

THE STATUS OF YEZIDIS' POLITICAL REPRESENTATION IN THE KURDISTAN REGION OF IRAQ

Noor Omer | August 3, 2024



Director's Special Note

The participation and representation of all citizens in democratic institutions, particularly the legislative body, are essential for the strengthening of democracy.

Hanna Pitkin classifies representation into three different types: descriptive, substantive, and symbolic representation (Pitkin 1967).

- Descriptive representation refers to the composition of the legislative body. In other words, does the legislative body look like the electorate in demographic terms?
- Substantive representation refers to the representation of group interests in the policymaking process.
- Symbolic representation suggests that the very presence of an under-represented group in elected office can have a transformative effect on the mass public.

The Yezidi community in the Kurdistan Region of Iraq have no disagreement when it comes to their identity, most of them do not accept the Kurdish identity, contrary to widely held belief. This transition to identifying as a separate ethnic group has roots in the feeling of neglect and abandonment by the KRG in the aftermath of ISIS genocidal attacks on this community.

The community lacks true representation in the legislature of Kurdistan Region, regardless of which of Pitkin's definitions are applied. Few members of the Yezidi community are found to be members of the different Kurdish political parties, however they do not represent or push the agenda of the Yezidi community, since they are bound to represent their political parties rather than their ethnic groups.

For democracy to be complete in KRI, it is incumbent upon the stronger political parties to, at a minimum, start a dialogue with the inclusion of the true Yezidi representatives to work towards guaranteeing a designated quota seat for Yezidis, similar to the other ethnic minorities in the Region.

Imad A. Farhadi

Executive Summary

A decade of ISIS genocidal campaign against the Yezidis passes and Yezidis find themselves in a limbo unable to legally ensure representation in the Kurdistan Regional Parliament. After the ISIS attacks of 2014 on the Yezidi homeland, Sinjar has become the focal point for disputes between a myriad of armed factions. The status of Sinjar as “disputed territory” between the Federal government of Iraq and the Kurdistan Regional Government (KRG) has long been one of the major sources of ongoing instability in the region.

The most recent amendments to the KRI electoral law under the Federal Court of Iraq in February 2024 failed to allocate constitutional quota rights to the Yezidis, while five seats were allocated to Christians, Turkmen, and Armenians. Much needs to be done to safeguard the rights of the Yezidis, such as ensuring their right to political representation as a distinct ethno-religious minority in the Kurdistan Regional Parliament, without assimilation of their ethno-religious identity as Kurds or Arabs.

Background

When Yezidism started in the 12th century it symbolized the beginning of a new religion stretching from Syria across northern Iraq and eastern Turkey. Since the 18th century, Yezidis have been under constant pressure of “convert-or-die” campaigns, especially during the Ottoman Empire rule, given that they were not considered “People of the Book” and thus not protected by law. Through immigration, Yezidis have long lived in Europe, Russia, Syria and Turkey. However, their ties to Iraqi Kurdistan homeland- the Kurdish hills of North of Mosul (also known as Sinjar and Shangal), where the holiest shrine Lalesh is located, is indestructible as the shrine stands as the core of Yezidism survival.



Figure 1: Lalesh Shrine from Sinjar/North of Mosul is one of the most sacred places to the Yezidi people. Credit: Sacred Places/weebly

Given the heterogeneous Yezidi community, Yezidis could not avoid Kurdish, Islamic Arab and Aramaic Christian influences. This becomes apparent during the 20th century as they associated with the Kurdish nationalist movement and became a target of Saddam Hussein's Arabization policies even though their origins were officially classed as Arabs. Perhaps this is because most of the Yezidis speak Kurdish and territorially identify themselves with the Kurdish homeland. However, their non-Abrahamic religion has long placed the followers on a sharp edge and target for persecution. Amongst the most barbaric atrocities against the Yezidis is that of the terrorist group, the Islamic State in Iraq and Syria (ISIS) on August 3rd, 2014. The Islamic State's devastating attack on Sinjar and the subsequent genocide campaign against the Yezidi community changed the lives of Yezidis forever. Yezidis have not recovered from the physical and emotional damages of that campaign to this day, as the 10th year commemoration of the Yezidi genocide is observed.

In the aftermath of a series of brutal atrocities committed against the Yazidis, Yazidis are currently among one of the world's most endangered religious groups. So much has been written about the religious rights of the Yazidis without much discussion on how to safeguard the legal rights of Yazidis' political representation, such as in the Parliament, and why such a representation is important. At this critical juncture what is most important is securing the constitutional quota rights that are historically guaranteed for other minorities such as Christians, Turkmen and Armenians while the Yazidis are left out of this quota system. The focus should go to listening to and identifying the local demands of the Yazidi community instead of assimilating their votes into other non-Yezidi political parties that are only interested in securing the Yazidi votes for their own political gains. Past experience has shown that non-Yezidi political parties barely provide real representation of Yazidi interests, or any other minorities groups to that effect.

The Political Representation of Minorities in the KRI: Past vs. Present

The political representation of minorities in Iraq has undergone significant changes since the drafting of the 2005 Iraqi Constitution. Throughout the process, Iraqi Parliament has reserved 9 seats for minorities while the Kurdistan Regional Parliament had secured 11 seats since 1992. Given the diverse ethnic community in Iraq, minorities constitute an approximated 10% of the Iraqi population such as, Armenian, Syriac, and Chaldean-Assyrian Christians; Baha'is, Jews, Mandaeans and Yazidis as well as ethnic minorities such as Faili Kurds, Shabaks and Turkmen. The Yazidis at no stage were considered for reserved legislative rights in the Kurdistan Regional Parliament while the Iraqi Parliament, with lower Yazidi population in the geographic area under its non-KRI jurisdiction, has reserved a seat for the Yazidis as an ethnic component of the Iraqi society. However, due to the Iraqi Federal Court's verdict to annul the amendment to the Kurdistan parliamentary elections law, including 11 seats reserved for minorities in the Kurdistan Regional Parliament in February 2024, the reserved minorities seats are divided into two periods: Before February 2024 and Post February 2024.

Before February 2024

Minority Groups	Seats Reserved in Iraqi Parliament	Seats Reserved in the KRG Parliament
Christians	5	5
Turkmen		5
Yezidis	1	
Faili Kurds	1	
Shabak	1	
Mandaeans	1	
Armenians		1
Total	9 out of 329	11 out of 111

Post February 2024

Minority Groups	Seats Reserved in Iraqi Parliament	Seats Reserved in the KRG Parliament
Christians	5	2
Turkmen		2
Yezidis	1	
Faili Kurds	1	
Shabak	1	
Mandaeans	1	
Armenians		1
Total	9 out of 329	5 out of 100

(Iraq's minorities seats remain intact while minorities seats are reduced to 5 seats in the KRG Parliament as per the recent ruling of the Federal Court of Iraq).

Loophole of the Quota System for Minorities in Iraq

The legislative quota seats for minorities in Iraq, even after amendments to the KRI electoral laws, consist of major loopholes. Yezidis are left out without a legislative seat in the KRI Parliament both before and after February 2024 Iraqi Federal Court ruling. This is a significant indication that neither the Kurdistan nor the Iraqi government can secure a seat for Yezidis in the KRI, even with the Iraqi Federal Court's intervention. The Federal Court ruling of February 2024 left out the Yezidis without any political representation in the KRI Parliament while the quota right is given to groups such as the Armenians, that are much smaller than the Yezidis in terms of minorities population.

To Kurdistan Region of Iraq, Yezidis are considered ethnic Kurds and as such they are not granted the quota seats allocated for minorities. However, Yezidis have an issue with being considered Kurds, as they view themselves as a unique people with distinct heritage and religious belief. The Yezidi representation within the Kurdistan Regional Parliament is believed to be guaranteed through their presence within the Kurdish political parties such as the Kurdistan Democratic Party and the Patriotic Union of Kurdistan. However, the Yezidi community rarely recognizes these party members as true representatives of the plight of Yezidis.

Most recent example of the absence of Yezidi true representation was the 2020 Sinjar agreement between the Government of Iraq and Kurdistan Regional Government, sponsored by UNAMI and the international community. The lack of representation from the local Yezidis on the negotiation table led to the creation of an un-implementable agreement.

So, the question that remains to be answered is the metrics of the Iraqi and KRI legal systems to consider a minority group for legislative political representation. Most importantly, how does both governments plan to solve the multilayered outstanding issues that face the Yezidis after 10 years of the genocide such as struggle with access to education and healthcare as well as electricity and clean water.

Conclusion

What the Yezidis need is to be recognized in the KRI legal system as a distinct ethnic group or ethno-religious group with rights to real representation through securing quota seats. Equally important is the developing of evidence-based policies beyond religious and ethnic safeguards- to genuinely address the Yezidis' issues, such as relating to education, healthcare, infrastructure and the safe return of the Yezidis to their homeland, Sinjar.



ABOUT

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