

COALITION FOR JUST REPARATIONS (C4JR) SURVEY

Purpose of the survey

The purpose of this survey is to collect detailed information on reparation measures deemed necessary by different local civil society organizations (CSOs) to make good the harm done to victims of human rights violations that took place during the ISIS conflict in Iraq. It will also collect information on preferred internal structure and decision-making processes of the prospective C4JR and proposals for future activities of C4JR.

How the survey will be used

Provided information will be used to identify core elements that prospective reparation program(s) should include in order to be accepted and perceived as just by the affected communities and individuals. It will also serve as one of the blueprints against which all forthcoming State efforts to provide reparation to indicated victims may be measured.

How to fill out the survey

Most questions are framed as statements that can be either approved or rejected. In case of the latter, space is provided for stating an objection and an alternative formulation. If you feel that you don't know this area well enough to respond, Jiyan staff can provide sufficient background information to form an opinion.

Please select the response that matches your opinion of this section:

- I strongly agree with this section.
- This section is acceptable.
- This section (or part of this section) is not acceptable. I object.
- I don't know this area well enough to respond.

If you think this section is not acceptable, please tell us why. Briefly explain your objection and include the section or subsection you are concerned with. If possible, please also provide an alternative formulation of the section.

There are also multiple-choice questions, where you are required to provide input concerning specific modes of reparation most suitable for Iraq in general and affected communities in particular. Be aware that in multiple choice questions you can mark one, few, all or none of provided options. You are required to set priorities by assigning a specific number to the options offered or added by yourself. If you consider some options equally important you may give them the same number.

For instance, you should mark which, if any, of the following rehabilitation services you deem appropriate and list them in numerical order from most important (number 1) to least important (number 5, 6 or bigger number):

- Social services
- Family counselling
- Vocational training
- Education
- Legal assistance
- Others? Please specify! _____

Jiyan Foundation for Human Rights is thankful for your feedback on the Position Paper, Statute and plan of activities contained in the survey below. As this survey should not be considered all encompassing, we welcome any additional input you may consider relevant to the development of an inclusive reparation scheme/plan.

Question	Enter Your Answer Below
Name of the organization filling out this survey:	
Address of headquarters:	
Date of establishment:	
Official e-mail and phone number:	
Website:	
Number of staff:	
Most important projects in last 3 years:	
Name and contact information of person(s) we can contact for follow-up information:	

INPUT ON C4JR POSITION PAPER

1. BASIC DEMAND	Questions	Enter Your Answers Here
<p>Establish a comprehensive administrative program(s) aimed at providing reparations to survivors and other victims in line with international standards.</p> <p><i><u>Explanation</u></i> <i>Considering the scale of atrocities and the fact that individual perpetrators are often indigent, the prospects of victims obtaining compensation via criminal or civil proceedings are extremely limited. On top of this, a rather weak judiciary would be unlikely to be capable of processing the large amount of claims that are to be submitted.</i></p> <p>Victims should remain entitled to pursue reparations through judicial avenues, criminal or civil, if otherwise not explicitly indicated. Claims for compensation under relevant civil, criminal or administrative procedures should not be subject to statutes of limitation.</p> <p><i><u>Explanation</u></i> <i>Courts are critical for setting standards of legal obligation, and victims and their advocates should not ignore their strategic value. Pursuing individual cases through the courts tends to be a very incomplete way of addressing the scale of the challenge represented by the victims in post-conflict settings. Courts only have the capacity to attend to a limited number of cases. Victims may be required to present detailed proofs of the violation, of the injuries incurred, and sometimes even of the identity of the perpetrator. Those victims without resources or access to legal counsel and courts – though equally harmed – often go without redress. The focus here, is on reparations programs that are created by legislation for whole classes of victims.</i></p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>	
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2. DEFINING BENEFICIARIES	Questions	Enter Your Answers Here
<p>Victims are all civilians that directly suffered gross human rights violations at the hands of all parties to the ISIS conflict in Iraq (2012-2018).</p> <p>All victims should be allowed access to reparations. For the purpose of accessing benefits provided in the reparation program, relatives of victims who are deceased or missing (the so-called indirect victims) should be considered victims as well. Children forcibly recruited to armed groups will be considered eligible.</p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>	
<p><u><i>Explanation</i></u></p> <p><i>Benefits of any reparations program are limited to victims of gross violations of human rights and victims of serious violations of the laws of war. This is found in the UN's Basic Principles and Guidelines on Reparations. Prospective reparation schemes should include civilian victims only (both primary and secondary). Considering that families of soldiers who died or suffered injuries in combat are being compensated through other legislation, they should not be included in the current reparation program. Although taking on combating roles under coercion, child soldiers were primarily victims and should be covered by an administrative reparation program.</i></p> <p><i>In lack of consistent internationally recognized definition of gross human rights violations, the present paper will consider gross human rights violations the following violations as well as the violations of comparable gravity:</i></p> <ul style="list-style-type: none"> - Genocide; - Summary or arbitrary killing; - Enforced Disappearances; - Slavery and the slave trade; - Prolonged and arbitrary detention; - Use of child soldiers; - Torture or cruel, inhuman, or degrading treatment or punishment; - Crimes against Humanity (defined in the 1998 Rome Statute of the International Criminal Court); - Apartheid and systematic racial and religious discrimination; - Conflict-Related Sexual Violence (CRSV) (rape, sexual slavery, forced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity). 	<p>If you think this section is not acceptable, please tell us why. Briefly explain your objection and include the section or subsection you are concerned with. If possible, please also provide an alternative formulation of the section.</p>	

3. VICTIM'S PARTICIPATION IN THE PROCESS OF DELIBERATING, DESIGNING AND IMPLEMENTING REPARATION PROGRAMME	Questions	Enter Your Answers Here
<p>Involve CSOs and especially victims' and women associations representing affected communities in the process of discussing, designing and implementing an appropriate and realistic scheme of reparations.</p> <p><i><u>Explanation</u></i> <i>Involving victims' associations and other CSOs in all stages of creating and implementing reparation policies is considered an essential precondition for any successful State effort to redress the harm done to the victims.</i></p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>	
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4. SETTING PRIORITIES	Questions	Enter Your Answers Here
<p>Victims should be granted different benefits according to the type of violation, degree of violation, duration of violation, consequences etc.</p> <p><i><u>Explanation</u></i> <i>Generally, reparation programs differentiate between different types of survivors and other victims, and grant different benefits in accordance with types of human rights violations, levels of abuse and harms suffered, degree of ensuing disability, vulnerability of</i></p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>	

victims etc. Sometimes identical benefits are accorded to those falling under the same category of violations (for instance Guatemala, Chile etc.) Some programs devised a point system (for instance in Canada) to be able to calculate more precisely the amount of compensation. However, a differentiation system should not be complicated, and not place an excessive burden on the victims and/or hindering viability of the reparation program as a whole.

Please list, in order of priority, which of the “most vulnerable victims” should be prioritized — by either making them eligible for certain benefits or giving them access to services ahead of others— over other victims.

Place a number next to those you would prioritise. A ‘1’ signifies most important, whilst a ‘5’ would signify least important. If you believe all or some are equally important, please give them the same number.

- **Those inherently more vulnerable than others.**

Group	Priority (1-5)
Widows	
Children	
Children born of rape	
Families where sole breadwinners have been killed or abducted	
Other? Please specify! _____	

- **Those against whom especially severe crimes and/or multiple crimes with grave consequences were committed.**

Types of Crime	Priority (1-8)
Long lasting and/or especially severe Conflict-Related Sexual Violence (CRSV)	
Forced recruiting of children,	
Long lasting or especially severe forms of torture	
Genocide	
Those that suffered multiple violations (i.e. direct victims of torture/CRSV whose family members were killed or disappeared)	
Relatives of those disappeared Amputees/those maimed and those that suffered irreparable and serious psychological damage	
Others? Please specify!	

If you think this section is not acceptable (e.g. all victims should be treated equally) please tell us why. Briefly explain your objection and include the section or subsection you are concerned with. If possible please also provide an alternative formulation of the section

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5. TERRITORIAL SCOPE	Questions	Enter Your Answers Here
<p>The reparation program should redress conflict-related human rights violations completely or partially perpetrated during the ISIS conflict in Iraq.</p> <p><i><u>Explanation</u></i> <i>The reason for this wide definition of geographical scope is to include victims abducted in Iraq but trafficked outside Iraq. Only victims of human rights violations with a nexus with an armed conflict involving the Government of Iraq and Kurdistan Region of Iraq forces (and affiliated militias) against ISIS forces will be considered.</i></p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>	
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6. TEMPORAL SCOPE	Questions	Enter Your Answers Here
<p>The reparation program should cover the period of ISIS conflict in Iraq, i.e. from 2012 until the end of 2017. Those individuals taken captive in the indicated period and released after 2017 or still not released ought to be recognized as victims as well.</p> <p><i><u>Explanation</u></i> <i>ISIS carried out their first crimes in Iraq in 2012, whereas the defeat of ISIS was officially declared at the end of 2017. Human rights</i></p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>	

<p><i>violations against those taken captive between 2012-2017 and released thereafter or still missing ought to be covered as well, as this situation amounts to a continuing violation of human rights.</i></p>	<p>If you think this section is not acceptable, please tell us why. Briefly explain your objection and include the section or subsection you are concerned with. If possible, please also provide an alternative formulation of the section.</p>	
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7. FORMS OF REPARATIONS	Questions	Enter Your Answers Here
<p>Prospective reparation program(s) should give a balanced mix of individual and collective reparations. This is because both victims, and specific communities were targeted.</p> <p><i><u>Explanation</u></i> <i>Individual reparations consist of delivering concrete benefits to the individual beneficiary (compensation, reinstatement on a job etc.). Conversely, via collective reparations benefits are being delivered to a group of people that were targeted precisely because they belong to a specific group (ethnic, religious etc.). When victims have suffered as a group of people or a community (e.g. collectively) reparations should be designed to aid the targeted community and reach the affected individual (for example, provision of healthcare benefits for all the members of a targeted group, or construction of healthcare centres, schools in locations where the victimized communities live etc.)</i></p> <p>Monetary compensation, however necessary, cannot be viewed as the only means for repairing the wrong done to the victims, the prospective reparation program(s) should, in addition to pecuniary redress and monetary quantifiable benefits, include moral or symbolic reparations.</p> <p><i><u>Explanation</u></i> <i>Moral or symbolic reparations are those that have more of a symbolic meaning, such as an apology or the construction of a monument, whereas monetary or material reparations consist of financial payments or development of infrastructure.</i></p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p> <p>If you think this section is not acceptable, please tell us why. Briefly explain your objection and include the section or subsection you are concerned with. If possible, please also provide an alternative formulation of the section.</p>	

<p style="text-align: center;">8. INCLUDE ALL FORMS OF REDRESS I.E. REPARATION MEASURES FALLING UNDER THE FOLLOWING HEADS:</p> <hr/> <p style="text-align: center;">8.1 RESTITUTION (multiple choice)</p>	<p>Questions</p>	<p>Enter Your Answers Here</p>																				
<p>Undertake measures with the principal aim of restoring the victim, as far as possible, to a position occupied before the violations of international human rights or humanitarian law occurred. These measures should include but are not limited to:</p> <p>Please list, in order of priority, which restitution measures should be prioritized. Place a number next to those you would prioritise. A '1' signifies most important, whilst an '8' would signify least important. If you believe all or some are equally important, please give them the same number.</p> <table border="1" data-bbox="212 1032 724 1928"> <thead> <tr> <th>Restitution measures</th> <th>Priority (1-8 or more)</th> </tr> </thead> <tbody> <tr> <td>Rescuing/determining whereabouts of all missing individuals</td> <td></td> </tr> <tr> <td>Removing mines and explosive devices</td> <td></td> </tr> <tr> <td>Facilitating the safe return of internally displaced persons to their place of residence</td> <td></td> </tr> <tr> <td>Taking appropriate measures to protect their security upon return</td> <td></td> </tr> <tr> <td>Return of land and other property unlawfully confiscated or de facto taken from individuals and families forced to flee conflict zones</td> <td></td> </tr> <tr> <td>Restoration/rebuilding of private property destroyed in the conflict</td> <td></td> </tr> <tr> <td>Restoration of public infrastructure to ensure the delivery of public services</td> <td></td> </tr> <tr> <td>Reinstatement to previously held post (or if this is not possible securing a similar job) in case of wrongful termination of employment</td> <td></td> </tr> <tr> <td>Other? Please specify! _____</td> <td></td> </tr> </tbody> </table> <p><i>Explanation</i> <i>Restitution is an ideal form of redress, as it seeks to restore the victim to a position occupied before the violation occurred. Unfortunately for</i></p>	Restitution measures	Priority (1-8 or more)	Rescuing/determining whereabouts of all missing individuals		Removing mines and explosive devices		Facilitating the safe return of internally displaced persons to their place of residence		Taking appropriate measures to protect their security upon return		Return of land and other property unlawfully confiscated or de facto taken from individuals and families forced to flee conflict zones		Restoration/rebuilding of private property destroyed in the conflict		Restoration of public infrastructure to ensure the delivery of public services		Reinstatement to previously held post (or if this is not possible securing a similar job) in case of wrongful termination of employment		Other? Please specify! _____		<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p> <p>If you think this section is not acceptable, please tell us why. Briefly explain your objection and include the section or subsection you are concerned with. If possible, please also provide an alternative formulation of the section.</p>	
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<p><i>victims of gross violations this cannot be possible, as after the infringement of personal integrity causing serious psychical and/or psychological traumas one cannot be simply reinstated to his former condition.</i></p>		
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<p style="text-align: center;">8.2 COMPENSATION (multiple choice)</p>	<p style="text-align: center;">Questions</p>	<p style="text-align: center;">Enter Your Answers Here</p>										
<p>Compensate victims for any economically assessable harm caused by violations of human rights and humanitarian law including physical and mental harm, lost opportunities, material damages, loss of earnings (including the loss of earning potential and moral damages) to the maximum of available resources. The amount of compensation should reflect the gravity of violations. The designated sum is to be allocated as:</p> <p>Please list, in order of priority, which allocation mode should be prioritized. Place a number next to those you would prioritise. A '1' signifies most important, whilst a '3' would signify least important. If you believe all or some are equally important, please give them the same number.</p>	<p>Please pick from the left indicated options and then select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>											
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<p><u><i>Explanation</i></u></p> <p><i>Monetary compensation is the most commonly employed form of redressing the victims and it consists in awarding material and non-material damages. Compensation is limited to economically assessable damages however. Loss of dignity, reputation or emotional wellbeing cannot alone be compensated: only the economic losses ensuing from them (such as loss financial stability).</i></p> <p><i>Even though monetary compensation alone cannot provide full redress in cases of gross human rights violations it is usually part of reparations granted to the victims. Previous case-studies suggest that a pension scheme leads to long-term, sustainable benefits, but may not fully be paid. Although one-time lump sums are of less benefit to the victim—as they are likely to be misspent—their payment by the government can be more easily verified.</i></p>												

8.3 REHABILITATION (multiple choice)		Questions	Enter Your Answers Here																		
<p>Provide a range of rehabilitation services to victims and, if required, their family members, meeting relevant quality standards and within physical proximity to those areas where victims reside. These services should go beyond medical and psychological care to encompass at least:</p> <p>Please list, in order of priority, which rehabilitation services should be prioritized Place a number next to those you would prioritise. A '1' signifies most important, whilst a '7' would signify least important. If you believe all or some are equally important, please give them the same number.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;">Rehabilitation services</th> <th style="width: 20%;">Priority (1-7 or more)</th> </tr> </thead> <tbody> <tr> <td>Social services (include various services to reduce the sense of marginalization that many victims experience. Victims should have access to, at least, a minimum of basic services, including housing, health care, etc.)</td> <td></td> </tr> <tr> <td>Family counselling (a program of providing information and professional guidance to members of a family on how to overcome a specific traumatic event)</td> <td></td> </tr> <tr> <td>Vocational training (training designed to enable victims to secure and retain suitable employment)</td> <td></td> </tr> <tr> <td>Education opportunities for victims and/or scholarships for their children</td> <td></td> </tr> <tr> <td>Legal assistance (should include any legal issues stemming from or touching upon their victim status such as: access to other services, pursuing compensation before courts, participating in criminal proceedings against the alleged perpetrators etc.)</td> <td></td> </tr> <tr> <td>Amend relevant personal status legislation (National Identity Card Law) to allow women with children conceived from rape to determine their religious affiliation</td> <td></td> </tr> <tr> <td>Provide support to mothers of children born of rape to, if they wish so, live independent lives together with their children outside of their native communities</td> <td></td> </tr> <tr> <td>Other? Please specify! _____</td> <td></td> </tr> </tbody> </table>		Rehabilitation services	Priority (1-7 or more)	Social services (include various services to reduce the sense of marginalization that many victims experience. Victims should have access to, at least, a minimum of basic services, including housing, health care, etc.)		Family counselling (a program of providing information and professional guidance to members of a family on how to overcome a specific traumatic event)		Vocational training (training designed to enable victims to secure and retain suitable employment)		Education opportunities for victims and/or scholarships for their children		Legal assistance (should include any legal issues stemming from or touching upon their victim status such as: access to other services, pursuing compensation before courts, participating in criminal proceedings against the alleged perpetrators etc.)		Amend relevant personal status legislation (National Identity Card Law) to allow women with children conceived from rape to determine their religious affiliation		Provide support to mothers of children born of rape to, if they wish so, live independent lives together with their children outside of their native communities		Other? Please specify! _____		<p>Please pick from the bellow indicated options and then select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>	
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<p><u><i>Explanation</i></u> <i>Rehabilitation is the process of restoring victims physical and mental health as well as social standing</i></p>		<p>If you think this section is not acceptable, please tell us why. Briefly explain your objection and include the section or subsection you are concerned with. If possible, please also provide an alternative formulation of the section.</p>																			

<p><i>and reputation after a serious attack on their physical and/or mental integrity. As complete removal of negative consequences of gross human rights violations is unlikely, the second-best option is to mitigate, to the extent possible, the consequences of endured traumas, enabling the victims to lead a dignified life. Proper rehabilitation is a precondition for benefiting from other reparation measures such as compensation, restitution and satisfaction.</i></p>	
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8.4 SATISFACTION (multiple choice)	Questions	Enter Your Answers Here						
<p>Offer a range of non-monetary or symbolic measures specifically designed to afford satisfaction to the victims such as:</p> <p>Please list, in order of priority, which satisfaction measures should be prioritized. Place a number next to those you would prioritise. A '1' signifies most important, whilst a '7' would signify least important. If you believe all or some are equally important, please give them the same number.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;">Satisfaction measures</th> <th style="width: 20%;">Priority (1-7 or more)</th> </tr> </thead> <tbody> <tr> <td>Ensuring adequate participation of victims in any criminal proceedings relating to violations committed against them</td> <td style="text-align: center;"> </td> </tr> <tr> <td>Identifying remains of all deceased persons and delivering them to the next of kin for proper burial</td> <td style="text-align: center;"> </td> </tr> </tbody> </table>	Satisfaction measures	Priority (1-7 or more)	Ensuring adequate participation of victims in any criminal proceedings relating to violations committed against them		Identifying remains of all deceased persons and delivering them to the next of kin for proper burial		<p>Please pick from the left indicated options and then select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>	
Satisfaction measures	Priority (1-7 or more)							
Ensuring adequate participation of victims in any criminal proceedings relating to violations committed against them								
Identifying remains of all deceased persons and delivering them to the next of kin for proper burial								

Memorialization efforts (construction of memorials, monuments, and establishing a day of commemoration to remember and to pay tribute to the victims)		<p>If you think this section is not acceptable, please tell us why. Briefly explain your objection and include the section or subsection you are concerned with. If possible, please also provide an alternative formulation of the section.</p>	
Recognizing that certain events amounted to international crimes/atrocities (war crimes, crimes against humanity, genocide)			
Issuing an official apology and accepting responsibility for human rights violations committed by State agents and/or for failing to prevent human rights violations committed by non-state actors			
Including in educational materials at all levels an accurate account of the violations, and circumstances that led to them, with a view of preventing future violence by promoting accountability, fostering understanding for the victims and bridging the ethnic and religious divide in the Iraqi society			
Create a database of available personal information on disappeared women and girls and all necessary personal information, and cell samples of the next of kin of the disappeared so that the State could help locate disappeared persons			
Other? Please specify! _____			
<p><u><i>Explanation</i></u> <i>Satisfaction as a means of redressing the victim communicates the idea that making good, to the degree possible, consequences of ill-treatment necessitates more than merely awarding pecuniary damages.</i></p>			

<p style="text-align: center;">8.5 GUARANTEES OF NON-REPETITION (multiple choice)</p>	<p style="text-align: center;">Questions</p>	<p style="text-align: center;">Enter Your Answers Here</p>																								
<p>Undertake a range of measures aimed at making sure that similar atrocities/violations/crimes will not recur such as:</p> <p>Please list, in order of priority, which guarantees of non-repetition should be prioritized. Place a number next to those you would prioritise. A ‘1’ signifies most important, whilst a ‘10’ would signify least important. If you believe all or some are equally important, please give them the same number.</p> <table border="1" data-bbox="212 667 724 2083"> <thead> <tr> <th>Guarantees of non-repetition</th> <th>Priority (1-10 or more)</th> </tr> </thead> <tbody> <tr> <td>Ensuring that all the perpetrators of gross human rights violations are prosecuted and adequately sentenced</td> <td></td> </tr> <tr> <td>Stop extrajudicial punishment and discrimination of individuals and families with alleged ISIS ties</td> <td></td> </tr> <tr> <td>Acceding to the Rome Statute of the International Criminal Court (ICC)</td> <td></td> </tr> <tr> <td>Introducing guarantees/mechanisms that will improve physical safety of minorities (mandatory quota in security forces etc.)</td> <td></td> </tr> <tr> <td>Introducing/improving mechanism ensuring political participation of minorities on municipal/regional and federal level</td> <td></td> </tr> <tr> <td>Redefining the crime of rape as well as criminal procedure requirements for prosecuting alleged rapists in accordance with international standards</td> <td></td> </tr> <tr> <td>Criminalizing marital rape</td> <td></td> </tr> <tr> <td>Removing outdated provisions in the Iraqi Penal Code allowing people who commit sexual assault to avoid punishment if they marry their victims, and removing the husband’s prerogative to discipline (punish) his wife</td> <td></td> </tr> <tr> <td>Removing the reservation entered to Articles 2 (f, g) and 16 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) mandating States to repeal discriminatory laws and practices and ensure equality in all matters related to family and marital relations</td> <td></td> </tr> <tr> <td>Accepting individual application procedure under the International Covenant on Civil and Political Rights (ICCPR), Convention Against Torture (CAT) and CEDAW</td> <td></td> </tr> <tr> <td>Other? Please specify! _____</td> <td></td> </tr> </tbody> </table>	Guarantees of non-repetition	Priority (1-10 or more)	Ensuring that all the perpetrators of gross human rights violations are prosecuted and adequately sentenced		Stop extrajudicial punishment and discrimination of individuals and families with alleged ISIS ties		Acceding to the Rome Statute of the International Criminal Court (ICC)		Introducing guarantees/mechanisms that will improve physical safety of minorities (mandatory quota in security forces etc.)		Introducing/improving mechanism ensuring political participation of minorities on municipal/regional and federal level		Redefining the crime of rape as well as criminal procedure requirements for prosecuting alleged rapists in accordance with international standards		Criminalizing marital rape		Removing outdated provisions in the Iraqi Penal Code allowing people who commit sexual assault to avoid punishment if they marry their victims, and removing the husband’s prerogative to discipline (punish) his wife		Removing the reservation entered to Articles 2 (f, g) and 16 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) mandating States to repeal discriminatory laws and practices and ensure equality in all matters related to family and marital relations		Accepting individual application procedure under the International Covenant on Civil and Political Rights (ICCPR), Convention Against Torture (CAT) and CEDAW		Other? Please specify! _____		<p>Please pick from the left indicated options and then select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p> <p>If you think this section is not acceptable, please tell us why. Briefly explain your objection and include the section or subsection you are concerned with. If possible, please also provide an alternative formulation of the section.</p>	
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<p><u>Explanation</u> <i>Guarantees of non-repetition, which focus on the prevention of future violations, are crucial to providing assurance to victims who may fear retaliation or future harm. Given the seriousness of the harms inflicted on victims of conflict-related sexual violence, the combination and interplay of different forms of reparation appears necessary. Transformative reparations are measures that have the potential not only to deliver benefits to victims but also help overcome structures of inequality and discrimination. Pursuing a transformative approach to reparations as to conflict-related sexual violence would entail preferring modes of reparations capable of changing the imbalance of power detrimental for women in present-day Iraq.</i></p>		
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9. FINANCING REPARATIONS	Questions	Enter Your Answers Here
<p>The State should be the principal sponsor of the national reparation program. However, international actors should be encouraged to contribute to the reparation effort of Iraq either by making monetary or in-kind donations, rearranging Iraq’s foreign debt or through other modalities.</p> <p><u>Explanation</u> <i>The question might be raised that GoI is not responsible for crimes perpetrated by ISIS and therefore will not provide reparations to victims. However the obligation to protect can be raised as a counter-argument. Iraq failed to protect people under its control from atrocities committed by ISIS and is therefore under a legal obligation to provide reparations. Alternatively, the GoI had an obligation to prevent genocide against the Yazidis, and arguably other targeted groups, and is therefore under a legal obligation to provide reparations. Article 16 of the UN Basic Principles on the Right to a Remedy and Reparation, although not binding makes clear: “States should endeavor to establish national programmes for reparation and other assistance to victims in the event that the parties liable for the harm suffered are unable or unwilling to meet their obligations.”</i></p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p> <p>If you think this section is not acceptable, please tell us why. Briefly explain your objection and include the section or subsection you are concerned with. If possible, please also provide an alternative formulation of the section.</p>	

10. BURDEN OF PROOF	Questions	Enter Your Answers Here
<p>The standard of evidence used for determining eligibility of victims for reparation programs should not put unreasonable burden on the victims. In principle, sworn statements attesting the truthfulness of described events should be considered sufficient. For gross violations of human rights mental harm should be presumed.</p> <p><u>Explanation</u> <i>The standard of proof used to determine eligibility of victims to be considered beneficiaries of reparative measures may be high or low. It on the one hand should keep those making false claims out, but be inclusive enough to be met by genuine victims. In general, administrative reparation programs usually require lower standards of proof than that applied in a criminal justice setting.</i></p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p> <p>If you think this section is not acceptable, please tell us why. Briefly explain your objection and include the section or subsection you are concerned with. If possible, please also provide an alternative formulation of the section.</p>	

11. DOCUMENTATION	Questions	Enter Your Answers Here
<p>Before undertaking further documentation of any kind of human rights violations of victims, recourse should be taken to documentation carried out by governmental and non-governmental actors in the field.</p> <p><u>Explanation</u> <i>Victims of gross human rights and humanitarian law violations have been to a large extent already documented and in some cases over-documented. Instead of putting the victims under stress of being forced to repeat their plight, recourse should be made to statements and other evidence already recorded and archived by different actors such as CIGE, UNITAD, Yazda, CIJA etc. Victims should be asked to engage in documenting their experiences only as a means of last resort.</i></p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p> <p>If you think this section is not acceptable, please tell us why. Briefly explain your objection and include the section or subsection you are concerned with. If possible, please also provide an alternative formulation of the section.</p>	

INPUT ON C4JR STATUTE

12. NAME OF THE COALITION	Questions	Enter Your Answers Here
<ul style="list-style-type: none"> • Name of the coalition shall be Coalition for Just Reparations. • The acronym of the Coalition for Just Reparation is C4JR. 	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>	
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13. MISSION	Questions	Enter Your Answers Here
<p>C4JR is a network of civil society organizations (CSOs) in Iraq, committed to championing the cause of reparative justice in Iraq. Our mission is to promote and advocate for awarding just reparations to victims of gross human rights violations committed in the course of the ISIS conflict in Iraq.</p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>	

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14. ACTIVITIES	Questions	Enter Your Answers Here
<p>C4JR will support its mission by:</p> <ul style="list-style-type: none"> • Conducting and publishing research • Advocating towards national and international actors • Promoting right of victims to reparations via traditional and digital media campaigns • Securing public and political support for reparations • Providing various forums for the exchange of ideas • Monitoring of implementation of existing laws • Carrying out other related activities 	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>	
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15. MEMBERSHIP	Questions	Enter Your Answers Here
<p>C4JR is an open platform accessible for all likeminded CSOs registered in Iraq. When the C4JR is established all interested local CSOs that accept reparation objectives as set in the Position Paper and Statute of the C4JR may join by submitting the accession documents.</p> <p>Coalition members may be expelled from C4JR if they continually demonstrate blatant disregard to the common positions as formulated in the position paper, internal rules as defined in the Statute or misappropriate funds allocated for implementation of C4JR activities.</p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p> <p>If you think this section is not acceptable, please tell us why. Briefly explain your objection and include the section or subsection you are concerned with. If possible, please also provide an alternative formulation of the section.</p>	

16. GENERAL MEETING	Questions	Enter Your Answers Here
<p>The general meeting shall have supreme authority over all affairs of the C4JR. Only at the general meeting can decisions be made regarding any changes to the Statute, Position Paper and projects/activities of the C4JR. The C4JR shall hold an annual general meeting and may hold extraordinary general meetings. The Coordinating Committee shall decide where to hold the general meeting.</p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>	

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17. COORDINATING COMMITTEE	Questions	Enter Your Answers Here
<p>Implementation of the conclusions of the C4JR General Meeting and daily running of the C4JR activities shall be carried out by the Coordinating Committee consisting of 5 members elected by the General meeting for the period of two years.</p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>	
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18. OVERSIGHT BOARD	Questions	Enter Your Answers Here
<p>The oversight board shall consist of 5 persons of high moral and professional standing unrelated to party politics in Iraq and C4JR member organizations. It will convene at least once per year to review activities of C4JR including but not limiting to its financial aspect. Members of the oversight board shall be appointed by the general meeting for the period of 5 years.</p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>	
	<p>If you think this section is not acceptable, please tell us why. Briefly explain your objection and include the section or subsection you are concerned with. If possible, please also provide an alternative formulation of the section.</p>	

19. ADMINISTRATIVE SUPPORT	Questions	Enter Your Answers Here
<p>Technical, expert and administrative support to the C4JR will be provided by the Secretariat appointed by the Coordinating Committee. The Secretariat, shall be independent and represent the coalition only.</p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>	

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20. VOTING PROCEDURES	Questions	Enter Your Answers Here
<p>All C4JR members shall be entitled to be present at a general meeting and shall have one vote.</p> <p>To decide an amendment to the Statute and Position Paper and dissolution of the C4JR, 2/3rds of the votes cast in the General Meeting shall be required. Quorum is 2/3rds of the members present or represented by proxy.</p> <p>Any other motion in both Coordinating Committee and General Meeting shall be decided by simple majority. Quorum shall be 1/2 of the members present or represented by proxy.</p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>	
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21. FINANCING C4JR ACTIVITIES	Questions	Enter Your Answers Here
<p>C4JR activities are financed:</p> <ul style="list-style-type: none"> • From funds that work in accordance with the law. • Voluntary contributions by natural and legal persons. • Sponsorship and donations. • From other sources in accordance with the law. <p>The financial statements shall be made available to the C4JR members and the general public.</p>	<p>Please select the response that matches your opinion of this section:</p> <p>(1) I strongly agree with this section.</p> <p>(2) This section is acceptable.</p> <p>(3) This section (or part of this section) is not acceptable. I object.</p> <p>(4) I don't know this area well enough to respond.</p>	

<p>C4JR member organizations may, alone or together with other C4JR members, seek funds and implement projects falling within the scope of C4JR mandate, provided that approval of the Coordination Committee has been obtained.</p>	<p>If you think this section is not acceptable, please tell us why. Briefly explain your objection and include the section or subsection you are concerned with. If possible, please also provide an alternative formulation of the section.</p>	
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INPUT ON C4JR PLAN OF ACTIVITIES

22. FUTURE ACTIVITIES OF C4JR

Please list, in order of priority, which future activities of C4JR should be prioritized

Place a number next to those you would prioritise. A '1' signifies most important, whilst a '6' would signify least important. If you believe all or some are equally important, please give them the same number.

Activity	Priority (1-6)
Advocacy, lobbying and other promotion of a comprehensive reparations programme for all civilian victims in compliance with the international human rights law standard governing the right to reparation and setting out obligations of States to provide reparations.	
Advocacy at an international level by reaching out and addressing different international organizations, such as UN bodies, EU bodies, intergovernmental, non-governmental organizations etc.	
Exploring the need of victims and their expectations as regards reparation.	
Capacity building.	
Monitoring the implementation of current or prospective reparation related legislation.	
Others? Please specify! _____	

Thank you!