



Justice Delayed, Democracy Denied

Protecting Iraq's Indigenous Assyrians Through the Rule of Law

A Policy Paper by the Assyrian Democrats of the Bay Area (ADBA)

Version 1.4 — July 2026

Executive Summary

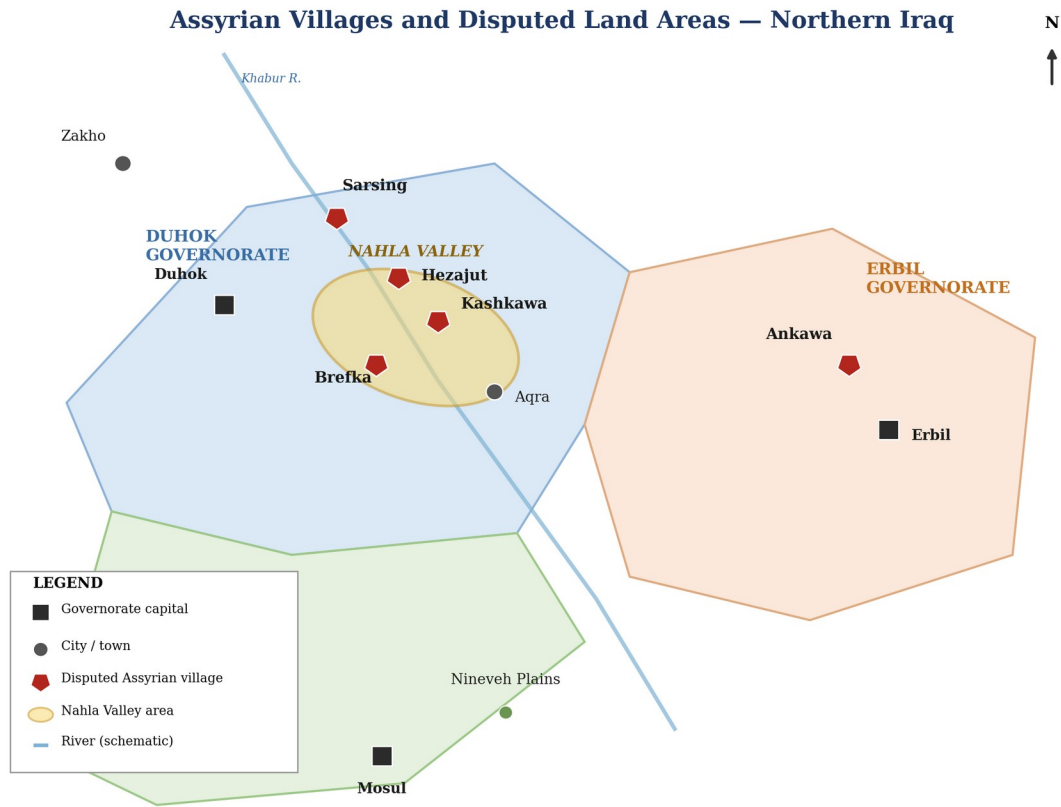
This paper argues that the unresolved implementation of judicial decisions affecting Assyrian communities is not only a minority-rights issue, but also a test of Iraq's commitment to constitutional governance and the rule of law. For more than three decades, Assyrians in northern Iraq have raised concerns over unresolved land disputes and inconsistent enforcement of court rulings—concerns documented by village residents, Assyrian political parties, religious freedom organizations, and international policy institutions alike.

On 6 July 2026, hundreds of Assyrians gathered peacefully outside the Duhok Governorate building to demand implementation of court decisions concerning disputed lands and equal protection under the law.^[1] The demonstration was only the latest chapter in a much longer history.

The scale of the issue, while imprecisely documented, is significant. Fewer than 150,000 Christians—most from Assyrian, Chaldean, and Syriac communities—remain in Iraq today, down from roughly 1.5 million before 2003.^[18] The Assyrian Policy Institute has identified more than 130 illegal village and farmland seizures across the Kurdistan Region, and advocates in the Nahla Valley alone report 67 unresolved land-dispute cases as of 2023.^{[13][17]} Individual cases—such as the roughly 180 acres in dispute in the village of Brefka—illustrate a pattern that recurs across dozens of villages and decades of documentation.^[5]

This paper's central claim is that the issue is not simply one of competing land claims. It concerns the effective functioning of democratic institutions: public confidence in government depends upon transparent legal processes, impartial courts, and consistent enforcement of final judicial decisions. Failure to protect Iraq's indigenous peoples will be read internationally as a failure of democratic governance, not merely a local property dispute—a national and international test of legitimacy, not a regional grievance. The Assyrian Democrats of the Bay Area (ADBA) therefore calls upon the Government of Iraq, the Kurdistan Regional Government, the United States, and the international community to support peaceful, lawful, and transparent mechanisms for resolving outstanding land disputes while strengthening the rights of all minority communities.

This paper does not seek to assign collective blame to any ethnic or religious community, nor does it diminish the suffering experienced by Kurds, Arabs, Yazidis, Turkmen, or other peoples who have themselves endured dictatorship, terrorism, displacement, and violence. Its request is not for special treatment, but for equal treatment under the law—the same standard every citizen in a democracy is owed.



Schematic diagram for general reference only — not to scale and not an authoritative survey of borders, boundaries, or coordinates.

Figure 1. Schematic locator map of Assyrian villages and disputed land areas discussed in this paper, Duhok and Erbil governorates, northern Iraq. Diagram prepared by ADBA for reference only; not to scale.

Introduction

In every democracy, the rule of law rests upon a simple principle: justice must be available to all citizens, regardless of their political influence, ethnic identity, or religious affiliation. Courts must operate independently, and government institutions must implement lawful judgments consistently. These are not abstract ideals; they are the practical foundations upon which democratic societies are built. A democracy is measured not by how it treats its majorities, but by how it protects the communities with the least political power to protect themselves.

For many Assyrians in northern Iraq, however, confidence in these institutions has steadily eroded. Over the course of more than three decades, village leaders, church officials, civic organizations, political parties, and international observers have repeatedly documented concerns regarding disputed ancestral lands, alleged encroachments, prolonged legal proceedings, and inconsistent implementation of judicial decisions.

Some individual disputes remain contested. Others have reportedly resulted in court rulings favorable to Assyrian landowners. Yet the recurrence of similar complaints across multiple villages, over many years, suggests that the broader issue extends beyond isolated disagreements between neighboring landowners. It raises important questions about governance, accountability, and equal access to justice.

The peaceful demonstration held in Duhok in July 2026 reflected these longstanding frustrations.^[1] Protesters called upon regional authorities to enforce existing court decisions and ensure that legal protections applied equally to all citizens. Regardless of one's perspective on individual cases, such requests deserve careful consideration in any democratic society.

For the Assyrian community, land represents more than an economic asset. It is inseparable from identity, language, religious life, cultural continuity, and the survival of communities that have inhabited northern Mesopotamia for millennia. The continued viability of many Assyrian villages depends upon secure land tenure, functioning local institutions, and confidence that the law will protect the rights of all citizens equally.

The purpose of this paper is therefore broader than documenting individual disputes. It seeks to examine how unresolved land conflicts intersect with democratic governance, constitutional protections, indigenous rights, religious freedom, and minority participation within modern Iraq.

An Ancient People at Risk

The Assyrians are among the indigenous peoples of Mesopotamia, the region that gave rise to some of humanity's earliest urban civilizations. Although the ancient Assyrian Empire disappeared more than two thousand years ago, the Assyrian

people continued to inhabit northern Mesopotamia, preserving distinct linguistic, cultural, and religious traditions that remain part of Iraq's national heritage today.

Modern Assyrians primarily belong to several historic Christian churches, including the Assyrian Church of the East, the Chaldean Catholic Church, the Syriac Orthodox Church, and the Syriac Catholic Church. Despite ecclesiastical differences, these communities share deep historical roots, related linguistic traditions, and enduring connections to ancestral towns and villages across northern Iraq.



Neo-Assyrian rock reliefs at Halamata, overlooking Nohadra — the ancient name for present-day Duhok. The carvings date to the height of the Assyrian Empire and sit above a city where Assyrians still live today. Photo: Levi Clancy, CC BY-SA 4.0.

During the twentieth century, Assyrians experienced repeated episodes of violence and displacement. The Sayfo genocide during the First World War, the Simele massacre of 1933, decades of forced demographic change under successive Iraqi governments, and widespread displacement during the conflict with the Islamic State each contributed to significant population decline.

The rise of ISIS in 2014 marked another turning point. Entire Christian communities in the Nineveh Plains were emptied almost overnight as families fled advancing militants. Churches, monasteries, homes, schools, and cultural heritage

sites suffered extensive destruction. Although many communities have worked courageously to rebuild, population recovery has been uneven. Large numbers of Assyrians have emigrated permanently, while others remain uncertain whether conditions will permit the long-term survival of their communities.

These demographic realities give additional significance to contemporary land disputes. When small indigenous communities lose confidence that their homes, farms, churches, or villages can be protected through lawful institutions, migration often accelerates. For communities already reduced by decades of conflict, the consequences may become irreversible.

At the same time, it is important to acknowledge that Iraq's recent history has brought immense suffering to many peoples. Kurds endured campaigns of forced displacement and chemical attacks under Saddam Hussein's regime. Yazidis survived genocide at the hands of ISIS. Arabs, Turkmen, Shabak, and other communities have likewise experienced terrorism, political violence, and displacement.

Recognizing these shared tragedies should not lead to competition over victimhood. Instead, they underscore a common democratic imperative: governments bear a responsibility to protect the rights of every citizen equally, particularly those belonging to vulnerable minority communities.

The future stability of Iraq depends not only upon economic development or security cooperation, but also upon whether every community can trust that its constitutional rights will be respected in practice. For Assyrians, confidence in that principle has increasingly become intertwined with the unresolved question of ancestral lands.

Why Land Matters: More Than Property

To many readers, a dispute over farmland may appear to be a local disagreement between neighboring landowners. Such disputes occur in every country and are ordinarily resolved through surveys, courts, and administrative procedures.

For Iraq's indigenous Assyrian community, however, land carries a significance that extends well beyond economics. Assyrians remain among the last indigenous peoples of Mesopotamia still living on their ancestral territory, and land represents history, identity, continuity, and the ability of an ancient people to remain rooted in the homeland where its civilization first emerged.



A panoramic view of Mangesh, a village in the Kurdistan Region of Iraq, surrounded by the hills and farmland characteristic of the villages discussed in this paper. Photo: Dilovan kovli, CC BY-SA 4.0.

Unlike large urban populations that can relocate with relatively little impact on communal identity, many Assyrian villages have developed over centuries around churches, cemeteries, family farms, and shared agricultural traditions. These villages are not merely places of residence; they are repositories of collective memory. Generations of baptisms, marriages, funerals, harvests, and religious celebrations have taken place in these communities, creating bonds that cannot easily be recreated elsewhere.

When an indigenous community loses access to ancestral lands, the consequences extend beyond the loss of agricultural income. Young families may relocate in search of opportunity or security. Schools close as enrollment declines. Churches lose parishioners. Local businesses disappear. Cultural traditions that depend upon village life become increasingly difficult to sustain. Over time, demographic decline can become self-reinforcing, making it more difficult for remaining residents to preserve community institutions.

These dynamics are not unique to Assyrians. Around the world, indigenous communities have emphasized that ancestral lands possess cultural, historical, and spiritual significance that cannot be measured solely by market value. International human rights instruments, including the United Nations Declaration on the Rights of Indigenous Peoples, increasingly recognize this relationship between indigenous peoples and their traditional territories, acknowledging that land often forms the foundation of cultural survival.^[16]

The Assyrian experience should be understood within this broader context. Discussions concerning disputed lands are therefore not simply debates over acreage or property values. They concern whether communities that have maintained a continuous presence in northern Mesopotamia for centuries can continue to live, worship, farm, and raise future generations in their ancestral villages.

Land, Identity, and Democratic Stability

Property rights occupy a central place in democratic societies because secure ownership encourages investment, economic development, and confidence in public institutions. Citizens are more likely to trust government when they believe that legal rights will be protected regardless of ethnicity, religion, or political affiliation.

For minority communities, this principle carries additional importance. Secure land tenure provides confidence that families can remain in their communities without fear that legal uncertainty or administrative inconsistency will gradually undermine their future.

When property disputes remain unresolved for years or decades, uncertainty itself becomes a source of instability. Families postpone investments. Agricultural production declines. Younger generations choose to emigrate rather than inherit unresolved legal conflicts. Over time, communities may shrink even without formal displacement.

For this reason, the recurring concerns expressed by Assyrian organizations should not be viewed solely through the lens of historical grievance. They also represent questions about governance and public confidence. Effective democratic institutions require that citizens believe legal disputes can be resolved fairly, transparently, and within a reasonable period of time.

The concerns expressed during the July 2026 demonstration did not emerge suddenly; they followed decades of petitions, legal proceedings, and appeals by village leaders, political parties, and international observers—documented by the U.S. Department of State, the U.S. Commission on International Religious Freedom, Human Rights Watch, and independent policy institutes alike.^{[1][6][7][8][9][10]}
^[12] The next chapter traces that chronology in full.

The Human Dimension

Behind every legal dispute is a family, a village, and a community seeking stability.

For elderly residents, ancestral lands often represent the work of several generations and the place where parents and grandparents are buried. For younger families, they represent an opportunity to remain in villages that have shaped their identity rather than joining the continuing wave of emigration that has dramatically reduced Iraq's Christian population over the past century.

Many members of the Assyrian diaspora—including thousands living in California—maintain close ties with relatives in northern Iraq. They support reconstruction projects, churches, schools, humanitarian organizations, and local development initiatives. Their continued engagement reflects a belief that the survival of these communities remains both possible and important.



The Nahla Festival, 2024 — a community gathering that marked 100 years of continuity since the Assyrian genocide, reflecting the civic and cultural life residents are working to preserve. Photo: Surayeproject3, CC BY-SA 4.0.

This connection also explains why developments in northern Iraq resonate so deeply within the diaspora. For Assyrian Americans, these are not distant geopolitical events. They concern the future of villages where family histories began and where many still hope future generations will continue to live in peace.

Recognizing this human dimension should not discourage objective analysis. On the contrary, it underscores why disputes involving minority communities deserve careful, transparent, and impartial resolution. Democratic institutions are strengthened—not weakened—when governments address longstanding grievances through lawful procedures, open dialogue, and equal application of the law.

The next chapter examines the historical development of these disputes, tracing a chronology of documented events from the early 1990s through the peaceful demonstrations of 2026. Understanding that chronology is essential to appreciating why so many Assyrians believe that meaningful progress now requires renewed commitment to transparency, accountability, and the consistent enforcement of legal rights.

Three Decades of Unresolved Disputes (1991-2026)

The concerns voiced by Assyrian demonstrators in Duhok in July 2026 did not emerge suddenly.^[1] They represent the continuation of issues that Assyrian village leaders, churches, civic organizations, and political representatives have raised for more than three decades.

While individual disputes differ in their facts, geography, and legal history, the documentary record reveals recurring themes: disputed ownership of ancestral lands, allegations of encroachment, prolonged legal proceedings, inconsistent implementation of judicial decisions, and repeated appeals to government authorities for intervention.

This chapter summarizes that chronology to provide historical context for the present debate.

Three Decades of Unresolved Disputes: A Timeline (1991-2026)

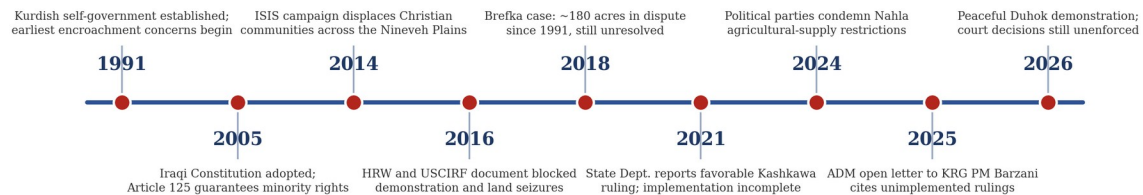


Figure 2. Timeline of major documented events, 1991-2026. Diagram prepared by ADBA from sources cited throughout this chapter; not exhaustive.



The Assyrian flag flying over farmland in the Nahla Valley, the area at the center of many of the disputes described in this chapter. Photo: Surayeproject3, CC BY-SA 4.0.

1991-2003: A Changing Political Landscape

The establishment of Kurdish self-government in northern Iraq following the 1991 Gulf War fundamentally altered the political landscape of the region. The Kurdistan Region developed many institutions of self-government and later became recognized under Iraq's 2005 Constitution.

For Assyrian communities, however, the post-1991 period also marked the beginning of recurring concerns regarding ancestral lands in portions of Duhok Governorate and surrounding areas.

Assyrian organizations, including the Assyrian Aid Society-Iraq, have asserted that numerous villages experienced encroachments upon agricultural lands during the years following the establishment of the Kurdistan Region.^[5] These organizations argue that unresolved ownership disputes accumulated over time while administrative responses often proved slow or ineffective.

Although comprehensive official statistics remain difficult to obtain, these early claims established the framework for many of the disputes that continue to be discussed today.

2005: Constitutional Guarantees and Continuing Questions

The adoption of Iraq's Constitution in 2005 represented an important milestone for minority rights.

Article 125 guarantees the administrative, political, cultural, and educational rights of Iraq's various nationalities, including Assyrians and other indigenous communities.^[11] The Constitution therefore provides an important legal foundation for protecting Iraq's diversity.

At approximately the same time, Assyrian organizations reported receiving assurances from regional officials that longstanding land disputes would receive greater attention. Many community leaders welcomed these commitments.

Yet according to subsequent reports issued by Assyrian organizations and advocacy groups, progress remained uneven, and numerous disputes persisted.

Whether because of administrative complexity, competing legal claims, political sensitivities, or insufficient institutional capacity, many Assyrians continued to express frustration regarding the pace of implementation.

2014: ISIS and the New Reality

The rise of ISIS transformed the priorities of every community in northern Iraq.

The terrorist organization's campaign against Christians, Yazidis, and other minorities forced entire populations to flee ancestral towns and villages. Protecting civilians understandably became the immediate priority of both Iraqi and Kurdish authorities.

The Kurdistan Region provided refuge to large numbers of displaced persons during this period, a contribution that deserves recognition.

At the same time, the displacement caused by ISIS further complicated already existing questions concerning land ownership, return of displaced residents, documentation of property rights, and reconstruction of minority communities.

As villages slowly began rebuilding after ISIS's territorial defeat, unresolved land issues once again became increasingly visible.

2016: International Attention

By 2016, international human rights organizations had begun documenting incidents affecting Assyrian civic activism.

On April 13, 2016, Human Rights Watch reported that Kurdish Asayish security forces blocked roads and checkpoints to prevent Christian families from the Nahla Valley and other areas from reaching Erbil to hold a peaceful demonstration against alleged Kurdish encroachment on Christian-owned land.^[6] Villagers

interviewed by Human Rights Watch said that although they held property deeds, neither court orders nor appeals to officials had succeeded in removing structures built on their land; one village elder recounted 42 documented encroachment cases in the Nahla Valley alone, and a student from Sarsink reported more than 50 registered cases in his hometown. “A peaceful public protest is an activity that the authorities should protect, not prevent,” said Joe Stork, then deputy Middle East director for Human Rights Watch, “especially not by prohibiting travel based on their religion.”^[6]

That same year, the U.S. Commission on International Religious Freedom released a groundbreaking report, *Wilting in the Kurdish Sun: The Hopes and Fears of Religious Minorities in Northern Iraq*, based on in-person interviews with representatives of nearly every religious minority group in the Kurdistan Region. The report found that Christian citizens had “issued complaints and held protests against Kurdish residents for attacking and seizing their land and villages in the provinces of Dohuk and Erbil,” and that some Assyrian Christians believed the appropriations reflected a broader policy to “Kurdify” historically Christian areas.^[7]

The significance of these findings extends beyond any single incident. They illustrate that, as early as 2016, concerns regarding disputed lands had already become sufficiently widespread to generate organized public protest and attract sustained international attention from both human rights monitors and the U.S. government.

2018: The Brefka Case

One of the best documented village-level disputes emerged in 2018.

International Christian Concern reported that two Kurdish Muslim brothers built an illegal home on land belonging to an Assyrian Christian family in the village of Brefka; local reporting identified one of the brothers as a senior Peshmerga commander in the region. The Assyrian Aid Society-Iraq stated that the seizure of Christian land in Brefka had been ongoing since 1991 and estimated that approximately 180 acres had been lost to encroachment, with a delegation sent by Kurdish leadership in 2005 having promised the land's return within a year—a promise that, as of the 2018 report, remained unfulfilled.^[5] Ashur Sargon, president of the Assyrian Aid Society-Iraq, stated that the organization had recorded approximately 58 land-grab cases across the Kurdistan Region, most still unresolved.^[5]

Whether viewed as an isolated dispute or part of a broader pattern, the Brefka case illustrates the recurring reliance upon legal and administrative channels—petitions to local authorities, requests for official surveys—rather than confrontation.

2021: Judicial Recognition in Kashkawa

The U.S. Department of State's International Religious Freedom Report for 2021 documented that Iraqi courts had amended several previous decisions in favor of Assyrian Christian residents of Kashkawa village regarding ownership of disputed lands. While Assyrian Christian leaders welcomed the ruling, the report noted that as of October of that year, implementation remained incomplete.^[10] The same report found that of 59 long-pending property disputes between Christians and Kurds reviewed by KRG courts, only five had been ruled upon—four of them in favor of Christian plaintiffs—and that in one Nahla Valley case, Kurds convicted of taking Christian-owned land received only a three-month suspended sentence and a token fine, with no follow-up enforcement and continued occupation of the land.

[10]

The Kashkawa case would resurface repeatedly in the years that followed, illustrating a pattern that Assyrian organizations have described as central to the broader dispute: favorable rulings that are not consistently translated into restored possession.



A rusted entry sign to the Assyrian village of Kashkawa (Matha d'Keshkawa), the Nahla Valley village whose unresolved land case is discussed above. Photo: Surayeproject3, CC BY-SA 4.0.

2024: Renewed Concerns in Nahla

Attention increasingly focused upon the Nahla Valley, where several Assyrian villages reported continuing difficulties related to land access and agricultural activity.

In March 2024, five Chaldean-Syriac-Assyrian political parties, led by the Bethnahrin Patriotic Union Party (Huyodo Bethnahrin Athroyo), publicly condemned restrictions that prevented residents of the Nahla region from transporting fertilizer, food, and other agricultural supplies into their villages despite having obtained the required approvals from Aqra district authorities. The

parties called on the Minister of Interior, the Duhok governor, and the KRG presidency to find a permanent solution, describing the restrictions as part of a longstanding pattern intended to pressure Assyrian residents to leave their lands.^[4]

Community leaders argued that such restrictions affected daily life and agricultural production while contributing to continued uncertainty regarding the future of these villages.

These concerns were echoed by additional Assyrian civic organizations and attracted renewed attention within the diaspora.

2025: Political Appeals

In an open letter published on 28 July 2025, Yacoob Gorgis, Secretary-General of the Assyrian Democratic Movement (ADM/Zowaa), called on Kurdistan Regional Government Prime Minister Masrour Barzani to act on longstanding Assyrian grievances, warning that the situation had “reached an unacceptable point” and that “remaining silent is no longer a viable option.”^[2] The letter cited numerous unimplemented court decisions favoring Assyrian landowners in villages across Nahla, Hezajut, Zakho, Sarsing, and Upper Barwar, and was accompanied by copies of the relevant rulings. Gorgis also raised concerns over encroachment on Assyrian-owned land in Ankawa, a majority-Assyrian district of Erbil, and stated that emigration from Assyrian communities stemmed “not because of fear or threats to their physical safety, but because justice is absent and confidence in the government and its institutions has been profoundly shaken.”^[2]

Regardless of one's assessment of the letter's political context, it represents an important milestone because it demonstrates continued reliance upon official governmental institutions rather than extra-legal means.

The appeal reflected an expectation that democratic governments bear responsibility for resolving disputes through lawful and transparent procedures.

2025-2026: Village Case Studies

Additional reporting during 2025 and 2026 described renewed disputes affecting villages including Kashkawa and other communities within the Nahla region. In a statement issued in late June 2026, Kashkawa residents said they had waited more than three years for authorities to enforce court decisions issued in their favor, only to discover that Kurdish settlers had once again cultivated the disputed lands.^[3] “At a time when we were awaiting the implementation of the numerous promises to enforce the court rulings issued more than three years ago, we were shocked to discover that the encroachers have once again cultivated those lands,” the residents' statement read, calling on Assyrian representatives in Erbil and Baghdad, church leaders, and political parties to intervene.^[3]

Kashkawa's dispute has a documented history: in 2020, a committee of Assyrian members of the Kurdistan Region's parliament visited the village after disputes

involving roughly 2,000 dunams of agricultural land, and in a separate account, a Kashkawa resident told Australia's SBS Assyrian that villagers first turned to the courts in 2016, ultimately winning a favorable ruling from the Aqra Court whose implementation remained uncertain.^[3] Kashkawa, one of the historic Assyrian villages of the Nahla Valley, was destroyed during the 1988 Anfal campaign before being resettled by returning families in the late 1990s and early 2000s; it remains among the few surviving Assyrian villages in the region.

These reports again emphasized a distinction that has become central to many Assyrian concerns.

The issue was presented not simply as obtaining favorable legal judgments, but as ensuring that such judgments are fully implemented in practice.

This distinction appears repeatedly throughout reports issued by village organizations, Assyrian political parties, advocacy organizations, and international observers.

July 2026: Peaceful Demonstration in Duhok

On 6 July 2026, hundreds of Assyrians gathered peacefully outside the Duhok Governorate building. Participants—including representatives of the Assyrian Democratic Movement, the community's leading political party—called upon regional authorities to enforce existing court decisions, protect private property rights, and ensure equal application of the law.^[1] Organizers presented a formal memorandum of demands to Duhok Governor Ali Tatar, calling for concrete action to halt further land seizures and enforce existing rulings on disputed properties. Several Assyrian media outlets reported that Kurdish security forces again prevented many Assyrians traveling from outside Duhok from reaching the demonstration—a restriction community representatives said has recurred at previous protests.^[1]

Governor Tatar acknowledged receipt of the protesters' memorandum and indicated that authorities would continue efforts to address the issue.^[1] Whether these efforts ultimately produce lasting solutions remains to be seen.

July 2026: Government Calls for the Return of Iraqi Christians

Only days after the Duhok demonstration, Iraqi Prime Minister Ali Falih al-Zaidi met with Chaldean Patriarch Mar Paul III Nona in Baghdad and declared that facilitating the return of Christians who had left Iraq because of war, terrorism, and instability was a national priority for his government.^{[19][21]} The Prime Minister pledged government support for returning Christian families, including eligibility for Iraq's One Million Residential Land Plots initiative, and invited Christian business leaders and investors living abroad to participate in the country's reconstruction, particularly in the health and education sectors.^[21] He described

Christians as “an active and essential component of Iraqi society,” emphasizing that the country's strength lies in its ethnic, religious, and cultural diversity.^[21]

Patriarch Nona welcomed the government's initiative, saying it sends an important message to Iraqi Christians in the diaspora and strengthens confidence in the country's future; other church leaders, including the Syriac Orthodox Archbishop of Mosul, Kirkuk, and Kurdistan, likewise welcomed the announcement.^[21]

Reaction from Assyrian civil society was more measured. An investigative report by Nirij, an independent Iraqi journalism organization, questioned whether the initiative represents a substantive change in policy or a largely symbolic gesture, concluding that government incentives are unlikely to produce meaningful results unless chronic security challenges, political marginalization, and weak rule of law—the same factors that have driven emigration for decades—are effectively addressed.^[20] The report drew on interviews with Christian religious and political leaders, intellectuals, and civil society activists who identified the conditions they believe must be met before large-scale return becomes realistic.^[20]

The Prime Minister's commitments reinforce the central argument of this paper. If the Government of Iraq seeks the return of displaced Assyrians and other Christians, it must also ensure that those families can safely reclaim their homes, farms, and ancestral lands. For many Assyrians, the principal obstacle to return is not a lack of willingness, but the continued existence of unresolved land disputes, illegal land seizures, and court judgments that remain unenforced despite years of litigation.^[10] Inviting indigenous communities to return while failing to guarantee the restoration and protection of their property creates a contradiction between stated policy and conditions on the ground—precisely the contradiction that independent observers of the return initiative have already begun to flag.^[20] Addressing that contradiction through the consistent application of the rule of law is essential not only for encouraging return, but for strengthening public confidence in Iraq's democratic institutions and constitutional order.^{[9][10]}

A Consistent Theme

Reviewing the documentary record from the early 1990s through 2026 reveals an important pattern.

Assyrian communities have repeatedly sought solutions through petitions, legal proceedings, administrative appeals, political dialogue, public advocacy, and peaceful demonstrations.

This history does not establish that every allegation is correct or that every disputed parcel should be resolved in favor of one party. Property disputes require careful legal examination based upon evidence and applicable law.

It does, however, demonstrate the persistence of a broader concern shared across multiple villages, organizations, and decades.

The recurring question is not simply who owns a particular piece of land.

Rather, it is whether democratic institutions can resolve longstanding disputes transparently, fairly, and consistently enough to restore confidence among one of Iraq's oldest indigenous communities.

The following chapter examines that question through the lens of constitutional government, judicial independence, and the rule of law.

The Rule of Law: The Foundation of Democratic Governance

Throughout this paper, one principle has consistently emerged from the historical record: the enduring concern expressed by many Assyrians is not solely the existence of disputed property claims, but confidence in the ability of democratic institutions to resolve those disputes fairly, transparently, and consistently. This distinction is fundamental. Land disputes occur in every country; democratic societies do not eliminate disagreements over property, inheritance, or boundaries. Their strength lies instead in resolving such disputes peacefully through impartial institutions whose decisions are respected and implemented. The issue examined in this paper should therefore be understood primarily as a question of governance rather than ethnicity.

Beyond Individual Property Disputes

Reasonable people may disagree regarding individual ownership claims. Some disputes involve incomplete historical records; others require updated surveys, judicial review, or negotiated settlements, and courts may ultimately find one party's claim stronger than another's. Such disagreements are neither unusual nor unique. The challenge arises when citizens lose confidence that legal processes themselves operate equally for everyone.

Numerous Assyrian organizations have argued that obtaining favorable legal decisions has not always resulted in meaningful implementation—a pattern documented as recently as 2025 by the U.S. Department of State, whose review of land-seizure cases affecting Iraq's minority communities found that Assyrian Christians accuse government and party officials of seizing land “for personal use or financial gain” and believe they are being targeted as part of a policy to “Kurdify” historically Christian areas.^[9] Whether each individual allegation is ultimately substantiated must be determined through competent legal institutions; yet the recurrence of these concerns across multiple villages and decades raises broader questions about institutional effectiveness. Democracy depends not only upon fair laws, but upon their consistent application.

Equality Before the Law

The concept of equality before the law occupies a central place in every constitutional democracy. Governments derive legitimacy not simply from elections but from their willingness to apply legal protections impartially, regardless of political influence, ethnicity, religion, or social status. Minority communities often judge democratic institutions by a simple question:

Can we rely upon the law to protect our rights when disagreements arise?

When the answer becomes uncertain, confidence in public institutions declines—in Iraq as much as anywhere. Throughout the world, democratic governments are measured by how effectively they protect those with the least political influence. For indigenous communities and religious minorities, confidence in legal institutions is especially important because demographic realities often limit their political leverage; courts and constitutional protections become essential safeguards against arbitrary treatment.

Constitutional Guarantees

Iraq's Constitution recognizes the country's ethnic, linguistic, and religious diversity. Article 125 provides: “This Constitution shall guarantee the administrative, political, cultural, and educational rights of the various nationalities, such as Turkomen, Chaldeans, Assyrians, and all other constituents, and this shall be regulated by law.”^[11] Other provisions protect private property, equality before the law, and citizens' access to legal remedies. These guarantees reflect important democratic principles, but the challenge lies in implementation: constitutions establish legal commitments, while independent institutions transform those commitments into practical reality. A constitution gains credibility only when citizens see its promises reflected in everyday reality—and for minority communities, constitutional rights left unenforced are, in practical terms, constitutional rights denied.

International Human Rights Principles

These issues also intersect with internationally recognized human rights principles. The Universal Declaration of Human Rights affirms equality before the law, protection against arbitrary deprivation of property, freedom of religion, and equal protection without discrimination.^[15] International instruments concerning indigenous peoples likewise recognize the profound relationship between indigenous communities and their traditional lands, emphasizing that cultural survival often depends upon secure access to ancestral territories.^[16] These principles do not automatically determine the outcome of individual property disputes, but they establish expectations that governments resolve such disputes through transparent procedures, impartial institutions, and meaningful access to justice.

Democratic Accountability and Shared Responsibility

Public confidence grows when governments demonstrate that no individual or institution stands above the law. This requires administrative transparency, timely implementation of lawful judgments, and equal treatment of citizens. The peaceful demonstrations organized by Assyrian communities illustrate this principle in practice: rather than encouraging violence or retaliation, community leaders have consistently sought legal remedies, administrative review, public dialogue, and peaceful assembly. When citizens choose courts instead of confrontation,

democratic governments have a corresponding responsibility to ensure that those lawful channels remain effective.

That responsibility is shared. The Government of Iraq bears constitutional responsibility for protecting all Iraqi citizens; the Kurdistan Regional Government bears responsibility for equal application of regional laws and administrative procedures; local authorities bear responsibility for implementing lawful judicial decisions; and the international community has a role to play in encouraging transparency and supporting judicial independence. None of this diminishes Iraq's sovereignty—it reinforces the democratic principles Iraqi institutions have themselves pledged to uphold.

The future of Iraq's indigenous Assyrian community will not depend solely upon demographics, economics, or reconstruction. It will depend upon whether the country's democratic institutions can inspire confidence that constitutional rights are meaningful in practice. If that confidence weakens, migration accelerates and constitutional guarantees risk becoming aspirational rather than operational. The challenge is therefore larger than resolving individual land disputes: it is strengthening the rule of law so that justice is determined by law itself, not by identity or influence. The next chapter turns to practical recommendations for advancing that goal.

Strengthening the Rule of Law: A Framework for Democratic Solutions

The purpose of this paper is not merely to document longstanding concerns affecting Iraq's indigenous Assyrian community. It is to encourage constructive, democratic solutions that strengthen public confidence in government institutions while protecting the rights of all Iraqi citizens.

The recommendations that follow are guided by several principles: every property dispute should be resolved according to law rather than political influence or communal pressure; all citizens—regardless of ethnicity, religion, or political affiliation—should enjoy equal access to impartial legal institutions; democratic governments are strengthened when they respond to longstanding grievances through transparency and dialogue; and protecting the rights of one community should never come at the expense of another.

Recommendations for the Government of Iraq

As the sovereign government responsible for protecting the constitutional rights of all Iraqi citizens, the Government of Iraq should continue strengthening national institutions that promote equality before the law.

ADBA respectfully recommends that the Government of Iraq:

- Reaffirm its commitment to Article 125 of the Iraqi Constitution and the protection of indigenous and minority communities.
- Ensure that minority citizens have meaningful access to judicial remedies regardless of their geographic location or political influence.
- Improve coordination between federal and regional institutions regarding unresolved property disputes affecting minority communities.
- Encourage transparent reporting regarding implementation of judicial decisions involving longstanding land disputes.
- Establish an independent minority-property review commission, with authority to expedite unresolved cases and publish annual implementation reports.
- Continue supporting reconstruction, public services, and economic development within historically Assyrian communities.

Recommendations for the Kurdistan Regional Government

The Kurdistan Region has played an important role in providing refuge for displaced populations fleeing conflict and terrorism. Its democratic institutions continue to evolve and therefore possess an opportunity to strengthen public confidence among all communities.

ADBA respectfully encourages the Kurdistan Regional Government to:

- Review longstanding land disputes involving Assyrian villages through transparent legal and administrative procedures.
- Ensure timely implementation of final judicial decisions regardless of the identity of the parties involved.
- Establish publicly accessible mechanisms that allow citizens to monitor the implementation of court judgments.
- Invite international observers to review longstanding unresolved cases, to build confidence and transparency in the process.
- Continue dialogue with Assyrian political representatives, churches, village councils, and civil society organizations regarding unresolved concerns.
- Protect the rights of all citizens to peaceful assembly, lawful petition, and freedom of movement.
- Promote confidence that regional institutions operate impartially and equally for every community.

These recommendations are offered in the belief that stronger institutions ultimately benefit both the Kurdistan Region and all of its diverse peoples.

Recommendations for Assyrian Political and Civic Organizations

The Assyrian community has consistently demonstrated its preference for peaceful advocacy through legal institutions, civic engagement, and democratic participation.

ADBA encourages Assyrian organizations to continue:

- Documenting property disputes carefully and accurately.
- Maintaining a centralized digital archive of court rulings, property deeds, and historical land records to support consistent legal advocacy.
- Pursuing legal remedies through established judicial institutions whenever possible.
- Coordinating research and documentation among civic organizations, churches, academics, and legal experts.
- Supporting constructive dialogue with Iraqi and Kurdish authorities.
- Avoiding rhetoric that assigns collective responsibility to entire ethnic or religious communities.
- Building partnerships with other Iraqi minority communities facing similar governance challenges.

The strength of the Assyrian cause depends upon the credibility of its evidence and the integrity of its advocacy.

Recommendations for the United States

The United States has maintained a longstanding commitment to supporting democratic institutions, religious freedom, and minority rights throughout Iraq.

Within that framework, ADBA encourages continued American engagement through:

- Support for judicial independence and rule-of-law initiatives.
- Continued reporting on the condition of religious and ethnic minority communities through the Department of State.
- Congressional hearings and State Department briefings focused specifically on Iraq's indigenous communities.
- Encouragement of transparent, lawful resolution of longstanding property disputes.
- Continued assistance supporting reconstruction of minority communities affected by ISIS.
- Regular dialogue with representatives of Iraq's indigenous communities concerning democratic governance and minority rights.

Such engagement should be viewed not as interference in Iraq's sovereignty but as consistent with longstanding American support for democratic development and constitutional government.

Recommendations for International Organizations

International organizations continue to play an important role in supporting democratic governance, human rights, and peaceful conflict resolution.

ADBA encourages organizations such as the United Nations, the European Union, and international human rights institutions to:

- Continue monitoring conditions affecting indigenous and religious minority communities.
- Encourage transparent implementation of constitutional protections.
- Support technical assistance related to land administration, judicial reform, and conflict resolution.
- Promote dialogue among local communities, regional authorities, and national institutions.
- Encourage preservation of the cultural and historical heritage of Iraq's indigenous peoples.

These efforts should complement, rather than replace, Iraqi institutions and local democratic processes.

Recommendations for Democratic Institutions in the United States

Democratic organizations in the United States have long supported civil rights, indigenous communities, religious liberty, and equal justice under the law.

Within that tradition, ADBA encourages Democratic organizations to:

- Learn more about the history and contemporary challenges facing Iraq's indigenous Assyrian community.
- Recognize that minority rights and democratic governance remain essential components of long-term stability in Iraq.
- Support peaceful, constitutional approaches to resolving disputes affecting vulnerable communities.
- Encourage respectful dialogue among all communities while rejecting discrimination, intimidation, and violence.

The values that inspire Democratic engagement at home—equal justice, constitutional government, minority rights, and protection of vulnerable communities—remain equally relevant when considering international human rights issues.

Looking Forward

History demonstrates that unresolved grievances rarely disappear through neglect; they are addressed most successfully through institutions that inspire confidence and apply the law consistently. The recommendations above do not seek special treatment for one community—they seek equal treatment under the law. The long-term future of Iraq's indigenous Assyrian community will depend on many factors, from economic opportunity to reconstruction, but none of these can be fully achieved without confidence that democratic institutions will protect the constitutional rights of every citizen. The final chapter reflects on why that is true not only for Assyrians, but for anyone who believes democracy is measured by how it treats its smallest and most vulnerable communities.

Conclusion: Democracy Is Measured by How It Protects the Vulnerable

Throughout history, democratic societies have been judged not only by the prosperity they create or the elections they conduct, but by how faithfully they protect the rights of those with the least political influence. That principle has shaped struggles for civil rights, religious liberty, indigenous recognition, and constitutional government around the world, and the story of Iraq's indigenous Assyrian community belongs within that broader tradition.

For more than three decades, Assyrian villagers, church leaders, civic organizations, and political representatives have turned to legal institutions, peaceful demonstrations, and public dialogue to address concerns regarding ancestral lands and minority rights. Whatever the merits of any individual dispute, that consistent reliance on lawful, peaceful advocacy reflects a belief that democratic institutions can and should provide meaningful remedies—a belief this paper has sought to strengthen rather than settle. The purpose here has not been to adjudicate the ownership of individual parcels of land or to assign collective responsibility to any community; that belongs before competent legal institutions operating on evidence and due process. It has been to highlight a larger principle: when citizens repeatedly question whether court decisions will be implemented and whether legal protections apply equally, confidence in democratic institutions erodes—for every community that shares Iraq's future, not only for Assyrians.

A Shared Future

The future of Iraq cannot rest on the security or prosperity of one community alone. Kurds, Arabs, Assyrians, Turkmen, Yazidis, Armenians, Shabak, and every other community that contributes to Iraq's diversity share a common interest in strong institutions, independent courts, and equal protection under the law—interests that reinforce rather than compete with one another. Societies that consistently protect minority rights become more stable and more resilient; governments that resolve disputes through transparent institutions rather than political influence reduce the risk of future conflict. The continued presence of Assyrians in their ancestral homeland is not a sectarian aspiration but part of preserving Iraq's pluralistic identity.

For many Assyrian Americans, northern Iraq is the homeland of parents and grandparents, where family churches still stand and villages still celebrate the weddings, baptisms, and festivals that connect the present generation to centuries of inherited tradition. That is why so many in the diaspora continue to support reconstruction, churches, schools, and local development throughout the region—not out of nostalgia, but in the hope that these communities can continue to flourish.

That hope is also why this issue belongs within a Democratic tradition that has long affirmed democracy is strengthened when institutions protect those least

likely to be heard. The values reflected throughout this paper—equal justice, constitutional government, religious liberty, and protection of vulnerable communities—are not uniquely Assyrian values; they are the same ones at stake in protecting Native American tribal rights, defending voting rights at home, or supporting persecuted religious minorities abroad. They ask a universal question:

Can democratic institutions ensure that every citizen, regardless of ethnicity or religion, enjoys equal protection under the law?

The answer to that question defines the credibility of every democracy.

A Call to Partnership

The Assyrian Democrats of the Bay Area do not seek confrontation; we seek partnership. We believe dialogue is stronger than division, law is stronger than intimidation, and independent courts are stronger than political influence. Accordingly, we invite policymakers, civic leaders, religious institutions, human rights organizations, and fellow Democratic organizations to engage constructively with these issues—not to revisit historical grievances indefinitely, but to help build institutions capable of resolving them fairly.

The peaceful demonstrators who gathered outside the governor's office in Duhok in July 2026 carried more than petitions concerning disputed lands.^[1] They carried a larger hope: that democratic institutions would hear their voices, apply the law equally, and demonstrate that constitutional promises remain meaningful in practice. Whether that hope is fulfilled will be measured not by the outcome of individual property disputes, but by whether Iraq continues strengthening the institutions that protect all citizens equally and preserve the diversity that has long defined Mesopotamia. For the Assyrian Democrats of the Bay Area, that vision remains both a democratic responsibility and a profound expression of hope.

About the Assyrian Democrats of the Bay Area



The Assyrian Democrats of the Bay Area (ADBA) is a 100% volunteer-based political club, chartered in Santa Clara County in 2021 with the mission of empowering Assyrian voices on the left of the political spectrum. ADBA promotes bold, progressive, values-based policies and candidates willing to confront the status quo, and works to empower Assyrian Americans—whether by running for office or simply making their voices heard—while advocating for Assyrian American interests and championing grassroots participation in the political process more broadly.

As Assyrian Americans, we believe that advocacy should be grounded in factual accuracy, peaceful dialogue, respect for democratic institutions, and a commitment to the dignity of every individual and community. The recommendations presented in this paper reflect those principles and are offered in the spirit of constructive engagement, reconciliation, and democratic progress.

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Figure 1. Locator map — Prepared by the Assyrian Democrats of the Bay Area (ADBA), 2026. Original work.

Figure 2. Timeline of major documented events, 1991–2026 — Prepared by the Assyrian Democrats of the Bay Area (ADBA), 2026. Original work.

Figure 3. Neo-Assyrian rock reliefs at Halamata, overlooking Duhok — Photo by Levi Clancy, 6 May 2017. CC BY-SA 4.0.

https://commons.wikimedia.org/wiki/File:Neo-Assyrian_archaeological_Halamata_reliefs_overlooking_Nohadra,_modern-day_Duhok,_Kurdistan_Region_of_Iraq_01.jpg

Figure 4. Panoramic view of Mangesh village, Kurdistan Region of Iraq — Photo by Dilovan kovli, 1 April 2025. CC BY-SA 4.0.

https://commons.wikimedia.org/wiki/File:IMG_A_panoramic_view_of_Mangesh,_a_village_in_the_Kurdistan_Region_of_Iraq,_surrounded_by_hills_and_fields.jpg

Figure 5. The Nahla Festival, 2024, celebrating 100 years of continuity after the Assyrian genocide — Photo by Surayeproject3, 19 September 2024. CC BY-SA 4.0.

https://commons.wikimedia.org/wiki/File:Nahla_Festival_2024.png

Figure 6. The Assyrian flag hoisted in the Nahla Valley — Photo by Surayeproject3, 19 January 2025. CC BY-SA 4.0.

https://commons.wikimedia.org/wiki/File:Assyrian_flag_in_Nahla.jpg

Figure 7. Village sign, Kashkawa (Matha d'Keshkawa) — Photo by Surayeproject3, 19 January 2025. CC BY-SA 4.0. https://commons.wikimedia.org/wiki/File:Matha_d%27Keshkawa.jpg

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