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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 the [Knowledge and Information Management Unit](#).

2 September 2016

IRQ105624.E

Iraq: Information on the treatment of atheists and apostates by society and authorities in Erbil; state protection available (2013-September 2016)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Treatment by Society

1.1 Societal Attitudes

A March 2014 article in the *Guardian* quotes Falah Mustafa, Head of the Kurdistan Regional Government's (KRG) Department of Foreign Relations, as stating that the Kurdistan region is "an open and secular [society]. There are people who go to mosque and there are people who do not" (*The Guardian* 25 March 2014, brackets in original). The same source indicates that Mustafa "cited the coexistence of Christians, Sunnis, Shias and secular Kurds in [E]rbil as an example of tolerance in Iraqi Kurdistan" (ibid.). A 2014 article by Mariwan Salihi, a freelance journalist and photographer based in Kuwait (Your Middle East n.d.a), and published by the news website Your Middle East [1], which includes interviews with young atheists in Iraq, indicates that the Kurdistan region of Iraq "portrays itself as a tolerant place, with a semi-secular system," and that young Kurds there "often feel they have more freedom to express their views" (ibid. 4 Feb. 2014). However, the same source quotes an Erbil-based Canadian-Kurdish "photographer and program assistant at a local NGO," as stating that it is "easier to say that one doesn't believe in God in Kurdistan than in the rest of Iraq, but adds that in the Middle East - like in the rest of the world - people [do not have the mindset] to accept others who have no religion" (ibid.). Al-Monitor, a media source that provides "reporting and analysis by prominent journalists and experts from the Middle East" (Al-Monitor n.d.), cites "a number of Iraqi nonbelievers" as indicating that there is a "prevailing social view that [atheists] are morally corrupt," "agents and operatives of foreign entities," and are looked upon with suspicion for being "non-believers" (ibid. 6 Mar. 2016).

In correspondence with the Research Directorate, a professor emeritus at the Department of Philosophy and Religious Studies at Utrecht University, who has published extensively on Kurdish and Islamic studies, stated that, according to his research,

[c]riticism of the ulama ["the learned of Islam" (Encyclopaedia Britannica n.d.)] and religious functionaries in general is quite widespread and is not looked upon as something scandalous.

However, publicly proclaiming oneself to be an atheist could [cause] problems. The Kurdish government is secular, and privately many leading Kurds may not care much about what their fellows believe or don't believe. But society in general, especially in Erbil, is socially conservative and expects everyone to respect Islamic norms. (22 Aug. 2016)

The city of Silêmanî (Sulaymaniya) has always been the most liberal and most open to non-Muslim lifestyles, but as a result of heavy urbanisation (i.e. the massive influx of more conservative villagers), the atmosphere has considerably changed there" (Emeritus Professor 22 Aug. 2016).

In correspondence with the Research Directorate, an assistant professor of politics and public policy at the American University of Kurdistan, whose research interests include "KRG social policies [and] [p]olitical diversity and underrepresented groups within the KRG," similarly indicated that, "in general, the Kurdistan region and particularly Erbil, is a relatively conservative society when it comes to discussion on religion" (Assistant Professor 24 Aug. 2016). The same source explained that Erbil is "more conservative" than Sulaymaniya, but added that the latter is also where "more extremist[s] ... are gathered" (ibid.).

1.2 Discrimination and Violence

According to the Assistant Professor, "it is very hard for atheists and apostates to openly declare their opinion 'in public'" (Assistant Professor 24 Aug. 2016). The same source, who conducted interviews with atheists, social advocates, NGOs, social researchers and university professors, and Members of Parliament for the purpose of this Response, further reported that

In a phone interview with two other atheists in Erbil ..., they admitted that they can only declare their positions as atheists among their very educated friends. Some atheists indirectly post in their social media websites (i.e. Twitter and Facebook) comments which imply atheism and implicitly indicate their position as apostate. (ibid.)

In a telephone interview with the Research Directorate, a representative of the Kurdistan Secular Centre (KSC), an organization established in April 2015 in Suleymaniya, whose mission is to promote secularism and the separation of religion from the state in the Kurdistan Region of Iraq (The Clarion Project 21 June 2016), also stated that "the general public opinion is that you do not speak against a religion" and that people with secular views "are generally very scared" to openly declare their views on religion (KSC 22 Aug. 2016). The KSC representative indicated that social media is the "only safe place" where atheists and agnostics can express their opinions (ibid.). According to Al-Monitor, there are "many" Iraqi websites for 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" (Al-Monitor 6 Mar. 2014). The article also notes that "some of them wish to be able to express their beliefs and presence without fear of being intimidated or even murdered" (ibid.). Kurdish-Iraqi news website Shafaq News similarly states that atheists fear being killed for expressing their beliefs (16 May 2014).

According to the KSC Representative "[d]eclaring to be an atheist in public can be fatal. Atheists and other free-thinkers can be attacked by groups of young people in the streets if anyone knows about their opinions" (ibid.). Furthermore, the Representative noted that atheists "suffer psychologically as they can be rejected by their families" (ibid.).

According to the Assistant Professor, there have been cases in which atheists are physically threatened after declaring their beliefs, including one of his interviewees who had a gun pointed at him during a gathering in Erbil when the armed individual learned that he was an atheist (Assistant Professor 24 Aug. 2016). The same source further noted that, in the last two decades, he has "seen and heard direct threats of Fatwa expressed by some Islamic extremists and religious leaders against atheists and apostates, particularly writers who explicitly criticize Islamic principles and values" (ibid.). According to the KSC Representative, if imams know a person is secular, "they will harass them publicly during Friday sermons" (KSC 22 Aug. 2016). Shafaq News reports that there is a growing fear of being accused of blasphemy, especially in "troubled areas" where there are armed militants, making it difficult for a person to declare being an atheist (16 May 2014).

A report of a fact finding mission to Erbil, conducted by the Danish Refugee Council (DRC) and the Danish Immigration Service in September and October 2015, states, without providing further details, that according to sources interviewed during the mission, "there is harassment against religious and ethnic groups in KRI [the Kurdish Region of Iraq] and the Kurdish controlled areas, especially against atheists, Yazidis and Christians by radical Islamist groups" (DRC and Denmark Apr. 2016, 173).

Further information on instances of discrimination, violence, and killings of atheists in the Kurdistan Region of Iraq could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Further information on treatment of atheists by society in Erbil could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. For further information on the security situation in Erbil, see Response to Information Request IRQ105417 of February 2016.

2. Treatment by Authorities and State Protection, Including in Erbil

According to the 2016 US Commission on International Religious Freedom annual report for Iraq, since 2014, the Kurdish region and its government has "played a significant role in providing a safe haven for religious minority communities fleeing ISIL's [Islamic State of Iraq and the Levant, also known as Daesh] advancements and attacks" (US Apr. 2016, 100). The US Department of State's *International Religious Freedom Report for 2015* for Iraq states that members of religious minorities, civil society groups, and media reported that "some non-Muslims chose to reside in the IKR [Iraqi Kurdistan Region] areas under KRG control because they continued to consider these areas to offer greater security, tolerance, and protection for minority rights" (ibid. 10 Aug. 2016, 10-11).

The US *International Religious Freedom Report for 2015* indicates that the constitution "guarantees freedom of religious belief and practice" as well as "freedom from religious coercion" (ibid., 1). However, the Representative of KSC stated that there are existing laws in Iraqi Kurdistan that discriminate against atheists and apostates (KSC 22 Aug. 2016). According to sources, all persons are assigned a religious affiliation at birth, and there is no possibility of not having any religion assigned (ibid., Faculty Member 19 Aug. 2016). Sources indicate that the national identity card denotes one's religion (KSC 22 Aug. 2016; US 10 Aug. 2016, 6), and can only be selected from Christian, Sabean-Mandean, Yezidi, and Muslim (ibid.). The US *International Religious Freedom Report 2015* notes that, without an identity card, "non-Muslims and those who convert to faiths other than Islam may not register their marriages, enroll their children in public school, acquire passports, or obtain some government services" (ibid.). According to the DRC and the Danish Immigration Service report, "[t]he law discriminates with regard to conversion, as Muslims are not allowed to convert, whereas it is possible to convert from other religions to Islam" (DRC and Denmark Apr. 2016, 174). Similarly, the US *International Religious Freedom Report for 2015* states that "[p]ersonal status laws and regulations prohibit the conversion of Muslims to other religions" (US 10 Aug. 2016, 4). According to the DRC and the Danish Immigration Service report,

[t]here are cases of people being killed for converting. ... [T]he sources mentioned the case of Priest Abdullah, who was attempted killed three times by unknown people. Then the Asayish [KRG's General Security Directorate] arrested him. The last thing the sources heard about him, was that he had left for Europe to seek asylum. (DRC and Denmark Apr. 2016, 174)

The KRC representative stated that provisions of the personal status law which regulates issues such as polygamy, divorce, child custody and inheritance, not only discriminate against women's rights but also affect the rights of atheists and apostates (KSC 22 Aug. 2016).

According to the KSC Representative, article 382 of the Iraqi Penal Code criminalizes blasphemy (ibid.). The same source stated that the police are people from society and share the same beliefs, that judges are against atheism, and that there are laws forbidding insulting Islam (ibid.). The KSC Representative gave the opinion that because of this, "people who are being harassed would rather hide than ask police for protection" (ibid.).

According to an appeal for support published on the website of the Richard Dawkins Foundation [2], in 2014 a student was arrested for criticizing Islam in school in Darbandikhan [Sulaymaniya Province] (Richard Dawkins Foundation 13 July 2016). The appeal by his lawyer indicates that after the student gave a presentation on the Big Bang theory at his school, "Islamists in his class instigated a fatwa against him" (ibid.). According to his lawyer, he was also receiving threats for criticizing Islam on Facebook (ibid.). The same source states that when the student filed a complaint with police against those who were sending him death threats, the judge ordered his arrest; he was jailed in Sulaymaniyeh and later released on bail (ibid.). Further information on the outcome of the case could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Sources report that in 2013, after being reported to the police by his father, a 15 year old boy was arrested by police in Erbil for criticizing Islam (AAI n.d.) and declaring himself to be an atheist (ibid.; Your Middle East 28 May 2014). Sources further indicate that the teenager was beaten by the police and tortured (AAI n.d.; Your Middle East 28 May 2014) with electric shocks, subjected to solitary confinement, threatened with death, and insulted by a judge and a social worker (ibid.). According to sources, he was later charged with "blasphemy" (AAI n.d.) or with "disbelieving God" (Your Middle East May 2014). Your Middle East reports that he spent 13 days in an Erbil prison before being released on bail and was to be put on trial in June 2014 (ibid.). Further information on developments in this case could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Further information on state protection available to atheists in Erbil could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

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.

Notes

[1] Your Middle East is a Swedish non-profit organization that provides a media platform where "bloggers, activists, [and] tweeters ... combin[e] their stories with those of established journalists, academics, and experts" (Your Middle East n.d.b). Your Middle East's advisory board includes journalists from Al Jazeera and *the Washington Post*, the Executive Director for Middle East and North Africa Division of Human Rights Watch, the Ambassador of Sweden to Egypt, and a professor at Lund University (ibid.).

[2] The Richard Dawkins Foundation is an organization whose mission is to "remove the influence of religion in science education and public policy, and eliminate the stigma that surrounds atheism and non-belief" (Richard Dawkins Foundation n.d.).

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Additional Sources Consulted

Oral sources: Al Bawaba; Assistant Professor, Social Sciences Department, American University of Iraq, Sulaimani; Associate Professor, Department of Philosophy, University of Amsterdam; Kurdish Human Rights Watch; Norwegian People's Aid; Public Aid Organization.

Internet sites, including: Amnesty International; Council of Ex-Muslims in Britain; ecoi.net; Ekurd Daily News; Erbil Governorate; Factiva; Freedom House; Hawler Times; Human Rights Watch; Institute for War and Peace Reporting; International Humanist and Ethical Union; IRIN; Kurdish Human Rights Project; The Kurdish Project; *Kurdish Studies*; Kurdish Studies Network; Kurdistan – Regional Government; Minority Rights Group International; Pew Research Center; Rudaw; United Nations – High Commissioner for Refugees, Office of the High Commissioner for Human Rights, Refworld, ReliefWeb, United Nations Iraq.

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