

HELPING RELIGIOUS MINORITIES PERSECUTED BY DAESH

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Bell tower at the Quaragosh Church in Nineveh Plains, Iraq, approximately three weeks after liberation. November 2016. Photo provided by Ewelina U. Ochab.

INTRODUCTION

In the first part of 2014, Daesh (also referred to as Islamic State or ISIS) began to establish the so-called caliphate in many regions of Syria and Iraq. This self-proclaimed caliphate of Daesh was established by the sword and with the blood of

the area's indigenous people. As Daesh gained more territories, stories of mass atrocities perpetrated by the group started circulating in the media. The stories included mass beheadings of "infidels", throwing people from high buildings, burning prisoners in metal cages, etc. However, the mass atrocities

were not adequately addressed at that stage. Only after Daesh attacked Sinjar, Iraq, killed hundreds of Yazidis, and forced the rest to flee could the world no longer look away. This attack on the Yazidis on August 3, 2014, was followed by subsequent mass atrocities in the Nineveh Plains, Iraq, where Christians

were forced to flee or die by Daesh's sword. Most of them fled to Kurdistan, a part of Iraq Daesh could not conquer. Even though the August 2014 atrocities had gained international attention and provoked an international response from 73 countries (the Coalition against Daesh), only in the second half of 2016 did Iraqi forces start regaining significant territories previously under Daesh control for two years.

Over these two years, Daesh committed murder, extermination, enslavement, deportation and forcible transfer of population, imprisonment, torture, abductions of women and children, exploitation, abuse, rape, sexual violence, forced marriage, and enforced disappearance—unabated. Daesh has specifically targeted Christians, Yazidis, and other religious minorities, including Muslim minorities, for destruction in an attempt to annihilate religious pluralism in the area and to establish a purely Islamic region. Indeed, the atrocities committed by Daesh against religious minorities have been recognized as a genocide by the Council of Europe, European Parliament, US Congress and the Secretary of State, UK House of Commons, and the Lithuanian, Canadian, Australian, French, Hungarian, and Austrian Parliaments.

During this time, many areas of the Nineveh Plains were subjected to Daesh destruction. They looted all homes, shops, schools, and churches. No stone was left unturned. Their fighters confiscated all valuables and possessions, and burned down houses. The destruction of villages sent a clear message—the looting was about more than just money. Daesh wanted to destroy all signs of the religious communities that

had inhabited the area for centuries as if they had never existed. Though Daesh seemed to flourish unabated and tried to conquer the region for financial gain and destruction of religious pluralism, they never establish a fully functioning and self-sustainable state. Daesh was and is ill-fated.

The central focus of this article is to explore the current progress in the fight against Daesh and what it means for the victims. First, we look into the current military actions against Daesh and whether the region is in a post-Daesh phase. Second, we examine the current progress of rebuilding in areas recovered from Daesh and the attempt of people to return home. Third, we consider the necessary security measures needed to ensure the vulnerable religious minorities are adequately protected from Daesh or any other perpetrators who may come later. Fourth, we scrutinize what reconciliation steps need to be undertaken to ensure a peaceful coexistence between the region's diverse religious communities. Fifth, we look into what legal measures have been taken to date or should be made to bring the Daesh perpetrators to justice. Sixth, we consider what the United States could do to help the persecuted communities. Our primary focus is Iraq, however, and where we refer to the Daesh atrocities elsewhere, this is expressly stated. Nevertheless, these proposed steps are replicable, and can and should be taken to address crimes against religious minorities committed elsewhere across the globe.

POST-DAESH?

Despite the fact that some actors speak of post-Daesh responses, the entity has not yet been defeated in Syria or Iraq, nor

in other parts of West Asia or North Africa. They have lost territories in Syria and Iraq, however, and have gained new territories in the Middle East while continuing its expansion in North Africa. Egypt has become one of the central North African countries where Daesh is present, and their activities, in particular against the Coptic Christians, have become more and more prominent over the months. On April 9, which was Palm Sunday, at least 27 people were killed in an explosion at St. George's Coptic Church in Tanta, and 17 people lost their lives in St. Mark's Coptic Church in Alexandria. Over a hundred people were injured in both attacks. On May 26, at least 28 Coptic Christians were killed when masked shooters ambushed a bus travelling to a monastery south of Cairo. Such attacks have been more frequent in Egypt over recent months.

Due to Daesh's continued and growing presence across West Asia and North Africa, along with attacks of Daesh fighters or sympathizers across Europe and North America, we mustn't yet adopt the language of post-Daesh. Such a narrative is not merely a matter of semantics. First, it changes the dynamics of the response. If Daesh is defeated, the military response ceases to be a priority. This narrative is a wrong approach as Daesh continues to be present in West Asia and North Africa and poses one of the most severe security threats in the world. Daesh still recruits new followers and conducts terror attacks across the globe. Second, the post-Daesh narrative gives an erroneous feeling of security and safety while neglecting survivors' needs. Religious minorities in the region are not safe yet, and they continue to be on the verge of annihilation.

That said, it is important to consider the eventual post-Daesh response. While such a response cannot be implemented until Daesh is in fact defeated, and mustn't overshadow current responsibilities, strategic planning for the future is still necessary and welcomed.

RECONSTRUCTION & RETURN

As Daesh is defeated village by village, the indigenous communities wish to return to their homes. Indeed, many people who fled Daesh in the Nineveh Plains in August 2014 want to go back to the recently liberated villages there, even if they must return to rubble. And they have a right to do so. The right of refugees to return is protected under the Iraqi Constitution (and international law). However, this right means nothing if it is not adequately respected and protected.

Rebuilding the Nineveh Plains will be a massive project requiring substantial funding. International organization Aid to the Church in Need has assessed that the cost of rebuilding nine villages is in the region of \$200 million. Reconstruction of villages does not mean only clearing the rubble and rebuilding the houses. There is no infrastructure, which would have to be rebuilt from scratch.

Reconstruction of the village Teleskof may be a model for other places. It is currently being rebuilt, and over 430 families have already returned. Many of the houses already have water access and electricity, but there are ongoing challenges. The next steps will be to reconstruct other infrastructure and ensure that the village is sustainable and safe. Teleskof's rebuilding and the people's willingness to return give some

hope that there is a future for the rest of the Nineveh Plains. However, Teleskof had not been subject to as much devastating destruction as other areas, such as Quaragosh—one of the biggest Christian towns in the region.

The villages' reconstruction and indigenous communities' return are closely interlinked. Without reconstruction, people will not return. Without people returning, reconstruction may seem futile. Moreover, without this reconstruction, the future of Christians in the region is questionable.

SECURITY MEASURES

Despite the fact that the Iraqi army has liberated many areas from Daesh, those areas are not safe yet. The Iraqi army and the Nineveh Plain Protection Units have to check all homes and properties for explosives. Underground tunnels that Daesh used to move between buildings have to be sealed off. However, the actors need to take other steps to ensure the area's safety and security and to ensure Daesh will not return. These measures include ensuring the villages are not abandoned by the military or security forces should Daesh manage to threaten them again. Military and security forces must protect the local communities "in sickness and health". The previous failing to protect the indigenous population from Daesh attacks in August 2014 has to be investigated and addressed. Only then will it be possible to prevent any such future security failings. Moreover, steps ought to be taken to ensure that, in a perceived post-Daesh vacuum, other violent extremist or terrorist groups are prevented from entering the region.

The proposal to develop safe zones to protect minorities from Daesh atrocities is commendable. But without viable security, any such efforts will not be sustainable. Additionally, there are questions relating to the effectiveness of safe zones in actually providing security. Safe zones have been established over the years in some other post-conflict regions, including Bosnia and Rwanda. But, in spite of what we called them, they were far from safe or secure. History has shown how such safe zones contributed to post-conflict re-traumatization of already vulnerable people. Although the safe zones established in Bosnia in 1993 or Rwanda in 1994 provided humanitarian assistance, they failed to provide adequate protection for vulnerable civilians in a post-conflict situation.

Establishing safe zones for religious minorities may also have an adverse impact on the perception that religious minorities are the "other" rather than a part of the Iraqi community. All religious communities in Iraq must be treated as a part of the Iraqi community, with equal rights enshrined in the Iraqi constitution and according to international law. Religious minorities must be able to live among other groups without fear, whether they live in a safe zone or not. Such peaceful co-existence must be accommodated and supported by the Iraqi government.

Other proposals include establishing an autonomous region for religious minorities, modeled on the Kurdistan autonomous region. However, creating such an autonomous unit would take years while persecuted religious minorities would continue to live in fear and uncertainty. Furthermore, establishing



Quaragosh Church in Nineveh Plains, Iraq, November 2016. Photo provided by Ewelina U. Ochab.

yet another autonomous region within the borders of Iraq would lead to further defragmentation of the country rather than uniting the torn communities.

These challenges may well be manageable. But previous mistakes in implementing safe zones in post-conflict regions must be analyzed to identify and address failings and to prevent previous errors from reoccurring.

INTERFAITH DIALOGUE & COMMUNITY RECONCILIATION

As mentioned earlier, calls to establish safe zones raise another important issue: religious minorities must be protected throughout all of Iraq and not only within the borders of the proposed safe zones. It is essential to help religious minorities feel that they are fully part of Iraqi society and for communities to work together to combat tensions and remove the atmosphere of mistrust. Religious

minorities in the region must be able to live as a part of the Iraqi community, not as a separate group. It includes the ever growing need of opening the interfaith dialogue and the process of reconciliation.

Interfaith dialogue must be accommodated by the Iraqi government and include all religious communities in Iraq. The government must include religious leaders of all religious groups in the process of establishing new policies aimed at protecting religious pluralism in the region. Religious leaders must ensure that the interfaith dialogue is implemented within their communities and engage all in the process.

The Daesh atrocities have sparked an atmosphere of mistrust between religious communities and communities in general. Some of the houses and properties belonging to Christians were snatched by their neighbors after Christians were forcibly displaced. There

were reports of people conspiring with Daesh to inform where Christians or Yazidis were hiding. These challenges have to be addressed in the process of reconciliation to ensure that the post-Daesh Iraq will be a stable country accommodating religious pluralism and ensuring the peaceful coexistence of diverse communities.

LEGAL MEASURES

Legal steps have to be taken to ensure that Daesh fighters and any other complicit actors are brought to justice. International institutions must take urgent action, such as collecting evidence, investigating, and prosecuting perpetrators.

There is still no independent commission of inquiry that would collect evidence of crimes committed by Daesh. It is a crucial step because without evidence no prosecution would have legal standing. Furthermore, evidence disappears every day as the



Destruction inside the Quaragosh Church in Nineveh Plains, Iraq. November 2016. Photo provided by Ewelina U. Ochab.

reconstruction of villages progresses. The independent commission of inquiry would obtain statements from victims, prepare for any future proceedings, secure and investigate mass graves that are being discovered as areas are liberated, and preserve and catalogue all evidence of mass atrocities perpetrated by Daesh.

Despite the fact that the independent commission of inquiry is not established yet, the international community, in cooperation with the Iraqi government, must put in place the most efficient prosecution mechanism that would address the challenges posed by the nature of an international terrorist group like Daesh. It may be an international criminal tribunal (as was used for Rwanda and Bosnia), a regional mechanism (similar to one implemented for piracy cases in Somalia), or a specialized national court supported by the UN (as in the

case of Cambodia). While it is still unclear what will be the nature of the tribunal that would engage with the prosecutions, Iraq would significantly benefit from international support in this endeavor. The Iraqi judiciary could take advantage of the resources and the expertise of the United Nations that led or assisted in other post-conflict investigations and prosecutions. It is highly relevant not only for the Iraqi judiciary but also for the people in Iraq. Ultimately, Daesh fighters originated not only from Iraq but also from over 80 other countries from all parts of the world. Daesh is not only an Iraqi issue; it is an international problem requiring an international response. The international community must show solidarity with Iraq in defeating the ongoing impunity of Daesh. States can prosecute fighters in their countries, but they should also assist the Iraqi judiciary in this important step.

International institutions and states have to take legal action to address past crimes and prevent future crimes. It is also crucial that the Iraqi government establishes a commission that would consider early signs of discriminatory practices and persecution of (religious) minorities before it reaches the threshold of genocide or other crimes against humanity. As genocide or war crimes do not happen overnight, an adequate consideration of the early signs may help prevent future mass atrocities from occurring.

Lastly, the Iraqi government must consider introducing changes to its criminal code. These changes must ensure that the crime of genocide is included and follows international standards (and especially the 1948 UN Convention on the Prevention and Prosecution of the Crime of Genocide). The criminal code should also strengthen the use of the

concept of complicit acts to mass atrocities. Special protection of minorities must be adequately implemented in the whole of Iraq, and any failings must be addressed as a matter of urgency. The implementation of security must be subject to a regular review.

THE US RESPONSE

The United States should play a significant role in assisting Iraq during the progress toward a united and ever more resilient society. When President Trump took office in January, he made a promise to help persecuted Christians worldwide, and especially Christians subjected to Daesh genocide in Syria and Iraq. In an attempt to fulfil this role, Executive Order 13769, the so-called “Trump Ban”, made a clear commitment to prioritize religious minorities persecuted by Daesh. However, he replaced the first executive order with a second one with more apparently “politically correct” language. The prioritization of religious minorities was removed.

Subsequent months have not seen any significant attempt to assist persecuted religious minorities. However, civil society groups continue to put pressure on President Trump, calling on him to establish safe zones in Iraq. While there is no progress to date, the President continues to discuss the possibility of setting up safe zones in Syria for all civilians fleeing from conflict and associated persecution.

On June 6, 2017, the US House of Representatives passed the House Resolution 390 (HR 390), also known as the Iraq and Syria Relief and Accountability Act, put forward by Rep. Chris Smith (R-N.J.) and Rep. Anna Eshoo (D-Calif.). Under the act, the US Administration is

to fund organizations providing humanitarian assistance to the communities affected by Daesh; address the vulnerabilities of the survivors; assist in identifying the early warning signs of mass atrocities; support organizations that help obtain and preserve evidence of Daesh atrocities or that engage in the prosecution of Daesh atrocities; and cooperate with other countries in preparing a database of the perpetrators or suspects. The act is an active and well-awaited development, and if implemented accordingly, it may well change the fate of minorities persecuted by Daesh.

CONCLUSION

The response to the Daesh atrocities is complex and goes beyond military measures alone. The steps ranging from reconstruction to security measures, from interfaith dialogue and community reconciliation to legal action are closely linked and interrelated. Failure to address any of the steps along the pipeline may mean the collapse of the whole project.

Previous responses to genocide or other mass atrocities indicate the direction that may be taken to address Daesh’s genocidal campaign. However, prior mechanisms have not been flawless. But lessons can be learned and concerns addressed, making possible a genuine opportunity to provide feasible policies which would enable religious minorities to return to their homelands and to maintain their religious traditions in the countries where they were born. But the international community of responsible nations must work together. Daesh is a global problem. Iraq and other directly affected countries cannot be left to deal with them and the resulting consequences alone.

Unity of purpose is required to preserve the religious communities now standing on the verge of annihilation. P

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