

# MORE THAN “INK ON PAPER”

TAKING STOCK THREE YEARS AFTER THE  
ADOPTION OF THE YAZIDI [FEMALE]  
SURVIVORS LAW\*



2024

\* Merely “ink on paper” was the term used by some survivors of ISIL crimes to voice their doubts about the government’s commitment to deliver long-awaited reparations guaranteed under the Yazidi [Female] Survivors Law (YSL).





Jiyan Foundation for Human Rights is a charitable organization supporting survivors of human rights violations, defending fundamental freedoms, and promoting democratic values throughout the world. In addition to human rights awareness raising and advocacy, Jiyan Foundation provides, mental health and medical treatment as well as other support services to survivors of trauma, terror, domestic violence and human rights violations throughout Kurdistan-Iraq, Iraq, & Syria.

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Coalition for Just Reparations (C4JR) is an alliance of Iraqi NGOs calling for comprehensive reparations for civilian victims of atrocity crimes perpetrated during the ISIL conflict in Iraq. C4JR uses Iraqi law and international human rights law to support reparation claims of survivors and encourage Iraqi authorities to meet their obligation to provide reparations.

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Yazidi Genocide Memorial, Sinjar, Iraq © 2024 IOM Iraq / Raber Aziz

#### Disclaimer

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# TABLE OF CONTENTS

<b>Acronyms</b>	<b>5</b>
<b>Executive Summary</b>	<b>6</b>
<b>I. An Overview of YSL Implementation Developments</b>	<b>8</b>
GDSA Outreach	10
YSL Application Process	11
Verification of YSL Applications	13
YSL Appeals Process	14
<b>II. C4JR’s YSL Application Monitoring Questionnaire Findings</b>	<b>16</b>
Methodology	16
Demographics	17
Urgent & Important Needs	18
Accessibility of information on the YSL application process	19
Accessibility and survivor-centeredness of the YSL application mechanism	20
Perceptions & Accountability	21
<b>III. GDSA’s Delivery of YSL Benefits</b>	<b>24</b>
Monthly Compensation	24
Education	26
Employment	27
Land & Housing	27
Rehabilitation	28
Memorialization	29
Searching for the Missing & Excavations of Mass Graves	30
<b>IV. Administrative Capacity of the GDSA</b>	<b>32</b>
<b>V. Messages from Survivors and Stakeholders on YSL Implementation</b>	<b>34</b>
<b>VI. Developments in Criminal Justice Efforts</b>	<b>36</b>
<b>VII. International Advocacy Efforts &amp; Collaboration</b>	<b>40</b>
<b>VIII. Final Remarks &amp; Recommendations</b>	<b>42</b>
<b>Endnotes</b>	<b>46</b>
<b>Annex I. List of C4JR Members</b>	<b>50</b>

# ACRONYMS

<b>BWA</b>	Baghdad Women’s Association
<b>C4JR</b>	Coalition for Just Reparations
<b>CAT</b>	UN Committee Against Torture
<b>CIGE</b>	Commission for Investigations and Gathering Evidence
<b>CRSV</b>	Conflict-related sexual violence
<b>CSO(s)</b>	Civil society organization(s)
<b>FGO</b>	Farida Global Organization
<b>FYF</b>	Free Yazidi Foundation
<b>GDSA</b>	General Directorate for Survivors Affairs
<b>Gol</b>	Government of Iraq
<b>GSF</b>	Global Survivors Fund
<b>HLP</b>	Housing, Land, and Property
<b>IASC</b>	Inter-Agency Standing Committee
<b>ICHHR</b>	International Centre for Health and Human Rights
<b>ICMP</b>	International Commission on Missing Persons
<b>IDP(s)</b>	Internally Displaced Person(s)
<b>IOM</b>	International Organization for Migration
<b>ISIL</b>	The self-declared Islamic State in Iraq and the Levant
<b>JOMR</b>	Justice for Minority Rights
<b>KRG</b>	Kurdistan Regional Government
<b>KRI</b>	Kurdistan Region of Iraq
<b>KWRW</b>	Kurdistan Women’s Rights Defenders
<b>MENA</b>	Middle East and North Africa
<b>MGD</b>	Mass Graves Directorate
<b>MHPSS</b>	Mental Health and Psycho-Social Support
<b>MLD</b>	Medico-Legal Directorate
<b>MoLSA</b>	Ministry of Labor and Social Affairs
<b>NGO(s)</b>	Non-profit organization(s)
<b>UN</b>	United Nations
<b>UNAMI</b>	United Nations Assistance Mission for Iraq
<b>UN-Habitat</b>	United Nations Human Settlements Programme
<b>UNSC</b>	United Nations Security Council
<b>UNSG</b>	United Nations Secretary-General
<b>UNITAD</b>	United Nations Investigative Team to Promote Accountability for Crimes Committed by Da’esh/ISIL
<b>USIP</b>	United States Institute of Peace
<b>WPN</b>	Women for Peace Network
<b>YSL</b>	Yazidi [Female] Survivors Law



# EXECUTIVE SUMMARY

The passing of the Yazidi [Female] Survivors Law (YSL) by the Government of Iraq (GoI) on March 1, 2021, marked an important milestone in Iraq's transitional justice process, providing an opportunity to improve the lives and status of women and minorities in Iraq. The YSL promises to both redress individual and community-level harms and could have a potentially transformative impact on survivors by improving their quality of life and restoring their dignity. It mandates several critical state-sponsored reparative measures, including monthly compensation payments; medical and psychological care; the provision of land or a housing unit; educational opportunities; and a quota in public sector employment. Moreover, it officially recognizes that the self-declared Islamic State in Iraq and the Levant (ISIL) committed genocide and crimes against humanity against Yazidi, Christian, Turkmen, and Shabak components, and mandates memorialization, the search for those still in captivity, exhumation of mass graves—along with the identification and return of remains to families—and calls on Iraqi institutions to ensure that perpetrators of genocide and crimes against humanity are held accountable.

This report evaluates the current stage of implementation of all promised reparations measures included in the YSL, as we mark the third year since its passage into legislation. The report provides an overview of the work of the

General Directorate for Survivors' Affairs (GDSA), including the latest information on the verification and appeals process, application statistics, and the current administrative capacity of the GDSA. While C4JR's first annual report focused on the development of legislation and the associated efforts of stakeholders, including survivors, civil society organizations (CSOs), and international organizations, this year's report takes stock of the GDSA's efforts in implementing the YSL and draws attention to the prevailing challenges that hinder the delivery of benefits in a trauma-informed and survivor-centered manner. Drawing on C4JR's YSL Application Monitoring Questionnaire conducted in Autumn 2023, the report details the accessibility and overall survivor-centeredness of the YSL application mechanism from the perspective of survivors. The aim of this is to better facilitate the ability of the GDSA and NGOs to troubleshoot arising issues and provide recommendations going forward.

As we approach the tenth anniversary of the beginning of ISIL violence in Iraq, many of ISIL's victims continue to remain in precarious living conditions, and face marginalization and exclusion from decision-making. It remains as pressing as ever to take stock of the efforts made, challenges that remain, and areas for improvement in YSL implementation and affirm the role of CSOs in monitoring and ensuring the full delivery of the benefits the law promises.

Lalish, the holiest site for the Yazidi faith.

PHOTO © Mohammed Khalil Atya /Jiyan Foundation



# I. AN OVERVIEW OF YSL IMPLEMENTATION DEVELOPMENTS

On March 01, 2021, the Iraqi Council of Representatives adopted the Yazidi [Female] Survivors Law No. 8 of 2021 (YSL), establishing a reparations program and recognizing genocide and other crimes perpetrated by the self-declared Islamic State in Iraq and the Levant (ISIL) against the Yazidi, Christian, Shabak, and Turkmen components. This pioneering legislation provides material and symbolic reparative measures to women and girls from the Yazidi, Shabak, Turkmen, and Christian components who survived ISIL captivity, Yazidi children who were abducted under the age of 18, and persons from the four components who survived mass killings by ISIL. This report offers a detailed analysis of the implementation of the YSL, examining the progress made in fulfilling the benefits stipulated by the law and taking stock of what remains to be done three years after the law was enacted.

The General Directorate for Survivors' Affairs (GDSA), the main implementing body for this legislation established under the Federal Ministry of Labor and Social Affairs (MOLSA) and located in Mosul, with a branch office in Sinjar, has made significant

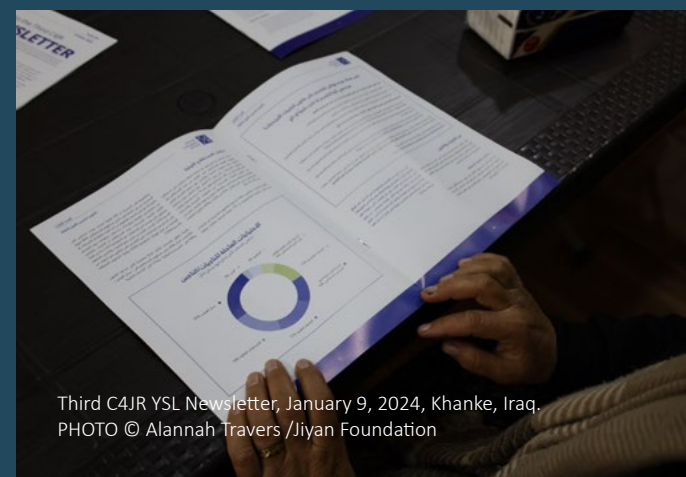
advancements over the past year. The report examines the current status of implementation for each benefit outlined in the YSL and draws attention to the prevailing challenges that hinder the delivery of benefits in a trauma-informed and survivor-centered manner. It builds upon the relevant work of a range of civil society actors, international organizations, experts, human rights activists, and state officials, who play a role in supporting the YSL's implementation. Since July 2023, the Coalition for Just Reparations (C4JR) has worked in collaboration with the International Organization for Migration (IOM) to produce, publish, and disseminate the *YSL Newsletter* in four languages. The newsletter aims to meet the need for reliable up-to-date information on the YSL application and implementation process. To date, C4JR has, in collaboration with IOM Iraq, published 4 newsletters and printed each issue in 2000 copies (amounting to 8000 copies overall), which were disseminated in IDP camps and elsewhere.<sup>1</sup>

This report builds upon and complements C4JR's *More than "Ink on Paper": Taking Stock two Years*

*After the Adoption of the Yazidi [Female] Survivors Law* that was published on March 1, 2023, to mark the second anniversary of passing the YSL.<sup>2</sup> It also draws on the published work of local civil society organizations (CSOs) such as Farida Global Organization's (FGO) March 2023 report on *Guidance on Supporting Survivor Applications under the YSL*<sup>3</sup> and Free Yezidi Foundation's report, marking one year since YSL applications began in Iraq and looking back at the first year's successes, challenges, and areas for improvement, which was published in September 2023.<sup>4</sup>

This report also draws on data obtained from C4JR's YSL Application Monitoring Questionnaire conducted between August and October 2023. The questionnaire aimed to monitor and collect data on the YSL application process and complement the ability of NGOs to troubleshoot arising issues, convey critical and urgent feedback to the GDSA, and engage in advocacy around process gaps and necessary changes. As we approach the tenth anniversary of the beginning of ISIL violence in Iraq, many of ISIL's victims continue to remain in precarious living conditions, and face

marginalization and exclusion from decision-making. The YSL thus presents an important opportunity to not only redress and remedy individual and community-based harms but also to improve the status of women and minorities in Iraqi society, making reparations a potentially transformative force in survivors' lives. In providing individual material reparations combined with broader symbolic measures, the YSL serves as a crucial means of restoring a sense of equal citizenship and belonging to the survivors and communities most affected by ISIL.



Third C4JR YSL Newsletter, January 9, 2024, Khanke, Iraq.  
PHOTO © Alannah Travers / Jiyan Foundation

Presentation of the YSL milestones and achievements,  
American University of Iraq-Sulaimani (AUIS),  
November 26, 2023, Sulaymaniyah, Iraq.

PHOTO © AUIS



## GDSA Outreach

Preceding the launch of the YSL application portal by the GDSA on September 07, 2022, the MoLSA and GDSA published a factsheet providing details on eligibility criteria under the law; how to apply; the stages of the application process; and entitlements included in the law.<sup>5</sup> In addition to this, two informational videos were prepared by the GDSA, with IOM support, and made available on IOM Iraq’s YouTube channel, one on how to apply for reparations through the online portal and the second on how to make an appointment with the GDSA.<sup>6</sup> Facebook is currently the GDSA’s main channel of communication for updates regarding the allocated dates for the distribution of QiCards for accessing reparation payments, YSL implementation updates, notice of information sessions on YSL, and office hours.

The Director General of the GDSA, Sarab Elias, conducted several outreach sessions over the past year, some of which are detailed here. In January 2023, FGO coordinated with the GDSA to organize an outreach session during which Director General Elias addressed the queries of survivors in Duhok, with two additional sessions held later in June of that year. In February 2023, FGO and the GDSA had a series of meetings with survivors in Germany, with organizational support from IOM. On March 21, 2023, Director Elias and GDSA staff traveled to Tel Afar to meet with Turkmen survivors and victims’ families to brief attendees on plans to open a GDSA branch in the district and to hear from survivors about the challenges and obstacles they face.<sup>7</sup> In July 2023, the GDSA held a consultation session with Yazidi, Christian, and Turkmen survivors, families of victims of the Speicher massacre, the Survivors’ Voices Network, and Hope Givers, regarding accountability for ISIL crimes. The GDSA led discussions on the protection of survivors and witnesses, the role of survivors and their families in prosecution procedures, and the standards of fair trials, along with other issues.

The GDSA has been cooperating with CSOs to remove the barriers facing survivors abroad and to ensure online applications may be submitted outside of Iraq.<sup>8</sup> Initially, many outstanding factors hindered applicants outside of Iraq from completing the application process. These challenges ranged

from issues related to missing documentation and identification documents to the requirement of an Iraqi phone number and place of residence in Iraq as prerequisites for initiating a YSL application on UR Portal, the GDSA’s YSL application portal.<sup>9</sup> To mitigate these issues, the GDSA with the support of FGO and IOM’s technical unit conducted testing on the UR Portal with international number codes. By late May 2023, FGO successfully verified the delivery of codes to phone numbers in Germany, France, the USA, Canada, Sweden, and Australia. The GDSA also introduced an alternative access method to the UR Portal, via email address and Telegram, to facilitate access to the YSL application portal, thereby resolving some of the issues for survivors living outside Iraq.

Since May 2023, the UR Portal online application portal has been open to YSL applicants living abroad. Despite this promising development, those who successfully applied had already traveled to Iraq to obtain or renew necessary identification documents and to procure the required investigation papers to file with their application. Those without such documents still face obstacles in successfully applying. In October 2023, the GDSA announced its intention to form a special committee tasked with receiving and meeting the unique demands of survivors abroad.<sup>10</sup> This committee is designed to receive data on missing documents and work with relevant authorities to issue identity documentation and collect information on the specific needs of survivors outside Iraq.

In July 2023, the Supreme Judicial Council issued a decision to allow video conferencing for witness testimonies.<sup>11</sup> This gave way to the Court of Appeal in Nineveh’s capacity to use video conferencing to support this process and facilitate survivors’ ability to give statements in investigative courts to satisfy the evidentiary requirement and obtain investigation papers. This can be utilized by the YSL Committee to facilitate the processing of applications from abroad and allow survivors to give their statements in investigation courts.

## YSL Application Process

Currently, YSL applicants have three means of applying available: 1) hardcopy submission to the GDSA; 2) in-person appointment at the GDSA; 3) online submission. The application form is available to applicants via the governmental portal and from NGOs assisting applications.<sup>12</sup> Appointments can be scheduled via the portal if the applicant so chooses. Preceding the application form are guidelines outlining who is covered by the law and what to expect after the application is submitted.<sup>13</sup> If the application complies with official requirements, it is submitted to the Committee which will review the application and supporting documents within a maximum period of 90 days from the date of receiving the application to decide on the applicant’s eligibility.<sup>14</sup>

Two months after the GDSA began receiving applications, an extra-legal evidentiary requirement necessitating YSL applicants to file a criminal complaint to be deemed eligible for reparations was introduced by the Committee Chair, who is, as outlined in Article 10 of the YSL, is the appointee of the High Judicial

Council.<sup>15</sup> Though lacking a legal basis within the YSL and its by-laws, this new evidentiary requirement demands that YSL applicants first file a criminal complaint with a Federal court to obtain investigation documents that must be submitted with their YSL application.<sup>16</sup> In response to this development, many local and international organizations—including Human Rights Watch, Amnesty International, Nadia’s Initiative, Global Survivors Fund (GSF), and to which C4JR is also a signatory—expressed concern that this additional requirement not only goes against the non-judicial process of the law but is against international best practices regarding evidentiary requirements for domestic reparation programs and the right to an effective remedy under international human rights law.<sup>17</sup> Concerned by the potential psychosocial impact and undue burden involved in meeting this additional evidentiary requirement, NGOs including C4JR issued statements calling for relaxed evidentiary standards to avoid re-traumatization in line with the survivor-centered approach of the YSL and its associated by-laws.<sup>18</sup>



Sarab Elias Barakat, General Director of the Directorate for Survivors' Affairs speaks at the “Tapping into the Transformative Potential of Reparations for CRSV in Iraq” conference, November 29, 2023, Erbil, Iraq

PHOTO © Jiyan Foundation





Despite the burdensome nature of this requirement, some survivors living in Iraq believe it should be maintained as a safeguard against false applications and to support the pursuit of criminal accountability for members of ISIL. Given the divergence in survivors’ opinions on the matter, C4JR’s Working Group on Ethical Engagement with Survivors held consultations with survivors on 19 June 2023, coinciding with the International Day for the Elimination of Sexual Violence in Conflict. The in-person consultation aimed to engage directly with survivors who had expressed concerns about C4JR’s public advocacy on removing the imposition of the extra-legal evidentiary papers requirement. The outcome of C4JR’s dialogue with survivors was a shared understanding between NGOs and survivors which clarified joint advocacy on the full implementation of all aspects of the YSL and the full delivery of promised services and benefits and also suggested the establishment of a screening mechanism to ensure against the submission of false or forged applications.<sup>19</sup> In considering the position of YSL applicants who are unable to submit investigative papers due to their current location, stigmatization, fear of re-traumatization, safety concerns, or self-incrimination, participants agreed that a YSL applicant’s claims should be examined against all evidentiary means available, including witness statements provided to the YSL Committee, interviews conducted by the Committee, and documentation

issued by international and national entities or other evidence available.

In July 2023, the UN Special Rapporteur on the promotion of truth, justice, reparation, and guarantees of non-recurrence together with the UN Rapporteurs of other special procedures with the mandate to address human rights issues covered by the YSL, made public a follow-up communication sent to Iraq, regarding the imposition of additional criminal complaint requirements for applications to the YSL.<sup>20</sup> The letter emphasized that as an administrative reparation process, the YSL should provide an alternative to judicial proceedings, which typically require a higher standard of evidence to recognize the victim status of the applicant for reparations. The letter highlights concerns that the requirement to file a criminal complaint violates international standards and the state’s responsibility to ensure the safety, physical, and psychological well-being of victims and survivors, potentially exposing applicants to stigma and other associated difficulties related to providing evidence and witnesses of crimes.

All possible avenues for sharing information for the verification of YSL reparation claims should be explored by all involved parties and relevant authorities in both the Kurdistan Regional Government (KRG) and Government of Iraq (GoI), including

United Nations Investigation Team to Promote Accountability for Crimes Committed by Da‘esh/ISIL (UNITAD), in consideration of applicants’ potential fears of stigmatization, lack of trust in government institutions, financial constraints, and the possible risks of re-traumatization through invasive methods of investigation and verification, and any decision to share information must be based on informed consent. As our survey findings in section II explore, many survivors have already provided multiple testimonies at various institutions, including the Commission for Investigation and Gathering Evidence (CIGE) and the Kidnapped Yazidi Rescue Office, at local NGOs with legal departments, and at UNITAD. At this time, CIGE does not share case files with the GDSA or other authorities, though after giving a statement, a certificate may be provided, upon explicit request of the survivor, indicating an individual’s eligibility for reparations that can then be directed to the GDSA.<sup>21</sup> C4JR is not aware that UNITAD is providing written certificates to survivors to support the YSL application process. Although substantiating evidence is not equitably available for all applicants due to the constraints noted above, and despite strong objections coming from Iraqi and international NGOs, as well as holders of UN Special Procedures mandates, the additional criminal complaint requirement has not been removed.

## Verification of YSL Applications

Applicants who apply online via the online portal will be provided with a unique code that serves as a reference number to later check on the status of the application via the portal. In the case that the application is submitted through UR Portal, the eight-person Committee consisting of representatives of various governmental bodies and headed by a judge will interview the applicant to verify their identity, either online or in person.<sup>22</sup> Applicants who submit paper-based applications do not receive immediate confirmation of their submission but are contacted by GDSA staff to provide updates on the progress of their application and to inform them if their application has been approved. If an application is deemed lacking sufficient evidence or missing supporting documents, the Committee may decide to conduct an interview with the applicant and then render the final decision based on all available evidence, including the interview. If the Committee approves an application, the file is sent to the database of the GDSA to be issued reparations as established by the law.





## YSL Appeals Process

If an application is rejected by the Committee, the applicant has the right to appeal the decision before the (same) Committee within 30 days of the date that the decision was issued. In the case that the Committee rejects the applicant a second time, the applicant has the right to appeal the decision before the Court of First Instance whose ruling on the matter will be considered final and binding.<sup>23</sup>

Rejected YSL applicants consulted by C4JR expressed concern that the appeals process lacks clarity and the Committee’s lack of written communication to applicants hinders the appeals process. Indeed, based on information obtained by C4JR, the Committee does not, as a matter of standard practice, deliver a written copy of the decision to rejected applicants outlining the reasons for rejection. After an application is rejected, an applicant is invited to go to the legal department of the GDSA, where members of the legal team provide oral explanation and rationale for

the decision. The applicant is then presented with a rejection letter to sign but is not typically given a copy of the written decision, though this could potentially be obtained upon request.

Despite an explanation being given to applicants orally, those consulted by C4JR noted confusion concerning the next steps in the appeals process and uncertainty about how to begin addressing the specific issues with their application. Without a letter in hand summarizing the reasons for rejection and stipulating the date the decision was issued, applicants risk failing to submit a compelling appeal within the strict 30-day filing deadline within which they must make a first appeal to the Committee. Whereas YSL does not specify a deadline for submitting the second appeal before the Court of First Instance, it is an applicant’s last resort following a second rejection by the Committee. Therefore, the Committee should specify and clearly communicate the applicable deadline for submitting the second appeal. In addition, standardizing the issuance of a decision letter to all applicants could

help to support an individual’s due process rights, including the right to an effective legal remedy.

C4JR recommends that the Committee issue dated decision letters to YSL applicants, either as standardized practice or upon request, detailing the grounds on which the application was rejected so that applicants and CSOs supporting applications can be better informed regarding an applicant’s eligibility and any critical gaps in their application file. Additionally, a dated document can be used by the applicant to refer back to as they prepare their appeals within the allocated 30-day timeframe. Though the YSL and associated by-laws provide basic information regarding the appeals process, C4JR recommends creating, publishing, and widely disseminating an appeals process information leaflet that clearly outlines the steps available to those facing rejected applications in an easy-to-understand format, available in the languages most commonly used and understood by survivors. In the event of a rejection, C4JR also recommends directly providing

this leaflet to individual applicants along with the written decision. Finally, C4JR recommends that the GDSA consider making such information available in other modalities, such as video and audio formats, that are easily shared and accessible to all.

“Tapping into the Transformative Potential of Reparations for CRSV in Iraq” Conference, November 29, 2023, Erbil, Iraq.

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## II. C4JR'S YSL APPLICATION MONITORING QUESTIONNAIRE FINDINGS

C4JR conducted a Monitoring Survey on YSL Applications between August and October 2023 that aimed to monitor and collect data on the YSL application process and complement the ability of NGOs to troubleshoot arising issues, convey critical and urgent feedback on issues to the GDSA, and engage in advocacy around process gaps and necessary changes.

### Methodology

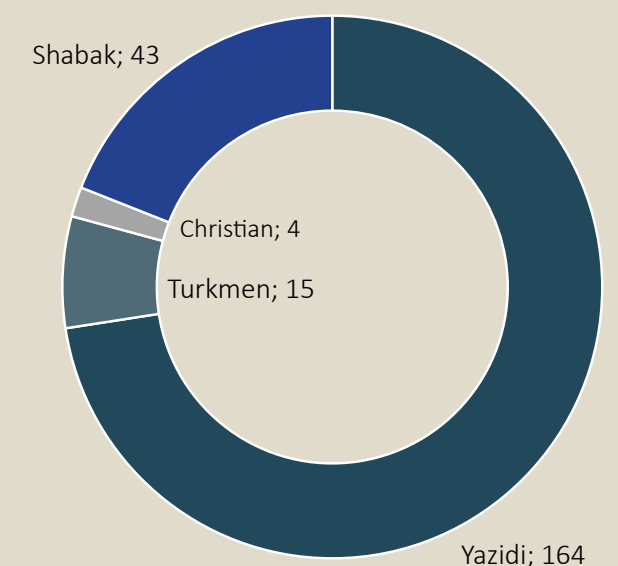
Following the finalization of the questionnaire in July 2023, Free Yezidi Foundation (FYF) and C4JR co-hosted a workshop held in Duhok with implementing partners – including FYF, Justice Organization for Minority Rights (JOMR), Baghdad Women's Association (BWA), and Dialogues of Culture—where guidelines were given on how to administer the survey using KoBo Toolbox. Implementing partners were trained on principles of Do No Harm, confidentiality, and integrity, and gaining informed consent for questionnaire participation. With the help of partners, C4JR administered 226 questionnaires directly to respondents over 18 years of age currently living in Iraq, who applied to the YSL, regardless of the outcome of their application. The results of the questionnaires give insight into the overall accessibility and the survivor-centeredness of the application process from the perspective of survivors. Descriptive statistics, cross-tabulations, reliability values, and association tests were run using IBM SPSS statistics (Version 28). All association

tests were done by running Pearson Chi-Square tests and relevant non-parametric tests. Some limitations must be acknowledged. While the sample size of 226 applicants has a high representation of the universe (1000 applicants approved under the YSL by 23 August 2023, when sample size was calculated), the distribution in some breakdown categories is less than 5 cases which limits applying further statistical analysis. For instance, due to the challenge of locating Christian applicants, the sample covers only four respondents from the Christian component. As the first quantitative analysis of the YSL application process, several of the findings indicate the need for further qualitative research, via interviews and focus groups, which was beyond the purview of the survey.

### Demographics

Of the 226 respondents surveyed, 174 were female and 44 male with 8 respondents preferring not to disclose. Respondents were from the Yazidi (164 respondents), Shabak (43 respondents), Turkmen (15 respondents), and Christian (4 respondents) components, with 98% of them originally from Nineveh governorate and currently living in either Nineveh (77%) or Duhok (23%) governorate. In terms of gender and components, the survey yields a good presentation of the universal applicant profile according to recent statistics provided by the GDSA and explains why some survivor categories are weighted.<sup>24</sup> Of those living in Nineveh governorate, 42% of the respondents are currently located in Sinjar district, 18% in Mosul, 7% in Tel Afar, 4% in al-Ba'aj district, and 2% in al-Hamdaniya. In the Duhok governorate, 19% are residing in Semel district, 5% in Shekhan, and 3% in Zakho.

### Component breakdown of questionnaire respondents



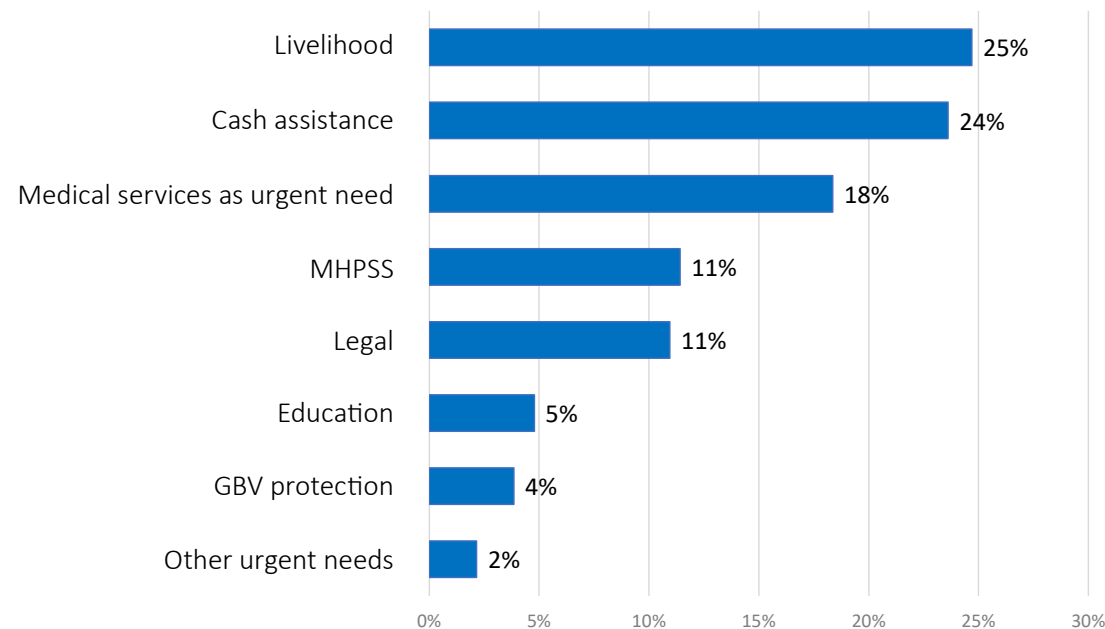
A specialist legal advisor from the Lotus Flower reads the C4JR YSL Newsletter to a woman in Khanke.  
PHOTO © Alannah Travers / Jiyan Foundation



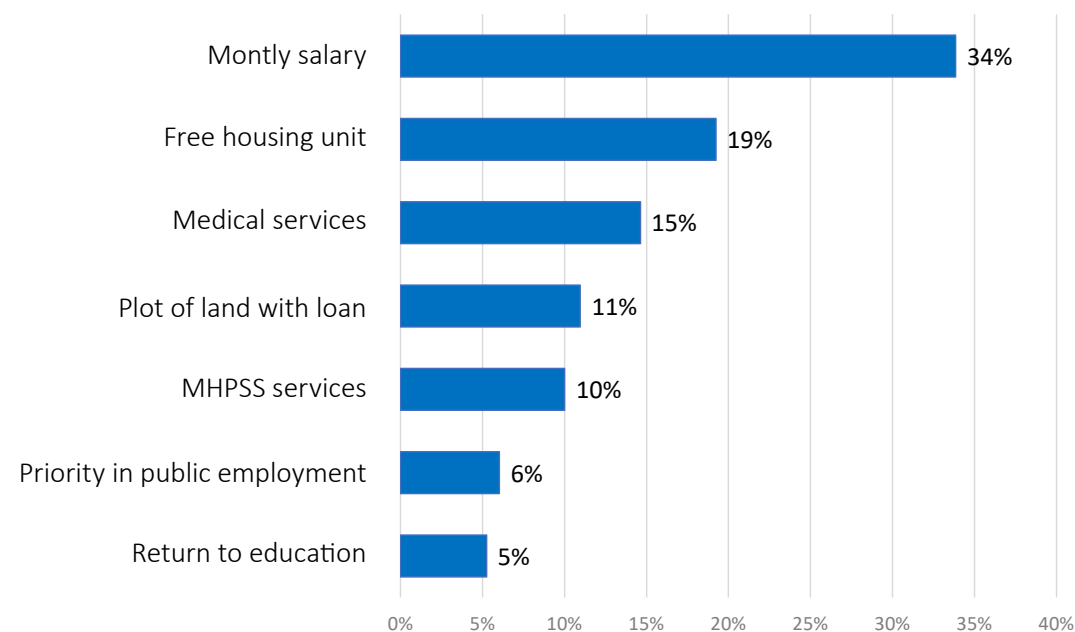
## Urgent & Important Needs

At the time of surveying, 25% of respondents were in urgent need of livelihood assistance, 24% needed cash assistance, 11% required MHPSS services, and a further 11% were most in need of legal support. No statistical difference was found based on the gender and location of respondents, indicating that CSOs must consider all needs listed as urgent for applicants and earmark funding to address these needs.

While all survivors surveyed had submitted YSL applications, 60% of respondents had been notified by the GDSA about whether their application was accepted or denied. Among those informed, 86% reported that their application had been accepted, with 79% of them already receiving monthly reparation payments. Regarding individual benefits listed under the YSL that respondents deemed most important, 34% stated monthly compensation payments, 19% a free housing unit, and 15% medical services.



Which of the following services do you need most urgently?



Which of the individual benefits listed under the YSL is most important to you?

## Accessibility of information on the YSL application process

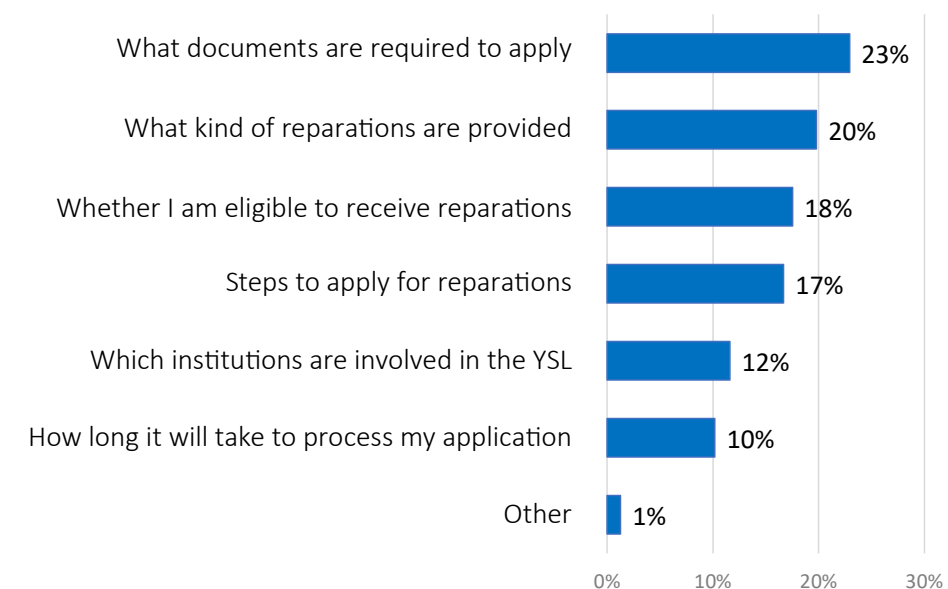
Of the respondents surveyed, 51% applied via an in-person appointment with the GDSA, 37% via the online submission UR Portal, and 12% by submitting a hardcopy submission to the GDSA. Of YSL applicants who applied in person at the GDSA, 57% would recommend this method to other applicants. In comparison, only 35% who applied via online submission would advise others to use this avenue of submission.

Although the GDSA continues to conduct outreach to provide information on application processes and YSL eligibility and benefits, respondents C4JR surveyed first heard that applications under the YSL were open through a family member (37%), NGO (19%), social media (14%), or another survivor (13%), with only 3% obtaining this information from the GDSA.

Survey responses reflect the significant impact CSOs have had through awareness-raising sessions on the right to reparation and in supporting YSL application processes. When requesting information about the YSL application process, the highest-ranked information sources selected by respondents were

a family member (24%), an NGO (23%), another survivor (17%), and the GDSA (15%). Regarding the specific information requests applicants to the YSL had when applying, 23% requested information on required application documents, 20% on the kinds of reparations provided, 18% regarding their eligibility to the YSL, and 17% on the institutions involved in the YSL application.

These findings can serve as a guide to direct further outreach efforts by the GDSA to identify and fill in the information gaps of applicants to the YSL. The GDSA should continue to provide accessible and clear information on issues pertaining to YSL eligibility criteria, submission process, required application documents, benefits provided, and relevant authorities involved. The GDSA should consider the modality of further outreach efforts to include community consultations with survivors and their families; the use of audio and video means to disseminate and easily share information via social media channels; and continued collaboration with CSOs working directly with eligible applicants to provide GDSA-issued information leaflets with up-to-date information on eligibility requirements and required application documents.



Did you ask for information from anyone about the following before making an application?



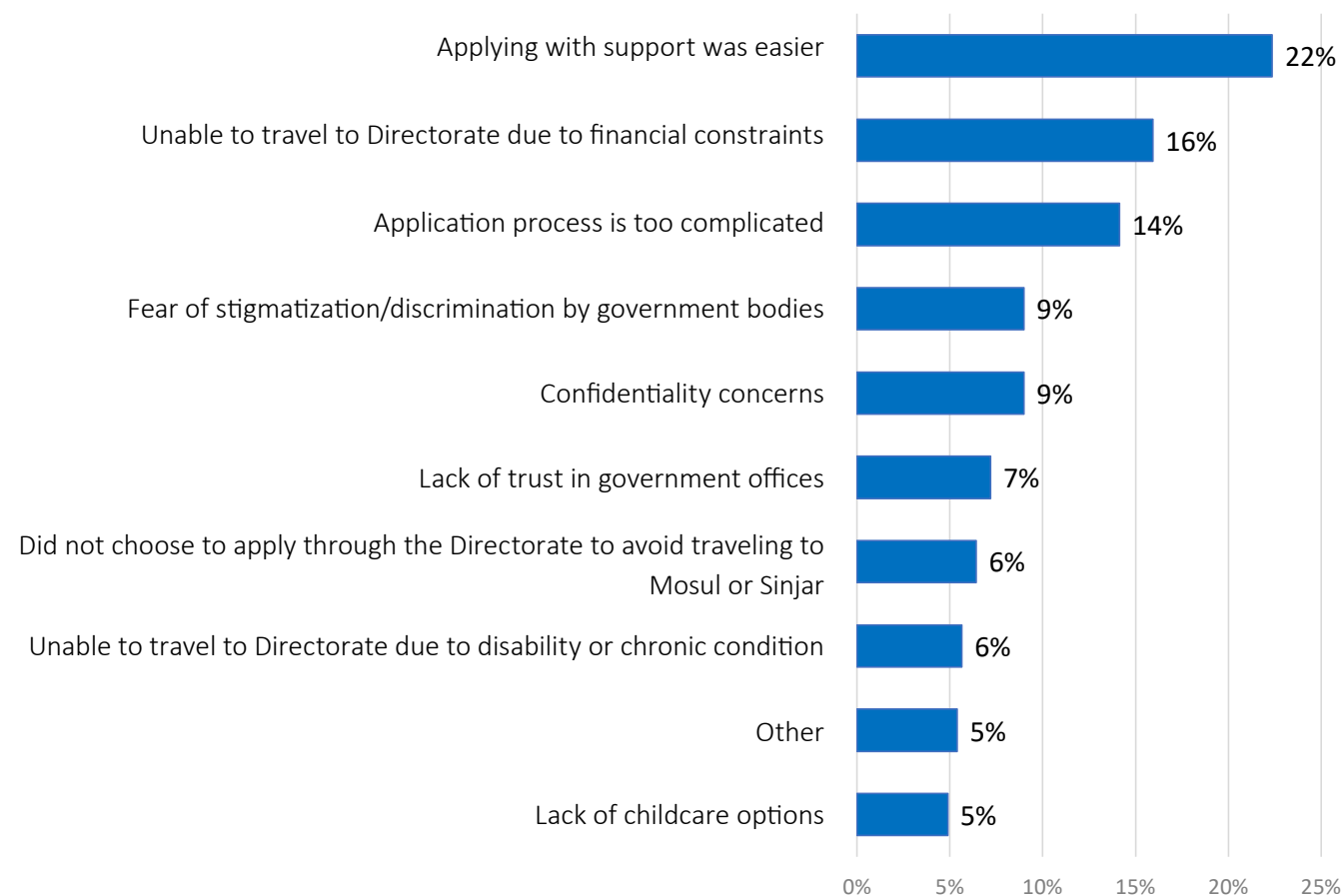
## Accessibility and survivor-centeredness of the YSL application mechanism

The vast majority (80%) of YSL applicants required support in submitting their YSL application with only 20% applying without support. Of those who acquired support in the course of their YSL application process, 55% were supported through a family member or a friend, 31% through an NGO, and 10% via a lawyer. The main reasons for seeking support were a lack of information on the application process, disability or mental health conditions, or education level. As a Yazidi respondent explained, “Of course, the application process was not easy, especially since I have no experience in these areas—even with the help of a lawyer, the process was very difficult and lengthy, requiring follow-up, and great effort. The application requires a lot of trips to the relevant government departments.” The frequent visits and follow-up

meetings at various government agencies required to complete the YSL application are particularly concerning for applicants with disabilities or suffering from poor health conditions. Of the respondents surveyed, 25% currently have disabilities or chronic conditions that affect their daily lives, spanning from issues with mobility to mental health issues.

Survey respondents who sought support with the YSL application were asked to select the reasons for seeking support from a list of options. Findings show that the three main reasons YSL applicants sought support with the YSL application are because applying with support was easier (22%), because the application process was too complicated (14%), or because applicants were unable to travel to the GDSA due to financial constraints (16%).

Survey findings reveal a strong relationship between survivors’ current location and the reasons they sought support with their YSL application. Of respondents based in Sinjar, 57% sought support



*Why did you seek support with the application?*

with their application due to their inability to travel to the GDSA due to financial constraints. A relatively low number of respondents in the KRI cited financial constraints or geographical remoteness as reasons to seek support reflecting the positive impact of NGO outreach in facilitating access to the YSL application process.

In terms of the breakdown between men and women seeking support with YSL applications, 83% of female applicants sought support compared to only 17% of male applicants. From open-ended questions, several female survivors provided specific insights into how the lack of a male family member required them to seek support from other family members or lawyers, both in the application process and in accompanying them to government offices to fulfill all requirements necessary to apply to the YSL. A significantly higher proportion of female applicants than males cited confidentiality concerns (11% of women’s responses compared with 0% of men’s responses), a lack of childcare options (6% of women’s responses compared with 0% of men’s responses), and fear of stigmatization/discrimination by government bodies (11% of women’s responses compared with 0% of men’s) as reasons to seek support with YSL applications. This reflects the specific challenges facing female YSL applicants in a society structured on patriarchal dependency which disproportionately impacts the access of female survivors and female-headed households to the YSL application process.

## Perceptions & Accountability

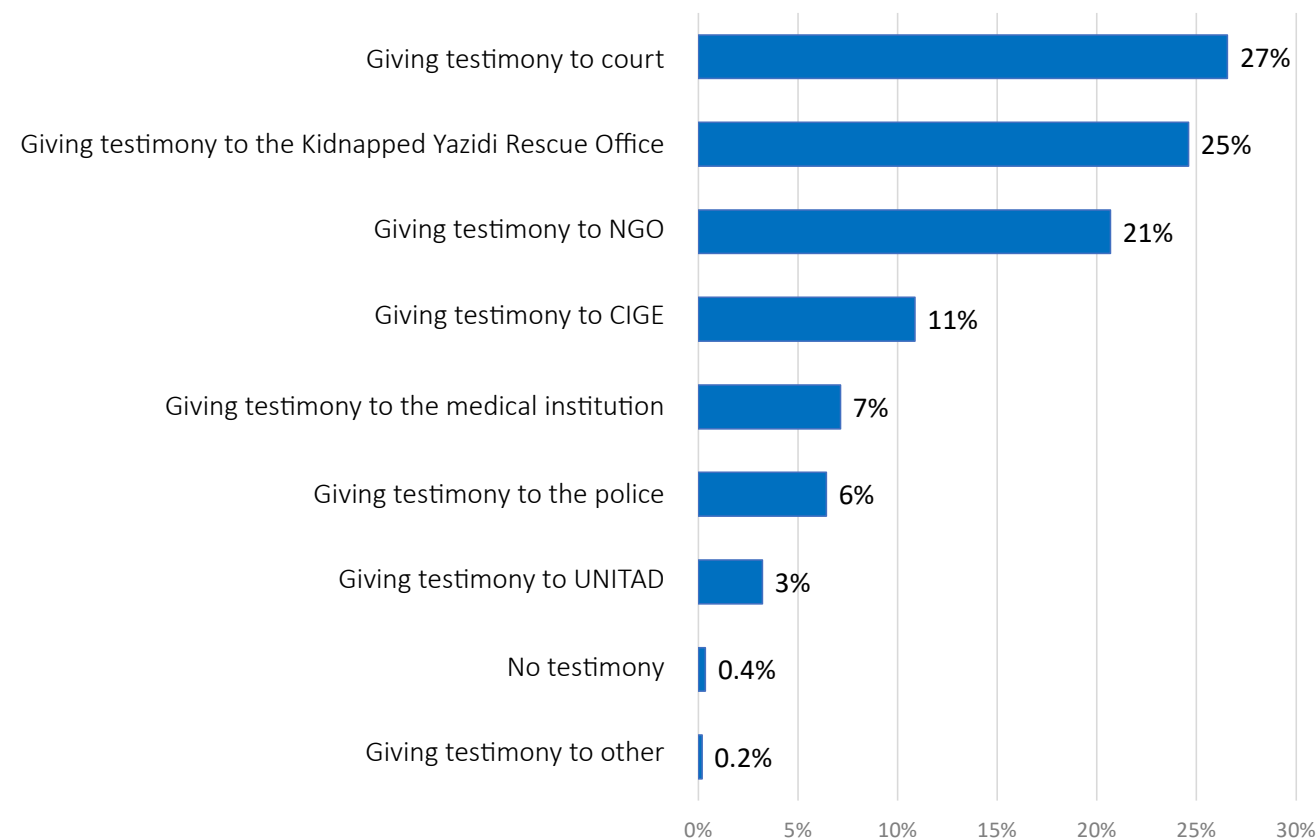
C4JR’s survey findings confirm many of the apprehensions noted by UN Special Rapporteurs and CSOs surrounding the introduction of the extra-legal requirement to file a criminal complaint as a precondition to applying for benefits under the YSL. Surveyed YSL applicants and survivors that C4JR has consulted report facing specific difficulties arising from fulfilling the additional evidentiary requirement.<sup>25</sup> The imposition of such a burdensome evidentiary requirement as a mandatory prerequisite adds further complexity to an already demanding administrative procedure, wherein applicants must acquire several necessary documents to submit a valid YSL application. While 93% of respondents surveyed

already had at least one piece of civil documentation required for a complete YSL application, which they obtained through the support of a family member, a friend, or a lawyer, when asked to compare their experiences of applying for reparations under the YSL with other applications made to government agencies, the majority of respondents explained that the YSL posed unique difficulties that resulted in applicants seeking support with their application.

Of respondents who compared their experiences applying for reparations under the YSL to other applications made to government offices (such as ID or passport applications, applying for government pension for widows, applying for compensation under Law No. 20, or other applications), 83% found the YSL application process more difficult. The most frequent complaint respondents raised about the process is its long, bureaucratic nature, and the various authorities applicants must engage with to meet all application requirements. The lack of trust in government institutions is particularly concerning when the process of filing a criminal complaint is factored into the applicants’ experiences with the YSL application process.

According to Iraqi Criminal Procedure Law, criminal proceedings are initiated by an oral or written complaint to an examining magistrate, police investigator or official, or member of the judicial system.<sup>26</sup> Investigating officers include police officers, mayors, and public servants serving under the supervision of the Public Prosecutor’s Office working within their area of responsibility.<sup>27</sup> As a result, in the course of obtaining investigative papers, YSL applicants must engage with security agencies and police centers and enter/spend time in spaces considered, by some respondents, not appropriate for women. After formally filing a criminal complaint, most often at either a police station or court, the intelligence services (istikhbārāt) will begin their investigation into the applicant to verify whether claims made by the applicant in the complaint are valid. After initiating the criminal complaint process, YSL applicants must present in person or be represented by a lawyer at the intelligence services to undergo security clearance.





#### Where did you previously give your testimony?

While security clearances are a requirement for all YSL applicants,<sup>28</sup> Shabak applicants consulted describe an additional measure that requires intelligence services to deliver a formal letter to the Committee confirming that neither the applicant nor a first-degree family member had ISIL affiliation. While it has been confirmed that such formal letters are requested from Shabak applicants, it is not completely clear whether they are applied across the board for all applicants irrespective of their ethnic or religious affiliation, though security clearances are a requirement for all applicants. The process of obtaining a formal letter from intelligence services requires Shabak applicants to make multiple visits to the relevant authorities, including intelligence agencies, police departments, and national security. One Shabak respondent cited her concern regarding the “lack of understanding by government departments about the survivor’s privacy, suffering, and psychological condition.” The Committee should take into consideration the financial, administrative, and social hardships placed on survivors obtaining this formal letter and attempt to alleviate these additional burdens on Shabak applicants.

Shabak applicants, in particular, expressed privacy and confidentiality concerns regarding the conduct of police and security officials. They feared that their narratives might circulate among members of the security services, some of whom were reportedly part of their community, raising apprehensions about potential breaches of confidentiality. As one Shabak respondent described, “It is not good when applying to the YSL—that’s how news quickly spreads among members of the security departments.” Shabak YSL applicants residing in Mosul cited confidentiality concerns as a reason for seeking support (23%) and fear of stigmatization or discrimination by government bodies (23%). Another Shabak respondent explained that speaking about sexual violence in front of male investigators is not something permissible “due to prevailing customs and traditions in Shabak society.” Shabak survivors also noted challenges that arise as a result of not having Shabak language translators present in all government departments, particularly when giving an official testimony, which impacts their ability to convey fully the correct details of their case.

According to survey data, YSL applicants gave, on average, between 2 and 3 testimonies to different institutions. The most frequently selected location where testimony was given was a court (27%), the Kidnapped Yazidi Rescue Office (25%), and an NGO (21%). Of the respondents surveyed Yazidis were far more likely to give their testimony at the Kidnapped Yazidi Rescue Office, court, an NGO, and CIGE, though several Turkmen respondents also gave their testimony at the latter. Shabak respondents were more likely to give their testimonies at an NGO, police, and court.

These results reveal an over-documentation of survivors’ testimonies which, in turn, significantly raises the risk of their re-traumatization. This is especially the case when survivors are forced to narrate intimate details pertaining to the violations they suffered to security and other state officials. In line with Article 5.1 of the YSL and as outlined in the by-laws, the GDSA and Committee should use existing sources of information as a means of preparing applications for verification. For instance, the Committee should enter into a memorandum of understanding with both governmental and non-governmental organizations deemed credible in their documentation processes.

While 50% of respondents expressed overall satisfaction with the GDSA, the Committee, and the application process, non-Yazidi applicants, in particular, reported that their experience interacting with the GDSA has been difficult. As one Christian survivor summarized, “the GDSA staff lack awareness in dealing with us.” This quote is reflective of other similar remarks from Shabak applicants and points to a wider need for understanding the experiences, facts, and patterns of violence specific to Christian, Turkmen, and Shabak components. These comments point to a need to ensure all members of the GDSA’s staff undergo training on survivor-centered, do-no-harm, and trauma-informed approaches to assisting survivors. Such training should take account of the position and perceptions of non-Yazidi survivors to ensure their satisfaction with the entirety of the application process, verification of claims, and provision of services.



# III. GDSA’S DELIVERY OF YSL BENEFITS

The YSL provides individual material reparations for survivors of ISIL crimes belonging to one of the four components, with a particular focus on women and girls who survived conflict-related sexual violence (CRSV), as well as survivors of mass killing and Yazidi children abducted by ISIL. The benefits include monthly reparation payments, a plot of land with a government loan or a free housing unit, medical and mental health and psychosocial support (MHPSS) services, and a return to education and employment. These individual reparative measures combine with broader symbolic measures that serve to acknowledge and prevent ISIL atrocities from reoccurring and form a more holistic understanding of reparations under the YSL.<sup>29</sup> Since August 2023, the MoLSA and GDSA have been publishing the latest statistics on YSL applications via the MoLSA website and the GDSA’s Facebook page.<sup>30</sup>

Though it seems clear that most of the YSL reparative measures are compatible (one could make use of one or more benefits jointly, such as land and education opportunities), monthly compensation payments, which in the original Arabic text is termed monthly *salary*, cannot be realized together with public employment obtained through the YSL as a reparative measure. The reason for this is that Iraqi legislation explicitly prohibits receiving a dual salary.<sup>31</sup> C4JR recommends that the GoI consider making an

exception to the allocation of a dual salary in the case of the YSL to ensure YSL beneficiaries can enjoy monthly compensation along with public employment following a precedent set by the Martyrs Foundation Law No. 2 of 2016.<sup>32</sup>

## Monthly Compensation

On March 1, 2023, the first reparations payments promised under the YSL were issued to survivors during a distribution ceremony held at the GDSA office in Mosul.<sup>33</sup> Today, monthly compensation payments remain one of the successes of YSL implementation, and the GoI has made significant progress in processing applications and distributing reparation payments to YSL beneficiaries. The MoLSA and GDSA announced as of February 2024, the release of reparation payments for 1,651 survivors of ISIL covered by the YSL. Given that most survivors are living in poverty in post-conflict affected areas or camps, these monthly payments under the YSL have the potential to concretely improve the quality of survivors’ lives.

The YSL stipulates that individual compensation payments shall amount to not less than twice the minimum pension salary stipulated in the Unified Pension Law<sup>34</sup> (currently amounting to around 800,000 IQD or approximately \$600), thus setting the floor but



A Yazidi survivor draws her dream home in art therapy at the Jiyan Women Clinic.  
PHOTO © Sonja Hamad

## Statistics of survivors included in accordance with Law No. 8 of 2021

**1,651**   
THE TOTAL NUMBER OF  
SURVIVORS INCLUDED

**847**  
FEMALE SURVIVORS ACCORDING TO  
ARTICLE 2 (FIRST AND SECOND)

**1,172**   
INSIDE IRAQ

**817** **13** **10** **7**  
YAZIDI TURKMEN SHABAK CHRISTIAN

**479**   
OUTSIDE IRAQ

**784**  
CHILDREN WHO WERE UNDER  
THE AGE OF 18 DURING THE  
KIDNAPPING ARTICLE 2 (THIRD)

**240** **126** **109**  
GERMANY AUSTURALIA CANADA  
**2** **1** **1**  
FRANCE TURKEY USA

**436** **348**  
MALE FEMALE

**20**  
NUMBER OF SURVIVORS FROM THE  
MASS GRAVES ARTICLE 2 (FOURTH)

Source: GDSA / February 2024



not the ceiling of the guaranteed financial payments.<sup>35</sup> Put differently, all survivors have been granted the guaranteed minimum amount of compensation payments. Gradation of financial payments is a sensitive and contested issue that can, as in YSL by-laws, be based on the criteria of damage suffered or other criteria. For instance, C4JR, after consulting survivors, opted for current social, economic, and/or physical vulnerability criteria such as number of dependents, disability, and single female-headed households.<sup>36</sup> Whatever the criteria is, it should be applied consistently and transparently. It is also the case that the option of tailoring the amount of compensation payment should be made use of to better meet the individual needs of eligible survivors.

Payments are deposited monthly into electronic accounts which survivors can access via QiCard (biṭāqah dhakīyah) also referred to as MasterCards.<sup>37</sup> Money can be withdrawn at any official QiCard branch, Rafidain Bank, or the nearest QiCard sponsor's outlet, and survivors receive an SMS to notify them when the payment is deposited in their account. For those unable to withdraw funds due to disability, mobility restrictions due to financial means, safety, or custom, or due to distance from a QiCard branch, survivors

may grant power of attorney authorization (wakāla) to an agent (wakīl) to withdraw the payment on their behalf. This method of payment is used for all social welfare payments and is therefore in line with survivor-centered practice in that it does not expose the survivor as a recipient of reparations for CRSV.

## Education

While monthly reparation payments have been prioritized, the GDSA and GoI have taken steps to implement other reparation measures outlined under the YSL.<sup>38</sup> The YSL entitles survivors to resume their studies, making an exception to the legal age limit outlined by the Iraqi Ministry of Education that, as a result of captivity, many survivors of ISIL violence have passed. According to the Iraqi Ministry of Education, any student who is absent for two years must go to evening school, and any student who has missed four years of schooling will lose the right to study in morning and evening public school.<sup>39</sup> The GDSA had taken measures to support the return of 25 survivors (17 female and 8 male) who were previously excluded from education due to this age requirement, in coordination with a number of illiteracy eradication and accelerated learning centers. Yazda, in coordination

with the GDSA, is also providing provisional support measures in educational rehabilitation services to 200 survivors as an interim measure until the state-sponsored system is functional.

## Employment

Employment as a form of reparation must serve to remedy the loss of opportunities in employment that result as a consequence of the social and economic harms incurred by ISIL's violations. As such, the provision of employment opportunities serves as both a means of restitution and rehabilitation. While the GDSA is tasked with securing employment and job opportunities that would enable survivors to achieve a standard of economic and social well-being,<sup>40</sup> this benefit has yet to be implemented due to the current hiring freeze on public service employment introduced by Article 14.2 of Law No.13 of 2023 “General Budget” of the Federal Republic of Iraq (2023-2025).<sup>41</sup>

## Land & Housing

On December 27, 2022, in a historic move, Iraq's Prime Minister Mohammed Shia' Al-Sudani decided to grant

Yazidis ownership of their lands in 11 collective towns in Sinjar. The Council of Ministers approved a decree that offers a solution to historic land ownership issues that previously prevented official recognition of Sinjar residents' ownership of land and houses.<sup>42</sup> This move set in motion the realization of YSL entitlements in terms of the distribution of plots of land to the law's beneficiaries.<sup>43</sup>

In October 2023, the Director General for Survivors Affairs, Sarab Elias, met with the Assistant for Administrative Affairs to the Governor of Nineveh, Rifaat Smo Rasho, to discuss the procedures related to land distribution. The Governor of Nineveh confirmed that approval had been granted to allocate 250 plots of residential land in Sinjar and 12 in Tel Afar, each plot measuring 250 square meters,<sup>44</sup> to an initial batch of beneficiaries, in coordination with the Nineveh Municipality Directorate and the District Municipality in Sinjar.<sup>45</sup>

The UN-Human Settlements Programme (UN-Habitat) has been working with local government and community through its “Support to IDPs Housing, Land, and Property (HLP) Rights in Nineveh, Northern



Sheikhhan IDP camp, January 10, 2024, Sheikhhan, Iraq.

PHOTO © Alannah Travers /Jiyan Foundation



Iraq,<sup>46</sup> to provide residents of Sinjar with housing occupancy certificates. The intention is that these certificates will be formalized into full land ownership titles in the future. This move, in tandem with GDSA's implementation of the YSL article on land distribution, marks an important development in remedying discriminatory policies against ethnic and religious minorities that have been in place since 1975. It remains to be seen whether land allocation and housing reparative measures will remain available in Sinjar and Nineveh only or whether eligible survivors will be allowed to realize their land and housing rights elsewhere in Iraq and KRI. Only the latter solution would be in line with a right-based process to support durable solutions for internally displaced persons (IDPs). According to the Inter-Agency Standing Committee (IASC), durable solution for IDPs can be achieved only if IDPs are in a position to make an informed and voluntary decision on one of the three models: sustainable reintegration at the place of origin, local integration in areas where internally displaced persons take refuge, or integration in another part of the country.<sup>47</sup> It is worth adding that YSL does not restrict the delivery of land and housing benefits to specific governorates or areas of Iraq, thus creating a solid groundwork for ending the displacement of YSL beneficiaries and their families. It is also the case that “under no circumstances should IDPs be encouraged or compelled to return or relocate to areas where their life, safety, liberty or health would be at risk.”<sup>48</sup> In light of this, it is safe to conclude that the implementation of YSL provisions granting land and housing rights in Sinjar is largely dependent on ensuring safety and freedom of movement, primarily by full and consultative implementation of the Sinjar Agreement.

## Rehabilitation

The YSL envisages rehabilitation as a form of reparation for survivors of the ISIL conflict and atrocities. This is the first time that rehabilitation has been explicitly recognized as a form of reparation in Iraq. On March 25, 2023, to address survivor needs for MHPSS support and meet its obligations as outlined in the YSL, the GDSA and eight CSOs from across the KRI and Nineveh Governorate signed an Agreement of Cooperation to establish a formal referral system for MHPSS provisions. The Agreement has so far facilitated the referral of 86 survivors for MHPSS through Farida Global Organization, Free Yazidi Foundation, Jesuit Refugee Services, Jiyan Foundation, SEED Foundation, and Yazda. Through this referral mechanism, beneficiaries of the YSL can access support services in their current areas of residence, thus bridging the current institutional gap in MHPSS services available to survivors.

The GDSA has initiated the strategic planning of MHPSS facilities for YSL beneficiaries in collaboration with the Iraqi and Kurdistan Region's Ministry of Health and other relevant institutions. In November 2023, an international workshop was held to discuss designing, equipping, and sustaining institutionalized resources for the provision of specialized MHPSS services to support the rehabilitation of survivors in Iraq.<sup>49</sup> Over the two-day workshop—attended by representatives of the GDSA, IOM, MoLSA, KRG, and GoI Ministries of Health, MHPSS practitioners from the MENA region, and international experts—participants discussed the mental health needs of survivors of CRSV and child survivors in Iraq. Discussions focused on the potential models, components, and approaches necessary



On March 26, the Directorate for Survivors Affairs and 8 NGOs from across Iraqi Kurdistan and Ninewa Governorate activated an MHPSS Referral System for survivors of ISIL's genocide.

PHOTO © Jiyan Foundation

for building institutionalized MHPSS services for YSL beneficiaries. The result was the designing of a road map for the establishment of the GDSA's MHPSS Specialized Centers in Sheikhan and Sinjar that will cater to the needs of YSL beneficiaries.

C4JR, in collaboration with the International Centre for Health and Human Rights (ICHHR), organized a series of consultations in June 2023 with female survivors, male survivors, and their families, as well as key national stakeholders, to discuss their views on rehabilitation as reparation. A stakeholder workshop was held to discuss the right to rehabilitation as reparation in international law, holistic and specialist rehabilitation, the interdisciplinary nature of the concept and its relationship with justice and impunity, and rehabilitation service delivery. Following these workshops, Dr. Nimisha Patel, Executive Director of the International Centre for Health and Human Rights and Professor of Clinical Psychology at the University of East London, adapted and contextualized indicators on the right to rehabilitation in Iraq, in keeping with Iraqi and international human rights law.<sup>50</sup> The final set of indicators includes structural indicators to monitor legal and constitutional measures and safeguards taken at the state level to implement the right to rehabilitation, process indicators that examine state interventions towards realizing rehabilitation as reparation, and outcome indicators that explore whether services available to survivors meet standards for rehabilitation as a form of reparation under international law. A guide to using human

rights indicators to monitor the implementation and realization of the right to rehabilitation guaranteed under the YSL has been published and will be officially presented to the GDSA and relevant stakeholders in the upcoming period.<sup>51</sup>

## Memorialization

The YSL acknowledges that the crimes committed against Yazidi, Shabak, Christian, and Turkmen components amount to genocide and crimes against humanity and tasks the GoI with making August 3 a national day of remembrance on which commemorative activities will be held.<sup>52</sup> Though the Kurdistan Regional Government (KRG) designates August 3 as a key date and public holiday for commemorating the Yazidi Genocide, the Iraqi Government has yet to mark August 3 as a national day of remembrance on its official calendar.<sup>53</sup> While the Iraqi Prime Minister's office did coordinate with a Yazidi organization, Farida Global Organization, to mark the ninth anniversary of the Yazidi Genocide on August 3, 2023, at an event in Baghdad attended by Prime Minister Mohammed Shia' Al-Sudani, a state-led, yearly event is yet to be developed by the GoI.<sup>54</sup> In consideration of the fact that Victory Day is a national holiday, marking the anniversary of the defeat of ISIL, the GoI should designate August 3 as a national holiday throughout Iraq, with designated events of memorialization, in remembrance of the crimes committed against the Yazidis and other



Nine years after ISIL attacks, the Sinjar city is still in harsh conditions. August 12, 2023. PHOTO © Juwan Shro



components.<sup>55</sup>

In January 2024, Prime Minister Mohammed Shia‘ Al-Sudani directed ministries and concerned authorities to develop a memorial in Baghdad and establish art exhibitions to document the crimes of genocide against the Yazidis and other components.<sup>56</sup> This is in line with the YSL Article 8.2 which states that relevant authorities, including the Ministry of Culture, Baghdad Municipality, and other concerned authorities, shall build “monuments, statues and exhibitions” to immortalize victims.<sup>57</sup> In addition, he directed the development of gardens, roadways, and special parking at the site of the recently opened Yazidi Genocide Memorial in Solagh, Sinjar. While the Yazidi Genocide Memorial—opened on October 18, 2023—pays homage to the resilience and courage of the Yazidi community and immortalizes the Yazidi lives lost, the GDSA should play a visible role in further coordination of commemorative events at this site.<sup>58</sup> The GDSA should commence negotiations with the involved parties to define its role in relation to the memorial and lead coordination in further community remembrance activities at it and all other memorials and sites of collective mourning.<sup>59</sup> Additionally, the commemoration of atrocities against “other components” and the materialization of symbolic measures directed at these communities remains to be seen. The GDSA should follow through with symbolic measures directed at these communities and any GDSA-led coordination on this should be designed following consultation with survivors, community members, and CSOs to incorporate community-specific rituals and traditions.

On February 15, 2024, C4JR published a statement urging the GoI to pursue a United Nations General Assembly Resolution designating August 3 as the International Day of Reflection for All Victims and Survivors of the Genocide by Da‘esh.<sup>60</sup> As a means of recognizing the genocide internationally, enshrining the August 3 anniversary in the public memory, and ensuring the non-repetition of Da‘esh crimes, the resolution would encourage all Member States, UN agencies, and relevant international organizations to observe the International Day and establish a UN outreach program to educate populations globally about Da‘esh atrocities. Article 7.2 of the YSL mandates Iraq’s Ministry of Foreign Affairs, in coordination with

the official concerned institutions, to “reveal these crimes in international forums.” By pursuing a UN General Assembly Resolution designating August 3 as the International Day of Reflection for All Victims and Survivors of the Genocide by Da‘esh, the GOI would take steps towards advocating for this global recognition and commemoration of the genocide, as well as mechanisms for education, outreach, and UN attention and assistance.

On August 3, 2023, a group of Yazidi CSOs, community leaders, and intellectuals came together to call for the allocation of \$1.5 billion (one percent of the annual budget) in dedicated funds to support the reconstruction of Sinjar by August 3, 2024.<sup>61</sup> Following the passing of Iraq’s 2023-2025 budget, which saw the allocation of \$38 million for Sinjar and Nineveh Plain reconstruction, the group called for an investment in infrastructure, housing, and private property, rather than investing in symbolic projects alone, to enable displaced persons to return home.

## Searching for the Missing & Excavations of Mass Graves

The GDSA is authorized to, in coordination with relevant authorities and the families of victims, search for victims of ISIL whose fate remains unknown.<sup>62</sup> Since 2022, the GDSA has coordinated with the specialized national team consisting of the Medico-Legal Directorate (MLD) (under the Ministry of Health) and the Martyrs Foundation’s (Mu‘assasat al-shuhadā’), and Mass Graves Affairs Directorate (MGD), with the support of the International Commission for Missing Persons (ICMP) and IOM Iraq, to collect information and blood samples from the relatives of Yazidi victims of Sinjar.<sup>63</sup> In July 2023, a specialized national team launched a campaign to collect blood samples from relatives of missing persons in KRI, in coordination with ICMP and CIGE. This campaign, which ran between 22-31 July, was carried out in Shariya collective and displacement camp.<sup>64</sup> This being said, and acknowledging the difficulties of establishing “DNA matches” and meeting high standards of quality assurance in a situation where entire families were wiped out, some survivors have complained of providing blood reference samples multiple times with no concrete outcomes.<sup>65</sup> While



Yazidi ISIS victims buried in Shingal's Kocho village

PHOTO © Jiyan Foundation

collecting sufficient numbers of blood samples to ensure a high rate of statistical surety is necessary, it is also imperative to ensure that survivors are not asked to provide supplementary blood samples without a strong cause.

On January 24, 2024, the burial ceremony of 41 Yazidi victims was held at the site of the Yazidi Genocide Memorial in Sinjar. This was preceded by an official funeral ceremony held in Baghdad on January 22.<sup>66</sup> While victims of the Alo Antar mass grave near Tel Afar, which holds victims from both the Turkmen and Yazidi components, and other mass grave sites in Sinjar are yet to be exhumed, the GDSA must continue to coordinate with UNITAD, ICMP, MGD, and the MLD, and other relevant authorities to continue exhumations and the return of remains to their final place of rest.

In February 2024, the MoLSA and GDSA announced the launch of a committee to search for the fate of missing and abducted persons.<sup>67</sup> Among the mechanisms adopted by this committee is an electronic form to register and collect data on all cases of abducted and missing persons related to the four components recognized as eligible for reparations under the YSL.<sup>68</sup> Individuals can register the details of missing persons, including available photographs or documents, for submission to the database. The GDSA must be aware

that survivors’ participation in assisting the search for missing relatives comes at a cost and can take a huge toll on survivors, both psychologically and materially. The GDSA must consider factors such as re-traumatization and socio-economic constraints, which can negatively affect survivors as they engage both with this electronic form and when offering blood samples. The newly formed committee should consider engagement, outreach, and consultation with relevant CSOs, and should exhaust existing databases<sup>69</sup> in collaboration with CSOs and other social actors involved in the documentation of the missing or involved in search processes.





## IV. ADMINISTRATIVE CAPACITY OF THE GDSA

The GDSA has faced difficulties strengthening its administrative capacity as a result of a hiring freeze introduced by Article 14.2 of Law No.13 of 2023 “General Budget” of the Federal Republic of Iraq (2023-2025).<sup>70</sup> C4JR coordinated advocacy efforts among CSOs and international allies to ensure that the GDSA would be properly resourced to fulfill its mandate and manage and implement the expansive reparations program envisaged under the YSL. C4JR commends any developments made to ameliorate the labor shortage within the GDSA, including the hiring of permanent staff and assistance with building the capacity of GDSA staff through training in survivor-centered and trauma-informed approaches, to ensure the full implementation of all aspects of the YSL.

Initially financed through an Emergency Law for Food Security and Development, passed in June 2022, that allowed the GoI to use public funds for urgent food security and development needs, on June 12, 2023, the Iraqi parliament approved the budget law for 2023-2025, allocating a record \$153 billion annually. The Minister of Labor and Social Affairs, Ahmed Jasim Al-Asad announced in June 2023 that 25 billion IQD (around \$19 million) had been allocated in the new budget to fund the implementation of the YSL.<sup>71</sup> In order to counter misinformation and unsubstantiated insinuations it would be beneficial for the GoI, MOLSA, and GDSA to provide a transparent outline of the breakdown of the allocated amount to fund

each aspect of YSL implementation, including but not limited to administrative, outreach, application, and verification costs as well as costs of delivery of diverse reparative measures until the end of the current budget cycle. This would increase confidence of survivors, their communities and other actors in the YSL implementation process.

For more than one year, there has been no designated representative from the KRG assigned to the Committee, despite Article 10 of the YSL specifying that one of the Committee’s eight members should be from the KRG. C4JR recommends the KRG support the YSL’s implementation by swiftly appointing a representative to the Committee.

### Amendments to the YSL

Preceding the YSL’s adoption, C4JR, its constituent members, and Yazidi survivors took a leading role in formulating suggestions for broadening the eligibility criteria of the YSL.<sup>72</sup> C4JR, in particular, advocated for including all victims of CRSV perpetrated during the ISIL conflict in Iraq, including all female and male survivors, both adults and children, irrespective of their ethnic or religious affiliation, and notwithstanding whether crimes were perpetrated by armed state or non-state actors. C4JR also took notice of the rights of children conceived through acts of CRSV and their mothers and

included survivors’ families as a stand-alone category of beneficiaries of the right to rehabilitation.<sup>73</sup>

In February 2024, the Martyrs, Victims, and Political Prisoners Committee, chaired by Member of Parliament Hassan Salem, held a meeting to discuss the first amendment to the YSL.<sup>74</sup> After discussions, the committee agreed to submit the law of the first amendment to the YSL to the Presidency of the Council of Representatives for the first reading to proceed with legislative drafting. The proposed amendments to the YSL pertain to its eligibility parameters and seek to include children from other recognized victim groups from the four components listed in the law, and shift the date of applicability to June 10, 2014, marking the date of the fall of Mosul. The Yazidi community reacted strongly to the possibility of a change to the law’s name, highlighting the importance of keeping specific reference to Yazidis in the YSL as a form of symbolic recognition for survivors. However, it appears that additional consultations are currently being conducted before any decision is made regarding amendments to the law.

The YSL still does not address sensitive issues surrounding children born of CRSV, men or boys exposed to sexual violence, or survivors belonging to other groups targeted by ISIL, such as the Kakai, and Sunni and Shia Arabs, who are not recognized as eligible under the law.<sup>75</sup>

On June 12, 2023,  
the Iraqi parliament  
approved the budget  
law for 2023-2025

**\$153 billion**  
**ANNUALLY**

Iraqi parliament approved the budget law for 2023-2025

**\$19 million**  
**ALLOCATED IN THE NEW BUDGET**  
to fund the implementation of the YSL



# V. MESSAGES FROM SURVIVORS AND STAKEHOLDERS ON YSL IMPLEMENTATION

“I am pleased that this law is bearing fruit. Previously, we used to hear from survivors complaining about the difficulties of living and the deteriorating economic situation. However, I, along with others who contributed to the legislation of this law, am proud that many of our women and girls have improved their economic situation. There is the implementation of this law, but as you know, Iraq faces bureaucracy, obstacles, and political influences that may affect a specific file, especially concerning the Yazidis and other minorities. However, overall, I see that this law is being implemented well. I am very happy that I had a clear and significant impact on this law, which has benefited many communities affected by ISIS. Today, they receive decent compensation payments that contribute to reducing some of their hardships. However, it is essential to note that no amount of money can compensate for the harm they suffered, whether it be through assault, rape, or slavery that our daughters and sisters endured.”



**SAIB KHIDIR**  
FORMER YAZIDI  
REPRESENTATIVE IN THE IRAQI  
PARLIAMENT

“...the Yazidi Survivors Law offered a glimpse of hope and a gesture that means that for the Yazidi community, Shabak, Turkmen, and the Christian community, who have been disproportionately affected by the ISIS genocide and felt that they were not protected during the period when ISIS was controlling large swaths of the territory in Iraq, the Yazidi Survivors Law and its adoption in parliament and the strong commitment from the Iraqi government to fund the implementation of this law signals to these communities that the authorities in Iraq care for these communities. They want to provide redress and official recognition, which can show them that they are wanted in this country and that they have a future in this country. I would say that the Yazidi Survivors Law is a very aspirational transitional justice law, and it covers not only reparations but also calls for justice and accountability for genocide, the search for missing persons, and memorialization. It is really important to continue efforts for its implementation.”



**SANDRA ORLOVIC**  
HEAD OF IOM IRAQ'S  
TRANSITIONAL JUSTICE TEAM<sup>87</sup>

“To me, no amount of reparation, no amount of recognition could ever undo the injustice that befell these people. I hope that this will be the beginning of a process by which we will not only provide reparation, from the Iraqi state and the Iraqi authorities, which is a moral responsibility in so many ways towards our citizens and our people but also, hopefully, the day will come when we can galvanize and mobilize serious international efforts [so that] whoever helped ISIS perpetrate these crimes, should pay for these crimes and should be paying reparation for the victims, Yazidis foremost among them, who have suffered a terrible, terrible ordeal during that time...talking about reparation for ISIS victims and Yazidi girls by a piece of land, by a monthly pension by whatever material means, is not real reparation. This was a monumental crime, many, many people have been robbed of their lives, of their innocence, of everything they had, and there is no way, no amount of reparation that can make it up for them. My hope is that with this awful experience, this terrible crime, we could push the case for the criminalization of anyone, not just the ISIS group itself, but anyone who helped them, financed them, and make them responsible for these crimes. That's my hope. And I will be there to help in any way I can.”



**BARHAM SALIH**  
FORMER PRESIDENT OF IRAQ

“As one of the Shabak survivors, I would like to say that the law is unfair to us and has no justice and whoever supports that the law is good is also an unfair person. We expected the law to be a helpful factor for Shabak survivors and lift our grievances, but the opposite is true. The law increased our suffering and grievances because some articles do not include us, our children, and our men.”

**SHABAK SURVIVOR**

“The Yazidi Survivors Law has been implemented, but for me, it is not something I am proud of in front of my government. In the history of Iraq, this is the first time something has been done in the name of the Yazidis, but they are trying to change the name of the law unfortunately because it bears the name of the Yazidis. There are many clauses in the Yazidi Survivors Law, but they work on compensation payments only. There are other very important clauses, and whenever we ask them, they say the budget is not enough to know that there are items that do not need a budget, for example, the formation of a committee to search for the abductees needs coordination and education needs only approval from the Ministry of Education. I think they are working seriously on its implementation is more important than amending it and changing its name. We, survivors, refuse to amend the Yazidi Survivors Law because the name of the law is a small part of the compensation.”

**YAZIDI SURVIVOR**  
MEMBER OF YAZIDI SURVIVORS NETWORK

“We hope to change the law regarding the Turkmen component to include minor female survivors and young survivors of all ages.”

**TURKMEN SURVIVOR**

“I have nothing more to say other than that the law is unfair, the Directorate is unfair, and there is no justice for those who only have God. Unfair to Shabak and Turkmen components.”

**SHABAK SURVIVOR**

“The Yazidi Survivors Law has helped me improve my livelihood and I am able to provide for my family with the salary I receive as a survivor.”

**CHRISTIAN SURVIVOR**





## VI. DEVELOPMENTS IN CRIMINAL JUSTICE EFFORTS

While the YSL constitutes a critical step in providing justice for victims of ISIL atrocities, the YSL, and the GDSA as its implementor, is incapable of achieving justice for survivors alone and must coordinate with other transitional justice mechanisms. Much hope for justice and accountability was placed in UNITAD by survivors and therefore the announcement of its abrupt closure caused concern among victim groups.

International criminal law expert Fiona McKay moderates the Iraqi CSO discussion around justice and accountability for ISIL crimes in Iraq, November 21, 2023, Erbil, Iraq.

PHOTO © Jiyan Foundation

UNITAD was, upon the request of Iraq, established through UNSC Resolution 2379 of 21 September 2017 to support Iraqi domestic efforts to hold ISIL accountable for crimes it committed in the country by *“collecting, preserving, and storing evidence in Iraq of acts that may amount to war crimes, crimes against humanity and genocide committed by the terrorist group ISIL (Da’esh) in Iraq, to the highest possible standards ... to ensure the broadest possible use before national courts, and complementing investigations being carried out by the Iraqi authorities, or investigations carried out by authorities in third countries at their request.”* Due to the explicit requirement that evidence of crimes secured through the work of UNITAD are to be used only *“in fair and independent criminal proceedings, consistent with applicable international law, conducted by competent national-level courts with the relevant Iraqi authorities as the primary intended recipient,”* UNITAD has not been able, to date, to share most of the evidence it collected with Iraqi authorities. The reason for this is that national legislation incorporating international crimes into Iraq’s legal system—which would enable criminal prosecutions of ISIL members for war crimes, crimes against humanity, and genocide—has, as of yet, not been enacted, whereas trials conducted under the anti-terrorism laws do not comply with international fair trial standards and may impose the death penalty.<sup>88</sup> The Special Advisor is mandated to *“work with survivors, in a manner consistent with relevant national laws, to ensure that their interests in achieving accountability for ISIL are fully recognized”*.<sup>89</sup>

On September 05, 2023, the Iraqi Foreign Minister, Fuad Hussein, sent a letter to the Security Council requesting the renewal of UNITAD’s mandate for one year without the possibility of extension.<sup>76</sup> In the letter, Minister Hussein emphasized that, during this period, UNITAD must turn over all evidence obtained in Iraq since the beginning of its mandate, halt the sharing of evidence with third countries, and disclose to Iraqi authorities what it had previously shared.

On 14 September, C4JR coordinated in writing a letter to the Office of the Prime Minister outlining CSO concerns about the non-renewal of UNITAD’s mandate, drawing attention to the Gol’s failure to enact legislation to prosecute ISIL for genocide, crimes against humanity, and war crimes, or establish a criminal accountability mechanism to put such legislation into effect, and requesting the Gol to not restrict UNITAD’s mandate. In addition to this, C4JR members, led by Yazda, signed and published

a statement endorsed by 50 local and international organizations, including survivor groups, calling upon Iraq, the UNSC, and the international community to renew UNITAD’s mandate beyond September 2024 and for as long as necessary. The statement also demanded the development of a strategy for the prosecution of ISIL crimes following fair trial rights and the advancement of a legal framework to prosecute international crimes by adhering to a survivor-centered mechanism.<sup>77</sup>

Despite these attempts, on September 15, 2023, the UNSC voted unanimously to adopt resolution 2697, granting a final one-year non-extendable term to UNITAD until September 17, 2024.<sup>78</sup> The UNSC requested the UN Secretary-General to submit to the UNSC by January 15, 2024, a report with recommendations on ways for UNITAD to share its collected evidence with Iraqi authorities. It also





Delegation of C4JR members and its Survivors' Council discuss prospects of survivor-centered criminal justice with the UN Special Advisor and Head of UNITAD Christian Ritscher, July 12, 2023, Baghdad, Iraq  
PHOTO © Jiyan Foundation

requested that the UNITAD Special Advisor continue to submit reports on the Team's activities every 180 days and develop a road map for the completion of its mandate by March 15, 2024. In addition, the resolution instructed UNITAD and Iraq to work out the modalities of sharing evidence with third states before UNITAD can continue implementing this aspect of its mandate. In response to the announcement, C4JR organized consultations on accountability pathways and the sharing of evidence collected by UNITAD, including an in-person session that took place on November 21, 2023, in Erbil.<sup>79</sup> The event, attended by survivors and members of C4JR, alongside representatives of UN agencies in Iraq, explored UNITAD's completion strategy, effective monitoring of prospective criminal trials against ISIL members in Iraq, as well as topics pertaining to the sharing of evidence collected by UNITAD with Iraqi authorities and third parties. The outcome of these consultations, together with the preferences of survivors obtained through a separate consultation process with different survivor groups—among them the Yazidi Survivor Network, Survivors Voices' Network, and Hope Givers—was shared with the UN Office of Legal Affairs.

On January 15, 2024, the UNSG submitted its Report on the implementation of UNSC resolution 2697/2023, along with guidelines for the sharing of evidence collected by UNITAD and annexes, including

a separate note by the Head of UNITAD, setting out what and how evidence can be shared with Iraq.<sup>80</sup> For Iraq to obtain evidence collected by UNITAD from survivors and witnesses of ISIL atrocities, it must meet the requirements laid out in international law, and UN best practices, and set up an internal system for the proper handling of evidence. To share such evidence with any state, including Iraq, UNITAD must obtain informed consent from information providers. This is in line with C4JR's Position Paper on an ISIL Accountability Mechanism in Iraq that is informed by the views of survivors and based on Iraqi and international law and best practices.<sup>81</sup> UNITAD also emphasized that the sharing of evidence is bound by the requirement that the use of evidence is consistent with the right to a fair trial and in line with UN policies and best practices, reflecting concerns both locally and internationally around the recourse to capital punishment in the Iraqi legal system and that evidence collected by UNITAD may lead to criminal proceedings in which the death penalty is imposed. Finally, to prevent the rendering of evidence inactive through archiving, the UNSG recommends the establishment of a repository of evidence to ensure the effective use of such evidence in Iraq and elsewhere. As the UN has no clear mechanism or terms of reference for sharing evidence, the development of a mechanism to receive

the evidence is of utmost importance. This is, by and large, consistent with the preferences of survivors and Iraqi civil society gathered under the C4JR umbrella in the course of consultations held in November 2023.<sup>82</sup>

Justice for survivors of ISIL atrocities has yet to be delivered in Iraq's courts due to the absence of an operative legal framework that recognizes war crimes, genocide, or crimes against humanity within the domestic legal system. However, progress is being made to amend this issue. As noted in a letter to the UNSC from the Deputy Minister for Foreign Affairs, Omar al-Barzanji, on December 28, 2023, the Iraqi Prime Minister has completed a draft law on countering international crime which has been sent to the Council of State for review. This draft law is developed by the National Permanent Committee for International Humanitarian Law, of which GDSA Director General Sarab Elias is a member. It will return to Cabinet for a vote before being sent to the Council of Representatives of Iraq for enactment. It is also the case that UNITAD and GoI reached an understanding on the modalities of sharing evidence with third states, which has accordingly been resumed. This is of great importance, as accountability avenues before foreign courts for ISIL crimes in Iraq, based in part on universal jurisdiction, will continue to be active.



C4JR Consultations on Accountability Pathways and Sharing of Evidence Following the Termination of UNITAD's Mandate, November 21, 2023, Erbil, Iraq

PHOTO © Jiyan Foundation





Geneva Academy roundtable with the Iraq delegation

PHOTO © GSF

## VII. INTERNATIONAL ADVOCACY EFFORTS & COLLABORATION

International advocacy has been critical to promoting the need for justice and accountability for victims of the ISIL genocide. Several recent events have drawn attention to the YSL's implementation. On June 26, 2023, the International Day in Support of Victims of Torture, C4JR published its follow-up report on the state of implementation of the YSL, which stands at the center of the Committee Against Torture's (CAT) recommendations on CRSV, prioritized in CAT's Concluding Observations for Iraq issued on May 13, 2022.<sup>83</sup> On November 29, 2023, C4JR, alongside the Jiyan Foundation for Human Rights, Kurdistan Women's Rights Defenders (KWRW), Women for Peace Network (WPN), United Nations Assistance Mission for Iraq (UNAMI), and IOM, hosted an in-person conference in Erbil on the transformative potential of the YSL in shaping responses to discrimination and violence against women and girls in Iraq.<sup>84</sup>

From 6 to 8 December 2023, C4JR Liaison Coordinator, Wansa Shamoon, participated in the regional meeting "Lessons learned and good practices of transitional justice in the context of sustaining peace

and sustainable development, notably SDG 16" in Rabat, Morocco, organized by the Office of the High Commissioner for Human Rights Middle East Regional Office. Given the implementation of Human Rights Council Resolution 51/23 on Human Rights and Transitional Justice, Wansa Shamoon presented the YSL as a good practice for transitional justice and a tool of recovery. On January 29, 2024, Geneva Academy co-organized an event with the Global Survivors Fund (GSF) entitled *Yazidi Survivors' Law: Reflecting on Progresses, Challenges and Way Forward*, to celebrate and acknowledge the successes achieved in YSL implementation and identify challenges and solutions in its further implementation. Panelists included the GDSA's Director General, Sarab Elias; Chair of the Committee, Judge Khalid Howaedy; IOM's Head of Transitional Justice Team, Sandra Orlovic; GSF Executive Director, Esther Dingemans; and Survivors Voices Network member, Nadya Hasan Khalo. In addition to this high-level roundtable, GSF hosted the Iraq delegation for three days to discuss potential ways to collaborate on the implementation of the YSL.

The United States Institute of Peace (USIP) and US Holocaust Memorial Museum's Simon-Skjodt Center for the Prevention of Genocide hosted a discussion on the challenges facing the Yazidi community, entitled *Nobody's Listening: Supporting the Yazidi Community 10 Years After Genocide*.<sup>85</sup> In her introduction to the event, the President and CEO of USIP spoke of the "mind-numbing procedural requirements" involved in applying for reparations to the YSL. Panelists included Haider Elias, President of Yazda Global Organization, and Pari Ibrahim, Founder and Executive Director of Free Yazidi Foundation, who spoke about many of the challenges facing post-conflict Sinjar and hindering the return of the displaced to a politically fractured context.

Much international advocacy has not only included Yazidi CSO actors as panelists but has been led by them. On January 26, the Yazidi Legal Network and Nuhanovic Foundation organized the first *Yazidi Genocide Survivors' Conference*, with speakers including diaspora Yazidi activists, survivors, Iraqi CSO actors, and legal experts who explored a victim-

centered approach to justice and accountability.

Nobel Peace Laureate and founder of Nadia's Initiative, Nadia Murad, spoke at Georgetown Institute for Women, Peace, and Security in February 2024, at an event entitled *Rebuilding after Atrocities: Accountability and Reconstruction in Sinjar and Beyond*.<sup>86</sup> Murad addressed the unsustainability of displacement, highlighting the unique challenges women encounter in settings of displacement, and emphasized the imperative for investment in the regeneration of Sinjar. Joining her was Ambassador-at-Large for Global Criminal Justice, Beth Van Schaack, who lauded Murad's efforts in revolutionizing the justice field by advocating for survivor-centered and trauma-informed approaches in justice response, such as through the Murad Code.





# VIII. FINAL REMARKS & RECOMMENDATIONS

Considering the complexity of the processes, services, benefits, and broader transitional justice measures embedded within the law, there is much to laud as we take stock of the progress made in the YSL’s implementation at this third-year mark. Compensation payments stand out as a success with 1,651 survivors receiving compensation on a monthly basis. These payments have a tangible, material impact on the lives of survivors, the majority of whom reside in post-conflict affected areas or camps. Efforts have been undertaken to allocate residential land plots and this in turn can address historical discriminatory land policies against ethnic and religious minorities. These initiatives not only benefit survivors but also have a positive ripple effect on broader communities, showcasing the potential of the YSL to exert transformative change in Iraq by addressing past human rights violations. As strategic planning advances for MHPSS facilities catering to YSL beneficiaries, alongside discussions concerning the design, equipping, and long-term maintenance of institutional resources, there is growing optimism regarding the potential for significant progress in the upcoming year toward achieving rehabilitation as a form of reparation within the YSL framework.

Despite these progressive developments, the persistent requirement of extra-legal investigation papers remains unresolved, despite inputs from survivors, CSOs, international organizations, and experts, and in spite of the requirement lacking a legal basis with the YSL and its associated by-laws. In addition, the YSL still does not address sensitive issues surrounding children born of CRSV, men or boys exposed to sexual violence, or survivors belonging to other groups targeted by ISIL, such as the Kakai, and Sunni and Shia Arabs, who are not recognized as eligible under the law. The report culminates with the following recommendations, intended to ensure that survivors of ISIL atrocities have the opportunity to fully realize their right to reparation:

## To the General Directorate for Survivors’ Affairs:

Provide effective and timely communication of decisions to applicants, providing information on next steps, including when and how to obtain benefits in accessible and easily disseminated modalities;

Issue and hand over dated written decision letters to YSL applicants, either as standardized practice or upon request, detailing the grounds on which the application was rejected and information on the appeals process;

Specify and communicate in a clear and accessible format the applicable deadline for submitting the second appeal to the Court of First Instance following a second YSL application rejection;

Cooperate with the KRG to facilitate full access to YSL for beneficiaries by continuing with efforts to open a GDSA sub-office close to survivors in Duhok governorate, and cooperate with the Gol in opening a sub-office in Tel Afar;

Strengthen the GDSA’s role concerning memorial sites and lead coordination on symbolic reparative measures for other component groups outlined in the YSL;

Establish an independent, impartial, accountable, and confidential mechanism to register and respond to complaints about the implementation of the YSL and engagement with GDSA and YSL Committee;

Intensify efforts to set up a viable system for providing quality medical and MHPSS services in line with best practices and in a location within reach of survivors and their families;

Create, publish, and widely disseminate an appeals process information leaflet that clearly outlines the steps available to those facing rejected applications in an easy-to-understand format, available in the languages most commonly used and understood by survivors and provided along with the YSL application’s written decision;

Exhaust existing databases and other documentation efforts before resorting to further documentation of the missing persons;



## To the YSL Committee:

Apply reasonable assumptions of eligibility and drop the extra-legal investigation papers requirement as a mandatory supporting document for YSL applicants by instead, as outlined in by-laws, taking into consideration the other supporting documents available or inviting applicants to be interviewed by the Committee;

Endorse survivors’ demands and establish a screening mechanism to ensure against the submission of false or forged YSL applications;

Make use of your prerogatives to award the amount of financial payment beyond the legal minimum to better meet the needs and circumstances of each eligible survivor;

## To the Government of Iraq:

Cooperate with GDSA and KRG institutions, CSOs, and international bodies, particularly those involved in documentation efforts, such as UNITAD and KRG CIGE, to enter a memorandum of understanding to secure sharing of information based on informed consent;

Make an exception to the hiring freeze introduced through Budget Law and allocate qualified, permanent staff members dedicated to processing applications in a timely and efficient manner, coordinating with governmental bodies in the distribution of YSL benefits, and communicating with survivors and the wider public;

Make an exception to the constraint on receiving a dual salary for beneficiaries of the YSL to ensure that monthly compensation can be enjoyed with public employment;

Consider removing the hiring freeze also for survivors declared eligible to receive priority in public employment as a form of reparation under the YSL;

Dedicate Ministry staff and resources to assist with capacity-building efforts of the GDSA, facilitating the training of all members of staff on survivor-centered, do-no-harm, and trauma-informed approaches to assisting survivors, ensuring an understanding of

confidentiality requirements, protection of privacy, informed consent, and the best interest of the child principle for all staff working on YSL implementation;

Enhance cooperation with GDSA by appointing a focal point on the GoI side responsible for strengthening coordination with the KRG, developing plans to open a GDSA sub-office in Duhok, and taking all necessary measures to facilitate access to the application, verification, and distribution of reparative services;

Ensure safeguards surrounding secure record keeping and provide training to magistrates, police investigators or officials, and members of the judicial system on ethical engagement with survivors and trauma-informed interviewing to establish a safe space for survivors to give testimony;

Intensify efforts to meet the requirements laid out in international law, and UN best practices detailed in the UNSG report to obtain and effectively use evidence collected by UNITAD to end impunity for ISIL crimes in Iraq;

Designate August 3 as a public holiday and national day of commemoration for the crimes ISIL committed against the Yazidis and other components;

Allocate one percent of the annual budget to support the reconstruction of Sinjar by August 3, 2024;

Pursue a UN General Assembly Resolution designating August 3 as the International Day of Reflection for All Victims and Survivors of the Genocide by Da‘esh;

Foster durable solutions for IDPs by ensuring that land allocation and housing reparative measures recognized under the YSL are made available throughout Iraq;

## To the Ministry of Health:

Intensify efforts to set up a viable system for providing quality medical and MHPSS services in line with best practices and in a location within reach of survivors and their families;

## To the Kurdistan Regional Government:

Cooperate with the GDSA to facilitate full access to YSL for beneficiaries through opening a GDSA branch office in Duhok governorate and sharing information based on informed consent for the verification of reparation claims;

Support the implementation of the YSL by swiftly appointing a KRG representative to the Committee;

Enter into dialogue with the GoI with a view of facilitating access to durable solutions for at least displaced eligible YSL beneficiaries by allocating land and housing in the KRI;

## To International Organizations and Third States:

Continue to support the capacity of the GDSA and the YSL Committee to fulfill their mandates, including through capacity building, technical guidance, and material assistance;

Ensure regular funding opportunities for CSOs, including survivors associations, working to support YSL implementation through monitoring, reporting, legal assistance, and other meaningful activities;

Continue to closely monitor and report on the implementation of the YSL by coordinating and engaging with governmental and non-governmental actors and survivors, conducting awareness-raising sessions on YSL, and providing assistance to survivors in submitting applications;

Upon explicit request of survivors and if applicable, provide written certificates to support them in the YSL application process;

## To Civil Society Organizations:

Monitor the implementation of the YSL and advocate for an accessible, survivor-centered application mechanism, fair review process, and swift and proper distribution of benefits;

Include YSL application and implementation support activities in your regular programming including measures to address YSL applicants’ accessibility issues, such as providing travel budgets to applicants with financial constraints and childcare services for female survivors, particularly those from female-headed households, to facilitate their access to the application process, while making information of these services widely available;

Engage in joint advocacy with fellow CSOs, but also other institutional actors, to address the pressing issues surrounding YSL implementation;

Pursue ethical engagement with survivors by employing survivor-centered, trauma-informed, and human-rights-based approaches, particularly while supporting survivors with applications under the YSL;



# ENDNOTES

- 1 The YSL Newsletter is available in English, Arabic, Sorani, and Kurmanji on the C4JR website, accessible via: <https://c4jr.org/news-and-updates>.
- 2 Coalition for Just Reparations (C4JR), “More than ‘Ink on Paper’: Taking stock two years after the adoption of the Yazidi [Female] Survivors Law,” March 01, 2023. Accessible at: <https://c4jr.org/0103202327059>.
- 3 See Farida Global Organisation, “Guidance on Supporting Survivor Applications Under the Yazidi Survivors’ Law,” March 2023. Available at: <https://faridaglobal.org/wp-content/uploads/2023/03/Guidance-on-Supporting-Survivor-Applications-under-the-Yazidi-Survivors-Law.pdf>.
- 4 See Free Yezidi Foundation, “Iraq’s Yezidi Survivors Law: Report on Year One of Reparation Applications,” September 2023. Available at: <https://freeyezidi.org/wp-content/uploads/2023/09/Iraqs-Yezidi-Survivors-Law-Report-on-Year-One-of-Reparation-FYF.pdf>.
- 5 See Ministry of Labor and Social Affairs and General Directorate for Survivors’ Affairs [Wizārat al-‘Amal wa-al-Shu’ūn al-ljtimā’iyah] and General Directorate for Survivors’ Affairs [al-mudīriyah al-‘āmmah li-shu’ūn al najīat], Factsheet [Waraqat aistirshādiat]. Available at: [https://iraq.iom.int/sites/g/files/tmzbd1316/files/2022-09/ARB-%20Factsheet%20Application%20Process%20Announcement-Sept%207-FF.pdf?fbclid=IwAR3Q6aKv12fdqFJkt5LwcHWOPZYAgmABh-QKypaz0CFepSge\\_3KF2F0saWNe](https://iraq.iom.int/sites/g/files/tmzbd1316/files/2022-09/ARB-%20Factsheet%20Application%20Process%20Announcement-Sept%207-FF.pdf?fbclid=IwAR3Q6aKv12fdqFJkt5LwcHWOPZYAgmABh-QKypaz0CFepSge_3KF2F0saWNe)
- 6 See IOM Iraq, “How to apply online for reparations based on the Yazidi Survivors Law.” Youtube, September 8, 2022. [https://www.youtube.com/watch?v=Q-foDfQWwErE&ab\\_channel=IOMIRAQ](https://www.youtube.com/watch?v=Q-foDfQWwErE&ab_channel=IOMIRAQ). IOM Iraq, “How to schedule a reparations appointment online.” Youtube, September 8, 2022. [https://www.youtube.com/watch?v=6ARulcl4gYU&ab\\_channel=IOMIRAQ](https://www.youtube.com/watch?v=6ARulcl4gYU&ab_channel=IOMIRAQ)
- 7 See General Directorate for Survivors’ Affairs [al-mudīriyah al-‘āmmah li-shu’ūn al najīat]. Facebook, March 21, 2023. [https://web.facebook.com/permalink.php?story\\_fbid=pfbid02v9sLMo4WkWTWoZmDayYwR6qfFZuGMXZSfb6Y-C1A7FXwmUdxpW1yuZjnLjAkemGiDI&id=100076062182514](https://web.facebook.com/permalink.php?story_fbid=pfbid02v9sLMo4WkWTWoZmDayYwR6qfFZuGMXZSfb6Y-C1A7FXwmUdxpW1yuZjnLjAkemGiDI&id=100076062182514)
- 8 Farida Global Organisation “Guidance on Supporting Survivor Applications Under the Yazidi Survivors’ Law,” 2023. Available at: <https://faridaglobal.org/wp-content/uploads/2023/03/Guidance-on-Supporting-Survivor-Applications-under-the-Yazidi-Survivors-Law.pdf>.
- 9 See Farida Global Organization, “Guidance,” pg. 14.
- 10 See General Directorate for Survivors’ Affairs [al-mudīriyah al-‘āmmah li-shu’ūn al najīat]. Facebook, October 14, 2023. [https://www.facebook.com/permalink.php?story\\_fbid=pfbid08oKsebjLPF4mfDuhXTxTurk5VwsQqgxeDjjaUX-BR6z7cvbbsot99iMHTouzdTf3ol&id=100076062182514](https://www.facebook.com/permalink.php?story_fbid=pfbid08oKsebjLPF4mfDuhXTxTurk5VwsQqgxeDjjaUX-BR6z7cvbbsot99iMHTouzdTf3ol&id=100076062182514).
- 11 See Baghdad Today, “The Judicial Council approves certification through electronic means.” August 21, 2023: <https://t.ly/PHMrg>.
- 12 The YSL application portal is accessible at the following link: <https://ysl.ur.gov.iq/>.
- 13 For more details on the development of application form and a copy of the application form itself see C4JR “More than ‘Ink on Paper’” pg. 23 and Annex III. Accessible at: <https://c4jr.org/0103202327059>.
- 14 As pursuant to Article 10 of the YSL, the MoLSA established a Committee to consider the requests of applications to the YSL. The Committee consists of 8 persons: a Judge nominated by the Supreme Judicial Council (President), GDSA Director General Sarab Elias within the Ministry of Labor and Social Affairs (MoLSA) (Vice President), and representatives of the Ministry of Interior, Ministry of Health, Ministry of Justice, National Retirement Authority, High Commission for Human Rights, and the Kurdistan Regional Government (KRG).
- 15 Mandates of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, page 2. <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=28060>
- 16 Article 8.2 of the YSL by-law states that the Committee shall first exhaust official evidence before resorting to other proof and outlines that applicants may submit a wide range of documents to support their reparation claims such as government records, NGO reports, and eyewitness testimony, among others. As a last resort, Article 8.3 suggests that to establish the validity of these documents further, the Committee may also interview applicants.
- 17 See Global Survivors Fund, “Iraq: Flexibility is needed for Yazidi Survivors say

- NGOs,” Press Release, April 13, 2023. Available at: <https://www.globalsurvivorsfund.org/iraq-flexibility-is-needed-for-yazidi-survivors-say-ngos/>. See also Nadia Initiative, “Nadie Murad’s Statement on the Change to the Eligibility Requirements for the Yazidi Survivors Law,” April 3, 2023. Available at: <https://www.nadi-asinitiative.org/news/nadia-murads-statement-on-the-change-to-the-eligibility-requirements-for-the-yazidi-survivors-law>.
- 18 See “C4JR Urges Committee Established Under Yazidi Survivors Law to Drop Requirement of Filing Criminal Complaint to Receive Reparations,” Coalition for Just Reparations, April 6, 2023. Available at: <https://c4jr.org/0604202327288>. See also YSL by-laws, Art. 8. Para. 1-2.
  - 19 See “Shared understanding between C4JR members and survivors about the YSL application and implementation process,” Coalition for Just Reparations, August 3, 2023. Available at: <https://c4jr.org/0308202327716>.
  - 20 Mandates of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence. Available at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=28060>. See also C4JR, “UN Special Rapporteurs raise YSL criminal complaint concerns with Iraq,” August 25, 2023. Available at: <https://c4jr.org/2508202327740>.
  - 21 See Commission for Investigation and Gathering Evidence’s (CIGE), FAQs section, accessible at: <https://cige.gov.krd/?p=1553>.
  - 22 For more details on the membership and prerogative of the Committee see Coalition for Just Reparations, “More than ‘Ink on Paper’: Taking stock two years after the adoption of the Yazidi [Female] Survivors Law,” March 01, 2023, pg. 16. Accessible at: <https://c4jr.org/0103202327059>.
  - 23 YSL, Art. 10. Para. 3.
  - 24 See an overview of application statistics at the General Directorate for Survivors’ Affairs [al-mudīriyah al-‘āmmah li-shu’ūn al najīat]. Facebook, January 1, 2024. <https://www.facebook.com/100076062182514/videos/1346115176092243/>
  - 25 See “C4JR urges the Committee responsible for determining claims submitted under the YSL to stop placing survivors’ well-being at risk through introducing extra-legal evidentiary requirements to access benefits,” Coalition for Just Reparations, April 6, 2023. Available at: <https://c4jr.org/0604202327288>.
  - 26 See Article 1, Criminal Procedure Code No. 23 of 1971, available at: [https://menarights.org/sites/default/files/2016-11/IRQ\\_Criminal\\_Proceedings\\_1971\\_EN.pdf](https://menarights.org/sites/default/files/2016-11/IRQ_Criminal_Proceedings_1971_EN.pdf).
  - 27 See Article 39, Criminal Procedures Code No. 23 of 1971, available at: [https://menarights.org/sites/default/files/2016-11/IRQ\\_Criminal\\_Proceedings\\_1971\\_EN.pdf](https://menarights.org/sites/default/files/2016-11/IRQ_Criminal_Proceedings_1971_EN.pdf).
  - 28 See YSL brochure, “Required documentation.”
  - 29 For a comprehensive overview of the material and symbolic measures envisaged in the YSL, see C4JR “More than ‘Ink on Paper,” pg. 15-16.
  - 30 Article 5 of the YSL outlines the GDSA’s goals including “Statistics and preparation of [female] survivors’ data and those included in the provisions of this law based on information issued by governmental and non-governmental institutions working in this field.”
  - 31 See Unified Pension Law No. 9 of 2014, Article 21.11 that states “The pensioner may not be paid more than a single pension earned in accordance with more than one law and may choose, for one time only, the better pension,” accessible at: <https://www.refworld.org/legal/legislation/natlegbod/2014/en/122533> and Article 38 which outlines exemptions to dual salary to include beneficiaries of the Martyrs Foundation Law No. 3 of 2006, as amended; Political Prisoners Institution Law No. 4 of 2006; and Law No. 20 of 2009 on Compensating those Affected by War Operations, Military Mistakes, and Terrorist Operations. See also Unified Retirement Law Articl 10.9 of 2015 Amended by Law No. 26 of 2019 that states “All legal texts that allow for the combination of two or more salaries are cancelled, except for political prisoners, families of martyrs, and victims of terrorism, according to the laws in force.” See also Civil Service Law No. 24 of 1960, Article 53 that states “The employee is not entitled to receive two salaries for two jobs at the same time or allowances for committee or work that are considered part of his job duties,” accessible at: <https://iraqlid.e-sjc-services.iq/LoadLawBook.aspx?page=6&SC=311020059759549&BookID=3589>.
  - 32 According to the Martyrs Foundation Law No. 2 of 2016, Article 11.2.a “a person covered by the provisions of this law may combine his entitled from the retirement salary allocated to him in accordance with the provisions of this law and his job salary, retirement salary, social welfare salary, any retirement share, or any other salary for a period of twenty-give (25) years from the date of entry into force of Law No. 3. For the year 2006 amended,” accessible at: <https://iraqlid.e-sjc-services.iq/LoadLawBook.aspx?page=2&SC=130420169930947&BookID=32911>.

- iraqlid.e-sjc-services.iq/LoadLawBook.aspx?page=2&SC=130420169930947&BookID=32911.
- 33 See IOM Iraq, “On 2nd Anniversary of YSL: Yezidi Survivors See First Benefits of Landmark Reparation Law,” March 02, 2023. Available at: <https://iraq.iom.int/news/2nd-anniversary-ysl-yezidi-survivors-see-first-benefits-landmark-reparation-law>.
- 34 YSL, Art. 6, Para 1.
- 35 YSL, Art. 10. Para. 2.
- 36 See C4JR, “Key Recommendations,” Art.2.2, available at: <https://c4jr.org/wp-content/uploads/2021/06/C4JR-Rec-to-CoM-ENG.pdf>.
- 37 For more information on QiCards see <https://qi.iq/ar/home>.
- 38 For more information on education as reparation see Global Survivors Fund, “Education as Reparation for Conflict-Related Sexual Violence and Other Serious Human Rights Violations,” January 2023, <https://shorturl.at/hpM58>.
- 39 Ammar Aziz, “Ezidi survivors of ISIS get access to fast education,” Kirkuk Now, September 11, 2022. <https://kirkuknow.com/en/news/68777>.
- 40 Article 5.5 of the YSL takes the GDSA with “Securing employment and job opportunities to enable [female] survivors to achieve their economic and social well-being” and Article 6.4 of the YSL outlines that “[Female] survivors and those covered by the provisions of this law shall be given a priority to public employment at a rate of 2%.”
- 41 Law No. 13 of 2023 “General Budget” of the Federal Republic of Iraq (2023-2025) [Qānūn raqm 13 li-sanat 2023 al-Muwāzanah al-‘āmmah al-itthihādiyah li-Jumhūriyat al-‘Irāq lil-sanawāt al-māliyah 2023-2024-2025]. Available at: <https://www.iraq-businessnews.com/wp-content/uploads/2023/06/Iraq-Federal-Budget-Law-20232425-Arabic-1.pdf>.
- 42 UN Iraq “Joint statement by Iraq’s Prime Minister and the UN on the decision to grant Yazidis ownership of their lands in Sinjar after 47 years of denial,” January 4, 2023. Available at: <https://iraq.un.org/en/214088-joint-statement-iraq%E2%80%99s-prime-minister-and-un-decision-grant-yazidis-ownership-their-lands>.
- 43 Article 6.2 of YSL outlines “[Female] Survivors and those covered by the provisions of this law shall be granted a residential plot of land with a real estate loan and shall be exempted from the provisions of law and decisions of the (dissolved) Revolutionary Command Council no 120 of 1982 or a free housing unit.”
- 44 Ammar Aziz, “As part of the implementation of the Yazidi Survivors Law, 262 plots of land to be distributed to the beneficiaries,” Kirkuk Now, October 21, 2023: <https://shorturl.at/ehxR8>.
- 45 See General Directorate for Survivors’ Affairs [al-mudīriyah al-‘āmmah li-shu’ūn al najīat]. Facebook, October 17, 2023. [https://www.facebook.com/permalink.php?story\\_fbid=pfbid0yzyzHf3dogUhHcGzEBWtqbWrn6xC2dCahnV-8VbacTQ7LMSqgpJ51H9vsJQKDutfMI&id=100076062182514](https://www.facebook.com/permalink.php?story_fbid=pfbid0yzyzHf3dogUhHcGzEBWtqbWrn6xC2dCahnV-8VbacTQ7LMSqgpJ51H9vsJQKDutfMI&id=100076062182514).
- 46 UN-Habitat “For the first time, Yazidi families have documents to prove their rights over land and houses in Sinjar, Northern Iraq,” <https://unhabitat.org/news/19-jul-2019-for-the-first-time-yazidi-families-have-documents-to-prove-their-rights-over-land>
- 47 Inter-Agency Standing Committee (IASC), “Framework on Durable Solutions for Internally Displaced Persons,” April 2010, pg. 15. Available at: <https://www.unhcr.org/sites/default/files/legacy-pdf/50f94cd49.pdf>.
- 48 IASC, “Framework on Durable Solutions,” pg. 12.
- 49 See “Toward Comprehensive Rehabilitation: Mental Health Service Referral System Launched for Genocide Survivors in Iraq,” IOM Iraq, March 28, 2023. Available at: <https://iraq.iom.int/news/toward-comprehensive-rehabilitation-mental-health-service-referral-system-launched-genocide-survivors-iraq>. See also General Directorate for Survivors’ Affairs [al-mudīriyah al-‘āmmah li-shu’ūn al najīat]. Facebook, March 28, 2023. [https://web.facebook.com/permalink.php?story\\_fbid=pfbid06kwZpRtSMVHDWQwkaZff4jSSWZ4MX2yDu-63vke2i617vGHX3HFqhjzuiZKbfDmsPI&id=100076062182514](https://web.facebook.com/permalink.php?story_fbid=pfbid06kwZpRtSMVHDWQwkaZff4jSSWZ4MX2yDu-63vke2i617vGHX3HFqhjzuiZKbfDmsPI&id=100076062182514).
- 50 Patel, Nimisha. 2019. “Framework of sample indicators for the right to rehabilitation as reparation for torture survivors.” International Centre for Health and Human Rights, London.
- 51 See “Right to Rehabilitation as Reparation for Survivors of Grave Human Rights Violations: A guide to using human rights indicators to monitor implementation and realization of the right to rehabilitation for survivors of ISIL crimes in Iraq guaranteed under the Yazidi [Female] Survivors Law,” available at: <https://c4jr.org/wp-content/uploads/2024/02/Right-to-Rehabilitation-as-Reparation-for-Survivors-of-Grave-Human-Rights-Violations-final-english.pdf>

- 52 Article 8.1 of the YSL provides that “The 3rd of August of each year shall be considered a national day to reveal the crimes committed against the Yazidis and other components and media shall provide all programs for this data and clarify the abuse, kidnapping, sexual violence, captivity and displacement committed by Da’esh.”
- 53 The Kurdistan Regional Government Calendar 2024. Accessible at: <https://gov.krd/calendar-2023/>
- 54 See Farida Global Organization, “9th Year Commemoration of the Yazidi Genocide with Iraqi Prime Minister Office in Baghdad,” August 06, 2023. Available at: <https://faridaglobal.org/blog/2023/08/06/9th-year-commemoration-of-the-yazidi-genocide-with-iraqi-prime-minister-office-in-baghdad/>.
- 55 For a list of Iraq’s national holidays for 2024 see Zahraa Abu Al-Enein, “Schedule of official holidays in Iraq 2024...a journey through holidays and occasions,” February 11, 2024. <https://shorturl.at/bvEZO>.
- 56 See Dr. Khalaf Sinjari. Facebook, January 20, 2024: [https://www.facebook.com/permalink.php?story\\_fbid=pfbid04WSWb4ey2TSuQfJognGzgscVpscU9mX-Vqm45WRn1TWz7c1zYWZLyD5TLjoHj3anAl&id=100092298435571](https://www.facebook.com/permalink.php?story_fbid=pfbid04WSWb4ey2TSuQfJognGzgscVpscU9mX-Vqm45WRn1TWz7c1zYWZLyD5TLjoHj3anAl&id=100092298435571).
- 57 Article 8.2 of the YSL states that “The Ministry of Culture, Baghdad Municipality and the concerned authorities shall take the necessary measures to immortalize the Yazidi victims and other components and to build monuments, statues and exhibitions on this occasion.”
- 58 The Yazidi Genocide Memorial was built at the request of survivors by Nadia’s Initiative and IOM Iraq with funding from the United States Agency for International Development (USAID). The memorial was designed by Yazidi architect Dersim Khairy Namo and consists of a 10,000-square-meter space hosting 3,000 unmarked marble gravestones containing the “Grave of Mothers,” where many older Yazidi women were martyred in 2014.
- 59 For instance, a number of examples of grassroots memorialization exist in Sinjar such Kocho School wherein the surviving inhabitants of the village memorialize the victims of ISIL from the village. The ground floor of the building contains photos of Kocho residents who were either kidnapped or killed by ISIL. See Nasr Ali “Yezidi village school to become genocide museum,” Rudaw, July 16, 2018. <https://www.rudaw.net/english/kurdistan/160720182>. On August 3, 2021, a statue of Yazidi woman, Gulê, was revealed in Sinuni commemorating the woman who killed an ISIS emir taking Yazidi women captive. The statue honoring her resistance was designed and made by Assyrian sculptors Ninos Mikhail and Thabet Mikhail. See Saman Dawood, “The Story of the Yazidi Rose who killed an ISIS Emir,” Daraj, August 09, 2021. <https://daraj.media/en/77678/>.
- 60 See C4JR, “C4JR Civil Society Statement on an International Day of Reflection for All Victims and Survivors of the Genocide by Da’esh,” February 15, 2023. Available at: <https://c4jr.org/1502202428387>.
- 61 See “Demand for \$1.5 Billion Sinjar Reconstruction Fund by 3 August 2024,” July 27, 2023. Available at: <https://freeyezidi.org/wp-content/uploads/2023/07/Demand-for-Sinjar-Reconstruction-Fund-English-FINAL.pdf>.
- 62 Article 5.7 of the YSL outlines that the GDSA role includes: “Searching for the kidnapped of Yazidis, Turkmen, Christians, and Shabaks men, women and children, whose fate is still unknown. This work shall be done in coordination with the competent authorities inside and outside Iraq and the victims’ families, treating their conditions legally and granting them benefits and compensating them or their families in accordance with the relevant laws,” and Article 5.8 includes “Coordination with the Martyrs Foundation, Department of Mass Graves’ Affairs and Protection in relation to mass graves to complete all procedures related to searching and investigating, opening mass graves, revealing the identity of the remains and return them to their families in order to bury them in a manner befitting their sacrifices.”
- 63 See General Directorate for Survivors’ Affairs [al-mudīriyah al-‘āmmah li-shu’ūn al najīat]. Facebook, November 14, 2021. [https://web.facebook.com/permalink.php?story\\_fbid=pfbid0YgKyWMZxHZAzGSJfjFD2VT5ERit5vNenSaM-zWpM1Ceix6MusicKEhSWP2w3GkeFMI&id=100076062182514](https://web.facebook.com/permalink.php?story_fbid=pfbid0YgKyWMZxHZAzGSJfjFD2VT5ERit5vNenSaM-zWpM1Ceix6MusicKEhSWP2w3GkeFMI&id=100076062182514).
- 64 See Commission for Investigation and Gathering Evidence (CIGE) “National Campaign for collecting blood samples.” Available at: <https://cige.gov.krd/?p=1589>.
- 65 See statement of Farida Khalaf, President of Farida Global Organization at the event held in the Hague in April 2023, “Awareness-raising about Yazidi missing persons for families in Europe.” Available at: <https://faridaglobal.org/blog/2023/07/10/awareness-raising-about-yazidi-missing-persons-for-families-in-europe/>.
- 66 UNITAD, “Families Bid Solemn Farewell to Identified Yazidi Victims of ISIL Genocide in Sinjar,” January 24, 2024. Accessible at: <https://www.unitad.un.org/>



news/families-bid-solemn-farewell-identified-yazidi-victims-isil-genocide-sinjar.

<sup>67</sup> See General Directorate for Survivors’ Affairs [al-mudīriyah al-‘āmmah li-shu’ūn al najīat]. Facebook, February 18, 2024, [https://www.facebook.com/permalink.php?story\\_fbid=pfbid02uKbpe6aw8StGxRQxnx2LnuHxragWnbnrq4u4by-icu6EhrKhkaLrQLvYfZhwilSUPbl&id=100076062182514](https://www.facebook.com/permalink.php?story_fbid=pfbid02uKbpe6aw8StGxRQxnx2LnuHxragWnbnrq4u4by-icu6EhrKhkaLrQLvYfZhwilSUPbl&id=100076062182514)

<sup>68</sup> GDSA, “Missing persons registration form according to Law No. 8 of 2021,” accessible at: <https://sur.spa.gov.iq/>.

<sup>69</sup> Including the GDSA official application form which requires applicants to provide details pertaining to their kidnapped relatives, See section 6 of the YSL application form available as Annex III at the “More than “Ink on Paper”: Taking stock two years after the adoption of the Yazidi [Female] Survivors Law,” report, March 01, 2023. Accessible at: <https://c4jr.org/0103202327059>.

<sup>70</sup> Law No. 13 of 2023 “General Budget” of the Federal Republic of Iraq (2023-2025) [Qānūn raqm 13 li-sanat 2023 al-Muwāzanah al-‘āmmah al-itthihādīyah li-Jumhūriyat al-‘Irāq lil-sanawāt al-māliyah 2023-2024-2025]. Available at: <https://www.iraq-businessnews.com/wp-content/uploads/2023/06/Iraq-Federal-Budget-Law-20232425-Arabic-1.pdf>.

<sup>71</sup> See Ministry of Labor and Social Affairs[Wizārat al-‘Amal wa-al-Shu’ūn al-Ijtīmā’īyah], “The Ministry of Labor holds its second annual conference to implement the Survivors Law No. 8 of 2021 [Wizārat al-‘Amal taqīm mu’tamar ha al-sanawī al-thānī li-tanfīdh qānūn al-najīat wa al-najāin raqm 8 li-sanat 2021].” Available at: <https://www.molsa.gov.iq/?article=2432>. See also Free Yezidi Foundation, “Iraq’s Yezidi Survivors Law: Report on Year One of Reparation Applications,” September 2023, pg. 5. Available at: <https://freeyezidi.org/wp-content/uploads/2023/09/Iraqs-Yezidi-Survivors-Law-Report-on-Year-One-of-Reparation-FYF.pdf>. See also Alannah Travers, “Nine years after the Yazidi genocide, what’s next for survivors?,” Al Jazeera, August 3, 2023. Available at: <https://www.aljazeera.com/news/2023/8/3/nine-years-after-the-yazidi-genocide-what-next-for-survivors>.

<sup>72</sup> For more on the context preceding the enactment of the YSL and C4JR and survivors’ role in promoting inclusive and survivor-led reparations see C4JR, “More than “Ink on Paper,” pg. 13.

<sup>73</sup> See C4JR, “Law on Reparations for Survivors of Conflict-Related Sexual Violence Committed During the ISIS Conflict in Iraq (C4JR Draft Law),” November 29, 2020. Accessible at: <https://c4jr.org/wp-content/uploads/2020/10/C4JR-DRAFT-CRSV-REPARATION-LAW-final-version-english-with-logo.pdf>.

<sup>74</sup> See Iraqi Council of Representatives [Majlis al-Nūwāb al-‘Irāqī]. Facebook, February 01, 2024. [https://www.facebook.com/story.php?story\\_fbid=723999833166751&id=100066702226063&mibextid=WaXdOe](https://www.facebook.com/story.php?story_fbid=723999833166751&id=100066702226063&mibextid=WaXdOe).

<sup>75</sup> While these victim groups are ineligible to the YSL, they can apply to other compensation frameworks such as Compensation Law 20 of 2009.

<sup>76</sup> See UNSC “Letter dated 5 September 2023 from the Deputy Prime Minister and Minister for Foreign Affairs Addressed to the President of the Security Council.” September 07, 2023. UN Doc S/2023/654. Available at: <https://digitallibrary.un.org/record/4020456?ln=en>

<sup>77</sup> Yazda Global Organization, “Concerns about the non-renewal of UNITAD’s mandate in Iraq,” September 12, 2023. Available at: <https://www.yazda.org/concerns-about-the-non-renewal-of-unitads-mandate-in-iraq>.

<sup>78</sup> UNSC Res 2697 (15 September 2023). UN Doc S/RES/2679. Para 2. Available at: <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/S-RES-2697.pdf>.

<sup>79</sup> See “C4JR Consultations on Accountability Pathways and Sharing of Evidence Following Termination of UNITAD’s Mandate,” Coalition for Just Reparations, December 21, 2023. Available at: <https://c4jr.org/2112202328186>.

<sup>80</sup> UNSC Res 2697 (15 January 2024). UN Doc S/2024/20. Available at: <https://documents.un.org/doc/undoc/gen/n23/425/40/pdf/n2342540.pdf?token=cu1ZeAEydxXXZVWsKE&fe=true>.

<sup>81</sup> C4JR’s position paper is available on its new website dedicated to promoting the need for survivor-friendly criminal accountability mechanism in Iraq at <https://www.justice-iraq.com/>.

<sup>82</sup> “Iraqi Civil Society and Survivor Networks Position on the Request of Iraq to Terminate UNITAD’s Mandate in September 2024” is available here: [https://c4jr.org/wp-content/uploads/2024/02/C4JR-report\\_ENG.pdf](https://c4jr.org/wp-content/uploads/2024/02/C4JR-report_ENG.pdf).

<sup>83</sup> CAT’s Concluding Observations for Iraq and C4JR’s follow-up report on the implementation of recommendations on conflict-related sexual violence. Available at <https://c4jr.org/2606202327613>.

<sup>84</sup> Tapping into the Transformative Potential of Reparations for Conflict-Related Sexual Violence in Iraq, November 29, 2023, Erbil, Iraq. A summary of the conference is available at: <https://c4jr.org/0112202328051>.

<sup>85</sup> United States Insititute of Peace, “Nobody’s Listening: Supporting the Yazidi Community 10 Years After Genocide,” January 29, 2024. Accessible at: <https://www.usip.org/events/nobodys-listening-supporting-yazidi-community-10-years-after-genocide>.

<sup>86</sup> Georgetown University Institute for Women, Peace, and Security, “Rebuilding After Atrocities: Accountability and Reconstruction in Sinjar and Beyond,” January 31, 2024. Available at: <https://giwps.georgetown.edu/event/rebuilding-after-atrocities-accountability-and-reconstruction-in-sinjar-and-beyond/>.

<sup>87</sup> To read the full transcript of our conversation with Sandra Orlovic see C4JR, “More Than Ink on Paper Podcast with IOM’s Sandra Orlovic: English Transcript,” December 10, 2023. Accessible at: <https://c4jr.org/1012202328126>.

<sup>88</sup> See Security Council Report, “September 2020 Monthly Forecast,” August 31, 2020. <https://www.securitycouncilreport.org/monthly-forecast/2020-09/iraq-unitad-2.php>. See also Human Rights Watch, “Iraq: Unlawful Mass Executions Resume,” January 24, 2024. Available at: <https://www.hrw.org/news/2024/01/24/iraq-unlawful-mass-executions-resume>.

<sup>89</sup> UNSC Res 2379 (21 September 2017). UN Doc S/RES/2379. Para 2,5,3. Available at: [https://www.unitad.un.org/sites/www.unitad.un.org/files/general/s\\_res\\_23792017\\_e\\_7.pdf](https://www.unitad.un.org/sites/www.unitad.un.org/files/general/s_res_23792017_e_7.pdf).



# ANNEX I. LIST OF C4JR MEMBERS

ASUDA	Iraqi Educational Association AL Basra	The Free Yezidi Foundation
Better World Organization for Community Development (BWO)	Iraqi Institution for Development (IID)	The Jiyan Foundation for Human Rights
CAPNI for Humanitarian Aids in Iraq	Jinda Organization	The Lotus Flower
Civil Development Organization (CDO)	Justice Organization for Minority Rights (JOMR)	The Observer Human Rights Center (OHRC)
Dak Organization	Methra Organization	To Reconcile Organization (TRO)
Emma	Nadia’s Initiative (NI)	Turkmen Rescue Foundation
Eyzidi Organization for Documentation	National Centre for Human Rights (NHCR)	Women Leadership Institute (WLI)
Farida global organization	Nisha Organization	Women Legal Assistance Organization (WOLA)
Ghasin Alzaiton	Peace and Freedom Organization	Yazda
Hammurabi Human Rights Organization (HHRO)	SEED Foundation	
Harikar	Sustainable Peace Foundation	
HÁWAR. help	TAJDID Iraq	





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