



Home Office

Country Policy and Information Note

Iraq: Religious minorities

Version 2.0

October 2019

Preface

Purpose

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 basis of claim](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (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 – i.e. the COI section; refugee/human rights laws and policies; and applicable caselaw – by describing this and its inter-relationships, and provides an assessment on whether, **in general**:

- A person is reasonably likely to face a real risk of persecution or serious harm
- 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
- Claims are 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 \(COI\)](#), dated 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, and is from generally reliable sources. 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, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. 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 brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

Feedback

Our goal is to continuously improve our material. Therefore, 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: 24 July 2019

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, Yezidis, Sabaeen-Mandeans, Kaka'I (also known as Ahl-e Haqq, Yarsan or Yarsani), Baha'i and Jews, as well as converts and atheists.

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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 one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.

2.2.2 For further guidance on the exclusion clauses and restricted leave, see the [Asylum Instruction on Exclusion: Article 1F of the Refugee Convention](#) and the [Asylum Instruction on Restricted Leave](#).

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2.3 Refugee convention reason

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](#).

2.4 Risk

- 2.4.1 Many members of religious minorities have become Internally Displaced Persons (IDPs). For guidance on Article 3 claims based on the humanitarian situation, see the Country policy and information note on [Iraq: Security and humanitarian situation](#).
- 2.4.2 The case of [AA \(Article 15\(c\)\) \(CG\) \[2015\] UKUT 544](#) replaced all pre-existing country guidance on Iraq (para 204.F.22), and therefore decision makers should no longer follow the country guidance set out in [AK \(Iraq – Christians – risk\) Iraq CG \[2004\] UKIAT 00298](#), [RA \(Christians\) Iraq CG \[2005\] UKIAT 00091](#) and [SR \(Iraqi Arab Christian: relocation to KRG\) Iraq CG \[2009\] UKAIT 00038](#).

a) State treatment

- 2.4.3 Islam is the official religion of Iraq. The Iraqi constitution provides freedom of religious belief and practice for Muslims, Christians, Yezidis and Sabeen-Mandean 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, however the Kurdistan Regional Government (KRG) allowed them to observe their religious holidays and festivals without interference or intimidation (see [Legal context](#) and [Treatment](#)). While the law prescribes 10 year's imprisonment for anyone practicing the Baha'i faith outside of the IKR (Iraqi Kurdistan Region), 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 IKR, 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 and the confiscation of property. There are also reports that Kurdistan Regional Government forces and Iraqi Security Forces (ISF) blocked a number of major roads, forcing religious minorities to take long detours, denying them access to markets for their goods and left them vulnerable to harassment and extortion at numerous checkpoints (see [Treatment](#)).
- 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. People who do convert from Islam to Christianity may be at risk of being killed depending on how overt the person is about their conversion and the attitudes of their community and family members towards conversion. The treatment of

female converts is reportedly much worse than the treatment of men (see [Converts](#)).

- 2.4.7 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](#))
- 2.4.8 Those that practice other faiths will only be able to obtain an identity card if they self-identify as Muslim, Yazidi, Christian, or Sabeian-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 [Converts](#) and [Documentation](#)).
- 2.4.9 While discrimination against and mistreatment of religious minorities does occur within the IKR, there are generally fewer reports than the rest of Iraq (see [Treatment](#)).
- 2.4.10 Vagueries in the COI in regard to scale and extent of incidents mean that 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.
- 2.4.11 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](#).
- 2.4.12 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

- 2.4.13 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, certain religious minority villages have been targeted by Daesh because of perceived cooperation with ISF. The threat from Daesh has not disappeared entirely, but they are confined to small pockets and the 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. In areas where Daesh remain and operate, members of religious minorities may be at risk of persecution (see [Treatment](#) and the Country Policy and Information Note on [Iraq: Security and Humanitarian Situation](#)).
- 2.4.14 There have been reports of isolated incidents where members of religious minorities have been killed by gunmen in both the IKR 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, bureaucratic hurdles, verbal abuse and negative stereotyping (see [Treatment](#)).

- 2.4.15 People who convert from Islam to another religion (especially women) may face problems with the local community and their family, such as being disowned, 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 IKR which tends to be tolerant of converts (see [Converts](#)).
- 2.4.16 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 and could face threats (see [Atheists](#)).
- 2.4.17 Consideration has been given to [paragraph 339K of the Immigration Rules](#). While a number of religious groups, particularly Yezidis, 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.
- 2.4.18 Vagueries in the COI in regard to scale and extent of incidents mean that 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 non-state actors – including 'rogue' state actors – decision makers must assess whether the state can provide effective protection. For the most part, the Iraqi State and the Kurdish Regional Government are able but unwilling to provide effective protection to religious minorities (see [Protection](#)).
- 2.5.3 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 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 Country Policy and Information Note on [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: 10 July 2019

3 Religious minority groups

3.1 Demography

3.1.1 The United States Department of State (USSD) 2018 international religious freedom report on Iraq 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, Faili Kurds)
 - 40% are Sunni (Arabs, Kurds, Turkmen)
- 3% are from other religious groups including:
 - Christian
 - Yezidi
 - Sabean-Mandean
 - Baha'i
 - Kaka'i (also known as Yarsani)
 - Jews¹.

3.1.2 The same report further stated that according to the International Organization for Migration (IOM) as of December 2018, there 1.8 million Internally Displaced Persons (IDP) within Iraq. Of these 1.8 million people, 91% are Sunni and Shia Muslims of different ethnicities, 8% are Yezidis and 1% are Christians.²

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3.2 Christians

3.2.1 The USSD 2018 religious freedom report stated:

'Christian leaders estimate there are fewer than 250,000 Christians remaining in the country, with the largest population – at least 200,000 – living in the Ninewa Plain and the IKR [Iraqi Kurdistan Region]. The Christian population has declined over the past 16 years 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, and Anglican and other Protestants. There are approximately 2,000 registered members of evangelical Christian

¹ USSD, '2018 Annual Report on Religious Freedom: Iraq', 21 June 2019, [url](#)

² USSD, '2018 Annual Report on Religious Freedom: Iraq', 21 June 2019, [url](#)

churches in the IKR, while an unknown number, mostly converts from Islam, practice the religion secretly.³

3.2.2 A report produced by the European Asylum Support Office (EASO) in June 2019 entitled 'Country Guidance: Iraq' stated:

'It is estimated that approximately 250,000 Christians are living in Iraq: Christian groups include Chaldean Catholics (67 % of all Christians) and the Assyrian Church of the East (a further 20 %). Less numerous denominations include Syrian Orthodox, Syriac Catholic, Armenian Catholic, Armenian Orthodox, Anglican, Evangelical and other Protestants. Most Christians in Iraq had already fled before the 2014 ISIL [The Islamic State of Iraq and the Levant] advance. The majority of the Christians remaining in Iraq live in Baghdad, Mosul, the Ninewa plains, Kirkuk, Basrah, and the KRI.'⁴

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3.3 Yezidis

3.3.1 Minority Rights Group International (MRGI), an international non-government organisation (NGO) campaigning 'to ensure that disadvantaged minorities and indigenous people ... can make their voices heard'⁵, stated on their website:

'The Yezidi religion, with 4,000 year-old origins, seems to be a synthesis of pagan, Zoroastrian, Manichaeian, Jewish, Nestorian Christian and Muslim elements. Yezidis are dualists, believing in a Creator God, now passive, and Malak Ta'us (Peacock Angel), executive organ of divine will. They believe they are descended from Adam but not Eve and are thereby different from the rest of humankind. Excommunication, therefore, has dire implications. Conversely, one cannot become a Yezidi and marriage outside of the community is forbidden.

'... Prior to the ISIS advance, Iraq's Yezidis numbered approximately 500,000 and were concentrated in Sinjar, 150 kilometres west of Mosul, with a smaller community in Shaikhan, the Kurdistan foothills east of Mosul, where their most holy shrine of Shaykh Adi is located. The Yezidis are by and large impoverished cultivators and herdsman who have a strictly graded religio-political hierarchy and tend to maintain a more closed community than other ethnic or religious groups. Yezidis speak the Kormanje dialect of Kurdish and some identify ethnically as Kurds, while others view themselves as having a distinct ethnic identity as Yezidis.'⁶

3.3.2 An article published by the Guardian in August 2014 stated the following on Yezidis:

'A historically misunderstood group, the Yazidis are predominantly ethnically Kurdish, and have kept alive their syncretic religion for centuries, despite many years of oppression and threatened extermination.

'The ancient religion is rumoured to have been founded by an 11th century Umayyad sheikh, and is derived from Zoroastrianism (an ancient Persian

³ USSD, '2018 Annual Report on Religious Freedom: Iraq', 21 June 2019, [url](#)

⁴ EASO, 'Country Guidance: Iraq', June 2019, [url](#)

⁵ MRGI, 'About Us', Undated, [url](#)

⁶ MRGI, 'Yezidis', November 2017, [url](#)

faith founded by a philosopher), Christianity and Islam. The religion has taken elements from each, ranging from baptism (Christianity) to circumcision (Islam) to reverence of fire as a manifestation from God (derived from Zoroastrianism) and yet remains distinctly non-Abrahamic. This derivative quality has often led the Yazidis to be referred to as a sect.

'At the core of the Yazidis' marginalization is their worship of a fallen angel, Melek Tawwus, or Peacock Angel, one of the seven angels that take primacy in their beliefs. Unlike the fall from grace of Satan, in the Judeo-Christian tradition, Melek Tawwus was forgiven and returned to heaven by God. The importance of Melek Tawwus to the Yazidis has given them an undeserved reputation for being devil-worshippers – a notoriety that, in the climate of extremism gripping Iraq, has turned life-threatening.'⁷

3.3.3 An undated article on the Yazidis published by Encyclopaedia Britannica stated the following:

'The Yazidi cosmogony holds that a supreme creator god made the world and then ended his involvement with it, leaving it in the control of seven divine beings. The chief divine being is Malak Ta'us ("Peacock Angel"), who is worshipped in the form of a peacock. Malak Ta'us has often been identified by outsiders with the Judeo-Christian figure of Satan, causing the Yazidis to be inaccurately described as Devil worshippers. An important role in Yazidi worship is played by bronze or iron peacock effigies called sanjaqs, which are circulated from town to town. Tradition holds that there were originally seven sanjaqs; it is thought that at least two still exist.

'The breaking of divine laws is expiated by way of metempsychosis [reincarnation], or transmigration of souls, which allows for the progressive purification of the spirit. Sheikh Ado, the chief Yazidi saint, is believed to have achieved divinity through metempsychosis. Heaven and hell are also included in Yazidi mythology.

'The Yazidi belief system is highly concerned with religious purity, and so Yazidis follow a multiplicity of taboos governing aspects of daily life. A variety of foods are forbidden, as is blue clothing. The word Shaytan (Satan) is not pronounced, and other words with a phonetic resemblance are also avoided. Contact with outsiders is discouraged, and for that reason Yazidis have in the past sought to avoid military service and formal education. A strict caste system is observed.

'The Yazidi religious centre and object of the annual pilgrimage is the tomb of Sheikh Adi, in the town of Lalish, Iraq. Two short books, Kitab al-jilwah ("Book of Revelation") and Mashafraash ("Black Book"), form the sacred scriptures of the Yazidis. It is now widely suspected that both volumes were compiled by non-Yazidis in the 19th century and then were passed off as ancient manuscripts but that their contents do in fact reflect authentic Yazidi oral tradition. A corpus of hymns in Kurdish is also held in great esteem.'⁸

3.3.4 The June 2019 EASO Guidance on Iraq stated 'The Yazidi are one of Iraq's oldest minorities. There used to be around 700,000 Yazidis in Iraq, however,

⁷ The Guardian, 'Who are the Yazidis and why is Isis hunting them?', 11 August 2014, [url](#)

⁸ Encyclopaedia Britannica, 'Yazidis', Undated, [url](#)

currently the number is estimated to [be] around 500,000. The vast majority were concentrated in northern Iraq around the town of Sinjar and in areas south of and bordering the KRI, including the Ninewa plains.⁹

- 3.3.5 The USSD 2018 religious freedom report stated that ‘Yezidi leaders report most of the 400,000 to 500,000 Yezidis in the country reside in the north, and approximately 360,000 remain displaced.’¹⁰

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3.4 Sabean-Mandaeans

- 3.4.1 MRGI stated the following in its profile of Sabean-Mandaeans:

‘Sabean-Mandaeans are confined to lower Iraq, except for minuscule communities in Khorramshahr and Ahwaz, in southwestern Iran, and a community of silversmiths and their families in Baghdad. They are primarily located in the Marshes or on the two rivers, at al-Amara, Qal’at-Salih, Nasiriya, Suq al-Shuyukh and Qurna. The size of the community is estimated at less than 5,000 in Iraq.

‘The religion is a form of Gnosticism, descended from ancient Mesopotamian worship, with rituals that resemble those of Zoroastrian and Nestorian worship. John the Baptist is its central prophet, and they practise immersion in flowing water, symbolic of the creative life force, as an act of ritual purity. Nevertheless, scholars believe that the Sabean-Mandaean religion pre-dates Baptism. Sabean-Mandaean faith bars the use of violence or the carrying of weapons. Adherents have dhimmi status as “People of the Book”, mentioned in the Qur’an, although this is disputed.’¹¹

- 3.4.2 The Australian Government’s Department of Foreign Affairs and Trade (DFAT) published a country information report on Iraq on 9 October 2018. It stated that:

‘Sabean Mandaeans adhere to a monotheistic Gnostic religion. They revere some Jewish and Christian religious figures, particularly John the Baptist, but not others, including Jesus, Moses and Abraham. Their religious rites emphasise the importance of baptism and their temples are frequently located near rivers.

‘Before 2003, most Sabean Mandaeans lived in Iraq. Following the outbreak of war in 2003, many fled to neighbouring countries, including Jordan. [...] Most Sabean Mandaeans live in southern Iraq, including Basrah and the southern governorates of Dhi Qar and Maysan, but small numbers live in Baghdad and the Kurdistan Region. Following the rise of ISIL, many Sabean Mandaeans fled Baghdad. Sabean Mandaeans hold one reserved seat in the Council of Representatives.’¹²

- 3.4.3 An article published in July 2004 by Radio Free Europe / Radio Liberty (RFE/RL) stated the following after speaking with Satar Jabar Helo, who was at the time of publication, the head priest and spiritual leader of the Sabeans

⁹ EASO, ‘Country Guidance: Iraq’, June 2019, [url](#)

¹⁰ USSD, ‘2018 Annual Report on Religious Freedom: Iraq’, 21 June 2019, [url](#)

¹¹ MRGI, ‘Sabian Mandaeans’, November 2017, [url](#)

¹² DFAT, ‘Country Information Report Iraq’, 9 October 2018, [url](#)

in Iraq (although dated, this useful information could not be found elsewhere):

'There is only one way to become a Sabaeen, according to Helo: to be born to parents who both belong to the faith.

'Helo, dressed in a white robe, with a long beard and flowing hair, speaks about darkness and light, good and evil, life and death, and the role of human beings in these unfolding cosmic events.

'He says Sabaeans pray three times a day to God in Aramaic, a language close to the one spoken by Jesus Christ: "In the name of the living Great, in the name of the One and the Only One who is the world of pure light who gives a soul, gives health, peace and peace of heart and forgiveness of sins with the force of the explosions of light."

'A Sabaeen house of prayer, which bears a cross, resembles a Christian church. There is a difference, however, the Sabaeen cross is half-covered with a piece of cloth.

'Helo says the symbol has nothing to do with Christianity and Sabaeans do not consider Jesus Christ to be the son of God. The Sabaeen cross has a different meaning.

"The symbol [of the cross] -- Darf -- symbolizes two branches of the olive tree [put on one another] making a plus sign, and the plus sign represents four sides of the universe," Helo says. "And God's light is symbolized by pure silk cloth [put on the sign]."

'Helo says Sabaeans have no doubts their religion is older than Christianity, Judaism, or Islam.

"We believe our religion is older than Judaism, Islam or Christianity, and has nothing to do with those religions," he says. "The teaching we have is inherited generation by generation by copying [our sacred book] by hand. We believe that he who re-writes the book from the first to the last page will receive great blessings."

'Helo says Sabaeans share some similarities with both Muslims and Christians. "We are similar with Islam in describing the God as one and indivisible," he says. "And we, like Christians, believe in the secret powers of baptism and give immense importance to Prophet Zakariya [John the Baptist]." Some say it is one of the reasons that Sabaeen communities prefer to live near the water.

'However, the differences seem to outweigh the similarities. Helo says the teachings of the Sabaeans was sent to Adam, the first human being on earth, by an archangel.

'Sabaeen dogma is written in the holy book "Kinzeraba" or "The Holy Treasure." The book describes light as fighting against darkness or evil. White and other light tones are the favored colors of Sabaeans.

'Helo explains why: "Wearing white means belonging to the world of light and means wearing the clothes of angels. We [priests] do not wear anything but white. We pray only when we wear white. All colors come from the color white. You can't make any colors from black."

‘Sabaeans need to obey the provisions written in “The Holy Treasure.” They are forbidden to kill, lie, commit adultery or theft, or consume alcohol. They are also forbidden to mourn the dead, and must fast 36 days a year, abstaining from eating meat, eggs, and fish.

‘Members of the community should help poor people, making no distinction between co-religionists and outsiders. Wafah Sabah, a woman in her 20s, tells RFE/RL that Sabaeans treat one another as members of a family.

“We are all brothers and sisters. If somebody needs help, we will help,” Sabah says. “If you help another person, another day he will help you. We, Mandaeans, are one family; we are all brothers and sisters. There is no difference between this man and that girl.”¹³

- 3.4.4 The June 2019 EASO guidance on Iraq stated ‘The Sabean-Mandaeans are the smallest ethno-religious minority in Iraq, with estimated numbers less than 5000. Their area is in southern Iraq, including Basrah and the southern governorates of Dhi Qar and Maysan, but small numbers also live in Baghdad and the KRI.’¹⁴
- 3.4.5 The USSD 2018 religious freedom report stated that ‘Estimates of the size of the Sabean-Mandean community vary. According to Sabean-Mandean leaders, 10,000 remain in the country, mainly in the south with between 750 and 1,000 in the IKR and Baghdad.’¹⁵

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3.5 Baha’i

- 3.5.1 The USSD 2018 religious freedom report stated that ‘Baha’i leaders report fewer than 2,000 members, spread throughout the country in small groups, including approximately 500 in the IKR.’¹⁶
- 3.5.2 The June 2019 EASO Guidance on Iraq also stated that ‘[t]he number of Baha’i currently in Iraq are believed to be less than 2000.’¹⁷
- 3.5.3 MRGI stated the following in its profile of the Baha’i faith:

‘Baha’i are followers of a monotheistic faith founded in 19th-century Iran. Currently, only a small number are thought to remain in Iraq. Baha’i beliefs center on the oneness of God and the unity of humankind and they accept the validity of all the main world religions, believing them to progressive revelations of divine truth. Baha’i avoid participation in partisan politics which they view as contradictory to their religion’s values of unity and brotherhood. Some Muslim leaders consider Baha’i to be apostates from Islam.’¹⁸
- 3.5.4 The Baha’i faith website stated the following:

‘Bahá’í beliefs address such essential themes as the oneness of God and religion, the oneness of humanity and freedom from prejudice, the inherent

¹³ RFE/RL, ‘Iraq: Old Sabaeen-Mandean Community is proud of its ancient faith’, 14 July 2004, [url](#)

¹⁴ EASO, ‘Country Guidance: Iraq’, June 2019, [url](#)

¹⁵ USSD, ‘2018 Annual Report on Religious Freedom: Iraq’, 21 June 2019, [url](#)

¹⁶ USSD, ‘2018 Annual Report on Religious Freedom: Iraq’, 21 June 2019, [url](#)

¹⁷ EASO, ‘Country Guidance: Iraq’, June 2019, [url](#)

¹⁸ MRGI, ‘Baha’i’, November 2017, [url](#)

nobility of the human being, the progressive revelation of religious truth, the development of spiritual qualities, the integration of worship and service, the fundamental equality of the sexes, the harmony between religion and science, the centrality of justice to all human endeavours, the importance of education, and the dynamics of the relationships that are to bind together individuals, communities, and institutions as humanity advances towards its collective maturity.¹⁹

- 3.5.5 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

- 3.6.1 The EASO report published in June 2019 stated that:

'The Kaka'i are a religious minority consisting of between 110,000 and 200,000 persons and located mainly in the southeast of Kirkuk and in the Ninewa plains near Daquq and Hamdaniya, and in Diyala and the KRI. The Kaka'i are followers of a syncretic religion, which contains elements of Zoroastrianism and Shia Islam. According to the Special Rapporteur on minority issues to the UN Human Rights Council, the Kaka'i are ethnically associated with the Kurds while maintaining a distinct religious identity.'²⁰

- 3.6.2 The USSD 2018 religious freedom report stated that '[a]ccording to Kaka'i (also known as Yarsani) activists, their community has approximately 120,000 to 150,000 members, traditionally located in the Ninewa Plain and in villages southeast of Kirkuk, as well as in Diyala and Erbil.'²¹

- 3.6.3 The MRGI stated the following in its profile of the Kaka'i faith:

'Kaka'i, also known as Ahl-e Haqq or Yarsan, are estimated by community members to number between 110,000 and 200,000 in Iraq, mainly living south-east of Kirkuk and in the Ninewa 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. They are followers of a syncretic religion, which dates to the fourteenth century in western Iran and contains elements of Zoroastrianism and Shi'a Islam. Nevertheless, their distinct practices and beliefs have resulted in some persecution. As a result, Kaka'i are secretive about their faith.'²²

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3.7 Jews

- 3.7.1 The USSD 2018 religious freedom report stated that '[t]he Jewish representative in the KRG Ministry of Endowment and Religious Affairs (MERA) reports 70 to 80 Jewish families reside in the IKR, though he noted that some Jewish families do not openly acknowledge their religion for fear

¹⁹ Bahai.org, 'What Baha'is Believe', undated, [url](#)

²⁰ EASO, 'Country Guidance: Iraq', June 2019, [url](#)

²¹ USSD, '2018 Annual Report on Religious Freedom: Iraq', 21 June 2019, [url](#)

²² MRGI, 'Kaka'i', November 2017, [url](#)

of persecution. According to a Baghdad Jewish community leader, there are fewer than six adult members of the local Jewish community.’²³

3.7.2 An article published by the New York Times 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.’²⁴

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Section 4 updated: 18 July 2019

4 Legal context

4.1.1 The USSD 2018 international religious freedom report on Iraq stated that:

‘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 Christians, Yezidis, and Sabean-Mandean, but it does not explicitly protect followers of other religions, or atheists. According to the penal code, Jews may not hold jobs in state enterprises or join the military. The law prohibits the practice of the Baha’i Faith and the Wahhabi branch of Sunni Islam.

‘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.’²⁵

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

- Islam
- Chaldean
- Assyrian
- Assyrian Catholic
- Syriac Orthodox

²³ USSD, ‘2018 Annual Report on Religious Freedom: Iraq’, 21 June 2019, [url](#)

²⁴ The New York Times, ‘Baghdad Jews have become a fearful few’, 1 June 2008, [url](#)

²⁵ USSD, ‘2018 Annual Report on Religious Freedom: Iraq’, 21 June 2019, [url](#)

- Syriac Catholic
- Armenian Apostolic
- Armenian Catholic
- Roman Catholic
- National Protestant
- Anglican
- Evangelical Protestant
- Assyrian
- Seventh-day Adventist
- Coptic Orthodox
- Yezidi
- Sabean-Mandean
- Jewish²⁶.

4.1.3 Additionally, the report also stated that outside of the IKR the law does not provide a mechanism for new religious groups to obtain legal recognition. However, within the IKR, 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.'²⁷

4.1.4 Eight faiths are registered with the KRG MERA:

- Islam
- Christianity
- Yezidism
- Judaism
- Sabean-Mandaeism
- Zoroastrianism
- Yarsanism
- Baha'i²⁸.

4.1.5 The same report also stated that outside of the IKR '[t]here 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

²⁶ USSD, '2018 Annual Report on Religious Freedom: Iraq', 21 June 2019, [url](#)

²⁷ USSD, '2018 Annual Report on Religious Freedom: Iraq', 21 June 2019, [url](#)

²⁸ USSD, '2018 Annual Report on Religious Freedom: Iraq', 21 June 2019, [url](#)

the authority of the Office of the Prime Minister to disburse government funds to maintain and protect religious facilities.’²⁹

- 4.1.6 In Iraqi Kurdistan, ‘[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.’³⁰

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Section 5 updated: 22 July 2019

5 Treatment

5.1 Overview

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

‘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, 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, including against [...] Kaka’i, with attacks reportedly claimed by or attributed to ISIS.’³¹

- 5.1.2 The same source further noted with regards to persons perceived as contravening strict Islamic Rules 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.’³²

- 5.1.3 The USSD 2018 religious freedom report stated that:

‘Representatives of minority religious communities said that, while the central government did not generally interfere with religious observances and even provided security for places of worship and other religious sites, including churches, mosques, shrines, and religious pilgrimage sites and routes, minority groups continued to face harassment, including sexual assault, and restrictions from local authorities in some regions.

²⁹ USSD, ‘2018 Annual Report on Religious Freedom: Iraq’, 21 June 2019, [url](#)

³⁰ USSD, ‘2018 Annual Report on Religious Freedom: Iraq’, 21 June 2019, [url](#)

³¹ UNHCR, ‘International Protection Considerations with Regard to People Fleeing Iraq’, May 2019, [url](#)

³² UNHCR, ‘International Protection Considerations with Regard to People Fleeing Iraq’, May 2019, [url](#)

‘...There were continued reports that non-Muslim minorities 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 Sabeen-Mandeans, said they opted to wear the hijab after continual harassment.’³³

5.1.4 The same report further stated:

‘According to various NGOs, central government, and KRG sources, KRG security forces and ISF [Iraqi Security Forces] blocked major roads between the IKR and central government-controlled Iraq, including roads serving minority communities such as the roads between Dohuk and Sinjar, al Qosh and Tal Kayf, and Sheikhan and Mosul. The closure of these roads forced minorities to take long, circuitous detours, restricted their access to markets for their goods, and left them vulnerable to harassment and extortion at numerous checkpoints. After lengthy negotiations, the KRG and GOI opened most of these roads during the year, including the al Qosh-Tal Kayf and Shaykhan-Mosul roads in October and the Dohuk-Sinjar road in December.

‘... Leaders of non-Muslim communities said 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.’³⁴

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5.2 Christians

5.2.1 The June 2019 EASO Guidance on Iraq stated that:

‘Following the eruption of violence in the years after the US invasion, Christians were targeted for their religious affiliation as well as for their perceived ties with the West.

‘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.

‘Violence against Christians in the KRI is less common, but Christians in the region continue to face discrimination in the form of intimidation and denial of access to services. Christian NGOs have reported that some Muslims threaten and harass women and girls for refusing to wear the hijab or not

³³ USSD, ‘2018 Annual Report on Religious Freedom: Iraq’, 21 June 2019, [url](#)

³⁴ USSD, ‘2018 Annual Report on Religious Freedom: Iraq’, 21 June 2019, [url](#)

adhering to strict interpretations of Islamic norms regarding public behaviour.³⁵

5.2.2 The same report further stated:

‘Assyrian Christians have complained of land appropriations by ethnic Kurds, which may have occurred with the “blessing, or tacit consent” of Kurdish officials. Complaints about appropriation of Christian land by ethnic Kurds are long-standing and originate mainly from Dahuk 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.

‘There are some reports that PMU [Popular Mobilisation Units] may target Christians that display behaviour deviating from Muslim moral codes, such as selling alcohol and celebrating Christian holidays, or women not covering up.

‘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.³⁶

5.2.3 The USSD 2018 religious freedom report stated:

‘Christian religious leaders continued to publicly accuse the Iranian-backed Shabak Shia PMF militia 30th Brigade, controlled by Iraqi parliament member Hunain Qado and his brother Waad, of harassment and sexual assaults on Christian women in Bartalla and elsewhere in Hamdaniya District. The chair of the municipal council of Bartalla made public court documents from several cases involving militiamen charged with theft, harassment, and sexual harassment. Shabak Sunni leaders in Hamdaniya made similar allegations.

‘According to Christian and other minority community leaders, Shabak parliamentarians, including Qado, with the support of some other Shia elements within the central government in Baghdad, had directed the 30th Brigade to harass Christians to drive out the area’s dwindling Christian population and allow Shabak and other Shia Muslims to settle in the area’s traditionally Christian town centers. Christians in Tal Kayf made similar claims that the nominally Christian but majority Sunni Arab PMF 50th “Babylon” Brigade actively sought to prevent and disrupt the return of the displaced Christian community to facilitate the settlement of Sunni Arab and Shia Shabak populations in that town.

‘...In June [2018] media continued to report political parties, criminal networks, and some militia groups seized more than 30,000 Christian properties in Baghdad, as well as areas of Anbar, Babil, Basrah, Diyala, and Wasit with impunity, despite pledges by the prime minister’s office to open investigations into the seizures.³⁷

³⁵ EASO, ‘Country Guidance: Iraq’, June 2019, [url](#)

³⁶ EASO, ‘Country Guidance: Iraq’, June 2019, [url](#)

³⁷ USSD, ‘2018 Annual Report on Religious Freedom: Iraq’, 21 June 2019, [url](#)

5.2.4 The report further stated that:

'In some parts of the country, non-Muslim religious minorities, as well as Sunni and Shia in areas where they formed the minority, continued to face harassment and restrictions from authorities. In July [2018] ISF forces and local police forcibly entered Mar Gorgees Syriac Catholic Church in Bartalla, cut the internet network of the church and adjacent cultural center, and destroyed the church's internet server equipment. While authorities accused the church of unauthorized distribution of an IKR-based internet service to the Christian community in Ninewa Province, Syriac Catholic Church leaders said the action represented an attack on the church, and they accused the security forces of acting on behalf of a rival, politically connected internet provider.

'...Christian [...] leaders outside the IKR reported continued discrimination in education and lack of minority input on school curricula and language of instruction. By year's end [2018], schools still had not universally adopted the 2015 Ministry of Education curriculum incorporating lessons of religious tolerance. Many Christians who spoke the Syriac language said it was their right to use and teach it to their children as a matter of religious freedom. Seeking to establish private Christian schools, the Chaldean church in Basrah said local authorities mandated the inclusion of Islamic religious instruction in their curricula for Muslim students.'³⁸

5.2.5 With regards to the situation in the KRG specifically, the USSD 2018 religious freedom report noted that 'Some Yezidi and Christian leaders continued to report harassment and abuse by KRG Peshmerga and Asayish forces in the KRG-controlled portion of Ninewa; some leaders said the majority of such cases were motivated by politics rather than religious discrimination.'³⁹

5.2.6 Additionally, the USSD 2018 religious freedom report stated:

'On July 23 [2018], three gunmen, who KRG authorities said had links to a terrorist group, forcibly entered a government building in downtown Erbil. Unable to gain entry to the Erbil governor's office, they killed a Christian employee whom authorities believed was targeted because of his religion, before police killed the attackers.

'In March local media reported the killing of a Christian family in Baghdad. Some Christian leaders, including Chaldean Catholic Cardinal Louis Sako, said they considered the killing a hate crime; others said the killers sought to force Christian owners of prime real estate to surrender their property. In February several gunman [sic] shot and killed a Christian man in front of his house in Baghdad. According to Christian sources, the victim had received threats to stop working in the alcohol business near a Muslim neighborhood.'⁴⁰

5.2.7 The DFAT country information report on Iraq published on 9 October 2018 stated that:

³⁸ USSD, '2018 Annual Report on Religious Freedom: Iraq', 21 June 2019, [url](#)

³⁹ USSD, '2018 Annual Report on Religious Freedom: Iraq', 21 June 2019, [url](#)

⁴⁰ USSD, '2018 Annual Report on Religious Freedom: Iraq', 21 June 2019, [url](#)

'The general decline in acceptance of ethnic and religious minorities among majority communities in Iraq also affects Christians. Local sources report increased harassment and violence in areas where Christians are a minority, including Shi'a areas of Baghdad or in Basrah. Christians may disengage from society for their own safety. State protection is often insufficient. Violence against Christians in the Kurdistan Region is less common, but Christians in the region continue to face discrimination in the form of intimidation and denial of access to services. Evangelical Christians in the region claim that they face bureaucratic hurdles that prevent the registration of their churches in the Kurdistan Region.'⁴¹

5.2.8 The same report further stated that:

'ISIL subjected Christians to high levels of violence and discrimination in areas under its control. ISIL forced Christians to convert to Islam, pay jizya or face death or expulsion

'... ISIL destroyed religious sites including, in January 2016, the 1,400 year old Monastery of Saint Elijah, the oldest Christian monastery in Iraq. Most Christians attempted to flee ISIL-controlled areas and many have sought safety outside Iraq. Some Christians complain that the Peshmerga and other security forces took over homes and at least one town abandoned by Christians fleeing from ISIL. Many Assyrians also claim that Kurds expropriated their land under the Ba'ath Party between 1968 and 2003.

'... Some Christians have been returning to areas previously held by ISIL since their defeat in various areas. In 2018, some Christians returned to their homes in the Ninevah plains to hold Easter services for the first time since the occupation and found that Christian churches and homes had been destroyed.'⁴²

5.2.9 With regards to Christians in Baghdad, UNHCR stated in its report of January 2018 that:

'Christians in Baghdad and other areas under government control are reported to be under societal pressure to adhere to strict interpretations of Islamic norms governing public behaviour and activities, for example by giving up the running of nightclubs and (now illegal) liquor shops and restaurants serving alcohol, and, in the case of women, to comply with conservative Islamic dress codes. At times, armed groups have reportedly subjected those they consider to be violating such rules to threats, harassment and physical abuse. Over the years there have been reports of killings and kidnapping for ransom targeted at members of religious minorities, including Christians, by armed groups for sectarian or criminal motives, or a combination of both. Though the risks against religious minorities persist, the reported number of such incidents has recently reduced. Homes of Christians displaced from Baghdad since 2003 as well as churches and monasteries have reportedly been seized illegally by powerful individuals, militias and criminal networks. In some instances, it was alleged

⁴¹ DFAT, 'Country Information Report Iraq', 9 October 2018, [url](#)

⁴² DFAT, 'Country Information Report Iraq', 9 October 2018, [url](#)

that the Christian owners or tenants were directly threatened, resulting in them evacuating their homes.’⁴³

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5.3 Yazidis

5.3.1 The June 2019 EASO Guidance on Iraq stated:

‘ISIL justified the attacks against Yazidis by labelling them as heretics and “devil worshippers”. ISIL’s attacks on the Yazidi community in and around Sinjar were “without mercy” and entailed mass killings, forced conversions, kidnapping young children and sexually enslaving thousands of women and girls. As of October 2018, around 3000 Yazidi women and children remained in ISIL captivity or were missing. No men remained in ISIL captivity; those abducted have either escaped or been freed, or have been executed by ISIL. The Special Rapporteur on minority issues of the UN considered that, “While further detailed investigation is required, information provided to the Special Rapporteur, including public videos and statements by ISIL itself, strongly supports allegations that the threshold required for a finding of genocide has been surpassed in the case of the Yazidis.”

‘Even before ISIL’s offensive, numerous incidents of arbitrary arrest, discrimination and other abuses against the Yazidi community were reported. Yazidis were and are widely discriminated against in Iraqi society and they likely constitute Iraq’s poorest community, aside from the Iraqis of African descent in the south. The Yazidi remain highly vulnerable, as they are in a precarious displacement situation and cut off from their traditional lands and livelihoods. Kurdish officials frequently put pressure on Yazidis to identify as Kurds or Muslims, and those who refuse risk harassment, detention, or deportation from KRI or are prevented from entering the KRI.

‘Some sources report that the relationship between the KRG and the Yazidi has been seriously damaged because of the controversial withdrawal of the Peshmerga preceding ISIL’s attack on the Yazidi community. Yazidis in KRI also report facing hostility from the wider population. On a number of occasions tensions between Kurds and Yazidis have boiled over, resulting in violence.’⁴⁴

5.3.2 The USSD 2018 religious freedom report stated:

‘The religious status of children resulting from rape became a more prominent issue because of the number of minority children resulting from gender-based violence perpetrated by ISIS. Yazidi community leaders reported that Yazidi 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 ID cards, passports, and other governmental services. Yazidi sources reported the number of these children range from several dozen to several hundred. They said societal stigma made it difficult to obtain accurate numbers.

‘... According to Yazda, a global Yazidi organization, Yazidis in the IKR were discriminated against when they refused to self-identify as Kurdish; only

⁴³ UNHCR, Situation of Christians in Baghdad, 15 January 2018, [url](#)

⁴⁴ EASO, ‘Country Guidance: Iraq’, June 2019, [url](#)

those Yazidis who considered themselves Kurdish could obtain senior positions in the IKR leadership. In the IKR, those not identifying as Kurdish said actions such as obtaining a residency card or a driver's license were challenging.

'... Human rights NGOs and Yazidi leaders stated KRG authorities discriminated against Yazidis by closing the Dohuk-Sinjar road and continuing to restrict commercial traffic after opening the road to passenger traffic in December [2018]. Yazidi activists reported the deaths of several Yazidi women in Sinjar because of lack of access to medicine and medical care, primarily due to the road closure.'⁴⁵

5.3.3 The same report further noted with regards to the situation and treatment in the KRG 'Some Yazidi and Christian leaders continued to report harassment and abuse by KRG Peshmerga and Asayish forces in the KRG-controlled portion of Ninewa; some leaders said the majority of such cases were motivated by politics rather than religious discrimination.'⁴⁶

5.3.4 The DFAT report of 2018 stated:

'ISIL displaced thousands of Yazidis between 2014 and 2017. Many Yazidis remain displaced in northern Iraq, unable or unwilling to return home after the defeat of ISIL. Some Yazidi fled to Mount Sinjar in Ninevah, nearby the town of Sinjar after a massacre occurred in the Yazidi town in August 2014. Many of those are reluctant to return and remain in makeshift camps, fearing the resurgence of violence.

'ISIL considered Yazidis to be "apostate" and, unlike Christians, did not give them the option of paying a jizya. ISIL subjected Yazidis to execution, kidnapping, rape, enslavement, forced marriage, forced abortions, expulsion, theft and destruction of property. Yazidi girls were particularly targeted for enslavement or forced marriage to ISIL fighters.'⁴⁷

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5.4 Sabean-Mandaeans

5.4.1 In March 2019 EASO published a country of origin information report, citing many sources, entitled 'Iraq Targeting of individuals'. It stated:

'According to the Special Rapporteur on minority issues to the UN Human Rights Council they 'have 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. The UN writes that 'Sabean-Mandaeans have fled ISIL-controlled areas and have become internally displaced' while many more are said to have departed the country.

'In their July 2017 MERI [Middle East Research Institute] report, Dave van Zoonen and Khogir Wirya noted that crimes against Sabean-Mandaeans have occurred "with impunity" and that as the government lost its ability to provide security, Sabean-Mandaeans paid money to tribesmen and militias in order to

⁴⁵ USSD, '2018 Annual Report on Religious Freedom: Iraq', 21 June 2019, [url](#)

⁴⁶ USSD, '2018 Annual Report on Religious Freedom: Iraq', 21 June 2019, [url](#)

⁴⁷ DFAT, 'Country Information Report Iraq', 9 October 2018, [url](#)

obtain some level of protection, noting this occurred in Missan, Baghdad, and Basrah. Nevertheless, they have been extorted and pressured to conform to Islamic principles by financially supporting Shia ritual, parades and public events, especially during Islamic holidays. Not participating in such societal displays risked Sabean-Mandaens becoming disenfranchised from the local community, according to MERI.⁴⁸

5.4.2 The report further stated:

‘Mark Lattimer explains at EASO’s practical cooperation meeting on Iraq in April 2017 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-Mandaeans community are often associated with wealth since many of its member’s work within the jewellery and gold/silver smith businesses. In addition, the Sabean-Mandaeans are 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. In addition, community members faced killings, abductions and torture.

‘According to MERI, Sabean-Mandaeans whom they interviewed who fled to KRG indicated that the “disintegration of the rule of law in the rest of Iraq” was the main reason they gave for attacks against them. Unlike in other parts of Iraq, in the KRI, they indicated they do not feel under immediate threat from being targeted by religious extremist groups but face a range of other challenges. Being Arabic speakers, MERI also found that two thirds of Sabaen-Mandaens they interviewed 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. For instance, some reports suggest that some Iraqis refuse to share food or to drink from the same glass as a Sabean-Mandaeans.’⁴⁹

5.4.3 The June 2019 EASO Guidance on Iraq stated:

‘According to the Special Rapporteur on minority issues to the UN Human Rights Council, ‘their language, culture and religion are thought to be at risk of extinction in Iraq. 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-

⁴⁸ EASO, ‘COI Report: Iraq Targeting of Individuals’, March 2019, [url](#)

⁴⁹ EASO, ‘COI Report: Iraq Targeting of Individuals’, March 2019, [url](#)

Mandaeans at risk of becoming disenfranchised from the local community [...] 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.’⁵⁰

5.4.4 The DFAT report of 2018 stated that:

‘The Constitution gives explicit protection to the freedom of religious belief and practice of Sabean Mandaeans. In practice, DFAT is aware of examples of local authorities raising bureaucratic impediments to opening additional temples. DFAT understands Sabean Mandaeans are not necessarily targeted on the basis of their religion, but that, as many are (or were) goldsmiths, they have been targeted by financially-motivated criminal gangs. Criminal action against Sabean Mandaeans has included kidnapping for ransom, with a high risk of being killed for refusing to pay. Some Sabean Mandaeans report societal discrimination, claiming they are considered “dirty” by other Iraqis. Some report that other Iraqis refuse to touch the food and drink of Sabean Mandaeans, thus excluding Sabean Mandaeans from work involving food preparation or sale. In order to avoid low-level harassment, some Sabean Mandaean women wear headscarves despite this not being their customary practice. Declining tolerance for other religious communities across Iraq is affecting Sabean Mandaeans along with other minorities.’⁵¹

5.4.5 The USSD 2018 religious freedom report stated that ‘Sabean-Mandaean leaders continued to report threats, abuses, and robberies.’⁵²

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5.5 Baha’i

5.5.1 The June 2019 EASO Guidance on Iraq 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

⁵⁰ EASO, ‘Country Guidance: Iraq’, June 2019, [url](#)

⁵¹ DFAT, ‘Country Information Report Iraq’, 9 October 2018, [url](#)

⁵² USSD, ‘2018 Annual Report on Religious Freedom: Iraq’, 21 June 2019, [url](#)

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.'⁵³

5.5.2 The USSD 2018 religious freedom report stated that:

'The law prescribes 10 years' imprisonment for anyone practicing the Baha'i Faith.

'...According to a December article on the website Al Monitor, Deputy Justice Minister Hussein al-Zuhairi stated during a dialogue with the Committee on the Elimination of Racial Discrimination that the Baha'i Faith was not a religion, emphasizing the government's commitment to legislation prohibiting the Baha'i Faith.'⁵⁴

5.5.3 Despite the law stating that anyone practicing the Baha'i faith 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](#)).

5.5.4 However, the situation for Baha'i followers is different in the IKR, the USSD 2018 religious freedom report stating that 'Followers of the Baha'i and Yezidi faiths reported the KRG allowed them to observe their religious holidays and festivals without interference or intimidation.'⁵⁵

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5.6 Kaka'i

5.6.1 The USSD 2018 religious freedom report stated that outside the IKR, the Kaka'i are an unrecognised religious group but that the law does not prescribe penalties for practising it. It further stated that contracts signed by unrecognised religious groups are not legal or permissible as evidence in court⁵⁶.

5.6.2 The same source also stated:

'The Kaka'i community in Daquq, Kirkuk Governorate, continued to suffer harassment and intimidation, which Kaka'i civil society groups said accelerated under PMF occupation of the area.

'...On March 21 [2018], the tomb of a Kaka'i religious leader was destroyed by an explosion in Daquq, south of Kirkuk. A local Kaka'i NGO said members of the PMF were responsible.

'Kaka'i leaders said the central government's Shia Endowment had forcibly taken over several places of Kaka'i worship in Kirkuk and converted them into mosques.

⁵³ EASO, 'Country Guidance: Iraq', June 2019, [url](#)

⁵⁴ USSD, '2018 Annual Report on Religious Freedom: Iraq', 21 June 2019, [url](#)

⁵⁵ USSD, '2018 Annual Report on Religious Freedom: Iraq', 21 June 2019, [url](#)

⁵⁶ USSD, '2018 Annual Report on Religious Freedom: Iraq', 21 June 2019, [url](#)

‘...Kaka’i activists and religious leaders reported harassment and discrimination by the PMF in Kirkuk and Diyala, who identified Kaka’i men by their distinctive mustaches.’⁵⁷

5.6.3 The June 2019 EASO Guidance on Iraq stated:

‘The Kaka’i had suffered historic persecution, including under the Saddam Hussein regime, with their lands and villages confiscated.

‘...According to the 2015 Report on International Religious Freedom of the USDOS [United States Department of State], more than 2500 Kaka’i families had fled to the KRI as a result of the ISIL incursion, and thousands remained displaced. In 2018, Kaka’i community activists stated that only a limited number of community members had returned to liberated Ninewa. 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.’⁵⁸

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5.7 Jews

5.7.1 CPIT was only able to find limited information in regards to the treatment of Jewish people in Iraq in the sources consulted (see [Bibliography](#)). The USSD 2018 religious freedom report stated that ‘According to the penal code, Jews may not hold jobs in state enterprises or join the military.’⁵⁹

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, 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.’⁶⁰

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⁵⁷ USSD, ‘2018 Annual Report on Religious Freedom: Iraq’, 21 June 2019, [url](#)

⁵⁸ EASO, ‘Country Guidance: Iraq’, June 2019, [url](#)

⁵⁹ USSD, ‘2018 Annual Report on Religious Freedom: Iraq’, 21 June 2019, [url](#)

⁶⁰ USSD, ‘2018 Annual Report on Religious Freedom: Iraq’, 21 June 2019, [url](#)

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.'⁶¹

6.1.2 The June 2019 EASO Guidance on Iraq stated that:

'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 parents 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 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

⁶¹ UNHCR, 'International Protection Considerations with Regard to People Iraq', May 2019, [url](#)

tribe. Kurdish authorities are fairly tolerant of the Christian converts but it has not been possible for converts to e.g. 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.⁶²

6.1.3 The DFAT report of 2018 stated that:

‘Regulations founded on Islamic law (sharia) prohibit individuals from converting from the Muslim faith, although DFAT is not aware of any prosecutions for this. Local churches may refuse to accept converts for fear of retribution by members of the local community.

‘Under Iraqi law, a child under 18 years old will automatically be converted to Islam if one of their non-Muslim parents has also converted. Muslims are unable to convert to other religions. Under the Personal Status Law (1959), if one parent is Muslim, the child must be Muslim. This prevents children from choosing their own religion as adults.’⁶³

6.1.4 The USSD 2018 religious freedom report stated that:

‘Personal status laws and regulations prohibit the conversion of Muslims to other religions, and require 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.

‘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.

‘...According to Christian leaders, in some cases Christian families formally registered as Muslim but privately practicing Christianity or another faith were forced to choose to register their child as a Muslim or to have the child remain undocumented. Remaining undocumented would affect the family’s eligibility for government benefits such as school enrollment and ration card allocation for basic food items, which depends on family size. Larger families with legally registered children received higher allotments than those with undocumented children.

‘...The KRG continued to offer support and funding to some non-Muslim minorities, but other minorities in the IKR, including evangelical Christians, said they continued to face difficulties in changing their registration from Muslim to Christian if they were converts, or engaged in in proselytizing.’⁶⁴

6.1.5 The U.S. Commission on International Religious Freedom (USCIRF) annual report covering events in 2018 noted that:

‘...the Iraqi government continued to prevent other communities or individuals from freely expressing or practicing their beliefs. The 2015 National Identity Card Law remains problematic for Iraq’s minorities: Article 26 forces children with one Muslim parent to identify as Muslim. It reinforces existing restrictions that Muslims cannot change their religious identification

⁶² EASO, ‘Country Guidance: Iraq’, June 2019, [url](#)

⁶³ DFAT, ‘Country Information Report Iraq’, 9 October 2018, [url](#)

⁶⁴ USSD, ‘2018 Annual Report on Religious Freedom: Iraq’, 21 June 2019, [url](#)

on their identity cards after conversion to any other religion. Christian leaders have said that in some cases, families that are formally registered as Muslim but practice Christianity have fled to avoid registering their children as Muslims or to have their children remain undocumented. The law remains in place, despite periodic promises by successive Iraqi administrations since 2015 to revisit it.’⁶⁵

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Section 7 updated: 3 October 2019

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.’⁶⁶

7.1.2 The June 2019 EASO Guidance on Iraq report stated that:

‘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. Secularism is also on the rise amongst Iraq’s youth. A poll released in 2011 recorded that 67 % of Iraq’s population answered that they believe in God, 21 % answered probably, whilst 7 % answered that they did not believe in God. There are many Iraqi websites and blogs that cater to atheists, but membership lists are kept secret for fear of persecution by extremist religious groups or the surrounding society.

‘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

⁶⁵ USCIRF, ‘2019 Annual Report, Iraq’, April 2019, [url](#)

⁶⁶ UNHCR, ‘International Protection Considerations with Regard to People Fleeing Iraq’, May 2019, [url](#)

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.⁶⁷

- 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.⁶⁸

- 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 are trying to build legitimacy under the imposition of a culture of prevention and control."⁶⁹

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Section 8 updated: 18 July 2019

8 Documentation

- 8.1.1 The June 2019 EASO Guidance on Iraq stated that:

'Individuals practicing other faiths may only receive identity cards if they self-identify as Muslim, Yazidi, Sabean-Mandean, or Christian. The ID card is described as the most important personal document for Iraqis, because it is required for all contact with authorities, and to obtain services, such as healthcare, social welfare, education, and when buying and selling property, including houses or vehicles. It is also necessary for the issuance of other official legal documentation, such as passports. Without an official identity card, non-Muslims and those who convert to faiths other than Islam may not register their marriages, enrol their children in public school, acquire

⁶⁷ EASO, 'Country Guidance: Iraq', June 2019, [url](#)

⁶⁸ NBC News, 'Iraq's atheists go underground', 5 April 2019, [url](#)

⁶⁹ Arab Weekly, 'Iraq's growing community of atheists no longer peripheral', 20 July 2019, [url](#)

passports, etc. The 2015 National Identity Card Law also requires children from mixed religion marriages to be registered as Muslim and reinforces restrictions that Muslims cannot change their religious identification on their identity cards after conversion to any other religion. A new electronic and biometric ID card system is being introduced in Iraq, where information about the person's religion is stored on the chip, but does not appear on the ID card.⁷⁰

8.1.2 The USSD 2018 religious freedom report stated that:

'New national identity cards do not denote the bearer's religion, although the online application still requests this information. The only religions that may be listed on the national identity card application are Christian, Sabean-Mandean, Yezidi, Jewish, and Muslim. There is no distinction between Shia and Sunni Muslim, or a designation of Christian denominations. Individuals practicing other faiths may only receive identity cards if they self-identify as Muslim, Yezidi, Sabean Mandean, Jewish, or Christian. Without an official identity card, one may not register one's marriage, enroll children in public school, acquire passports, or obtain some government services. Passports do not specify religion.'⁷¹

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Section 9 updated: 18 July 2019

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 2018 report stated that '[t]he KRG and the central government continued to provide increased protection to Christian churches during the Easter and Christmas holidays.'⁷²

9.1.2 The June 2019 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 stated the following in regard to the Iraqi State:

'The presence and control of the Iraqi State have become stronger since the defeat of ISIL. It can be concluded that the State may, depending on the individual circumstances of the case, be considered able and willing to provide protection that meets the requirements of Article 7 QD in Baghdad and southern Iraq. In most other parts of northern and central Iraq, including the disputed territories, the capacity of the State is limited and the criteria under [Article 7 QD](#) would generally not be met.

'...The Iraqi State is in general considered able and willing to provide protection that meets the requirements of [Article 7 QD](#) for Shia Arabs in Baghdad and southern Iraq. This is without prejudice to the assessment in cases where State protection is considered not available due to individual circumstances. With regard to Sunni Arabs, the availability of state protection is considered limited, but may in individual cases be available. State protection is generally not considered available for members of minority

⁷⁰ EASO, 'Country Guidance: Iraq', June 2019, [url](#)

⁷¹ USSD, '2018 Annual Report on Religious Freedom: Iraq', 21 June 2019, [url](#)

⁷² USSD, '2018 Annual Report on Religious Freedom: Iraq', 21 June 2019, [url](#)

religions and ethnicities, Palestinians, LGBTI persons and victims of domestic or honour-related violence, and gender-based violence, including harmful traditional practices.

‘It should be noted that if the actor of persecution is a PMU, and the group in question is considered a State actor, effective protection is presumed not to be available in accordance with [Recital 27 QD](#).’⁷³

9.1.3 The same report stated 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, LGBTI individuals, 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](#).’⁷⁴

9.1.4 The U.S. Commission on International Religious Freedom annual report covering events in 2018 noted that ‘The Iraqi government continued to show a lack of willingness or ability to provide proper security for vulnerable religious and ethnic minorities.’⁷⁵ It should be noted that CPIT could not find how ‘proper security’ is defined within the report.

9.1.5 The same report further reported:

‘... religious minorities, including the Yazidi and Christian communities, are skeptical of the Iraqi government’s willingness and capability to protect them from both Shi’a and Sunni violent armed groups, including ISIS and sectarian elements of the PMF—the latter of which the Iraqi government remains unable or unwilling to place under the command structure of the ISF. Although the government of Iraq has made an increasing show of support for minority rights since 2017—especially within Nineveh Province—and the KRG has continued to offer a relatively secure refuge for displaced minority communities, many of them remain wary of the notion that religious freedom and human rights are priorities for Iraqi leadership.’⁷⁶

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⁷³ EASO, ‘Country Guidance: Iraq’, June 2019, [url](#)

⁷⁴ EASO, ‘Country Guidance: Iraq’, June 2019, [url](#)

⁷⁵ USCIRF, ‘2019 Annual Report, Iraq’, April 2019, [url](#)

⁷⁶ USCIRF, ‘2019 Annual Report, Iraq’, April 2019, [url](#)

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
 - Yezidis
 - Kaka'i
 - Sabaeen Mandaeans
 - Baha'i
 - Jews
- State treatment
- Non-state treatment
- Protection
- Converts and Atheists
- Documentation

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Version control

Clearance

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Changes from last version of this note

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

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