

COUNTRY OVERVIEW

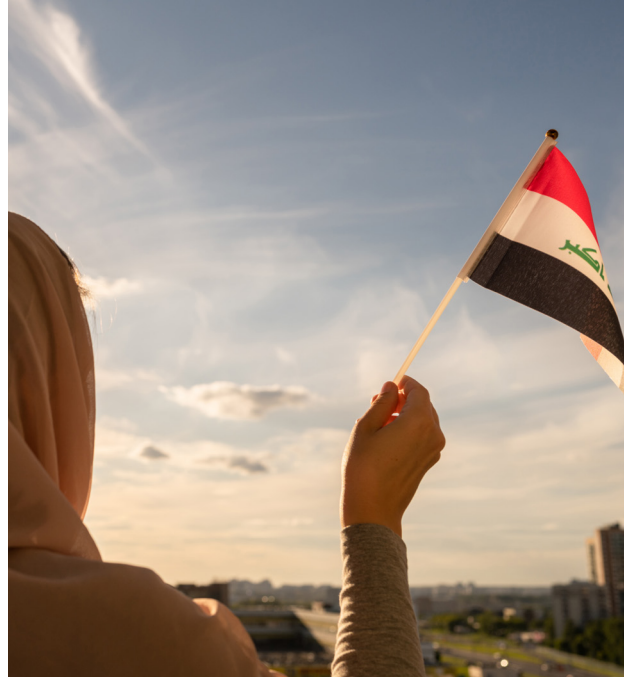
IRAQ



MARCH 2023

OUR MISSION

A non-profit organization based in Washington, DC, RFI is committed to achieving broad acceptance of religious liberty as a fundamental human right, a source of individual and social flourishing, the cornerstone of a successful society, and a driver of national and international security. RFI seeks to advance religious freedom for everyone, everywhere.



MENA COUNTRY OVERVIEW SERIES

The Country Overview Series is part of a suite of publications from the Religious Freedom Institute's Middle East Action Team designed to increase understanding of the conditions that affect religious freedom in select countries throughout the Middle East and North Africa and to assist the development of effective policy and programming recommendations.

DEMOGRAPHICS

RELIGIOUS

Shia Muslim	55-60%
Sunni Muslim	40%
Yezidi	0.9-1.2% (400,000 to 500,000 persons)
Christian	0.6% (est. 250,000 persons)
Other (including Baha'i, Jewish, Kaka'i, Sabeen-Mandean, Zoroastrian, and atheist)	1-3%

RELIGIOUS FREEDOM IN FOCUS

The Republic of Iraq is home to diverse faith communities whose history can be traced back millennia. It also has been the site of historic and contemporary conflict along religious and ethnic lines. Islam is the official religion of the state. While the Iraqi constitution asserts freedom of religious belief, laws and policies discriminate against and restrict this right for religious minority communities. The country's history of religious and sectarian conflict has frequently seen instances of intolerance and marginalization along these lines across society.

“The future of Iraq’s historic religious diversity depends on direct efforts to protect vulnerable communities from pervasive political, social, and security threats.”

It is in this context that the Islamic State (ISIS) overtook significant territory across northwestern Iraq in 2014 and targeted the Christian, Yezidi and other religious minority communities in a campaign of violence internationally and domestically condemned as genocide and crimes against humanity. While ISIS was formally defeated in 2017, the region—and the country more broadly—remains unstable and insecure. The ongoing threat of an ISIS resurgence as well as political instability, violence, and intimidation perpetrated by sectarian militias mitigate efforts to rebuild and reintegrate communities affected by ISIS. Religious minorities that have

ETHNIC

Arab	75-80%
Kurdish	15-20%
Other (Assyrian, Chaldean, Kaka'i, Roma, Sabeen-Mandean, Shabak, Turkmen and Yezidi)	5%

long been marginalized struggle to recover their communities and assert their priorities in contentious political processes. The future of Iraq's historic religious diversity depends on direct efforts to protect vulnerable communities from pervasive political, social, and security threats, as well as the establishment of an Iraqi political and social fabric that preserves the rights of all Iraqis rather than a sectarian-based division of resources that empowers the elites.

KURDISTAN REGION IN CONTEXT

The Kurdistan Regional Government (KRG) provides more representation of religious communities and protections for religious freedom compared to the Iraqi Federal Government (IFG). Eight religions are registered and represented in the KRG's Ministry of Endowment and Religious Affairs: Islam, Christianity, Yezidism, Judaism, Sabeen-Mandaeism, Zoroastrianism, Yarsanism, and the Baha'i faith. The KRG also provides a stronger legal framework for protection of religious freedom, in particular, through law number (5) for 2015 “To Protect Rights of Minorities at Kurdistan Region of Iraq.” While the KRG provided essential security for religious and ethnic minority communities fleeing the Islamic State, representatives of some religious and ethnic minority communities within the Kurdistan Region of Iraq have reported instances of land disputes, social hostilities, and intimidation and harassment by KRG authorities.

KEY ISSUES

SECURITY THREATS TO MINORITY GROUPS

ISIS—comprised of an estimated 10,000 members across Iraq and Syria in 2020—remains a significant threat to all Iraqis, including religious minority groups. ISIS is active in Kirkuk, Diyala, and isolated areas throughout the desert and Hamrin mountains. Members of ISIS have regularly perpetrated attacks throughout Iraq and Syria. The Popular Mobilization Forces (PMF), a cadre of Shia militias, many supported by Iran, in many places have inhibited the movement of religious minorities, prevented the return of displaced families, and harassed, attacked, kidnapped, or killed civilians. Additionally, cross-border airstrikes and ground operations by the Turkish military also shape the security environment. The multiplicity of potential conflicts pose significant challenges to the fragile security of the state.

DISCRIMINATORY LAWS AND POLICIES

The Iraqi Constitution guarantees freedom of religious belief and practice for all individuals, including Muslims, Christians, Sabean-Mandeans, and Yezidis (Articles 2, 10, and 43). However, it does not explicitly acknowledge this right for members of other religious groups or atheists. Law 105 of 1970 criminalizes the Baha'i faith. While enforcement is rare, the criminal code prohibits blasphemy. The National Identity Card Law of 2015 requires children born of at least one Muslim parent to be registered as Muslim, regardless of the religion of the other parent or the conditions under which the child will be raised. Civil status laws require Muslim women to marry Muslim men, though Muslim men are permitted to marry non-Muslim women. Non-Muslims are permitted to change their religion, but there is no legal provision for Muslims to change their religion.

RECOGNITION OF MINORITY RELIGIOUS GROUPS

The state recognizes Muslim, Christian, Sabean-Mandaean and Yezidi religious communities. Applicants for national identity cards—which are required to obtain passports, receive some government services, register in school and register a marriage—must identify their religion. It is included in the embedded chip, but no longer printed on the card. Adherents to other religions must identify as a member of a recognized religious group in order to receive an identity card. Legal recognition of religious minority

groups is required for religious organizations to access essential benefits, including the right to register property, open bank accounts, access religious endowments, acquire customs and tax exemptions, or operate educational, charitable, or social institutions. The IFG often asks officially recognized churches to approve requests for recognition from Christian associations, and Protestant groups have reported strong objections and challenges to their requests for recognition.strong objections and challenges to their requests for recognition.

CONTINUED DISPLACEMENT AND EMIGRATION

Security threats and lack of infrastructure have inhibited the return of more than one million internal displaced Iraqis to their homes following their expulsion by ISIS. Deprived of their livelihoods, many displaced Iraqis remain in formal or informal camps, face discrimination or harassment, have limited employment or economic opportunities, have limited access to health care, and fear a resurgence of violence. Among returnee households, many live in locations at risk of violence and face movement restrictions. Religious minorities report concerns about underground ISIS insurgents, PMF forces, and communal violence in their home communities. Continued security concerns and lack of economic opportunity have led hundreds of thousands of Iraqis—including vulnerable religious minority communities—to emigrate, further diminishing the historic religious diversity of the country.

GOVERNMENT AND SOCIETAL PRESSURE

Members of some religious minority groups in Iraq report experiencing harassment from Muslims and pressure to conform to Muslim practices, including wearing the hijab and fasting during Ramadan. Converts from Islam to other religions face ostracism, discrimination, and pressure from family and community members to retain their Muslim identity. In some regions, local authorities have harassed and imposed restrictions on religious minority communities. The reintegration of families in areas affected by ISIS is also hindered by limited support, with concerns remaining about retaliation and communal violence. Additionally, families of suspected ISIS members or perceived supporters face the risk of revenge violence and marginalization.

RECENT DEVELOPMENTS

INTERRELIGIOUS ENGAGEMENT AND SOLIDARITY

In a landmark meeting between Shia cleric Grand Ayatollah Ali Sistani and Pope Francis, Sistani “affirmed his concern that Christian citizens should live like all Iraqis in peace and security, with their full constitutional rights.” Declared in 2021, March 6 is marked as a national day of tolerance and coexistence.

IFG RESOLVES TO AID SURVIVORS OF ISIS

In 2021, the Iraqi parliament passed legislation to assist survivors of ISIS, including women and children kidnapped and enslaved by ISIS and survivors of the “mass killings and mass elimination” carried out by ISIS. Importantly, the legislation acknowledges the actions of ISIS against Yazidis, Christians, Turkmen, and Shabaks as genocide and crimes against humanity. Significant questions remain around its implementation and ability to deliver resources to affected communities.



SINJAR AGREEMENT PROVIDES CRUCIAL SUPPORT FOR RETURNEES

In October 2020, the IFG and KRG agreed to secure and rehabilitate Sinjar, a historically disputed territory and home to a majority Yazidi community. The Yazidi community has expressed frustration at not being included in these discussions. Ongoing tensions with neighboring Turkey have also significantly impacted the implementation of this act.



LIMITED ACCOUNTABILITY FOR ISIS MEMBERS RESPONSIBLE FOR GENOCIDE

The Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD) has taken important steps to collect and preserve evidence against ISIS members and advocated for the establishment of formal mechanisms in Iraq to prosecute those responsible for genocide and crimes against humanity. Internationally, there has been some progress on accountability measures for ISIS crimes. In 2021, a German court convicted an ISIS member of genocide, the first such conviction in response to the terrorist organization's assault against the Yazidi community. However, progress to this end in Iraq has remained slow, which minorities have regularly expressed contributes to an ongoing sense of discrimination.

S.W.O.T ANALYSIS

The purpose of the SWOT Analysis is to identify the Strengths, Weaknesses, Opportunities, and Threats to religious freedom as a basis for constructing practical immediate and long-term policy recommendations to advance this right in Iraq.

- Freedom of religious belief is included in the constitution
- Prominent religious leaders have encouraged peace among diverse religious communities
- Coalitions of religious minorities have developed to advocate for the interests and priorities of minority faiths
- The government has condemned the actions of ISIS as genocide and expressed support for the rehabilitation of victim communities
- The government has initiated efforts to secure and rehabilitate regions like Sinjar to support the return of displaced communities

STRENGTHS

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- There is growing interest among Iraqis for a more inclusive citizenship narrative
- The Papal visit and statement of support for Christians by Grand Ayatollah Ali Sistani reflects opportunities for interreligious engagement and solidarity
- Recent government commitments to support the security and rehabilitation of predominantly religious minority areas can support the return of displaced Iraqis
- Education reforms and curriculum development will encourage great understanding of the country's religious diversity and promote pluralism among youth

OPPORTUNITIES

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- Pervasive sectarian conflict in the political and social landscapes
- Laws and policies discriminate against religious minorities
- Ongoing security threats to religious minority communities
- Historic conflict along religious and sectarian lines
- Limited support for rehabilitation and reintegration of communities affected by ISIS and implementing laws and agreements to ensure their protection
- Social and communal discrimination, marginalization and violence against minority communities
- Continued displacement and emigration of minority communities mitigates reintegration and rehabilitation efforts

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WEAKNESSES

- Ongoing security threats from ISIS and PMF forces jeopardize vulnerable religious minority communities
- Discrimination is effectively institutionalized through laws and policies restricting religious freedom
- Vulnerable communities do not trust political leadership and remain skeptical of promises of reform or protection
- Political instability—and the delayed formation of a formal government—fosters a climate of insecurity and uncertainty

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THREATS

RECOMMENDATIONS

ENCOURAGE FULL REPRESENTATION OF IRAQI RELIGIOUS COMMUNITIES IN LAW AND SOCIETY: RECOGNITION OF AND EQUAL PROTECTION FOR ALL OF IRAQ'S HISTORIC RELIGIOUS COMMUNITIES CAN BE FURTHER SUPPORTED THROUGH THE:

- Acknowledgment of all religious communities represented in Iraq,
- Revision of laws and policies that discriminate against any religious community or any Iraqi on the basis of religion,
- Accountability among government security forces and local officials to mitigate discrimination or attacks on the basis of religion, and
- Enacting of justice for citizens attacked or targeted by community members on the basis of religion.

ADDRESS SECURITY CONCERNS AND ENSURE PROTECTIONS FOR VULNERABLE COMMUNITIES:

Iraq's long-term stability requires a resolution to security concerns—including the ongoing threat of an ISIS resurgence and violence perpetrated by PMF forces— and robust protections for vulnerable communities. This is particularly important in historical religious minority areas, including Sinjar and the Nineveh Plains.

PRIORITIZE ACCOUNTABILITY EFFORTS REINTEGRATION PROGRAMS AMONG RETURNEE COMMUNITIES:

The long-term security of communities affected by ISIS requires just and transparent accountability mechanisms and meaningful support for reintegration of communities torn apart by the conflict.

ENDORSE RESOLUTION TO THE DISPUTED AREAS:

A resolution to the disputed areas between the IFG and KRG in accordance with article 140 of the Iraqi constitution is an integral step toward a more secure and integrated community for the ethnic and religious minorities who inhabit these areas.

SUPPORT ONGOING REHABILITATION OF RELIGIOUS MINORITY COMMUNITIES:

Vulnerable religious minority groups require ongoing humanitarian and political support to rebuild their communities and advocate for their own interests in Iraq.



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