

The Minorities of Nineveh Plain and the Demand for a Safe Haven and International Protection

A Vision for Implementation

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Important preliminary note:

We had finished writing this paper on August 1st, 2014, the deadline for submission, on behalf of the Nineveh Center and the “Alliance of Iraqi Minorities”, but the recent developments of the events, especially in Sinjar made us delay submission to add new developments. And as situation deteriorated even more, and as a final deadline for completing the paper was August 6, 2014, late hour reports spoke of the withdrawal of the Peshmerga forces from all regions of the Nineveh Plain, southern and northern (municipalities of Hamdania and Tilkaif in addition to the district of Ba'shiqa), causing a mass exodus of the minorities of the Nineveh plain to the provinces of Dohuk, Erbil. On the other hand, the terrorist groups of ISIS attacked and controlled all the areas that used to belong to the province of Nineveh (disputed areas) turning the province of Nineveh under their full control. These developments opened the door for possibilities of an other stage whose repercussions and consequences are difficult to predict, but these events have certainly made the situation far more disparate for the minorities in the area from the human, security, and political aspects leading to the displacement of the remaining people of the region, emptying the region of its population and made further complicating the security and political situation. But what is sure at the moment is that they have led to more deterioration in the conditions of the minorities, whether on the humanitarian level whereby all the remaining communities of the area were displaced rendering it completely void of people, or on the security and political level that became more complicated raising questions as to where would all this conflict lead to in their area at a time when it is the minorities who become first victims in all these conflicts something

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that makes the importance of putting an end to such conditions even more important through neutralizing the conflict there for a limited period of time through the deployment of international peace keeping forces that would impose a safe haven under international protection.

Introduction:

The province of Nineveh is going through tragic and exceptional conditions, particularly its minorities, national, ethnic, religious and linguistic groups, such as the Chaldean Assyrian Christians, Yazidis, Shabak, Turkmen and the Kakai in the aftermath of the control by ISIS terrorist groups along with other armed groups of Mosul - the center of the province of Nineveh in 06.10.2014, and after they extended their sway over larger areas of the same province, and to the cities and other areas in the provinces of Anbar and Salahuddin, Diyala and Kirkuk.

These serious developments have deepened the crisis that befell all minorities in region known as the the Plain of Nineveh that surrounds the city center from the east, north and west. It made them live in dire conditions of human suffering due to the acts of ethnic and religious cleansing, mass killings, forced displacement and crimes against humanity, perpetrated by ISIS and other militants groups causing mass exodus back and forth from areas of the minorities and leading to further deterioration in the basic services. On the other hand the events have turned their region into a war zone and caused it to be in direct contact line with the armed groups of the Islamic State declared in the province of Nineveh and and the forces of the Kurdistan Region who, as of the early days of the crisis, withdrew from the Plain of Nineveh, the "disputed area" between the KRG and the federal government in Baghdad since 2003 in accordance with Article 140 of the Iraqi Constitution where minorities have been exposed to continuous threats and attacks despite the presence of Peshmerga forces of the Kurdistan Region after the tenth of June, 2014.

The recent developments were accompanied by a systematic emptying of the center of Mosul city of all of its minorities for good despite their history in the

city, such as the Yazidis, and Christians, who are the oldest of its indigenous population, and whose roots extend deep into the history of Nineveh, the capital of the Assyrian Empire, and its sister cities of Assur, Nimrod, and Dur Sharrukin, where acts of killing, torturing, and cleansing were exercised against them. This has caused and continues to cause unprecedented mass exodus to the outside and to the Diaspora, with unknown, uncertain and frightening future, threatening their very existence in their homeland.

All of this, raised a lot of voices both at home and in Diaspora, from pressure groups (lobbies) organized by communities scattered in many countries around the world, especially among the Chaldean Assyrians Christians, calling upon the international community to provide an "international protection" or a "safe haven" for minorities, specifically in the Nineveh Plain.

The demands for international protection or finding a safe area mean that there be a forum of "international intervention", which is supposed to be decided by the United Nations, and specifically through the Security Council.

Therefore, these demands are expected to be accompanied by a clear vision, and a comprehensive assessment, taking into account the international legal standards and political considerations that are required to find an acceptable formula for the proposed international protection.

This paper is a contribution to the study and analysis of the subject and an attempt to provide a specific vision. It starts with an attempt to briefly define the idea of "international intervention", its forms, justifications, mechanisms, and functions, with an attempt to review the models of "international intervention" previously implemented in different regions of the world.

Intervention: justifications, forms, mechanisms, and tasks.

The "international intervention" in all its forms, including the "humanitarian form", is one of the most controversial concepts in contemporary international relations, international law, and international humanitarian law on human rights protection, more so when it comes to incompatibility with the concept of "sovereignty" and the principle of "non-interference" in the internal affairs of

sovereign states, or compromising the sovereignty and political independence of a given state.

The proponents of the notion of intervention, however, are now able to provide a long list of justifications, both in terms of the changes that have affected the concept of sovereignty in light of the phenomenon of globalization, or on the basis of contemporary international law that accepts the notion that what happens in one country ultimately affects other states, and therefore, it is no longer an internal affair. Crises and internal wars will, one way or another, spill their ramifications outside the single state. The waves of displaced people or the mass exodus are just a few examples. In terms of the human rights, the matter has become a global issue, as confirmed by former Secretary-General of the United Nations Perez de Cuellar when he said, that "human rights issues cannot be considered internal matters of states, but are matters of international duty to protect the international community."ⁱ

In fact, there is a growing acceptance of the notion that the international community must intervene when sovereign governments are unable or unwilling to protect their citizens from disaster"ⁱⁱ of any kind, and must pass on the task to the international community through the United Nations, in accordance with Chapters VI and VIII of the Charter of the United Nations.

Amid all of this debate on "the principle of intervention", several mainstream thoughts have emerged:ⁱⁱⁱ

- The intervention is being used as a tool to serve the interests of the influential and super powers.
- Maintaining the sovereignty of independent states and non-interference in the internal affairs of States, regardless of the underlying justifications (stance of many third world countries).
- Rationalizing the principle so that it is recognized and accepted but governed by rules and measures capable of ensuring its objective implementation.

In addition, supporters are convinced that the issue is not the right to "intervene" by any state. Rather, it is "the (responsibility to protect), that has to be assumed by each state when it comes to people suffering from avoidable catastrophes like murder, mass rape, ethnic, and religious cleansing by expulsion, coercion, intimidation and deliberate starvation."^{iv}

So what is the legal basis or justification upon which the supporters base their stance?

In general, humanitarian intervention follows procedures documented in Chapter VI or VII of the Charter of the United Nations and within the framework of Article 7, paragraph 2. While the United Nations system for protecting human rights and finding means to achieve it is based on three documents: the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

In recent years, the "United Nations expanded their humanitarian intervention to include intervention to suppress and prevent the crime of genocide, humanitarian assistance, seek to protect, ensure respect for human rights in specific time and place, and stop the violations against minorities at the outbreak of armed conflicts. This stems from the main principles and purposes of the United Nations to achieve three things; put an end to the aggression, respect for the right of self-determination, and the promotion of human rights."^v

On reading the Charter of the United Nations, one learns that the Security Council of the United Nations has the authority to report cases of violation of human rights that constitute a threat to international peace and security and can intervene either with the consent of the parties concerned in accordance with Chapter VI of the Charter of the United Nations for the settlement of disputes by peaceful means and to make non-binding recommendations or by resorting to Chapter VII of the Charter "forceful military measures or non-forceful measures."^{vi}

When considering the history of wars, civil, and international conflicts, we find that the crime of genocide is one of the most significant risks represented in the brutal killing of many innocent people and the culprit for devastating effects on

humanity. Perhaps that was the motive for the members of the international community to find ways sufficient to prevent the recurrence of genocide and destruction. The agreement came to fruition by the declaration of the “prevention of genocide” agreement and the punishment for it in 1948, and making genocide an international crime that contradicts the spirit of the principles of the United Nations and its goals.

The peacekeeping operations of the United Nations, which are based on Chapter VII, can be considered protection operations and humanitarian assistance within the stage of peace enforcement while some international law experts believe that international peacekeepers find their legal basis in the provisions of Chapter VI of the Charter, and as such their operations are considered interim measures taken by the Security Council to prevent aggravation of the situation and to keep the conflict at bay.

The proponents also refer to the fact that "the intervention on humanitarian grounds is not inconsistent with Article 2, paragraph 4 - the prohibition of the use of force or threat of force. Countries, individually or collectively, may use force against another country in a way that does not affect the sovereignty of the state, its political independence, or changing its borders, As such it does not pose a threat. Rather, it protects human rights. Intervention would be legitimate, especially if the objective conditions are taken into consideration, and strict procedures are followed to ensure no misuse or abuse"^{vii}, many scholars of international law believe that the serious violation of human rights is considered threat to international peace and security.

Never the less, reality indicates that all cases of interference that previously took place did not follow specific criteria, but in general pertinent discussions indicate the presence of two criteria:^{viii}

1 internal situation which can be considered a threat to international peace and security, which has been used by the UN Security Council in cases of northern Iraq, Bosnia, Somalia, or Haiti.

2 humanitarian intervention in cases of blunt and organized suffering by a sector of the population, and the proponents of this criteria build their case on the provisions of Chapter VII of the Charter of the United Nations, which indicate that the implementation procedures can negate the principle of non-interference in internal affairs, such as genocide, famine, total collapse of authority, the occurrence of chaos of a large-scale, and influx of refugees in large numbers.

How does an intervention take place?

The general rule is that the intervention should take place through the United Nations after the proposed resolution is voted and approved by the Security Council. Also the United Nations can authorize specific countries or regional organization.

Some exceptions are not unheard of, such as was exercised by the United States with its allies Britain and France in 1991, when it imposed a no-fly zone in northern Iraq, north of 36th parallel, without waiting for an approval from the Security Council.

Format and forms of intervention:

Previous experience indicates that format and forms of intervention varies according to the reasons and goals, as well as the nature of the cases that needed to be addressed. Among others:

- Military intervention and the imposition of economic and trade sanctions
- The imposition of safe haven, either by a no fly zone, disengagement or disarmament or prevention of arm supplies. It may also include delivering humanitarian aid and steps to stop the hostilities, or intervention dictated by deterioration in the human rights or the occurrence of a humanitarian crisis for reasons of genocide, crimes against humanity, ethnic and religious cleansing.
- The deployment of UN peacekeepers (or multinational forces, may assume the function of surveillance, monitoring the general conditions or monitoring a cease-fire or ensure implementation of agreements on the settlement of internal conflicts).

- Intervention to provide relief and humanitarian aid (international humanitarian intervention).
- The establishment of crime tribunals for the trial of persons accused of committing serious violations of human rights and international humanitarian law (the province of Yugoslavia).
- The formation of fact finding committees in committed crimes.

Forms of intervention by the United Nations have expanded to include the establishment of democratic governments, and assistance in the restructuring of governments after conflicts and civil wars, and securing elections and referenda and other, which is no longer a role that is limited to the freezing of a conflict, or separation between the rival factions, etc. .., and these recent forms of intervention are considered politically and legally less controversial.

As the Arab Strategic Report^{ix} alluded to "Rather than being the dominant feature, the conflicts of sovereign states as it was in the past, there have been ethnic conflicts among the people of a single state, from which emerged the new concepts of the role of the United Nations focused on the right to intervene in order to protect humanity, as well as the right to change the concept of state sovereignty itself, which is allowed for accepting international intervention for humanitarian considerations. "

What Might Fit the Minority Areas in Nineveh?

Above all, we must be aware that to reach such a decision, it would be better for it to be implemented through a common and close vision of the various activities working on the ground among all the minorities of the Nineveh Plain and all over Iraq. Besides, it must taken into consideration the factors influencing such a notion, such as:

- Local or internal circles
- Regional constituencies circles,

- International circles.

In fact (as an example only), the demand to set up a “Safe Haven” for minorities and under international protection probably comes from organizations and parties and activists working among minorities of the region at home and abroad, who look at the control of the Kurdish forces over these areas with apprehension and uneasiness in view that it will not offer a solution for future, because it means that the region will remain "disputed" and subject to ongoing conflicts between the parties to the conflict core, and would take longer period to find an acceptable solution, despite their appreciation of the role the forces play now in providing protection in addition to humanitarian assistance and aid to the afflicted, and also despite their conviction on the necessity of the priority to stand up against the terrorist groups in coordination and cooperation among all stakeholders concerned in Iraq.

On the other hand, we may find among these minorities those who do not agree with this idea on grounds that the matter for them is settled, and that the region would be better off if it is annexed Kurdistan region, because this is in the interest of minorities, because Kurdistan Region is ready to cope with such a situation from all its aspects. On the other hand, they view the situation as if it meant to look for solutions that are complicated and difficult to realize prolonging thereby the stages of instability and reaching solutions without putting an end to the bleeding and human, physical, and psychological suffering of the minorities who cannot wait longer to the time when their very threatened existence is terminated.

In the midst of all of this, how is it ever possible to reach an acceptable solution to all parties involved?

This reflects in reality a number of questions and political considerations that have be taken into account when working and moving to achieve these demands. On the other hand, there are also other considerations on the part of the Sunni powers not only in the province of Nineveh, but in the all other provinces (six provinces labeled as revolting). The matter is further complicated by the influence of Saudi Arabia, Qatar, Jordan and Turkey, not to forget Syria whose crises has

had more depth and overlapping with Iraq, particularly in Nineveh on the ground as well as on the political, economic, and security levels. There is no doubt that the position of the central government and the last federal decision regarding these developments and demands, has the most influential impact on the decision of the member states of the Security Council and the United Nations, particularly the United States of America, and also without overlooking the regional role played by Iran and its interference in internal affairs of Iraq, and through its influential tools represented in influential Shiite parties in the government.

In brief, and to avoid digressing away, to avoid raising too many questions that would complicate solutions, we must talk about the international role and specifically the American role that will answer most of these questions, and even the way the demands are made for known to all, including the political and moral responsibility as an occupation state, in addition to its presence and strong influence in Iraq despite the withdrawal of military forces, let alone that the US signed with Iraq the "collaborative strategic framework agreement", which took effect on the first of January 2009. More importantly, on the one hand, this may be in its best national interest, and on the other hand, the American role is the most influential, and has the ability to neutralize the effects of the other circuits, local, regional, as well as internal parties. So it is necessary to activate this role and demand to exercise this responsibility as quickly as possible.

A number of European countries, within the European Union or otherwise, may have an influential role, both in pushing for the issuance of a resolution by the Security Council or to take direct steps in dealing with the Iraqi crisis.

Here, it is very important to note that the work in order to issue a UN resolution to provide a "safe haven" under international protection may take much longer than the deteriorating conditions of these minorities would allow, partly because of the confounding considerations and the complex procedures the international organization takes into consideration before making such decisions in addition to the political considerations that govern the nations represented in the UN

Security Council, especially the permanent members, which are ultimately based on their own interests, and looked at from their own perspective.

Therefore, it is necessary to resort to the fastest and most effective means to work with; political and legal means locally and internationally, military support, and other logistics that are workable in through specific stages, **and which must start with stopping the crimes and putting an end to the attacks, and imposing a safe haven where it is possible to provide assistance and humanitarian relief, and then move on later to further steps in the imposition of peace and stability, building and structuring institutions ending up with the determination of their future. .**

Accordingly, we envision the steps and stages to be one of these two forms:

The first phase: for the United States is to step up and enforce a rapid and effective role to stop the conflict and crimes, which may be done through:

- Demanding the American government to exert pressure on the governments of the center and the region and the various parties involved in the political process, and oblige them to bypass or even postpone their differences, and focus on cooperation, coordination and unification of political, military and security efforts immediately, to work on the expulsion of ISIS as a first and most important step, alongside, to provide support and humanitarian aid with the United Nations support and the specialized agencies, for the displaced persons in all areas.
- Or the pressure and demand of the American government to play this role itself through coordination and cooperation with the governments of the center and the region, in the framework of the strategic cooperation agreement signed between the two countries, the first goal of which would be the expulsion of ISIS and the armed groups and the maintenance of over the borders with Syria. Certainly, this goal may be difficult to achieve without reaching a mutual understanding and political solutions between all the Iraqi parties first.

Here, it is plausible that America acts individually if they have the political will for some reason or another, or to be authorized by a resolution from the Security Council, and to carry out its mission, as militarily appropriate, either through its

troops, or to provide some level of support to the Iraqi forces and the forces of the region of Kurdistan, or even mandate for the multinational force, to execute the functions of the first stage, to clear areas controlled by ISIS and create a safe environment for the implementation of the other steps.

Phase II: this step is supposed to take place in parallel with the previous phase directly, and again for speed and easiness, to ask the UN Security Council, not to issue a new resolution, but could demand the issuance of a special resolution to expand the mandate and functions "of the UN mission to help Iraq - UNAMI - " to include the imposition of safe areas for minorities in the Nineveh Plain, with a request to configure and deploy enough troops to peacekeeping to assume the functions of supervision over these areas and move on to the rest of the tasks.

Of note, there is an international precedent that was applied during the bloody conflict in Rwanda in 1994, where the Security Council passed resolution No. (918) in 17 / May / 1994 and within, it stipulated "expanding the mandate of the UN mission" and authorized an increase in the strength of the mission to 5500 person.^x

Also, the UN Security Council has issued a resolution^{xi} (940) on 07.31.1994, pertinent to the situation in Haiti, which "authorized Member States to form a multinational force under unified command and control, and to use all means necessary (in order to facilitate the departure of the military from Haiti). It laid down the invasion plan in two stages, the first stage is where the American force invades Haiti to expel the military and facilitate the return of the elected president, funded by the United States, and a second phase constituted by an international force of UN consisting of (6000) troops deployed to Haiti to ensure the return of civilian authority and legislative elections, a task that should end by February 1996."^{xii}

Before all of this, it will be up to the members of the UN Security Council and the General Assembly to decide whether case "would require intervention and the form of the intervention that would be accepted", especially the "humanitarian intervention" or the possibility of the imposition of "safe zones" to stop crimes and humanitarian catastrophe, and thus provide relief and humanitarian aid. It

would also be up to them to explore criteria to be used as a standard for considering them as serious crimes that violate human rights, and the article under which to be classified. And what measures can be taken to adjust the magnitude and response mechanisms required? Add to that, the Council must review its own list of elements that control the UN decision making to intervene, whether for humanitarian or other considerations.

So is the duty of all activists and stakeholders who demand a safe area and international protection to collaborate and intensify efforts to make their voices heard by the entire world. It suffices for them to ponder upon and state in brief some of the crimes that have been committed.

- What should one consider the fact that from the first day of the control by of Mosul , and the release of all prisoners, after being sorted out on religious and sectarian grounds, religion and sectarian basis, and the abuse that befell hundreds of Shiites and Yazidis in a process of programmed mass murder?

- What should one consider the displacement of approximately (200,000) of the Turkmen population of Tal Afar to other provinces, and the violation of sanctities and the demolition of their temples? This causes a humanitarian disaster with repercussions that are evident now and will continue into the future.

- What should one consider the kidnapping and killing of hundreds of Shabak who are still unaccounted for? The occupation, captivity, looting dozens of villages, and the demolition of all the holy shrines of saints and prophets?

- What does it mean to empty Mosul entirely of all its minorities, particularly the indigenous Christian population, in a humiliating manner that violates human values and human dignity, and after imposing on them to choose between converting to Islam, paying the jizya (tribute), forced expulsion, and sword in addition to the confiscation, looting, and stealing their properties in their hometowns that are wor forced expulsion or the sword? And to confiscate and loot all they possess? In addition to the looting and theft of property from their hometowns worth millions of dollars?

- What should one consider booby-trapping and the bombing of shrines and religious, historical, and archaeological sites as well as churches and monasteries that represent the identity of Nineveh and Iraq, and even a treasure of World Heritage?

- What does it mean when outlawed groups that have no concept of humanity, violate the home of the oldest religion in Iraq, desecrate their holy places, and displace approximately (200,000) Yazidi, kill and cause the death of hundreds of children and the elderly, and abduct hundreds of women that were sold?

- What should one consider the killing of hundreds of unarmed soldiers at Speicher Base for no reason other than the difference in religious denomination, sect, or belief?

Wouldn't every one of these crimes, and many more, be considered as crimes against humanity, genocide, ethnic, and religious cleansing? If not, then what is it that can be considered as grave and massive violation of human rights? What would be considered as harsh suffering of humanity? What would be considered as a breach of international humanitarian law? Wouldn't the displacement of more than (500,000) people of Nineveh in the first days of the crisis, a humanitarian disaster? What about more than a million and a half people in Iraq who have been subjected to internal displacement, or displacement to neighboring countries? Isn't that a threat to stability? Wouldn't the control of these groups over large areas and important sources of oil and water facilities (dams) at the borders between Syria, Iraq and elsewhere, be a threat to international peace and security? Didn't the state show its limitations and its inability to protect the minorities and preserve their existence?

It is noteworthy that all the press releases issued so far from the UN Security Council, the Secretary-General, Mr. Ban Ki-moon, and his representative in Iraq, Mr. Nikolay Miladinov, have condemned these terrorist acts "in the strongest terms". Members of the Security Council reiterated that "terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security ". However, they insist on using the modal "may" when they say: "When attacks are widespread or systematic against the civilian population

because of their ethnic background, religion or belief may constitute a crime against humanity ", and this is what was also used in the last press release of the Council on August 5th, /2014, despite the change and development in the recent statement by confirming that " The member states the Security Council observe that the broad attack which carried out by ISIS in Iraq and Syria has a cross-boundary, asserting that ISIS constitutes a threat not only to these countries, but also to peace and security and regional stability "? Will this be a pretext to issue a resolution to intervene?

It is worth mentioning that the moves and activists by Chaldean Syriac Assyrian communities backed up by dozens of demonstrations that swept across various countries in Diaspora, have begun to bear some of the fruits and succeeded as the first step in the passage of the resolution No. (683)^{xiii} in the US House of Representatives, which was released on 24/07/2014, which called, among other things, upon the State Department to: work with the Kurdistan Regional Government and the central government of Iraq and neighboring countries and communities in the United States, and the United Nations High Commissioner for refugees (UNHCR), and all stakeholders to help secure safe areas for those who seek safety and amnesty in Iraq (to help secure safe havens for those claiming amnesty in Iraq)

Besides passing the resolution in the Senate, and while still awaiting the President's signature, and despite the presence of attempts to pass other resolutions, and letters that have been forwarded to the administration from a number of members of Congress, demanding to make that action be taken to address this serious situation facing minorities, and among those Anna Esho, an Assyrian MP.

In fact, the reactions of the American administration and its demands made to the Iraqi government and the Kurdish regional government toward the crisis are still far from what is desired in terms of actual intervention, the imposition of safe areas, as it should not be just through condemnation and opting to the resort to only the "humanitarian intervention", or else through demanding the local

governments and humanitarian organizations for intervention rather than through security Council and the United Nations.

What features and advantages are required for any "international intervention" in the area of the Nineveh Plain?

It is not required in this "intervention" to impose a no-fly zone, or a large-scale military intervention.

It requires the imposition of a safe haven and the creation of a "green or neutral zone" through the deployment of UN forces specific to peacekeeping and humanitarian assistance and maintaining security, followed by subsequent steps in the process of peace-building.

The intervention may fall within the functions complementary to UN Security Council resolution establishing the UN mission (UNAMI), to also include the deployment of peacekeepers and military surveillance operations and resolve the dispute in the Nineveh Plain. Especially since the Council has adopted the recent decision to extend the work of the mission until July 31, 2015, among other things, the resolution stated that the "Council expressed deep concern about the current security situation in Iraq, resulting from a large-scale attack launched by ISIS and other associated armed groups". The resolution stated that "the progress of insurgents in Iraq and Syria represents a threat to the sovereignty of Iraq and its future. "

There are no concerns about potential results (the results of the decision) leading to any form of secession and isolation because the geography of the minorities' region lies between the center of the region of Kurdistan and the province of Mosul, and not on the borders of nations that could support and encourage this separation.

Those who commit the crimes and abuses of human rights are armed terrorist groups, and not the state, while the state is unable to repel the attacks and provide protection to the civilian population and minorities.

Among the tasks of this intervention is the suspension of operations that may lead to change in the ethnic composition of the population in these areas.

The participation of troops from any regional state should be discouraged because of their possible interventions and severe inconsistencies in their interests.

Supporting forces to the international peacekeeping forces must be composed of all minorities in the region, and, if necessary, the forces of the center and the region of Kurdistan be engaged, and it is preferable for their command and control to remain in the hands of the UN forces. It is also deemed necessary to create mechanisms, check and balances for binding decisions of these forces.

Is an " Intervention and safe area", still necessary?

No doubt this is a controversial question and debate that will continue? What if the crisis ended in a certain period of time? Will the demand for intervention and safe area, have any need? It is our conviction of these events from before and now that the need for such intervention will remain necessary, for the following reasons:

1. The region is considered a conflict zone between the provincial government and the central government since 2003. The majority of regions are under the constitutional article (140) and falls within the areas labeled as (disputed), which is the reason for conflict of authorities throughout this period that has caused the lack of projects for growth and development and the rebuilding of infrastructure, leading to the ongoing suffering of the minorities when it comes to instability, lack of basic services, job opportunities, and others.
2. The region is one of the three geographic flashpoints most likely to cause instability, and likely to remain there for a long-lasting conflict and cause continued instability for the entire region, in the absence of a radical solution to

its problems through international intervention, preferably through the United Nations.

3. The repercussions affecting the current crisis and its disastrous consequences, and the tragic reality of minorities should in no way be left exposed to conflict for additional time in future.

4. The conflict should not be frozen. Rather, steps should be made for achieving peace and reconstruction in the area, . and through the UN neutral force that will return confidence in all other parties to minorities of region. Among its results, decisions made that will affect the history of the oldest original components of Iraq.

5. The previous ruling would mean turning the region to a desolate area, and the loss of Iraq to its model for diversity and its rich historical, civilization, cultural, linguistic, and religious plurality. .

6. The success of efforts to resolve the conflict and achievement of prosperity of the region with its indigenous people will reflect a good model and a conduit for democracy in the region, along with a model of the Kurdistan Region.

7. The region must be under the administration of the indigenous minorities, and turned into a buffer zone between the disputing parties who try to control the area in which minorities have lived for a long time.

8. Turning the region into an international neutral zone (transition phase) gives the parties of the conflict the right to compete in providing whatever contribute to serving the relationship with these areas in terms of reconstruction and services, and consequently to compete in a manner that would contribute into shaping the future relationship to be achieved in the region through normalization and a referendum on its fate. It may be in favor of one party or another through the alleviation of their burden in terms of security, military and full-time tasks in such a way as to enable them to allocate their full time to tasks related to the provision of rehabilitation services and reconstruction, down to the stage of self-determination.

It is worth mentioning that a lot of parties and bodies in Iraq have called for international intervention to stop the terrorist acts committed, investigate and punish the perpetrators internationally, as well as provide humanitarian aid, but each party has demanded that according to its own perspective, including the Kurdistan Parliament, which called in its meeting on 5/8 for "the intervention of the international community to support the Peshmerga in addressing ISIS, as well as the Ministry of Women's Affairs in Baghdad, which called for "the intervention of the international community in order to investigate the crimes committed against women", as well as the UN High Commissioner for Human Rights, who called the families of the slain in Badush and Speicher to fill out complaint forms from UNHCR "for referral to the public prosecutor in preparation for moving the complaint before the courts and international bodies to consider the crimes committed by ISIS as crimes against humanity" ... etc..

Finally, it is necessary to determine the geographical area and the areas supposed to be annexed as "safe area", and we envision the area to include the following:

The strip which extends from Sinjar to the west of Mosul with the Syrian border, through the Tal Afar to the north-west of the city, and Tel Kepe to the north of Mosul, and some areas of the Sheikhan and Bashiqa affiliated to Mosul (north), down to Hamdania (Baghdede) to the Middle from the city center with the borders of the province of Erbil, which mostly falls within areas covered by Article 140 of the Iraqi constitution, labeled as the "disputed areas", which in addition to the center of the city of Mosul, form the central areas of the existence and presence of the original and historical minorities of Nineveh and the indigenous peoples of the area.

08/07/2014

Endnotes

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^{vi} *ibid*, p 229.

^{vii} Adel Hamza Osman, a former source.

^{viii} Jameel Mikhah Saioca, minorities in northern Iraq between law and politics, Sahara Press and Publishing / Boudabest, first edition, 1999, p 110.

^{ix} Ahmed Ibrahim Mahmood, Hassan Abutaleb, Emad Gad, and Hanaa Obeid, United Nations peacekeeping, the Arab Strategic Report, Second Section.

^x UN Security Council Resolution No. S / RES / 918 (1994) on May 17, 1994.

^{xi} UN Security Council Resolution No. S / RES / 940 (1994) on May 31, 1994.

^{xii} Ahmed Ibrahim Mahmood, Hassan Abutaleb, Emad Gad, and Hanaa Obeid, a former source.

^{xiii} 113TH CONGRESS, 2D SESSION, H. RES. 683