

KEY FINDINGS

In 2022, religious freedom conditions in Iraq continued to deteriorate as a result of the Iraqi Federal Government’s (IFG) intensifying political factionalism and resulting administrative paralysis. The government’s [instability](#) fueled [intra-Shi’a Muslim](#) and [Sunni Muslim-disenfranchising](#) sectarianism and stalled progress on initiatives that would help advance freedom of religion or belief, including [addressing](#) the pressing concerns of Iraq’s diverse religious minorities. The year-long government deadlock arose from the October 2021 [elections](#), which cemented divisions among followers of Shi’a Muslim cleric Muqtada al-Sadr, rival Shi’a factions aligned with Iran, and Sunni Muslims of both Arab and Kurdish backgrounds. Following al-Sadr’s unexpected resignation from Parliament and Sadrist’s [protests](#) in Baghdad in the summer, their Iran-backed Shi’a opponents moved forward with a [new government](#) in October.

Late in December, the new administration formally [recognized](#) for the first time in 47 years Yazidis’ ownership of their residential properties in the Sinjar district in northern Iraq. However, the year of political stasis exacerbated the government’s neglect of other initiatives that would benefit vulnerable religious minorities. The government did not adequately [implement](#) the [Yazidi Survivors Law \(YSL\)](#), which Parliament [passed](#) in 2021 to provide reparations for Yazidi, Christian, Turkmen, and Shabak victims of the Islamic State of Iraq and Syria (ISIS). Likewise, the IFG and the semi-autonomous Kurdistan Regional Government (KRG)—which each lay claim to Sinjar—[failed](#) to substantially carry out the provisions of the 2020 United Nations (UN)-brokered Sinjar Agreement intended to stabilize the area and enable the return of Yazidis displaced by ISIS’s [genocide](#).

The IFG did not bring under control the Popular Mobilization Units (PMU or PMF) or al-Hashd al-Shaabi, a [government-affiliated umbrella organization](#) of largely Shi’a Muslim, pro-Iran militias. These groups used checkpoint interrogations and detentions, enforced

disappearance, extortion, and physical violence and targeted [Sunni Muslims](#) and other religious minorities, including Christians and Yazidis. On the outskirts of Mosul and in the Nineveh Plains—areas with numerous indigenous religious minorities and subject to the IFG’s and KRG’s jurisdictional [disputes](#)—the PMF’s aggressive use of checkpoints, seizure of Christians’ land and businesses, and other targeted harassment [deterred](#) displaced Christians’ return to the area and fueled further emigration. Iraqi [military forces](#) also targeted religious minorities, as in a May operation against Yazidi fighters, which displaced at least 3,000 Yazidi civilians—already traumatized by recent displacement and by recurrent [Turkish airstrikes](#)—in their “[largest exodus](#)” since the 2014 genocide.

For its part, the KRG continued to [promote religious coexistence](#) and its status as a refuge for over two million religiously diverse Iraqis and Syrians displaced to the Kurdistan Region of Iraq (KRI) by years of conflict and the threat of ISIS. In October, the KRG, along with religious minority stakeholders, participated in a series of UN [workshops](#) analyzing the KRG’s laws, mechanisms, policies, and programs with the goal of strengthening its protection of minority groups’ rights. However, some Christian groups indigenous to the [Nineveh Plains](#) raised concerns over the KRG’s failure to resolve [longstanding grievances](#) such as lack of KRG funding and other support for Assyrian-run schools; discrimination in employment and municipal services; and unresolved KRG-tolerated or -initiated misappropriation of Christians’ land, businesses, and other property. Christian residents have cited their [lack of security](#) and threats from [ISIS](#), the PMF/PMU, and the KRG as the main drivers of emigration from the area, bringing their ancient communities almost to the point of [extinction](#). Similarly, Yazidi genocide survivors [feared](#) returning to their Sinjar homeland—caught in the stranglehold of vying militias—and remained in [displacement camps](#) within the KRI prone to [fire](#) and other hazards.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Include Iraq on the Special Watch List for engaging in or tolerating severe violations of religious freedom pursuant to the International Religious Freedom Act (IRFA);
- Use diplomatic channels and multilateral engagement to encourage the IFG and the KRG to expedite processing the return of kidnapped and displaced Yazidi genocide survivors and assist them in reintegrating into Iraqi society; to resolve conflicts over disputed areas per Article 140 of the Iraqi constitution, while including all religious and ethnic minorities in the process; and

to comprehensively implement the Sinjar Agreement with full inclusion of the Yazidi community in particular;

- Impose targeted sanctions on additional PMF leaders responsible for severe violations of religious freedom by freezing those individuals’ assets and/or barring their entry into the United States under human rights related financial and visa authorities, citing specific religious freedom violations; and
- Continue to assist Iraqi religious and ethnic minorities in rebuilding communities

devastated by ISIS and in advocating for their own interests, including opening a broad discussion on holding fair and free elections to select their own local leaders as well as representatives to the IFG and KRG.

The U.S. Congress should:

- Incorporate religious freedom concerns into its larger oversight of the U.S.-Iraq bilateral relationship through hearings, letters, and congressional delegations and by appropriating funding for development programming to strengthen religious freedom.

KEY USCIRF RESOURCES & ACTIVITIES

- **Press Release:** [USCIRF Commemorates the Eighth Anniversary of the Yazidi Genocide](#)
- **Factsheet:** [Religious Freedom amid Iraq’s Political Crisis](#)
- **Podcast:** [Recovering from Genocide: The Yazidis’ Return to Sinjar](#)
- **Podcast:** [Iraq’s Beleaguered Religious Minority Communities](#)

Background

Iraq's [population](#) is approximately 95–98 percent Muslim, with 61–64 percent Shi'a and 29–34 percent Sunni. Christians—consisting of Catholic, Orthodox and Assyrian Church of the East, Protestant Evangelical, and others—comprise approximately one percent, although accurate figures are [obscured](#) by frequent displacement both within and beyond Iraq's borders.

Iraq is unique as a [Shi'a-majority Arab state](#). It has ties to both the Sunni-majority Arabic-speaking world and Iran, a non-Arab Shi'a country. Iraq is also home to numerous ethnic and religious minorities such as Kurds, Yazidis, Sabean Mandaean, Kaka'is, Shabaks, and Turkmen as well as members of Assyrian, Chaldean, Syriac, Armenian, and other Christian churches. In 2022, at least [2,763](#) Yazidi women and girls kidnapped from Sinjar by ISIS were still missing, many [potentially hidden](#) within northeast Syrian camps detaining ISIS fighters [and their families](#). Yazidi Iraqis [welcomed](#) the international community's additional steps toward accountability and justice, such as a German court's judgment in July convicting a repatriated German ISIS member of genocide.

Article 2 of the [federal constitution](#) establishes Islam as the official religion and affirms “the full religious rights of freedom of belief and religious practice to all individuals such as Christians, Yazidis and Mandaean Sabaeans.” However, the penal code contains [blasphemy](#) statutes, and since 2016, the Law of United National Identity requires non-Muslim minors to convert to Islam if one of their parents becomes Muslim, as in the [ongoing legal case](#) of an Assyrian child.

In the years since the 2003 collapse of Saddam Hussein's regime, sectarianism has [flourished](#), with political power in the IFG [distributed](#) along religious lines among dominant Shi'a political parties, a Kurdish president, an Arab Shi'a prime minister, and an Arab Sunni president of Parliament.

Other Religious Freedom Issues in the IFG and KRG

Within weeks of the new administration's emergence in October, IFG agencies issued [eviction](#) notices to Christians in a displacement settlement in Baghdad's Zayouna district, leaving the families—many of whom ISIS had displaced from their Nineveh homelands in 2014—facing homelessness during winter. The evictions were completed in February 2023.

Community members from other religious minorities, including [Sabaeen Mandaean, Shabaks](#), and [Kaka'is](#), have communicated their intentions to lobby international bodies for minority protections and the new IFG administration for constitutional and other legal safeguards for religious and ethnic minorities. These activists note that, for example, Article 125 of the federal [constitution](#) sets forth “administrative, political, cultural, and educational rights” for minorities but lacks mechanisms of enforcement.

Political representation remained an important concern for religious minorities, with communities pointing out flaws in [both](#) the IFG's

and KRG's [quota systems](#) for elected representatives from minority religious backgrounds. Some minority advocates suggested both the IFG and KRG amend their existing quotas to ensure [minority representation](#) is effective and meaningful rather than symbolic and vulnerable to dominant religious groups' [political appropriation](#) of minorities' seats. In February, the Iraqi Federal Supreme Court [further limited](#) the political representation of Yazidis, Shabaks, and Feyli Kurds, forcing those minorities to campaign within the [already severely circumscribed](#) Christian and Mandaean components. In March, archaeologists criticized both IFG and KRG leaders' ongoing sectarianizing of cultural heritage sites, finding it amounts to [cultural heritage predation](#). In the IFG, confessional political and religious groups leveraged the ethnic and religious political quota system, the Iraqi Constitution of 2005, and a collection of later laws, including religion-specific endowments, to misappropriate and alter the character of religious heritage sites. Meanwhile, the KRG's “[land grabs](#)” of indigenous Christians' villages and sites constituted a form of [targeted demographic change](#), prompting continued displacement and migration.

In May, the Iraqi Parliament [passed](#) a Sadr-proposed law criminalizing Iraqis' and foreigners' ostensible attempts to normalize relations with Israel. The law did not address Judaism and set forth exceptions for Iraqis' “religious visits” to Israel as preapproved by the Ministry of the Interior. However, it not only potentially “[promot\[ed\] an environment of antisemitism](#)” but also reflected Iraq's rampant political sectarianism, with Shi'a parliamentary blocs advancing the legislation in part to [distance](#) themselves from Sunni Kurds' and Arabs' perceived receptivity to normalizing ties with Israel.

Key U.S. Policy

The administration of President Joseph R. Biden continued to prioritize Iraq's stabilization and economic development in U.S. relations with both the IFG and KRG.

In July, the United States condemned an [attack](#) on a resort in Duhok that killed at least eight civilians. The IFG attributed the strike to Turkey, which [frequently](#) carries out airstrikes in northern Iraq in ostensible pursuit of members of the [terrorist-designated](#) Kurdistan Workers' Party (PKK). The strikes have contributed to the abandonment of nearby [Christian villages](#), threatened already traumatized Yazidis in Duhok's displacement camps, and [inhibited](#) Yazidis' return to Sinjar. The United States [maintained](#) its “strong support for Iraq's sovereignty and its security, stability, and prosperity, including that of the Iraqi Kurdistan Region.”

The United States Agency for International Development asserted its [commitment](#) to providing financial assistance to help enable the approximately 1.67 million displaced Iraqis' return to their homes. In November, U.S. Ambassador to Iraq Alina L. Romanowski [redeclared](#) a disaster in Iraq for fiscal year 2023 “due to the ongoing complex emergency and humanitarian crisis.”