

H.R.390

INTRODUCED 01/10/2017

Sponsors:

Reps. Chris Smith & Anna Eshoo

Type of Legislation: Bill

A bill is the form used for most legislation, whether permanent or temporary, general or special, public or private. Bills are presented to the President for action when approved in identical form by both the House of Representatives and the Senate. If signed by the President, the bill becomes Public Law.

Countries of Focus: Iraq & Syria

Summary of Bill

This bill directs U.S. government agencies to provide humanitarian, stabilization, and recovery assistance for nationals and residents of Iraq and Syria, in particular ethnic and minority individuals at risk of persecution or war crimes, through faith-based entities. It also directs the agencies to assist in prosecuting those suspected of such crimes.

Background

In 2014, ISIS invaded the Nineveh Plain and Sinjar in Iraq, the homelands of Assyrians, Yazidis, and other minoritized ethnic and religious groups. These territories are officially—though not entirely in practice—under administration of the central government in Baghdad. Prior to the emergence of ISIS, the Kurdistan Region's Peshmerga controlled security in these territories.

The atrocities perpetrated by ISIS against these communities include genocide, crimes against humanity, war crimes, and the deliberate destruction of cultural heritage. Hundreds of thousands were forced into displacement, while thousands were killed or taken captive.

While the Nineveh Plain and Sinjar were liberated from ISIS occupation in 2017, the devastation, absence of federal authority, and divided security situation has contributed to the lasting instability in the region and continues to force emigration. Approximately 50 percent of the pre-ISIS population of ethnic Assyrians has since returned to the Nineveh Plain.

In Syria, the conflict that has ensued since March 2011 has had a detrimental effect on minoritized communities, including Yazidis, Assyrians, and other Christians, and a significant proportion of the Assyrian community has disappeared, most forced into migration due to targeted violence. For example, in February 2015, ISIS launched an assault on the 35 Assyrian villages in the Khabour Region in northeastern Syria.

Positives

- H.R.390 recognizes the acts of genocide committed by ISIS against minoritized communities in Iraq, most notably against the Yazidi people, as well as other war crimes that constituted ethnic cleansing.
- H.R.390 emphasizes the importance of prosecuting individuals who are suspected to have committed genocide, crimes against humanity, or war crimes in Iraq and Syria and calls on the U.S. Government to support such measures.
- H.R.390 calls on the U.S. Government to identify, assess, and respond to humanitarian, stabilization, recovery needs, and risks of forced migration of persecuted peoples such as Assyrians and Yazidis.

Negatives

- H.R.390 fails to highlight the ethnic dimension of the Assyrian people and largely reduces their identity to their predominant religious character as Christians. This policy exacerbates internal sectarianism among Assyrians and promotes religious leaders as political representatives. Responding to hyper-sectarianism across Iraq by further sectarianization of the ethnic, indigenous Assyrians is deeply problematic. Further, this designation contradicts the language of the Iraqi Constitution and puts forward a sectarian vision of this community based solely on religion, whereas Arabs and Kurds are identified as distinct *peoples* with their corresponding rights and entitlements.
- H.R.390 calls for U.S. assistance to be directed to faith-based entities. This policy ultimately politicizes religious institutions and only reinforces the status quo. It also fails to account for the fact that this policy was in practice in the Nineveh Plain since at least 2007 and resulted in widespread vulnerability, dependency, and was exploited by the Kurdistan Democratic Party which used it to build a patronage network. Further, humanitarian aid distributed by religious institutions has proven to be distributed unevenly and on a sectarian basis.
- H.R.390 implicitly calls for US, Iraq, and other government authorities to work in partnership with faith leaders to promote the safety and security of religious and ethnic minorities. This practice violates democratic ideals by legitimizing religious leadership as political representation. The practice also exacerbates intracommunity divisions and promotes sectarianism among members of a single ethnic group. This flawed policy fails to consider that most Assyrians reject the endorsement of religious leaders as political leaders, as they are not elected to serve in such a capacity and therefore not accountable to the community. In addition, policies that profile the political role and relevance of Christian leaders are used by Islamic extremists as justification for targeting those religious leaders.
- H.R.390 specifically highlights the role of the Chaldean Catholic Archdiocese of Erbil as an example of an institution providing aid to displaced Christians, stating that the

Archdiocese utilizes private funds for this purpose and has not received "any government funding" which is untrue, as it is widely-reported that the Archdiocese and its leadership receive financial assistance from the Kurdistan Regional Government for various initiatives as part of its strategy to co-opt minority religious leaders. This demonstrates H.R.390's failure to account for the reality that religious institutions are often exploited to advance interests unrelated to those of the communities they serve.

Conclusion

The Assyrian Policy Institute *opposes* H.R.390 due to its highly-problematic policy direction. While the API welcomes direct assistance to marginalized communities, this resolution simply reasserts the failed policies that have led to the present situation and ultimately only benefits those actors who have an interest in maintaining the status quo with regard to the Nineveh Plain. This policy direction underpinned a state of limbo during which nothing was effectively provided for the indigenous communities of the Nineveh Plain while enabling the KRG to exploit the instability at the expense of Assyrians and Yazidis. Recreating pre-2014 conditions in the Nineveh Plain is detrimental to the interest and survivability of these vulnerable communities. The API rejects the politicization of religious institutions, which is the underlying premise of H.R.390. Only by adopting a policy to work exclusively with legitimate representatives and secular organizations independent of patronage networks can the U.S. support Assyrians, Yazidis, and other marginalized peoples in the long-term.

Recommendations

- H.Res.390 should recognize the ethnic dimension of Assyrians, who comprise the majority of Christians in Iraq and a sizable proportion of the Christians in Syria, thereby acknowledging their distinct culture and history;
- H.Res.390 should reject sectarianism by calling for the U.S. Government and its international partners to empower and work exclusively with legitimate, secular minority-run institutions and representatives rather than faith-based entities wherever possible;
- H.Res.390 should support measures to assist the Assyrian and Yazidi peoples in developing sustainable, functional, and democratic forms of local administration and security within the framework of the united, federal, Iraqi state to ensure that assistance provided by the U.S. has a sustained impact.

Last updated June 12, 2018.



www.assyrianpolicy.org
info@assyrianpolicy.org
[@assyrianpolicy](https://twitter.com/assyrianpolicy)