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COUNTRY UPDATE: IRAQ

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Religious Freedom in Iraq in 2021

By Mohy Omer, Policy Analyst

Introduction

Serious challenges to religious freedom in Iraq persisted in 2021. Many Yazidis, Christians, Sunni Arab Muslims, and other religious and ethnic minorities who fled Islamic State in Iraq and Syria (ISIS) violence since 2014 remain displaced and face continued challenges to returning safely to their homes. The inability to implement the Sinjar Peace Agreement and improve the security situation is hindering the ability of Yazidis to return to and live peacefully in their historic land of Sinjar. Furthermore, religious and ethnic minority communities in northern Iraq are disproportionately impacted because of Turkish airstrikes targeting the Sinjar Resistance Units (YBS), Yazidi security forces aligned with the Kurdistan Workers' Party (PKK).

Sinjar's status as a disputed territory between the Iraqi Federal Government (IFG) and Kurdistan Regional Government (KRG) complicates both the allocation of necessary resources and adequate protection. Militia groups such as the Popular Mobilization Force (PMF), also known as al-Hashd al-Shaabi, and other such groups operate with impunity in the country. The PMF largely consists of Iran-aligned Shi'a militia groups that also are supported and overseen by the Iraqi defense and other security agencies. These groups carry out illegal arrests, kidnappings, and detentions of individuals. However, Pope Francis' historic [visit](#) to Iraq in March of 2021 has reinvigorated religious communities, especially Christians. The visit came at a critical moment as religious and ethnic minorities continue to struggle to recover from ISIS brutality.

This country update provides an overview of recent religious freedom conditions in Iraq. It highlights positive developments as well as remaining challenges to advancing religious freedom in the country. It also discusses U.S.-Iraq bilateral relations. It concludes by recommending that the U.S. government maintain its programmatic and financial support for religious and ethnic minorities to help them recover and rebuild.

Religious Demographics

As of July 2021, the U.S. government [estimated](#) the Iraqi population at 39.7 million. The country is religiously diverse, though Muslims constitute between 95 and 98 percent of the population. The majority is Shi'a Muslim, between 64 and 69 percent, and resides mainly in the Southern and Eastern regions of Iraq. Sunni Muslims [constitute](#) somewhere between 29 and 34 percent of the population and are spread across the west, center, and north regions of the country. About one percent of the



population is [believed](#) to be Christian from different denominations, including Chaldean Catholic, Syriac Catholic and Orthodox, Protestant, and Assyrian Church of the East.

Iraq's Christian population mainly resides in the Nineveh Plains in the north. [The remaining](#) 1-4 percent of the population hails from various religious and ethnic groups, including Yazidis, Kaka'is (also known as the Yarsan or Ahl al-Haq), Sabean-Mandaeans, Bahá'í, Turkmen, and Jews. These religious minority communities predominantly [live](#) in the northern part of Iraq as well as Baghdad, the capital. Finally, there is a [growing number](#) of atheists, agnostics and religiously unaffiliated people in Iraq, though the exact number is difficult to determine. These individuals often hide their beliefs due to the serious societal, familial, and legal risks that such nonbelievers face.

Background

Sunni Muslims [dominated](#) the exercise of political power until the U.S.-led invasion of 2003 ended President Saddam Hussein's 24-year reign. In 2005, Iraqis [voted](#) to elect their first democratic Parliament, which brought to power a Shi'a majority for the first time. Since then, Iraq has had Shi'a leaders. However, Sunnis have accused Iraq's Shi'a leaders of using the "de-Ba'athification" [process](#) to discriminate against Sunni Muslims. The post-Saddam era has been [characterized](#) by sectarian violence and targeting and mass displacement of ethnic and religious minorities. Sunni disaffection also was a contributing factor in Iraq for the emergence of the Islamic State of Iraq and Syria (ISIS) in 2014, which committed grave

human rights violations – including genocide and crimes against humanity. Although declared defeated in 2017, ISIS still carries out [suicidal attacks](#) in Iraq and beyond.

Demanding sweeping political change, hundreds of thousands of Iraqis from various backgrounds and affiliations [took to the streets](#) in October 2019. In response, Iraqi security forces and militia men [killed around 700 and injured more than 30,000](#) peaceful of protesters. Then Prime Minister Adel Abdul Mahdi quit under intense pressure from protesters and Iraq's Parliament chose Mustafa al-Kadhimi to lead the country. Two years later, on October 10, 2021, Iraqis headed to the polls to elect representatives for parliament. After disputes and hand recounts of the election results, Iraq's independent election commission [confirmed](#) as the winner the political bloc led by Shia leader Muqtada al-Sadr. The outcome of the election could have positive implications for religious freedom as al-Sadr promised, on [various occasions](#), to dissolve Iraq's militia groups.

Ongoing Security Challenges

Religious and ethnic minority communities continue to face immense challenges in Iraq as they continue to struggle to recover from the destruction caused by ISIS. According to the International Organization on Migration (IOM), [nearly 1.2 million](#) Iraqis are still internally displaced persons (IDPs). The three governorates of the Kurdistan Region of Iraq (KRI) [host](#) more than 620,000 IDPs who have fled from in addition to nearly 250,000 refugees.

As of 2021, reports estimated [nearly one million](#) Sunni Arab Muslim Iraqis—members of the largest religious minority group in the country—remain forcibly displaced, both internally and externally. Shi'a led militias, such as those under the PMF, reportedly target and block some Sunni internally displaced persons (IDPs) and refugees from returning to their homes in former ISIS-controlled territories. At PMF checkpoints, militia members [harass and accuse](#) Sunni Muslims of affiliation with ISIS. Many Sunni Arabs fear such actions against them if they return to their homes.

Four years after the defeat of ISIS, most of the over 200,000 displaced Yazidi survivors of the ISIS genocide in northern Iraq still [languish](#) in IDP camps in Duhok, with about 80,000 having migrated abroad. Moreover, in June 2021, almost 1,400 Yazidis were temporarily [left homeless](#) after a fire destroyed sections of the Sharya IDP camp, adding a new trauma for the community. [The whereabouts](#) of nearly 3,000 abducted Yazidi women and girls also remain unknown. The Yazidis' historic homeland of Sinjar remains mostly [empty](#) with only about 170,000 having returned to Sinjar and the Nineveh Plains due to [multiple factors](#) including political tensions; a plethora of armed groups such as PMF-affiliated militias; minimal restoration of infrastructure and basic services; and limited economic opportunities.

Similarly, less than 250,000 Syriac, Assyrian, and Chaldean Christians remain in Iraq, down from 700,000 before the ISIS genocide and 1.4 million before the U.S. invasion in 2003. Many Christians from the Nineveh Plains area remain in internal and external displacement, with several militia groups from the PMF operating in the region that have long made the return of refugees and IDPs exceedingly difficult. In July 2020, an Iraqi law-enforcement agency [shared information](#) that PMF operated secret prisons in multiple locations in Nineveh region, the historic homeland of many of Iraq's indigenous religious and ethnic "components," and it had arbitrarily detained Sunni Muslims, Kurds, Turkmen, Christians, and others. These prisons reportedly housed 1,000 detainees arrested on "sectarian-based, false pretenses." PMF leaders allegedly charge detainees' families exorbitant amounts of money to release their relatives. Facing a [lack of security and economic opportunities](#), less than 60 percent of the Christian population have returned to their homes since the defeat of ISIS in 2017. There also have been [reports](#) of militia members harassing non-believers for their beliefs or lack thereof.

The Iraqi government has consistently demonstrated its inability or reluctance to rein in the illegal activities of these militias or to protect its citizens from abuses by them, instead allowing them to act with impunity. In June 2021, the Iraqi government [set free](#) without prosecution Qasim Muslih, the head of the PMF operations in Anbar province; he had been arrested for the [killing](#) of a Sunni activist, Ihab al-Wazni, whose murder in May sparked protests in major cities in Iraq. In response to the protests, the Iraqi government [used lethal force](#) to disperse peaceful protesters, killing more than 600 demonstrators.

Border dispute Between KRG and IFG

Unresolved border disputes between the KRG and the Iraqi Federal Government (IFG) also negatively impact security in northern Iraq. Although the two parties reached [the Sinjar Security Agreement](#) in October 2020, which aimed to reduce KRG-IFG tensions and provide security and protection for the Yazidi community, its implementation has so far failed. The agreement [called](#) on the two parties to work together to appoint an independent mayor to Sinjar, but this appointment has not yet occurred. In terms of security, the agreement [mandated](#) the deportation of all militia groups from the city of Sinjar and the transfer of security responsibility to the local police. However, the two parties have also not implemented this provision. As a result, religious minorities, specifically Yazidis, continue to fear an opportunity for ISIS to reemerge in areas with significant minority populations. Yazidi leaders also criticized the agreement for excluding them when it was negotiated and have been seeking meaningful [inclusion](#) in its implementation.

Turkish Military Operations

Ongoing Turkish [airstrikes](#) and other military operations, under the pretense of targeting the Kurdistan Workers Party (PKK) in northern Iraq, have emptied Assyrian villages and terrorized residents of Sinjar, leading to the death of numerous civilians. They have also disproportionately impacted the ability of Yazidis and members of other religious and ethnic groups to safely return to their homes, and in some cases these operations led to new displacement. For example, in May 2021, a Turkish airstrike [damaged](#) a church in Duhok, and in August 2021, another [airstrike](#) in the village of Sekaina in Sinjar Province destroyed a medical clinic, creating and prompting hundreds of villagers to leave their homes. Such Turkish military operations continue to hamper religious freedom in this deeply vulnerable region of Iraq.

Holding Perpetrators of Genocide Responsible

Although victims of ISIS's heinous crimes continue to demand justice, most perpetrators of those atrocities remain at large. While some criminal investigations are ongoing and the [UN Investigative Team for Accountability of Da'esh/ISIL \(UNITAD\)](#) was established to collect and preserve evidence in Iraq, few ISIS fighters have been held accountable for these specific crimes. Despite the fact the UNITAD's investigation has [collected](#) clear and convincing evidence of genocide against the Yazidi community, a court has not been established to fairly prosecute the perpetrators of these crimes and greater coordination is needed between the IFG and KRG. A United Nations report has raised [concerns](#) that domestic trials in Iraq do not conform with international standards.

Courts in some European countries have, in fact, begun the prosecution of ISIS members under principles of [universal jurisdiction](#), but these prosecutions are limited in number. In April 2021, a German court [found](#) a German woman guilty of aiding and abetting in crimes against humanity, among other crimes, for abuses against a Yazidi woman while she was a member of ISIS. In November 2021, a German court [sentenced](#) an ISIS fighter, Taha Al-J, for life in prison for killing a 5-year old Yazidi girl in the first court case to explicitly convict an ISIS member for [genocide](#), as well as crimes against humanity, war crimes, and human trafficking.

In July 2021, in partnership with the Tom Lantos Human Rights Commission, USCIRF held a [congressional hearing](#) on the ways in which the international community could hold perpetrators of mass atrocities, both state and non-state actors, accountable for crimes of genocide committed against religious minority communities. In September 2021, USCIRF organized a [virtual event](#) to explore opportunities for justice for crimes against humanity.

The U.S. government has used punitive measures against individuals responsible for human rights and religious freedom violations, including targeted sanctions on a number of Iraqi violators since 2019. In January 2021, the U.S. Department of Treasury imposed [Global Magnitsky sanctions](#) on PMF Chairman and Iraq's former National Security Advisor Falih al-Fayyadh for engaging in serious human rights violations. As current leader of the PMF, al-Fayyadh has been directly linked to its religious freedom violations.

Religious and Cultural Heritage

ISIS not only devastated lives, but also [destroyed religious and cultural sites](#) of Muslim and non-Muslim communities in Iraq. The loss of valuable historical religious and [cultural heritage](#) added another layer of challenge to any successful rebuilding efforts. The international community has supported projects such as UNESCO's "[Revive the Spirit of Mosul](#)" to restore several of the city's most symbolic religious sites and others to document and preserve [intangible cultural](#) heritage of Iraq's religious communities. While in Iraq, Pope Francis shared a message of unity while addressing a crowd of members of diverse religious groups in front of a Mosul church destroyed by ISIS. The Pope [said](#), "incalculable harm not just to the individuals and communities concerned but also to the society they leave behind."

The KRG and Religious Freedom

When ISIS swept through Iraq and Syria in 2014, the [KRG opened its doors](#) to over 1 million IDPs and 250,000 Syrians fleeing ISIS violence, including religious minorities that had been targeted with genocide. This influx of displaced families increased the population of the territory by 28% in just a few months, and it currently [hosts](#) over 900,000 IDPs and refugees in camps and elsewhere throughout the region. The KRG Ministry of Endowment and Religious Affairs acknowledges eight religions while financially supporting three communities with clerical salaries and houses of worship: Muslims, Christians, and Yazidis. In October 2021, KRG Prime Minister Masrour Barzani formally designated Ankawa, the Christian suburb of Erbil, as a district, granting it [greater autonomy](#) in its election of officials and security matters. However, religious minority communities report economic marginalization unless they actively support the Kurdistan Democratic Party (KDP). Christian communities have long complained about the illegal expropriation of their property by powerful families, with impunity; the KRG Council of Ministers have created a [committee](#) in April 2021 to investigate such cases of land theft and make restitution.

Positive Developments

Iraq's Prime Minister Mustafa Al-Kadhimi [declared](#) March 6 a National Holiday of "tolerance and coexistence" between Iraq's diverse religious and ethnic groups. The announcement came during a historic meeting between Pope Francis and Ayatollah Ali Al-Sistani in the Shi'a holy city of Najaf. Following



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the meeting, the two leaders released a [joint statement](#) encouraging collaboration between different religious groups and calling for an end to violence in Iraq and around the world. The Prime's Minister announcement was [welcomed](#) by the Kurdistan Regional Government as a positive step to encourage religiously and ethnically diverse groups to coexist in peace. Additionally, the Iraqi Parliament passed the "[Yazidi Survivor Law](#)" in November 2021, which requires the government to compensate members of the Yazidi community who survived ISIS brutality.

Conclusions and Recommendations

Four years after the defeat of ISIS, there continue to be significant impediments to religious freedom in Iraq. Religious minority communities, including Sunni Arab Muslims, Yazidis, Christians, and others continue face

serious barriers to their safe return to and presence in their homelands, including security issues and a lack of economic opportunity. The country's political and legal systems also do not yet provide just and equal governance for all Iraqi citizens.

In its [2021 Annual Report](#), USCIRF recommended to the State Department to place Iraq on its Special Watch List for engaging in or tolerating severe violations of religious freedom pursuant to the International Religious Freedom Act (IRFA). While the State Department announced in July 2021 that it would provide an additional \$155 million in humanitarian assistance for Iraq and Iraqi refugees in the region for a total exceeding \$200 million for fiscal year 2021, it is important that the U.S. government continue to aid Iraq to help it rebuild and stabilize and that religious freedom promotion is an important component of those efforts.

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