

# Status on the Implementation of the **Yezidi Survivors Law**

July 2024



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Cover Photo: Hadia, Yezidi Survivor and YSL beneficiary

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## About the Free Yezidi Foundation

The Free Yezidi Foundation (FYF) is a non-partisan, Yezidi women-led nonprofit organization established in response to the 2014 Yezidi Genocide. FYF is dedicated to the empowerment and support of the Yezidi community through the provision of comprehensive advocacy, justice, mental healthcare, psychosocial support, education, and livelihood services. With a special focus on women, girls, and survivors of SGBV, FYF's initiatives aim to enable those most vulnerable to rebuild their lives with dignity and resilience.

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## List of Acronyms

ISIL	Islamic State of Iraq and the Levant
SGBV	Sexual and Gender-Based Violence
IDP	Internally Displaced Persons
FYF	Free Yazidi Foundation
YSL	Yezidi Female Survivors Law
GDSA	General Directorate for Survivors' Affairs
REM	Religious and Ethnic Minority
GOI	Government of Iraq
KRG	Kurdistan Regional Government
CRSV	Conflict-Related Sexual Violence
KRI	Kurdistan Region of Iraq
CSOs	Civil Society Organizations
MHPSS	Mental Health and Psychosocial Support
C4JR	Coalition for Just Reparations
IOM	International Organization for Migration

## 2014 Yezidi Genocide

On August 3, 2014, the Islamic State of Iraq and the Levant (ISIL) launched a genocidal campaign against the Yezidi ethno-religious minority. This campaign involved ethnic cleansing through mass executions, forced conversions, forced displacement, kidnappings, and widespread sexual and gender-based violence (SGBV). These atrocities led to the massacre of Yezidi men and older women, enslavement of over 6,000 Yezidi women and children, and the displacement of more than 400,000 Yezidis to Internally Displaced Persons (IDP) camps. Other religious and ethnic minority communities also faced displacement and endured crimes perpetrated by ISIL.

A decade later, the Yezidi community remains profoundly impacted, with half of its population still internally displaced. Survivors continue to endure significant trauma, compounded by inadequate support for their healing and recovery.



## Executive Summary

The Yezidi Female Survivors Law (YSL), passed by the Iraqi Parliament on March 1, 2021, represents a significant step towards providing comprehensive reparations for survivors of ISIL atrocities among Yezidi, Turkmen, Shabak, and Christian communities. This landmark legislation acknowledges the international crimes committed by ISIL against religious and ethnic minority (REM) groups – particularly Yezidis. It integrates extensive reparative measures, including accountability and memorialization efforts, alongside individual benefits such as monthly stipends, land allocation, and housing support.

Statistics released by the General Directorate for Survivors' Affairs (GDSA) indicate significant progress in processing applications and disbursing monthly payments, providing mental health services, facilitating access to education, and initiating land allocation processes for survivors.

Despite its significance, the implementation of the YSL faces considerable challenges. Survivors are required to file a criminal complaint to access reparations, a step that presents barriers. The process often fails to utilize existing evidence provided by survivors, and the eligibility criteria are narrowly interpreted. This narrow interpretation excludes children born during captivity

to mothers who were pregnant at the time of their abduction, thereby denying them their right to reparations.

Moreover, the absence of a Directorate branch in the Kurdistan Region of Iraq (KRI) creates serious accessibility issues for displaced Yezidi survivors. Lack of information dissemination to survivors and civil society further exacerbates the problem, leading to potential misinformation and misunderstanding of developments related to the YSL.

This report examines deficiencies in the compensation strategies developed by the Iraqi government and proposes recommendations to government entities, Iraqi civil society, and the international community for providing restitution and redress to survivors. The Free Yezidi Foundation (FYF) has identified these issues through its ongoing work with survivors in the KRI since the inception of the application process.

## Recommendations

- Enhance information sharing with informed consent to verify reparation claims and reduce evidentiary burdens through improved cooperation among the Government of Iraq (GOI), Kurdistan Regional Government (KRG), civil society, and international bodies.

- Improve coordination between the GDSA and other governmental bodies to fully implement unfulfilled reparative measures under the YSL. This includes providing individual benefits such as housing, land allocation, and employment, and broader initiatives like establishing a search committee for missing persons, pooling resources for search and rescue operations, exhuming mass graves, ensuring criminal accountability, and memorializing victims.
- Extend reparations eligibility to children born in captivity to mothers abducted by ISIL, male survivors of conflict-related sexual violence (CRSV), and children from all affected minority groups.
- Establish a branch office of the Directorate in Duhok to enhance accessibility for displaced Yezidi and other minority group survivors living in the KRI.
- Eliminate the requirement for survivors to file criminal complaints and simplify evidentiary requirements to facilitate access to reparations, in accordance with the original legislation.
- Provide tailored support throughout the application process, including gender- and age-sensitive assistance, specifically targeting minors, survivors with disabilities, and those with limited (digital) literacy.
- Foster collaboration between

survivor-centered Civil Society Organizations (CSOs) and government bodies to establish effective and continuous feedback mechanisms. This collaboration is essential for ensuring the participatory and successful implementation of reparations.

*Survivors need a lot of support. Everything being done for them is little compared to what they have endured.*

Renas (Yezidi Survivor)

## Background

The Yezidi community endured unimaginable atrocities during the ISIL onslaught, including mass killings, sexual violence, and widespread displacement. The enactment of the YSL on March 1, 2021, by the Iraqi Council of Representatives represented a significant legislative effort to address the profound physical, mental, social, and financial impact on survivors, particularly women and children. This landmark legislation not only acknowledges the genocide and other international crimes committed by ISIS against the Yezidis and other minority communities, but also establishes provisions for both material and symbolic reparations for survivors.

On September 7, 2021, the GDSA announced the opening of applications under the YSL. Eligible applicants

include women and girls from the Yazidi, Christian, Shabak, and Turkmen communities who survived ISIL captivity, male Yazidis who were minors during their abduction, and all survivors of mass killings from these communities.

The application process requires filling out a form that includes personal information and details of the experienced violations, along with submitting supporting identity documents. Applications can be submitted online, in hardcopy, or with assistance from Directorate staff in Mosul and Sinjar. In certain cases, applicants may be called for an interview with an eight-member Committee comprising representatives from various governmental bodies, chaired by a judge. This Committee is responsible for adjudicating individual reparation applications under the YSL.

The YSL holds immense significance as it recognizes the profound suffering of affected communities and mandates several ministries and governmental bodies to undertake critical actions. These include searching for missing persons, ensuring criminal accountability, and memorializing the atrocities – demands that the Yazidi community has passionately advocated for since the aftermath of the 2014 genocide. Furthermore, this law is particularly poignant for the Yazidi community, as it stands as the first Iraqi legislation officially acknowledging one of the many genocides Yazidis have endured

throughout history.

The law offers individual material reparations primarily targeting women and girls who survived CRSV. These benefits encompass a monthly stipend, access to land through a government loan or provision of a housing unit at no cost, medical care, and mental health and psychosocial support (MHPSS) services, as well as opportunities for education and employment. By blending symbolic gestures with tangible support for individual survivors, the YSL represents a pivotal stride towards reinstating a sense of equal citizenship and justice.

To support survivors, the YSL established the GDSA within the Ministry of Labor and Social Affairs, led by Sarab Elias, a Yazidi woman. This dedicated government body marks a significant step forward in providing essential support to survivors. CSOs located in the KRI, Federal Iraq, and internationally have also played a crucial role in aiding survivors who apply for reparations under the YSL. These organizations raise awareness about survivors' rights to reparations, assist with the application process, provide necessary documentation, offer medical and MHPSS services, and monitor and document the implementation of the YSL. Their advocacy aims to achieve improvements aligned with a survivor-centered approach.[1]

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[1] Notable recent publications include FYF's [Iraq's Yazidi Survivors Law: Report on Year One of Reparation Applications](#) (September 2023), FYF's [Strengthening Implementation of the Yazidi \[Female\] Survivors Law: Recommendations Based on International and Comparative Best Practices](#) (May 2024), and C4JR's [More Than "Ink on Paper": Taking Stock Two Years After the Adoption of the Yazidi \[Female\] Survivors Law](#) (March 2023).

## FYF's Work on the YSL

FYF launched its work on the YSL by conducting extensive outreach to inform communities about the law and their rights to reparations. Between January 2022 and March 2023, 15 members of FYF's all-Yezidi Harikara [2] Team, including 11 women, conducted outreach sessions attended by 2,273 individuals in Khanke, Sharya, and Sheikhan. These sessions aimed to educate both male and female Yezidi survivors about the YSL. The FYF protection team was also present to answer questions and provide updates on the law throughout these sessions.

When the YSL application form became available in September 2021, FYF instituted protocols to offer legal and MHPSS services to applicants. The team underwent training on the YSL framework and trauma-informed interview techniques. A Standard Operating Procedure was developed, outlining the delivery of YSL services and establishing ethical guidelines tailored to YSL-related assistance.

The team began supporting applications in October 2021 and simultaneously launched a YSL helpline, with the number distributed among the Yezidi community by the Harikara team. By 31 May 2024, the team had consulted with 239 Yezidi individuals and assisted 73 survivors with their applications. The protection team regularly follows up on each

application with survivors, the GDSA, and other governmental bodies, as necessary, to ensure that applications are being processed and survivors start receiving benefits or lodge timely appeals depending on the outcomes. Additionally, the team provides MHPSS services, including case management, therapy, peer support, and referrals.

FYF's work to support survivors accessing compensation under the YSL is multifaceted, further encompassing essential educational programs in financial, language, and digital literacy. Recognizing the significant barriers that language and digital literacy present in the application process, we provide tailored classes to empower female survivors with the necessary skills to navigate and complete their compensation claims independently. Additionally, our financial literacy classes are designed to ensure that female survivors gain control over their compensation and financial and household resources, preventing these assets from being ceded to male relatives.

In March 2023, FYF and seven other Iraqi CSOs signed an Agreement of Cooperation with the GDSA to provide MHPSS services to YSL applicants and beneficiaries.[3]

FYF also supported the creation of a

[2] FYF's Harikara (Kurmanji for "helpers") team work on outreach and awareness-raising in IDP camps and within host communities on a range of issues, including mental health, gender equality, and human rights. For further information, see FYF, [The FYF Harikara Model](#), (October 2020).

[3] IOM Iraq, [Toward Comprehensive Rehabilitation: Mental Health Service Referral System Launched for Genocide Survivors in Iraq](#), (March 28, 2023)



questionnaire to monitor the YSL application process with the Coalition for Just Reparations (C4JR), a civil society coalition of 33 organizations (including FYF) advocating for reparations for YSL survivors. The questionnaire was finalized in June 2023, and in July 2023, FYF participated in a workshop with C4JR and the International Organization for Migration (IOM) Iraq to train CSOs on using the questionnaire for monitoring purposes.

As part of this process, FYF conducted 60 survey interviews with YSL survivors to shed light on the opaque application process and persistent challenges faced by survivor communities. Recognizing that first-hand accounts of survivors are critical for effective feedback mechanisms between survivors and government bodies, these accounts were passed on to the GDSA.

*"I was young when ISIS kidnapped me, so I could not go to school. Providing a salary was very helpful for my future."*

Waam (Yezidi Survivor)

## Successes of YSL Implementation

The YSL has been a crucial step toward justice and reparations, offering survivors a means to heal and restore their lives with dignity. The GOI has made significant progress in processing

applications and distributing monthly payments. As of June 2024, 1,834 survivors have had their YSL applications accepted and have begun receiving monthly reparations payments. Given that most survivors live in extreme poverty, these monthly payments have the potential to significantly improve their lives.

In June 2024, the GDSA announced the initial allocation of 262 plots of land for survivors. The distribution will occur in stages, with one plot allocated per family in each stage. Survivors can complete the land allocation procedures at the corresponding municipalities.[4]

While the distribution of monthly payments has been prioritized under the YSL, the GDSA and GOI have also taken steps to implement other reparation measures foreseen under the YSL. Noteworthy among these is the MHPSS referral system, set up in coordination with Iraqi civil society. Additionally, the GDSA supports survivors in returning to public education and prioritizes them in public employment.

Most recently, the GDSA announced the launch of its Empowerment Initiative, in coordination with the Ministry of Culture. This initiative aims to train YSL beneficiaries in various professions, including soap and candle making, glass drawing, and phone

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[4] C4JR [Newsletter](#) (June 2024)

repairs, to support independent income generation. To aid the development of their income-generating projects, the Ministry of Labor and Social Affairs will allocate loans to participants.

While the implementation and outcomes of this initiative remain to be seen, it marks a significant step toward offering survivors a means to rebuild their lives and communities.[5]

As Manal, a survivor from Sinjar and member of the Survivors Voices Network shares,

*“I remember everything that we survivors went through at the hands of Daesh, and all the years waiting for justice. [...] We hope that this will be followed by the implementation of the rest of the reparations provided for in the law.”*

## **Barriers to Justice and Reparations for Survivors**

Despite its potential, the implementation of the YSL faces significant hurdles. Administrative programs designed to offer reparations are generally more accessible than legal avenues, which can be costly and bureaucratic. However, recent additional requirements for survivors to file criminal complaints to receive reparations pose substantial barriers. These requirements risk overwhelming legal mechanisms, infringing on survivors' autonomy to choose whether

to pursue legal action, perpetuating stigma, and causing re-traumatization. [6].

Survivors of CRSV face unique challenges under the current implementation of the YSL. These crimes often lack witnesses and are difficult to prove, making the requirement to file criminal complaints particularly burdensome. International standards suggest that survivors should not need to file criminal complaints to receive reparations. Instead, testimonies from survivors, supported by evidence collected by various official and non-governmental bodies, should suffice to establish victim status and ensure access to reparations. Additionally, government hotlines and paralegal programs should be more widely implemented to assist survivors with their applications.

Another critical issue is the narrow eligibility criteria of the YSL, which unfortunately exclude children born in captivity to mothers abducted by ISIL. This oversight significantly impacts many individuals who desperately need support. Moreover, the lack of a GDSA branch office in the KRI exacerbates accessibility challenges for 180,000 displaced Yazidis and other survivors of REM communities. For many survivors, traveling to Mosul or Sinjar, where current GDSA offices are situated, poses daunting logistical,

[5] C4JR [Newsletter](#) (June 2024)

[6] Human Rights Watch, [Statement on the implementation of the Yazidi Survivors Law](#) (April 14, 2023)

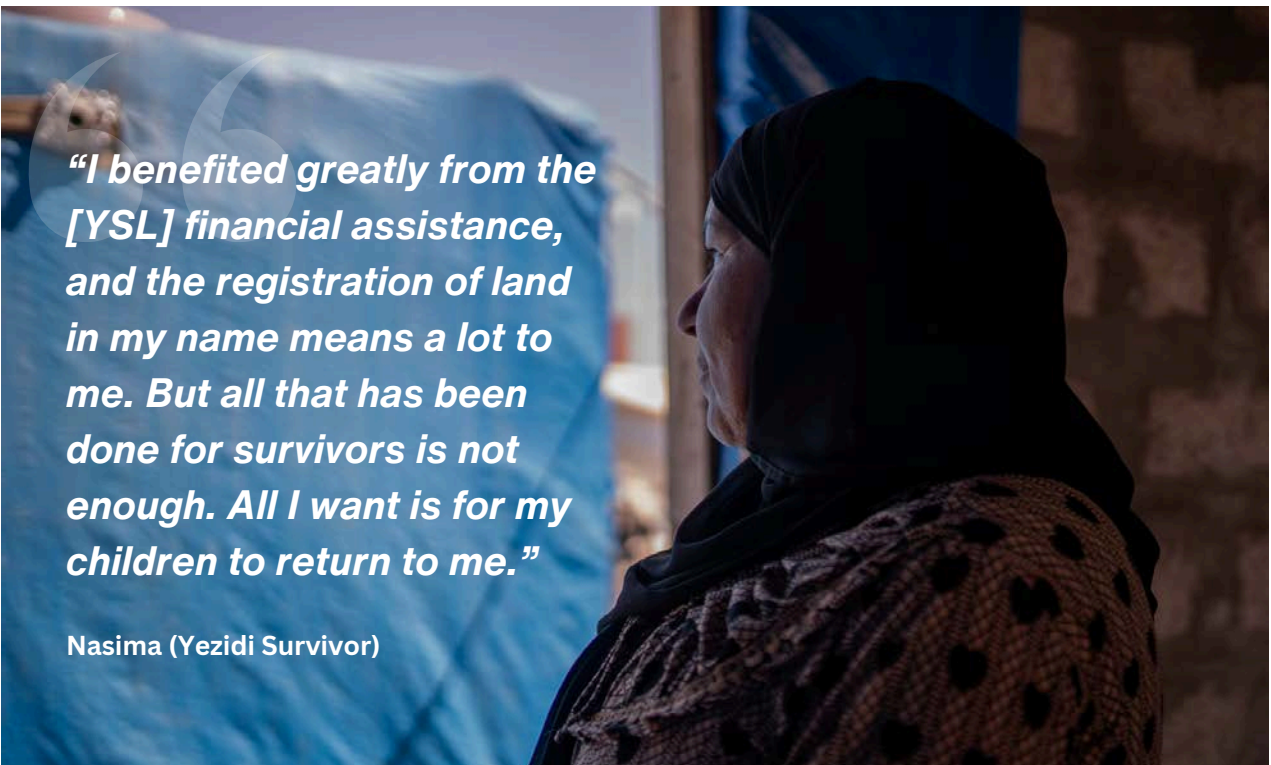
financial, and emotional hurdles. High transportation costs, childcare responsibilities, and limited mobility further compound these challenges, effectively preventing survivors from accessing the governmental support intended for them. This starkly contrasts the YSL's mission to support these vulnerable populations with the harsh reality of their ability to access that support.[7]

Therefore, it is imperative to enhance accessibility and involve survivors of CRSV in selecting non-traumatizing locations for GDSA offices. Additionally, safe transportation services should be provided to these locations. Financial resources should be allocated to NGOs to support their operation of mobile clinics and one-

stop centers, ensuring survivors have access to comprehensive services.

## Conclusion

The YSL marks a crucial milestone in seeking justice and reparations for survivors of ISIL's atrocities, and its implementation is underway. Nevertheless, there are significant barriers to application that must be addressed, such as onerous evidentiary requirements and limited eligibility criteria. Establishing local offices is also essential to enhance accessibility for survivors. By tackling these issues, the Iraqi and KRG governments can solidify their dedication to YSL implementation and demonstrate to survivors that their voices are valued and heard.



***“I benefited greatly from the [YSL] financial assistance, and the registration of land in my name means a lot to me. But all that has been done for survivors is not enough. All I want is for my children to return to me.”***

Nasima (Yezidi Survivor)

[7] FYF, [Iraq's Yezidi Survivors Law: Report on Year One of Reparation Applications](#) (September 2023)



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Photo - Yezidi family in Khanke Camp, Duhok, Iraq.