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THE HUMAN RIGHTS SITUATION OF THE YEZIDI MINORITY IN THE TRANSCAUCAUSUS (ARMENIA, GEORGIA, AZERBAIJAN)

A Writenet Report

commissioned by United Nations High Commissioner for Refugees, Status Determination and Protection Information Section (DIPS)

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Acronyms

AAC Armenian Apostolic Church

CERD Convention on the Elimination of all forms of Racial

Discrimination

ECHR European Convention on Human Rights

ECRI European Commission against Racism and Intolerance

FCNM Framework Convention on National Minorities

FIDH Fédération Internationale des Ligues des Droits de l'Homme

GOC Georgian Orthodox Church

ICCPR International Covenant on Civil and Political Rights

ICESCR International Covenant on Economic, Social and Cultural Rights

IDP Internally displaced person

IOM International Organization for Migration IWPR Institute of War and Peace Reporting

KRG Kurdish Regional Government (in Iraq)

MP Member of Parliament

PKK Kurdish Workers' Party

UAA Union of Armenian Aryans
UNICEF United Nations Children's Fund

Executive Summary

The Yezidis of the South Caucasus are a heterodox Kurdish community and one of the least well-known Kurdish communities of the world. Located primarily in Armenia and Georgia, Yezidi communities have undergone significant decline since the collapse of the Soviet Union. This decline has been most marked in Georgia, where over a third of the community is thought to have left the country.

The human rights context in the South Caucasus allows a partial explanation of this decline. Although, resources allowing, Yezidis are able to freely associate and express their cultural identity, they have experienced significant obstacles to the enjoyment of economic, social and cultural rights. As an ethnic minority without alternative levers of influence, such as an external kin-state or an organized international diaspora, Yezidis have also remained vulnerable to violations of their civil and political rights, although such violations do not appear to be systematic in nature.

States in the South Caucasus remain highly reluctant to introduce comprehensive minority rights standards, which would allow Yezidis and other minorities to protect their rights more effectively. South Caucasian states have effectively resisted the mantle of "host state" with regard to their ethnic minorities, and have refused to accept responsibilities incumbent upon them as members of international organizations and conventions such as the Framework Convention for the Protection of National Minorities. While other minorities have been able to rely on alternative sources of support, such as local demographic majorities or external kin-states, Yezidis have remained totally unprotected.

Other aspects of Yezidi community life, such as the very specific internal structure of the community, the impact of privatization on traditional ways of life and debates over identity, have rendered the community vulnerable to decline. Under these conditions many Yezidis have apparently opted for migration to now substantial Yezidi communities abroad, primarily in Western Europe. These migration flows look unlikely to cease in the foreseeable future.

1 An Overview of Yezidi Identity

1.1 Yezidi Identity

The Yezidis¹ are a heterodox Kurdish-speaking community, originating in northern Iraq and distinguished from other Kurds by adherence to the Yezidi religion, a minority faith of diverse origins. The Yezidis of the South Caucasus form part of a larger Yezidi global community, located predominantly in the historic homeland of the Yezidi faith, northern Iraq, and also in Turkey, Syria and, increasingly, Western Europe.

Yezidi communities are notable for their status as a double minority.² As followers of the Yezidi faith they form a minority within the larger global community of both Kurds and Muslims more generally, with whom historical relations have in many contexts been hostile. As Kurds they also represent an often persecuted minority in their adopted countries. These factors have prompted Yezidi migration from homelands in the Middle East to Western Europe and beyond.

From the outset it is important to note that in the South Caucasus the terminology used to refer to Yezidis is varied and, at times, confused. This is a reflection of different discourses of Yezidi and Kurdish identity over which there are varying views within Yezidi communities. The term Yezidi itself refers properly to adherents of the Yezidi religion, who are nevertheless in other ethnographic terms, such as language, Kurdish. Yezidi self-identification with the wider global Kurdish community fluctuates in accordance with given frames of reference (religion, language) and ongoing political developments.

In some contexts the religious distinction has given rise to claims that the Yezidis are not Kurds but belong to a separate ethnic group. In Armenia especially, the extent to which Yezidis should be seen as Kurdish, or as belonging to a separate ethnic group, has been a matter of often acrimonious debate for some twenty years. Distinguishing Yezidi from Kurdish identity does not appear to be relevant for the global Yezidi community, however, which identifies freely with a Kurdish identity. The fact that these debates do not resonate with the wider global community of Yezidis suggests that they derive from factors in the local political environment. Although some authors have opted for the term "Yezidi-Kurd" as a compromise recognizing these fluctuations, in this study the term "Yezidi" will be used since the focus here is on the community defined by the Yezidi faith rather than Muslim Kurdish populations.

1.2 Geographical Distribution and Population Figures

There is little agreement on numbers of Yezidis worldwide, due to their distribution between many states, different systems of classification and the politics of Yezidi identity. What is certain is that Yezidis comprise a tiny percentage of the global Kurdish population, which stands at about 33 million. One source dating from 2005 indicates that estimates for the

¹ In some sources Yezidis are referred to as Yazidis; usually they refer to themselves as Ēzdi or Ēzidi. In some areas they may also refer to themselves as Dāsini, although strictly this is a tribal name.

² Ackermann, A., A Double Minority: Notes on the Emerging Yezidi Diaspora, in W. Kokot, K. Tölölyan and C. Alfonso (eds), *Diaspora, Identity and Religion: New Directions in Theory and Research*, London: Routledge, 2004, pp.156-69

global community of Yezidis range from less than 200,000 to over a million.³ Another source puts the number of Yezidis worldwide at approximately 250,000.⁴ Within this larger population, estimates for the Yezidi population in Iraq vary from 120,000 to 500,000, with significant communities in the Sheykhan region in the foothills north-east of Mosul near to the Yezidi shrine at Lalish, and in the Jebel Sinjar region. There are an estimated 15,000 Yezidis in Syria, while the Yezidi population in Turkey is believed to be negligible, consisting of a few villages south-east of Diyarbakır which represent the remnants of a much larger historical community. There is a growing number of Yezidis in Western Europe as a result of migration. There are an estimated 40,000 Yezidis in Germany, concentrated in the western regions of Niedersachsen and Nordrhein-Westfalen. There are much smaller communities in the Netherlands, Belgium, Denmark, Sweden, France, Switzerland, the United Kingdom, the United States, Canada and Australia. The Yezidi diaspora originates mainly from Turkey, with substantial additions from Iraq during the 1990s.

The Yezidis of the South Caucasus represent the second largest concentration of Yezidis worldwide. According to statistics derived from censuses conducted at the beginning of the 2000s approximately 60,000 Yezidis then lived in the South Caucasus. This population was principally divided between Armenia, with the largest population of some 40,000, and Georgia, with some 18,000 Yezidis. Both Georgia and Armenia feature much smaller populations of Muslim Kurds, so that within the overall Yezidi/Kurd population in each state Yezidis form significant majorities. This is very unusual in the Yezidi experience. By contrast numbers of Yezidis in Azerbaijan appear to be very low to non-existent, although there are no reliable statistics to go by. Azerbaijani statistics do not categorize Yezidis separately from Kurds, so that insofar as there is a Yezidi population in Azerbaijan it forms a tiny minority within a larger (though itself declining) Muslim Kurd minority.

1.3 Community Origins

The precise origins of the Yezidi religion are a subject of scholarly debate beyond the scope of this paper. However, a basic understanding of Yezidism's relationships with surrounding faiths is necessary to understand contemporary discourses of Yezidi identity and relations with surrounding majorities.

Yezidism appears to have originated as a dissident tradition drawing upon pre-Islamic Kurdish and Iranian practices to define itself, in a localized context, against orthodox Muslim practice. Yezidi sacred texts suggest that originally adherents of Yezidism may have seen the Shari'a-based tradition of Islam as a heresy, while seeing their own faith as the "true" interpretation of Islam rather than a separate religion. Over time, however, in a context of Muslim-majority statehood, alienation, distance and hostility from the surrounding Muslim population grew to the point where Yezidis perceived themselves as occupying a position

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³ Kreyenbroek, P.G. and K.J. Rashow, *God and Sheikh Adi Are Perfec:*. Sacred Poems and Religious Narratives from the Yezidi Tradition, Wiesbaden: Harrassowitz Verlag, 2005, p.5

⁴ Trier, T. and G. Tarkhan-Mouravi, *Georgia: An Ethno-Political Handbook*, Tbilisi: European Centre for Minority Issues, fc 2008

⁵ The views expressed here are taken from a range of Western scholarly works on Yezidi culture by Kurdological experts. They do not conform to views disseminated by some Yezidi community leaders in Armenia, who trace a much older narrative of Yezidi culture dating back 5,000 years and originating in India. See Krikorian, O., An Interview with Aziz Tamoyan, in O. Krikorian (ed.), *The Yezidi Community in Armenia*, Tbilisi, 1999

⁶ Kreyenbroek and Rashow, p.34

similar to that of persecuted Christian minorities. While Yezidis today do not see themselves as Muslims, Islam played an important, if not exclusive, role in the formative matrix of their faith, providing it with the "other" against which to define itself. This complex relationship explains both the simultaneous intimacy and hostility between Yezidism and Islam, and the affinities between Yezidis and minority Christian communities sharing the same political space.

The key event in the consolidation of a Yezidi faith appears to have been the arrival of a mystic, Adi ibn Musafir (hereafter referred to as Sheikh Adi) in what is now northern Iraq in the early twelfth century. Descended from the Umayyad caliph and a trained Sufi adept, he gained a large following among the Kurdish population in the area. He died in 1162 and his tomb in the Lalish Valley became a site of veneration. After Sheikh Adi's death the community survived and became known as the Adawiyya Order. This order may have originally seen itself as a conventional Islamic brotherhood; however, it seems that during the course of the thirteenth century unorthodox (possibly pre-Islamic, Kurdish or ancient Iranian) ideas and attitudes enjoyed a recrudescence in ways that conflicted with Islamic norms.⁸ Conflict ensued between the Adawiyya Order and the Atabeg of Mosul, resulting in the execution of Adawi leader Hasan ibn Adi in 1254. Although the Adawis were subsequently able to rebuild their community and sanctuary, they retained a hostile relationship with orthodox Islam. Further conflict ensued in 1414, leading to the disinterment of Sheikh Adi and the razing of his tomb. Although Yezidis retained some influence after that time, the community entered into decline. Muslim hostility to Yezidis was reflected in the widespread association of Yezidis with "devil-worship", encountered by European ethnographers in the nineteenth century, and still often mentioned today.

1.4 The Yezidi Religion

Yezidism is a religion based on the principle of orthopraxy: it is the practices of the believer, in terms of adherence to a set of rules governing all aspects of life, which is important, rather than the role of scripture, doctrine or professions of personal belief. Yezidism has historically been an orally transmitted religion, dependent on an appropriately organized social system involving groups tasked with transmitting sacred knowledge, rather than transmission through the written word. There has been a corresponding tendency for the content of the religion and the social organization of the religious community to be mutually reinforcing. This has provided a crucial mechanism of communal survival in a hostile environment, since historically "being Yezidi always meant belonging to an oppressed minority, having to hide one's religious beliefs and practices". Outside its traditional context, however, this structure has compromised the community's capacity to adapt, since the transmission of the religion is dependent on a complex social structure rather than a standardized scripture.

The Yezidi religion is shaped by a preoccupation with religious purity, expressed socially in the form of a caste system, and the belief in metempsychosis (the migration of souls between

⁷ *Idem*, p.3

⁸ *Idem*, p.4

⁹ Yazidis, in *Encyclopaedia Iranica*, http://www.iranica.com/articles/ot_grp5/ot_yazidis_20040220.html, [accessed April 2008]

¹⁰ Ackermann, p.160

human beings following death). ¹¹ In the Yezidi cosmology, God created the world, which is now controlled by seven Holy Beings (often referred to as "angels"). The most prominent of these is Malak Tawus, the Peacock Angel, who has often been identified by outsiders with Satan, although Yezidis reject this identification and most find it highly offensive. Yezidis believe that the Holy Beings periodically undergo reincarnation in human form, a belief which underpins the caste system as members of elite castes are deemed to be descended from reincarnations of the Holy Beings. ¹² The belief in reincarnation also provides a framework for the syncretistic incorporation of figures from other traditions, who can be said to be earlier manifestations of the Holy Beings. ¹³ The incorporation of disparate types of religious tradition into the Yezidi faith is captured well in the following quote:

shamanism shows in the burial procedures, the importance attached to visions and dreams, the use of dancing as exorcism; Nestorian Christian influences seem implicit in the practice of baptism, the use of wine in a eucharistic sense, and the willingness of Yezidis to attend church occasions like weddings; Islam may underlie the commitments to fasting, pilgrimage and circumcision, and Sufism the attachment to tomb-visiting, to secrecy and to revelation through ecstasy.¹⁴

The Yezidi religion features an extensive system of taboos and proscriptions. Adherence to these taboos is variable; some, such as endogamy, are widely respected. Others, such as the consumption of certain foodstuffs, are often ignored. Traditionally a Yezidi wife must ask her husband's permission before she speaks, a tradition still observed by some Yezidis in the South Caucasus.

1.5 The Yezidi Social System

The Yezidi religion is closely linked to the caste system obtaining among Yezidis. All Yezidis belong to one of three hereditary and endogamous castes (Sheikhs, Pirs and Murids). Sheikhs and Pirs are expected to provide spiritual guidance and participation during key rituals and rites of passage in the lives of their Murids (a term shared with Sufism meaning "disciple", with the added meaning in the Yezidi context of "layman").

Another key group in Yezidi religion is that of the Qewwals, the guardians and interpreters of the sacred textual tradition of *qawls*, hymns in Kurmanji Kurdish. Increasingly few of those born into Qewwal families have taken up the profession of being a Qewwal. The writing down and publication of *qawls* is a recent development dating from the 1970s, and one which has attracted controversy within the community. However, with the growth of the diaspora community Yezidi sacred texts have increasingly become the subject of documentation and research, with the result that Yezidism is being transformed into a scriptural religion. ¹⁶

¹³ Ibid.

¹¹ Yazidis, in *Encyclopaedia Iranica*

¹² Ibid.

¹⁴ Cunningham, A., Foreword, in J. S. Guest, *The Yezidis: A Study in Survival*, London: KPI, 1987, pp.xvii-xviii

¹⁵ See Kreyenbroek and Rashow, pp.6-14, for an overview of the Yezidi caste system and its relationship to Yezidi religious beliefs

¹⁶ *Ibid*, p.xiv

Migration outside of traditional homelands has therefore provided for a hitherto impossible documentation of the Yezidi religion. This process weakens traditional monopolies on sacred knowledge held by particular groups within the Yezidi social system, and thus could be said to erode the basis for traditional Yezidi institutions. Yet at the same time it provides a basis for the survival of sacred knowledge independently of individual choices to transmit it by traditional means, for instance, through pursuit of a materially unrewarding career as a Qewwal. Migration therefore appears to present both threats and opportunities in terms of Yezidi cultural survival.

1.6 Language

Most Yezidis speak Kurmanji, a Kurdish dialect, as their mother tongue. Depending on the extent of assimilation, Yezidis in the South Caucasus may speak the titular language of the republic in which they live as their first language, while possessing variable degrees of fluency in Kurmanji.

The language repertoires of Yezidis and Muslim Kurds in the three South Caucasus republics offer some indication of assimilation pressures in each republic, although different methodologies and ways of presenting data make it difficult to extract exact comparisons and parallels from the official census data published by Armenia, Azerbaijan and Georgia. In Armenia, Yezidis record the highest adherence to the native language; according to the 2001 census, 77.8 per cent of Yezidis spoke Kurdish as their mother tongue, while 13 per cent spoke Armenian as their mother tongue. 17 In Azerbaijan, according to the 1999 census 48.9 per cent of Kurds (Yezidis are not distinguished) recorded Kurdish as their mother tongue; a further 8.1 per cent had knowledge of Kurdish as a second language, establishing a total of 57 per cent of Kurds recording fluency in the Kurdish language. In total 87.6 per cent of Azerbaijan's Kurds recorded knowledge of the Azeri language. As for Georgia, the 2002 census unfortunately does not offer sufficiently disaggregated data to ascertain the extent of native language knowledge among Yezidis. Some broad indication may be gleaned from the 1989 Soviet census, however, according to which some 75 per cent of Georgia's Kurds (including Yezidis) recorded Kurdish as their native language, while 11.5 per cent and 12.3 per cent recorded Georgian and Russian respectively as their native languages.¹⁹

Very broadly speaking then, three-quarters of the Yezidi and Muslim Kurd communities have retained mother tongue fluency in Armenia, with the Georgian communities showing similar but slightly reduced indicators. In Azerbaijan assimilation processes have progressed further to the point where less than half of the Kurdish community has retained Kurdish as a mother tongue. These conclusions are, however, presented with the caveat that claims of mother tongue knowledge among respondents to post-Soviet censuses have been widely coloured by the Soviet assumption that national identity and native language should coincide. In many cases the claim of mother tongue knowledge may indicate a symbolic attachment to the mother tongue rather than actual fluency.

¹⁷ Armenia, *Republic of Armenia Census 2001*, Table 5.2: De Jure Population (Urban, Rural) by Ethnicity and Languages, http://docs.armstat.am/census/engcontent.php [accessed April 2008]

¹⁸ Azerbaijan, State Statistical Committee of the Azerbaijani Republic, *Azərbaycanın Demoqrafik Göstəriciləri* (statiskik məcmuə) [Demographic Indicators of Azerbaijan (statistical publication)], Baku: Səda, 2005, p.45.

¹⁹ Georgia, Committee for Socio-economic Information of the Georgian Supreme Soviet, *Sakartvelos mosakhleobis erovnuli shemadgenloba. statistikuri krebuli* [The Ethnic Composition of Georgia: A Statistical Handbook], Tbilisi, 1991, pp.62-3

In Armenia, language has in recent years become implicated in the ongoing debates in the country as to whether Yezidis should be considered Kurds or not. Advocates of a separate Yezidi identity deny that Yezidis speak Kurdish or any variety of it; instead they claim that Yezidis speak a separate language called Yezideren or Ezdiki. Although the precise differences between Ezdiki/Yezideren and Kurmanji are beyond the scope of this paper, a key feature appears to be that government-produced textbooks in Ezdiki/Yezideren use the Cyrillic script as opposed to the Latin or Arabic scripts customarily used for Kurmanji.

2 Settlement History in the South Caucasus

Large-scale Yezidi migration into the South Caucasus took place in a series of waves dating from the late eighteenth century. These waves of migration originated in growing antipathy between Muslims and Yezidis in the Ottoman Empire, military conflict and shifting borders between the Ottoman, Persian and Russian empires and the treatment of Yezidis within the broader context of the events widely referred to as the Armenian Genocide in 1915 and the years immediately following that time. There was also historical Muslim Kurd migration into the South Caucasus, motivated more by economic factors. These migration flows contributed to the formation of mixed Yezidi/Muslim Kurd minorities in Georgia and Armenia, and a Muslim Kurd minority in Azerbaijan.

2.1 Pre-Nineteenth Century Kurdish Settlement

The first movement of Kurds into the South Caucasus is recorded in pre-modern times, when the arrival of Kurdish seasonal workers is noted in Tbilisi. There are also thought to have been Kurdish dynasties in (fluctuating) control of parts of what is today Azerbaijan and Armenia, although it should not be assumed that in this pre-national era these "Kurds" thought of themselves as such. In medieval times more permanent compact settlement is recorded in parts of what is today Armenia. These were Muslim Kurds who over the course of time converted to the Armenian Gregorian Church. With the growing power of regional Muslim empires, Yezidis increasingly became the subject of persecution and in the early modern period sought support from non-Muslim allies. In the late eighteenth century Yezidi leaders appealed to the Georgian King Erekle II for assistance under conditions of increasing religious oppression in the Ottoman Empire. Although the agreement ultimately failed, some 4,000 Yezidi families migrated into Georgia in the early 1770s. Yezidis in the Persian Empire do not appear to have fared much better; some 600 families are thought to have crossed the Russian-Persian border in 1807 and settled in the Karabakh khanate.

2.2 Triggers of Nineteenth Century Yezidi Migration

To understand the drivers of the nineteenth century waves of migration by Yezidis into the South Caucasus, brief mention of the Yezidis' situation in the Ottoman Empire is required. The Ottoman Empire was composed of many distinct religious and ethnic groups. The rights awarded different groups broadly followed principles laid down in Islam for the division and allocation of rights to Muslim and non-Muslim populations in a given context.²³ Beyond the

Pirbari, D., Kurdy na Yuzhnom Kavkaze [Kurds in the South Caucasus], n.d., http://www.nplg.gov.ge/ic/orient/Histoty/24.htm [accessed April 2008]

²⁰ Trier and Tarkhan-Mouravi

²² *Idem*, p.3

²³ See Akçam, T., A Shameful Act: The Armenian Genocide and the Question of Turkish Responsibility, London: Constable, 1999, pp.3-22

fundamental distinction between Muslim and non-Muslim, those religions based on divine revelation through scripture (religions classified as *Ahl al-Kitab*, "people of the book") were also afforded certain rights. Groups without scripture were deemed to belong to the "Domain of War", *Dahr ul-Harb*; Yezidism, as a faith not based on a tradition of revealed scripture and one seen by the Ottoman government as a deviant form of Sunni Islam, fell into this category (along with Shi'as, Alawis and Alevis). It appears therefore that Yezidis benefited neither from membership of the Muslim *millet* (community), nor from the minimal rights accorded to non-Muslims living under Muslim sovereignty (*dhimmî*). Their situation in the Ottoman Empire has been summed up in the following way: "Yezidi land, lives and property were available to any pious folk able to prevail over them, and in effect they were outlaws, which was by no means the fate of most Kurds, however great their reputation for disloyalty at the Ottoman Porte". In 1849 Yezidis appear to have been recognized in an Ottoman edict according them minimal rights as a "sect", yet there appear to have been repeated attempts in the 1890s and at the end of the First World War to forcibly convert Yezidis to Islam.

Conditions in the Ottoman Empire appear to have prompted early migrations of Yezidis into the Russian Empire after Russia's acquisition of territories in the South Caucasus. Russia first established a foothold in the South Caucasus with the annexation of the Georgian kingdom of Kartli-Kaxeti in 1801. Over the following decades Russia incorporated extensive territories south of the Caucasus mountain range. These territories were divided into a system of provinces, known as *guberniya*.

The corollary of the establishment of Russian territories in the South Caucasus was the creation of a Russian-Ottoman border. This border was subject to repeated revision during the nineteenth and twentieth centuries as a result of Russo-Ottoman military conflict. There is evidence that some Yezidis followed Russian forces withdrawing from Anatolia 1828-1829 and were settled in territories acquired by Russia as a result of the 1828 Treaty of Turkmenchay (the Erivan and Nakhichevan khanates).²⁵ More Yezidis migrated into the Russian Empire as a result of the Crimean War (1853-1856) and the Russo-Ottoman war of 1877-1878; the Russian acquisition of the Ottoman provinces of Kars, Artvin and Ardahan further increased numbers of Yezidis under Russian sovereignty. Yezidis (and other Kurds) living in these regions are thought to have taken advantage of new opportunities to migrate northwards into the South Caucasus in search of better political as well as economic conditions. The 1897 Russian census recorded 14,726 Yezidis in the empire, although it must be borne in mind that language was the main criterion for the 1897 census-takers. It is therefore unclear to what extent the figure recorded is an indication of a Yezidi religious identity or a Kurdish linguistic one. Statistics produced by local administrations suggest that by 1912 the number of Yezidis in the South Caucasus had grown to some 24,500.²⁶

General patterns of migration suggest that while in Armenia Yezidis tended to settle in rural villages, in Georgia they settled in the urban economy of Tbilisi and large towns in the eastern half of the country. There was also an influx of Muslim Kurds into southern Georgia, to the regions of Ach'ara and Mesxeti. Predominantly Muslim Kurds also settled in the

²⁴ Cunningham, p.xv

²⁵ Guest, J.S., *The Yezidis: A Study in Survival*, London: KPI, 1987, p.187

²⁶ *Idem*, p.190

southern parts of what was then Yelizavetpol *guberniya*, now forming Azerbaijan and Armenia (Cəbrayil, Zangezur districts), as well as Naxçivan (Nakhichevan).²⁷

2.3 Yezidi-Muslim Kurd Relations in the Ottoman Empire

Some mention is required of the ambivalent relationship between Yezidis and Muslim Kurds in the Ottoman Empire, as a backdrop to Yezidi-Muslim Kurd and Yezidi-Armenian relationships today. Alongside Arabs, Muslim Kurds formed a non-Turkish but nonetheless Sunni Muslim group within the Ottoman Empire, which was deemed by the Ottoman government to be available for assimilation into the Turkish core. Muslim Kurds were subject to a policy of dispersal and relocation in order to facilitate the process of assimilation.²⁸ However, the late Ottoman period was characterized by increasing hostility and violence between Muslim Kurdish tribes and Armenian villagers.²⁹ This violence resulted mainly in losses to Armenian communities and was largely sanctioned by the Ottoman government. In 1890 the Ottoman government organized irregular Kurdish cavalry forces into the so-called Hamidiye Regiments, formed of Kurds from regions bordering the Russian Caucasus. Hamidiye units were used, for instance, to suppress Armenian peasant revolts against additional taxes demanded of them by Kurdish tribesmen. 30 Muslim Kurds later provided one of the main sources of manpower for the "Special Organization" created at some point between 1911 and 1913 and later used to implement deportations and mass killings of Armenians.³¹ Some sources have further claimed that in the aftermath of 1915, Muslim Kurds alongside Ottoman army units also perpetrated atrocities on Yezidis who did not want to convert to Islam.³² In Armenia today some Yezidi community leaders refer to 300,000 Yezidis killed by Turks and Muslim Kurds in the Ottoman Empire, though pending further research this figure must be taken as conjecture.

Narratives of these historical events are significant in configuring contemporary Yezidi-Muslim Kurd, Armenian-Kurdish and Armenian-Yezidi relationships. To a considerable extent Armenians and Yezidis share a common narrative of repression at the hands of Turks and Muslim Kurds. These perceptions are especially significant for Yezidis in Armenia, the largest Yezidi population in the South Caucasus today.

2.4 Triggers of Twentieth Century Yezidi Migration

After the October Revolution and the peace treaty of Brest-Litovsk the Ottoman Empire was able to re-establish its 1877 border with Russia. There ensued a significant influx into the South Caucasus of Yezidis who did not want a return to Ottoman rule; some Yezidis also fought in Armenian forces against the Ottoman army in 1918. Yezidi settlements appear to have been concentrated in territory today forming part of Armenia, particularly the foothills of Mount Aragats; in Georgian regions they congregated in larger cities and towns to lead a precarious existence in the margins of the urban proletariat.

²⁸ Akçam, p.xvii

²⁷ Pirbari, p.3

²⁹ *Idem*, pp.23-30

³⁰ *Idem*, pp.28-9

³¹ *Idem*, p.140

³² Anqosi, K., The Yezidi Kurds' Tribes & Clans of South Caucasus, *The International Journal of Kurdish Studies*, Vol.19, 2005, p.59

³³ Guest, p.191

During the chaotic period between 1918 and 1921 three independent republics emerged from the Russian Empire in the South Caucasus: Georgia, Armenia and Azerbaijan. Although this period was crucial in the establishment of the national consciousness and political mindset of the titular nationality in each republic, these states did not prove sustainable in a hostile political environment. In 1921 Bolshevik armies asserted Soviet power over the region and the three nascent republics were incorporated into the new Soviet state.

2.5 Yezidis in the Soviet Union

The history of the Yezidis in the Soviet Union is still a relatively unknown sub-narrative of the still murky history of the overall Kurdish minority under Soviet rule. To a considerable extent, Yezidis simply "disappear" from many official sources since the Soviet state took language, rather than religion, as the key marker of national identity. Although early Soviet demographic documents did record Yezidis as a separate group, this was no longer the case from the 1930s, when Yezidis were streamlined into a singular Kurdish nationality (and some may have been recorded as members of the titular nationality of the republic in which they lived). This was part of a Union-wide initiative to streamline the state's ethnic diversity into more manageable, centralized nationalities. A Yezidi identity did not re-emerge in official sources or documentation until the collapse of Soviet rule and the re-emergence of independent statehood in the South Caucasus. This has itself been a contested process as Yezidis disagree among themselves on their relationship to a wider Kurdish identity.

Significantly, Muslim Kurds were also subjected to repression including deportation to Central Asia in the 1930s and 1940s. This changed the profile of Yezidi/Kurd minorities in Armenia and especially Georgia, depleting them of their Muslim Kurd component and leaving Yezidis in the majority.

There remains confusion over the recorded demography of Kurds overall in the Soviet Union, and therefore the extent to which one can equate the particularities of Yezidi experience with those of the wider Soviet Kurdish community. The 1926 census recorded 14,523 Yezidis in the Soviet Union; of these, 12,237 were in Armenia, where they constituted a majority (80 per cent) of the overall Kurdish population, while 2,262 were recorded in Georgia, where they constituted 22 per cent of the overall Kurdish population. Only 24 Yezidis were recorded outside Armenia and Georgia.³⁴ The history of the Kurdish minority in Azerbaijan is quite specific, and will be dealt with below.

In addition to the ambiguities above it is also true that the experience of Yezidis and Kurds in the three Soviet republics of the South Caucasus was quite different. To capture this difference, which forms the local backdrop for Yezidi-related issues in each independent state today, brief examinations of the Yezidi/Kurdish experience in each republic are offered.

2.5.1 Yezidis in Soviet Armenia

Armenia was historically the most popular destination for Yezidis migrating from the eastern parts of the Ottoman Empire. Many settled in the ruins of abandoned villages, some of them formerly populated by Muslim Kurds or Azeris who left in 1917-1918. Although Muslim Kurds did also migrate to Armenia, some of these are thought to have moved on to Russia during the Soviet period (while others were deported). 35

³⁴ *Idem*. p.193.

³⁵ Pirbari, p.3

In addition to having the largest Yezidi population, Armenia was also the centre of Kurdish cultural production in the Soviet Union. Kurdish printing in the Soviet South Caucasus began in 1921, when a primer using the Armenian alphabet was issued from Echmiadzin; in 1929 a new Kurdish script using the Latin alphabet was introduced.³⁶ From 1929 many Kurdish books were printed in Armenia. Kurdish schools, teaching a full curriculum in the Kurdish language (with the exception of the teaching of Armenian) were opened.

Repression began in the late 1930s. In 1938 the only Kurdish newspaper of the Soviet Union was closed; *Ria taza* (New Path) had been published in Yerevan regularly since 1931 and only reappeared 17 years later in 1955.³⁷ The Latin script for Kurdish was dropped, and instead Cyrillic script was used until the mid-1950s. In 1937 some 800 Muslim Kurds were deported from Armenia to Kazakhstan and Kyrgyzstan.³⁸ From the mid-1950s repression ended and there was a Kurdish cultural revival focussed on Yerevan. "Kurdish schools" were re-introduced, albeit in just two of the republic's districts (Abaran and Talin) and in truncated form: these schools taught a complete curriculum in Armenian but did offer Kurdish as a subject.³⁹ A Kurdish theatre was also established in 1948.⁴⁰ Significantly, academic specialists on Kurds were insiders and were able to publish regularly on the Kurds of Armenia.⁴¹

The 1989 census recorded an aggregated figure of 56,127 Yezidis and Muslim Kurds; of these 44,739 claimed Kurdish as their native language, while 10,415 claimed Armenian as their native language. These figures do need to be seen, however, in the context of the Armenian-Azerbaijani conflict, which had already begun to lead to expulsions of Azeris and Muslim Kurds in the autumn of 1988. The Nagorny Karabakh conflict and the mutual expulsions of Armenian and Azerbaijani minorities ultimately led to an estimated 18,000 Muslim Kurds being displaced from Armenia, along with 186,000 Azeris. 42 Many of these Kurds subsequently moved to Russia, probably permanently.

In sum both Yezidis and Muslim Kurds found a relative haven in Soviet Armenia, which proved to be a focal point for the Soviet Kurdish community. For Muslim Kurds, however, this haven came to an abrupt end with the onset of the Armenian-Azerbaijani conflict and displacement to Azerbaijan.

³⁸ *Idem*, p.62

³⁶ Müller, D., The Kurds of Soviet Azerbaijan, 1920-91, Central Asian Survey, Vol. 19, No 1, 2000, p.57

³⁷ *Idem*, p.59

³⁹ *Idem*, p.64

⁴⁰ Abramian, J., Background: The Yezidi Movement in Armenia, in O. Krikorian (ed.), *The Yezidi Community in Armenia*, p.5

⁴¹ Müller, p. 65

⁴² The sources differ as to whether Yezidis were allowed to self-identify as Yezidi rather than Kurd in the 1989 census. Although some sources indicate that this was the case, disaggregated figures for numbers of Yezidis and Muslim Kurds in Armenia in 1989 do not appear to be readily available. Rather, it is only the aggregated figure of 56,127 that is widely available. If the estimate of 18,000 Muslim Kurds displaced from Armenia as a result of the Nagorny Karabakh conflict is correct, this would suggest that the Yezidi population of Armenia in 1989 was around 38,000. See Yunusov, A., Migratsionnye potoki- oborotnaya storona nezavisimosti [Migration flows – the flipside of independence], in R.M. Avakov and A.G. Lisov (eds), *Rossiya i Zakavkaz'e: realii nezavisimosti i novoye partnyorstvo* [Russia and the South Caucasus: the realities of independence and new partnership], Moscow: Finstatinform, 2000

2.5.2 Yezidis in Soviet Azerbaijan

Soviet Azerbaijan was distinguished by the presence of a Muslim Kurdish minority with a very small recorded Yezidi population. However, the experience of Kurds in Azerbaijan is worthy of note for at least two reasons, the establishment of a territorial unit, known as Red Kurdistan, associated (however loosely and problematically) with the Kurdish population and the later establishment of some cultural institutions for Kurds.

The majority of Kurds living in Azerbaijan have historically been Shi'a Muslims, which made them open to assimilation by Azeris; this process was already far advanced by 1917. Low levels of adherence to the Kurdish language, detribalization and the practice of short-distance transhumance rather than nomadism already in the late nineteenth century provide evidence of assimilation. By the onset of Soviet rule, based on descent rather than language, the Kurdish population in Azerbaijan probably stood at about 30,000 and was overwhelmingly rural, concentrated in the south-west regions of the country, Laçin and Kəlbəcər, and in the autonomous republic of Naxçivan, an exclave divided from Azerbaijan by Armenia. In 1923 an administrative district known as *Kurdistansky uezd* (Kurdistan district) was established, which became popularly known as Red Kurdistan. Although this entity has been regarded as evidence of Soviet support for, and later repression of, the Kurdish minority, it was not in fact a national autonomy (having neither a titular Kurdish nationality nor autonomous status), but only an ordinary administrative unit like any other. Poverty-stricken throughout its short life, Red Kurdistan was abolished in 1929.

The 1926 census recorded 41,193 Kurds in Azerbaijan and only 23 Yezidis; after the streamlining of the Kurdish nationality in the 1930s it is impossible to gauge precisely the numbers of Yezidis in Azerbaijan, but they can be assumed to have comprised a very small minority within the Kurdish minority. During the 1930s there were limited attempts to provide cultural institutions to Azerbaijan's Kurds. However, these efforts always lagged behind those in Armenia, which remained the centre of cultural production for Soviet Muslim Kurds and Yezidis. One study has concluded that "it is unlikely that a Kurdish newspaper ever appeared in Soviet Azerbaijan". However, some Kurdish language teaching was introduced in Laçin and Şuşa after 1931. Repression of Kurds began around 1937, and the facts remain uncertain. In that year there was a deportation of between 500 and 1,000 Kurds from Azerbaijan to Kazakhstan and Kyrgyzstan. All Kurdish cultural institutions were closed or switched, in the case of schools, to the Azeri language. Even after repression lifted following Stalin's death in 1953, the Soviet Kurdish cultural revival was focussed on Yerevan. In post-Stalin Azerbaijan, there appears to have been a hostile environment with regard to expressions of Kurdish identity:

The Azerbaijani leadership...obstructed any rehabilitation: no Kurdish schools in any sense were ever reopened, no books printed. Even the very existence of Kurds in Azerbaijan was often deemed unmentionable. Azerbaijani scholars generally did not publish on the Kurds of their republic, and only scholars from Russia (but not Armenia) obtained permission to conduct their own research. 46

⁴³ Müller, pp.44-6

⁴⁴ *Idem*, p.58

⁴⁵ *Idem*, p.62

⁴⁶ *Idem*, p.65

The 1989 census recorded 12,226 Kurds in Azerbaijan, representing the ascendancy of a linguistic over descent-based concept of identity; nonetheless, only a part of this population may be assumed to have possessed active knowledge of Kurdish. The assimilation of the overall Kurdish minority appears, therefore, to have been the most pronounced in Azerbaijan, perhaps not surprising given the shared Shi'a Muslim context.⁴⁷

2.5.3 Yezidis in Soviet Georgia

Like Armenia, Georgia was traditionally a destination for Yezidis seeking escape from religious persecution in the Ottoman and Persian Empires. Unlike Armenia's Yezidi population, however, Yezidis in Georgia were more concentrated in cities and towns, with a smaller Muslim Kurd population living in outlying regions. In the 1939 census there were 12,915 Kurds recorded in Georgia, split between some 4,000 mainly Muslim Kurds living in the southern region of Mesxeti-Javaxeti; 3,000 in the autonomous republic of Ach'ara, mainly in its capital Batumi; and some 6,000 in the republic's other urban centres, most of whom can be assumed to have been Yezidis.

In 1944 an estimated 9,000 Kurds were deported from Georgia as part of a larger operation deporting some 100,000 Muslims from the republic mostly to Kazakhstan, but also to Kyrgyzstan, Uzbekistan and Russia. This operation radically altered the profile of the overall Kurdish minority in Georgia, depleting it of its Muslim component. There was also some population movement in the 1940s of Yezidis from Armenia to Georgia, contributing to the consolidation of a Yezidi majority within the overall Kurdish minority in Georgia. 48

After repressions eased there was tuition in the Kurdish language as a subject available in nine schools in Georgia. The Kurdish cultural renaissance in Georgia appears to have taken off in the 1970s with an increase in folkloric groups and Kurdish-language publishing, the establishment of a theatre in 1972 and weekly Kurdish-language television broadcasts from 1978. The 1989 census recorded a total of 33,331 Kurds in Georgia, the vast majority of whom can be assumed to have been Yezidis.⁴⁹

3 Numbers and Current Geographical Distribution of Yezidis

Information given here on the current geographical distribution of the Yezidis of the South Caucasus is drawn from official demographic data of the three republics, supplemented by more recent estimates. The last national censuses to be conducted in the region took place as follows: Armenia (2001), Azerbaijan (1999) and Georgia (2002). In each case the official data presented may only be taken as indicative of broad trends, due to problems with the methodology, implementation and politicization of demographic data. Community leaders and other observers frequently question official data and offer their own estimates. As a generalization, one can say that all of the South Caucasus republics have undergone significant out-migration, and their governments have faced pressure to under-estimate the extent of this depopulation trend.

⁴⁷ Pirbari, p.3

⁴⁸ Idem

⁴⁹ Idem

⁵⁰ See, e.g. Council of Europe, European Commission against Racism and Intolerance, *Second Report on Georgia*, Strasbourg, 2007, p.22

3.1 Armenia

According to the 2001 census, there were a total of 40,620 Yezidis and 1,519 Muslim Kurds living in Armenia, making for an overall Yezidi/Kurd population of 42,139. Of the Yezidi population, 4,733 were resident in Yerevan (11.8 per cent). Yezidis are concentrated in the regions to the west and north-west of Yerevan, between the Armenian capital and the (closed) Turkish border. These include the regions of Armavir (Hoktemberian) and Aragatsotn, where there are a number of Yezidi villages (including Alagyaz, Riya Taza); they are also present in Ashdarak and Echmiadzin.

3.2 Azerbaijan

The 1999 census recorded 13,100 Kurds in Azerbaijan; it is not possible on the basis of available information to establish how many of these may be Yezidis.

About half of the Kurdish population of Azerbaijan was displaced as a result of the Armenian-Azerbaijani conflict. These Kurds are now dispersed across the country. Many are in improvised accommodation in larger towns and cities, while those that were temporarily accommodated in emergency relief housing are in the process of being resettled to newly constructed settlements for internally displaced persons (IDPs). These are scattered across the country; some are in geographically and economically isolated locations in central and western Azerbaijan. There is a Kurdish population which has not suffered displacement in the Azerbaijani exclave of Naxçivan, itself an extremely isolated location connected to the rest of Azerbaijan only by air.

3.3 Georgia

There were 18,329 Yezidis recorded in the 2002 census in Georgia. Combined with 2,514 Muslim Kurds, this made for an overall Kurdish community of 20,843. According to the census 17,116 of Georgia's 18,329 Yezidis (that is, 93.4 per cent) lived in Tbilisi, accounting for 1.6 per cent of the capital's population. Outside of Tbilisi, only the eastern industrial cities of Telavi (357 in Telavi district) and Rustavi (293 in Rustavi city) supported a Yezidi population of more than 100. Georgia's other major cities recorded very low numbers of Yezidis: Batumi (69), Kutaisi (52), Poti (2). In Tbilisi Yezidis tend to be concentrated in poorer districts of the city.

The 2002 figure represented a loss of 37% over the 1989 figure. However, community leaders in Georgia reportedly feel that the census figures are inflated, and some estimate that there may be as few as 6,000 Yezidis in Georgia.⁵¹

4 Yezidis and Minority Rights in the South Caucasus

This chapter offers a brief review of the situation with regard to human rights legislation and implementation in Armenia, Azerbaijan and Georgia, before examining in greater detail the particular context of Yezidis in each country (or in the case of Azerbaijan, the Kurdish minority more generally). Secessionist conflicts accompanying the independence of the region have made minority rights one of the most sensitive issues on the political landscape. In Georgia and Azerbaijan minority rights have been largely discredited by association with separatism and "disloyal minorities". None of the South Caucasian republics has adopted a

⁵¹ Fédération Internationale des Ligues des Droits de l'Homme, *Ethnic Minorities in Georgia: Report on Fact-Finding Mission*, Paris, April 2005, http://www.fidh.org/IMG/pdf/ge412ang.pdf [accessed April 2008]

specific law on national minorities, as envisaged by their membership of the Council of Europe, and national minorities are therefore protected mainly under general non-discrimination provisions scattered through a range of legislative acts. The non-resolution of secessionist conflict and the emphasis on ethnic majority nation-building have impeded the elaboration of comprehensive minority rights frameworks, although in all three republics it is usually the absence of resources that is used to explain inertia in this field.

4.1 National Minority Rights in Armenia

The issue of national minorities in Armenia in recent history has very much taken second place after the issue of Armenian national minorities in neighbouring states, first and foremost Azerbaijan. Armenia was always the most ethnically homogeneous of the Soviet republics and by the end of the Soviet period the only sizeable minority in Armenia was the Azerbaijani population. This population, along with Armenia's Muslim Kurds, was expelled during the process of mutual expulsions between Armenia and Azerbaijan of each other's ethnic populations following the onset of conflict in Nagorny Karabakh, an autonomous region of Soviet Azerbaijan populated by a local Armenian majority. The arrival of over 300,000 ethnic Armenian refugees from Azerbaijan contributed to the consolidation of a near-total ethnic Armenian majority in post-conflict Armenia. The 2002 census recorded 97.7 per cent of the total population of the republic as being ethnic Armenian. Armenia's minorities are, furthermore, dispersed and none constitute local majorities in any given administrative unit. This situation accounts for the low prominence of minority rights as an issue in Armenia.

Although avoiding the image of a state with significant human rights problems, Armenia's human rights record since independence is patchy. Although parts of the Armenian economy have flourished despite closed borders with Turkey and Azerbaijan, pervasive corruption, collusion between business and political elites, flawed elections and the uncertainty associated with the non-resolution of the Nagorny Karabakh conflict have compromised progress in forming democratic institutions. The fragility of this progress has been demonstrated on several occasions, such as the 27 October 1999 shootings in the National Assembly and the March 2008 unrest, in which eight people died, following a disputed result in February's presidential election.

Following the chaotic years of the early 1990s serious attention began to be paid to the issue of national minorities in late 1990s. Although a number of rights are enshrined in the Constitution and other domestic laws, progress in establishing concrete laws addressing minority rights has been slow.

4.1.1 Human and Minority Rights Instruments

Armenia is a State party to major international human rights instruments, including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the European Convention on Human Rights (ECHR), the Framework Convention for the Protection of National Minorities (FCNM), the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the European Charter for Regional or Minority Languages and the (Revised) European Social Charter.

Article 14 of the Armenian Constitution prohibits any discrimination on grounds of "race, colour, ethnic origin..., language, religion or belief, or...membership of a national minority". Article 26 provides for the freedom of conscience or belief and Article 41 confers the right to

"preserve...national and ethnic identity. Persons belonging to national minorities shall have the right to preservation and development of their traditions, religion, language and culture".

A draft law on minority rights has reportedly been ready for adoption by the National Assembly since August 2005. ECRI has expressed concern that the draft law replicates certain rights for minorities already entrenched on a par with the rest of the population in the Constitution. In ECRI's opinion this "might be interpreted either as purporting to provide national minorities with special rights whilst these same rights are unquestionably enjoyed by the rest of society or as calling into question the validity of the rights enjoyed by minorities under general legislation". The definition of minority used in the draft law, and in particular the reference to "persons of non-Armenian ethnicity" was also seen as problematic by some minority representatives, among whom, overall, there appear to be differences of opinion as to the value of such a law.

4.1.2 Implementation of Minority Rights

The principal institutions addressing issues of minority rights in Armenia include the Human Rights Defender's Office (Ombudsman), the Steering Committee on National Minority Issues associated with the Presidency, the Council of National Minority Issues associated with the National Assembly, the Coordination Council of Ethnic Minorities and the Department of National Minorities and Religious Affairs. In its 2006 Report, the Human Rights Defender's Office reported receiving few complaints from members of national minorities and those that were received concerned general human rights violations unrelated to issues of ethnicity or discrimination. ⁵³

The Department for National Minorities and Religious Affairs was established in 2004 and has engaged in awareness-raising and research activities concerning minorities, as well as drafting the law on national minorities. One focus of its work has been the educational situation for Yezidi, Kurdish and Molokan minorities in rural areas of Armenia.

ECRI's Second Report on Armenia notes that minority representatives feel excluded from political representation, lacking any seats in the National Assembly or significant posts in government. Although the Armenian authorities reportedly set aside a budget of 9 million Armenian drams (approximately US\$ 28,000), for the promotion of minority cultures, minority organizations have voiced concerns that they are under-funded; this situation is particularly severe for those minorities without an external kin-state to provide an alternative source of resources. St

4.1.3 Yezidis in Armenia: General Comments

Yezidis are in an unusual situation in Armenia in that they form the country's largest national minority, as opposed to Georgia where minority issues are defined mainly by larger minority groups and Azerbaijan, where they form a minority within a minority. Armenia's Yezidi population is also characterized by its largely rural nature, being composed mainly of nomadic stock-breeders and pastoralists. As a largely rural, non-proselytizing minority with a

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⁵² Council of Europe, European Commission against Racism and Intolerance, *Second Report on Armenia*, Strasbourg, 2007, p.8

⁵³ Armenia, Human Rights Defender of the Republic of Armenia, *Annual Report 2006*, Yerevan, 2007, p.143

⁵⁴ Council of Europe. European Commission against Racism and Intolerance. Second Report on Armenia, p.20

⁵⁵ Mkrtchian, G., Armenia: Yezidis Endure Years of Living Dangerously, *IWPR Caucasus Reporting Service*, No 416, 26 October 2007

historical presence in the country, Yezidis have not attracted the same kind of aggression as incoming groups such as the Jehovah's Witnesses (although in some contexts, such as the Army, treatment of these groups is similar). The Yezidi minority in Armenia is characterized by a much higher degree of politicization of its identity than elsewhere in the region, resulting in often acrimonious debates among community leaders in Yerevan that do little to address the very real socio-economic problems experienced by the wider Yezidi population.

Although Armenia is widely seen as one of the very few states in the world tolerant of its Yezidi/Kurdish population, this obscures a more complex picture. While Yezidis have maintained a relatively stable community life in post-Soviet Armenia, there are extensively reported problems of social exclusion, problems with land privatization and ownership, adjudication of land, water and grazing disputes, a lack of political representation and protection under the law, and the damaging sharpening of a boundary between Yezidi and Kurdish identities.

There have been attempts to forge a separate Yezidi ethnic identity from a Kurdish one in Armenia since the late 1980s. This tendency was reportedly encouraged by the Armenian authorities and in May 2001 the National Assembly passed a resolution recognizing Yezidi as a separate language. Yezidis were able to self-identify as Yezidis rather than Kurds in the 2001 census in Armenia. Following outcry from one faction of the Yezidi community when it proposed to ratify Kurmanji Kurdish as the language spoken by Yezidis in Armenia, the government ratified both "Yezidi" and "Kurdish" under the European Charter for Regional and Minority Languages. This is significant due to attitudes predominating in the region, largely inherited from Russian imperial and Soviet rule, that language is the primary marker of national identity. In this context, securing separate status for a speech form previously regarded as a dialect or even patois confers considerable legitimacy on claims to a separate identity.

There are numerous Yezidi cultural associations in Armenia, as well as some Kurdish associations that identify with the wider Kurdish global community. Kurdish language newspapers are published, as well as the *Yezdikhana* newspaper, published in the Armenian language for a Yezidi readership. Yezidi programmes are broadcast on Armenian Public Radio.

4.1.4 Privatization and Access to Land and Water

Rural Yezidis have lost out in the process of land privatization, leaving many without rights to property or necessary access to pasture lands. Although views differ as to the extent to which this may be attributed to discrimination, the mere fact that it is a national minority that has been disadvantaged in this way has given rise to claims of discrimination and exclusion. Given the organic link between the community's practice of transhumance and its access to lands, its very survival has been implicated in disputes over land rights.

The Armenian authorities have claimed that application forms for privatized land lots were not received from Yezidis. In 2000 a new law was introduced providing for the privatization of land by auction. While some observers saw this mechanism as disadvantageous to the comparatively poor community of Yezidis, government officials have suggested that Yezidis lost land auctions because community representatives did not attend auction sales despite advance warning. ⁵⁶ In either case, the outcome of lost auctions has created tensions between

⁵⁶ Hakobyan, T., The Azerbaijanis Residing in Armenia Don't Want to Form an Ethnic Community, *hetqonline*, 26 February 2007, http://archive.hetq.am/eng/society/0702-yezidi.html [accessed April 2008]

Yezidis engaged in traditional transhumance and Armenian farmers and businessmen buying up lands.

Claims were also submitted to ECRI that in place of good land, Yezidis received wasteland or unworkable land in the mountains.⁵⁷ The mixed Yezidi-Armenian village of Zovuni became an emblematic case. In the early 2000s the villagers of Zovuni began to voice complaints that unlike their Armenian neighbours they had not received their land certificates despite the process of privatization having begun already in 1991. Government officials claimed Yezidis had not submitted their applications on time or in the correct way; Yezidi community leaders claimed they had not been informed of the auction sale until it was over. 58 Reportedly, Yezidis were also subjected to xenophobic abuse from those who bought the land. In 2005 a complaint was lodged with the Human Rights Defenders' Office on behalf of 250 Yezidis from the village, although the complaint appears to still be under examination. Zovuni villagers, and their neighbours in the hamlet of Avo, were further concerned by poor irrigation, gas and sewage facilities in the village, highlighting the steady process of depopulation and herd shrinkage as effects of socio-economic deprivation.⁵⁹ Zovuni Yezidis also expressed concern regarding covert discrimination in the light of the failure of the authorities to remove dangerously dilapidated electricity pylons from the village, and the failure of three Yezidi candidates to be elected in local council elections. 60 Repeated promises of assistance from the authorities to improve the situation have reportedly not resulted in change.

Overall, it appears that Yezidis have been sidelined in the process of privatization, and disputes over land use have soured Yezidi-Armenian relations in some areas. Although Armenian officials insist that they have observed the letter of the law in notifying Yezidis of forthcoming auctions and so on, communication failures between the authorities and the community have resulted in the latter losing out. This has had a serious impact on the sustainability of the pastoralist Yezidi community. It has also had a knock-on effect where disputes have resulted in crimes against Yezidis, which have reportedly not been investigated adequately by the police.

4.1.5 Language Rights and Education

Education and access to the Armenian schooling system among Yezidis has been a source of concern for a number of reasons. The Yezidis share with other minorities in Armenia a seasonal work pattern depending on the agricultural calendar; under these circumstances parents frequently prioritize labour over education. Yezidi children in communities practising transhumance therefore typically end the school year in April in order to move with their parents to highland pastures for the summer. Teachers in rural communities are often themselves also farmers, and have little interest in recording low attendance figures, so that the real extent of this problem is almost certainly under-reported.

⁵⁷ Council of Europe, European Commission against Racism and Intolerance, Second Report on Armenia, p.24

Aleksanian, Z., Armenia: Yezidis Losing Their Land, *Armenia Now*, 30 July 2002, http://www.hra.am/eng/?page=issue&id=7998 [accessed April 2008]

Armenianow.com, 10 March 2006, http://www.armenianow.com/?action=viewArticle&AID=1405&lng=eng&IID=1072 [accessed April 2008]

⁶⁰ Mkrtchian

⁶¹ Krikorian, O., Educating Minority Children, http://www.unicef.org/armenia/reallives_2345.html [accessed April 2008]

The absence of minority language textbooks has also been highlighted as creating problems of communication between young Yezidi pupils lacking fluency in Armenian and Armenian teachers. Yezidi children typically require two to three years to learn the Armenian language; being taught other subjects in Armenian up to that time obstructs their development. Although there are some Yezidi teachers, unless they are from the same village there are reported problems with transport during the winter months. Yezidis living in mixed Yezidi-Armenian villages typically attend Armenian schools and so have no schooling in Kurmanji Kurdish. Attendance rates among Yezidi children are lower than average and a 2001 study conducted by UNICEF found that drop-out rates were higher than average among national minorities including Yezidis. 4

The availability of Yezidi textbooks, the extent of classes available for Yezidis, harassment of Yezidi children in the classroom, the institution of remedial classes for Yezidi children leaving school in April, the recruitment of Yezidi teachers and the prevention of the permanent and premature withdrawal of Yezidi children from school were all concerns raised by ECRI in 2006. The Armenian authorities have attempted to address some of these concerns, for example by offering remedial classes for children working pastures in summer and by providing facilitated access to pedagogical schools for Yezidi teachers. However, Yezidis do not appear to have taken advantage of these measures and communication between the authorities and the community has been less than consistent.

The issues of language rights and the provision of textbooks in minority languages have been further clouded by the disputed nature of Yezidi identity. Conflicting views have had concrete policy outcomes hampering government provision of basic teaching materials to Yezidi communities. New textbooks distributed in September 2006 were rejected in a number of Yezidi villages as they were written in Yezideren/Ezdiki (what appears to be Kurmanji Kurdish written in a Cyrillic script). These textbooks had been prepared by Yezidis in Yerevan associated with the campaign for a separate Yezidi identity, and were rejected by Kurmanji Kurdish speakers used to the Latin or Arabic script. Hranush Kharatyan, head of the government Department for National Minorities and Religious Affairs, had reportedly offered to produce Ezdiki-Kurdish textbooks in a mutually agreed alphabet, but was warned not to do so by both factions within the Yezidi community. Some journalists have criticized the Armenian authorities and UNICEF, which collaborated on the textbook project, for allowing Yezidi identity debates to deprive the wider Yezidi population of vital social goods such as textbooks.

With regard to higher education Armenian legislation does not specify how a member of a minority group may take an entry examination for higher education in a language other than Armenian. Although requests were made by Armenia's Assyrian minority for two state-

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Council of Europe, European Commission against Racism and Intolerance, Second Report on Armenia, pp.25-

⁶⁵ Krikorian, O., Armenia: Yezidi Identity Battle, *IWPR Caucasus Reporting Service*, No 364, 2 November 2006 ⁶⁶ *Ibid*.

⁶⁷ See Krikorian, O., More Problems for Armenia's Yezidis, 5 October 2006, http://oneworld.blogsome.com/2006/10/05/more-problems-for-yezidis-in-armenia [accessed April 2008]

funded bursaries for Assyrian students, the request was not accepted by the Ministry of Education.⁶⁸

4.1.6 Conscription

There have been consistent reports that the hazing and beating of Yezidis performing their military service have been especially severe. Although there is no statistical data to evidence the claim, it appears that Yezidi conscripts (along with homosexuals and Jehovah's Witnesses) are singled out for especially frequent and/or severe hazing. There are no reports of the Armenian authorities taking steps to address these allegations.

4.1.7 Yezidis and Law Enforcement Agencies

There have been persistent reports that Yezidis have suffered discrimination at the hands of law enforcement agencies in Armenia. This encompasses both the treatment of Yezidis reporting crimes or requiring police assistance, and the treatment of Yezidi police officers, who have allegedly been dismissed from service in disproportionate numbers. Due to an absence of statistical evidence these allegations remain largely anecdotal, yet their persistence suggests that there is a recurrent pattern behind these allegations. This probably reflects the poor functioning of local law enforcement agencies, combined with societal discrimination against Yezidis. A report published by a Yezidi association based in Germany in 1996 alleged, *inter alia*, robbery of Yezidi farms, the use of bribery to silence Yezidi victims of crime and the deaths of three prominent members of the community under suspicious circumstances.⁷⁰

One particularly high profile case of alleged mistreatment caught public attention when on 7 December 2006 a 67-year old Yezidi woman, Gulizar Avdalian, poured gasoline over herself and three grandchildren and attempted to immolate herself outside the President's Office. She was protesting against the conduct of the investigation into the murder of her son Kyaram Avdalian. Gulizar Avdalian, and other Yezidis from her village, believed that her son was beaten to death by a local village head after a dispute over Yezidi use of pasture lands, yet somebody else was arrested for the crime. 71

Article 2(3) of the ICCPR and Article 13 of the ECHR oblige Armenia to ensure that any person whose rights have been violated shall have an effective remedy, "notwithstanding that the violation has been committed by persons acting in an official capacity". There are grounds for concern that in a number of cases Yezidis' right to effective remedy has not been upheld.

4.1.8 Conclusion

The conditions allowing for the relative prosperity enjoyed by Yezidis in Soviet Armenia came to an end with Armenian independence. First, the structural changes wrought by the onset of capitalism have served to destroy the "micro-climate" supporting the Armenian Yezidis' pastoralist way of life. The process of land privatization in particular has posed a

⁶⁸ Khachatryan, S., Defining Uncertain Rights for Ethnic Minorities in Armenia, *Ditord/Observer*, No 8, 2003, p. 13, http://www.armhels.org/edit/news_admin/news_images/102_file_eng.pdf [accessed April 2008]

⁶⁹ As recorded, e.g., in United States Department of State, *Country Reports on Human Rights Practices 2005: Armenia*, Washington, 2006; see also Babajanian, A., Yezids' Rights Are Violated in the Army As Well, *Aravot*, 23 June 1998

⁷⁰ Merkeza Dînê Êzidîya Û Zerdeştîya, Gutachten zu der Situation der Eziden in den GUS-Staaten Hier: Armenien und Georgien, Bonn, 1996

⁷¹ Helsinki Committee of Armenia, Human Rights in Armenia Annual Report, *Ditord/Observer*, No 7, 2006, p.22

stark threat to the continuation of their way of life as a transhumant community. Behind government officials' claims that Yezidis have not submitted applications for land sales in a correct or timely fashion lies a more complex reality of an impoverished community disengaged from the mainstream of Armenian politics. Privatization is an inevitable corollary of the shift to capitalism, but in an ethnically diverse environment of groups differentiated in their capacity to take advantage of new property rights, it can take on an ethnic colouring. Furthermore, in the context of Armenia's Yezidi minority privatization and land reform are inseparable from community survival.

While the Armenian authorities may abide broadly by the letter of the law in managing the privatization process, they have not taken into consideration the special needs of Yezidis as a community far removed from positions of power, wealth or influence. One example is that while technically the authorities did give due notice of land auction sales by printing announcements in newspapers, newspapers are not widely read by Yezidis. To this one must add that business in Armenia, as in other post-Soviet states, is not conducted in a transparent form allowing for free competition, but through mechanisms of "clans" and informal networks. These informal types of association are impenetrable to outsiders, including ethnic minorities, who must compete with their own informal networks. As a relatively small minority Yezidis have been particularly poorly placed to offer this kind of competition. Approaching the issue via the strict letter of the law, while ignoring the reality that even members of the Armenian majority rely on informal networks to get things done, results in the disenfranchisement of minorities unable to compete in kind.

Under such conditions Yezidis have not been able to exercise their economic, social and cultural rights. As a State Party to the ICESCR, Armenia must ensure the "progressive realization" of economic, social and cultural rights (including the rights to adequate housing, water, sanitation and the highest attainable standard of health) "according to the maximum of [its] available resources" (Article 2(1)). It is incumbent upon the Armenian authorities to exercise special care to ensure the consultation and participation of Yezidis who constitute one of the most vulnerable categories of the population. Arguably, while claims that Yezidis are systematically discriminated against may be over-stated, the Armenian authorities have failed to exercise sufficient diligence in ensuring equality of access for this disadvantaged community.

In the civil and political sphere there does not appear to be an overall pattern of systematic discrimination against Yezidis. Yezidis may, resources allowing, freely produce their own cultural associations, media and community events. However, there are consistent reports of discrimination against them in specific social domains, above all the classroom, the Army, and the conduct of law enforcement agencies which ignore or dismiss alleged crimes against Yezidis. There is a counter-argument suggesting that members of the Armenian majority are also subject to economic isolation or rights violations by key state agencies, such as the police. This is certainly true, yet in the context of a marginalized ethnic minority these syndromes are particularly serious since they further entrench marginalization and social exclusion. This situation has left Yezidis, as a minority without alternative sources of protection, such as a kin-state, an organized diaspora or influential community representatives, especially vulnerable and defenceless.

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⁷² Khachatryan, Defining Uncertain Rights, p. 12

Overlying, and almost distracting from, this serious situation are the debates over Yezidi identity. While these debates certainly reflect passionately held views, they appear to have served also to obstruct the fulfilment of certain basic rights for the wider Yezidi population. For example, the issue of which language textbooks should be written in appears to have assumed greater importance than the original objective itself of providing textbooks to the maximum number of beneficiaries. Although the Armenian authorities appear to have attempted to forge a compromise on this issue, between the claims of different factional leaders and government attempts to satisfy them, the minimum fulfilment of Yezidi children's cultural rights has been missed. Identity debates, which are themselves an integral aspect to post-Soviet political culture, have in the case of Armenia's Yezidis deprived the community of internal cohesion, an essential resource in competing for scarce resources.

4.2 National Minority Rights in Azerbaijan

Post-Soviet Azerbaijan's history has been shaped by two key processes. The first was conflict with the Armenian minority concentrated in the former autonomous region of Nagorny Karabakh, ending in defeat on the battlefield and the occupation of some seven regions of the country by Armenian forces. The second has been the consolidation of a semi-authoritarian regime basing its power on control of the country's considerable oil wealth. These two processes can be seen to have contributed first to a poor human rights environment overall in Azerbaijan, and second, in various ways, to difficulties in the management of ethnic diversity.

The conflict in Nagorny Karabakh rendered both Azerbaijani government and society extremely sensitive to issues of minority rights, since a number of other minorities were seen as further sources of potential separatism. Furthermore, the perceived failure of Western powers to sacrifice their strategic interests in Azerbaijani oil in order to enforce international human rights standards has arguably led the Azerbaijani government to treat such standards in a rather formalistic way. More generally, the consolidation of power into a superpresidential system under Heydar Aliyev and subsequently his son Ilham, has severely restricted the possibilities for pluralism of any kind in Azerbaijan.

4.2.1 Human and Minority Rights Instruments

Azerbaijan is a State party to major international human rights instruments, including the ICCPR, ICESCR, CERD and ECHR, and has ratified the FCNM and the European Social Charter (Revised). Azerbaijan has signed but not ratified the European Charter for Regional or Minority Languages, amid a reported view among state officials that doing so is more an international obligation than a necessity or policy goal. Neither has Azerbaijan adopted a specific law on national minority rights, which are therefore protected only on the basis of broad constitutional provisions and other legislation not dealing specifically with this issue.

Domestic legislation provides for the principles of equality and non-discrimination on grounds of national or ethnic identity (Article 25 of the Azerbaijani Constitution). Although the Constitution and other legal acts provide for equal opportunities, Azerbaijani legislation appears to lack specific or active mechanisms for the maintenance of minority cultures and languages. Furthermore, underlying formal guarantees in law is a widespread problem with the implementation of standards, which extends far beyond the field of just minority rights.

⁷³ Popjanevski, J., *Minorities and the State in the South Caucasus: Assessing the Protection of National Minorities in Georgia and Azerbaijan*, Washington: Central Asia-Caucasus Institute, 2006, p.60

4.2.2 Implementation of Minority Rights

There is no designated government agency addressing minority issues in Azerbaijan. A State Counsellor on National Policy of the Republic of Azerbaijan, the remnant of a now defunct Council for National Minorities, advises the President on minority issues. The Ministry for State Security is the principal agency dealing with minority affairs. In 2002 the institution of the Ombudsman was created, yet the current Ombudsman had not addressed any claims made on an ethnic basis by 2006. Overall, the capacity of the Azerbaijani judiciary and human rights institutions such as the Ombudsman's Office to act independently is limited. It is customary for Azerbaijani officials to invoke the high level of tolerance in Azerbaijani society as explaining the absence of ethnically related prosecutions or convictions, although several organizations have noted discriminatory discourse and practices vis-à-vis those Armenians remaining in the country, "extremist" Muslim groups and internally displaced persons from Nagorny Karabakh and the occupied territories surrounding it. The country of the Azerbaijani it.

The Azerbaijani Constitution defines Azerbaijani as the state language but stipulates the right of all to use their mother tongue, to work and to be educated in any language (Articles 21 and 45). The principal language issue in Azerbaijan has been the enduring popularity of Russian, which has prompted a number of moves, such as the restriction of Russian language television broadcasting in the country, to promote the dominance of Azeri. However, most representatives of minorities in Azerbaijan do reportedly have adequate command of Azeri.

In the media there have been efforts to promote Azeri which have been seen as incompatible with the FCNM. These efforts were subsequently revised; there are a number of radio stations that broadcast in minority languages in relevant regions, and a number of minority language newspapers are produced dependent on available resources. There are, however, virtually no minority language television broadcasts, which is significant in light of the fact that television is by far the most widely used medium in the country.

In education there are opportunities for minorities to receive primary education in their mother tongue as a separate subject; there are secondary and higher education opportunities in Russian and to a lesser extent, Georgian. Mother tongue tuition at the primary level is subject to pan-regional limitations of outdated and scarce textbooks. It is noteworthy that minorities are proportionally represented in Azerbaijani government institutions, reflecting efforts by the Azerbaijani authorities to offset potential future separatisms. Minority representatives are included in the Milli Meclis (Parliament), President's Office, Government, Constitutional Court, municipalities, ministries and local government bodies. These appointments are reportedly underscored by an informal system, inherited from Soviet times, of allocating certain posts to representatives of minorities, including Kurds.

⁷⁴ *Idem.*, p.61

⁷⁵ See Council of Europe, European Commission against Racism and Intolerance, *Second Report on Azerbaijan*, Strasbourg, 2007, pp.27-9; Kotecha, H., *Islamic and Ethnic Identities in Azerbaijan: Emerging Trends and Tensions*, Baku: Office of the Organization for Security and Co-operation in Europe, 2006; Amnesty International, *Azerbaijan: Displaced Then Discriminated Against – the Plight of the Internally Displaced Population*, London, June 2007

⁷⁶ Popjanevski, p.65

⁷⁷ *Idem*, p.67

⁷⁸ *Idem*, p.68

⁷⁹ *Idem*, p.69

Given the highly centralized nature of the Azerbaijani political system, however, proportional representation does not necessarily signify proportional influence. Due to the absence of an independent judiciary and the arbitrary selection of cases, politically sensitive cases, including those of the alleged violation of ethnic minorities' rights, rarely come to light, if ever. Combined with poor knowledge of their rights among minorities and the very few state agencies dealing with the issue, Azerbaijani compliance with international standards reflects a *de jure* rather than *de facto* situation.

4.2.3 Yezidis and Kurds in Azerbaijan: General Comments

As a context for the discussion of a Yezidi minority, Azerbaijan differs significantly from Armenia or Georgia. Azerbaijan was not historically a major destination for Yezidi migration into the South Caucasus, motivated after all by the need to escape religious persecution at the hands of Muslims. From historical and contemporary statistical sources it appears that there has never been a substantial Yezidi, as opposed to Muslim Kurd, presence in Azerbaijan. Official Azerbaijani sources today do not offer any information on numbers of Yezidis in the country. To the extent that Yezidis are present in Azerbaijan they comprise a very small minority within a minority. It may be that there are no more than a few scattered individuals: more research would be required to ascertain the extent of a Yezidi presence in Azerbaijan. This section therefore provides some broad indicators as to the situation of Kurds overall in Azerbaijan, with the caveat that there is no "Yezidi particularity" charted here.

The overall context for the Kurdish minority in Azerbaijan is the continuation, and indeed acceleration, of decline dating from the Soviet period. Survey work carried out in the late 1990s attests to the advanced state of assimilation of Azerbaijani Kurds at that time, also reflected in the reportedly very low level of Kurdish cultural activity. Nevertheless, the size of the overall Kurdish minority in Azerbaijan is conjectured to be much bigger than official statistics would suggest. References to 200,000 Kurds living in Azerbaijan, in contrast to the 13,000 recognized in the 1999 census, are, however, suggestive of the fluidity between Azerbaijani and Muslim Kurdish identities and the advanced state of assimilation already notable in Soviet times. Claims of hundreds of thousands of "assimilated Kurds" in Azerbaijan do not appear to reflect an empirical reality of individuals who still think of themselves as Kurdish. Rather, these claims may reflect wishful thinking on the part of representatives of the Kurdish community, or a political agenda suggesting that Azerbaijan has another potential national minority problem.

4.2.4 Azerbaijan's Muslim Kurds in Displacement

The assimilation of Azerbaijan's Kurds has been accelerated by the experience of displacement. About half of Azerbaijan's Muslim Kurdish minority was displaced in 1993 when the regions of Laçin, Kəlbəcər and Qubatlı were occupied by Armenian forces. Polly Kurdish communities in the exclave of Naxçivan and Azerbaijan's larger cities escaped displacement. In addition to its own Muslim Kurdish population, an estimated 18,000 Muslim Kurds were displaced to Azerbaijan from Armenia in the late 1980s. Many of these Kurds did not remain in the country. The fact that the 1999 Azerbaijani census recorded only 13,100 Kurds in Azerbaijan indicates that a substantial number of Muslim Kurds, in the main those

⁸⁰ See Russo, D. and K. Yildiz, *Azerbaijan and Armenia: An Update on Ethnic Minorities and Human Rights*, London: KHRP, 2000, pp.56-61

⁸¹ *Idem*, p.52, where a claim to the even higher figure of 500,000 Kurds in Azerbaijan is referenced

⁸² Global IDP Project, *Profile of Internal Displacement: Azerbaijan*, Geneva, 25 February 2005, http://www.idpproject.org [accessed April 2008]

who were displaced from Armenia in the late 1980s, migrated to Russia and beyond in the intervening years.

As a result of the Armenian-Azerbaijani conflict the Kurds of Laçin and Kəlbəcər exchanged one vulnerable status, that of being a national minority, for another, that of being internally displaced. Problems and syndromes associated with displacement, such as urbanization and dispersal, undoubtedly reinforced already advanced assimilation processes. From the point of view of state policy, displaced Kurds scattered across the country ceased to exist as a national minority and became the object of policy only by virtue of their status as displaced.

In light of the above, it is difficult to delineate a human rights perspective on the situation of internally displaced Kurds in Azerbaijan as a *minority* as opposed to an *internally displaced* community. A few comments on the human rights situation of the internally displaced population at large in Azerbaijan may be relevant, in that they shed some light on the context in which displaced Muslim Kurds find themselves in Azerbaijan. Although the Azerbaijani government has allocated considerable resources and efforts towards catering to the needs of its internally displaced population, human rights organizations have documented a number of problems. In a report published in 2007 Amnesty International documented a number of practices resulting in the *de facto* discrimination of internally displaced people, including restrictions to the right of freedom of movement, the construction of geographically remote and economically unviable new settlements for the internally displaced and their exclusion from consultative processes.⁸³

To the extent that there may be Yezidis among the Kurdish population in Azerbaijan, they may be seen as confronting the same problems as the broader Muslim Kurdish community. It seems highly likely, however, that given the obtaining conditions and probably negligible numbers involved there is no Yezidi communal life in Azerbaijan. Human rights violations may therefore be better understood in individual terms than through a national minority frame of reference.

4.3 National Minority Rights in Georgia

Post-Soviet Georgia has undergone considerable political upheaval against a wider backdrop of economic collapse and the breakdown of social order. Nationalist policies in the period immediately preceding independence, general lawlessness associated with the rise of rival militias and the weakness of political institutions were all contributory factors towards civil strife and two secessionist conflicts in South Ossetia and Abkhazia. The *de facto* secession of these two territories, coupled with perceptions of Russian involvement in these conflicts, established the backdrop for subsequent policies towards national minorities. There has been an ongoing decline in numbers of national minority populations in Georgia since the midtwentieth century, a process accelerating significantly since independence. In 1989 national minorities accounted for 30 per cent of the population; in 2002 this proportion had fallen to 16 per cent.

Under President Eduard Shevardnadze a degree of political normalcy returned to Georgia. A new Constitution adopted in 1995 envisaged a federal structure for the country, although precise terms were not specified pending the resolution of the conflicts in Abkhazia and South Ossetia. Although a number of drafts have been discussed, and the adoption of such a law by 2001 was envisaged in the terms of accession to the Council of Europe in 1999,

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⁸³ Amnesty International, pp.45-8

Georgia has not adopted a law on national minorities. In March 2003 the Georgian government adopted an action plan for the protection of minorities, following Georgia's accession to the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) in 1999. Following the change of government resulting from November 2003's Rose Revolution, however, this action plan was not implemented.⁸⁴

4.3.1 Human and Minority Rights Instruments

Georgia has ratified many international human rights instruments, including the ICPR, ICESCR, ECHR and CERD. The 1995 Constitution provides for the principle of non-discrimination (Article 14) and for the equality of all citizens and the right to freely develop their culture and to use their mother tongue in private and in public (Article 38).

As noted above, accession to the Council of Europe, and therefore the Framework Convention on National Minorities and the European Language Charter, imposed obligations on Georgia to establish conformity between national legislation and international human and minority rights standards. However, one study has found that accession to the Council of Europe actually had a detrimental effect on Georgia's compliance to international standards by effectively removing the carrot of membership. Seorgia ratified the (Revised) European Social Charter on 22 August 2005, the European Charter of Local Self-Government on 8 December 2004 and the FCNM on 22 December 2005. Georgia also made the declaration under Article 14 of the CERD on 30 June 2005, which allows individual claims to be considered by the Committee for the Elimination of Racial Discrimination.

4.3.2 Implementation of Minority Rights

Minority rights fall within the remit of a number of institutions in Georgia. The Committee for Human Rights and Civil Integration is responsible for drafting legislation addressing minority issues. A Council of National Minorities, operating under the aegis of the Public Defender's Office (also known as the Ombudsman) since 2005, provides a forum for dialogue between government and national minority communities. ⁸⁶ The Public Defender's Office had not received any human rights claims on the basis of ethnicity by late 2005. Two other organizations mandated to handle individual human rights claims, the Organization for Security and Co-operation in Europe's Mission to Georgia and the Georgian Young Lawyers' Association had not addressed any claims of violations on ethnic grounds at that time either. This may be attributed to the fact that these services are not widely known of in Georgia. ⁸⁷

Much of the debate on appropriate policy mechanisms for providing for minority rights is dominated by the still unresolved issues of secessionist conflict in Abkhazia and South Ossetia. This has hampered the elaboration of clear definitions of "national minority" in the Georgian context (although this definition is always problematic) and slowed the process of arriving at a comprehensive policy. For instance, a 2005 Parliamentary resolution defining "national minority" would exclude minorities living in cities (such as the Georgian Yezidis).

⁸⁴ Popjanevski, p.29

⁸⁵ *Idem.*, p.31

⁸⁶ *Idem.*, p.34

⁸⁷ *Idem*, p.35

Concrete legislation governing ethnic issues tends to be scattered across a range of different legal acts.

Georgian legislation provides for the use of Georgian in central and local government institutions, while the Law on Public Office requires that state officials possess fluency in Georgian and specifies that inadequate knowledge of Georgian may constitute grounds for dismissal. The Code of Criminal Procedure establishes the right to free interpretation for members of minorities involved in legal proceedings, which must take place in Georgian.

The Law on Mass Media enshrines the right of access to information in national minority languages, although in practice there is very little support for minority language broadcasting. Those programmes that have been organized, often with the assistance of international organizations, cater to the larger minorities in the country (Armenians, Azerbaijanis).

Although Georgian legislation stipulates that the language of instruction should be Georgian, citizens whose native language is not Georgian have the right to receive their education in certain subjects in another language. Core subjects (the Georgian language, history, geography and social sciences) must be taught in Georgian. In the field of higher education the 2005 Law on Higher Education stipulates that instruction in languages other than Georgian is permitted provided this is envisaged by international agreements or by agreement with the Ministry of Education. This law further introduced a new higher education admission system based on unified national examinations, which include Georgian language and literature as a compulsory subject.

The degree of political participation of minorities remains extremely low in Georgia. In the Georgian Parliament of 2004-2008 only 10 of 235 Members of Parliament were representatives of minorities (Armenians, Azeris and Ossetians). In sum it has been concluded that minority protection has remained weak in Georgia:

[A]mong decision-makers, one still notices a certain level of scepticism towards the adoption of international minority rights instruments and it appears that the importance of establishing a framework for the promotion of minority rights is an issue that is often addressed for reasons of perceived obligation, rather than true will.⁸⁹

Another study has concluded that "both majority and minorities [in Georgia] perceive minority rights or integration initiatives, respectively, as stepping stones to inimical ideological projects (secession, assimilation), rather than as possessing intrinsic value in their own right". While numerous legislative acts do provide for the right to non-discrimination and equality, there are currently no positive obligations on the state to ensure the protection of national minorities.

4.3.3 Yezidis and Minority Rights in Georgia: General Comments

Over the post-Soviet period the Yezidi minority in Georgia has suffered a dramatic decline, losing some 37 per cent of the community between 1989 and 2002 according to official figures (unofficial estimates are significantly higher). Georgia therefore presents the most

⁸⁸ *Idem*, p.43

⁸⁹ *Idem*, p.49

⁹⁰ Broers, L., Filling the Void: Ethnic Politics and Nationalities Policy in Post-Conflict Georgia, *Nationalities Papers*, Vol.36, No.2, fc May 2008, pp 319-20

prominent case of Yezidi community decline in the South Caucasus. This decline cannot be ascribed simply to the state's policies, nationalism or discrimination. There is, at the level of rhetoric and popular understanding among the ethnic Georgian majority, acceptance of a Yezidi presence in Georgia as "traditional". While Georgia has in recent years witnessed cases of violent religious extremism, this has been directed towards new religious movements such as the Jehovah's Witnesses, Baptists, Pentecostalists and so on, rather than groups such as the Yezidis. Furthermore, issues of geographical and economic isolation, and the potential for secessionism – issues which have dominated wider discussions of minority rights in Georgia – have not been relevant for the country's Yezidis as a numerically small, dispersed and urban minority.

Georgian independence has radically changed the context for the survival of ethnic diversity in general and the Yezidi minority identity in particular. The political economy of minority rights under Soviet rule, which allowed for precarious minorities to survive and even flourish, was replaced by a much less hospitable climate of economic hardship, ethnically exclusive institutions and an underlying acknowledgement of the inevitability of ethnic Georgian domination. Furthermore, in Georgia features of the Yezidi community such as endogamy and the caste system have compromised its capacity to adapt to changed circumstances.

After the low point of the early 1990s there was some reinvigoration of the Yezidi community in the late 1990s. In 1997 a Yezidi cultural association was resuscitated with government assistance, the Union of Yezidis of Georgia (formerly known as Ronahi). Since 2003 the Union has intermittently published a monthly Kurdish language newspaper, although this has been contingent on funding received from the Regional Government in Iraqi Kurdistan. 91

4.3.4 Threats to the Community: Economic Factors

The economic collapse which accompanied Georgian independence created significant incentives for both majority and minorities to emigrate. In a pattern reflected across many ethnic groups it was first and foremost those who could afford to emigrate who did so. While larger ethnic groups with a wider array of resources and institutions could sustain these losses to migration, for the Yezidis the loss to the community's capacity for self-reproduction was especially significant. The departure of some of its most prominent businessmen and community leaders seriously compromised the community's ability to forge new institutions in the emergent space of civil society in Georgia, just at a time when state support had been withdrawn. 92

Emigration, as with other ethnic groups, assisted the individual survival of families through the mechanism of remittances. However, emigration significantly changed the proportions of religious castes within the Yezidi community in Georgia. The number of Sheikhs and Pirs relative to the number of Murids fell; Murids' capacity to pay for the religious services of Sheikhs and Pirs also declined.⁹³

⁹¹ Onnik Krikorian, interview with Rostom Atashov, President of the Union of Yezidis of Georgia, in Krikorian, O., Yezidis in Georgia, 23 September 2006, http://oneworld.blogsome.com/2006/09/23/yezidis-community-ingeorgia/ [accessed April 2008]

⁹² Szakonyi, D., Ethnic Mobilization in Post-Soviet Georgia: The Case of the Yezidi-Kurds, *Journal on Ethnopolitics and Minority Issues in Europe*, Vol.1, fc 2008

⁹³ Ibid.

Against the wider context of economic collapse, state funding for minority culture institutions ceased during the 1990s. Staples of Soviet-era minority identity, such as dance troupes and folkloric ensembles, stopped functioning and Yezidis lost public spaces in which to convene. 94 This constituted a significant blow to the normal functioning of the Yezidi minority as an overwhelmingly urban, dispersed minority: these institutions had allowed for a critical mass of contact within the community allowing for traditions such as endogamy to be sustained.

Economic collapse also affected Yezidis through the prism of language. Kurdish for Yezidis in Georgia assumed the status of an ancestral vernacular language – symbolic of a lingering but threatened identity, used mainly as an expression of solidarity or as a means to communicate with elders of the community but almost never as a means of access to opportunity. There were reportedly four schools in Tbilisi in 2003 teaching Kurdish as a subject, although none had books for students or teachers, while more up to date sources suggest that there are no schools currently teaching the Kurdish language. 95 This essentially leaves the responsibility for transmitting the language to parents, who are understandably more motivated to secure their children's future by equipping them with more prestigious and future-oriented languages.

A recent article sums up the impact of the post-Soviet economic context on the Georgian Yezidi minority in this way:

Mass migrations damaged the financial base of nascent civil society organizations and complicated attempts to preserve religious traditions, whether through the practice of rituals with spiritual leaders or through traditional intra-caste marriage. The cessation of state funding for cultural institutions deprived the community of needed public spaces to gather and keep much-needed endogamous marriage practices alive. Lastly, choices to educate their children in the Russian language made by the Yezidi-Kurd minority in light of economic crises in the 1990s gave little reason for the younger generations to stay in Georgia without sufficient knowledge of the state language. 96

4.3.5 Threats to the Yezidi Community: Internal Organization

A second key area where the Yezidi minority has been vulnerable is in certain features of its internal organization. This has been attributed by some observers to the shift from the Soviet paradigm of institutionalized state support for minorities to the emergence of "ethnic interest groups" competing for (scarce) resources. 97

The need to compete with other ethnic groups for available resources created a number of problems for the Yezidi minority. One problem was the issue of self-identification: whether to identify whole-heartedly with a Kurdish identity or whether to pursue a separate identity as Yezidi. These debates do not appear to have been anywhere near as prominent as they have

⁹⁴ Ibid.

⁹⁵ Chikhladze, G. and I. Chikhladze, Georgia's Kurdish Community Say They Are in Danger of Losing Their Culture, Language and Faith, IWPR Caucasus Reporting Service, No.166, 13 February 2003; Szakonyi, however, maintains that there are no Kurdish-teaching schools in Georgia.

⁹⁶ Szakonyi

⁹⁷ Ibid.

been in post-Soviet Armenia, yet they served to weaken community claims and confuse the authorities in Georgia. 98

Internal competition within the Yezidi minority also fuelled processes associated with low political representation, suggesting at least a partial alternative explanation for political exclusion to discrimination. In the post-Soviet era there has been one Yezidi Member of Parliament in Georgia, Mame Raiki (MP 1995-1999); while serving as a MP he was able to secure 50,000 Georgian laris for Yezidi cultural development. 99 This established a precedent whereby securing a seat in parliament was seen as central to reviving the community's fortunes and becoming the arbiter of significant resources. This precedent resulted in intense competition among Yezidis to assume the role of representing the community to outside parties. As a result fragmented Yezidi groups associated themselves with diverse political parties in the 2003 elections and none of the ethnic Yezidi candidates were high enough on the party lists in the proportional list part of the vote to enter parliament. ¹⁰⁰

The above-mentioned case suggests that phenomena at first suggestive of a human rights problem, in terms of discrimination and access to political institutions, may also be driven by internal, structural causes that cannot be addressed through a human rights prism. Efforts to secure the human rights of the Yezidi minority in Georgia need to be sensitive to such underlying dynamics.

4.3.6 Threats to the Yezidi Minority: State Policy

A human rights dynamic in discussions of the threat to the Yezidi minority in Georgia is most evident in discussion of the Georgian state's nationalities policy and in particular, the emphasis laid in Georgian nation-building discourse on religion. As noted above, defeat in secessionist conflict, combined with Georgia's apparent inability to influence the peace processes and the significant emigration of ethnic Georgians, have left fears of permanent territorial fragmentation and ethnic degradation very much alive among the majority. Georgians "consequently approach issues of majority-minority relations from a position of perceived weakness, coupled with as yet unfulfilled 'post-colonial' Georgianization". 101

The popularity and state endorsement of the Georgian Orthodox Church (GOC) is one manifestation of these desires. The Georgian Constitution acknowledges the special role of the GOC in Georgia's history (although this is by no means unusual in post-Soviet constitutions), and in 2002 a Concordat was established between Church and State. Among other rights the Concordat affirmed GOC ownership of churches and territory in Georgia, and also conferred a unique consultative role, but with no veto power, on the GOC in the sphere of education. The teaching of religion in the national education system has been dominated correspondingly by a focus on Orthodox Christianity. According to the US State Department's International Religious Freedom Report 2007, the primary textbook used in the national curriculum deals only with Orthodox Christianity. Although the Ministry of Education established a working group to address the exclusion of other religious traditions, this working group was composed entirely of representatives of the GOC and it ceased

⁹⁸ See Onnik Krikorian interview with Rostom Atashov, who rejects the distinction between Kurds and Yezidis.

⁹⁹ Szakonyi

¹⁰⁰ *Ibid*.

¹⁰¹ Broers, p.295

operations in early 2007 without having made any changes to the curriculum. ¹⁰² The Ministry of Education also reportedly sought to introduce standard practices of the integrated teaching of religion and civic ideals and an emphasis on interfaith tolerance; however, such principles are far from embedded in the Georgian classroom. ECRI has expressed concern that children belonging to minority faiths are on occasion subjected to pressure and harassment by teachers or pupils. ¹⁰³

How has the popularity of the GOC in the mainstream of Georgian society affected the Yezidi minority? It is important to underline that the Yezidis have not been subjected to forced conversions, physical assaults or other egregious human rights abuses in this field. Rather, the impact has been contextual and subliminal: while young Yezidis have been decreasingly exposed to the religious practices and rituals of their own community faith, they have been increasingly exposed to Georgian Orthodox discourse and ideals. This has resulted in a number of conversions of Yezidis to the Georgian Orthodox faith: "[I]ndividuals of the community have commented on the current 'popularity' of the Georgian Orthodox Church as a decisive motivating factor in the conversion". Rather than a process of aggressive proselytizing, it appears that young Yezidis, estranged from their own faith, have turned to the religious mainstream of the society in which they live. Unlike their own faith, Georgian Orthodoxy allows for conversion, and by taking this step, young Yezidi converts expand greatly their possibilities for marriage without stigma and integration into wider society.

4.3.7 Yezidis in Georgia: Conclusion

The Yezidi community of Georgia has suffered considerably as a result of the shift from one regime of minority rights under Soviet rule to a very different regime of minority rights in the independent Georgian state. The relatively stable if rather marginal niche of the Yezidis in the fringes of the Soviet Georgian urban economy was shattered by processes accompanying Georgian independence. Under Soviet rule Yezidis, like other small or marginal minorities, were to a considerable extent exempted from having to compete for resources. Though the resources extended to the community were not great, they were sufficient to sustain community life in the context of a population overwhelmingly concentrated in the capital.

Independence, itself inextricably linked to economic hardship and political insecurity, heralded a shift from an over-arching framework explicitly endorsing ethnic diversity to a new project of nation-building prioritizing the needs and interests of the Georgian majority. In a context of scarce resources (and for the first decade at least, rife corruption) the Georgian state has lacked the wherewithal to provide the same kind of support to small or marginal minorities. Yet in an overall context of antipathy towards ethnic diversity and minority rights, the Georgian state has been reluctant to devise or implement mechanisms for securing minority rights. Minorities have been left to fend for themselves or rely on external benefactors, a situation which left the Yezidis especially vulnerable. Without structural advantages such as territorial concentration or an external kin-state, the Yezidi minority has lost cohesion and the critical mass of interactions necessary to sustain its complex community life.

¹⁰² United States Department of State, *International Religious Freedom Report 2007: Georgia*, Washington, 14 September 2007, http://www.state.gov/g/drl/rls/irf/2007/90176.htm [accessed April 2008]

¹⁰³ Council of Europe, European Commission against Racism and Intolerance, Second Report on Georgia, p.17

¹⁰⁴ Szakonyi

Although Yezidis have been exposed to discourses and practices of ethnic Georgian domination, there does not appear to be a consistent pattern of discrimination specifically targeting Yezidis. Rather, it appears that it is the structural and internal weaknesses of the community, and the decisions of individual Yezidis to leave Georgia or leave the community, that have most significantly contributed to its decline.

5 Majority-Minority Relations

This chapter charts some of the principal stereotypes and discourses structuring the relationships between Yezidi communities and surrounding majorities, in addition to identity debates within Yezidi communities. Some generalizations may be permissible here. First, Yezidis are widely accepted in the South Caucasus as a "historical minority". Generically, their presence, together with other minorities, is often adduced by representatives of the ethnic majority as evidence of the majority's qualities of tolerance and hospitality, core community values in the South Caucasus. This acceptance is closely linked, however, to a second key feature of Yezidi minorities, which is that from the perspective of the ethnic majority they are distinctly non-threatening. Ethnic majorities in the South Caucasus have been sensitized by the experience of successful bids for secession in the 1990s, and correspondingly view minorities with apprehension and suspicion. Yezidis, however, do not exhibit traits popularly associated with recalcitrant or secessionist minorities: they are not compactly settled in sensitive border regions, they have no external sponsors or support and they are generally distant from positions of power and influence.

Compared to some other minorities, Yezidis have therefore not attracted much hostile attention from surrounding majorities; the problem is more one of omission. While popular attitudes generally accept ethnic diversity at the symbolic level, societies in the South Caucasus are reluctant, or indeed disinterested, in changing the status quo to allow for minorities to play greater roles in the social, economic or political spheres. What emerges is a framework where minorities are tolerated for as long as they remain marginal and make no demands. This situation is compounded by the thorough discrediting of tools to promote minorities by their association with Soviet rule. In some statements by government officials measures such as affirmative action programmes are portrayed as anachronistic and even undemocratic, as this comment by a Georgian official illustrates:

It is not the government's fault that no Kurds have become state officials. Parliamentary deputies are elected by constituency, not ethnicity. They have to win their votes and, at the very least, should be able to speak Georgian. We are not in the Soviet Union anymore where they had quotas for ethnicities and occupations: one milkmaid, two tea growers, three Armenians and so on. This kind of practice would be completely unconstitutional in a democracy. ¹⁰⁵

Majority-minority relations are therefore shaped by the majority's assumptions that its preeminence is legitimate and that it is the role of the state to enforce this pre-eminence, and not to divert resources to minorities. In this context "tolerance" has assumed a formalistic nature: "[O]fficial invocations of ethnic tolerance do not derive from a widely held belief in society that compromise is morally right or just, only that it is expedient in the current situation."¹⁰⁶

¹⁰⁵ Chikhladze and Chikhladze, citing Levan Gvinjilia, Chairman of the Chamber of the Georgian Language

¹⁰⁶ Broers, p.319

5.1 Armenia

In Armenia stereotypes associated with Yezidis and Kurds are closely tied up with historical memories of the Armenian Genocide of 1915. Muslim Kurds are widely seen as having assisted the Ottoman state in implementing the massacres of Armenians in Anatolia, while Yezidis are also seen as having suffered at the hands of Turks and Muslim Kurds. This has opened a significant rhetorical space for the articulation of a Yezidi identity defining itself against a Muslim Kurd "other". It is probably this nexus of Yezidi collective memories, a split Kurdish community and the particularities of Armenian-Turkish-Kurdish relations that has allowed for the emergence of a Yezidi identity separate from that of other Kurds.

5.1.1 The Sharpening of the Yezidi/Kurd Boundary

Discord over the appropriate definition of the relationship between a local Yezidi identity and a wider Kurdish identity is a defining characteristic of the Yezidi community in Armenia. Similar debates barely register in Georgia, where the Yezidi minority appears by and large content to identify broadly with the global Kurdish community and rejects notions of Yezidi particularity. To the external observer, moreover, these debates appear to be engaged within relatively narrow circles of elites with limited resonance in the wider Yezidi community more concerned with everyday issues of economic survival. ¹⁰⁷

These debates are significant for a number of reasons. First, they situate Armenia's Yezidi minority within a range of discursive battles encompassing highly politicized and sensitive subjects, including Armenian-Muslim and Armenian-Turkish relations, and rising Kurdish nationalism in Turkey. This process of politicization actively obstructs the resolution of everyday problems confronting the Yezidi community in Armenia. As noted above, the delineation of a separate Yezidi identity in the field of language has hampered government attempts to provide textbooks to Yezidi communities. Second, these debates divide the Yezidi community and confuse attempts to provide institutionalized support to it. As journalist Onnik Krikorian's extensive interviews with different representatives of the Yezidi community in Armenia demonstrate, the sharpening of a Yezidi/Kurd boundary has engendered acrimonious debates within a now divided community.

Charting these debates in full is a complex task beyond the scope of this paper. However, a brief discussion of the main trends is required to understand the relationships between different actors within the Yezidi community and between the community and the Armenian authorities. As one observer has noted the "politically correct view within the republic is to see Armenians and Yezidis as historical brothers in arms against Turks and Azeris, as well as

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Some sources suggest a limited resonance for a separate Yezidi identity beyond elite debates; others suggest that there is a sizeable share of Yezidis who reject a Kurdish identity. Evidencing the former are the experiences of journalists from the Institute of War and Peace Reporting visiting Yezidi villages in 2006 in Aragatsotn and Armavir regions and finding Yezidis openly identifying as Kurmanji-speaking Kurds. Yezidis in Georgia also freely identify as Kurds. See Krikorian, Armenia: Yezidi Identity Battle. The Kurdistan Committee in Armenia, a Kurdish organization, also distributed 5,000 questionnaires to Yezidis after the publication of the 2001 census results and found that Yezidis defined themselves as Kurdish in every dimension except religion. See Krikorian, O., An Interview with Aziz Tamoyan, National Union of Yezidi, *Armenian News Network/Groong*, 16 September 2004, http://groong.usc.edu/orig/ok-20040916.html [accessed April 2008]. On the other hand there are also reports of 17 villages of Yezidis opting for the Yezidist orientation and rejecting a Kurmanji Kurdish identity. See Krikorian, O., An Interview with Hranush Kharatyan, *Armenian News Network/Groong*, 15 September 2004, p. 3, http://groong.usc.edu/orig/ok-20040915.html [accessed April 2008]. In 2004 the Hazarashen Armenian Centre for Ethnological Studies conducted a study providing evidence of adherence to a specifically Yezidi identity. See Khachatrian, S., Identity of Armenia's Yezids, Ditord/Observer, No.8, 2004, pp.7-13, https://www.armhels.org/edit/news admin/news images/48 file eng.pdf [accessed April 2008]

those Kurds who helped facilitate the genocide in 1915". An apparent corollary of this view over the past 20 years has been the delineation of a Yezidi identity separate from a Kurdish one (referred to here as the position of the "Yezidist" faction). Interestingly it is advocates of a separate Yezidi identity who occupy important community posts such as the presidency of the National Union of Yezidis. Aziz Tamoyan, who currently fills this post, denies any connection between Yezidis and Kurds. He has claimed that Yezidis speak neither the Kurdish language nor any dialect thereof, but speak Yezideren (also referred to Ezdiki; this appears to be a Cyrillic-based variety of Kurmanji Kurdish). Aziz Tamoyan sees Kurmanji-speaking Yezidis as Yezidis who have been assimilated by Kurds, and also labels the Yezidi religion differently as "Sharfadin". 109 That Yezidi has been recognized as a separate language by the National Assembly lends credence to claims that the Armenian authorities endorse and support the separate Yezidi identity project. The project is not, however, condoned by academic specialists on Yezidis or Kurdish studies outside of Armenia, who assert that Yezidis speak Kurmanji Kurdish and belong essentially to a Kurdish oral and material culture. 110 This view was also expressed, for example, by Amarik Sardarian, editor of the Kurdish newspaper Ria Taza, when asked in a 1999 interview whether he was Yezidi or Kurd. He answered: "I am a Yezidi, but unlike those people that confuse the question of nationality with religion, I recognise the distinction. By religion I am Yezidi, but I consider myself to be Kurdish by nationality". Sardarian drew a parallel between the relationship between Yezidis and Kurds and the Molokan religious minority visà-vis ethnic Russians. 111

The Armenian government's position is ostensibly one of non-interference. Hranush Kharatyan, Director of the Department for National Minorities and Religious Affairs, has stated that the Armenian government will not determine identities for the Yezidi and Kurdish minorities, offering each equal government funding. 112 Kharatyan has suggested parallels between the Yezidi/Kurdish split in Armenia with the divides between Serb/Croatian and Romanian/Moldovan identities. The implication appears to be, "if Yezidis want to define themselves as separate from Kurds, that is their business". In some situations the Armenian government has attempted to forge a compromise between the Yezidist and Kurdish factions of the community, for example in naming the language Kurmanji, rather than either Yezidi or Kurdish, but such compromises have apparently been rejected, especially by the Yezidist faction. In this context, the Armenian government appears to have retreated to a position of "maximum sensitivity" attempting to cater to both factions' demands.

5.1.2 Armenia's Yezidis and Kurdish Nationalism

A further element to these debates is the relationship between the Yezidi identity project, global Kurdish nationalism and the Kurdish Workers' Party (PKK) in Turkey. In its public statements the PKK has lauded Armenia's treatment of its Yezidi minority, contrasting it with the situation of Kurds in Turkey and Azerbaijan. Some observers have suggested that an

¹⁰⁸ McIntosh, I. S., A Conditional Coexistence: Yezidi in Armenia, *Cultural Survival Quarterly*, Issue 27.1, 31 March 2003, http://www.cs.org/publications/CSQ/csq-article.cfm?id=1360 [accessed April 2008]

¹⁰⁹ Krikorian, An Interview with Aziz Tamoyan, 2004, p.2

¹¹⁰ Krikorian, Armenia: Yezidi Identity Battle

¹¹¹ Krikorian, O., An Interview with Amarik Sardarian, in O. Krikorian (ed.), *The Yezidi Community in Armenia*, Tbilisi, 1999, p.13

¹¹² Krikorian, An Interview with Hranush Kharatyan, p.5

upsurge in Kurdish nationalism in Armenia might have a knock-on effect on "assimilated Kurds" in Azerbaijan. 113

The reported popularity of Abdullah Öcalan and the PKK among Armenia's Kurds and Yezidis militates against the Yezidist project by affirming the Yezidis' membership of a wider global Kurdish nation. Yezidis have openly expressed their support for Öcalan and the PKK by hanging portraits of the arrested leader and other PKK guerrillas on their walls. Excessive support for Öcalan and the PKK would, however, be damaging for the Armenian authorities, in that it could expose Armenia to claims of supporting the PKK or harbouring its members. There have been reported cases of Yezidis from Armenia fighting and dying for the PKK in Turkey, and even claims of the alleged kidnap of Yezidis for this purpose by the PKK. ¹¹⁴ PKK spokespersons also openly reject the Yezidist project, comparing it to the Turkish state's definition of Kurds as "Mountain Turks". In this context, one writer has defined the Armenian-Yezidi relationship as "a conditional coexistence: the majority of Yezidis do not identify themselves as Kurds or with the international Kurdish movement, nor do they openly support the Kurdish freedom fighter Ocalan". ¹¹⁵

5.1.3 Relations Between the Yezidi Minority and the Armenian State

There is a range of narratives depicting the relationship between the Yezidi minority and the Armenian state. As noted above, the "politically correct" view in the republic is to see Yezidis and Armenians as allies against a common Turkish/Muslim Kurd enemy. This vision of cordial Yezidi-Armenian relations is reflected in the statements of prominent Yezidi community leaders, particularly those associated with the Yezidist faction, who see instances of rights violations as isolated rather than systematic. Aziz Tamoyan, President of the National Union of Yezidi, for instance, has stated: "Armenians are brothers with the Yezidi but there are some officials who don't like us". 116

There is, however, another narrative which could be seen as "politically incorrect" in Armenia, which is the narrative of systematic repression of the Yezidi minority. According to this narrative, available on internet sites and chatrooms, Yezidis are forced by the Armenian state to reject a Kurdish identity, are excluded from public sector employment and have, in some isolated cases of pro-Kurdish intellectuals, even been assassinated. ¹¹⁷

Aside from its ostensible stance of non-interference in the Yezidi/Kurd identity debate, the Armenian state formally expresses its willingness to nurture minority culture but emphasizes financial restrictions to doing so. Hranush Kharatyan has stated, for example, that "existing problems are not a consequence of the lack of will but of the lack of means". 118

Krikorian, O., Kurdish Nationalism in Armenia, *Radio Free Europe/Radio Liberty Newsline*, Vol.3, No.3, Part I, 6 January 1999, http://www.rferl.org/newsline/1999/01/5-not/not-060199.asp [accessed April 2008]

¹¹⁴ Kurdistan's Liberation Army Members Kidnap Young Yezid from Armenia, *Aragil Electronic News Bulletin*, Issue 1711, 10 November 1998, quoting *Noyan Tapan*, 6 November 1998

¹¹⁵ McIntosh

¹¹⁶ Krikorian, An Interview with Aziz Tamoyan, 2004, p.5

See, e.g., The Situation of the Yezidis in Armenia, *Denge Ezidiyan*, January 2003, http://www.kurdistan.org/Current-Updates/yezidi.html [accessed April 2008]

¹¹⁸ Hakobyan

5.1.4 The Yezidi Minority and Armenian Political Organizations

There is an Armenian political organization, whose views might be characterized as extreme, called the Union of Armenian Aryans (UAA), which has called for the expulsion of Yezidis, Kurds and Jews from Armenia. Yezidis do not, however, appear to be the main target of the UAA's rhetoric nor can the UAA's view be taken as representative of a significant constituency in Armenian society.

5.1.5 Societal Attitudes

Yezidis confront a range of negative stereotypes in Armenia. There are first the negative historical associations with Kurds in general, a key driver of the Yezidist orientation described above. Second, there are stereotypes associated with the community's pastoralist profile, such as "rural", "smelly", "primitive". Yezidis are popularly associated with backwardness, and have been the butt of jokes on Armenian television shows. 119

5.2 Azerbaijan

There is very little information available on public attitudes towards Yezidis as a sub-community of the wider Kurdish minority. There are no specific reports of discriminatory attitudes towards Kurds in general (such attitudes tend to be concentrated on Armenians), which may also be a reflection of low public awareness of Kurds as a minority and indeed low ethnic consciousness amongst Kurds themselves.

5.3 Georgia

Perceptions of Yezidis in Georgia have long been dominated by the minority's socio-economic position in the margins of the urban economy. It is the least prestigious urban professions that are overwhelmingly associated with Yezidis: street sweepers, rubbish collectors, and street vendors. Several sources suggest concern over the similarity between the words in the Georgian language for Kurd (*kurdi*) and thief (*kurti*). Although these words are indeed very close, for native Georgian speakers they register as entirely different words not to be confused with one another. Moreover, although Yezidis are stereotyped as "poor" and "dirty", popular stereotyping associated with theft tends to stick to other ethnic groups or even regional groups within the Georgian nation.

Yezidis are themselves well aware of the stereotypes circulating about them within the majority. A study by the Fédération Internationale des Ligues des Droits de l'Homme (FIDH) cited the following views elicited from their interviews with Yezidis:

Georgians see us all as street sweepers, whilst many of us are well educated, and some are doing well in business.

When you are a Kurd, there is no position for you in the administration. ¹²¹

A key question is whether such views fuel discrimination and the violation of Yezidis' human rights. Although some sources suggest that law enforcement officials are also prone to stereotyping, which may in some cases influence their treatment of Yezidis, a more important

¹¹⁹ Armenian journalist, Yerevan. Personal interview, 11 February 2008

See, e.g., Landru, N., Report: The Yezidi Kurds from Tbilisi, *Caucaz.com*, 20 December 2006, http://www.caucaz.com/home_eng/breve_contenu_imprim.php?id=286 [accessed April 2008]

¹²¹ Fédération Internationale des Ligues des Droits de l'Homme, p.11

issue is the absence of high-ranking Yezidis who would be able to provide protection to their ethnic constituency. As FIDH observes, "Yezidi Kurds find that they are an easy target for acts of violence by the forces of order as there are no Yezidis in the police hierarchy". ¹²² The same study found that while Yezidis were exposed to human rights violations by law enforcement officials, these were not substantively different to violations endured by representatives of other ethnic groups, including Georgians. On balance it appears likely that some isolated incidents of police brutality towards Yezidis have been motivated by perceived impunity, and lack of levers of redress within the Yezidi community. Yet this does not appear to have taken the form of a consistent pattern of violations directed towards this specific minority.

Yezidi community leaders, situated precariously at the interface between community and state, are generally anxious to emphasize cordial relations between majority and minority. Rostom Atashov, President of the Union of Yezidis of Georgia, said the following in a 2006 interview:

There is no problem from the State. We are accepted as citizens of the Republic of Georgia like other national minorities as well as [ethnic] Georgians. We are citizens of this country and there is no problem in that area. We have the same rights as everyone else. The main problem is that the younger generation is not very aware of the traditions of their ancestors and this Union [of Yezidis of Georgia] was established to inform people of their culture and about their heritage. 123

In public pronouncements at least, community leaders are likely to express sympathy with the state's claims that it lacks resources to support minority cultures. In other domains community leaders have stressed commonality of interests between the majority and the Yezidi minority: a Yezidi Sheikh in a 2003 interview suggested that "we also suffer from the onslaught of [religious] sects". 124

In 2002 participants in a conference on issues concerning the Yezidi minority in Georgia attracted a storm of media attention by suggesting the possibility of violence in order to "save" Yezidi culture in Georgia. 125 Given the demographic context and the views of the vast majority of Yezidis in Georgia, however, this suggestion appears more rhetorical than anything else.

Current Migration Trends

All three states of the South Caucasus have been subject to significant depopulation processes since independence. The statistics are highly politicized and contested, but there is no doubt that Armenia, Azerbaijan and Georgia have all lost substantial numbers of people to emigration. Although the official Armenian census results in 2002 indicated that approximately one million people had emigrated from Armenia since 1991, many observers

¹²³ Krikorian, An Interview with Rostom Atashov

¹²⁴ Chikhladze and Chikhladze

¹²⁵ *Ibid*

considered this an under-estimate. ¹²⁶ In Azerbaijan, the 1999 census figure of 8 million has been questioned by Russian and Azeri observers, who have pointed to substantial numbers of Azeris recorded in Russia and Turkey and estimate that some 3 million people have emigrated from Azerbaijan since independence. ¹²⁷ As for Georgia, it is estimated that post-independence emigration accounted for a decrease of between 5 and 20 per cent of the 1989 population of about 5 million. ¹²⁸

Emigration has characterized both ethnic majorities and minorities. Public opinion surveys from Georgia, for example, suggest that although minorities do cite ethnic discrimination as a background factor, this is secondary to more urgent factors such as unemployment, economic hardship and the inability to pursue meaningful careers. This suggests that the primary drivers of migration are the same for both majorities and minorities. New opportunities to take advantage of naturalization regimes in kin-states abroad have also played a major role in the migration flows of certain minorities, such as Jews or Greeks.

6.1 Yezidi Migration: General Comments

Migration among the Yezidi communities of the South Caucasus needs to be seen in the light of wider Yezidi migration flows. There were substantial migration flows of Yezidis from Turkey to Western Europe during the 1980s, which were bolstered by flows of Yezidis from Iraq during the 1990s after the first Gulf War. Both official statistics and anecdotal evidence point to the significant depletion of the Yezidi minority in Georgia, and to a lesser extent Armenia. Yezidi migration from the South Caucasus is oriented principally towards Western Europe, particularly Germany, which is now home to the largest Yezidi community outside of the South Caucasus and Middle East. Precise statistics are difficult to come by, but estimates suggest that between 30,000 and 40,000 Yezidis live in Germany. In January 2000 the University of Hanover hosted the First World Congress of Yezidis; the Congress was particularly concerned with human rights violations suffered by the Yezidi community in Iraq. Outside Germany there are much smaller communities in the Netherlands, Belgium, the United Kingdom, Greece and Denmark. One researcher cites the figure of 30-40 Yezidi families living in the United States and maybe 10 in Canada in 2004.

A study conducted by the International Organization for Migration (IOM) in 2002 on the return and reintegration of migrants to the South Caucasus allows some more detailed insight

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Representatives of international organizations, Yerevan. Personal interviews, March 2007; Swedberg, J., Armenian Census Numbers Spark Debate but Are Good News for President, *Central Asia-Caucasus Institute Analyst*, 27 March 2002, http://www.cacianalyst.org/?q=node/140 [accessed April 2008]

¹²⁷ See Rasizade, A., Azerbaijan after Heydar Aliev, *Nationalities Papers*, Vol.32, No.1. March 2004, p.142

¹²⁸ International Organization for Migration, *Hardship Abroad or Hunger at Home: A Study of Irregular Migration from Georgia*, Tbilisi 2001, p.9

¹²⁹ Zakareishvili, P. and G. Svanidze, *Emigration from Georgia and Its Causes: The Results of a Sociological Survey of Public Opinion*, Tbilisi: International Centre "For a Peaceful Caucasus", 2001, pp.18-19

¹³⁰ Ackermann, p.158

¹³¹ First World Congress of Yezidis Held in Germany, *Radio Free Europe/Radio Liberty Iraq Report*, Vol. 3, No.5, 4 February 2000, http://www.rferl.org/reports/iraq-report/2000/02/5-040200.asp [accessed April 2008]

¹³² Ackermann, p.165

into drivers of migration amongst the Yezidi community in Georgia. Due to the focus of NGOs assisting the IOM in the implementation of the survey, the study featured a disproportionate number of Yezidis in the Georgian sample. Therefore, while the study's results may not have been representative of Georgian migrants overall, they are useful for the purposes of this paper. Overall, the principal reasons for migration given by respondents in all three countries were socio-economic conditions and perceived opportunities for economic advancement abroad; overall 86 per cent of respondents from all three countries cited these reasons for going abroad. A much smaller number cited human rights violations as the trigger of migration. Others had gone abroad to study or be reunited with family members already abroad. ¹³⁴

Most respondents from Georgia were oriented towards permanent resettlement abroad; their principal destinations were Germany, the Netherlands, Denmark, Greece, Switzerland and Spain. Respondents from the Armenian and Azerbaijani samples were also mainly oriented towards Germany and the Netherlands, and also Belgium. Virtually all respondents had applied for asylum and with one exception had been rejected, showing that in these cases representatives of both titular nationalities (Armenians, Azeris and Georgians) and a minority (Yezidis) had their claims rejected. However, the study notes that upon return to Georgia, Yezidi respondents were especially prone to attempts by officials to extort money from them; this is not to say that ethnic Georgians repatriated to Georgia are not also harassed in this way, but the survey shows ethnic minorities to be "especially affected" by such harassment. The study also notes that "such harassment stopped when the officials realized that the returnees had no money at all to 'share' with them".

A further nuance is indicated in the fact that 82 per cent of the Georgian sample indicated sometimes serious problems resuming normal life after return, compared with 69 per cent of the Azerbaijani sample and about a third of the Armenian sample. With non-Georgians, specifically Yezidis, comprising a disproportionate share of the Georgian sample, this may be taken as a very rough indicator that members of ethnic minorities are generally disadvantaged compared to members of the titular nationality and found it more difficult to reintegrate into normal life in their home countries.

6.2 Reception of Yezidis in Adopted Countries.

Migration has been an important phenomenon in the experience of Yezidi communities for some 300 years. Today, the emergence of numerically significant, stable Yezidi communities in countries where historically Yezidis have had no presence has far-reaching consequences for the global Yezidi community and for Yezidi identity itself.

The reception of Yezidis in Western Europe has forced certain changes upon the communities there. Specifically, traditional concepts of sacred knowledge and monopolies held on that knowledge by religious castes have been challenged by the need to explain Yezidism to outsiders. Whereas according to tradition only Sheikhs and Pirs can discuss

¹³⁵ *Idem*, pp.18-19

¹³³ International Organization for Migration, *The Return and Reintegration of Migrants to the South Caucasus: An Exploratory Study*, Bonn, 2002. The sample size was 103: 47 from Armenia, 29 from Azerbaijan and 27 from Georgia.

¹³⁴ *Idem*, p.15

¹³⁶ *Idem*, p.20

religious issues, in Western Europe Yezidis from all castes must be able to explain their religion publicly in order, for example, to apply for asylum. There have been numerous cases in Germany, for instance, where Yezidis have been refused asylum precisely because, as Murids (laymen), they were not able to explain the basis or structure of their religion. There has, as a result, been a process of "demystification" of the Yezidi religion, involving the collection of oral traditions, the forging of a written scripture, the reform of certain taboos and a universalization of knowledge about the Yezidi faith among Yezidis living in Western Europe. This has taken the form of "active and conscious attempts to establish Yezidi networks, mainly through the internet", a process described by one scholar as the "diasporization" of Yezidi identity. Although it is currently difficult for Yezidis in Western Europe to maintain regular contacts with communities in Armenia, Georgia and the Middle East it seems likely that such contacts will be maintained and will even increase, so that in the future one will be able to speak of a global Yezidi diaspora.

Yezidis in Western Europe are reported as confronting the same issues as other immigrant communities, i.e. being suspected of taking local jobs, and also of being exposed to general stereotypes concerning "Kurds", i.e. being associated with guerrilla warfare, drug dealing and self-immolation. ¹³⁹

6.3 Political Developments in the Middle East

The Yezidis of the South Caucasus are inevitably affected by developments in the traditional homeland of the Yezidi faith, Iraq. Yezidis are regarded as infidels by Sunni extremists and have been targeted as such. Many Yezidi communities in Iraq currently live outside of the jurisdiction of the Kurdish Regional Government (KRG), and are considered vulnerable to sectarian attack by Arab armed groups. In August 2007 some 400 Yezidis were killed by suicide bombers thought to be affiliated to al-Qaida in an attack near the settlement of Kahtaniya. The local Yezidi majority was due to vote on becoming part of the Kurdish Regional Government, pursuant to Article 140 of the Iraqi Constitution (calling for referenda to be held in areas claimed by both Arabs and Kurds) and the attacks were apparently intended to intimidate Yezidis against voting for membership of the KRG.

Although the emergence of the KRG is significant in terms of a territorialized Kurdish identity until conditions of security obtain in the region it seems unlikely to attract Yezidi migration from the South Caucasus.

7 Conclusions

Yezidi community life in the South Caucasus has undergone a major decline in the post-Soviet era. This is primarily due to the disappearance of the "micro-climate" supporting Yezidi minorities under Soviet rule. This micro-climate derived from a now discredited ideology of internationalism and state-supported diversity, which provided minimum resources allowing for the survival of even small and dispersed minorities. Weakened communal institutions have exerted increasingly less "pull" on their potential constituents (young Yezidis), and as a closed, endogamous community Yezidis have been unable to attract new members.

raem, p

¹³⁷ Ackermann, p.160

¹³⁸ *Idem*, p.163

¹³⁹ *Idem*, p.160

This decline concerns first and foremost the economic pillars of the community and the necessary critical mass for the normal functioning of Yezidi social institutions. Unlike surrounding majorities or larger, territorially concentrated minorities Yezidis have not been able to fall back on informal networks or support mechanisms such as "clan" networks, local demographic majorities or an external kin-state. As one study has highlighted for stateless minorities "the only bearer of justice and survival becomes the host state". However, the entire movement of societies in the South Caucasus over the past 20 years has been away from state endorsement and support of ethnic diversity, and towards the prioritization of the ethnic majority's interests. Ethnic majorities comfortably control both formal and informal mechanisms of political representation and feel little pressure or incentive to cede any ground to minorities. Armenia, Azerbaijan and Georgia have all demonstrated very little interest in adopting international minority rights standards. What progress has been achieved is a function of perceived obligations before international organizations rather than attempts to resolve acknowledged domestic problems of discrimination or social exclusion.

This situation needs to be seen in the broader context of a poor governance environment and deficient protection of human rights. Yezidis are not currently able to appeal to human rights standards to protect their rights, due in part to a lack of knowledge of their rights and to the ineffective nature of human rights protection mechanisms. In a different environment of responsive government and effective enforcement mechanisms for human rights, Yezidis might successfully appeal to international human rights standards to counter alleged violations of their economic, social and cultural rights, and to hold authorities to account in providing for due process in cases of civil and political rights violations. Yezidi communities, especially in Armenia, also appear to be very poorly informed of legal developments relevant to their survival as a community.

For human rights standards to become a lever of redress for Yezidis (and other minorities) a significant increase in public awareness of the commitments implied by the state's membership of international organizations and adoption of instruments such as the FCNM would be required. A quantum leap in governments' own understanding of what is required of them is also needed. Particularly in Georgia, however, where secessionist conflicts and a bullish attitude towards ethnic conflict continue to dominate the broader political agenda, this seems unlikely in the near future. In Armenia, the issue of minority rights remains distant from mainstream political concerns and if the issue registers at all on the cognitive map of the public, it is only thanks to the diligent work of Armenian human rights NGOs and investigative journalists. These constituencies are not, however, well-placed to induce change in government attitudes, although NGOs may usefully work towards fulfilling goals of human rights education among ethnic minorities.

Under these circumstances it appears unlikely that Yezidi migration will cease. Yezidi migrants will be primarily motivated by economic concerns; despite upturns in the economic fortunes of the South Caucasian republics, Yezidis are socially too far removed from positions of opportunity to be beneficiaries of sector-specific booms. Discrimination is most likely to be cited as a background factor, although in some cases Yezidis may legitimately claim that they cannot enjoy economic, social and cultural rights in their home countries. In some cases Yezidis may also legitimately claim deprivation of police protection and violation of the right to legal remedy. Forced displacement *en masse*, however, is a very unlikely

¹⁴⁰ Khachatryan, S., Defining Uncertain Rights, p.11

eventuality. More plausibly Yezidi communities in Armenia and especially Georgia will continue to steadily decline as they lose members to voluntary migratory processes.

The emergence of organized and numerically substantial Yezidi communities in Western Europe is furthermore likely to exert increasing "pull" forces on Yezidis in the South Caucasus. The existence of these communities signifies the possibility of retaining one's identity in the diaspora in societies where Yezidis can reasonably count on police protection and at least a neutral attitude from the state. The process of the writing down and codification of the Yezidi religion ongoing in the diaspora may over time influence debates in countries of origin on the nature of Yezidi/Kurdish identity. In Armenia these debates appear to have distracted from more urgent issues of fulfilling minimum standards of cultural rights. As the urge driving the post-Soviet quest for identity subsides over time, and diaspora communities subscribing to a consensual framework of Yezidi identity exert more gravitational pull, the terms of this debate may change. This would theoretically allow government authorities to enact unified cultural policies better suited to the needs of Yezidi communities on the ground. Such a development might serve to anchor Yezidis more solidly in community life in their countries of origin and address at least some of the factors currently driving migration.

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