



Home Office

Country Policy and Information Note

Iraq: Religious minorities

Version 3.0

July 2021

Preface

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in the [Introduction](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into 2 parts: (1) analysis and assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

Assessment

This section analyses the evidence relevant to this note - that is information in the COI section; refugee/human rights laws and policies; and applicable caselaw - by describing this and its inter-relationships, and provides an assessment of, in general, whether one or more of the following applies:

- a person is reasonably likely to face a real risk of persecution or serious harm
- that the general humanitarian situation is so severe that there are substantial grounds for believing that there is a real risk of serious harm because conditions amount to inhuman or degrading treatment as within [paragraphs 339C and 339CA\(iii\) of the Immigration Rules](#) / Article 3 of the [European Convention on Human Rights \(ECHR\)](#)
- that the security situation is such that there are substantial grounds for believing there is a real risk of serious harm because there exists a serious and individual threat to a civilian's life or person by reason of indiscriminate violence in a situation of international or internal armed conflict as within [paragraphs 339C and 339CA\(iv\) of the Immigration Rules](#)
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a claim is likely to justify granting asylum, humanitarian protection or other form of leave, and
- if a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the 'cut-off' date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available. Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate and balanced, and to provide a range of views and opinions which are compared and contrasted where possible, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote. Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

Feedback

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance and welcome feedback on how to improve our products. If you would like to comment on this note, please email the [Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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Assessment

Updated: 15 June 2021

1. Introduction

1.1 Basis of claim

1.1.1 Fear of persecution and/or serious harm by state or non-state actors because the person is from a religious minority.

1.2 Points to note

1.2.1 For the purposes of this note, religious minorities include all non-Muslim communities in Iraq: Christians, Yazidis, Sabaeen-Mandean, Kaka'i (also known as Ahl-e Haqq, Yarsan or Yarsani), Baha'i, Jews, Zoroastrians as well as converts and atheists. Information on Muslim minorities (Shabaks, Sufis and Salafists) has also been included.

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2. Consideration of issues

2.1 Credibility

2.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).

2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).

2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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2.2 Exclusion

2.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.

2.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).

2.2.3 For further guidance on the exclusion clauses and restricted leave, see the Asylum Instructions on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and [Restricted Leave](#).

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2.3 Convention reason(s)

- 2.3.1 A person's actual or imputed religion.
- 2.3.2 Establishing a convention reason alone is not sufficient to be recognised as a refugee. The question to be addressed in each case is whether the particular person will face a real risk of persecution on account of their actual or imputed convention reason.
- 2.3.3 For further guidance on Convention reasons see the instruction on [Assessing Credibility and Refugee Status](#).

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2.4 Risk

- 2.4.1 Many members of religious minorities have become Internally Displaced Persons (IDPs). For guidance on Article 3 ECHR claims based on the humanitarian situation, see the Country policy and information note on [Iraq: Security and humanitarian situation](#).

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a. Treatment by state and 'hybrid' actors

- 2.4.2 Islam is the official religion of Iraq. The Iraqi constitution provides freedom of religious belief and practice for Muslims, Christians, Yazidis and Sabean-Mandaeans but not for any other religions or atheists. The practice of the Baha'i faith is prohibited by law with a punishment of up to 10 years' imprisonment (see [Legal context](#)).
- 2.4.3 However, the Kurdistan Regional Government (KRG) allowed them to observe their religious holidays and festivals without interference or intimidation (see [Legal context](#) and [Treatment of religious minority groups](#)). Similarly, while the law prescribes 10 years' imprisonment for anyone practicing the Baha'i faith outside of the Kurdistan Region of Iraq (KRI), CPIT was unable to find any incidences of this occurring within the sources consulted (see [Bibliography](#)).
- 2.4.4 A set number of religions (see [Points to note](#), with the exception of the Baha'i faith) are registered within the Iraqi State and the law provides no mechanism for any other groups to obtain legal recognition. However, within the KRI, religious groups can obtain recognition by registering with the Kurdistan Regional Government's Ministry of Endowment and Religious Affairs (KRG MERA) providing that they meet certain criteria (see [Legal context](#)).

- 2.4.5 There are reports that local authorities, including Shia militias and Popular Mobilisation Units (PMU), subject religious minority groups to restrictions, harassment, discrimination, extortion at checkpoints, kidnapping and the confiscation of property, movement restrictions as well as attempting to facilitate demographic change by allocating land and housing to followers of certain religions in certain areas, for example to Shias and Sunnis in predominantly Christian areas in the Ninewa Plains. It should be noted that the available evidence does not provide a clear indication of the regularity, scale and extent of these incidents and only states that they have been reported (see [Treatment of religious minority groups](#)).
- 2.4.6 Non-Muslims are able to convert to Islam via a simple process. However, Personal Status laws and regulations prohibit the conversion of Muslims to another religion, though there are no reports of prosecutions (see [Converts](#)). There are reports that atheists could be at risk of arrest, however CPIT was only able to find a very small number of examples where this has occurred within the sources consulted (see [Atheists](#) and [Bibliography](#)).
- 2.4.7 Those that practice other faiths will only be able to obtain an identity card if they self-identify as Muslim, Yazidi, Christian, or Sabeen-Mandean. Those who have converted to another religion from Islam are unable to change their religious identification on their identity cards. Any children from mixed religion marriages can only be registered as Muslims. Without an identity card, a person faces a wide range of difficulties (see [Treatment of religious minority groups](#), [Converts](#) and [Documentation](#)).
- 2.4.8 While discrimination against and mistreatment of religious minorities does occur within the KRI, there are generally fewer reports than the rest of Iraq (see [Treatment of religious minority groups](#)).
- 2.4.9 Overall the country of origin information does not provide clear and definitive information regarding the scale and extent of the mistreatment faced by religious minorities from state authorities across Iraq and the KRI. Therefore, based on available information, in general, members of religious minorities do not face treatment from the state which is sufficiently serious by its nature and repetition to amount to persecution or serious harm. However, decision makers must consider each case on its individual facts, taking full account of the person's circumstances.
- 2.4.10 However, if a person conceals or does not practise their religion to avoid persecution, decision makers must consider the findings of [HJ \(Iran\)](#) and [WA \(Pakistan\) \[2019\] EWCA Civ 302](#).
- 2.4.11 For further guidance on assessing risk, see the instruction on [Assessing Credibility and Refugee Status](#).

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b. [Treatment by non-state actors and society](#)

- 2.4.12 Many religious minorities suffered under Daesh. Killings, kidnapping, rape, enslavement, forced marriage and sexual violence were common as well as the destruction of religious sites. As a result of Daesh's advance, many people attempted to flee, seeking safety in areas both within and outside of Iraq. Despite the claimed victory over Daesh by the Iraqi State and the

security situation significantly improving since, certain religious minorities continue to be targeted by Daesh. The threat from Daesh has not disappeared entirely, but they are confined to small pockets and the Iraqi Security Forces (ISF), the PMUs and the Kurdish Peshmerga have re-established control over most of Iraq's territory. Many members of religious minorities however remain in makeshift camps fearing the resurgence of violence in their home areas, although some efforts have been made by the authorities to help facilitate people returning home. Yazidis and Kaka'is were targeted by Daesh during 2020 but attacks were sporadic and were not constant. Based on the available evidence it is unlikely that members of religious minorities would be at risk of mistreatment amounting to persecution by Daesh (see [Treatment of religious minority groups](#) and the Country Policy Information Note on [Iraq: Security and Humanitarian Situation](#)).

- 2.4.13 Consideration has been given to [paragraph 339K of the Immigration Rules](#). While a number of religious groups, particularly Yazidis, have been subject to persecution or serious harm at the hands of Daesh in the past, it is considered that they are not the force they once were and no longer have the means to replicate and repeat the levels of widespread persecution or serious harm that they committed in the past.
- 2.4.14 It is reported that there is increasing social recognition of the genocide committed by Daesh against Yazidis but social stigma is still attached to children born to Yazidi women raped by Daesh fighters (see [Treatment of religious minority groups](#)).
- 2.4.15 There have been reports of incidents where members of religious minorities have been attacked or kidnapped in both the KRI and Baghdad, as well as others being targeted by criminal gangs, albeit not necessarily always on the basis of their religion. Members of religious minorities may also be threatened and harassed for refusing to wear the hijab or not adhering to Islamic norms regarding public behaviour and moral codes. Religious minorities can also experience discrimination such as negative nepotism, illegal property appropriation, verbal abuse, negative stereotyping and threats on social media (see [Treatment of religious minority groups](#)).
- 2.4.16 People who convert from Islam to another religion (especially women) may face problems with the local community and their family, such as being disowned, receiving death threats or even being killed. Possible consequences of converting religion vary between tribes and individual families with reactions being harsher in the countryside and Iraq, as opposed to the KRI which tends to be slightly more tolerant of converts (see [Converts](#)).
- 2.4.17 Instances of open conversion are rarely reported and converts keep their faith secret for fear of ostracism and violence. There are reports that atheists are also viewed with disdain. Individuals who openly admit that they are not religious would be at risk of threats and arrest, particularly in central and south Iraq (see [Atheists](#)).
- 2.4.18 Overall the country of origin information cited in this CPIN does not provide clear and definitive information regarding the scale and extent of the

mistreatment faced by religious minorities from society across Iraq and the KRI. Therefore, based on available evidence, in general, it is unlikely that the level of societal discrimination towards members of religious minorities is sufficiently serious by its nature and repetition to amount to persecution or serious harm. However, decision makers must consider each case on its individual facts, taking full account of the person's circumstances. The onus is on the person to demonstrate that they are at risk.

- 2.4.19 A person should not be expected to conceal their religion, their conversion or their activities related to their religion for fear of persecution in line with the findings of [HJ\(Iran\)](#) and [WA \(Pakistan\) \[2019\] EWCA Civ 302](#) (para 60).
- 2.4.20 For further guidance on assessing risk, see the instruction on [Assessing Credibility and Refugee Status](#).

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2.5 Protection

- 2.5.1 Where the person has a well-founded fear of persecution from state actors, they will not be able to avail themselves of the protection of the authorities.
- 2.5.2 Where the person has a well-founded fear of persecution from 'hybrid' actors (Popular Mobilisation Units), they are unlikely to be able to avail themselves of the protection of the authorities.
- 2.5.3 Where the person has a well-founded fear of persecution from non-state actors – including 'rogue' state actors – decision makers must assess whether the state can provide effective protection. The authorities in south/central Iraq are, in general, unwilling to provide effective protection to members of religious minorities, although it is reported that the central government continued to provide increased protection to Christian churches during the Easter and Christmas holidays. However within the KRI religious minorities may be able to access effective protection. For more information see [Protection](#) and the CPIN [Iraq: Actors of protection](#).
- 2.5.4 The KRG continues to support and fund the rescue of Yazidis still in Daesh captivity and provides psychosocial support for survivors. Legislative steps have also been taken in order to address the issue of female Yazidi survivors and the status of their children born from rape by Daesh fighters, however the relevant draft laws have not yet been voted on at the time of writing.
- 2.5.5 For further guidance on assessing the availability of state protection, see the instruction on [Assessing Credibility and Refugee Status](#).

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2.6 Internal relocation

- 2.6.1 Where the person has a well-founded fear of persecution from state actors, it is unlikely to be possible for them to relocate to escape that risk.
- 2.6.2 Where the person has a well-founded fear of persecution from non-state or hybrid actors, decision makers must determine whether the person could relocate internally to a place where they would not face a real risk of persecution or serious harm and where they can reasonably be expected to

stay. Each case must be considered on its individual merits. For more information see the CPIN [Iraq: Internal relocation, civil documentation and returns](#).

- 2.6.3 For further guidance on internal relocation see the instruction on [Assessing Credibility and Refugee Status](#).

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2.7 Certification

- 2.7.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

- 2.7.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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Country information

Section 3 updated: 15 June 2021

3. Religious minority groups

3.1 Demography

3.1.1 In May 2021 the United States Department of State (USSD) published its report on international religious freedom in Iraq, covering events in 2020 (USSD 2020 IRF report). The report stated that according to statistics published in 2010 by the Iraqi government (the most recent statistics available), Iraq's population are:

- 97% Muslim, of which:
 - 55 to 60% are Shia (Arabs, Turkmen, Faily Kurds)
 - 40% are Sunni (Arabs, Kurds, Turkmen)
- 3% are from other religious groups including:
 - Christian
 - Yazidi
 - Sabeian-Mandean
 - Baha'i
 - Kaka'i (also known as Yarsani)
 - Jews¹

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3.2 Christians

3.2.1 The USSD 2020 IRF report stated:

'According to Christian leaders as well as NGO and media reports, fewer than 250,000 Christians remain in the country, down from a pre-2002 population estimate of between 800,000 and 1.4 million persons. Approximately 67 percent of Christians are Chaldean Catholics (an eastern rite of the Roman Catholic Church), and nearly 20 percent are members of the Assyrian Church of the East. The remainder are Syriac Orthodox, Syriac Catholic, Armenian Catholic, Armenian Apostolic, Anglican, and other Protestants. There are approximately 2,000 registered members of evangelical Christian churches in the IKR [Iraqi Kurdistan Region], while an unknown number, mostly converts from Islam, practice secretly.'²

3.2.2 The same source further stated:

'According to the KRG [Kurdistan Regional Government] MERA's [Ministry of Endowment and Religious Affairs] Directorate of Christian Affairs, there are 11 registered evangelical Christian and other Protestant churches in the IKR, several with multiple branches: Nahda al-Qadassa, Nasari Evangelical, Kurd-Zaman, Ashti Evangelical, Evangelical Free, Baptist Church of the

¹ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 1), 12 May 2021

² USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 1), 12 May 2021

Good Shepherd, al-Tasbih International Evangelical, Rasolia, the United Evangelical, Assemblies of God, and Seventh-day Adventist groups.’³

3.2.3 In March 2021 Reuters published an article entitled ‘Factbox: Iraq’s Christian denominations’ which stated:

‘Iraq is overwhelmingly Muslim but hosts several ancient Christian communities, who now number an estimated 200,000 to 300,000 people from the 1.5 million who lived in the country before the U.S. invasion that toppled Saddam Hussein in 2003.

‘There are 14 officially recognised Christian sects in Iraq. Most live in Baghdad, the plains of northern Nineveh province and Iraq’s self-run Kurdistan region.

‘These are the most prominent Christian denominations in Iraq:

‘Chaldeans

‘Chaldeans are the most numerous of Iraq’s Christians, up to 80% of the group. The Chaldean Church is Eastern Rite affiliated with the Roman Catholic Church but allowed to keep its traditions and rituals.

‘It originated from the Church of the East in Mesopotamia, which emerged in the early centuries after Jesus Christ.

‘The church is based in Baghdad and headed by Cardinal Louis Raphael Sako. Most Chaldeans live in Iraq, the United States, Iran and Lebanon. They speak a version of Aramaic, a Semitic language spoken at the time of Jesus. There are 110 Chaldean churches across Iraq.

‘Syriacs

‘Syriacs make up about 10% of Iraqi Christians. They include Catholics, which are the majority, and Orthodox. The northern towns of Qaraqosh, Bashiqa and Bartella house the biggest Syriac community in the country.

‘The main Syriac Catholic church is based in Lebanon while the Orthodox church is based in Syria. There are 82 Syriac churches in Iraq, both Catholic and Orthodox.

‘Assyrians

‘Assyrians mainly following the Assyrian Church of the East comprise up to around 5% of Christians in Iraq. Some fled to Iraq following the massacres by the Ottoman army during World War One.

‘Assyrians refer to the killing of their people in 1915 as a genocide, which took place around the same time as the massacre of Armenians. There are 21 Assyrian churches in Iraq, 17 of them in Baghdad.

‘Ethnic Assyrians, a larger group that includes members of other Christian churches in the region, are originally from areas of former Mesopotamia including Iraq, Iran, Turkey and Syria.

‘Armenians

³ USSD, [‘2020 Report on International Religious Freedom: Iraq’](#) (Section 2), 12 May 2021

‘About 3% of Iraqi Christians are Armenian. After the Armenian genocide in 1915-1923 by the Ottoman Empire, many of them fled to Iraq. They speak Armenian. There are 19 Armenian churches in Iraq, both Orthodox and Catholic.

‘Arabs, smaller groups

‘Arab Christians make up about 2% of the Iraqi Christian population.

‘There are also three Greek Orthodox and four Coptic Orthodox churches in Baghdad and 57 Roman Catholic churches across the country, as well as a small number of Protestants.’⁴

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3.3 Yazidis

In September 2020 the European Asylum Support Office (EASO) published a query response entitled ‘What is the security context and treatment of Yazidis?’. The response, citing various sources, stated:

‘The Yazidis are an ethno-religious community autochthonous to the north Iraq governorate of Ninewa. Their ancestral homeland is located 150 km west of Mosul, in the Ninewa Plains, predominantly concentrated around Sinjar mountain, and the district town of Sinjar (also known as Singal, or in Kurdish: Shengal) as well as Al-Shikhan district, the villages of Bahzani and Baashiqa near Mosul, and in Dohuk in Iraqi Kurdistan. The native language of the Yazidis is the Kormanje dialect of Kurdish. Prior to the invasion of ISIL in 2014, the Yazidi community was estimated to range from 300,000 to between 550,000 and 700,000 members.’⁵

- 3.3.1 According to the USSD 2020 IRF report there are between 400,000 and 500,000 Yazidis in Iraq, with approximately 200,000 to 230,000 remaining displaced as of October 2020⁶.

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- 3.3.2 In August 2014 the BBC published a video entitled [‘Iraq crisis: Who are the Yazidis? In 60 seconds’](#).

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3.4 Sabean-Mandaeans

- 3.4.1 In August 2020 the Australian Government’s Department of Foreign Affairs and Trade (DFAT) published a country information report on Iraq. The report stated:

⁴ Reuters, [‘Factbox: Iraq’s Christian denominations’](#) 1 March 2021

⁵ EASO, [‘What is the security context and treatment of Yazidis?’](#) (Section 1), 30 September 2020

⁶ USSD, [‘2020 Report on International Religious Freedom: Iraq’](#) (Section 1), 12 May 2021

‘As of November 2017 (most recent available figure) there was an estimated population of less than 5,000 Sabeen-Mandean in Iraq. The community is primarily located in the southern Marshes or on the two rivers, at al-Amara, Qal’at-Salih, Nasiriya, Suq al-Shuyukh and Qurna. There is also a small community in Baghdad. The electoral law reserves one seat in the Council of Representatives for a representative of the Sabeen-Mandean community.’⁷

3.4.2 The USSD 2020 IRF report stated that:

‘Estimates of the size of the Sabeen-Mandean community vary, but according to Sabeen-Mandean leaders, 10,000 to 15,000 members remain in Iraq, mainly in the south, with between 750 and 1,000 in the IKR and Baghdad.’⁸

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3.5 Baha’i

3.5.1 The August 2020 DFAT report stated that ‘There are approximately 1,000 Baha’is located across Iraq, including in Karbala, Baghdad and Sulaymaniyah.’⁹

3.5.2 The USSD 2020 IRF report stated ‘Baha’i leaders report fewer than 2,000 members, spread throughout the country in small groups, including approximately 500 in the IKR.’¹⁰

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3.5.3 More information and detail about the Baha’i faith can be found on the [Baha’i International Community website](#).

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3.6 Kaka’i (a.k.a. Ahl-e Haqq or Yarsani)

3.6.1 The August 2020 DFAT report stated:

‘The Kaka’i, also known as Ahl-e Haqq or Yarsani, are estimated by community members to number between 110,000 and 200,000 in Iraq. They

⁷ DFAT, ‘[Country Information Report Iraq](#)’ (page 30), 17 August 2020

⁸ USSD, ‘[2020 Report on International Religious Freedom: Iraq](#)’ (Section 1), 12 May 2021

⁹ DFAT, ‘[Country Information Report Iraq](#)’ (page 33), 17 August 2020

¹⁰ USSD, ‘[2020 Report on International Religious Freedom: Iraq](#)’ (Section 1), 12 May 2021

live mainly southeast of Kirkuk and in the Ninewah Plains near Daquq and Hamdaniya, with others also based in Diyala, Erbil and Sulaymaniyah. They are generally considered to be Kurdish in ethnicity, speaking a dialect known as Macho, although there are also some Arabic-speaking communities.¹¹

- 3.6.2 The USSD 2020 IRF report stated: ‘According to Kaka’i (also known as Yarsani) activists, their community has approximately 120,000 to 150,000 members located in the Ninewa Plain and in villages southeast of Kirkuk as well as in Diyala and Erbil.’¹²

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- 3.6.3 In September 2019 Ezidi 24 published a video on its YouTube channel entitled [‘Who are Iraq’s Kakai?’](#).

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3.7 Jews

- 2.1.4 An article published by the New York Times in 2008 entitled ‘Baghdad Jews have become a fearful few’ stated:

‘Just over half a century ago, Iraq’s Jews numbered more than 130,000. But now, in the city that was once the community’s heart, they cannot muster even a minyan, the 10 Jewish men required to perform some of the most important rituals of their faith. They are scared even to publicize their exact number, which was recently estimated at seven by the Jewish Agency for Israel, and at eight by one Christian cleric. That is not enough to read the Torah in public, if there were anywhere in public they would dare to read it, and too few to recite a proper Kaddish for the dead.’¹³

- 3.7.1 The USSD 2020 IRF report stated:

‘There are fewer than six adult members in the Baghdad Jewish community, according to a local Jewish community leader. In the IKR, there are approximately 80 Jewish families, according to the KRG international advocacy coordinator, although some Jewish families do not openly acknowledge their religion for fear of persecution, according to the KRG Ministry of Endowment and Religious Affairs (MERA) and NGO sources, and the number could be higher.’¹⁴

- 3.7.2 An article published in March 2021 by France24 reported that there were only 4 Jews remaining in Iraq following the death of Sitt Marcelle in September 2020 and Dhafer Eliyahu in March 2021¹⁵.

¹¹ DFAT, [‘Country Information Report Iraq’](#) (page 32), 17 August 2020

¹² USSD, [‘2020 Report on International Religious Freedom: Iraq’](#) (Section 1), 12 May 2021

¹³ The New York Times, [‘Baghdad Jews have become a fearful few’](#) 1 June 2008

¹⁴ USSD, [‘2020 Report on International Religious Freedom: Iraq’](#) (Section 1), 12 May 2021

¹⁵ France24, [‘Iraq’s Jewish community dwindles to fewer than five’](#) 28 March 2021

3.8 Zoroastrians

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- 3.8.1 In February 2016 Al-Monitor published an article entitled ‘Zoroastrianism in Iraq seeks official recognition’ which featured the transcript of an interview with Peer Luqman Haji, the Zoroastrian spiritual leader in Iraq. The article reported that Haji stated:

‘The number of Zoroastrians in Iraqi Kurdistan and other regions is unknown, and I don’t intend to hide these figures because I actually have no idea about the approximate number of public or secret adherents to the Zoroastrian faith.

‘...Each day, we discover new stories about Zoroastrians in many areas of Iraqi Kurdistan and others that are administratively part of the [Iraqi] federal government. Zoroastrians are [mainly] found in Dahuk province, in the city of Zakho in the far north [near the northern borders with Turkey] and in Sulaimaniyah province, notably the districts of Darbandikhan, Ranya, Qalaat Daza and Chamchamal. They are also concentrated in Halabja province and in Erbil province, notably Koysinjaq district and Koya near Koysinjaq. Zoroastrians reside in Daquq [district] and Altun Kupri [northwest of Kirkuk] in Kirkuk province; in Khanaqin and Kafri in Diyala province; in Tuz Khormato [administratively part of Salahuddin province] in Kalar district linking between several Kurdish, Arab and Turkmen areas such as Sulaimaniyah, Diyala, Kirkuk, Salahuddin and Baghdad. Kalar is bordered by Darbandikhan district [Sulaimaniyah] to the north, Khanaqin district [Diyala] to the east, the town of Jalawla [Diyala] and Kifri district [Salahuddin]. There are other areas as well that I am currently visiting and where I am discovering new adherents.’¹⁶

- 3.8.2 The same source concluded: ‘Zoroastrians today are present in several areas of Iraqi Kurdistan and other areas administratively affiliated with the Iraqi federal government. But there are no accurate figures of their numbers as they are still referred to as "Muslims" on their identity documents, even though they engage in Zoroastrian religious rituals.’¹⁷
- 3.8.3 The USSD 2020 IRF report stated that ‘According to the KRG MERA, there are approximately 60 Zoroastrian families in the IKR. Zoroastrian sources report there are approximately 20,000 to 25,000 Zoroastrians in the country.’¹⁸

¹⁶ Al-Monitor, [‘Zoroastrianism in Iraq seeks official recognition’](#) 17 February 2016

¹⁷ Al-Monitor, [‘Zoroastrianism in Iraq seeks official recognition’](#) 17 February 2016

¹⁸ USSD, [‘2020 Report on International Religious Freedom: Iraq’](#) (Section 1), 12 May 2021

- 3.8.4 On 2 June 2016 Yalla English (a media and marketing organisation particularly aimed at young people) published a video on its YouTube account entitled '[Zoroastrianism in Iraqi Kurdistan, Episode 1](#)' with the [second episode](#) being published on 13 June 2016.
- 3.8.5 For more information see the Encyclopaedia Britannica article on [Zoroastrianism](#).

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3.9 Islamic minorities and ethnic groups

a. Shabakism

- 3.9.1 Minority Rights Group International (MRGI) published a Shabak profile, last updated in November 2017, which stated:
- 'The Shabak are an ethnic and linguistic minority located in a handful of villages east of Mosul, in the Ninewa plains, and a small group in Mosul itself. Most Shabak consider themselves as a distinct ethnic group, neither Arab nor Kurdish. Their language, Shabaki, draws on Turkish, Persian, Kurdish and Arabic. Shabak have been in Iraq since 1502, and today are mainly farmers. Their community numbers approximately 250,000. About 70 per cent of the group identifies as Shi'a and the rest Sunni, although Shabak religious practice blends elements of Islam and local beliefs.'¹⁹
- 3.9.2 The USSD 2020 IRF report stated that 'The Shabak number between 350,000 and 400,000, three-fourths of whom are Shia. Most Sunni Shabak and some Shia Shabak reside in Ninewa.'²⁰

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b. Sufism

Official – sensitive: Start of section

The information in this section has been removed as it is restricted for internal Home Office use.

Official – sensitive: End of section

- 3.9.3 For more information see the Encyclopaedia Britannica article on [Sufism](#).
- 3.9.4 CPIT was unable to find information regarding the number of practising Sufis in Iraq and the KRI in the sources consulted (see [Bibliography](#)).

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c. Salafism

Official – sensitive: Start of section

The information in this section has been removed as it is restricted for internal Home Office use.

¹⁹ MRGI, '[Shabak](#)' last updated November 2017

²⁰ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 1), 12 May 2021

Official – sensitive: End of section

- 3.9.5 An article entitled ‘Salafism in Iraqi Kurdistan’ published in July 2019 by the Sectarianism, Proxies and De-sectarianisation (SEPAD) project at Lancaster University stated:

‘In the past, Salafism in Iraqi Kurdistan was confined to few armed Jihadi groups based in remote areas. More recently, however, Salafism has found Kurdish audience... In the 1990s, only a handful of Kurdish individuals were exposed to Salafism. When the civil war erupted between the ruling Patriotic Union of Kurdistan (PUK) and the Islamic Movement of Kurdistan (IMK) in 1993, Kurdish Salafists fled to neighbouring Arab countries. Abdul-Lateef Ahmad, who would later become the leader of Kurdish Salafists, fled to Syria, Sudan, and, finally, resided in Yemen.

‘While in Yemen, Ahmad became a student of Sheikh Muqbil bin Hadi Al-Wadi’i, and learned Islamic sciences in Dammaj. He returned to Kurdistan after the US invasion and occupation of Iraq in 2003, and started teaching the Madkhalism school of Salafism. After several years, hundreds of Kurds were gathered around him.’²¹

- 3.9.6 The same source further stated:

‘Many factors catalysed the spread of Salafism in Kurdistan. First and foremost, Arab Gulf resources funded its mobilisation and publicity... Secondly, the internet – and easy access to Salafi books, blogs and social media accounts of Salafi figures – have all made it easier for Kurdish youth to learn about the different schools and camps of Salafism... Thirdly, the KRG turned a blind eye to the spread of Salafism in Kurdistan, hoping that Salafism can diffuse the social pressure against the government. They allowed Salafi gatherings and social and missionary activities, while restricting other Islamist groups’ activities.

‘...In general, Salafists can be divided into two broad groups: Purists – whose work focuses on missionary projects, and Jihadists – who pursue their political agenda through armed struggle. But there is a fine line between these two groups. A Salafist can – and often – shifts between the two. And the KRG government recognises this. Mariwan Naqshabandi, an official at the KRG’s Ministry of Endowment and Religious Affairs (MERA), said, “we don’t know when they [Purist Salafists] will change. It can happen anytime.” The spread of Purist Salafism provides fertile grounds for the spread of Jihadi Salafism among the Kurdish youth. It encouraged as many as 500 Kurdish youths to join the Islamic State (ISIS) [Daesh].’²²

- 3.9.7 For more information on Salafism see an article entitled ‘[Salafism or the Quest for Purity](#)’ published in July 2018 by the Oasis International Foundation.
- 3.9.8 CPIT was unable to find information regarding the number of people that practise Salafism in Iraq and the KRI in the sources consulted (see [Bibliography](#)).

²¹ SEPAD, ‘[Salafism in Iraqi Kurdistan](#)’ 19 July 2019

²² SEPAD, ‘[Salafism in Iraqi Kurdistan](#)’ 19 July 2019

4. Legal context

4.1.1 The USSD 2020 IRF report stated:

‘The constitution establishes Islam as the official religion of the state and a “foundational source” of legislation. It states no law may be enacted contradicting the “established provisions of Islam,” but it also states no law may contradict the principles of democracy or the rights and basic freedoms stipulated in the constitution.

‘The constitution protects the “Islamic identity” of the Iraqi people, although it makes no specific mention of Sunni or Shia Islam. The constitution also provides for freedom of religious belief and practice for all individuals, specifying Christians, Yezidis, and Sabean-Mandeans; it does not explicitly mention followers of other religions or atheists. The law prohibits the practice of the Baha’i Faith and prescribes 10 years’ imprisonment for anyone practicing the Baha’i Faith. The KRG, however, does not enforce the federal ban on the Baha’i Faith and recognizes it as a religion, while in other parts of the country the law generally is not enforced.

‘The constitution states each individual has the right to freedom of thought, conscience, and belief. Followers of all religions are free to practice religious rites and manage religious endowment affairs and religious institutions. The constitution guarantees freedom from religious coercion and states all citizens are equal before the law without regard to religion, sect, or belief.’²³

2.1.5 The report further stated that the following religious groups are recognised by the Personal Status law and are thereby registered with the government:

- Muslims
- Chaldeans
- Assyrians
- Assyrian Catholics
- Syriac Orthodox
- Syriac Catholics
- Armenian Apostolic
- Armenian Catholics
- Roman Catholics
- National Protestants
- Anglicans
- Evangelical Protestant Assyrians
- Seventh-day Adventists

²³ USSD, [‘2020 Report on International Religious Freedom: Iraq’](#) (Section 2), 12 May 2021

- Coptic Orthodox
- Yazidis
- Sabean-Mandaeans
- Jews²⁴

2.1.6 Additionally, the report also stated that outside of the KRI the law does not provide a mechanism for new religious groups to obtain legal recognition. However, within the KRI, religious groups can obtain recognition by registering with the Kurdistan Regional Government's Ministry of Endowment and Religious Affairs (KRG MERA) providing that they meet certain criteria: 'To register, a group must have a minimum of 150 adherents, provide documentation on the sources of its financial support, and demonstrate it is not anti-Islam.'²⁵

2.1.7 Eight faiths are registered with the KRG MERA:

- Islam
- Christianity
- Yazidism
- Judaism
- Sabean-Mandaeism
- Zoroastrianism
- Yarsanism
- Baha'ij²⁶

4.1.2 The same report also stated that outside of the KRI 'There are three diwans (offices) responsible for administering matters for the recognized religious groups within the country: the Sunni Endowment Diwan, the Shia Endowment Diwan, and the Endowment of the Christian, Yezidi, and Sabean-Mandean Religions Diwan. The three endowments operate under the authority of the Office of the Prime Minister (OPM) to disburse government funds to maintain and protect religious facilities.'²⁷

4.1.3 In the KRI, '[t]he KRG MERA operates endowments that pay salaries of clergy and fund construction and maintenance of religious sites for Muslims, Christians, and Yezidis, but not for the other six registered religions.'²⁸

4.1.4 The same source further stated 'The law requires the government to maintain the sanctity of holy shrines and religious sites and guarantee the free practice of rituals for recognized religious groups. The penal code criminalizes disrupting or impeding religious ceremonies and desecrating

²⁴ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 2), 12 May 2021

²⁵ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 2), 12 May 2021

²⁶ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 2), 12 May 2021

²⁷ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 2), 12 May 2021

²⁸ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 2), 12 May 2021

religious buildings. The penal code imposes up to three years' imprisonment or a fine of 300 dinars (26 cents) [£0.15p²⁹] for such crimes.^{'30}

4.1.5 The same source further stated:

'The constitution guarantees the reinstatement of citizenship to individuals who gave up their citizenship for political or sectarian reasons; however, this does not apply to Jews who emigrated and gave up their citizenship under a 1950 law.

'IKR law forbids "religious, or political, media speech individually or collectively, directly or indirectly that brings hate and violence, terror, exclusion, and marginalization based on national, ethnic, or religious or linguistic claims."

'...The country is a party to the International Covenant on Civil and Political Rights.'³¹

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Section 5 updated: 15 June 2021

5. Treatment of religious minority groups

5.1 Overview

5.1.1 In May 2019 the United Nations High Commissioner for Refugees (UNHCR) published a report entitled 'International Protection Considerations with Regard to People Fleeing the Republic of Iraq'. The report, citing various sources, stated:

'While the Iraqi authorities are reported to generally respect freedom of religion, minorities, many of which do not have strong political or tribal networks, have faced waves of displacement due to conflict and political and religious persecution, most recently at the hands of ISIS. Furthermore, minority groups report legal, political and economic marginalization. The practice of the Baha'i faith remains prohibited. Minority communities have reported instances of harassment as well as sexual assault from government-affiliated groups in some areas. In the KR-I [Kurdistan Region of Iraq], instances of discrimination by the authorities against members of minority groups and suppression of their political freedom have been reported. In some instances, minority rights groups and activists have reported about threats and politically motivated restrictions on their work by state and non-state actors. In and near formerly ISIS-held areas, attacks are reported to be carried out against members of minority groups...with attacks reportedly claimed by or attributed to ISIS.

'...Over the years, there have been reports of instances of killings and kidnapping for ransom targeting members of religious minorities, including Christians and Sabaeen-Mandaeans, by government-affiliated groups, criminal groups and armed groups for sectarian or criminal motives (on account of their perceived wealth), or a combination of the two.'³²

²⁹ XE.com, '[Iraqi Dinar to British Pound conversion](#)' 13 May 2021

³⁰ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 2), 12 May 2021

³¹ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 2), 12 May 2021

³² UNHCR, '[International Protection Considerations...to People Fleeing Iraq](#)' (page 74-77), May 2019

5.1.2 The same source further noted with that ‘Persons considered as contravening strict interpretations of Islamic rules in terms of dress, social behaviour and occupations, including atheists and secular-minded individuals, women and members of religious minority groups, are reported to face abduction, harassment and physical attack by various extremist armed groups and vigilantes.’³³

5.1.3 In March 2021 Freedom House published a report, covering the year 2020, entitled ‘Freedom in the World 2021 – Iraq’ which stated:

‘The constitution guarantees freedom of belief, but in practice many Iraqis have been subjected to violence and displacement due to their religious identity. Places of worship have often been targets for terrorist attacks. Blasphemy laws remain in the legal code, although enforcement is rare. A 2015 religious conversion law automatically designates the children of a parent who has converted to Islam as Muslim, even if the other parent is a non-Muslim. Restaurants serving alcohol and liquor stores have faced harassment and attacks, further eroding religious freedom.

‘Most political leaders expressed support for religious pluralism after IS’s defeat, and minorities living in liberated areas have largely able to practice their religion freely since.’³⁴

5.1.4 Freedom House also opined that ‘Members of a given ethnic or religious group tend to suffer discrimination or persecution in areas where they represent a minority, leading many to seek safety in other neighborhoods or provinces.’³⁵

5.1.5 In April 2021 the United States Commission on International Religious Freedom (USCIRF) published its annual report covering events in 2020 which stated:

‘In 2020, religious freedom conditions in Iraq remained poor despite the ostensibly significant Sinjar Security Agreement signed by the Kurdistan Regional Government (KRG) and the Iraqi Federal Government (IFG) in October to provide protection for religious minorities. Almost four years after the defeat of the Islamic State of Iraq and Syria (ISIS), religious and ethnic minorities in the Nineveh Plains and Sinjar continued to face immense challenges to returning safely to their towns and homes from internally displaced persons (IDP) and refugee camps. Renewed fear of persecution is growing among these communities amid lingering potential for a re-emergence of ISIS or ISIS like groups. Iranian-backed militia groups under the Popular Mobilization Forces (PMF), also known as Popular Mobilization Units (PMUs), continued their constant harassment of religious and ethnic minorities, especially in northern Iraq, making the improvement of religious freedom conditions more difficult. In 2020, the PMF operated with impunity in the Nineveh Plains and Sinjar, committing heinous violations against these long-suffering communities.

‘...In 2020, religious freedom conditions in the KRG territory remained relatively consistent with the prior year, although the regional government

³³ UNHCR, [‘International Protection Considerations...to People Fleeing Iraq’](#) (page 79-80), May 2019

³⁴ Freedom House, [‘Freedom in the World 2021 – Iraq’](#) (section D2), 3 March 2021

³⁵ Freedom House, [‘Freedom in the World 2021 – Iraq’](#) (section F4), 3 March 2021

created the new Ministry of Minority Affairs to advance the rights of both religious and ethnic minorities. Moreover, the KRG continued to host hundreds of thousands of IDPs who fled in prior years from ISIS territory—mainly from Yazidi, Christian, Turkmen, and Shabak communities. A lack of security for these communities in and along disputed areas persisted throughout the year.

‘Religious freedom conditions in Iraq, apart from northern Iraq, remained poor. Although Sunni-Shi’a Muslim reconciliation efforts continued, there was reportedly little progress. The IFG refused to remove blasphemy and apostasy laws and continued to deny formal recognition of religious minority and nontheist groups, including Baha’is, Jehovah’s Witnesses, humanists, Kaka’is and others.’³⁶

5.1.6 The USSD 2020 IRF report stated:

‘Representatives of minority religious groups continued to state that while the central government did not generally interfere with religious observances and even provided security for religious sites, including churches, mosques, shrines, and religious pilgrimage sites and routes, local authorities in some regions continued to verbally harass and impose restrictions on their activities.

‘...Leaders of non-Muslim communities continued to state that corruption, uneven application of the rule of law, and nepotism in hiring practices throughout the country by members of the majority Muslim population continued to have detrimental economic effects on non-Muslim communities and contributed to their decision to emigrate.

‘...There were continued reports that members of non-Muslim minority groups felt pressured by the Muslim majority to adhere to certain Islamic practices, such as wearing the hijab or fasting during Ramadan. Non-Shia Muslims and non-Muslim women continued to feel societal pressure to wear hijabs and all-black clothing during Muharram, particularly during Ashura, to avoid harassment. According to representatives of Christian NGOs, some Muslims continued to threaten women and girls, regardless of their religious affiliation, for refusing to wear the hijab, for dressing in Western-style clothing, or for not adhering to strict interpretations of Islamic norms governing public behavior. Outside the IKR, numerous women, including Christians and Sabean-Mandeans, said they opted to wear the hijab after experiencing continual harassment.’³⁷

5.1.7 The same source additionally stated:

‘Because religion and ethnicity are often closely linked, it was difficult to categorize many incidents as being solely based on religious identity. There were continued reports of societal violence by sectarian armed groups across the country, but no reports of religiously based violence in the IKR. Although media and human rights organizations said security conditions in many parts of the country continued to improve, reports of societal violence, mainly by pro-Iran Shia militias, continued. Members of non-Muslim minority groups reported abductions, threats, pressure, and harassment to force

³⁶ USCIRF, ‘[Annual Report 2021](#)’ (page 74-75), 21 April 2021

³⁷ USSD, ‘[2020 Report on International Religious Freedom: Iraq](#)’ (Section 2 & 3), 12 May 2021

them to observe Islamic customs. Shia religious and government leaders continued to urge PMF volunteers not to commit these abuses. In November, Jeanine Hennis-Plasschaert, Special Representative of the Secretary-General and Head of UNAMI, told the UN Security Council during a videoconference that she was encouraged by improvements in the security situation in the country, with dramatically reduced levels of violence. She said that notwithstanding the improvements, forced disappearances and killings continued, and there was still a pressing need for justice and accountability.³⁸

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5.2 Christians

5.2.1 In June 2020 Aid to the Church in Need (ACN) International (an international Catholic pastoral aid organisation) published a report entitled 'Life after Isis: new challenges to Christianity in Iraq'. The report focused on the results of a survey of Christians in the liberated Nineveh Plains conducted by CAN in 2019. The report stated:

'The Shabak and Babylon Brigades, the two primary Iranian-backed militias operating in the Nineveh Plains, have been the subject of several complaints. It is difficult to independently verify all of the claims below. Independent NGOs such as Human Rights Watch and visiting journalists have gathered evidence concerning some of the events described below:

- '• Looting Sunni Arab and Christian homes
- '• Illegally occupying and selling agricultural land
- '• Supporting or tolerating squatters in Christian homes
- '• Extortion, through illegal arrests and kidnapping
- '• Charging arbitrary customs fees at checkpoints
- '• Supporting or tolerating a boycott of Christian businesses
- '• Supporting or tolerating the erection of Shia Muslim shrines in front of Christian monuments
- '• Supporting or tolerating the placement of loudspeakers broadcasting Muslim prayers in Christian areas
- '• Blocking the roads to churches
- '• Firing guns in the vicinity of churches
- '• Threatening clergy
- '• Attempting to control checkpoints into majority Christian areas, including Baghdeda
- '• Tolerating crime against Christians, including sexual assault and robbery.'³⁹

5.2.2 The same source concluded that:

³⁸ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 3), 12 May 2021

³⁹ ACN International, '[Life after ISIS: new challenges to Christianity in Iraq](#)' (page 42), June 2020

‘Christians have returned to their homes, but they still feel unsafe, and substantially more insecure than other groups in Iraq. Militias rather than ISIS are the primary cause of problems. Although ISIS has been defeated, Christians remain subject to threats, extortion, and intimidation. ACN's survey found that substantial minorities in all locations, especially Bartella, claimed to have been negatively impacted by post-ISIS militias in the last one to two years. It is this concern around security, rather than the economic or family reasons, that is the primary driver of emigration.’⁴⁰

5.2.3 In January 2021 EASO published a guidance note entitled ‘Country Guidance: Iraq’ which provided a summary of the country of origin information they have cited across a range of products. The guidance note stated:

‘Under ISIL, Christians suffered killings, kidnapping, rape, enslavement, forced marriage, and sexual violence. ISIL subjected Christians to high levels of violence and discrimination in the areas under its control, forcing Christians to convert to Islam, pay jizya or face death or expulsion. Following ISIL’s defeat, its potential to wage large-scale campaigns has been significantly reduced to low-intensity insurgency. However, the UN Security Council had repeatedly throughout 2019 and 2020 highlighted ISIL’s continued targeting of civilians and security forces in Ninewa, Kirkuk, Erbil and Baghdad governorates.

‘The security situation of Christians is complex due to the presence of multiple armed actors in their traditional areas of origin, primarily ISF [Iraqi Security Forces], PMU [Popular Mobilisation Units] and KRG Peshmerga. Long-running territorial disputes between the government of Iraq and KRG in disputed areas result in Christians continually reporting scepticism towards the Iraqi forces’ capability to protect them from sectarian factions within PMU, Shia and Sunni armed groups, and ISIL.

‘Examples of reported violence against Christians include abductions, illegal arrests, unlawful detention, prevention of return, physical intimidation, assault, rape, (sexual) harassment, religious discrimination, threats via social media, robbery and theft of land or property, especially in Ninewa plains. There are also reports that some government officials have attempted to facilitate demographic change by allocating land and housing to Shias and Sunnis in predominantly Christian areas in the Ninewa Plains.’⁴¹

5.2.4 The same source further stated:

‘Additionally, Christians in KRI have reported that they were subjected to politically and territorially motivated movement restrictions. Violence against Christians in the KRI has been less common, but Christians in the region have faced discrimination in the form of intimidation and denial of access to services. Christian NGOs have reported that some Muslims threatened and harassed women and girls for refusing to wear the hijab or not adhering to strict interpretations of Islamic norms regarding public behaviour.

‘Assyrian Christians have complained of land appropriations by ethnic Kurds, which may have occurred with the “blessing, or tacit consent” of Kurdish

⁴⁰ ACN International, ‘[Life after ISIS: new challenges to Christianity in Iraq](#)’ (page 74), June 2020

⁴¹ EASO, ‘[Country Guidance: Iraq](#)’ (page 90), January 2021

officials. Complaints about appropriation of Christian land by ethnic Kurds have been long-standing and originated mainly from Dohuk and Erbil governorates. A law was issued in 2015 by the Kurdistan parliament to address the issue, however sources report that the law has not yet been enforced.

'In Baghdad, Christians reported that they fear being targeted for extortion, kidnapping, and having their property taken away by Shia militias. According to reports from 2017, criminal networks and some militia groups have seized the property of Christians with relative impunity, particularly in Baghdad, but also in areas of Anbar, Babil, Basrah, Diyala, and Wassit.

'In the south and PMU-controlled areas in the Ninewa Plains, Christians have been reported to refrain from celebrating religious feasts overlapping with the Shia Islamic Ashura period. Non-Muslim minorities, especially women, have been reported to be socially pressured to follow certain Islamic practices, such as wearing the hijab and all-black clothing during Muharram, and fasting during Ramadan, to avoid harassment. Christian women continued to face discriminatory stereotypes.'⁴²

5.2.5 The USCIRF report published in April 2021 stated:

'...[M]any Iraqi Christians in northern Iraq remained displaced in 2020; those who were able to return to their homelands found their property, including places of worship, destroyed or expropriated.

'.... At checkpoints, PMF fighters demanded that IDPs and refugees, especially religious minorities, pay excessive amounts of money to cross or risk being sent back to the camps. As a result of these and other repressive practices, less than 50 percent of the population of displaced Christians have been able to return to their homes since ISIS was defeated in 2017. Tens of thousands from that community remained in IDP and refugee camps under difficult and inhumane conditions. Christians who managed to return to their communities also faced new challenges, including a lack of basic services, dire economic conditions, and stolen properties.'⁴³

5.2.6 The USSD 2020 IRF report stated that:

'Christians...reported continued verbal harassment and physical abuse from members of the PMF [Popular Mobilisation Forces], a state-sponsored organization composed of more than 50 mostly Shia militias originally formed to combat ISIS [Islamic State of Iraq and Syria – also known as Daesh].

'Sources said some government officials continued to facilitate demographic change by providing land and housing for Shia and Sunni Muslims to move into traditionally Christian areas in the Ninewa Plain, such as Bartella Subdistrict...According to parliamentarian Rihan Hanna, a Christian from Kirkuk, the Iran-aligned Shabak PMF and the 50th (Babylon) PMF Brigades were making demographic changes by facilitating and giving permission to Arab and Shabak Shia to move into Christian areas in the Ninewa Plain, while Christians refused to return to the area because they feared these forces.

⁴² EASO, '[Country Guidance: Iraq](#)' (page 90), January 2021

⁴³ USCIRF, '[Annual Report 2021](#)' (page 74-75), 21 April 2021

'...Christians continued to report abuse, harassment, and delays at numerous checkpoints operated by various PMF units, including the Shabak Shia-backed 30th Brigade in Bartella, impeding movement in and around several Christian towns on the Ninewa Plain. The AAH [Asa'ib Ahl al-Haq – a PMF militia] reportedly was building an office in Bartella, while the 50th "Babylon" Brigade in Batnaya and Tal Kayf reportedly controlled the local real estate market, selling land to non-Christians from outside the district, granting questionable security approvals, and taking bribes. The 30th Brigade also reportedly controlled trade routes in the Ninewa Plain through checkpoints, forcing Christian merchants to pay bribes to gain access. According to Father Behnam Benoka of the Syriac Catholic Church in the Bartella Subdistrict, on February 14 [2020], gunshots were heard near the construction site of the AAH office, after which the AAH closed the road in the area, inhabited mostly by Christians, and started investigating Christian families in the area. According to some of the families, AAH members were behind the shooting and sought to frighten Christians and convince them to leave the area.'⁴⁴

5.2.7 The same source further stated:

'According to Father Benoka, in July [2020], four Christian women reported that Bartella's police commander, Ghazwan Ali Qasim (Arab Sunni), attempted to coerce them into prostitution based on their difficult economic situations. Benoka added that although the community had raised complaints about Qasim's conduct many times, the commander had been "promoted instead of being punished." According to Father Yaqob Saedy of the Syriac Orthodox Church, 30th PMF Brigade members assaulted two Christians in July [2020] when the pair tried to pass through Bartella's main checkpoint. Following an argument, Shabak PMF members forced the two Christians out of their car and beat them.

'Christian religious leaders continued to publicly accuse the 30th Brigade of verbal harassment of Christians in Bartella and elsewhere in Hamdaniya District of Ninewa.'⁴⁵

5.2.8 The same source additionally stated:

'In November [2020], Christian sources reported the ISF had seized Christians' houses in Talkayf District, Ninewa Province, and repurposed them as military barracks. The sources also reported that the ISF continued to use a youth center as a jail for ISIS prisoners in Talkayf, intimidating Christians in the district. In November, Mayor of Talkayf District Bassim Balo said civilians were concerned about the possibility that ISIS forces might attempt to break into the jail and free the ISIS detainees. He said some Christians had decided to leave the area because of ISF searches and restrictions of movement on residents in the area. According to Balo, the ISF used many houses belonging to Christians without compensating the residents.

'...Christians said they continued to face discrimination that limited their economic opportunities, such as PMF "taxation" on goods transported from Erbil or Mosul into the Ninewa Plain...In October [2020], unknown individuals

⁴⁴ USSD, ['2020 Report on International Religious Freedom: Iraq'](#) (Section 2), 12 May 2021

⁴⁵ USSD, ['2020 Report on International Religious Freedom: Iraq'](#) (Section 2), 12 May 2021

bombed a Christian-owned liquor store in Baghdad. According to local residents, the attackers were PMF-associated militia members who may have attacked the store after its owners refused to pay bribes.

'...In November, unknown gunmen attacked a lawyer working with the Chaldean Catholic Church in Baghdad working to return houses to members of the Christian community.'⁴⁶

- 5.2.9 In addition to outlining negative treatment of Christians in Iraq and the KRI across 2020, the USSD 2020 IRF report also included some information regarding slightly more positive developments:

'The committee of security officials and Christian religious leaders created in 2019 by the OPM [Office of the Prime Minister] to return all Christian properties in Ninewa Province to their Christian owners continued to operate. During the year, the committee returned dozens of houses to their Christian owners. According to Christian parliamentarians, there was no similar committee to help return properties in Baghdad or other provinces. According to Christian parliamentarian Yonadum Kanna, he and other Christian leaders continued to work individually to help Christians return to their homes. During the year, he managed to return fewer than 10 homes to their original occupants, compared with 180 homes returned in 2019. According to Kanna, during the year, he received fewer complaints from Christians because the security situation had significantly improved following the defeat of ISIS. He also said there were also fewer complaints of confiscated homes being occupied by someone other than the original occupant. Kanna said he had worked with the Higher Judicial Council to place restrictions on selling or buying real estate owned by Christians, making it more difficult for militias or others to use falsified documents to assume ownership of Christian properties.

'...Christian leaders reported the KRG continued to provide land and financial support for new construction and the renovation of existing structures for use as educational facilities. The KRG MERA finished building the St. Peter and Paul Chaldean Church in Ankawa near Erbil and handed it over to the Chaldean Archdiocese in 2017. Restoration of the Syriac Orthodox Um al-Nour Church in Erbil continued through year's end.

'...On November 14 [2020], Ammar Hakim, a politician and cleric as well as the head of the National Wisdom Movement, a coalition of political parties, said Christians were an important part of the country and emphasized the need to support Christians and others who suffered because of ISIS, including IDPs in the Ninewa Plain.'⁴⁷

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5.3 Yazidis

- 5.3.1 The guidance note published by EASO in January 2021 stated:

'Alienated from the religious majority in Iraq, Yazidis were labelled as heretics and devil worshippers. Even before ISIL's offensive, numerous incidents of arbitrary arrest, discrimination and other abuses against the

⁴⁶ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 2), 12 May 2021

⁴⁷ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 2), 12 May 2021

Yazidi community had been reported. Their religious premise was used by ISIL to perpetrate intentional, targeted mass killings, forced conversion, forced transfers of young children and sexual enslavement of thousands of women and girls. As of August 2020, an estimated 3 000 Yazidis are still missing or thought to be in captivity. The KRG continued efforts to support and fund the rescue of captured Yazidis, inside and outside of the country.

‘According to UN Human Rights Council, the crimes perpetrated by ISIL against the Yazidis qualify as genocide, crimes against humanity and war crimes. More than 160 perpetrators of massacres against Yazidis, particularly in Kojo but also elsewhere, were identified, resulting in building of legal cases to be primarily prosecuted by Iraqi domestic courts.

‘...Throughout 2019 and 2020, incidents of ISIL attacks in Ninewa governorate and Sinjar district continued occurring. These incidents included suicide bombers as well as rocket, mortar and IED assaults. Moreover, PMU have been involved in extortion, illegal arrests, and kidnappings, targeting, among others, Yazidis returning to the Ninewa Plains and Sinjar. During 2019, some Yazidi leaders reported about physical abuse and verbal harassment by the Peshmerga and Asayish in the KRG controlled areas of Ninewa. Those were reportedly caused by territorial disagreements rather than motivated by religious discrimination.

‘...The takeover of Mosul, the Ninewa Plains, and Sinjar and Tel Afar districts by ISIL led to a mass exodus and displacement of an estimated 500,000 Yazidis that fled to the KRI, predominantly to Dohuk governorate. Yazidis still residing in the KRI remain disadvantaged by low education, missing documentation, and lack of work experience outside construction and agriculture, in addition to widespread patronage and nepotism. The lack of employment and limited economic resources are resulting in difficulties to access food, health services, shelter and education.

‘...The main reasons for many Yazidis not to return to their areas of origin are the lack of reconstruction, vital public services and sense of insecurity. ISIL’s systematic and deliberate targeting and destruction of critical infrastructure (i.e. hospitals, power plants, electricity networks, schools, bridges, roads) and household and agricultural infrastructure, combined with the practice of boobytrapping Yazidi residences, and lack of vital services, continued to impede the safe return of IDPs, returnees, rehabilitation and reconstruction efforts. It is also reported that the district of Sinjar continued to suffer from contamination of unexploded ammunition and IEDs deliberately left by ISIL.

‘...Sexual violence against the members of the Yazidi community continues to be underreported owing to the fear of reprisals, stigma, absence of services and ongoing security concerns. Displacement camps constitute sites of heightened risk. Legislative steps have been taken in order to address the issue of female Yazidi survivors and the status of their children born to ISIL fighters, however the relevant draft laws have not yet been voted on.’⁴⁸

⁴⁸ EASO, [‘Country Guidance: Iraq’](#) (page 88-89), January 2021

5.3.2 The USCIRF report published in April 2021 stated:

‘The Yazidi minority remained especially vulnerable, still largely scattered throughout the Middle East and beyond with limited opportunity to return safely to their heartland of Sinjar. Living in IDP and refugee camps further exposed Yazidis to threats from ISIS affiliates and other hostile militia groups; for example, throughout the year, ISIS hunted Yazidi boys and girls to traffic or force them into other illegal activities. Additionally, of the 6,000 Yazidi girls and women whom ISIS abducted in 2014, only a few hundred or so were able to reunite with their families during the year; Iraq’s inability to address this atrocity continued to perpetuate collective trauma throughout the Yazidi community.

‘Six years after fleeing the ISIS genocide, the Yazidi community continued to face severe challenges to reclaiming its homeland along with its religious and ethnic identity. The whereabouts of thousands of kidnapped Yazidi women, girls, and boys remain unknown. Despite joint efforts between the KRG and the IFG to locate abductees and reunite them with their families, few were able to return to their homes in 2020. Around 2,800 abducted Yazidis were still missing, many of them reportedly still trafficked into sex, labor, or terrorism. Furthermore, many ISIS fighters responsible for those atrocities remain at large despite Yazidi demands for accountability.’⁴⁹

5.3.3 The USSD 2020 IRF report stated that Yazidis continued to report verbal harassment and physical abuse from members of the PMFs⁵⁰. In addition to this the same source also stated:

‘The Yezidi community in Sinjar District reported in August [2020] that the PKK [Kurdistan Workers’ Party] had kidnapped hundreds of Yezidi children since the group had asserted control of parts of the area, with the aim of recruiting them. It was unclear how many of the kidnappings occurred during the year. Also according to the Yezidis, the PKK was paying monthly salaries to Yezidi families to recruit youth as young as 14. These youth reportedly received PKK military training in the Qandil Mountains, where they were subjected to “brainwashing” and were not permitted to contact their families. A Yezidi woman said she had been harassed and threatened by the PKK since the group kidnapped her son six years ago. The KDP-appointed mayor of Sinjar, Mahma Khalil, who at year’s end was exiled in Dohuk while a “shadow” PKK-appointed mayor operated in part of Sinjar District, stated the PKK maintained secret prisons in Sinjar and that the PKK had arrested more than 70 Yezidis since taking control of parts of the district.

‘Yezidi groups said the presence of armed affiliates of the PKK, a U.S.-designated terrorist organization, and PMF militias in Sinjar continued to hinder the return of IDPs. According to Yezidi activists and officials, the Yezidis were afraid to return to Sinjar because of continuing Turkish airstrikes targeting the PKK that occurred in January, June, August, and November.

‘...Mass graves containing ISIS victims continued to be found, with more than 200 having been discovered since 2017. The central government’s

⁴⁹ USCIRF, ‘[Annual Report 2021](#)’ (page 74-75), 21 April 2021

⁵⁰ USSD, ‘[2020 Report on International Religious Freedom: Iraq](#)’ (Section 2), 12 May 2021

Martyrs Foundation announced in March that 18 additional mass graves had been discovered throughout the country; they contained victims of al-Qa'ida, ISIS, and the Baathist regime, with some remains dating back decades. According to KRG MERA's Office of Yezidi Affairs, two additional mass graves were discovered in Sinjar District during the year. KRG MERA's Office of Yezidi Affairs and the government's Martyrs' Foundation in Baghdad reported a total of 83 mass graves, in addition to dozens of individual grave sites containing the bodies of more than 2,500 Yezidis, had been found in Sinjar District and other predominantly Yezidi areas of Ninewa Province since 2014.⁵¹

5.3.4 The same source further stated in regards to government practices towards the Yazidis:

'The KRG continued to actively support and fund the rescue of captured Yezidis and provide psychosocial support services at a center in Dohuk Province. By year's end, authorities in the KRG's Yezidi Rescue Coordinating Office reported 2,874 Yezidis, mainly women and children, were still missing both inside and outside the country, compared with up to 3,000 reported missing in 2019. According to the Yezidi Rescue Coordinating Office, during the 2014-2020 period, approximately 100,000 Yezidis left the country...According to the KRG MERA, as of September 5, more than 3,543 Yezidis had escaped, been rescued, or released from ISIS captivity since 2014, compared with 2,500 through 2019.

'...According to some Yezidi sources, Yezidis in the IKR continued to experience discrimination when they refused to self-identify as Kurdish. They said only those Yezidis who identified publicly as Kurdish could obtain senior positions in the IKR leadership... According to a representative of the Yezidi NGO Yazda, KRG authorities continued to discriminate against minorities, including Turkomans, Arabs, Yezidis, Shabaks, and Christians, in territories claimed by both the KRG and the central government in the northern part of the country. In October, Yazda representative Jameel Shumar said Yezidis faced difficulties if they self-identified as Yezidis rather than Kurdish Yezidis, especially at IKR checkpoints. He said Yezidi politicians known for considering Yezidis a separate group from the Kurds were not allowed to enter the IKR.

'...In October, the central government and KRG reached an agreement on cooperation with the UN Assistance Mission for Iraq (UNAMI) on a framework for the security and political administration of Sinjar District as well as a pledge of future reconstruction and development efforts. According to Yezidi parliamentarian Saeb Khudur, the agreement, although criticized by members of the Yezidi community for not having involved Yezidis in the negotiations, included many longstanding Yezidi requests, including providing a framework for appointing a mayor, the removal of the PKK from the district, and the recruitment of 2,500 Yezidi local police. The United Nations and several countries, including the United Kingdom, France, Egypt, and Jordan, among others, stressed that for implementation to succeed, diverse sections of the Yezidi community, as well as others in Sinjar, needed to be included in discussions on implementation. Yezidi leaders said they were particularly apprehensive about what removal of the PKK would entail, given the

⁵¹ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 2), 12 May 2021

membership of several thousand Yezidis in the PKK-affiliated YBS [Sinjar Resistance Units].

‘Based on local media reports, there was increasing social recognition of the genocide that ISIS committed against the Yezidis. Cross-sectarian genocide commemoration events took place on August 3 for the third consecutive year. On August 3, KRG Prime Minister Masrour Barzani issued a statement on the sixth anniversary of the genocide against the Yezidis, calling on “all parties to reconstruct Sinjar, normalize the conditions in the city, and to ensure that they are free of any foreign armed forces or militias,” adding, “The security and stability of the region should be protected in coordination between the Kurdistan Regional Government and the federal government.” Barzani stated, “The efforts of the Kurdistan Regional Government are still ongoing in order to liberate the remaining kidnapped Yezidis,” and he called on “the federal government to work to compensate and assist the displaced Yezidis.”

‘In October, Yezidi parliamentarian Khaleda Khalel of the Kurdistan Democratic Party (KDP) submitted a bill to the Iraqi COR presidency to recognize the 2014 Yezidi genocide, stating that the law would compel the government to take responsibility for the victims, strengthen accountability for those who committed crimes against humanity, and provide psychological and medical care as well as reparations to the victims and survivors of ISIS crimes.’⁵²

5.3.5 The USSD 2020 IRF report stated in regards to documentation (see [Documentation](#) for more on this issue):

‘Yezidi community leaders continued to report that Yezidi captives of ISIS who were repeatedly raped and bore children were forced to register those children as Muslims and convert to Islam themselves to obtain identification cards, passports, and other governmental services – in part because the Yezidi community did not consider these children to be Yezidi. According to Yezidi journalist Khudar Domli, “What ISIS did to them by force, this [National Card] Act does by law.” The Yezidi religion traditionally required a child to have two Yezidi parents to be considered a member of the community. Sources in the community estimated the number of these children ranged from several dozen to several hundred. They said societal stigma made it difficult to obtain accurate numbers. Due to the position of Yezidi leaders and community on children born of rape, many Yezidi female survivors of ISIS said they were compelled to leave their children in orphanages in Syria or Iraq so they could rejoin their community. Some of the women preferred to stay in the camps’ harsh environment with their children rather than leave them behind.’⁵³

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5.4 Sabean-Mandean

5.4.1 The DFAT report published in August 2020 stated:

‘The Sabean-Mandean community has reduced considerably in number from a high point of around 30,000 in the mid-1990s. The drainage of the Marshes during the Ba’ath regime destroyed the locus of the community, leading many to leave Iraq. After the March 2003 US-led invasion, Shi’a and Sunni

⁵² USSD, [‘2020 Report on International Religious Freedom: Iraq’](#) (Section 2), 12 May 2021

⁵³ USSD, [‘2020 Report on International Religious Freedom: Iraq’](#) (Section 2), 12 May 2021

militant groups targeted the community, accusing Sabean-Mandaeans of committing witchcraft, impurity and systematic adultery, and committing hundreds of killings, abductions and incidents of torture. Sabean-Mandean women were targeted for not covering their heads, while Sabean-Mandean goldsmiths, silversmiths and jewellers (traditional community occupations) were reportedly targeted for theft and murder at much higher rates than their Muslim counterparts. Sabean-Mandaeans were also affected by the rise of Da'esh after 2014, with many fleeing Da'esh-controlled areas to avoid forced conversions or death. The community reports experiencing discrimination and negative stereotyping in all aspects of public life, as well as being targeted for attacks and kidnappings. The departure of many Sabean-Mandean religious leaders from Iraq has also threatened the ability of the remaining community members to retain their rituals, and many have reportedly left the faith.⁵⁴

5.4.2 The guidance note published by EASO in January 2021 stated:

'Sabean-Mandaeans have fled ISIL-controlled areas and have become internally displaced, while many are said to have departed the country.

'They have also faced violence by both Shia and Sunni Islamic groups and continue to be actively targeted. Numerous attacks have taken place against community members, their property and places of worship, including targeted killings of individuals. They have been extorted and pressured to conform to Islamic principles by financially supporting Shia rituals, parades and public events, especially during Islamic holidays. Not participating in such societal displays is considered to put Sabean-Mandaeans at risk of becoming disenfranchised from the local community.

'Sabean-Mandaeans were perceived as rich because they were associated with the jewellery trade. Because of this, they became a target for extortion by extremist groups and criminal gangs. Especially in Baghdad, members of the Sabean-Mandean community are often associated with wealth since many of its members work within the jewellery and gold/silversmith businesses. In addition, the Sabean-Mandaeans are by their religion prohibited to resort to arms, even in self-defence. Thus, community members were especially exposed to face robberies of their goldsmith, silversmith and jewellery stores.

'Being Arabic speakers, Sabean-Mandaeans who fled to KRI faced a language barrier when interacting with the Kurdish majority, experiencing racism and sometimes discrimination or verbal abuse on account of being perceived as "Arabs from the south". Being displaced into the KRI with a weak social network, the community lacks access to employment and economic opportunities.

'Sabean-Mandaeans experience discrimination and negative stereotyping in all aspects of public life. Outside the KRI, Sabean-Mandean women have been reported to opt to wear the hijab after continuous harassment.'⁵⁵

5.4.3 The USSD 2020 IRF report stated that outside of the KRI, Sabean-Mandean women opted to wear the hijab after experiencing continual harassment and

⁵⁴ DFAT, '[Country Information Report Iraq](#)' (page 30), 17 August 2020

⁵⁵ EASO, '[Country Guidance: Iraq](#)' (page 93-94), January 2021

that ‘...Sabeen-Mandean in Basrah, Dhi Qar, and Maysan Provinces, reported they continued to avoid celebrating their religious festivals when these observances coincided with Shia Islamic periods of mourning, such as Ashura.’⁵⁶

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5.5 Baha’i

5.5.1 The DFAT report published in August 2020 stated:

‘The Baha’i were recognised as a religious community during Iraq’s monarchical period. However, the Ba’athist Law No. 105 (1970) prohibited the faith, while Rule No. 358 (1975) proscribed the recording of Baha’i as a religion in the civil status records. Consequently, unless they made false statements about their religious beliefs and denied their identity, the Baha’i could not acquire identity documents, passports, or birth, death and marriage certificates. Many Baha’is were imprisoned and sentenced to death during the Ba’athist era. The Ministry of Interior repealed Rule No. 358 in 2007, but Law No. 105 remains unrevoked and proscribes ten years’ imprisonment for anyone practising the Baha’i faith. Authorities have reportedly cited the law and the Law on Civil Affairs (1959; amended 2017) which prohibits conversion away from Islam, as a justification to refuse to issue Baha’i identity documents, including to those who had previously obtained identity documents stating Islam as their religion.’⁵⁷

5.5.2 The EASO guidance note published in January 2021 stated:

‘The Baha’i religion was banned under the Baath party and members have been particularly oppressed in Iraq from the early 1970s, Baha’i property was confiscated and members of the community ultimately faced prison or execution.

‘According to Regulation 258 from 1975, Baha’i were denied access to birth and marriage registration, passports, employment, entry into university, and the possibility to buy and sell housing and property. Although this regulation was revoked in 2008, the Baha’i still cannot register their faith on their ID cards and Baha’i people are at risk of statelessness. In order to be issued an ID, Baha’i have to list “Muslim” on identity documents. Without identity documentation, the Baha’i cannot access rights and services related to citizenship, such as education, property ownership and medical care. The majority of Baha’i marriages are not registered officially, so the children of such marriages cannot obtain identification.

‘Baha’i do not benefit from any recognition or special measures under the Iraqi Constitution, but they are recognised as a religious minority by the KRG.’⁵⁸

5.5.3 On 2 January 2021 KirkukNow published an article entitled ‘Iraqi Baha’is still deprived of religious freedom’ which stated:

⁵⁶ USSD, ‘[2020 Report on International Religious Freedom: Iraq](#)’ (Section 2), 12 May 2021

⁵⁷ DFAT, ‘[Country Information Report Iraq](#)’ (page 33), 17 August 2020

⁵⁸ EASO, ‘[Country Guidance: Iraq](#)’ (page 94), January 2021

“Despite the change of the governing regime in Iraq, we, the Baha’i, are still deprived of the right to declare religion or practice our rituals in public. We can’t even put our religious affiliation on our official documents like other religions,” said Ahmad.

‘Ahmad is not his real name, by a pseudonym; he prefers not to tell his real name as he wants to avoid repercussions.

‘Before mentioning that even on ID card he is counted as “Muslim,” Ahmad’s first words were: “If things go on like this, we will be extinct.”

‘The Baha’i Faith was banned in Iraq in 1970 according to the decision of the now-dissolved ‘Revolutionary Command Council’ led by the banned Ba’th Party, and the registering persons as Baha’i in the government’s population register was scrapped.

‘...The ban on the Baha’i faith is an effort to “obliterate the identity of this religion and to distort its image among the few remaining people who heard about it,” explains Ahmad, and that this has made Baha’i a semi-secret religion, even though its adherents are “very sociable with other communities and religions in society.”

‘The suppression of persecution of the Baha’is reached its peak in 1970 when Article 105 was issued, which stipulated the prohibition of the practice of the Baha’i faith and was published in government-run newspapers at the time.

‘In addition, Decree 358 in 1975 stipulated scrapping the registration of Baha’is in the government population register. The Baha’is were then dispossessed of all their properties, while some were put in jail and others executed. Many also went missing during that period.’⁵⁹

5.5.4 The same source further stated:

‘Another adherent of the Baha’i faith from Baghdad, who also preferred not to mention her real name, said that Article 105 from 1970 stripped “the Baha’is of all their rights that is recognized internationally and locally in international treaties and conventions as well as the Iraqi constitution.”

‘She added that subsequent to those decrees all their places of worship were confiscated, and that thousands of the adherents of the faith left the country.

“We are still struggling to obtain our very basic rights as a community which has its roots in our country, meaning to abolish the ruling by the Revolutionary Command Council, but there are many obstacles, especially withing the executive branch.”

“We learned that the decrees by the Revolutionary Command Council will be taken to parliament to vote on their annulment, as they are not compatible with the new Iraqi constitution and the current democratic system, so we worked hard to include Article 105, and that took place, but certain sides obstructed the matter for unknown reasons,” she added.

⁵⁹ KirkukNow, [‘Iraqi Baha’is still deprived of religious freedom’](#) 2 January 2021

'...Hatim ['a writer and activist'] said that the crackdown on the Baha'is started after the 1963 coup, and that in 1975 their inclusion in government population registers was stopped.

'And with that they were prevented from registering marriage contracts in the civil status records, and deprived of civil status cards, and consequently from passports, government employment, entry to universities, and the sale and purchase of homes and properties.

'This led to some of them to register as having other religions.

'Hatim says that after so many years and so many changes, the Baha'is are still unable to practice their religion.'⁶⁰

5.5.5 The May 2021 USSD report stated that:

'The law prohibits the practice of the Baha'i Faith and prescribes 10 years' imprisonment for anyone practicing the Baha'i Faith. The KRG, however, does not enforce the federal ban on the Baha'i Faith and recognizes it as a religion, while in other parts of the country the law generally is not enforced.

'...Followers of recognized religious groups, including Baha'is (recognized only in the KRG)...reported the KRG allowed them to observe their religious holidays and festivals without interference or intimidation. Provincial governments also continued to designate festivals as religious holidays in their localities.'⁶¹

5.5.6 Despite the law stating that anyone practicing the Baha'i faith within Iraq would be imprisoned for 10 years, CPIT was not able to find information on the arrest and detention of any Baha'i followers in the sources consulted (see [Bibliography](#)).

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5.6 Kaka'i

5.6.1 The EASO guidance note published in January 2021 stated:

'As of September 2018, members of the Kaka'i community in Kirkuk governorate (mainly in Daquq district, south of Kirkuk) continued to be displaced, because of security concerns. Kaka'i villages have been targeted by ISIL because of perceived cooperation with ISF, with several reported attacks. Some villages have been deserted, others are defended by the local communities, but the local population expressed its concern that it would not be possible to secure the communities without substantial help from the outside.'⁶²

5.6.2 On 27 July 2020 the United States Institute of Peace (USIP) published an article entitled 'Threat to Kakai Community Poses Broader Challenges for Iraq's Democracy' which stated:

'Amid the global pandemic, ISIS and the havoc it still wreaks have largely fallen out of the headlines. Nonetheless, the terrorist group's genocidal

⁶⁰ KirkukNow, '[Iraqi Baha'is still deprived of religious freedom](#)' 2 January 2021

⁶¹ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 2), 12 May 2021

⁶² EASO, '[Country Guidance: Iraq](#)' (page 92-93), January 2021

march against Iraqi minorities has continued. In Iraq's eastern Diyala province, ISIS has targeted the Kakai minority with multiple, vicious attacks.

'...Since early 2020, mortar strikes and targeted assassinations have pushed many Kakais to flee their homes and seven of their villages been abandoned. In late March, Kakai tombs in the Ninewa and Kirkuk governorates were destroyed by unknown persons. Dozens were murdered or wounded in May and June when gunmen reportedly connected to the Islamic State slaughtered defenseless civilians.'⁶³

5.6.3 In February 2021 VOA News published an article entitled 'Local Officials Say Iraq's Kakais, fearing IS, are fleeing their villages' which stated:

"Al-Qaida and Islamic State terror have taken the lives of 450 members of our people since they came to the area," Kwekha Aziz, a Kakai community leader, told VOA.

"You can see all our martyrs buried in the graveyard over there. ... They hate our religion. They hate it that we don't fast or we don't pray like them," he added.

'Most Kakais live in more than a dozen villages dotting oil-rich Kirkuk province, a part of the northern "disputed territories" where experts say the Iraqi government is struggling to contain a rising IS threat. That area is contested between Baghdad and the autonomous Kurdistan Regional Government (KRG) in the north.

'Last year, a suspected IS attack left at least seven Kakai men dead near Iraq's northern border with Iran.

'Kurdish officials say increased IS attacks and activities in the region have in recent days caused many Kakais to abandon their villages.

"People in the area are panicking and many people in the predominantly Kakai villages have vacated their homes fearing [IS] attacks," Hiwar Rashid, a local Kurdish official in Kirkuk, said Tuesday in an interview with Iraqi Kurdish news site Bas News.

'Last week, Sarbast Lazgin, deputy minister of the KRG's peshmerga forces in northern Iraq, told VOA the jihadists were already exploiting a "security vacuum" in the disputed territories, and he called for stronger cooperation between federal and regional security forces.

'...While it might be easier for IS to recognize Kakai men [due to their distinctive moustaches], the religion's female followers say they face their own unique challenges that go beyond terror threats in the conservative society they live in.

"Kakai women have many grievances," Samira Kakai, a women's rights activist, told VOA.

"They are not allowed [by their families] to go outside on their own. They are allowed to take pictures of themselves but cannot post them [online]. They are allowed to sing only in private," she added.'⁶⁴

⁶³ USIP, '[Threat to Kakai Community Poses Broader Challenges...](#)' 27 July 2020

⁶⁴ VOA News, '[...Iraq's Kakais, fearing IS, are fleeing their villages](#)' 10 February 2021

5.6.4 The USSD 2020 IRF report stated:

'According to multiple sources in Khanaqin, ISIS attacks in May and June [2020] on several Kaka'i villages wounded and killed a total of 13 persons. In June, the director of the Kaka'i-affiliated Chraw Organization for Documentation reported that attacks of this kind were not isolated and were increasing. Prime Minister Kadhimi and President Barham Salih said they would address Kaka'i security concerns, but there was no action by year's end.

'According to Kaka'i human rights activists, ISIS attacks caused the displacement of residents of seven Kaka'i villages during the year, two in Khanaqin District in Diyala Province and five in Daqoq District, Kirkuk Province. Kaka'i gravesites in Kirkuk and Ninewa Provinces were also destroyed by unidentified individuals believed to be affiliated with ISIS.

'...In August, security forces reported that unidentified individuals set fire to a house belonging to a Kaka'i family in the Arab village of Kewey, in Kirkuk. No casualties were reported. Kaka'is said they believed the arson was the result of an Arab-Kaka'i land dispute.'⁶⁵

5.6.5 The same source additionally stated:

'Kaka'i community members said the central government's Shia Endowment continued to occupy places of Kaka'i worship in Diyala and Baghdad, converting them into Shia mosques. In 2019, the Shia Endowment seized the Kaka'i House of Worship Baba Mahmud in Khanaqin District, Dyala Province, stating that Baba Mahmud was one of the Shia Imam Ali's sons and therefore, the place of worship should be under the Shia Endowment's control. According to Kaka'i representatives, the government did not respond to their request for the return of the Baba Mahmud House of Worship and because there was no endowment for the Kaka'i, the group had no legal recourse. Kaka'i representatives also reported that the Sunni Endowment continued to occupy Kaka'i houses of worship in Kirkuk.'⁶⁶

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5.7 Jews

5.7.1 CPIT was not able to find any recent information in regards to the treatment of Jewish people in Iraq in the sources consulted (see [Bibliography](#)). However the USSD religious freedom report, published in June 2019 and covering events in 2018, stated that 'According to the penal code, Jews may not hold jobs in state enterprises or join the military.'⁶⁷

5.7.2 The same report also stated that:

'One of the remaining members of the Jewish community in Baghdad described the prevalence of anti-Semitic rhetoric from both Muslim and Christian leaders. Although the sermons did not advocate for violence against the Jewish community, the community member expressed concern that more priests were including anti Semitic rhetoric in their sermons,

⁶⁵ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 2 & 3), 12 May 2021

⁶⁶ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 2), 12 May 2021

⁶⁷ USSD, '[2018 Report on International Religious Freedom: Iraq](#)' (Section 2), 21 June 2019

comparable to the anti-Semitic rhetoric often heard from some Muslims. He presented pictures of the continued desecration of the Jewish cemetery in the Shia-majority Sadr City section of Baghdad. The small community did not file any reports on the desecration with local authorities due to reported fear of retribution. Despite Shia cleric Muqtada al-Sadr's decision to speak out in favor of the return of Jews in a June 2 response to a follower's question, the member of the Jewish community said Jews continued to avoid publicly self-identifying for fear of violence.⁶⁸

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5.8 Zoroastrians

5.8.1 In March 2019 EASO published a report entitled 'Iraq: Targeting of Individuals'. The report, citing various sources, stated:

'Mainly found in Dohuk and in Sulaimaniyah, Zoroastrians enjoy more recognition in Kurdistan than in other regions in Iraq. Zoroastrians claim increasing numbers of Kurdish Muslims are converting to Zoroastrianism. According to some reports, these conversions have resulted in incitement of hatred and defamation by some Sunni clerics. Prominent followers of Zoroastrianism reported threats and harassment from Islamic groups... In an interview with the New Arab, members of the religious community described that they were not accepted by everyone in KRG, and a Zoroastrian woman said that community members face discrimination and threats (including death threats).'⁶⁹

5.8.2 The USSD 2020 IRF report stated:

'According to Zoroastrian leaders, after the Zoroastrian NGO Yasna opened a branch in Duhok, Salafist Islamist groups criticized the Zoroastrian religion's practices and beliefs. According to one Zoroastrian representative, Zoroastrians in the IKR received death threats on social media from Salafists, who accused the Zoroastrian community of infidelity and incest. Zoroastrian leaders also reported that their religion was listed as "Islam" on their federal identification cards, a common problem reported by members of unrecognized religious minority groups due to the country's constitution and its personal status law.'⁷⁰

5.8.3 The same source further stated: 'In September [2020], the KRG Ministry of Endowment and Religious Affairs announced the first Zoroastrian temple would soon open in Erbil. According to a community source, the temple, supported by Yasna and located in a Yasna-run facility, was opened in December with the participation of Zoroastrian worshipers and a representative from KRG MERA in attendance.'⁷¹

5.8.4 In April 2021 KirkukNow published an article entitled 'Zoroastrians face discrimination in Duhok' which stated:

⁶⁸ USSD, '[2018 Report on International Religious Freedom: Iraq](#)' (Section 2), 21 June 2019

⁶⁹ EASO, '[Iraq: Targeting of Individuals](#)' (page 148), March 2019

⁷⁰ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 2), 12 May 2021

⁷¹ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 2), 12 May 2021

'Duhok Zoroastrians are passing through tough days. Their worship place is secret and they face threats and discrimination despite that alike [sic] other religions, legally they are free to practice their rituals.

'Office of Duhok for Zoroastrians was inaugurated in September 2020 but after a while the owner of the building asks them to evacuate under social pressure so they leave to another place stealthily with no sign on their building and secretly hold some religious rituals.

"Extremist people were severely attacking us especially on social media. The challenges were escalating to prevent us from having our office in Duhok but we did not give up," [said] Helan Chiya, representative of Yasna Organization.

'Yasna Organization for religious philosophy of Zoroastrianism has been founded [a] few years ago and is part of...[the] Zoroastrians directorate under [the] Iraqi Kurdistan Regional Government's KRG ministry of Awqaf and religious affairs.

"Threats and unconsent escalated up to death threat[s] even against the landlord so he asked us to remove the sign and we agreed but later he asked us to find another place," Chiya added.

'Representative of Duhok Zoroastrians recalls they had not set up completely when they were forced to move to another office. Zoroastrians and Yasna who share office in Duhok now have an office with no sign, keeping a low profile for safety of the visitors.

"We can't celebrate publicly or reveal our religious affiliation," he added.⁷²

5.8.5 The same source further stated:

'Despite the ongoing hardships, Zoroastrians are fortunate they have escaped physical abuse. KirkukNow has found out that threats are carried out by messages through Facebook and other social media platforms.

"None of our people was physically tortured but verbally we are offended and receive death threats. We brought these to Police who were very helpful in safeguarding us," Chiya said.

'According to KRG's law of rights of components (minorities), all kinds of discrimination are prohibited and they are free to disclose their beliefs, rituals and celebrations. No party has the right to deprive them of these rights and the government is committed to their safety.

'However, social contempt is a pain in the heart for the followers of the one of the most ancient monotheist religions in the history of humanity.

"We cannot even write a comment on a Facebook post as a Zoroastrian. Some people say it's a taboo to dine with you, ugly animals are better than you. Others say just let us know where you are if you dare. They accuse us of defamation of Islam," said Aram Mahdi, 31, a follower of Zoroastrianism in Duhok.⁷³

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⁷² KirkukNow, '[Zoroastrians face discrimination in Duhok](#)' 17 April 2021

⁷³ KirkukNow, '[Zoroastrians face discrimination in Duhok](#)' 17 April 2021

5.9 Shabaks

5.9.1 The August 2020 DFAT report stated:

'Like other minorities, the Shabak suffered from the Da'esh advance into Mosul and the Ninewah plains in 2014. According to international reports, Da'esh murdered an estimated 117 Shabak families, with additional reports of kidnappings. While their villages have been recovered from Da'esh control, thousands of Shabak remain internally displaced, spread between the Shi'a majority areas of central and southern Iraq and the KRI. The long-term status of Shabak villages on the Ninewah plains remains undecided: Shabak are reportedly divided between their support for the Iraqi government and the KRG. Many Shabak men have reportedly joined militias, some of which have been incorporated into the Peshmerga as an all-Shabak brigade, while others have joined the Quwat Sahel Ninewah militia associated with the Shabak Democratic Assembly. Shabak residing in the KRI and disputed territories have reported heavy pressure to support Kurdish political aims.'

5.9.2 The 2021 EASO Guidance on Iraq reported that:

'Besides facing violence from ISIL, the Shabak have been victims of efforts to forcibly alter the demographic balance in their areas of origin in favour of either Arabs or Kurds. The Shabak community is located in an area that is disputed between Erbil and Baghdad. The power struggles between the two governments have affected the Shabak detrimentally and they have faced enormous pressure and harassment from the KRG to assimilate and declare themselves as Kurds.'⁷⁴

5.9.3 In March 2021 the New York Times published an article entitled 'In Iraq's Christian Heartland, a Feud Over a Town's Identity' which reported on disputes between Shabaks and Christians in Bartella, northern Iraq. The article stated:

'Bartella is one of about a dozen historically Christian towns on the Nineveh Plains, where the apostle Saint Thomas is said to have converted the polytheistic population just decades after the death of Jesus. Many Christians there still speak a form of Aramaic, the language of Jesus.

'In Bartella, they are now a minority, fewer than 3,000 in a town of 18,000. As in most of Iraq, Shiite Muslims predominate. But in Bartella, there's a demographic twist.

'The majority there belong to another Iraqi minority, the Shabak, a small ethnic and linguistic group that is waging its own fight for recognition. Although most Shabak are Shiite Muslims, they have also long suffered from efforts to suppress their culture, including during the time of Saddam Hussein.

'Worried that Christians could be squeezed out of the traditionally Christian town, the Iraqi government granted church officials the authority to approve building projects and land sales.

⁷⁴ EASO, '[Country Guidance: Iraq](#)' (page 92), January 2021

'...The divisions between the two ethnic groups can become heated and direct, unusual in a country where most officials are careful to minimize differences and to refer to Iraqis of other faiths as "our brothers."

"The main problem is Shabak officials," insisted Father Saadi, the Orthodox priest. "They are changing the identity of Bartella."

'The disagreement often boils down to a contest of which minority is the most disadvantaged.

"Christians ask for their rights and they call themselves oppressed but they are not," said Saad Qado, director of the Voice of Shabak, a local radio station. "We are oppressed. They have everything."

"I can take you to Shabak villages that don't have clean water to drink or a hospital even," he said. "Some of the villages don't have schools, but no one cares about us."

'While religious conflict has a long history in Iraq, the current tensions in Bartella are rooted in the town's capture by the Islamic State in 2014. Both Christians and Shiite Muslims there suffered under the rule of the Sunni terrorist group. Many fled.

'The Shabak formed a militia that ultimately helped retake the town in 2016. By then much of it was in ruins. Church officials say the majority of Christians have not returned.

"Many people came back after the liberation from ISIS and when they saw that their houses were burned and looted and destroyed, they decided to emigrate," Father Lalo said.'

5.9.4 The same source continued:

'It was then that the Iraqi government, fearing that historic Christian towns could lose their identity, granted church officials in Bartella and another town, Qaraqosh, the power to regulate development... Shabak leaders called the special privilege for Christians unfair, saying they suffered at least as much in the fight against the Islamic State. Moreover, Mr. Qado said, it was the Shabak militia that protected Christians and other villagers from ISIS, and now they are being told they cannot buy houses here.

'Mr. Iskander said that he has had trouble finding land to build a house for his family of three wives and 16 children. "I am a mayor and I have three wives," he said. "Don't I deserve to live in Bartella?"

'He is happy to live side-by-side with Christians. The continued existence of Christians in Bartella, he said, is "like a flower in the desert." But where are his rights? he asks. "I go to Mosul, they tell you 'you should go to your areas,'" he said. "I come here and there is no land. Where do I build a house? In the sky?"

'Large families like his also represent a demographic threat to the town's Christians. "Christians get married and they have maybe a son and a daughter," he said. "But the Shabak have 15 or 20 children. We have people who marry two or three wives and after a few years they become a tribe."

'Mr. Qado claimed that church officials had even barred women from giving birth at a hospital on the outskirts of town to prevent Shabak children from being issued Bartella identification documents. Church officials say the problem is that the hospital is not recognized by Iraq's Health Ministry.'⁷⁵

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5.10 Sufis

5.10.1 CPIT was unable to find any recent information in regards to the treatment of Sufis in Iraq in the sources consulted (see [Bibliography](#)). However in July 2016 The Arab Weekly published an article entitled 'Iraq's Sufis targeted by radicals' which stated:

'Viewed by Sunni insurgents and Shia militias as "heretical", Iraq's Sufi Muslims say they are caught between the hammer and the anvil as they and their shrines are attacked by armed groups in a lawless country.

'...Sufi Sheikh Omar Abdul-Aziz said there are two main Sufi orders in Iraq: Qadiriyya and the Naqshbandi. The followers of Naqshbandi were involved in violence and attacks against government security forces after the 2003 US-led invasion, despite the common perception that Sufism is a non-violent form of Sunni Islam.

"We are peaceful people who meet only to show love to Allah and the Prophet Mohammad but we are being harmed by some people who link us to heresy," Abdul-Aziz said, acknowledging that some Sufis are involved in violence in Iraq.

'...ISIS extremists...waged a bloody purge against Sufis who refused to surrender their weapons and pledge allegiance to ISIS leader Abu Bakr al-Baghdadi.

'ISIS militants demolished several ancient Sufi shrines and mosques in and around Mosul and Sufi sheikhs were executed for alleged "sorcery" and "heresy".

'Followers of Sufi orders in Iraq have been frequently criticised by Sunni Salafists for practices they deem as non-Islamic such as worshipping their sheikhs and making the burial places of revered sheikhs pilgrimage sites.

'...“We had to close our tikiyas (places where Sufi rituals are held) in Shia areas after we received threats, while in Sunni areas, we hold our rituals in private houses for only a short time,” said Abdul-Aziz.'⁷⁶

5.10.2 In September 2018 an article written by Derek Henry Flood, an independent author, journalist and expert on Iraqi security issues, was published in the Combating Terrorism Center Sentinel (CTCS). The article, entitled 'From Caliphate to Caves: The Islamic State's Asymmetric War in Northern Iraq' stated:

'This past summer [2018], vulnerable populations faced regular attacks in Kirkuk Governorate's southern sub-districts. Religious minorities such as the Sufis and followers of the secretive syncretic Kakai faith along with local

⁷⁵ New York Times, '[In Iraq's Christian Heartland, a Feud Over a Town's Identity](#)' 5 March 2021

⁷⁶ The Arab Weekly, '[Iraq's Sufis targeted by radicals](#)' 17 July 2016

Sunni Arabs the Islamic State deems collaborators for cooperating with ISF continue to be at great risk from attacks by jihadis based in the low-slung Hamrin Mountains and the Qori Chai river valley, which begins near the tiny villages of Dabaj and Qaryat Tamur to the north of the Hamrin Mountains.⁷⁷

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5.11 Salafists

- 5.11.1 CPIT was unable to find any information in regards to the recent treatment of Salafists in Iraq in the sources consulted (see [Bibliography](#)).

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Section 6 updated: 15 June 2021

6. Converts

- 6.1.1 UNHCR in its 'International Protection Considerations with Regard to People Fleeing the Republic of Iraq' published in May 2019 summarised that:

'The Penal Law does not prohibit conversion from Islam to Christianity (or any other religion); however, the law does not provide for the legal recognition of a change in one's religious status. As a result, a convert's national identity card would still identify its holder as "Muslim". Instances of open conversion from Islam to Christianity in Iraq are very rarely reported. Converts are reported to keep their faith secret given the widespread animosity towards converts from Islam in Iraqi society and the fact that families and tribes would likely interpret conversion by one of their members as an affront to their collective "honour". Open conversion would likely result in ostracism and/or violence at the hands of the individual's community, tribe or family as well as Islamist armed groups.'⁷⁸

- 6.1.2 The EASO guidance note published in January 2021 stated:

'Apostasy is uncommon in Iraq and is generally seen as unnatural. Despite its acknowledgment of religious diversity, the Personal status laws and regulations prohibit the conversion of Muslims to other religions. Whilst civil laws provide a simple process for a non-Muslim to convert to Islam, conversion of a Muslim to another religion is forbidden by law. Article 26 of the National Identity Card Law affirms the right of non-Muslims to convert to Islam but does not grant the same rights to Muslims. Converts from Islam to other religions cannot change their religion on their identity cards after conversion and must continue to be registered as Muslims. Children born to a Muslim and a non-Muslim parent are legally deemed Muslim.

'According to COI sources, people who convert from Islam to Christianity may be at risk of being killed in Iraq. While converts may encounter difficulties with the authorities, the main source of problems is usually the community and family, with reactions varying from one family to another. In some cases, family members are open-minded and do not react to the conversion in any way. In others, the convert may be disowned, receive death threats or even be killed. According to some sources, problems typically arise within the extended family. The treatment of female converts is

⁷⁷ CTCS, '[From Caliphate to Caves...](#)' September 2018

⁷⁸ UNHCR, '[International Protection Considerations...to People Fleeing Iraq](#)' (page 81), May 2019

reportedly much worse than the treatment of men. The situation of the convert may also vary somewhat depending on the person's social status and tribal background. Kurdish tribes could be more permissive towards the convert compared to Arab tribes. There are also regional differences, with reactions being generally harsher in the countryside.

'The situation for converts is reportedly worse in other parts of Iraq as compared to the KRI. In 2015, the KRG passed a law to protect the rights of different religious groups. There are no reported cases of anyone being tried in the KRI for changing religion. Although the KRG supports the Christian converts residing in the KRI, state authorities cannot provide the converts constant protection against the possible threat posed by their own tribe. Kurdish authorities are fairly tolerant of the Christian converts but it has not been possible for converts to, for example, change the official status of religion for their children. Some years ago, Kurdish authorities did, however, register a Kurdish Christian group that had converted from Islam. The number of Christian converts in the KRI is generally thought to be around a few hundreds.'⁷⁹

6.1.3 The USSD 2020 IRF report stated:

'Personal status laws and regulations prohibit the conversion of Muslims to other religions, and they require the administrative designation of minor children as Muslims if either parent converts to Islam or if one parent is considered Muslim, even if the child is a product of rape.

'...By law, children with one parent who converts to Islam must be listed as Muslim on the application for the national identity card, even if the other parent is of another religion.

'Civil laws provide a simple process for a non-Muslim to convert to Islam, but the law forbids conversion by a Muslim to another religion.'⁸⁰

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Section 7 updated: 15 June 2021

7. Atheists

7.1.1 UNHCR in its 'International Protection Considerations with Regard to People Fleeing the Republic of Iraq' published in May 2019 summarised that:

'Although open atheism is extremely rare in Iraq, the number of atheists is reported to be on the rise. Although there are no laws prohibiting "atheism", in some instances, atheists have reportedly been prosecuted for "desecration of religions" and related charges. Moreover, societal tolerance vis-à-vis atheists is reported to be very limited, as evidenced also by the public rhetoric of some politicians and religious leaders. For fear of rejection, discrimination and violence at the hands of their families, private vigilantes and conservative/hardline religious groups, atheists are reported to often keep their views secret.'⁸¹

7.1.2 The EASO guidance note published in January 2021 stated:

⁷⁹ EASO, '[Country Guidance: Iraq](#)' (page 83-84), January 2021

⁸⁰ USSD, '[2020 Report on International Religious Freedom: Iraq](#)' (Section 2), 12 May 2021

⁸¹ UNHCR, '[International Protection Considerations...to People Fleeing Iraq](#)' (page 82), May 2019

'Atheism is not illegal in Iraq, but State actors typically equate atheism with blasphemy. Although there are not any articles in the Iraqi Penal Code that provide for a direct punishment for atheism, the desecration of religions is penalised. In March 2018, arrest warrants were issued in Dhi Qar against four Iraqis on charges of atheism. According to COI sources, no recent examples of prosecution of atheists in the KRI have been reported.

'In Iraq, atheists are reportedly viewed with disdain and face threats. It is reported that persons who openly admit they are not religious would risk arrest in, for example, Baghdad and the South, whereas in the KRI there would be more freedom of expression with regards to religious beliefs. According to COI sources, Kurds primarily identify themselves in terms of their ethnicity and not their religious affiliation. While atheism is rare in Iraq, the number of atheists is reportedly growing.

'...Atheism is in general not well perceived in the KRI. However, according to some sources, it is somewhat more acceptable to be an atheist than an apostate. Criticism of religious functionaries in general is quite widespread in KRI and is not looked upon as something scandalous. Criticising Islam on social media, particularly on Facebook, has become something of a social trend in the KRI, whereas up until recently it was not acceptable. However, proclaiming oneself as an atheist publicly could cause problems. There have reportedly been cases in which atheists have been physically threatened, harassed or rejected by their families. According to COI sources, atheists who suffer harassment due to their beliefs prefer to hide than to report to the police. Although the Kurdish government is secular, society in general, especially in Erbil, is conservative and people are generally expected to respect Islamic norms.'⁸²

- 7.1.3 An article published by NBC News in April 2019 entitled 'Iraq's atheists go underground as Sunni, Shiite hard-liners dominate' stated:

'In a move that struck fear in Iraq's small community of atheists, police in October [2018] arrested Ihsan Mousa, the owner of a bookstore in southern Iraq. They accused him of selling works that encouraged readers to reject Islam, according to local media reports.

'Col. Rashad Mizel, a local police official, told NBC News that Mousa had been released after promising not to sell the offending books again.'⁸³

- 7.1.4 Arab Weekly also reported on the arrest of Ihsan Mousa in an article published in July 2019 entitled 'Iraq's growing community of atheists no longer peripheral':

'Bookkeeper Ihsan Mousa was arrested during a police raid on his library in late 2018. An official statement by the Directorate of Intelligence stated that the charge facing Mousa "is the attempt to promote and spread atheism."

'The community in the southern province of Nasriya, where the incident took place, rallied behind Mousa. Iraqi writer Ahmad al-Saadawi criticised the arrest and the evolving saga "as trivial and stupid," adding that "authorities

⁸² EASO, '[Country Guidance: Iraq](#)' (page 92-93), January 2021

⁸³ NBC News, '[Iraqi's atheists go underground](#)' 5 April 2019

are trying to build legitimacy under the imposition of a culture of prevention and control.”⁸⁴

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Section 8 updated: 15 June 2021

8. Documentation

8.1.1 The USSD 2020 IRF report stated:

‘National identity cards issued since 2016 do not denote the bearer’s religion, although the online application still requests this information, and a data chip on the card still contains data on religion. The only religions that may be listed on the national identity card application are Christian, Sabeen-Mandean, Yezidi, Jewish, and Muslim. There is no distinction between Shia and Sunni Muslims, or a designation of Christian denominations. Individuals practicing other faiths may only receive identity cards if they self-identify as Muslim, Yezidi, Sabeen-Mandean, Jewish, or Christian. Without an official identity card, one may not register a marriage, enroll children in public school, acquire passports, or obtain some government services. Passports do not specify religion.’⁸⁵

8.1.2 The same source further stated:

‘During the year, the NGOs CAPNI for Humanitarian Aids in Iraq (CAPNI) and Hammurabi Human Rights Organization sought amendments to the national identification card law that requires minor children to be listed as Muslim on the identification application form if one parent converted to Islam. The NGOs said the law was a “flagrant violation” of the rights on non-Muslims in the country. During a conference in December, CAPNI representatives said non-Muslim religious groups requested the government amend the national identity card law so that minor children would continue to follow the original religion of their parents before one parent converted to Islam until they became adults and could decide for themselves.

‘According to Christian leaders, Christian families formally registered as Muslim but privately practicing Christianity or another faith continued to be forced to either register their children as Muslims or to have the children remain undocumented by federal authorities, denying them the ability to legally convert from Islam. Remaining undocumented affected the family’s eligibility for government benefits, such as school enrollment and ration card allocation for basic food items, which depend on family size. Larger families with legally registered children received higher allotments than those with undocumented children.’⁸⁶

8.1.3 For more information regarding the relevance and importance of Iraqi civil documentation see the CPIN [Iraq: Internal relocation, civil documentation and returns](#).

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⁸⁴ The Arab Weekly, ‘[Iraq’s growing community of atheists no longer peripheral](#)’ 20 July 2019

⁸⁵ USSD, ‘[2020 Report on International Religious Freedom: Iraq](#)’ (Section 2), 12 May 2021

⁸⁶ USSD, ‘[2020 Report on International Religious Freedom: Iraq](#)’ (Section 2), 12 May 2021

9. Protection

- 9.1.1 CPIT were only able to find limited information on protection provided by the Iraqi State and the Kurdistan Regional Government in the sources consulted (see [Bibliography](#)). However the USSD 2020 IRF report stated that ‘The KRG and the central government continued to provide increased protection to Christian churches during the Easter and Christmas holidays.’⁸⁷
- 9.1.2 The January 2021 EASO Guidance on Iraq looked at the ability of both the Iraqi State and the Kurdistan Regional Government to provide protection to individuals. The report concluded that effective protection was generally not considered for members of minority religions⁸⁸.
- 9.1.3 The same source assessed the following in regard to the Kurdistan Regional Government: ‘In general, the KRG is considered to be an actor of protection meeting the requirements of [Article 7 QD](#). However, in certain individual circumstances, such as for persons perceived as associated with ISIL, political opponents, LGBTIQ, in relation to harmful traditional practices, honour-based and domestic violence, the KRI may be unwilling to provide protection within the meaning of [Article 7 QD](#).’⁸⁹
- 9.1.4 For more information see the CPIN [Iraq: Actors of protection](#).

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⁸⁷ USSD, [‘2020 Report on International Religious Freedom: Iraq’](#) (Section 2), 12 May 2021

⁸⁸ EASO, [‘Country Guidance: Iraq’](#) (page 38), January 2021

⁸⁹ EASO, [‘Country Guidance: Iraq’](#) (page 39), January 2021

Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Overview
- Legal context
 - Constitution
 - Legislation
- Religious minority groups
 - Christians
 - Yazidis
 - Kaka'i
 - Sabaeen Mandaeans
 - Baha'i
 - Jews
 - Zoroastrians
 - Islamic minorities and ethnic groups
- State treatment
- Non-state treatment
- Protection
- Converts and Atheists
- Documentation

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Version control

Clearance

Below is information on when this note was cleared:

- version **3.0**
- valid from **14 July 2021**

Official – sensitive: Start of section

The information in this section has been removed as it is restricted for internal Home Office use.

Official – sensitive: End of section

Changes from last version of this note

Updated Country of Origin Information and corresponding review of the assessment.

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