

**COI QUERY**

Country of Origin	Iraq
Question(s)	<ol style="list-style-type: none">1. Information on the prevalence of 'atheism' in Iraq, including Baghdad2. Information on the treatment of atheists in Iraq, especially in Baghdad, during the period 2017-2018 (access to education, health and the labour market); Treatment by authorities; Treatment by non-state actors, such as militia or the Islamic State, in particular in the last two years3. Information on state protection for atheists in Iraq, including in Kurdistan4. Can an atheist - change his/her personal data on the ID to indicate that he/she is an atheist?
Date of completion	11 April 2018
Query Code	Q66
Contributing EU+ COI units (if applicable)	



Disclaimer

This response to a COI query has been elaborated according to the [Common EU Guidelines for Processing COI](#) and [EASO COI Report Methodology](#).

The information provided in this response has been researched, evaluated and processed with utmost care within a limited time frame. All sources used are referenced. A quality review has been performed in line with the above mentioned methodology. This document does not claim to be exhaustive neither conclusive as to the merit of any particular claim to international protection. If a certain event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist. Terminology used should not be regarded as indicative of a particular legal position.

The information in the response does not necessarily reflect the opinion of EASO and makes no political statement whatsoever.

The target audience is caseworkers, COI researchers, policy makers, and decision making authorities. The answer was finalised on the 11 April 2018. Any event taking place after this date is not included in this answer.

COI QUERY RESPONSE

1. Information on atheism and its prevalence in Iraq, including Baghdad

An article by Al-Monitor, dated 1 April 2018, states that defining ‘atheism’ in Iraq is complex due to misconceptions about the concept. Many clerics, close to Islamic political parties, often brand secularism as atheism. Other religious figures ‘promote the idea that liberal and communist ideas are inherently anti-religion and teach that God doesn’t exist’ and should be resisted. According to the same article, the ‘campaign against atheism has heavy political ties’ to Islamic parties ruling Iraq since 2003¹.

Another article by Al-Monitor (6 March 2014) mentions that while atheism has deep historical roots in Iraq (dating to the 9th century), it ‘is new in its widespread and comprehensive spread through all societal and age classes’. While it used to be an ‘elitist phenomenon’ restricted to intellectuals and scholars, it is nowadays an all-encompassing one and continues to increase in scope. The article states that one of the possible reasons for this might be the religious extremism present in the country for the past two decades, and more broadly, the effects of religiosity on everyday life as well as its authoritarian grip on society².

According to the same article, aside from atheism, which is regarded as a ‘total and complete rejection and denial of religion’, there are Iraqis who ‘identify themselves as agnostics and not full-blown atheists’. There are also large numbers of people who criticise certain religious manifestations or believes, yet do not abandon the general framework of religiosity. Many of the latter are religious school graduates. However, Al-Monitor notes that the phenomenon (atheism and agnosticism) is not limited to young people³.

In a European Asylum Support Office (EASO) meeting report (25-26 April 2017), Mark Lattimer, director of the Ceasefire Centre for Civilian Rights⁴, states:

‘Young people in Iraq are coming under many different influences and there are many older Iraqis who are not religious. I think as the country becomes more and more sectarian it is easy to assume everyone is becoming more religious, but this is not necessarily the case. There is a strong strain of communism in Iraq associated with a secularist outlook and that is still quite strong among Iraqi civil society. You have varying degrees of religious adherence, but that doesn’t mean it is easy to identify as an atheist and it is rare that you would do that publicly. Sometimes people will say they are Muslim but privately are atheist’⁵.

¹ Al-Monitor, *Iraqi courts seeking out atheists for prosecution*, 1 April 2018, ([url](#)).

² Al-Monitor, *Iraqi atheists demand recognition, guarantee of their rights*, 6 March 2014 ([url](#)).

³ Al-Monitor, *Iraqi atheists demand recognition, guarantee of their rights*, 6 March 2014 ([url](#)).

⁴ *The Ceasefire Centre for Civilian Rights* is an international human rights group, aiming at developing a civilian-led monitoring of violations of international humanitarian law and human rights ([url](#)).

⁵ EASO, *EASO COI Meeting Report, Iraq Practical Cooperation Meeting 25-26 April 2017 Brussels*, July 2017, ([url](#)), p. 25.

In the same report, Lattimer also states: 'In Iraq, generally speaking, you are considered to be born into a religion and you will die in that religion – it is not just in Islam, but also in most other religions in Iraq, that apostasy is not just frowned upon as an offence, but seen as unnatural'⁶

In an article dated 22 June 2017, Al-Monitor states that: 'In a country that has not seen a national census for three decades, it's not possible to provide official numbers for members of different faiths and beliefs'. Speaking of religious students who have begun to question the fundamental beliefs of Islam and/or the basic principles of religion in general, the report states: 'They would be ostracized by society in a heartbeat if they expressed their views freely'⁷.

In an April 2018 article, Al-Monitor refers to a Gallup study 'according to which 88% of Iraqis were religious in 2012'⁸. The United States Commission on International Religious Freedom (USCIRF) reports that, according to the Iraqi government's latest statistics from 2010, 97% of the population was Muslim (50-60% Shi'a and 40% Sunni).⁹ An article published, in 2014, by 'Your Middle East' – a Swedish non-profit media outlet focusing on the Middle East and North Africa - states that Iraq is a 'largely secular society' since its independence, although the major religion in the country is Islam (followed by an estimated 95% of the population)¹⁰.

According to Al-Monitor, leaders of Islamic movements claim to observe a rise in the number of atheists in the country¹¹. An article published by 'Public Radio International' (PRI) on 17 January 2018 states that, while atheism is rare in Iraq, the number of atheists is growing¹².

An article posted by the Islam Online Archive assesses the number of atheists in Iraq as insignificant and notes that most of them hide their identity. However, the same source notes that there are organised groups of atheists in Iraq, including in the northern and southern part of the country, and estimates that there are 'at least 220 atheists linked to the groups nationwide'¹³.

'Your Middle East' mentions a poll released in 2011, on Iraqi belief in God, by the now defunct Kurdish news agency AKnews. According to the poll, 67% of Iraqis professed belief, 21% probably believed, 4% said they probably did not believe in God, and 7% did not. The article quotes Nawaf Al-Kaabi, then a university student from Basrah, who claimed that the number of atheists could be much higher if the poll was held in 2014:

"The new generation of Iraqis are tired of religious extremists and politicians, who are responsible for the ongoing sectarian divide in the country,' he says. 'Young people travel,

⁶ EASO, *EASO COI Meeting Report, Iraq Practical Cooperation Meeting 25-26 April 2017 Brussels*, July 2017, ([url](#)), p. 20.

⁷ Al-Monitor, *Islamic parties intimidate, fear atheists in Iraq*, 23 June 2017, ([url](#)).

⁸ Al-Monitor, *Iraqi courts seeking out atheists for prosecution*, 1 April 2018, ([url](#)).

⁹ USCIRF, *Annual Report 2017 – Iraq*, 26 April 2017, ([url](#)), pp. 163-164.

¹⁰ Your Middle East, *Without God in Baghdad*, 4 February 2014, ([url](#)).

¹¹ Al-Monitor, *Islamic parties intimidate, fear atheists in Iraq*, 23 June 2017, ([url](#)).

¹² PRI, *ISIS turned this young Iraqi Christian into an atheist*, 17 January 2018, ([url](#)).

¹³ Islam Online Archive, *Iraqis Shocked as Atheism Creeps in*, n.d., ([url](#)).

read, watch TV, and are connected to the internet...with so much out there, they have become sceptical of their own religion now”¹⁴.

2. Information on the treatment of atheists in Iraq, especially in Baghdad, during the period 2017-2018 (access to education, healthcare and the labour market); Treatment by authorities; Treatment by non-state actors, such as militia or the Islamic State (2017-2018)

2.1 Legal framework

Constitution

The constitution of the Republic of Iraq (2005) states that Islam is the official religion of the state and no law contradicting this can be enacted. The constitution provides that ‘each individual shall have the freedom of thought, conscience, and belief’ (Article 42), guarantees the ‘full religious rights of all individuals to freedom of religious belief and practice, such as Christians, Yezidis, and Sabaeen-Mandaeans’ (Article 2) and provides that all Iraqis are ‘equal before the law’ without discrimination based on religion or belief (Article 14)¹⁵.

Penal Code

According to Article 372 of Iraq’s Penal Code of 1969, which also applies in the KRI, the insult of the creed of a religious sect or its practices, or the public insult of a symbol or person that is an object of sanctification, worship, or reverence for a religious sect are punishable with a term of imprisonment not exceeding three years or a fine not exceeding 300 Iraqi dinars¹⁶.

According to a political and legal analyst Ali Jaber al-Tamimi, interviewed by Al-Monitor in an article published in April 2018, ‘there aren’t any articles in the Iraqi Penal Code that provide for a direct punishment for atheism, nor are there any special laws on punishments against atheists’, but ‘there are articles that punish the desecration of religions’¹⁷.

2.2 Treatment by authorities

Among the sources consulted and listed, and within the timeframe allocated to this query response, no information was found which would detail the treatment of atheists by authorities in Baghdad. However, information was found on the treatment of atheists in other parts of Iraq or in the country, with no specific reference to the location.

¹⁴ Your Middle East, *Without God in Baghdad*, 4 February 2014, ([url](#)).

¹⁵ Iraq, *Constitution of the Republic of Iraq*, 15 October 2005, ([url](#)); US DoS, *2016 Report on International Religious Freedom – Iraq*, 15 August 2017, ([url](#)).

¹⁶ Law Library of Congress (US), *Blasphemy and Related Laws in Selected Jurisdictions*, January 2017 ([url](#)), p. 35.

¹⁷ Al-Monitor, *Iraqi courts seeking out atheists for prosecution*, 1 April 2018, ([url](#)).



An article on growing atheism in the Muslim world, published by 'The Washington Times' (1 August 2017), notes that atheism is not illegal in Iraq, but that state actors equate atheism with blasphemy [offensive activity about or against God]¹⁸.

In April 2018, Al-Monitor reported that arrest warrants were issued for four Iraqis for 'atheism' by the judiciary in Garraf district (Dhi Qar province). According to the Garraf chief judge speaking to Iraqi local media, one of the four men was arrested by security forces while the search for the remaining three continues. According to the judge, quoted by the same source, the four persons were given judicial warrants for 'holding seminars during social gatherings to promote the idea of the nonexistence of God and to spread and popularize atheism'. The judge also stated that the local court administration 'has tasked intelligence agencies with cracking down on the "atheism phenomenon" and that the crackdown is in accordance with the Iraqi Penal Code'¹⁹, although as explained in section 1.1, there are no direct punishments for atheism in the Iraqi Penal Code²⁰.

Other less recent articles refer to the treatment of atheists by the state.

An article by 'The New Arab' issued on 31 October 2016 refers to a group of 'atheists and secularists' meeting in Kirkuk as 'people denied any official existence by the country's government...'²¹.

An article published by the Al-Monitor in March 2014 mentions that Iraqi nonbelievers 'stressed the need for legal and social recognition of their existence, the rectification of the image that society has of them, and a guarantee of the public freedoms described in humanitarian charters, such as freedom of belief and expression, among other things'. Some of the interviewed nonbelievers also expressed their wish to be able to express their beliefs and presence without having to fear intimidation or even murder²².

A report by 'Your Middle East' presents the 2014 case of Ahmad Sherwan, a 16-year old school student from Erbil, who alleged that he was tortured by the Kurdish police as a result of declaring himself an atheist. He claimed he was arrested at home, after his father reported him to the police as an atheist. According to his testimony, he was subjected to torture at the Azadi police station in Erbil and subsequently at Erbil criminal prison, where he spent 13 days before being released on bail. Sherwan also stated that, during his detention, he was insulted and threatened by a social worker and a judge. The judge, who eventually released him on bail, reportedly called him an 'infidel'. The Erbil police stated that the teenager had been arrested but denied that he was tortured. Further information on subsequent court proceedings could not be found.²³

¹⁸ Washington Times (The), *Atheists in Muslim world: Silent, resentful and growing in number*, 1 August 2017, ([url](#)).

¹⁹ Al-Monitor, *Iraqi courts seeking out atheists for prosecution*, 1 April 2018, ([url](#)).

²⁰ Al-Monitor, *Iraqi courts seeking out atheists for prosecution*, 1 April 2018, ([url](#)).

²¹ New Arab (The), *Iraq's new atheism in the shadow of Islamic State*, 31 October 2016, ([url](#)).

²² Al-Monitor, *Iraqi atheists demand recognition, guarantee of their rights*, 6 March 2014 ([url](#)).

²³ Your Middle East, *Interview with persecuted young atheist in Erbil*, 28 May 2014, ([url](#)).

2.3 Treatment by society, militia and the Islamic State (2017-2018)

As previously mentioned and explained (section 1), in Iraq, people do not easily identify themselves as atheist in public²⁴.

A March 2014 article by Al-Monitor states that the prevailing social view on atheists in Iraq is that:

'they are morally corrupt, or that they are but agents and operatives of foreign entities, such as Zionists or Masons, among others. This negative perception might be expanded among some to include all those who call for liberalism or secularism, who would be looked at with suspicion and portrayed as members of global Masonic networks that have come to Iraq to destroy its values and social constructs'²⁵.

Al-Monitor also states that: 'There are many Iraqi [websites and blogs](#) that cater to atheists, but they all keep their membership lists secret for fear of being persecuted or killed by extremist religious militias and groups, or even by ordinary citizens on the street'²⁶.

An article published in January 2016 by the Pacific Standard, a US based paper published by the Social Justice Foundation and informing about various societal issues, writes that:

'because most Middle Eastern rulers incorporate Islam into their policies in one way or another, challenging Islam is seen as challenging authority. But it is not the government that most non-believers say they fear the most; it's their fellow citizens. As Ahmed, a 30-year-old Iraqi atheist, explains: "In Baghdad, there's no law saying you can't be an atheist. But I'd much rather deal with authorities than with people, because the people could try to kill me for it"'²⁷.

An article by Al-Monitor from 23 June 2017 reports on a lecture against atheism by the Iraqi National Alliance Party, which holds the majority in parliament. The article noted that during Ramadan of the same year, other religious lectures against secular and atheistic ideas were also held in Shiite cities of Iraq's centre and south. More specifically, it mentions:

'It is especially difficult to know the size of those communities that hold taboo beliefs in a conservative society such as Iraq, which views these outsiders with disdain and where they are threatened by military groups and political leaders'²⁸.

²⁴ Al-Monitor, *Iraqi atheists demand recognition, guarantee of their rights*, 6 March 2014 ([url](#)); EASO, *EASO COI Meeting Report, Iraq Practical Cooperation Meeting 25-26 April 2017 Brussels*, July 2017, ([url](#)), p. 25; Islam Online Archive, *Iraqis Shocked as Atheism Creeps in*, n.d., ([url](#)).

²⁵ Al-Monitor, *Iraqi atheists demand recognition, guarantee of their rights*, 6 March 2014 ([url](#)).

²⁶ Al-Monitor, *Iraqi atheists demand recognition, guarantee of their rights*, 6 March 2014 ([url](#)).

²⁷ Pacific Standard, *The Hard Lives of Non-Believers in the Middle East*, 21 January 2016, ([url](#)), accessed 3 April 2018.

²⁸ Al-Monitor, *Islamic parties intimidate, fear atheists in Iraq*, 23 June 2017, ([url](#)).

The same article reports the case of an atheist in Baghdad who was vocal about his views on social media and received death threats from a Shiite militia ²⁹.

In the aforementioned article by 'Your Middle East', university student Nawaf Al-Kaabi agrees with the opinion that many atheists in Iraq could be at danger from extremists and militias linked to religious groups, if they express their views too openly. The article states that religious militias often take matters into their own hands, even though being an atheist in Iraq is not a crime ³⁰.

As previously mentioned, and reported by 'Your Middle East', Ahmad Sherwan, arrested and tortured by the police in Erbil, for his atheism, claimed to have also received death threats from followers of the Kurdistan Islamic Group ³¹.

During a fact-finding mission (26 September to 6 October 2015), the Danish Immigration Service (DIS) collected information according to which radical Islamist groups in the KRI harassed atheists, Yazidis and Christians ³².

2.4 Access to education, healthcare and the labour market

Among the sources consulted and listed, and within the timeframe allocated to this query response, no specific information was found on the situation of atheists in Iraq, regarding access to education, healthcare and the labour market.

A March 2014 article by Al-Monitor states that Iraqi nonbelievers demand the amendment of educational curricula in such a way that they exclude any hateful bias towards them and take a neutral stance toward all beliefs without exception ³³.

3. Information on state protection for atheists in Iraq, including KRI

Among the sources consulted and listed, and within the timeframe allocated to this query response, limited information was found on state protection for atheists in Iraq.

A report by the USCIRF, covering the year 2017, mentions that religious minorities have sought 'safe haven' in the Kurdistan Region of Iraq (KRI) ³⁴. The same report adds:

'The government [i.e. the Kurdish Regional Government (KRG)] has taken positive steps toward minorities by introducing the Minority Rights Law (to protect the freedom of religion

²⁹ Al-Monitor, *Islamic parties intimidate, fear atheists in Iraq*, 23 June 2017, ([url](#)).

³⁰ Your Middle East, *Without God in Baghdad*, 4 February 2014, ([url](#)).

³¹ Your Middle East, *Interview with persecuted young atheist in Erbil*, 28 May 2014, ([url](#))

³² DIS, *The Kurdistan Region of Iraq (KRI); Access, Possibility of Protection, Security and Humanitarian Situation; Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015*, 12 April 2016 ([url](#)), p. 173.

³³ Al-Monitor, *Iraqi atheists demand recognition, guarantee of their rights*, 6 March 2014 ([url](#)).

³⁴ USCIRF, *Annual Report 2017 – Iraq*, 26 April 2017, ([url](#)), p. 166.

and prohibit religious discrimination), appointing religious representatives, and attempting to diversify the Peshmerga. The KRG's draft constitution does include Shari'ah as one source of legislation, but it does not prohibit legislation that violates Islam (unlike the Iraqi constitution) and it recognizes the rights of non-Muslims"³⁵.

In a report by the Immigration and Refugee Board of Canada (IRB), dated 2 September 2016, a representative of the Kurdistan Secular Centre (KSC) is quoted. According to the KSC representative, police and judges share the same beliefs about society and are 'against atheism'. The KSC representative gave the opinion that atheists who are harassed due to their beliefs would prefer to hide than to go to the police³⁶. No additional information could be found on this particular point.

It seems relevant to mention that the KSC ([official website](#)) is a community organisation formally established during a public meeting on 19 April 2015 in Suleymanyia, Iraqi Kurdistan. It was initiated by Iraqi academics, intellectuals, trade unionists and political and human rights activists. The organisation promotes secularism and calls for the separation of religion from the state and governing systems. It drafted a "Charter for Secularism in Kurdistan", arguing for the complete removal of religion from the constitution, one law for all, gender equality and the protection of freedom of "speech, expression, criticism, research and thought, creativity and invention", as well as a secular education system and cessation of funding of religious institutions by the state.³⁷

4. Can an atheist - change his/her personal data on the ID to indicate that he/she is an atheist?

A December 2015 report by Landinfo (Norway) states that the national civil ID card is 'deemed to be the most important personal document, since it is used for all contact with the public authorities, the health service, the social welfare services, schools, and when buying and selling houses and cars'³⁸.

The United States Department of State (US DoS) notes, in its 2016 report on religious freedom, that the Iraqi identity card can only list the following religions: Christian, Sabaeen-Mandaean, Yezidi, and Muslim³⁹. The report also mentions that:

'Individuals practicing other faiths may only receive identity cards if they self-identify as Muslims. 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 passports, or obtain some government services.'⁴⁰

³⁵ USCIRF, *Annual Report 2017 – Iraq*, 26 April 2017, ([url](#)), p. 166.

³⁶ IRB, *Iraq: Information on the treatment of atheists and apostates by society and authorities in Erbil; state protection available (2013-September 2016) [IRQ105624.E]*, 2 September 2016, ([url](#)).

³⁷ For more information on this organisation: Clarion Project, *An Appeal to Support the Kurdistan Secular Centre*, 21 June 2016, ([url](#)); National Secular Society, *Kurdish secularists appeal for international support*, 16 July 2015 ([url](#)); Niqash, *Secular Parties in Iraqi Kurdistan Can't Get It Together To Confront Islamists*, 11 May 2017, ([url](#))

³⁸ Landinfo, *Report Iraq: Travel documents and other identity documents*, 16 December 2015, ([url](#)), p. 17.

³⁹ US DoS, *2016 Report on International Religious Freedom – Iraq*, 15 August 2017, ([url](#)).

⁴⁰ US DoS, *2016 Report on International Religious Freedom – Iraq*, 15 August 2017, ([url](#)).



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