Legal framework

Article 2.2 of the Iraqi Constitution 'guarantees full rights to freedom of religious belief and practice to all individuals, including Christians, Yazidis and Mandaean Sabeans.' Article 14 adds that all citizens are equal before the law without discrimination on the basis of religion or other status.

Furthermore, the constitution guarantees 'freedom of thought, conscience, and belief' in Article 42, and states that the followers of all religions are free to practice their religious rites (43.1), and to worship (43.2). Article 37.2 asserts that the state will protect individuals from religious coercion. Article 10 establishes the state's commitment to assuring and maintaining the sanctity of holy shrines and religious sites and guarantees the free practice of rituals therein.

However, the constitution also emphasises Iraq's Islamic identity. Article 2 recognises Islam as the country's official religion and mandates it as a source of legislation, stating that no law can be enacted that contradicts it. Consequently, the constitution contains two competing principles: equal rights for everyone, including the right to freedom of religion or belief (FoRB), and a system of Islamic law in which rights vary based on whether one is male or female, Muslim or non-Muslim.

Discriminatory legislation remains in place, including the prohibition of the Baha'i faith under a law dating back to 1970, and a 2006 law that prohibits Jews who have emigrated from regaining Iraqi citizenship.

While the constitution grants Iraqi women legal rights, they continue to face significant social and political challenges, including under the Personal Status Law Amendment, which entered into force in 2025, and which violates the right of women and girls to equality before the law.[1]

Terrorism and insecurity

Terrorism and insecurity continue to be of serious concern in the aftermath of the 2014 seizure of Mosul and the Nineveh Plains by the Islamic State (IS) terrorist group. Thousands of non-Sunni men, women and children were either killed or enslaved under IS occupation, and tens of thousands of Christians emigrated to neighbouring countries over the following years. One study estimates that 3,100 Yazidis were killed in a matter of days following the 2014 attack.[2]

In July 2017 Mosul and the Nineveh Plains were liberated; however, terrorist attacks continue, and many members of religious minority communities remain unwilling to return to liberated regions due to ongoing security concerns. For example, fewer than 20 Christians returned to Mosul after its liberation. The city was once home to nearly 100,000 Christians.

Efforts to rescue Yazidi women and girls from IS captivity continue. Human rights organisations estimate that over 2,500 Yazidi women abducted during the IS invasion remain missing. Many are believed to be held in different locations in Syria and Türkiye, and are likely to have experienced sexual and gender-based violence.

Other vulnerable minorities, such as the Mandaeans, of whom only a few thousand remain, adherents of Zoroastrianism, and those of the Kakai faith (Yarsanism), have also been targeted by terrorist groups. Their deliberate and systematic destruction represents a tragedy for Iraq's religious diversity.

On 21 January 2026 the United States (US) began transferring detainees held for alleged IS affiliation from northeast Syria to Iraq. By February Human Rights Watch reported that 5,700 detainees had been transferred, with the organisation raising concerns about potential 'enforced disappearances, unfair trials, torture, ill-treatment, and violations of the right to life'.[3] Others have expressed concern that transferred detainees 'might seek to reconstitute their insurgent operations from inside Iraq's justice and penal systems'.[4]

Sectarianism

Attempts to combat terrorism and provide adequate security for religious minorities have been hampered by sectarian narratives and policies that prompt division and distrust between different ethnic and religious communities. The situation is exacerbated further by corruption.

Christian and Yazidi community leaders have expressed grave concerns regarding tension between the central government in Baghdad and the Kurdistan Regional Government in Erbil (KRG). Local community leaders and activists have reported intensified efforts by the KRG to 'Kurdify' their territories by making it difficult for individuals displaced by IS violence to return.

Tactics employed by the KRG have included forcibly appropriating land and property, and using intimidation, while also attempting to 'divide and rule' by offering financial and status privileges to selected political and religious figures within these communities. Many Yazidi activists report increased pressure on the Yazidi community from the KRG to identify as Kurds, even when they do not wish to do so. The KRG has also reportedly intensified efforts to impose Kurdish identity on the region's Christian community.

1 Human Rights Watch, 'Iraq: Personal Status Law Amendment Sets Back Women's Rights', 10 March 2025 https://www.hrw.org/news/2025/03/10/iraq-personal-status-law-amendment-sets-back-womens-rights

2 V. Cetorelli, I. Sasson, N. Shabila & G. Burnham, 'Mortality and kidnapping estimates for the Yazidi population in the area of Mount Sinjar, Iraq, in August 2014: A retrospective household survey', PLOS Medicine 9 May 2017 https://journals.plos.org/plosmedicine/article?id=10.1371/journal.pmed.1002297

3 Human Rights Watch, 'Iraq: Alleged ISIS Detainees Transferred from Syria at Risk of Abuse', 17 February 2026 https://www.hrw.org/news/2026/02/17/iraq-alleged-isis-detainees-transferred-from-syria-at-risk-of-abuse

4 Special Eurasia, 'Iraq: Terrorist Threat and Security Risk Assessment', 1 February 2026 https://www.specialeurasia.com/2026/02/01/iraq-security-terrorism-risk/

Land feuds and property disputes involving the remaining Christian population continue to present a significant concern. These disputes are concentrated in the Nineveh Plains and the Kurdistan Region of Iraq (KRI) and originate from a number of factors, including historic Arabisation policies, recent militia takeovers, and bureaucratic land allocation programmes that Christian community leaders argue violate the Iraqi Constitution by altering regional demographics. Christian community leaders in the KRI have called for justice over land they say has been confiscated or occupied for decades by political parties, tribes, government institutions and influential individuals, arguing that at least 56 Christian villages in Duhok province have experienced land encroachment.[5]

Government interference in religious affairs

The government has attempted to interfere in the internal affairs of the Chaldean Catholic Church, one of the 23 autonomous Eastern Catholic Churches in full communion with Rome. In November 2023 the Iraqi Supreme Court dismissed an attempt by the head of the church, Cardinal Louis Raphaël Sako, to overturn a presidential decree that removed his 'institutional recognition'.

The Chaldean Patriarch of Babylon had submitted a case to the court after a dispute in July, when President Abdul Latif Rashid rescinded a decree that formally recognised Cardinal Sako as head of the Chaldean Church and 'responsible for the endowments of the Church' upon his appointment in 2013.

The patriarch left the Iraqi capital for Erbil in July 2023, making it clear he would not return unless President Rashid restores the decree. In April 2024 the patriarch returned unexpectedly to Baghdad following the Iraqi prime minister's personal outreach and assurance that the cardinal's remaining concerns would be addressed. Subsequently, in June 2024, Iraqi Prime Minister Mohammed Shia al-Sudani issued a new decree officially recognising Cardinal Sako. In March 2026 the cardinal stepped down after 13 years of service.[6]

Recommendations

To the government of Iraq:

- Amend the constitution and other regulations and discriminatory legislation to ensure that Iraqi citizens enjoy equal rights, regardless of their religion or belief or gender.
- Ensure the safe, voluntary and dignified return of displaced religious minorities, including Christians and Yazidis, by improving local security and resolving land disputes, particularly in Nineveh and Sinjar.
- Accelerate efforts to locate and rescue missing Yazidi women and children, and to investigate and prosecute crimes committed by IS members.
- Continue efforts to combat terrorism and protect vulnerable communities and religious minorities, ensuring that counter-terrorism efforts are executed in compliance with international law.
- Contain and counter sectarian narratives, and work to promote an inclusive national identity.
- Set the mandatory minimum age of marriage at 18; guarantee equality in divorce, inheritance, custody and nationality; criminalise domestic violence, marital rape and female genital mutilation; and proscribe and penalise honour crimes.[7]

To the government of the United Kingdom:

- Encourage the government of Iraq to amend constitutional provisions and repeal discriminatory laws, including those banning the Baha'i faith and denying citizenship to Jews, and to ensure full legal recognition and protection for every religious and belief community in accordance with Article 18 of the ICCPR.
- Urge the government of Iraq to ensure that FoRB-based atrocities, including sexual and gender-based violence and violations, are recognised and addressed within transitional justice frameworks.
- Urge the government of Iraq at every appropriate opportunity, to implement the recommendations highlighted in the section above 'To the government of Iraq'.

To the United Nations and Member States:

- Urge all relevant UN mechanisms, including the Special Procedures and Treaty Bodies, to include the right to FoRB in their reporting on Iraq, acknowledging the vulnerabilities and violations faced by religious or belief communities.
- Utilise the Universal Periodic Review process, Human Rights Council sessions and other key international human rights instruments to raise FoRB violations in Iraq and to offer recommendations to advance the right to FoRB.
- Call on Iraq to revise regulations and legislation pertaining to religion or belief that do not align with international standards as set out in Article 18 of the International Covenant on Civil and Political Rights (ICCPR), and to do so in consultation with religious or belief communities, including minority groups, as well as consulting legal experts.
- Ensure that the situation of FoRB in Iraq is consistently raised in public and in private, including during high-

5 Kirkuk Now, 'Christian Land Disputes in Duhok Persist as Protesters Demand Justice', 4 August 2026 https://kirkuknow.com/en/news/71771
6 OSV News, 'Pope Leo accepts resignation of Iraqi Cardinal Louis Sako', 10 March 2026 https://www.osvnews.com/pope-leo-xiv-accepts-resignation-of-iraqi-cardinal-louis-sako/
7 Equality Now, 'Iraq's family laws are being rewritten, women and girls are paying the price', 6 February 2026 https://equalitynow.org/news/news-and-insights/iraqs-family-laws-are-being-rewritten-women-and-girls-are-paying-the-price/

level visits and other bilateral exchanges, as well as during the regular sessions of the UN Human Rights Council and General Assembly.

- Urge the government of Iraq at every appropriate opportunity, to implement recommendations highlighted in the section above 'To the government of Iraq'.

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