

Welcome to the Second C4JR YSL NEWSLETTER

The Coalition for Just Reparations (C4JR) is publishing regular newsletters on the Yazidi Survivors' Law (YSL) starting July 2023 in three languages; Arabic, English, and Kurdish (Kurmanji and Sorani). Our goal is to share accurate and up-to-date information regarding the YSL and share the views and experiences of all actors included in the implementation of this seminal transitional justice framework to address atrocities committed by ISIL in Iraq.

Latest News on the YSL

Application Statistics

According to a recent announcement by the Ministry of Labour and Social Affairs on August 29th, the General Directorate of Survivors' Affairs (Directorate) released reparations payments for 775 survivors of ISIS covered by the Yazidi Survivors' Law in the month of August. The Director General of the Directorate, Ms. Sarab Elias, said that 184 reparation payments have been made to minors. The total number of reparations payments for July was 484 beneficiaries. According to Ms. Elias's [Twitter](#) post on August 24th, the Directorate has approved the 1000th application for reparations under the YSL. For more information, visit <https://facebook.com/photo/?fbid=689930286503305&set=a.297352885761049>.

Implementation of the YSL

The YSL includes reparation benefits to be provided to each individual who is approved as a survivor. These include: 1) monthly reparation payments; 2) rehabilitation services; 3) return to education; 4) priority in public employment; and 5) a housing unit or land. The Directorate is actively rolling out certain benefits like reparations payments and referring survivors to supporting NGOs for rehabilitation support while continuing to address more complex benefits for future implementation.

Important updates:

- The C4JR confirmed 3 positive YSL application outcomes for Shabak survivors;
- In July, the UN Special Rapporteur on the promotion of truth, justice, reparation, and guarantee of non-recurrence together with 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 a criminal complaint requirement under the YSL. The communication noted that the requirement is inconsistent with the YSL as a non-judicial domestic reparations programme. It further noted that it was not in line with international standards and that such a requirement would have adverse effects on the enactment of the YSL. For more information, the full text is available here: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=28060>;
- On August 3rd, C4JR published the outcome of the C4JR Working Group on Ethical Engagement with Survivors' discussion on the removal of the requirement to file a criminal complaint as a condition to qualify for reparations under the YSL held on June 19th. The outcome of discussions is a shared understanding of the challenges faced by survivors overseas who cannot file criminal complaints and therefore cannot benefit from the YSL. For more information, visit <https://c4jr.org/0308202327716>.



“Reparations under the law are to be available and accessible not only to survivors inside Iraq but also for those who live outside Iraq. Currently, our Farida Global Team is closely collaborating with the Iraqi and Kurdistan Regional Governments to develop dual solutions that would facilitate access to reparation programs under the YSL for survivors residing in Germany, Canada, Australia, and France. As the president of a survivor-led organization, I commend the efforts of the General Directorate for Survivors Affairs (GDSA) and the Committee in engaging with survivors residing outside Iraq. We hope that practical solutions will soon emerge, enabling survivors to access the rights entitled under the YSL, regardless of the location of survivors like myself.”

- Statement from Farida Khalaf, President of Farida Global Organization, on the outcomes of C4JR working groups.

Read Farida’s full statement here:
<https://c4jr.org/2808202327763>

Accountability Efforts

Article 7 of the law declares crimes committed by ISIL against Yazidis and other components to be genocide and crimes against humanity. The Directorate is committed to initiating and moving forward the discussion amongst stakeholders on criminal accountability for ISIL crimes in Iraq and to prosecute ISIL crimes as crimes of genocide and crimes against humanity.

This section highlights some recent developments in accountability efforts:

- On July 21st, the Directorate held a consultation session with Yazidi, Christian, and Turkmen survivors members of the Organization for the Victims of Iraq in Speicher and the Survivors’ Voice Network

(SVN) about accountability for ISIS crimes. The Directorate 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. In addition, the Directorate held a consultation session, on July 22nd, with NGOs, on the same topic.



Consultation session with Directorate for Survivors’ Affairs and Survivors’ Voices Network. Photo from Survivors’ Voices Network.

- On June 26, the Jiyān Foundation for Human Rights and C4JR sent a follow-up report to the UN Committee Against Torture (CAT), to inform on YSL implementation. The paper highlights 7 mandates of the YSL and their current status of implementation. It also includes recommendations for the Directorate, the Committee formed by article 10, and other relevant state authorities, including the need to increase efforts to rescue kidnapped and missing persons, and legislative impediments to accountability for international crimes committed by ISIL;
- In July, C4JR presented its Position Paper on ISIS Accountability Mechanism in Iraq to the Head of UNITAD, Special Advisor Ritscher. The meeting explored the best pathways to include C4JR’s suggestions concerning forthcoming Iraqi legislation criminalizing international crimes and establishing a criminal accountability mechanism to deal with ISIS crimes in Iraq. The C4JR delegation, including two survivors, presented concrete suggestions with the aim of ensuring that whatever mechanism is established, it must put survivors at the front and center and fully respect their rights. For more information, visit <https://c4jr.org/wp-content/uploads/2023/06/Follow-up-Report-to-UNCAT-on-Implementation-of-Recommendations-to-Iraq-on-CRSV-from-May-13-2022-3.pdf>. For more on Iraq’s response to CAT on the state of

implementation of YSL-relation recommendations, the report is available in Arabic here:

https://tbinternet.ohchr.org/_layouts/15/treaty-bodyexternal/Download.aspx?symbolno=CAT%2FC%-2FIRQ%2FFCO%2F2&Lang=en



C4JR representatives met with the Special Adviser and Head of UNITAD Mr. Christian Ritscher and his team in Baghdad to discuss moving forward with criminal accountability for ISIL crimes in Iraq.

Commemoration

August 3rd marked the ninth anniversary of the beginning of the genocidal attacks against Yazidis. Commemorations are an important symbolic reparative measure mandated by the YSL, which recognizes the Iraqi government's role in remembering victims and implementing necessary measures to address the crimes committed against Yazidis and other minorities.

This section of the newsletter will feature some of the events that were held both in Iraq and the Kurdistan Region where survivors took a lead role in outlining the progress of and challenges to YSL implementation:

- On August 1st, 27 Yazidi-led NGOs held a commemorative event in Baghdad facilitated by the Free Yazidi Foundation. Speakers at the event included UNAMI's Deputy Special Representative of the Secretary-General for Political Affairs and Electoral Assistance Claudio Cordone, a video message from US ambassador-at-large for global criminal justice, Beth Van Schaack, and speeches from embassy representatives including EU Ambassador Ville Varjola, UK Ambassador Stephen Charles Hitchen, Japan's Ambassador Futoshi Matsumoto and Chargé d'Affaires of the German Embassy, Maximilian Rasch, the French Embassy, Jean-Christophe, and Embassy of the Netherlands, Jacob Wiersma. Survivors

shared powerful messages during the event and also highlighted some of their grievances and concerns regarding YSL implementation efforts;

- Alo Omer Alo, a survivor of mass execution, discussed the challenges facing survivors who want to return to education. Mr. Alo explained, "It has been five years since I have been back and just two years since the passing of the [Yazidi Survivors] law, and so far we haven't seen anything implemented on the issue of schooling. If there had been a law in place [when I first returned] I would have returned to school and completed my studies by now. When I returned and told them I wanted to return to school they told me my age was not acceptable to finish studies. This is the most common issue we have faced since returning." In response, the General Director of the Directorate outlined the progress they have made in assisting survivors return to education. In the previous year, 13 survivors were helped in this regard. She emphasized that those who wish to return to education should inform the Directorate.



Mrs. Sarab Elias and Yazidi survivors meet with the President of the Republic, Dr. Abdul Latif Jamal Rashid, on 01 August, 2023. For more information, visit <https://www.molsa.gov.iq/?article=2702>.

- On August 3rd, the GDSA Director along with a delegation of Yazidi survivors met with the President of Iraq, Dr. Abdullatif Jamal Rashid. The President emphasized his commitment to the issue of the return of Yazidis to Sinjar, the construction, and reconstruction of their areas, and his continued coordination with government agencies and the United Nations. For more information, visit <https://www.molsa.gov.iq/?article=2702>;

- In Erbil, the Kurdistan Regional Government and Yazda organization held a commemorative event. There, Abida Murad, a member of the Yazidi Survivors Network drew attention to survivors' concerns regarding missing persons, "We still have many missing people, and the remains of our people aren't identified. The process of exhuming mass graves is slow. There is no plan for rebuilding Sinjar. Perpetrators are free. I hope you will not only be listeners but also take action." The YSL facilitates the search for the missing, exhumation of mass graves, and identification, memorialization, and cooperation in prosecuting ISIS members. During the event, the organization launched its new report, *From Resistance to Rubble: The Stories of Ger Zarik, Siba Sheikh-Kheder and Tel Azer* prepared by Yazda's Documentation Project. The report calls on the Iraqi and Kurdistan governments and the international community to implement a set of measures to improve the lives of survivors from these villages, as well as the broader community. The report further calls for full implementation of the YSL and the removal of all barriers to accessing benefits. For more information, visit https://irp.cdn-website.com/16670504/files/uploaded/report_yazda_from_resistance_to_rubble_ger_zarik_siba_tel_azer_en.pdf;



Survivors' Voices Network (SVN) commemoration of the ninth anniversary of the Yazidi genocide in Sinjar. For more information, visit <https://reliefweb.int/report/iraq/stronger-together-yezidi-survivors-groups-mark-genocide-9-years-later-enarku>.

- In Sinjar, the SVN gathered in the old market for a candle-lit vigil to honor the thousands whose lives were lost. Marking the first public activity of the group, participants lit candles in remembrance of those who perished, enshrining the events and their aftermath in public memory.



Hope Givers' Afforestation Campaign in action. For more information, see https://www.instagram.com/p/CvnSSWKNR7d/?img_index=1.

- In parallel to the SVN event, Hope Givers, a Yazidi male survivor's network, planted trees along public streets and homes in a Sinjar village, to create a greener environment. The campaign aimed to transform Tel Qasab village by providing shaded streets and creating a stronger sense of belonging, by encouraging the village's residents to steward the local environment. By planting trees on August 3rd, Hope Givers' wanted to symbolize hope for return and the future.

Challenges

Each newsletter will highlight one or more challenges for survivors or other stakeholders in the implementation of the YSL. In this second issue, C4JR is drawing attention to the challenges of implementing the right to rehabilitation designated in the YSL. The principle of rehabilitation under international law calls for the need for rehabilitation as a form of reparation, recognizing that victims of gross human rights violations have a right to reconstruct their lives and restore their human dignity as far as possible.

Rehabilitation as a reparative measure must be specialized and holistic to meet the diverse needs of survivors. The YSL centers rehabilitation as reparation as one of its core objectives mandating access to adequate health and social services, educational and vocational opportunities, and legal rehabilitation for survivors.

To achieve some of these goals, the establishment of health and psychological rehabilitation centers for survivors is critical. Specifically, Article 4.2 of the YSL states that the law aims to “rehabilitate and take care of [female] survivors and those covered by the provisions of this law and to prepare the necessary means to integrate them into society”.

Article 5.6 further stipulates that the Directorate will open “health and psychological rehabilitation centers to treat [female] survivors.” Rehabilitation centers are expected to provide a wide range of services to mitigate, as far as possible, the enduring trauma survivors face.

Speaking in Baghdad on August 1st, Ms. Sarab Elias recognized the delay in the development of rehabilitation centers but emphasized that their cooperation with the Ministry of Health was underway on this matter. As mentioned in the last issue, the Directorate has signed an Agreement of Cooperation with eight NGOs to establish a formal referral system which has to date assisted in 49 referrals to MHPSS services. More information can be found in the previous issue of the newsletter, https://c4jr.org/wp-content/uploads/2023/07/C4JR-NL_1_English.pdf.

Between 12 and 15th June, C4JR held a consultancy with key stakeholders, including survivors and representatives from the Directorate, Ministry of Justice, UNITAD, and IOM, to discuss how global human rights indicators can be adapted to monitor the implementation of the right to rehabilitation under the YSL. One of the key takeaways from the workshop was the understanding of rehabilitation as a concept wider than trauma healing services alone. Drawing on the analogy of a stone thrown into a lake, Dr. Patel described how the “ripples of harm” affect individuals, families and communities, and require unified measures and standards towards implementing the right to rehabilitation with a human-rights-based approach. To learn more about holistic rehabilitation as reparation, watch C4JR’s recent conversation with Professor Nimisha Patel in Dohuk here <https://c4jr.org/2808202327773>.

While the financial compensation aspect of the YSL is currently being implemented, challenges still remain with regard to the successful implementation of access to education, employment, and the full delivery of a holistic rehabilitation service.

THERE IS NO DEADLINE TO APPLY TO THE YSL! HERE IS HOW YOU CAN APPLY IF YOU ARE A SURVIVOR

The YSL provides reparations if you are a member of one of the following groups:

- Adult and minor female survivors of ISIS captivity from the Yazidi, Shabak, Christian, or Turkmen communities;
- Male Yazidis who were abducted by ISIS when they were under the age of 18 at the time they were abducted by ISIS;
- All persons from the Yazidi, Shabak, Christian, or Turkmen communities who were abducted by ISIS and personally survived a specific incident of ISIS mass killing.

Applications are made to the General Directorate for Survivors’ Affairs. You can apply in three ways:

- Making an appointment with the Directorate in their Sinjar or Mosul offices and visiting the office at the appointment time. You can make the appointment at <https://ur.gov.iq/login>. See this video on how to make an appointment: https://www.youtube.com/watch?v=6ARuIc4gYU&ab_channel=IOMIRAQ ;
- Filling out a hard copy form and take it to the Directorate physically. You still need to register online using the link above to get your unique registration code;
- Applying online: You may submit your application, together with copies of your ID and any supporting documents you have to the link above. See this video on how to apply online: https://www.youtube.com/watch?v=QfoDfQWwErE&ab_channel=IOMIRAQ

You can apply on your own - you do not need a lawyer or NGO to apply. If you would like any support with the application, you can contact NGOs in your area. **There is no deadline to apply for the YSL. There is also no fee to apply.**

You can follow the Directorate’s announcements on Facebook:
<https://www.facebook.com/profile.php?id=100076062182514>

From The Survivors

Our newsletter's goals are to share the views and experiences of all actors involved in the YSL implementation process and to continuously include survivors' views on the process to ensure a survivor-centered implementation of the law.

Message from the C4JR's Survivors Council

The C4JR Survivors Council asked the opinion of a couple of survivors on why the YSL was important for them and what they think the government should do to improve its implementation. See their opinions below:

"The YSL is a victory that survivors achieved together through hard work. Still, it is a small part of reparations for all ISIS survivors."

"The Iraqi government should improve the implementation of the YSL. There are very important and essential clauses included in the law, such as searching for abducted and missing persons, memorializing the victims of mass graves, and rehabilitating the survivors. So far, none of these clauses have been implemented. There must be coordination between relevant authorities for swift and successful implementation."

Coming up in the next newsletter

The C4JR has been working closely with five implementing partners on an anonymous survey to learn about survivors' perceptions of the application process for the YSL. Each organization's data collection plan has been confirmed and organizations will begin reaching out to survivors to ask if they would like to participate in this survey. Results will be shared here anonymously and we hope that the survey will allow C4JR members to better identify the successes, challenges, and needs of YSL applicants.

Get To Know C4JR Members

In each newsletter, we will highlight the YSL-related work of two C4JR member organizations, including information on where and how to reach them.

Hammurabi Human Rights Organization



منظمة حمورابي لحقوق الإنسان
Hammurabi Human Rights Organization

Hammurabi Human Rights Organization supports survivors through the Safe Returns Center in Al-Hamdaniya by:

- Consulting with survivors on online applications to the YSL;
- Providing survivors with support documents to prove their registration in Hammurabi's database as an ISIL survivor;
- Providing legal aid to survivors who want to apply for the YSL by assisting survivors attending courts for investigation papers and providing follow-up on investigation status; and
- Providing psychosocial support to survivors.

Hammurabi Human Rights Organization's main office is located in Al-Harithiya, Baghdad. Other locations include Ashur District, Nineweh Governorate; Ankawa, Erbil Governorate, and the Dohuk Governorate.

Survivors can contact Hammurabi directly at the following numbers:

For Baghdad, Al-Harithiya, Head Office:

+964 751 3760474

+964 790 1448651

For Safe Returns Center, Al-Hamdaniya:

+964 7718455172

Farida Global Organization (Farida e.V.)



Farida Global Organization supports survivors at their office located in Sharya Collective and provides services to survivors throughout the entire Duhok governorate by:

- Assisting in filling out and submitting full applications to the YSL to access reparations under relevant legislation and monitor the progress of applications;
- Procuring supplementary court testimonies;
- Organizing information sessions and community consultations on the subject of YSL to enhance awareness;
- Offering legal guidance and assistance in procuring necessary corroborated documentation;
- Providing mental health and psychosocial support services to survivors;
- Providing education opportunities and skills training to empower survivors for reintegration into academic pursuits;
- Extending invitations to survivors for involvement and training within the FGO team, upholding a survivor-to-survivor approach;
- Maintaining regular communication with the Directorate, addressing matters pertaining to YSL applications and MHPSS;
- Championing the rights of survivors on local and global platforms, advocating for reparations, justice, and the search and rescue of missing individuals; and
- Creating a conducive environment for survivors to voice their perspectives and ensuring their participation in decision-making processes.



Survivors can contact Farida Global Organization directly at the following numbers:

For YSL:
+9647502501122

For MHPSS:
+9647517846247

Email: info@faridaglobal.org

FGO can be contacted directly on Whatsapp by scanning the below QR Code:

Farida Global Organization
WhatsApp business account



About the C4JR

The Coalition for Just Reparations (C4JR) is an alliance of 33 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 to encourage Iraqi authorities to meet their obligation to provide reparations. C4JR also works to inform, advocate, offer viable solutions, and engage with different stakeholders to ensure survivors realize their right to reparations by providing space for deliberation, collaboration, and reflection.

You can visit our website at www.c4jr.org for more information.



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