought to justice. Because the attackers are not caught or held responsible, such attacks will likely continue. The 2014 UPR must urge the Iraqi government to intensify its efforts to conduct immediate investigations and adopt policies to eliminate things such as roadside ambushes and kidnappings.

Iraqi Police and Security Forces Unable to Find Three Kidnapped Iraqi Christians.

5. After the kidnapping of three Christians by Iraqi militants in September 2011, Iraqi police and army began a search campaign hoping to find the victims⁹. A source within the Iraqi police said that “[g]unmen in a modern vehicle [had] blocked the Christians’ way, set their white [car] on fire, killed their hunting dogs and led them to an unknown destination¹⁰”.

With Little or No Protection From the Iraqi Government, Christians Flee After Escaping from Their Captors or Upon Finding their Relatives Murdered.

6. Within a year of discovering his “parents’ mutilated bodies” in 2010, Rafael Aichoa, an Iraqi Christian, “found the body of his brother Edmond dumped in a trash pile in Baghdad’s southern Doura district”¹¹. Another, more fortunate, Iraqi victim, Saad Touma, was freed from his captors¹². Touma was kidnapped by al-Qaeda militants at a fake “checkpoint” but was able to obtain release after his brother paid the militants \$80,000¹³. Both Aichoa and Touma plan to flee Iraq¹⁴.

⁸*Infra* ¶¶ 5–7, 9.

⁹BosNewsLife Middle East Service, *Iraq Christians Kidnapped Amid Heightened Security Concerns*, BOSNEWSLIFE (28 Sept. 2011, 8:46 PM), <http://www.bosnewslife.com/18422-iraq-christians-kidnapped-amid-heightened-security-concerns>.

¹⁰*Id.*

¹¹*Decade of Violence Threatens to Uproot Iraq’s Christians*, AL-MONITOR, <http://www.al-monitor.com/pulse/culture/2013/08/iraq-christians-face-challenges-migration.html#> (last visited 27 Feb. 2014).

¹²*Id.*

¹³*Id.*

¹⁴*Id.*

Iraqi Christian Politician's Home Bombed, Wounding Fifty People.

7. On Sunday, 22 September 2013, a car bomb was detonated outside the home of a Christian member of the Iraqi Parliament, Imad Youkhana¹⁵. While Mr. Youkhana was unharmed, members of his family were hurt in the blast¹⁶. In total, fifty people were injured in the attack¹⁷.

Radical Muslims Prevent Christians from Celebrating Religious Holidays Using Threats and Violence.

8. According to one Christian pastor in Iraq, Christians do not put up Christmas trees or other decorations because they fear reprisal from neighbors for publically displaying their faith¹⁸. While Christian churches are regularly guarded throughout the year, congregations are particularly “on edge” during holy days¹⁹. As the president of one human rights organization has noted, “[t]here’s a culture of fear that has developed there that makes it hard for people to want to go to church [or] express their faith²⁰”. Because of this culture of fear, the 2014 UPR must insist that the Iraqi government intensify its efforts to bring about cultural and religious tolerance in Iraq and punish those who perpetrate attacks on the minorities.

Three Bombings on Christmas Day Leave Thirty-four Dead.

9. On 25 December 2013, three bombings occurred in Christian areas of Baghdad²¹. Two bombs were detonated, killing ten people at a market located in a mostly Christian area of Doura²². These explosions caused the worshippers to leave a nearby church²³. Ahmed Edan, an Iraqi policeman who was a witness to the events of that day said “when the families were hugging each other goodbye before leaving,” a third bomb went off in a parked car near the church²⁴. As Edan recalls, “[t]he blast was powerful . . . Bodies of women, girls and men were lying on the ground covered in blood. Others were screaming and crying while they were trying to save some of their wounded relatives²⁵”. Twenty-four people were killed as a result of the explosion and at least 52 others were wounded in all three attacks that day²⁶.

¹⁵*Car Bombing Against the home of a Christian Politician*, AGENZIA FIDES (23 Sept. 2013), http://www.fides.org/en/news/34345-ASIA_IRAQ_Car_bombing_against_the_home_of_a_Christian_politician_50_wounded#.Uw9SwPldWck; *A Car Bomb Targeting the Home of MP Imad Youkhana in Kirkuk*, ANKAWA.COM (22 Sept. 2013), <http://www.ankawa.com/forum/index.php/topic,701072.msg6112595.html#msg6112595>.

¹⁶*Car Bombing Against the home of a Christian Politician*, *supra* note 15.

¹⁷*Id.*

¹⁸Cristina Corbin, *Christmas a Day of Terror for Christians in Iraq, Say Human Rights Groups*, FOX NEWS (23 Dec. 2013), <http://www.foxnews.com/world/2013/12/23/christmas-day-terror-for-christians-in-iraq-say-human-rights-groups/>.

¹⁹*Id.*

²⁰*Id.*

²¹Kareem Raheem, *Christmas Bombings Kill 34 in Iraq*, REUTERS (25 Dec. 2013, 11:46 AM), <http://www.reuters.com/article/2013/12/25/us-iraq-violence-idUSBRE9BO02R20131225>.

²²*Id.*

²³*Id.*

²⁴*Id.*

²⁵*Id.*

²⁶*Id.*

Conclusion.

10. Despite the recommendations made by the 2010 UPR, the situation for Iraqi Christians has not improved. While Christians are not prevented from practicing their religion by the Iraqi government, they continue to live in fear of attack, suicide bombings, and kidnapping by Iraqi militants. Because the Iraqi government has failed to protect its Christian citizens, they flee for their lives to neighboring countries. As the Christian population in Iraq dwindles, it is imperative that the 2014 UPR emphasize their plight. The ECLJ urges the UPR to impress upon the Iraqi government to increase its efforts in protecting this vulnerable minority. Given the rapid decline in number of Christian Iraqis in Iraq, the UPR should closely monitor the human rights abuses against this group.