

# Welcome to the Fourth 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

The Directorate of Survivors' Affairs (Directorate) and the Ministry of Labor and Social Affairs announced the release of reparations payments for 1,114 survivors of ISIL covered by the Yazidi Survivors' Law in November and 1,257 beneficiaries in December. This brings the total number of beneficiaries of the YSL to 1,541 to date. More details can be found on the Directorate's Facebook page: <https://facebook.com/profile.php?id=100076062182514>.

### 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 Directorate announced that male and female survivors who registered with the Directorate to return to education must now visit one of the registration centers below to begin the registration processes:
  - Sharia Center for the Eradication of Illiteracy
  - Chamishko: Center for the Eradication of Women's Illiteracy
  - Karbarto: Razgari Center for the Eradication of Illiteracy

- Domiz: Al-Nasr Center for the Eradication of Illiteracy
- Dohola Center for the Eradication of Illiteracy

For further inquiries on the process, contact the Directorate at +9647511002971. More information can be found on the Directorate's Facebook page: <https://www.facebook.com/profile.php?id=100076062182514>.

- On 08 November, the British Consulate General Erbil and the Institute of International Law and Human Rights organized a briefing on the implementation of the Yazidi Survivors Law for KRG representatives and diplomatic missions in Erbil. The Director General for Survivors' Affairs Ms. Sarab Elias presented the achievements and challenges in the implementation of the law and presented the plan for the upcoming period.
- On the 24 and 25 of November, an international workshop on designing specialized MHPSS services for YSL beneficiaries was held to discuss designing, equipping, and sustaining institutionalized resources for the rehabilitation of survivors, in line with Article 5.6 of the YSL. Present at the workshop were representatives of the Directorate, IOM, Ministry of Labor and Social Affairs, Kurdistan Regional Government and Iraq's Ministries of Health, MHPSS practitioners from the MENA region and Iraq, and international experts. Over the two-day workshop participants discussed the mental health needs of survivors of CRSV and child survivors in Iraq, explored the potential models, components, and approaches necessary for building institutionalized MHPSS services for YSL beneficiaries, and designed a road map for establishing the Directorate's MHPSS Specialized Centers in Sheikhan and Sinjar for beneficiaries of the YSL.

- On 30 November, a C4JR delegation including Ms. Amal Ghazi Jassim, Justice Organization for Minority Rights, Ms. Sonya Barakat, Free Yazidi Foundation, Mr. Hogir Kamil, Dak Organization, and Mr. Shivan Raof, SEED Organization, visited the Directorate in Mosul to obtain clarity on YSL eligibility criteria and to request clarification on the YSL's rejection and appeal processes. The delegation was hosted by the Chair of the Committee, the Honorable Judge Khalid Huaydi Wakaa and the Director General of the Directorate, and the Vice Chair of the Committee, Ms. Sarab Elias.



*C4JR's delegation visits the General Directorate for Survivors' Affairs in Mosul for discussions with the Director General, Ms. Sarab Elias, and the Chair of the Committee, the Honorable Judge Khalid Huaydi Wakaa.*

- C4JR sat down with the Head of IOM Iraq's Transitional Justice unit, Sandra Orlovic, to discuss how IOM Iraq has found itself supporting reparation processes in the country. The discussion addressed which provisions are the most challenging—and important—to implement; the challenges facing survivors to achieve the meaningful justice promised in the transitional justice framework; and the role of civil society in supporting survivors to realize their right to reparations under the YSL. To listen follow this link: <https://c4jr.org/podcast>. A transcript of the interview can be found at: <https://c4jr.org/?p=28126>.

## Accountability Efforts

- On 21 November, C4JR organized an event in Erbil on accountability pathways and the sharing of evidence collected by UNITAD following the termination of UNITAD's mandate. Participant discussions focused on UNITAD's completion strategy and monitoring of prospective criminal trials against ISIL members in Iraq. Discussions focused on issues pertaining to the handing over and sharing of evidence collected by UNITAD with Iraqi authorities and third parties. The event was attended by survivors, C4JR members, and representatives from UN agencies in Iraq, including UNITAD's Special Advisor Christian Rischer who attended online. C4JR finalized an input paper on meaningful and informed input of Iraqi civil society and prospects for meaningful justice and trials for ISIL crimes in Iraq based on evidence collected by UNITAD. The final input paper will be used as an advocacy platform for engaging with Iraqi officials and international partners to ensure survivor-centered trials in Iraq are in line with international standards. This input paper will be referenced in the official United Nations General Assembly report on sharing evidence that is due on January 15, 2024. For more information on the event, see C4JR's Twitter post: <https://twitter.com/c4jrOrg/status/1726997763693674594>.
- On the International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and of the Prevention of this Crime, C4JR launched our new website dedicated to promoting the need for a survivor-friendly criminal accountability mechanism in Iraq meeting international standards with jurisdiction over international crimes committed by ISIL. Article 7 of the Yazidi Survivors' Law declares crimes committed by ISIL against Yazidis, Turkmen, Christians, and Shabaks to be genocide, and the Survivors' Affairs Directorate is committed to initiating and progressing the discussion on criminal accountability among stakeholders. The need to establish a path to justice for crimes committed by ISIL is a priority for survivors and one that Iraq has committed itself to but has proved challenging to deliver. Read more in C4JR's Position Paper on an ISIL Accountability Mechanism in Iraq by following this link: <https://www.justice-iraq.com/>.



Bojan Gavrilovic, the Head of Program for Rights and Justice at Jiyon Foundation for Human Rights, Fiona MacKay, Legal Consultant and Former Chief of the Victims Participation and Reparations Section at the International Criminal Court, and Natia Navrouzov Yazda Globa's Legal Advocacy Director moderated civil society discussions on accountability pathways following the termination of UNITAD's mandate.

## Challenges

In each newsletter, we highlight one or more challenges facing survivors or stakeholders involved in the YSL's implementation. In this fourth issue, C4JR draws attention to the lack of clear, written communication of decisions of initial YSL applications and appeals to the Committee.

After the Committee issues its decision, the Committee returns the YSL case file to the Directorate. If approved, then the Directorate will submit the file to the Ministry of Labor and Social Affairs (MoLSA) for administrative matters such as registration in the MoLSA system for benefits. At this stage, if the applicant/proxy checks on the status of their YSL application from the Directorate, they will be informed of the decision of approval. If not, the applicant will be contacted by the Directorate when the receipt of the Mastercard/QICard is ready. The Directorate will contact the survivor or their proxy at a later date to sign a receipt which can be presented to a MasterCard/QICard branch to obtain their card and begin receiving reparation payments. If the applicant is rejected, the Directorate will contact the applicant or their proxy at the phone number provided on the YSL application. The applicant or proxy is informed of the decision verbally and when visiting the Directorate, is presented with a rejection letter to sign in person as verification the person was notified. Based on information provided to C4JR by applicants to the YSL, the Committee has not issued letters confirming the reasons the application was rejected.

Applicants whose cases were rejected by the Committee informed C4JR that they did not know why the Committee

denied their applications, and that this makes it difficult to appeal their cases. Another challenge is that there is a strict 30-day filing deadline for the first appeal to the Committee, but without the letter in hand, applicants might forget the date or applicants who are not literate might not be able to read the letter shown to them. After an appeal to the Committee is denied, the applicant's last resort is to appeal the decision before the Court of First Instance.

C4JR believes that the absence of a written decision that includes the date the case was denied as well as the reasons, can negatively impact an individual's due process rights including the right of appeal. Specifically, applicants might miss the 30-day filing deadline, and they would be unable to know the basis of the appeal without information regarding the reasons for denial. To ensure due process, C4JR recommends that the Directorate issue dated application decision letters to YSL applicants upon request detailing the grounds on which the application was rejected. For example, the letter should state whether an application was refused as a result of the applicant's failure to meet eligibility criteria and specifically what that is, or the lack of evidence and why the evidence submitted was insufficient, or for other reasons in accordance with the law. Written rejection letters articulating the basis for the decision can better inform applicants and those supporting applications of their eligibility to the law while providing a dated document applicants can refer back to as they prepare their appeals within the allocated time.

In addition to providing explanations for an applicant's rejection, applicants require clarity regarding the appeals process itself. Due to applicants having a short 30-day time period in which to make appeals, it is advised that the Directorate issue applicants with clear information regarding the appeals process, and the basis on which an individual can appeal. Though the YSL and bylaws provide basic information regarding the appeals process, C4JR recommends providing an appeals process information document that clearly outlines the steps available to the individual applicant in an easy-to-understand format, available in the applicant's spoken language.

The communication of application decisions and the appeals process must follow a survivor-centered, trauma-informed, and accessible approach ensuring applicants have the right to be informed, data confidentiality, and assurances that the Directorate and the Committee will adhere to the do-no-harm principle. C4JR recommends that Directorate staff do not discuss with applicants the potential success or failure of their application until a decision has been made by the Committee.

## 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](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](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>

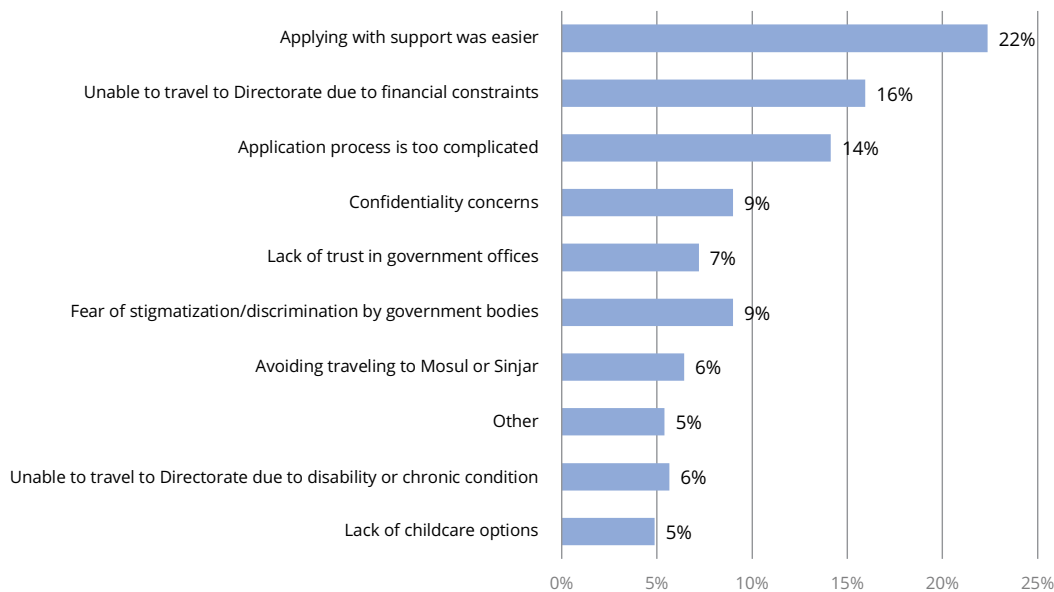
### Preliminary Survey Data

The C4JR has completed its administration of an anonymous survey to learn about survivors' perceptions of the YSL application process. In total, C4JR surveyed 226 respondents, over the age of 18, who applied to YSL. Respondents were from Yazidi, Shabak, Turkmen, and Christian components living in Nineveh, Duhok, and Erbil governorates.

### Accessibility and survivor-centeredness of the mechanism

As noted in the last newsletter, 80% of respondents sought support applying to the YSL: 55% from a family member or friend, 31% from an NGO, with only 9% seeking assistance from a lawyer. For those who sought support, the reasons they did so were to make the process easier (22%), because they were unable to travel to the Directorate due to financial constraints (16%), or because the application process was too complicated (14%).

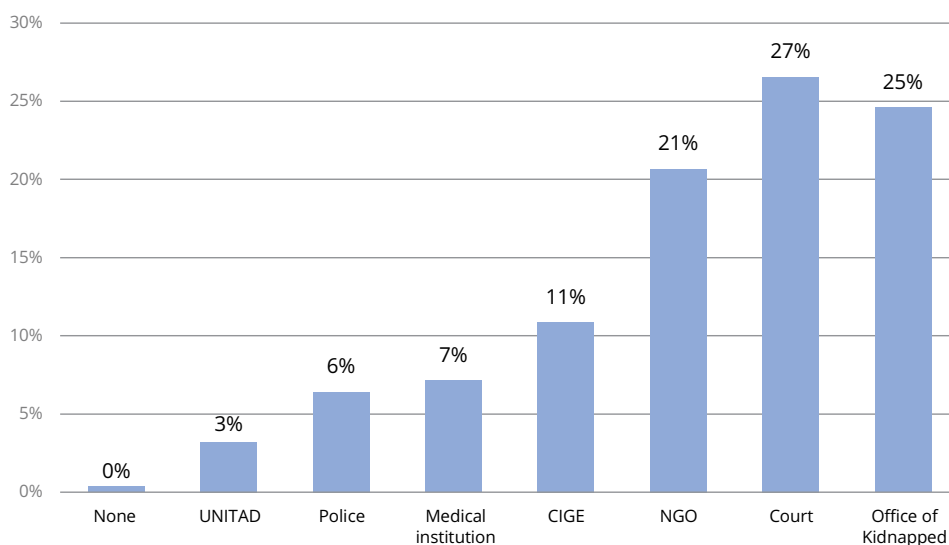
## Reasons to seek support for the application



Of the 226 respondents surveyed, 210 already had at least one piece of civil documentation, which they obtained through the support of a family member/friend or a lawyer. Of those applicants who had previously given testimonies to more than one institution, 25% of testimonies were given at the Office of Kidnapped and Rescue Affairs, 27% to a court, and 21% to an NGO. Findings show that survivors on average gave 2-3 testimonies to different institutions, with the total number of testimonies given by respondents amounting to 561. This finding reveals a raised risk of retraumatization for applicants to the YSL. Of the testimonies given by

survey respondents to the Commission for Investigations and Gathering Evidence (CIGE), 46 comprised Yazidi applicants, 13 Shabak applicants, and 7 Turkmen applicants. Of those surveyed who gave testimonies at the Office of Kidnapped and Rescue Affairs, 102 were Yazidi, 25 were Shabak, and nine were Turkmen, with only one Christian survivor giving their testimony at this agency. The higher number of Yazidi applicants providing testimony to CIGE and the Office of Kidnapped and Rescue Affairs is reflective of the accessibility to such institutions which are based in the Duhok Governorate.

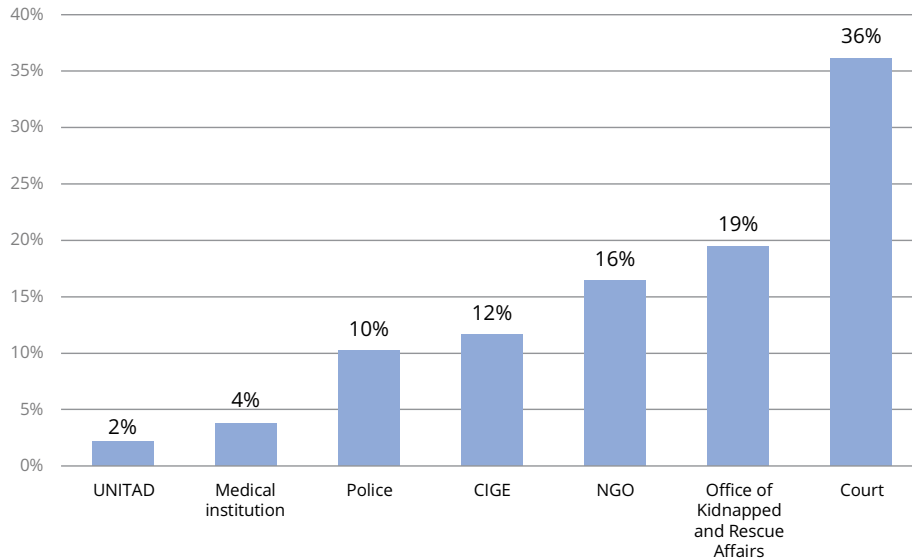
## Where did you previously give your testimony?



Applicants to the YSL also requested these institutions to provide documentation to submit with their YSL application. When applying for the YSL, the survivors provided documentation to multiple institutions. 36% of documen-

tation was requested from courts, 19% from the Office of Kidnapped and Rescue Affairs, 16% from an NGO, and 12% from CIGE.

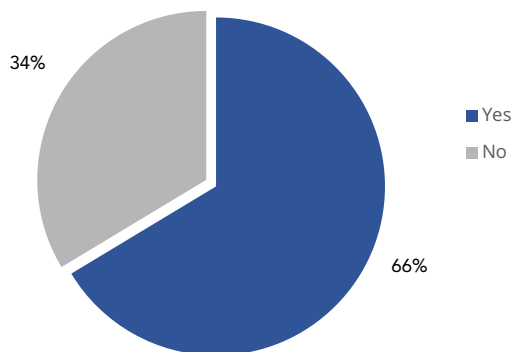
### Institution to be asked to give documentation for the YSL application



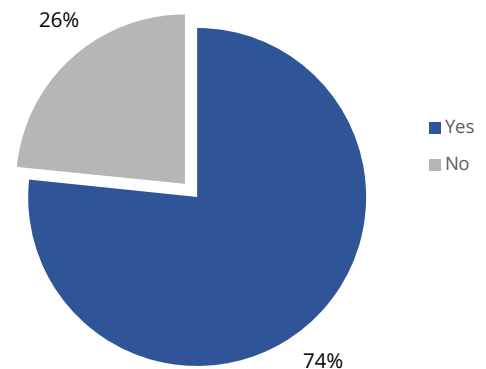
### Perception and accountability

Of the applicants surveyed, 66% had filed a criminal complaint with 74% of them doing so to apply to the YSL. In 91% of cases, the court provided the applicant with documentation that the complaint had been filed.

#### Did you file a criminal complaint?



#### Did you file a criminal complaint to apply to the YSL?



At the time of surveying, 60% of respondents had yet to hear whether or not their application to the YSL had been accepted and 48% of total applicants surveyed had received reparation payments. Of those who had received notification of the decision of their application, 86% had their application accepted and of those, 92% (108 survivors) have started receiving monthly reparations payments.

## Get To Know C4JR Members

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

### Yazda



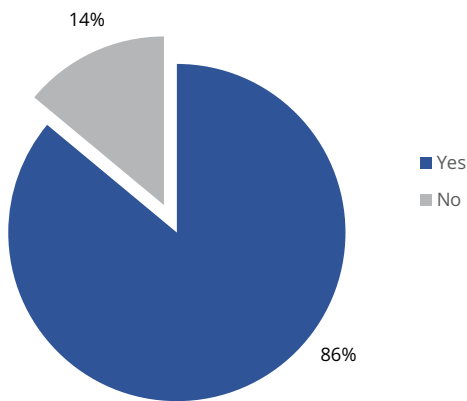
Yazda organization has office locations in Duhok and Sinjar and provides various services to survivors. Since September 2022, Yazda has been providing YSL-related services which include:

- Providing detailed information on the YSL application process and coordinating with the Directorate for Survivors' Affairs, Office for Kidnapped Affairs, and CIGE to obtain letters or certificates of support for applicants;
- Referring survivors to different NGOs based on their needs and support required;
- Identifying survivors' needs through surveys and advocating for long-term rehabilitation programs under the YSL;
- Providing survivors with MHPSS, case management, healthcare, education, and legal aid for civil documentation;
- Conducting advocacy campaigns and monitoring to prioritize survivors' needs and assess YSL article implementation.

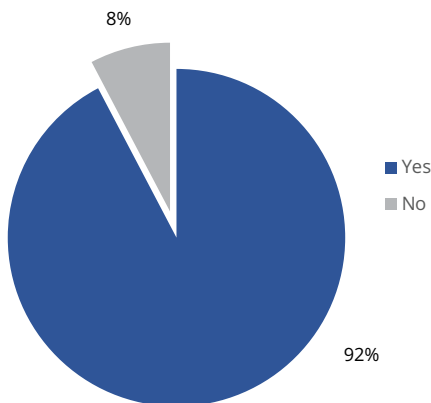
For guidance and support with YSL applications, applicants can contact +964 750 419 0169.

For case management, MHPSS, or other services, survivors can contact +964 751 787 3833.

### Was your application accepted?



### Did you start receiving monthly payments?



## Dak Organization for Ezidi Women Development



Dak organization provides comprehensive support for survivors from their centers in Duhok and Sinuni, Nineveh. Dak takes a holistic approach that addresses the psychological, educational, legal, and economic aspects, to create an environment where survivors recover and thrive and restore the dignity of the Yazidi community, by providing services such as:

- Case management and psychosocial support (PSS);
- Legal consultation on the YSL and facilitating referrals to other organizations for applicants to the YSL;
- Conducting advocacy campaigns on the YSL's effective implementation;
- Skill-building through training, including vocational, business, and marketing training to support women-run businesses;
- Access to child-friendly spaces and referrals to specialized child protection services;
- Implementing women's empowerment projects and awareness campaigns on the importance of women's work in improving livelihoods.

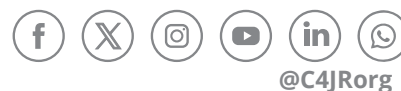
Dak organization staff can be reached at the following numbers: +964 751 424 5587 or +964 750 065 9087 or via email at [info@dakngo.org](mailto:info@dakngo.org).

For a full list of C4JR members, please visit the following link: <https://c4jr.org/our-members>.

## 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](http://www.c4jr.org) for more information.



C4JR updates  
WhatsApp group



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