



UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

COUNTRY UPDATE: IRAQ

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USCIRF's Mission

To advance international freedom of religion or belief, by independently assessing and unflinchingly confronting threats to this fundamental right.

Religious Freedom Conditions in Iraq

Overview

In 2023, Iraq entered a period of recalibration following more than a year of immobilizing political factionalism that diverted government attention and resources from policies and programs to support religious freedom. The formation late in 2022 of a new Iraqi federal government (IFG) has provided opportunities for both the IFG and the semi-autonomous Kurdistan Regional Government (KRG) to improve conditions for the country's diverse religious communities. Yet, members of many groups—particularly religious minorities—continue to suffer social and political disenfranchisement and restrictions on their freedom of religion or belief.

This country update examines recent developments as well as ongoing factors affecting religious freedom in Iraq under both the IFG and KRG. Sectarianism in the IFG's political landscape continues to endanger the long-term stability of the government and its ability to follow through on efforts serving diverse religious communities. Religious minorities under the IFG suffer the prolonged insecurity of a political and social environment shaped by a lack of meaningful political representation; parties' introduction of potentially harmful proposed legislation; and the unchecked power of state-affiliated and other militias that target minority members for harassment. In KRG-administered areas—where many internally displaced religious minorities have sought refuge—minority community members experience ongoing property misappropriation, inequality in employment and business opportunities, and other forms of discrimination.

Further, the two governments' long-standing jurisdictional disputes over northern territories have exacerbated dangerous conditions for Yazidis, Christians, and other vulnerable groups, creating gaps in humanitarian programs and governance filled by militias—both government-affiliated and nonstate—that target religious minorities for exploitation and abuse.



Political Sectarianism

The IFG’s political crisis abated in October 2022 with the formation of a new administration led by Prime Minister Mohammed Shia al-Sudani—a member of the Shi’a Muslim Arab majority—and President Abdul Latif Rashid—a Sunni Muslim Kurd. Nevertheless, the government still suffers increasing political factionalism along religious and other fault lines. The administration has appointed an [advisor](#) to form a committee to [amend](#) the 2005 constitution, which needs significant revision to address ongoing dysfunction within and among Shi’a, Sunni, and non-Muslim political factions. While the [constitution](#) sets forth general provisions for civil and political rights, it is ambiguous on appropriate limitations of these rights and on mechanisms of enforcement for religious and cultural minorities’ rights in particular.

Religious leaders remain an animating force behind political hostilities. The resignation from politics of Shi’a cleric Muqtada al-Sadr has not diminished his populist appeal. His followers have hinted at a boycott of pivotal provincial elections projected for December 2023 if the government carries out proposed electoral reforms. Al-Sadr also used religious justifications to incite [mob attacks](#) in June on the Swedish Embassy in Baghdad in response to an activist’s burning of a Qur’an in Stockholm, Sweden.

Recent electoral reform proposals may only perpetuate unsatisfactory sectarian power-sharing among the largest political parties from the three most populous religious and ethnic “components,” shutting out independents and politicians representing religious minorities. In July

2023, escalations in conflict between Shi’a and Sunni parties as well as intra-Shi’a rifts upset the precarious religiopolitical balance in Iraq, which could lead to another political crisis.

Religious Freedom Conditions

Laws & Bills Affecting Religious Freedom

Both the current administration and prior ones within the IFG have contributed to efforts with the potential to increase religious freedom and improve conditions for beleaguered religious minority groups. One of the Sudani administration’s first acts was to formally recognize for the first time in 47 years Yazidis’ ownership of their residential properties in the Sinjar district in northern Iraq. The U.S. Department of State acknowledged the IFG’s first [reparations](#) dispersals in March 2023 to Yazidi genocide survivors, while also noting “significant” obstacles to full implementation of the related Iraqi legislation. In July 2023, consistent with [recommendations](#) from independent experts on a United Nations Committee, the government referred to Parliament a draft law against enforced disappearances—an entrenched form of political violence in Iraq that has compounded the vulnerability of religious minorities and theological dissenters.

However, systematic religiously discriminatory laws remain in effect, such as a 1970s-era ban on the Baha’i religion and a law mandating children or minors convert to Islam upon the conversion of one parent. Newly proposed legislation and other formal government initiatives, too, have had disproportionate and negative impact on religious minority communities.

Two draft laws the government recently reintroduced to Parliament have drawn [objections](#) from international human rights organizations as potentially severe restrictions on the freedoms of expression and religion or belief. The draft Law on Freedom of Expression and Peaceful Assembly would allow for prosecution of anyone who makes public comments that violate “public morals” or “public order,” setting forth high maximum sentences and fines for “defamation of religions, sects, and religious communities” and public insult to symbols or people revered, glorified, or venerated by a religious community. The latter provision amplifies the existing threat of political oppression in a country in which religious clerics often play active roles in politics. Religious leaders’ representatives have also questioned the law’s potential to restrict religious street processions and require minority groups to plead their case for public religious observances important to the expression of their faith.

The draft law on Cybercrimes, reintroduced in November 2022 and circulated this year in parliamentary circles, likewise would impose high fines and sentences of up to life imprisonment to punish individuals who post material on the Internet deemed contrary to the country’s “interests”—a broad category easily applied to religious minorities, atheists, and those whose religious interpretations do not align with [state-approved](#) ones.

In March, Christian politicians filed a [lawsuit](#) asserting that a 2023-reactivated ban on the sale, import, or production of alcohol was undemocratic and harmful to non-Muslims. Lawmakers behind the 2016 bill on which the recent ban was based had cited the Iraqi constitution’s prohibition of legislation that contradicts Islam.

Apart from bills’ facial potential restrictions on freedom of religion or belief, the reintroduction or proposal of these and other potential laws are part of a wider culture of perceived and increasing intolerance to religious minorities. Christian, Yazidi, and other non-Muslim community members have characterized such legislative campaigns as infringements on both their religious expression and their livelihoods, contributing to long-term insecurity, prompting emigration, and ultimately damaging their communities’ prospects for continued existence in Iraq.

State-Affiliated Militias

State-affiliated militias present one of the most widespread and politically empowered impediments to religious freedom in Iraq. The IFG continued to demonstrate limited political will or ability to curtail the power of the Popular Mobilization Units (PMF or PMU) or al-Hashd al-Shaabi, a government-affiliated umbrella organization of largely Shi’a Muslim, pro-Iran militias. In recent years, the IFG has granted the PMF Commission an [annual budget](#) of \$2.6 billion, supporting administrative offices in every province outside the Kurdistan region, and the proposed 2023–2025 budget is expected to further [expand](#) resources allocated to the organization. Although the PMF contains some nominally Sunni and Christian brigades—many originally recruited to protect their communities against the Islamic State in Iraq and Syria’s (ISIS) onslaught—the most powerful among them have largely Shi’a membership and deliberately use religious minority status and tokenism to counter the PMF’s reputation for sectarianism. One of the most notable of these militias is [Kataib Babiliyoun](#), the 50th Brigade—founded by Rayan al-Kildani, an Iran-linked militia leader of Chaldean background whom the United States has designated as a “serious” human rights abuser and targeted with [sanctions](#) for his egregious human rights abuses, including “persecution of religious minorities.”

The brigade’s political branch, the Babylon Movement, controls at least four of the five seats reserved for Christians in Iraq’s parliament. Christians commonly voice grievances over the Iraqi political quota system which allows a largely Shi’a Muslim voter base to determine the few representatives allotted to religious minorities. Sources within the Kurdistan region (KRI) have reacted with alarm to Kildani’s alleged use of bribery to increase the PMF’s influence in autonomous Kurdish areas, as well as his vocal expressions against Protestant Christian denominations and Jehovah’s Witnesses.

In March 2023, Christians in the Hamdaniya district of the Nineveh Plains staged [protests](#) to resist an attempted takeover by Kataib Babiliyoun, led by Osama al-Kildani, brother of Rayan.

Many factions of the PMF rely on the threat or practice of violence to control local populations across Iraq—including territories under dispute by the KRG and IFG—and wield political influence in Baghdad. PMF brigades continue to use enforced disappearance, extortion, and physical violence in targeting Sunni Muslims, Christians, and Yazidis. These and other vulnerable religious groups such as Kaka'is have reported lack of security—owing to the PMF and other aggressive militias—as a driving factor behind minorities' internal displacement and permanent emigration.

Assyrian community members have also reported the PMF's continued use of checkpoints and curfews to dominate small Christian communities, including by restricting Christian business owners and farmers from transporting goods between villages. In mid-2023, community representatives described a married couple in northern Iraq driving back from a medical emergency and forced to sleep overnight on the side of a road after PMF militias denied them travel rights pursuant to an arbitrarily applied curfew. Such abuses are widely known both within the communities bearing their brunt and in Baghdad's political centers, yet the government has not adequately curtailed brigades' use of them.

In addition to state-affiliated militias, [ISIS](#) regularly asserts its presence in parts of Iraq, and in June 2023, the U.S. Department of State [named](#) as Specially Designated Global Terrorists ISIS members who perpetrated sexual violence against Yazidi women and girls.

Political Marginalization of Religious Minorities

Religious minorities continue to object to the state of their political representation, which they believe reflects weaknesses in the current electoral process. A [quota](#) system allots a total of nine out of 329 seats on the Council of Representatives to minorities from different provinces. Christian community representatives point out that the wide scope of eligibility criteria and voting—encompassing not only Christian-majority areas but regions across Iraq—means voters of any religious background, including members of the Shi'a majority which dominates the IFG's political parties, can help choose minority groups' quota representatives. This dynamic informed the 2021 election cycle, in which PMF-linked candidates and parties—including Rayan al-Kildani's—rose to power via the [backing](#) of apparently Shi'a-majority constituencies, winning at least four of the five Christian quota seats and the sole Shabak quota

seat. Similarly, some members of religious minority groups within the KRI believe Kurdish-majority parties engage in tokenism and political manipulation by filling government roles in minority-concentrated areas with individuals more aligned with Kurdish nationalist interests than with those of their own communities.

While some community members want quota voting reserved for the minority demographic groups or the geographic regions in which they are concentrated, others call for an end to quotas in both IFG- and KRG-administered areas, believing this system perpetuates sectarianism and circumscribes minorities' opportunities in politics.

Christians and Yazidis within the KRI have also complained of a potential weaponization of “hate speech” or blasphemy-related laws and potential judicial actions against religious minorities. In February, Facebook [comments](#) potentially erroneously attributed to Bishop Bahzad Mziri of the Anabaptist Church in Duhok incited the anger of community members who considered them insulting to the Prophet Mohammed. Duhok's Directorate of Endowment and Religious Affairs and the public prosecutor stated their intention to file a legal complaint against the bishop. In April, Yazidi survivors of the ISIS-perpetrated genocide against the community [protested](#) in fear over the settlement in Sinjar of Sunni Arab families with apparent links to ISIS fighters. Inter-community tensions escalated when Muslim residents interpreted social media photographs of the Yazidis' protests as an arson attack on a mosque. In response, the KRG Ministry of Endowments and Religious Affairs released a statement condemning the alleged attack on the mosque.

Christians

Iraq's Christian population, which includes members of the indigenous Assyrian Church of the East, Syriac Orthodox, Chaldean Catholic, and other churches, has declined precipitously over the past two decades—from more than 1.5 million to fewer than 200,000—especially since ISIS launched its lethal 2014 [campaign](#) against religious minorities. Like other religious minorities, Christians' risk of falling victim to mass atrocities has receded since ISIS's territorial defeat in 2019; however, they suffer numerous forms of harassment and discrimination that Iraq's government facilitates or tolerates, and which imperil the safety and sustainability of their communities within Iraq.

Property rights remain a pressing concern for Christian groups from which ISIS stripped homes and businesses that subsequent actors—including PMF brigades and others within the governments of both the IFG and the KRG—have continued to misappropriate. Although the KRI has served as a refuge for many religious minorities fleeing conflict from across Iraq, Christian community members regularly denounce KRG-tolerated or -initiated misappropriation of Christians’ land, businesses, and other property.

On July 3, 2023, President Rashid [revoked](#) a 2013 decree a previous president had issued to acknowledge the administrative authority of Cardinal Louis Raphaël Sako, patriarch of the Chaldean Catholic Church. President Rashid described his action—which, in effect, removed the patriarch’s power to administer the affairs and properties of many Christian communities—as a necessary correction of a breach of the constitution. In response, Patriarch Sako lodged a [complaint](#) with the Supreme Court, which is expected to rule on the constitutionality of the President’s decree. President Rashid’s stated deference to constitutional conformity aligns with Prime Minister al-Sudani’s identification of [constitutional reform](#) as a goal for the IFG. However, observers have noted the likely role of PMF pressure—in the form of Rayan al-Kildani’s influence—in the President’s revocation of the patriarch’s administrative authority. The patriarch has long been a vocal [critic](#) of the PMF and its associates’ monopolization of the few political spaces reserved for Christians. His supporters characterize al-Kildani’s attempts to limit the Chaldean Catholic Church’s management of Christian communities’ assets as a strategy for Babylonian Brigade expropriation of and illicit financial gain from Christians’ properties.

The IFG also places restrictions on several Christian denominations, especially evangelical Protestant and other non-traditional ones, denying them the state recognition necessary to secure legal rights to houses of worship, endowments, and personal documentation.

Yazidis

Iraq’s Yazidi population continues to face challenges stemming from the genocide ISIS launched in 2014, in which approximately 10,000 Yazidis were [killed or kidnapped](#). ISIS’s campaign of religious and ethnic cleansing against Yazidis targeted the Sinjar (or Shingal) district in northwestern Iraq, the traditional homeland of Iraq’s Yazidis. The IFG and KRG dispute the jurisdiction of Sinjar along with other territories in northern Iraq. In 2020, the two governments signed a United Nations-brokered agreement to improve security conditions and encourage the return of genocide survivors; however, both the IFG and KRG have pointed to the other’s failings in helping implement the agreement. Sinjar’s [infrastructure](#) and municipal services remain inadequate and in some cases hazardous, with some buildings still displaying the devastating effects of ISIS’s onslaught. In July 2023, an alliance of Yazidi civil society organizations and community leaders [called for](#) the IFG to administer a dedicated fund for the reconstruction of public infrastructure and private housing in the Sinjar district. In August, amid commemorations of the Yazidi genocide, Prime Minister Sudani’s administration announced its intention to restore the Yazidi village of Kocho as an act of “justice and responsibility.”

The continuing jurisdictional disputes have left a governance vacuum that competing militias, including PMF brigades and some Yazidi defensive fighters, have tried to fill through use of physical force, extortion, and other abusive tactics. As such—and with the additional deterrent of Turkish [airstrikes](#) purportedly targeting Kurdish terrorists—many Yazidi civilians are reluctant to return to Sinjar, remaining instead in unsanitary and fire-prone displacement [camps](#), which the IFG has intended to phase out.

As with the Sinjar Agreement, the IFG has not fully implemented the landmark 2021 Yazidi Survivors Law. The law creates a pathway to financial reparations for some Yazidi and Turkmen, Christian and Shabak survivors of ISIS’s campaign. Rights organizations have objected to [evidentiary standards](#) too onerous for many survivors to meet and which contribute to victims’ re-traumatization. Approximately [2,700](#) other Yazidi women and girls remain missing, many of whom are believed to be hidden in camps and elsewhere, especially in Syria, following their forced marriage and sexual and domestic enslavement within ISIS fighters’ families. The [KRG](#) as well as Syrian Kurdish-led militias have contributed to recovery efforts, which often require strategic intelligence and armed support.



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Conclusion

The United States should give continued attention to the challenges facing Iraq's diverse religious communities, especially vulnerable religious minorities such as Yazidis and Christians still suffering the aftereffects of ISIS's genocidal campaigns.

Although Iraq's federal government has made some overtures toward the country's diverse religious communities, persistent sectarianism and inadequate constitutional and legislative safeguards have contributed to a political and social environment increasingly inhospitable to religious minorities. Likewise, the KRG has pledged support for religious freedom and protection for religious minorities displaced to Kurdish-majority

areas—even though some officials continue to tolerate or contribute to the seizure of religious minorities' land, interference with their businesses, and other forms of discrimination. The governments' lack of progress in resolving their competing jurisdictional claims has fueled the rise of militias that exploit and target religious minorities in disputed territories. Consequently, many religious minority groups across Iraq face an existential choice between political and social disenfranchisement within the current system, or reluctant emigration or protracted displacement to avoid harassment and abuse by state-affiliated militias, property misappropriation, and lack of genuine political representation.

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