Immigration and Refugee Board of Canada

Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's Refworld website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment please email Basesdedonnees.DatabaseUnit@irb-cisr.gc.ca.

IRQ104909.E

10 July 2014

Iraq: Situation of religious minorities, including practitioners of "Zoroastrianism" and [Yazidi]; treatment by other groups (including the Islamic State of Iraq and al Sham, ISIS) and the government; state protection (2011-July 2014)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Overview of Zoroastrianism

Information about the situation of practitioners of Zoroastrianism in Iraq was scarce among the sources consulted by the Research Directorate within the time constraints of this Response. In correspondence with the Research Directorate, a professor of Iranian Studies at Georg-August University in Göttingen, Germany, who is also the Director of the Institute of Iranian Studies at the university, and whose research is specialized in Zoroastrianism, Kurdish, Yezidi and Yaresan studies, stated that "the term 'Zoroastrian' is generally used only for those whose rituals, prayers, sacred language and liturgy [going] back directly to the dominant pre-Islamic religion of Iran" (Professor 24 June 2014). According to the President of the Federation of Zoroastrian Associations of North America (FEZANA), a non-profit religious group that promotes "the study, understanding, and practice of the Zoroastrian faith and the welfare of Zoroastrian communities" (n.d.), "the faith has more than one center of gravity and a loosely knit hierarchy" (FEZANA 30 June 2014).

In a telephone interview with the Research Directorate, a post-doctoral researcher at the Central European University that specializes in Yezidi origins and Kurdish nationalism stated that "Zoroastrianism" is not a term that is widely employed in Iraq (Post-Doctoral Researcher 3 July 2014). In a telephone interview with the Research Directorate, a representative of Minority Rights Group International (MRG) also stated that "Zoroastrian" is not a widely used term in Iraq (MRG 3 July 2014). Two sources indicate that they are not aware of any communities that identify as "Zoroastrian" in Iraq (Professor 24 June 2014; MRG 3 July 2014). However, the Professor stated that "both in Iraq and Iran there are several minority religions whose beliefs and practices clearly go back to pre-Islamic, Iranian roots, and who are sometimes associated with Zoroastrianism" (Professor 24 June 2014). The FEZANA President, expressed the view that, given the historical ties between Iran, the "birthplace" of the Zoroastrian religion, and Iraq, "it is entirely possible some individuals in Iraq self-profess the faith, or at least their understanding of it" (FEZANA 30 June 2014).

Sources indicate that some Kurds may identify with Zoroastrianism (ibid.; Post-Doctoral Researcher 3 July 2014). For instance, the FEZANA President stated that some Kurds "are known to claim affinity to the ancient Zoroastrian faith or the related Mazdayasni faith" (FEZANA 30 June 2014). The Post-Doctoral Researcher similarly indicated that Kurds may adopt the label of "Zoroastrian" out of a "sense of historical pride or identity" (Post-Doctoral Researcher 3 July 2014). Further information on "Zoroastrian" groups in Iraq and the treatment of these groups could not be found among the sources consulted by the Research Directorate within the time constraints of this Response, however, the following information may be useful.
1.1 Religious Minorities in Northern Iraq with Zoroastrian Elements

The Professor identified the following "minority religions" that are "sometimes associated with Zoroastrianism:" the Yezidi and the Kaka'i (also Yaresan, Ahl-e Haqq, Sarliya) (Professor 24 June 2014). Two sources similarly indicate that the Yezidi and Kaka'i faiths contain "elements" of Zoroastrianism (MRG 2011, 9, 10; IILHR May 2013, 99). Al Jazeera reports that Yezidism is a "syncretic system" which "amalgamates" Zoroastrianism, Judaism, Christianity, Islam and others (2 July 2014). Kaka'i also contains elements of Shi'ah (IILHR May 2013, 99). Minority Rights Group International (MRG), an international NGO that "through training and education, legal cases, publications and the media... support[s] minority and indigenous people" (MRG n.d.), indicates that in the case of Kaka'i, "increasingly religious leaders and community representatives maintain that [Kaka'i] is a form of Shi'ism" (MRG 2011, 9).

1.2 Yezidi

The Institute for International Law and Human Rights (IILHR), a non-profit group that "engages with leaders of both the Iraqi government and civil society to strengthen approaches to human rights issues," (IILHR May 2013, 24) reports that approximately 3 percent of the Iraqi population is composed of Christian, Yezidi, Mandaean-Sabean, Bahai, Shabak, and Kaka'i groups (ibid., 9). Sources report that, as of 2013, there are 500,000 Yezidi in Iraq; the population has fallen from approximately 700,000 to 750,000 Yezidis in 2005 (ibid., 147; US Apr. 2013, 6). According to the US Commission on International Religious Freedom (USCIRF), Yezidi are indigenous to Nineveh [Ninewa, Ninawa] and Dahuk [Dohuk] in northern Iraq (US Apr. 2013, 6). According to a report from a joint Finnish-Swiss fact-finding mission to the Kurdish Regional Government (KRG) area in 2011, [most] Yezidis originate from the disputed areas [Ninewa, Kirkuk, and parts of Salah ad din and Diyala provinces (IILHR May 2013, 21)]. Jabal Sinjar [west of Mosul, also known as Shingal, Singal or Sengal] is regarded as the main center of Yezidis in Iraq. ... The population in some villages in the Ninawa plains is also heavily Yazidi. (Finland and Switzerland 1 Feb. 2012, 54)

Yezidi also live near Shaikhan [also Sheykhan] (Professor 24 June 2014; Finland and Switzerland 1 Feb. 2012, 54), which is "east of Mosul in the Ninawa governorate, but controlled by KRG [Kurdish Regional Government]" and is also the location of the "holiest Yezidi shrine," in Lalish (ibid.). Sources report that Yezidi people are perceived as "devil worshippers" due to societal misunderstandings of their religion (Professor 24 June 2014; IILHR May 2013, 150), and are seen in this way even by moderate Muslims and other groups (IILHR ibid.). Source note that Yezidis are regarded as "infidels" by Islamist militants in Iraq (AI 5 June 2014; Human Rights Watch 14 June 2014; Professor 24 June 2014).

2. Apostasy

According to the 2013 Annual Report of the USCIRF, the 2005 Iraqi Constitution makes Islam the official religion of the state; guarantees the "full religious rights of all individuals to freedom of religious belief and practice, such as Christians, Yezidis, and Sabean-Mandeans;" and provides that all Iraqis are "equal before the law" without discrimination based on religion or belief (Apr. 2013, 3). According to the US Department of State's International Religious Freedom Report for 2012, Iraq's Civil and Penal Codes "do not contain legal remedies or penalties for conversion from Islam," however, "government laws and regulations prevent the conversion of Muslims to other religions" (20 May 2013, 4). Sources report that Article 2 of the Constitution states that "no law may be enacted that contradicts the established provisions of Islam" (MRG Oct. 2014, para. 3; Finland and Switzerland 1 Feb. 2012, 49). The joint Finnish-Swiss fact-finding mission report indicates furthermore that "Muslims are still subordinated to sharia, which forbids apostasy" (ibid.).

The US Department of State's International Religious Freedom Report for 2011 states that, in Iraq, "[p]ersons who leave Islam [are] often faced [with] severe social persecution, including death, often by assailants known to the victim" (US 30 July 2012, 10). The Institute for War and Peace Reporting (IWPR) states that "hostility towards converts is widespread in Iraq," and reports on the case of a Sunni man who was killed by his family for converting to Christianity (IWPR 9 July 2010). A Sunni cleric based in southern Baghdad is quoted in the IWPR article as saying that "it is every Muslim's duty to kill the murtad [apostate]" (ibid.). The Washington Post reported on 12 June 2014 that ISIS [the Islamic State of Iraq and al-Sham, a Sunni militant group with an "extreme ideology" currently overtaking large parts of Iraq (BBC 23 June 2014)] released a document in June 2014 aimed at the citizens of the province of Nineveh, listing rules for residents, which include, among others, that "anyone who insists upon apostasy faces death" and that "Sharia law is implemented" (12 June 2014).

The IILHR indicated in a May 2013 report that members of religious minorities, including Christians, Turkmen, Yezidi, and others continue to "face discrimination or persecution at the hands of state and regional officials, and Islamist militants, particularly in the disputed territories" (IILHR May 2013, 12). MRG states in a 2012 report on the security of minorities in Iraq that "in many cases, no one claims responsibility for the large-scale attacks on minorities," however, "suspicion is drawn to armed insurgent groups, motivated by a radical interpretation of Islam, who have claimed responsibility for similar attacks" (MRG 19 July 2012, 3). Sources report that the perception of "devil worship" has reportedly made the Yezidi community the focus of targeted attacks by armed militia groups and Islamist militants (Professor 24 June 2014; IILHR May 2013, 150).

According to the IILHR, this has included "large-scale targeted violence" (ibid.). Yezidi have been subject to attacks against them by Islamist groups, ordering that they be killed, as well as bombing attacks such as a 2007 bombing that killed several hundred Yezidi (MRG Apr. 2008; The New York Times 24 June 2014).

According to the Professor, Kaka'i are also perceived as "devil worshippers" and are subject to attack by Islamic militants (Professor 24 June 2014).

According to the USCIRF report for 2014, "in 2013, the frequency of sectarian and religiously-motivated attacks escalated, negatively impacting all Iraqis' safety and perpetuating the general climate of fear" noting that these attacks occurred with "greater frequency" in Northern Iraq which had previously been "safe havens" for Iraq's smallest religious communities (30 Apr. 2014, 1-2). IILHR reports in 2013 that Iraq's religious and ethnic minorities are at risk for "targeted violence, arbitrary arrest and detention, torture, harassment, intimidation, displacement, political disenfranchisement, and social and economic marginalization," and that those living in the Disputed Internal Boundaries (DIB) area in Ninewa [Nineveh], Kirkuk, and parts of Diyala and Salah ad din are at "particular risk" (May 2013, 25). According to MRG's October 2014 submission to the Universal Periodic Review of Iraq, "[s]ince 2003, the escalation in violent attacks against minorities has caused many to leave the country en masse. Those who remain are subjected to marginalization, discrimination, restrictions on religious freedom, threats, assassinations, kidnappings, and bombings" (MRG Oct. 2014, para. 1). Sources report that some of the incidents of attacks from 2011 to 2013 against Yezidi include:


4. Conflict Situation in May-June 2014
4.1 ISIS Attacks on Religious Minorities

According to the BBC, the Islamic State of Iraq and Sham (ISIS) [also known as Islamic State of Iraq and the Levant, ISIL or Islamic State] is a Sunni militant group with an "extreme ideology" that, along with Sunni militants, launched attacks and took over control of Mosul and "large areas of the west and north" of Iraq in June 2014 (BBC 23 June 2014). Al Jazeera reports that ISIS declared the regions under its control a "caliphate" (30 June 2014).

In a 28 June 2014 statement, the UN reports that ISIS has been "carrying out summary executions and abduction of members of these ethnic and religious communities communities [Shia Muslims, Shabaks, Yezidis, Christians and Turkmen]" (UN 28 June 2014). Similarly, on 1 July 2014, Amnesty International (AI) reported that "ISIS is deliberately targeting Iraq's minorities" (AI 1 July 2014) According to the Professor, Yezidi in Shingal, outside the autonomous Kurdish region, are "under heavy attack" by ISIS militias who "take pride in killing Yezidi 'infidels'" (Professor 24 June 2014). A 19 June 2014 article by Ezidi Press, reported that Yezidi that live in the Syrian-Iraqi border area of Singal have been "repeatedly victims of terrorist acts by ISIS and its sympathizers in the past" (Ezidi Press 19 June 2014). ISIS has reportedly posted videos showing targeted attacks on minority groups such as Yezidi, among others (Al Jazeera 30 June 2014; Reuters 24 June 2014).

Sources report on some of the incidents of violence in May-June 2014 against Yezidi, including:

- Threats and murders (Basnews 10 May 2014; Ezidi Press 27 May 2014; Kurd Net 13 May 2014; Shafaq News 11 May 2014).
- Displacement (Basnews 10 May 2014; Ezidi Press 27 May 2014; Kurd Net 13 May 2014).
- Detentions and abductions (Al Jazeera 2 July 2014; AI 1 July 2014).
- Torture (Al Jazeera 2 July 2014).

4.2 June 2014 Displacement of Religious Minorities

According to the USCIRF report for 2014, "large percentages of the country’s most vulnerable religious minorities (...) have fled the country" (US 30 Apr. 2014, 1). The same source indicates that religious minorities continue to experience a "perpetual sense of fear" (ibid., 2). According to the UN's 28 June 2014 statement, "thousands of civilians" from minority religious groups including Yezidi in Ninewa province, Qaraqosh, Tal Afar,
Qaratabah, and Hamdaniyah are "now fleeing their homes in fear" following the ISIS advance. According to a 23 June 2014 article published by the Kurdish Globe, ISIS has attacked several towns, particularly Mosul and Tal Afar, causing "thousands of people [to flee] to the Kurdistan region seeking a safe shelter to save their lives" (Kurdish Globe 23 June 2014). Similarly, the UN's 26 June 2014 Situation Report for Iraq indicates that the majority of those fleeing have sought refuge in the three Kurdish regions of Dahuk, Erbil, and Suleimaniya. An article published by the New York Times examining the risks posed by Islamic extremists to religious minorities reports that "panic is widespread" in Nineveh, as people "flee northwards out of fear of ISIS, the Iraqi army, or both" and that Mosul's religious minorities "now face one of the most serious existential threats in their long histories" (24 June 2014).

5. Government Protection of Minorities

The Post-Doctoral Researcher expressed the view that in the autonomous region, the KRG is "quite effective at protecting regions under its rule," however, the source notes that "the Iraqi government is ineffective at protecting anyone, regardless of their religion" (Post-Doctoral Researcher 3 July 2014). Similarly, according to the representative of MRG, "in practice, the Iraqi federal government has been completely ineffective in providing protection" (3 July 2014). According to the Professor, although Yezidis "enjoy the full protection of the law in Kurdish and in Iraq generally," he stated that, "in practice they have suffered regular attacks by Islamist fundamentalists" (Professor 24 June 2014). He added that, in his opinion, "unlike the Iraqi government, the Kurdish authorities are reasonably effective," however, "protection of religious minorities against surprise attacks is just not possible under the conditions ... in Northern Iraq" (ibid., 5 July 2014). He added that this is true particularly with regards to protection from "extremist Muslims, who are becoming increasingly powerful" (ibid. 24 June 2014). The Professor also indicated that those people perceived as "devil worshippers" are vulnerable to attacks, that many Yezidis have fled Shingal, and that religious minorities remaining in the disputed north "have reason to fear for their lives" (ibid.). Similarly, the ILHR reports that, "regardless of the de jure protections outlined in the national Constitution and Kurdish Regional Government (KRG) draft Constitution, the Iraqi state and the KRG remain unable or unwilling to protect Iraq's minority community" (ILHR May 2013, 12). Furthermore, in a shadow report to the October 2014 United Nations Universal Periodic Review, the MRG indicates that "Iraq's government has failed to ... take [the] necessary actions to protect minorities from frequent threats, killings, bombings and kidnappings" (MRG Oct. 2014, para. 16).

Sources report that attacks against religious minorities occur in a climate or tradition of "impunity" (MRG June 2012, 201; Human Rights Watch Feb. 2011, 65; US Apr. 2013, 2). According to Human Rights Watch, although the Iraqi government may publicly condemn violence, "it has not taken sufficient measures to bolster security in areas where minorities are particularly vulnerable to attacks" and according to community leaders, attacks are "almost never thoroughly investigated" (ibid.). The same source also reports that Iraqi forces "rarely apprehend, prosecute, and punish perpetrators of such attacks" (ibid.). Similarly, according to USCIRF, the government is "unable to stop religiously-motivated attacks from occurring and lacks the will or capacity to investigate attacks and bring perpetrators to justice," which has created a "climate of impunity, which in turn exacerbates a perpetual sense of fear for all religious communities, particularly the smallest ones" (US Apr. 2013, 2).

5.1 Treatment by Kurdish Authorities

The UNHCR reports that it is working with the local Kurdish government to provide emergency assistance to refugees that have fled to the autonomous Kurdish region (UN 16 June 2014). USCIRF reports that many of those non-Muslim minorities who were internally displaced by violence moved north, "mainly to Nineveh governorate and the territory of the KRG ... The three KRG governorates are relatively secure, but Nineveh governorate, particularly in and around its capital Mosul, remains extremely dangerous" (US Apr. 2013, 6).

The 2012 joint Finnish-Swiss fact-finding report indicates that the KRG is "liberal toward minorities as long as they are peaceful and support themselves" (Finland and Switzerland 1 Feb. 2012, 50). The 2011 MRG report Iraq Minorities: Participation in Public Life reports that there is "increased security and freedom of religion for minorities in the Kurdistan region" (MRG 2011, 11). According to the Professor, the Yezidi in Kurdish autonomous areas have "achieved a degree of emancipation" and are represented in Kurdish Parliament (24 June 2014). According to the US International Religious Freedom Report for 2012, there are 8 seats for religious minorities in the 325 seat Iraqi Council of Representatives, including one for Yezidi; the Kurdish parliament also reserves one seat for Yezidi (US 20 May 2013, 4). The same source reports that the Kurdish regional government provides some services, including "salaries for Yezidi religious instruction, at certain state-funded schools" and an office in the Ministry of Education "ensures" that minorities are taught in their native language (ibid., 6). The Post-Doctoral Researcher similarly indicated that while the Kurdish regional government "ensures equal rights to Yezidis and supports them" through a ministerial office, funding
of cultural centers and religious classes, "there is quite a lot of prejudice against Yezidi on the personal level" (Post-Doctoral Researcher 3 July 2014).

### 5.2 Yezidi and Kurdish Identity

Al Jazeera reports that the Kurdish Regional Government (KRG) perceives Iraq's Yezidis as Kurds (Al Jazeera 2 July 2014). According to MRG, the KRG does not recognize Yezidi as a distinct ethnic group (MRG Oct. 2014). The issue of Kurdish identity divides the Yezidi, as some Yezidi identify as Kurds and others do not (MRG 2011, 10). IILHR reports that some Yezidis are subject to "political and economic pressure from Kurdish officials and Kurdish-identifying community members" (IILHR May 2013, 148). Similarly, according to the US Department of State, minority leaders reported that members of their communities have been "pressured" by Kurdish forces to identify themselves as Kurds (US 30 July 2012, 7). The US Department of State's International Religious Freedom Report for 2011 and 2012 notes that some Yezidi political leaders "alleged that Kurdish [security forces] Peshmerga forces regularly harassed and committed abuses against their communities" in Ninewa province areas controlled or contested by the Kurdish authorities (US 30 July 2012, 7; US 20 May 2013, 7; ). According to the IILHR, "numerous incidents of arbitrary arrest, assault and humiliation while in detention, discrimination and harassment against this population have been reported" by both Yezidi and Christian groups in the Nineveh region (IILHR May 2013, 148). Similarly, according to MRG, there were noted cases in Kurdish regions in 2012, of "arbitrary detention, harassment, discrimination, and threats by officials of the Kurdistan Regional Government" against religious minorities (MRG Sept. 2013, 205). US Country Reports on Human Rights Practices for 2012 and 2013 indicate "numerous reports" were received of religious minorities (including Yezidis) in Kurdish regional government controlled areas experiencing discrimination, denial of "services," arrest without due process, and detention in "undisclosed locations" (US 27 Feb. 2014, 57; US 19 Apr. 2013, 48).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

**References**


_____. 15 March 2011. "Gunmen Kidnap 5 Yazidis in Mosul." (Factiva)


Federation of Zoroastrian Associations of North America (FEZANA). 30 June 2014. Correspondence from the President sent to the Research Directorate.


_____. 3 July 2014. Telephone interview with a representative.


Post Doctoral Researcher, Central European University. 3 July 2014. Telephone interview with the Research Directorate.

Professor, Georg-August University. 24 June 2014. Correspondence with the Research Directorate.

Tips on how to use this search engine.