

Welcome to the Ninth C4JR YSL NEWSLETTER

The Coalition for Just Reparations (C4JR) publishes regular newsletters 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 payment of reparations to 2,228 survivors of ISIL covered by the Yazidi Survivors' Law in November. More details can be found on the Directorate's Facebook page: <https://www.facebook.com/profile.php?id=100076062182514>.

Implementation of the YSL

Important updates:

- **New Remote Testimony Mechanism Launched for YSL Applicants Abroad**

The Directorate, in collaboration with the Nineveh Court of Appeals, Alqosh Investigation Court, and the Ministry of Foreign Affairs, has launched a remote testimony mechanism via video conferencing for YSL applicants residing abroad. This initiative has begun conducting interviews with survivors abroad via diplomatic missions in Germany (Berlin and Frankfurt) and France (Paris), which will facilitate the collection of testimonies in these locations.

The video conferencing sessions will be hosted at the Nineveh Court of Appeals in Mosul, with Judge Ra'îd Muslih, Sarab Elias (Director of the Directorate), and Judge Khalid Huwaydi (Chairman of the Committee) present to oversee the process.

Eligible applicants interested in participating can share their details with the Directorate through WhatsApp at +964 751 100 2977 or via their official Facebook page: <https://www.facebook.com/profile.php?id=100076062182514>.

Required information includes:

- Mother's name
- Date of birth
- Current address
- Phone number
- Chosen mission location (Frankfurt, Berlin, or Paris)

This important step makes it easier for survivors living abroad to access justice and participate in the YSL application process. However, it is still to be determined whether survivors abroad will be subjected to security clearances and other evidentiary requirements, such as the testimony of three witnesses who are also YSL beneficiaries, requested from some YSL applicants. This high burden of proof was highlighted in C4JR's YSL Newsletter Issue #6. Read more here: <https://c4jr.org/1506202429283>.

- **New Campaign to Locate and Liberate Abductees Across Iraq**

The Directorate, in coordination with the Prime Minister's Office, has launched a nationwide media campaign to gather information about abductees and missing persons throughout Iraq. This initiative includes sending text messages to all Iraqi governorates and displaying posters to encourage the public to share any relevant information.

To further support this effort, a financial reward has been allocated for individuals who provide details that lead to the rescue and liberation of abductees. The campaign is conducted in collaboration with the government's communication team and the Prime Minister's Office. This initiative underscores the government's commitment to reuniting families and ensuring justice for those affected by abductions as outlined in Article 5.7 of the YSL.

To date, the Directorate has collected the names and details of 679 kidnapped and missing persons via its online database. If you have information about missing loved ones, you can submit details through the following electronic form: <https://sur.spa.gov.iq/>.

- **Education Support for Survivors:
16 Return to School**

As part of its reparative measures, the Directorate has successfully facilitated the return to education for 16 survivors, helping them resume their studies and rebuild their futures. To support this process, the Ministry of Education issues official letters to support students' resumption of formal

education. These letters can be presented to relevant government directives and schools to assist a student's return to education. This initiative reflects the Directorate's commitment to providing educational opportunities for survivors and their children, as Article 5.4 of the YSL outlines.

Survivors who wish to return to school are encouraged to contact the Directorate for assistance. You can contact the offices in Mosul or Sinjar by calling +964 751 100 2977 or via the Directorate's official Facebook page: <https://www.facebook.com/profile.php?id=100076062182514>.

- **Rehabilitation Centers to be
located in Mosul and Sinjar**

During Duhok University's Institute of Psychotherapy and Psychotraumatology's Fourth International Conference, a representative of the Directorate, Bashar Abdul Azim, provided updates on measures taken by the Directorate to support survivors through the establishment of comprehensive model care centers in Sinjar and Mosul, to provide mental health services, psychological rehabilitation, and other programs to victims and their families.

C4JR recommends enhanced collaboration between the Federal Government and the Kurdistan Region of Iraq to ensure that rehabilitation centers are located in areas that are both accessible to survivors and designed to minimize the risk of further re-traumatization.

- **Land Ownership Letters Issued to Survivors**

In October, the Sinjar Municipality began issuing land ownership letters to survivors who have received residential plots under the YSL. The Sinjar Municipal Directorate actively supports the Department of Real Estate Registration to ensure survivors receive official ownership deeds in their names. This important step represents progress in providing survivors with long-term stability and security through land ownership as Article 6.2 of the YSL outlines.



Director of the General Directorate of Survivors' Affairs, Sarab Elias, Governor of Nineweh, Abdul Qader al-Dakheel, distribute residential plots of land to eligible survivors under the YSL. Photo Credit: General Directorate of Survivors' Affairs.

Related News

- In October, Director General Sarab Elias attended the 15th-anniversary commemoration of the United Nations mandate on sexual violence in conflict, established under Security Council Resolution 1888, at the UN headquarters in New York. During her speech, Ms. Elias highlighted Iraq's efforts to support survivors of sexual violence through the Yazidi Survivors' Law (YSL). She emphasized the critical need for international solidarity to combat and ultimately end conflict-related sexual violence. You can watch the event here: <https://webtv.un.org/en/asset/k1q/k1q98uvrrs>.
- In October, REDRESS and the Global Survivors Fund released a thematic briefing to the Committee on the Elimination of Discrimination Against Women (CEDAW), focusing on the obstacles survivors of conflict-related sexual violence face in accessing reparations. The report examines these challenges across various contexts, including the YSL in Iraq. Read the full report here: https://redress.org/wp-content/uploads/2024/10/CEDAW-Briefing_EN-v.3.pdf.
- In November, the Directorate undertook capacity-building training on ethical engagement with survivors conducted by Farida Global Organization, based on C4JR's ethical engagement toolkit. This initiative demonstrates good practice by the Directorate, reflecting its commitment to enhancing survivor-centered approaches and ensuring ethical standards in its engagement with survivors. Access the toolkit here: <https://c4jr.org/2907202429430>.
- C4JR will provide legal aid to a limited number of applicants in the YSL application and appeal process. Those needing such services can contact C4JR via legalaid@c4jr.org or via the following phone number +964 750 851 6311.

Accountability Efforts

- Kurdistan Center for International Law (KCIL) released draft legislation to address and combat international crimes. The Act of Combatting and Punishment of International Crimes (ACPIC) which legal experts drafted, by Professor Mohammed Rasheed and Dr. Twana Abdulrahman, has been in development since 2022 and will be presented to the Kurdistan parliament in January. Read the draft law here: <https://kc-interlaw.org/web/viewer.html?file=https://images.kc-interlaw.org/root/root/images/122092023/ACPIC%20English%20Version%204.pdf>.
- In October, the trial of Hasna A. began at the District Court of the Hague, a landmark case prosecuting crimes against Yazidi women by a Dutch national, the first person in the Netherlands to be prosecuted for crimes against humanity and for crimes that ISIL committed against the Yazidi minority in Syria. On 11 December, the Hague District Court convicted her of crimes against humanity for keeping a Yazidi woman as a slave in Syria and sentenced her to 10 years in prison. Unfortunately, no damages have been awarded. Read more about the case here: <https://nuhanovicfoundation.org/wp-content/uploads/2024/09/New-Revised-Hasna-A.-FAQ-Doc.pdf>.

Challenges

Each issue of our newsletter highlights specific challenges faced by survivors or stakeholders working to implement the Yazidi Survivors' Law (YSL). In this edition, we focus on a pressing dilemma: survivors seeking public-sector employment while maintaining their rights to compensation.

Compensation as a form of reparation is meant to cover any economically assessable damage, lost opportunities, such as employment or education, and material and moral damages. Under the YSL, Articles 5 and 6 address restitution measures. Under the YSL, Article 5.4 mandates the Directorate to secure employment and job opportunities for survivors to support their economic and social well-being, while Article 6.4 grants survivors priority access to public-sector jobs.

Although the YSL does not explicitly prevent survivors from accessing multiple forms of reparations—such as compensation, restitution, rehabilitation, and guarantees of

non-repetition—confusion persists regarding whether or not survivors can receive monthly compensation while also holding public-sector employment.

Survivors consulted by C4JR describe a dilemma: they must either terminate their reparation payments to accept public-sector employment or forego stable job opportunities altogether. This predicament undermines survivors' dignity, autonomy, and efforts at reintegration. Moreover, fears about the legal repercussions of receiving dual state salaries are adding unnecessary stress, jeopardizing their health and recovery.

Survivors of genocide and crimes against humanity should not be forced to choose between public-sector employment and their right to monetary compensation. Many survivors endured harm at a young age, leaving them with their entire lives ahead to rebuild. Forcing them to choose between public-sector employment and retaining their rights to compensation under the YSL risks obstructing their ability to pursue long-term life plans. Such a choice could reduce survivors to unproductive recipients of welfare benefits, rather than empowering them to become active, self-reliant contributors to society. It's also the case that closing the possibility of public employment significantly reduces survivors' motivation to pursue education as a reparative measure.

To address this issue, C4JR recommends that the Government of Iraq make exceptions for YSL beneficiaries, allowing them to receive both forms of support. A precedent for this exists under the Martyrs Foundation Law No. 2 of 2016, which permits the receiving of dual state salaries as outlined under Article 11.2. The C4JR calls for swift action to resolve this issue and ensure survivors can access the full spectrum of their rights to reparation under the YSL.

Coming up on the newsletter

C4JR is in the process of developing an anonymous survey to gather insights into survivors' satisfaction with the reparation payments provided under the YSL. This survey aims to understand better how compensation payment is affecting survivors' lives and overall well-being. We believe this feedback is vital to improving reparative measures and ensuring they meet survivors' needs. Updates on the survey's progress and its findings will be shared in future newsletters. Stay tuned for more information!

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:

- Make an appointment with the Directorate in their Sinjar or Mosul offices and visit 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=6ARuIcl4gYU&ab_channel=IOMIRAQ ;
- Fill 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;
- Apply 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

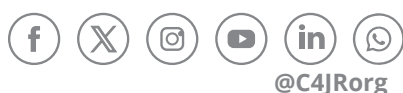
You can apply on your own - you do not need a lawyer or NGO to apply. If you would like any support with the application, you can contact NGOs in your area. **There is no deadline to apply for the YSL. There is also no fee to apply.**

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

About the C4JR

The Coalition for Just Reparations (C4JR) is an alliance of 34 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 the 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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