



**Human Rights Without Frontiers Int.**

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## **IRAQ: Political Reconstruction and Ethnic Issues**

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### **The downplaying of the ethnic issue in the political reconstruction is a time bomb**

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HRWF Int. (25.11.2003) - Website: [www.hrwf.net](http://www.hrwf.net) - Email: [info@hrwf.net](mailto:info@hrwf.net) - In this period of uncertainty, instability and violence Iraq is going through, the downplaying of the ethnic issue in the political reconstruction of the country can lead to a surge of ethnic assertiveness. The longer the transition period lasts, the more the ethnic and religious groups will solidify their demands and positions.

Iraq's society is like a mosaic of various segments: a resurgent Shiite majority which had been under political repression for decades, a humiliated Sunni minority, which had been in power in Iraq until recently, Kurds in search of autonomy, Chaldoassyrians and Turkomans whose rights had been severely neglected. Apart from the majority Shiites, all other ethnic and religious groups are likely to fear marginalization.

On 18-30 October 2003, a team of *Human Rights Without Frontiers* undertook a mission to Iraq aimed at collecting information and taking stock of the current challenges to the political reconstruction process. The main objectives of this fact-finding mission were to evaluate:

- a. to what extent and under what form the political actors and the future drafters of the Constitution are prepared to best guarantee the rights of ethnic and religious groups as well as their harmonious coexistence at the national and regional levels;
- b. whether the structures put in place by the coalition forces and the current framework for governance of the country are conducive to mitigating the ethnic and religious differences.

Aware of the diverse ethnic and religious landscape, the 20-page report of *Human Rights Without Frontiers* seeks to approach the prospects for political reconstruction through the prism of the Chaldoassyrian community and map out the opportunities and challenges it faces.

As of today, it is not possible to say what constitutional set-up would emerge as politically acceptable and feasible. At this stage, two visible political projects are taking shape.

### **CPA project: 18 governorates**

Looking at the structures installed at the local level in the past six months, it seems

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that the current objectives are to construct the Iraqi state on the basis of administrative governorates in the existing 18 provinces according to Iraq's law of governorates enacted in 1969. It is arguable whether such model would be the most feasible and preferable one. Studying the municipal councils put in place by the Coalitional Provisional Authority (CPA) in a number of major cities such as Kirkuk and Mosul, it can be presumed that the CPA plans are to accommodate and balance ethnic demands on a local level of authority. Such plans can be interpreted as attempts at curbing ambitions of some ethnic groups, especially the most powerful, which would like to establish rigidly delineated territorial units.

### ***Kurdish project: 2 federated entities***

The other existing political project as of today is the draft for Iraq's constitution adopted by the Kurdish Parliament in November 2002. Article 2 defines the federal republic of Iraq as consisting of two regions: the Arabic region and the Kurdish region.

The Arabic region includes the middle and southern regions of Iraq along with the province of Ninevah in the north excepting the districts and sub-districts that have a Kurdish majority. The Kurdish region includes the provinces of Kirkuk, Sulaimaniyah and Arbil within their administrative boundaries before 1970 and the province of Dohuk, the districts of Aqra, Sheihkan, Sinjar, the sub-district of Zimar in the province of Ninevah, the districts of Khaniqin and Mandali in the province of Diyala, and the district of Badra in the Province of Al-Wasit.

After years-long attempts at subjugating the variety of ethnic identities in Iraq, ethnicity has come to the fore as a strong factor for political mobilisation. Political parties created along ethnic lines are becoming numerous. Arabs, Kurds, Chaldo-Assyrians and Turkomans seek accommodation of their demands for fair representation and participation in the political processes.

Ethnicity itself is not the cause of ethnic mobilisation. It is rather the sense of injustice rooted in the collectively recognised victimisation, which leads to the realisation of ethnicity. Iraq's history under Saddam Hussein is replete with cases of serious human rights abuses, expulsions, forced resettlements. The injustice inflicted in the past and the sense of collective victimisation may lead to ethnic assertiveness. To outweigh radicalisation of fears, Iraqi people should be encouraged to adopt a constitution and establish structures that would mitigate ethnic divisions and will institutionalize moderation in the state's governance. The question would be how to regulate the process of reconciliation and how to avoid a reverse process of ethnic disenfranchisement.

All in all, whatever the future constitutional set-up of Iraq is to be, it will have to:

- address the needs of different segments of the society with the participation of all political and social forces, while all stakeholders of



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the process have to be treated as equal with equal guarantees for their security and respect for their needs and interests;

- provide for a high degree of autonomy of each segment in running its internal affairs, especially concerning education, religion and culture;
  - secure the cultural rights of geographically scattered ethnic groups by providing non-territorial form of political representation and participation;
  - provide for a mechanism of checks and balances, which would protect the different ethnic groups;
  - provide uniform guarantees for the protection of human rights and freedoms.
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