



Contribution for the UN Special Rapporteur on minority issues, ahead of his visit to Iraq

May 2025

1. This contribution from the European Center for Law and Justice (ECLJ) aims to inform the Special Rapporteur on the rights of persons belonging to national or ethnic, religious and linguistic minorities in the Republic of Iraq.
2. The ECLJ is an international non-governmental organization founded in 1998 and dedicated to the promotion and protection of human rights in Europe and worldwide. In particular, the ECLJ defends the right to freedom of conscience and religion.
3. This contribution is part of the preparations for the Special Rapporteur's official visit to Iraq, scheduled for June 15-23, 2025. It has been prepared in close collaboration with several associations active in the field (SOS Chrétiens d'Orient¹, Christian Aid Program Northern Iraq², The Return³ in particular) to highlight the concrete problems facing religious minorities in this country.
4. The ECLJ would like to draw attention to the situation of Christian minorities in Iraq, who have been settled in this region of Mesopotamia since the first century⁴. They comprise a

¹ SOS Chrétiens d'Orient is a non-profit, non-political organization that has been working in the Middle East since 2013 to help persecuted Christian populations in difficulty.

² CAPNI (*Christian Aid Program Northern Iraq*) is a non-governmental organization based in Duhok, in the Kurdistan region of Iraq. Founded in 1993, it works to support minorities such as Christians, Yezidis and Sabeans-Mandaeans.

³ The Return is an international organization whose aim is to promote, accompany, enable and facilitate the return of Christians and other minorities from Iraq and the Middle East to their countries of origin.

⁴ Sebastian P. Brock, "Syriac Christianity", in *The Cambridge History of Christianity*, Cambridge University Press, 2006, vol. 1, p. 45-67.

variety of Assyrian, Chaldean, Syriac and Armenian, Catholic, Orthodox and Reformed communities, and are also an ethnic minority, quite distinct from the Arab and Kurdish populations. It is currently on the verge of extinction, with 140,000 Iraqi Christians in 2025⁵ compared to 1.5 million in the early 2000s⁶, with a 90% drop in the Christian population. Christian minorities suffer considerable discrimination in a predominantly Muslim society⁷.

5. Despite the defeat of the Islamic State in 2017, which put an end to a period of violent and targeted persecution of minorities, violence and human rights violations remain structural in Iraq, a country ranked 17th in 2025 for the persecution of Christians in the index of the NGO Open Doors⁸. This contribution highlights the multifactorial discrimination suffered by Christian minorities, the state's failure to protect them, and the need to strengthen human rights protection guarantees in order to stem their mass exodus.

A. Legal framework for the protection of religious minorities in Iraq

1. Gaps in national law

6. Article 2 paragraph 1 of the Constitution of the Republic of Iraq declares Islam to be the State religion, which makes the integration of religious minorities into Iraqi political and institutional life, as well as into society as a whole, governed by Islamic principles, *de jure* more complex. Paragraphs 2 and 3 of the same article respectively guarantee the "full religious rights to freedom of belief and religious practice of all individuals such as Christians, Yazidis and Mandaean Sabeans," and national, religious and denominational diversity.

7. The Constitution also guarantees freedom of thought, conscience and belief, in Article 42, and freedom of worship and protection of places of worship in Article 43. Article 125 states that the Constitution guarantees the administrative, political, cultural and educational rights of different nationalities, such as Turkmen, Chaldeans, Assyrians and all other components.

8. Some more specific rights are also constitutionally guaranteed, such as the right to teach in Turkmen, Syriac and Armenian⁹ or the right of access to education, including for Turkmen, Chaldeans and Assyrians¹⁰.

9. The religious assets of the Christian, Yezidi and Sabea-Mandean communities are managed by the Directorate of Religious Foundations for Christians, Yezidis and Sabeans-Mandeans, a public institution created in 2003 and placed under the authority of the Iraqi Prime Minister.

⁵ Shlama Foundation. "Population of Assyrians in Iraq." *Shlama.org*, 2025. <https://www.shlama.org/population>.

⁶ Aide à l'Église en Détresse, *Rapport d'activités 2019*, Paris, 2019, p. 81.

⁷ 98% of the Iraqi population is Muslim, with 64% Shiite and 34% Sunni. Humanists International, *Freedom of Thought Report*, 2024, <https://fot.humanists.international/countries/asia-western-asia/Irak/>.

⁸ Open Doors, *Iraq*, <https://www.opendoors.org/en-US/persecution/countries/iraq/>.

⁹ Article 4 of the Constitution.

¹⁰ Article 125.

10. The Ministry of Justice, to which the Human Rights Department reports, published a National Plan for Human Rights in Iraq in 2021, section 21 of which is entitled "Minority rights and the fight against discrimination" and which aims to implement the principle of equality between Iraqi citizens¹¹ considering the recommendations of international organizations.

11. Despite these constitutional guarantees, our interviews with local players show that the Iraqi federal state does not respect its commitments to Christian minorities, in that it does not enforce them. Norms protecting religious minorities are insufficient to guarantee their protection, and in many cases remain unimplemented.

12. In the words of the NGO *Christian Aid Program Northern Iraq*: "The Iraqi Constitution and international treaties guarantee religious freedom, but in reality Christians continue to suffer discrimination and lack protection. Human rights institutions are fragile and, although some measures exist, they remain insufficient. The legal framework looks good on paper, but in practice it is ineffective¹².

13. According to the Iraqi Council of Representatives' Electoral Law No. 9 of 2020, the distribution of seats reserved for Christian communities included five seats in the provinces of Baghdad, Nineveh, Erbil, Duhok and Kirkuk. This law is a central tool for guaranteeing a minimum level of political representation for Christians in a political landscape largely dominated by Shiite, Sunni and Kurdish Muslim communities. However, the existence of a political quota system favors majority groups¹³ and creates a showcase effect with no real impact on the protection of Christian rights.

14. With regard to combating discrimination, hate crimes and hate speech, Iraqi legislation lacks mechanisms to protect and defend minorities. Article 372 penalizes with up to three years in prison or a fine anyone who insults or disrupts the beliefs, practices, ceremonies, symbols, or places of worship of a religious minority. However, this article is very rarely used as a basis for prosecuting attacks on religious buildings and minorities¹⁴.

2. Violations of international law

15. Iraq is a party to the International Covenant on Civil and Political Rights (ICCPR), Article 18 of which protects freedom of thought, conscience and religion. However, Iraqi personal status law prohibits the conversion of Muslims to other religions, which leads to persecution

¹¹ Article 14 of the Iraqi Constitution.

¹² Interview with CAPNI.

¹³ Sabah Al-Kuraiti, F. A., Montazeri, B., Oleiwi Jiad, K., & Agharebparast, M. (2025). *Civil and Political Rights of Minorities in Iraq After 2003*. *Interdisciplinary Studies in Society, Law, and Politics*, 4(1), 24-30. <https://doi.org/10.61838/kman.isslp.4.1.3>.

¹⁴ Aid to the Church in Need (ACN) International, *Religious Freedom Report 2023: Iraq*: <https://acninternational.org/religiousfreedomreport/reports/country/2023/Irak>.

of converts to Christianity, considered apostates¹⁵. They are sometimes murdered because of their conversion, as was the case in 2022 for Maria Eman Sami Maghdid, the daughter of an imam who converted to Christianity¹⁶.

16. A number of legal provisions affect the rights of converts from Islam to Christianity, including child custody, inheritance, religious registration of children¹⁷ and marriage. This led an Iraqi court, for example, to require a Christian woman and her children, brought up in the Christian faith, to convert to Islam because her own mother had remarried a Muslim¹⁸. These procedures run counter to articles 18, 23 and 26 of the ICCPR, article 14 of the Convention on the Rights of the Child (CRC) and article 16 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), to which Iraq is also a party.

17. The blasphemy prohibition measures set out in article 372 of the Penal Code are frequently used as a pretext for accusations against Christian minorities who affirm their faith and are suspected of proselytizing¹⁹. Such a measure violates Iraq's international commitments under the ICCPR and the Universal Declaration of Human Rights.

B. Iraqi Christians driven into exile

1. State failure to guarantee the right to safety

18. Vulnerable due to their low demographic weight and the absence of influential intermediaries within Iraqi civil society, Christian minorities are particularly exposed to exactions perpetrated by the Shiite militias that are proliferating in Iraq, around Bartella²⁰ for example. These armed groups, affiliated to Iran, are currently the biggest threat to the safety of Christians, and are becoming increasingly numerous in the Nineveh plain, where they take over people's land, control crossing points and hinder freedom of movement and trade²¹. The Iraqi government's inaction in the face of these practices constitutes a renunciation of the effective exercise of its sovereign authority.

¹⁵ Humanists International, *Freedom of Thought Report 2023*, 2024, <https://fot.humanists.international/countries/asia-western-asia/Iraq/>.

¹⁶ Human Rights Without Frontiers, Iraq: 20-year-old girl who converted to Christianity murdered after Tik Tok Video, March 10, 2022, <https://hrwf.eu/iraq-20-year-old-girl-who-converted-to-christianity-murdered-after-tik-tok-video/>.

¹⁷ Article 26, paragraph 2, of the National Identity Card Act: "Children follow the religion of the parent who has converted to Islam."

¹⁸ Ryan Foley, "Christian mother, children ordered by court to convert to Islam", The Christian Post, 20 May 2024, <https://www.christianpost.com/news/christian-mother-children-ordered-by-court-to-convert-to-islam.html>.

¹⁹ End Blasphemy Laws, "Iraq", <https://end-blasphemy-laws.org/countries/middle-east-and-north-africa/Iraq/>.

²⁰ Bartella is a predominantly Christian town to the east of Mosul, on the Nineveh plain.

²¹ According to the association SOS Chrétiens d'Orient Iraq, Interview with Grégoire Baudry, head of the SOS Chrétiens d'Orient mission in Iraq.

19. Christian minorities in northern Kurdistan are caught in the crossfire between the Turkish army and the Kurdistan Workers' Party (PKK). The Turkish armed forces carried out more than 1,500 attacks in the Iraqi Kurdistan region, which is home to the largest number of Christians, during 2023, particularly affecting Christian villages, which are frequently bombed. In the Duhok district, many families are forced to flee, as was the case for 11 families in Miska, whose homes and churches were destroyed by Turkey on July 6, 2024²².

20. The socio-political context of an Islamic society, marked by the influence of political leaders with sometimes radical rhetoric, creates a climate of constant threat for Christian minorities, particularly pronounced in federal Iraq compared to the Kurdistan region. This environment encourages hate speech and the perpetration of discriminatory and violent acts against them²³²⁴.

2. Attacks on Christian heritage and land rights

21. Following the Islamic State attacks, a mass exodus of Christian communities occurred, resulting in the abandonment of their material possessions, including their homes and workshops. They were illegally occupied by third parties, without the Iraqi government intervening to protect their property rights or sanction these violations. The Iraqi state's failure to engage in reconstruction efforts of Christian areas destroyed by the Islamic State also constitutes a major obstacle to the right of return of displaced persons, in violation of international principles relating to the protection of displaced populations²⁵.

22. The clan-based structure of Kurdish society favours the appropriation of unused Christian land by large Kurdish families, who impose a balance of power, while the competent authorities remain unable to ensure the effective application of the law. Some even go so far as to falsify ownership documents in order to seize these plots of land, more and more of which are occupied, particularly in the Nahla district²⁶. This violation of property rights undermines the

²² Ammar Aziz, "Church Destroyed, Houses Burned: 11 Christian Families Displaced by Turkish Army", KirkukNow, July 15, 2024, <https://kirkuknow.com/en/news/70339>.

²³ Open Doors, Persecution Dynamics - Iraq, <https://www.opendoors.org/en-US/research-reports/country-dossiers/>.

²⁴ Testimony of a member of the NGO CAPNI: "Radical Islamist leaders, both Shiite and Sunni, use hostile rhetoric against Christians, calling them infidels, and relay speeches inciting violence in mosques, such as: 'It is necessary to fight Christians until they submit, convert to Islam or pay the *djizîa*.'" Poster campaigns took place in 2017 calling on Muslims to boycott Christmas celebrations, not to send Christmas greetings to Christians and not to use Christmas decorations; poster campaigns on religious buildings demanded that Christian women wear the hijab, accompanied by the slogan: "The Virgin Mary wore the hijab, why not you?"

²⁵ Hammurabi Human Rights Organization, *Annual Report 2021*, p. 23, <https://www.hhro.org/reports/hammurabi-human-rights-organization-launch-its-annual-report-on-the-situation-of-human-rights-in-iraq-for-the-year-2021>.

²⁶ Taiyo "Siraj" Davis, *Kurdish Tribes Stealing Assyrian Christian Lands*, Foreign Policy Journal, December 4, 2019, <https://www.foreignpolicyjournal.com/2019/12/04/kurdish-tribes-stealing-assyrian-christian-lands/>.

rights of Christian minorities and encourages Christians to leave the region, as noted by *The Return* association²⁷.

23. There are, however, some good practices to highlight: In 2021, Muqtada al-Sadr²⁸ set up a special committee to deal with complaints of spoliation of Christian and Sabeen property; more than 120 cases have been resolved (Hammurabi Human Rights Organization, 2021)²⁹. In May 2024, the Kurdistan Regional Government also formed a committee to resolve property disputes affecting Christians³⁰.

24. The cultural heritage of Christian communities is also under threat, adding to the existential insecurity of one of the region's oldest communities. The Chaldean Archbishop of Mosul, Monsignor Najeeb, speaks of a heritage genocide³¹, with many churches in the Mosul region transformed into mosques. The Iraqi government has only belatedly and inadequately engaged in efforts to rebuild churches destroyed during Islamic State attacks. This failure violates the state's duty to protect the cultural and religious rights of minorities, compromising their freedom of worship and their right to the preservation of their heritage.

25. The Syriac language (Sourêth) classified as endangered by UNESCO³², enjoys no effective protection in the administrative or educational systems of Iraqi Kurdistan. It is not taught in state schools, despite its cultural importance and identity for local Christian communities.

C. Multifactorial and structural discrimination in violation of human rights

1. Towards further marginalization: discriminatory standards and signals

26. The Iraqi government shows no commitment to the integration, representation or even protection of Christian minorities, whose presence and fundamental rights remain totally neglected in public policy. "The government sees us as tiny, insignificant creatures, using us

²⁷ The Return is an international non-governmental organization, registered in France and Iraq, dedicated to promoting, accompanying and facilitating the return of Christians and other minorities from the Middle East to their homeland, in order to preserve the region's cultural, religious and civilizational diversity. <https://the-return.co/>.

²⁸ Muqtada al-Sadr is an influential Iraqi Shiite religious leader and politician who heads the Sadrist movement, which has a broad popular base and an armed militia, the Peace Brigades (Saraya al-Salam).

²⁹ Hammurabi Human Rights Organization, *Annual Report 2021*, p. 23. <https://www.hhro.org/uploads/files/55353/2022/Hammurabi%20Human%20Rights%20Organization%20Annual%20Report%202021%20en.pdf>

³⁰ Syriac Press, "Kurdistan Region of Iraq Forms Committee to Address Christian Property Disputes," May 8, 2024, accessed May 15, 2025, <https://syriacpress.com/blog/2024/05/08/kurdistan-region-of-irak-forms-committee-to-address-christian-property-disputes>.

³¹ Interview with Monsignor Najeeb, Chaldean Archbishop of Mosul.

³² UNESCO, *Atlas of the World's Languages in Danger of Disappearing*, interactive online edition, <http://www.unesco.org/languages-atlas>.

to improve their international image, but they don't care about minorities," says a member of the *Assyrian Democratic Movement*³³.

27. The laws on personal status, article 18³⁴, on identity cards³⁵, article 26 and on blasphemy³⁶ are intrinsically discriminatory against religious minorities. Indeed, they violate the rights of Christians, who cannot receive passports or marry if one of their parents has converted to Islam, being registered *de jure* as a Muslim. They also hinder the right to change religion.

28. Negative messages are sent to these vulnerable populations, contributing to a permanent climate of insecurity and a persistent fear of threats. Restrictions on the sale of alcohol, introduced by a law that came into force in March 2023, are a manifestation of this exclusionary trend. This law restricts the personal freedom of minorities and penalizes them.

29. Another indicator of this dynamic is the seizure of land and cemeteries belonging to Christian communities by the Kurdistan Regional Government, without any compensation. This is the case, for example, of properties around Ankawa³⁷, the cemetery of the Assyrian Church of the East in Baghdad, where the tombs have been razed to install stores as part of an urban project, or in an Assyrian cemetery in the governorate of Diyala³⁸.

2. A hostile community social environment

30. In both federal Iraq and Iraqi Kurdistan, social dynamics are largely structured by a system of sectarian patronage system (clientelism). These practices, based on ethno-confessional affiliation, tend to marginalize religious minorities, whose limited demographic weight and lack of powerful relays place them in a vulnerable position vis-à-vis the majority Arab-Muslim and Kurdish communities.

31. Thus, discrimination against Christian individuals manifests itself in the professional, educational, institutional, judicial and other spheres. They face discrimination in hiring, particularly for public service positions, as the NGO CAPNI testifies: "Employment opportunities are often linked to affiliation with the PDK, which limits access to jobs for those who are not aligned with this party. In addition, Christian Assyrians are often relegated to informal, low-paid jobs, such as sales positions in liquor stores, or jobs in the private sector³⁹."

³³ Interview with a member of the political bureau of the *Assyrian Democratic Movement*.

³⁴ Law no. 188 of 1959 on personal status.

³⁵ Law n° (2) of 2005 on identity cards in Iraq.

³⁶ Article 372 of the Penal Code.

³⁷ Assyrian Policy Institute, "New Case of Assyrian-Owned Lands in Ankawa, Erbil Appropriated by the Kurdistan Regional Government," *Assyrian Policy Institute*, April 27, 2021, <https://www.assryanpolicy.org/post/new-case-of-assyrian-owned-lands-in-ankawa-erbil-appropriated-by-the-kurdistan-regional-government>.

³⁸ Hammurabi Human Rights Organization, Annual Report: Human Rights Situation in Iraq during 2022, Baghdad, 2023.

³⁹ Interview with CAPNI.

32. The education sector is also where people from Christian communities are marginalized. Roland, from the village of Alqosh, testifies: "I applied to become a teacher in response to an offer on the Internet. I received a positive response electronically, but when the list of successful applicants was published, my name had been deleted. Similarly, in class, when a Christian comes first, the teachers under-score him or her so that a Muslim student can occupy first place in the ranking⁴⁰." What's more, Islamic teachings are embedded throughout the school curriculum, and Christians are regarded as "infidels," "dhimmis," shaping negative representations from an early age.

33. Religious minorities are victims of invisibilization in the public arena, where avenues for expressing their concerns are very limited. This is what the president of the inter-community radio association Al Salam reports⁴¹. For example, the station was forced to close for lack of funding.

34. The ECLJ recommends promoting several legal and institutional developments to ensure more effective protection of religious minorities, particularly in fragile contexts such as Iraq:

- The repeal of discriminatory provisions contained in Law No. 188 of 1959 on Personal Status and the Law on the Unified National Identity Card of 2016.
- The introduction of security measures to protect religious minorities, with the deployment of increased numbers of specially trained personnel in sensitive areas.
- The implementation of public policies to support the return of displaced Christians, including the reconstruction of housing, the restitution of property and assistance with reintegration, particularly in Mosul.
- Limiting access to land ownership to members of communities historically established in certain areas, particularly Christian communities, in order to preserve the original demographic composition and cultural identity of the localities concerned.
- The integration into school curricula of educational modules devoted to the history, culture and beliefs of the religious minorities present in Iraq, in order to promote mutual understanding and combat intolerance.

⁴⁰ Interview with Roland (name changed), resident of Alqosh and project manager for an NGO.

⁴¹ Interview with Marion Fontenille, journalist and president of Al Salam radio.