Serkan Yuce
Independent scholar
ORCID: 0009-0002-7870-5548
DOI: https://doi.org/10.32859/yezidistudies/1/2/41-61

A Tale of Ten Years: The Global Response to the Yezidi Genocide

Abstract:
The present contribution looks at the legal and administrative landscape for the victims of the ISIS-perpetrated genocide, and in particular the domestic and international efforts aimed at securing justice and compensation for said victims. It also provides a snapshot of the current state of return for the displaced population in the Kurdish Region of Iraq (KRI) to Sinjar which, at the time of writing, is gearing up.

Keywords:
Genocide, Internally Displaced Persons (IDPs), Iraq, Kurdish Region of Iraq (KRI), Refugees, Returnees, Yezidis, Syria

Decade-long Lamentation

I have previously, along with Peter Nicolaus, provided a detailed overview of the Yezidi genocide committed by ISIS in 2014,[1] as well as a cursory description of the politics at play during and after the occupation of Sinjar.[2] Our goal, with regard to the latter publication, was to highlight, through a poignant aide-memoire, the incomprehensible pain and suffering of the Yezidis. We stressed with great distress that the Yezidi genocide was slowly fading from the international stage. Furthermore, we analysed the disinterest and inactivity of the USA at the time of the looming ISIS assault; the intrigues of the then Iraqi Federal Government (IFG) trying to exploit the Islamic State (ISIS) attack for their own political gain; the clandestine withdrawal of the Peshmerga from Sinjar on the eve of the ISIS invasion; the flight of the entire Yezidi population from Sinjar; and the rescue of 50,000 Yezidis by the Kurdistan Workers' Party (PKK) and the People's Defense Units (YPG), as well as the liberation and division of Sinjar among the political and military ascendancy. Thus, having already expounded on the narrative of the genocide, I will now attempt to provide a broad strokes review of the developments

[1] Nicolaus and Yuce 2017: 196–229.
[2] Nicolaus and Yuce 2024.

© International Journal of Yezidi Studies

within the past decade regarding the administrative and legal progress towards justice and restitution within Iraq, Syria, and members of the international community.

The Legal Response to the Genocide – Nationally and Internationally

It has been a decade since the international community first came to recognize the atrocities that ISIS had unleashed upon the ethnic and religious minorities of Iraq and Syria, and especially against the Yezidis, as, *inter alia*, genocide. In that time, while the Yezidis have witnessed some positive steps in the right direction, things are still a far cry from the meaningful strides needed to obtain justice and restitution for the victims of the unfathomable atrocities committed by ISIS. This section will provide a brief overview of the domestic and international developments related to the recognition of genocide, as well as actions taken to rectify the injustices committed by ISIS. The largest focus will be on updates to the legal landscape in Iraq and Syria, as they, along with the KRI, contain the best venues for dealing with the sheer volumes of perpetrators.[3]

Syria – Little Hope for Justice:

Prior to the spread of ISIS, Yezidis in Syria lived mostly in two areas: Afrin, which is situated north-west of Aleppo, and Jazirah, which is located in Al-Hasakah province.[4] Lack of official government statistics leaves Yezidi population data murky when attempting to assess the impact of the genocide on the Syrian Yezidi population. However, from what information was made available by local entities, there has been a substantial reduction in the Yezidi population of Syria. According to the Yazidi Justice Committee (YJC) report on *State Responsibility and the Genocide of the Yazidis*, one Syrian study estimated the population to be between 45,000 and 50,000 Yezidis; while the Yezidi Council in Syria estimated that around 150,000 Yezidis inhabited 110 villages and towns in the Aleppo and Al-Hasakah regions until unrest erupted in 2011.[5] Yazda[6] estimates that fewer than 5,000 Yezidis remain in Syria. What is clear is that after the deathly pallor of ISIS was lifted from the region, only the shadow of once-thriving Yezidi communities remained.[7] When these numbers are combined with the sheer

[3] "Moreover, local and domestic courts, if properly resourced and supported, are more likely to have the capacity to deal with the large number of cases involved here" (Borda 2022).
[4] Cf. Yazidi Justice Committee 2022: 89.
[5] Cf. *Ibid*: 90.
[6] Founded in 2014, Yazda is a nonprofit (in the U.S.), nongovernmental (in Iraq) entity that focuses on providing humanitarian aid, including medical and psychological support, education, and relief efforts. They also work on documenting human rights abuses and raising awareness of the plight of Yezidis through their advocacy work. The organization aims to empower Yezidi communities, help them rebuild their lives, and ensure their rights are protected.
[7] Cf. Yazda 2017: 27.

volume of troubling information coming from ISIS-controlled areas prior to the invasion of Mosul – sourced from media outlets, reports by international and domestic organizations, and internal intelligence gathering – it becomes clear that "the Syrian Government knew or should have known of the impending risk of genocide to the Yezidis, early in 2013, and certainly by June 2014 at the latest, when the Special Advisers to the Secretary-General on the Prevention of Genocide and on the Responsibility to Protect expressed deep concern at the situation of the Yezidis and the serious risk to them from ISIS."[8] However, the Syrian Government had already made a strategic choice to reduce its military presence in north-eastern Syria, and to focus on other parts of the country. There were no regime forces deployed to protect the Yezidis from ISIS attacks. It also behoved them to allow ISIS influence to spread in the region, as Bashar al-Assad wanted the Syrians to think that he was the only viable leader, as the alternatives were murderous jihadists. Even once the impending risk merged into the full-scale commission of the crime, the central government led by Bashar al-Assad barely batted an eye. According to the YJC report, there are apparently no indications that the Syrian Government played any role in the rescue of Yezidi victims. Also, unlike Iraq, the regime never sought assistance in handling ISIS, and did not support the Global Coalition against ISIS in their bombing runs.[9] In light of this, it is not surprising that neither Bashar al-Assad nor Syria's Majlis al-Sha'b[10] has made any official declarations or passed any resolutions condemning the violations committed by ISIS as genocide. Further, there are no existing national laws to punish the act of genocide, or a mechanism for Yezidis to seek compensation specific to said crime, nor any indication that the Assad's government has taken substantive efforts, even after the fall of ISIS in Syria, to investigate the crimes in pursuit of prosecution.[11] In other words, Syria has not enacted legislation giving force to the provisions of the Convention on the Prevention and Punishment of Genocide (Genocide Convention),[12] thus failing in its obligations under Article V of the convention to enshrine the relevant provisions into their domestic legal framework. They have also failed in their Article I obligations to

[8] Yazidi Justice Committee 2022: 100.

[9] "There is no evidence of the Syrian Government seeking any external assistance to make gains within north-eastern Syria and to address the rise of ISIS within its territory" (*Ibid*: 108).

[10] 'The People's Assembly', the legislative authority in Syria.

[11] "There has been no evidence that Syria has taken any steps to investigate, let alone prosecute any crimes committed against the Yazidis in Syria even after significant cessation of hostilities" (Yazidi Justice Committee 2022: 119).

[12] "Neither the 1953 Syrian Penal Code nor the 1950 Military Penal Code contain provisions for the prosecution (domestic or international) of war crimes, crimes against humanity, or genocide" (*Ibid*: 121).

avert the crime,[13] to protect vulnerable and targeted populations from the crime,[14] and to punish the commission of said crime. To those on the ground, it seems an intentional omission, and, as mentioned above, reflective of a larger government strategy.[15] There is also no information indicating that the Syrian Government has assisted other nations in their prosecution of returning fighters.[16] Without official recognition, relevant laws to pursue violators of international law, and a willingness to cooperate with the international community, it is unlikely that Syria will take meaningful steps towards securing domestic justice and compensation for the Yezidis – at least not without more pressure from abroad, and potentially with proceedings under the International Court of Justice (ICJ).

Iraq – Small Steps Towards a Larger Resolution:

In Iraq, the crime of genocide was not actually tethered to the nature of the prohibited acts perpetrated by ISIS against ethnic and religious minority groups until quite recently, with the enactment of the 2021 Yezidi Female Survivors Law No. 8 (YSL). First, it must be noted that Iraq is a party to the Genocide Convention. Therefore, just like Syria and other State parties, Iraq has a duty under Article V of the Convention to enact legislation that gives effect to its provisions, namely, criminalizing and punishing the act of genocide. On the 10th of December, 2003 Iraq ratified the Statute of the Iraqi Special Tribunal, which acknowledges and punishes the crime of genocide, among other crimes against humanity.[17] It also established the Iraqi Special Tribunal for Crimes Against Humanity,[18] granting it jurisdiction over Iraqi nationals and residents poten-

[13] "Again, this was a political choice made by the Syrian Government not to prevent the growth of ISIS within its territory at the expense of any protection of Yazidis as a group at serious risk. As a Yazidi political actor in Rojava explained: The Syrian State officially never mentioned the Yazidi Genocide. They were taking care of themselves: trying to protect themselves and to get rid of IS. There has never been any statement from Syria on Yazidis. They are a State. They could ask for support from abroad and outside [other States, international institutions]. They only observed it. They don't care that people are escaping. This is the case with their own population and as well as us. They were only caring about holding on to their own power. The people escaped here and the Syrian Government never mentioned it" (*Ibid*: 109).

[14] "Direct confrontation with ISIS was rare and often limited to strategic aerial bombing as Government forces focused their efforts elsewhere and at other military targets, such as anti-regime forces. In fact, it was estimated that only about 6% of 982 Syrian counter-terrorism operations conducted between November 2013 and November 2014 targeted ISIS" (*Ibid*: 102).

[15] "ISIS was not a priority target of the Syrian Government. It has been surmised that the Syrian regime might have benefitted from the radicalisation of the rebellion, since it suited the 'Assad's narrative that its opponents were terrorists,' and that the Government might even have, to a degree, developed a policy of fomenting a jihadi element in the rebellion" (*Ibid*: 103).

[16] Cf. *Ibid*: 120.

[17] Cf. The Statute of the Iraqi Special Tribunal 2003: Articles 11–13.

[18] Cf. *Ibid*: Article 1a.

tially guilty of violating international laws, including genocide.[19] Unfortunately, as it was primarily intended to prosecute Saddam Hussein and members of the Ba'ath Party, the Tribunal's jurisdiction is temporally limited to acts committed between the 17th of July 1968 and the 1st of May 2003. This means the Tribunal has no jurisdiction over crimes committed after that date, including by ISIS. There is currently no other criminal statute that gives legal effect to the Genocide Convention in Iraq.[20] Until the introduction of the YSL, Yezidis, as well as other minority groups impacted by the actions of ISIS, could only expect to see criminal convictions under the Anti-Terrorist acts of the IFG and KRI.[21] Unfortunately, they are poorly drafted, and create unwieldly legal frameworks, riddled with issues, that do not address genocide at all. Both are fairly harsh laws,[22] with broad definitions of culpability;[23] and both provide a fairly limited scope for the courts to consider such potentially mitigating factors as degree of participation.[24] This allows for the application of extreme sentences for those that were, for example, coerced into non-violent, administrative roles.[25] These also fail to provide appropriate structures to help prioritize the prosecution of the most serious, and highest-ranking offenders: "Instead, the system is processing people who worked for ISIS as cooks and janitors in the same way that it is processing murders, rapists, and human traffickers. In many cases both types of detainees are simply being convicted of affiliation to a terrorist group, and are being sentenced to death or to life imprisonment."[26] Sources indicate that some of the most senior leaders of ISIS have been able to use influence and resources to navigate out of the judicial system.[27] Neither of these criminal laws are set up to provide accountability for violations of international law. Where one obtains mere convictions of ISIS members on terrorist charges, one ignores the full breadth of their crimes.[28] There is no actual accountability for their roles in the commission of the

[19] Cf. *Ibid*: Article 10.

[20] There have been multiple drafts reportedly in the works to incorporate a legal framework and mechanisms to bring international crimes under the auspices of the domestic court system (Borda 2023). For instance, since its proposal in October 2020, a draft piece of legislation aiming to integrate international crimes into Iraq's domestic legal framework has sat stagnant in the Iraqi Parliament. (cf. Security Council Report 2024).

[21] Federal Counter-Terrorism Act Law No. 13 of 2005, and the Law on the Combat of Terrorism in the Iraq Kurdistan No. 3 of 2006 (cf. United Nations Assistance Mission for Iraq (UNAMI) 2020: 4).

[22] For example, the Iraqi Counter-Terrorism Act requires the mandatory application of the death penalty for any person who committed any of the acts detailed by the law [Article 4] (cf. *Ibid*: 10); while Article 13 of the KRI Anti-Terror law "allows for confessions extracted under duress to be used in court if they are supported by other evidence" (*Ibid*: 6).

[23] "The broad definitions related to criminal offences under the existing anti-terrorism laws enlarge the scope of the proscribed conduct and make them susceptible to subjective and overly discretionary interpretation"

[24] Cf. *Ibid*: 5.

[25] Cf. Younis 2019: 63.

[26] *Ibid*: 66.

[27] Cf. *Ibid*: 65.

[28] The intention was not merely to visit horror upon the Yezidis, but to annihilate them.

most serious crimes against the Yezidi people. As the court does not have to consider the crimes committed against the Yezidis, there is also no need for testimony, or in-depth investigation to flesh out the details of the case in relation to targeting Yezidis. Genocide trials and subsequent guilty verdicts also play an important role in helping to cement the narrative of Yezidi suffering within national history. Judicial recognition is important in validating the pain of those communities that endured genocide. There is also a psychosocial benefit when a community like the Yezidis can see local, palpable justice enacted before their eyes, instead of hearing about convictions abroad or in international courts.[29]

New and more positive legal developments in Iraq:

However, in recent years there have been some positive developments in seeking to recognize and mitigate the plight of the Yezidis in Iraq. The most notable of which was the passing of the Yezidi Female Survivors Law. Prior to its implementation, victims of ISIS had to rely on Iraqi Law No. 20 when seeking restitution. This piece of legislation provided a broad framework for fiscal compensation for material damages stemming from injuries, death, kidnapping, forced disappearances, property damage, and loss of education or employment opportunities. In 2015, Iraq passed an amendment that mandated the Martyrs Foundation[30] with the responsibility of processing claims related to anyone who has lost a family member to the Ba'ath regime, anyone that has died fighting with the Peshmerga and the Popular Mobilization Units (PMU), and all those killed by ISIS.[31] This gave the Yezidis a mechanism for economic compensation to help set them back on the road to reintegration and relative normalcy.[32] Unfortunately, its proper implementation has been hindered by corruption, poor budget allocation, an ever-growing backlog of submissions, understaffing, lack of administrative capacity, and the fact that many victims of ISIS lost most, if not all, legal documentation.[33] Long wait times see additional issues arise: those tired of waiting in tents try to rebuild their homes before assessors arrive to review the validity of the claims; additional expenses inevitably accrue; and prices rise while waiting for compensation, making initial

[29] Cf. Borda 2022.
[30] The Iraqi Martyrs Foundation is an organ of the Iraqi Council of Ministers that was established in 2005 to provide support and compensation for victims of war operations, military errors, and terrorist operations.
[31] Cf. Zaza 2020: 12–24.
[32] "People interviewed cited the government's failure to provide compensation as a primary barrier to their return, in addition to a lack of essential services and security risks in Sinjar" (Human Rights Watch 2023a).
[33] They were either destroyed in ISIS attacks or lost while fleeing (cf. Zaza 2020).

restitutive calculations potentially inadequate.[34] Passed in March 2021, the YSL takes things further than Law No. 20, with the enactment of a more far-reaching legislation that specifically recognizes international crimes committed by ISIS against four communities: Yezidi, Turkmen, Shabak, and Christian.[35] It is an administrative reparation program that was initially only intended for Yezidi females, but subsequent modifications enhanced the scope to include the three other minority groups impacted by ISIS; so long as the crime was committed after or on 3rd of August 2014.[36] It is also the first piece of Iraqi legislation that is specific to the conduct of ISIS against Yezidi communities, and the first to provide reparations for survivors of, among other things, sexual violence.[37] A unique feature of this law is that Article 3 establishes a directorate, under the Ministry of Labour and Social Affairs, to oversee the implementation of the law; one that must be run by a director of Yezidi ethnicity. This gives the Yezidis governmental representation in seeking restitution and justice. The YSL offers victims[38] more than just financial compensation. It provides recompense through a monthly stipend; it provides recognition by officially declaring the acts of ISIS as core international crimes;[39] it creates venues for rehabilitation by asking the directorate to set up mental and psychological health services for female victims. The act also enshrines the need to ensure survivors are given educational, as well as employment opportunities; in addition to either free housing, or a mortgage loan to obtain land, thereby trying to make survivors whole. This would help to re-establish the social and economic wellbeing of victims, particularly those who have been made to feel alienated and alone in camps for internally displaced persons (IDPs) with no future prospects.[40] The YSL also attempts to satisfy the demand for justice by directing the Ministry of Foreign Affairs to handle and coordinate, including with any special tribunal, the prosecution of related criminal cases;[41] it further contains measures directing the search for members of the four communities who are still missing, and to excavate mass graves to return victims to their families. Of course, there is still no current criminal framework in Iraq to guide such

[34] "One Sinjari man, Khalil Hasan, said he was displaced by ISIS from the village of Tel Banat in 2014, and his home and shop were destroyed during military operations. He completed the compensation process in early 2023, but he has not yet received any money" (Human Rights Watch 2023a).

[35] Cf. Elias 2023: 3.

[36] Cf. Yazidi Female Survivors Law, Iraq Law No. 8 of 2021 (hereinafter: YSL) 2021: Article 1.

[37] Cf. Ceasefire Centre for Civilian and Minority Rights Group International (hereinafter: Ceasefire) 2021.

[38] Article 2 of the YSL defines those that may avail themselves of the law: All female Yezidi survivors that were kidnapped by ISIS; Women and girls from the other affected communities targeted by ISIS; Yezidi children that were under the age of 18 when kidnapped, as well as all genders from these communities that survived targeted killings by ISIS (cf. YSL: Article 2).

[39] Cf. *Ibid*: Article 7.

[40] Cf. *Ibid*: Articles 5 and 6.

[41] Cf. *Ibid*: Article 1.

prosecutions, and the provisions of YSL do not provide steps for legal reform or prosecutorial measures that would contribute to convictions under one of the core international crimes. One great step comes in the vein of recognition. Article 8 cements the 3rd of August as a National Day of Remembrance for the Yezidi genocide. It also requires the Ministry of Culture and other agencies to immortalize the victims of ISIS through statues, monuments, and so on. In this way, imbedding the recognition of Yezidi suffering within the very landscape itself. It is definitely a step in the right direction, and one that the IFG seems determined to support,[42] but the act is not without its flaws. For example, the eligibility requirements of the YSL have been narrowly interpreted to exclude those children born during captivity to women that were pregnant at the time of abduction.[43] Also, several NGOs have, since its enactment, signed a statement that raised concerns over the lack of adequate judicial and evidentiary mechanisms,[44] as well as the undue burden created by the requirement for victims to first provide paperwork proving they have already filed criminal charges.[45]

International classification and inert steps towards justice:

Unfortunately, despite the international consensus on the nature of ISIS considered being *hostes humani generis* (an enemy of mankind), there has not been as much recognition and accountability as one would have hoped from a community of 153 State parties to the Genocide Convention. The first, and somewhat most important step, is to name the crime; so as to give credence to the hoarse voices of those survivors that have been crying out to a seemingly apathetic world. Recognition of the victims of atrocities is an important step in both restoring the Yezidi sense of human dignity; and pushing forward the collective obligations of 153 nations under international law to intervene against and punish the perpetrators of these most heinous crimes, as well as to aid the victims. International organizations, non-governmental organizations, the Yezidis themselves, and pertinent bodies of the UN were sounding the alarm on the potential for the commission of core international crimes well before the invasion of Sinjar. Warnings rang out from the Special Adviser of the UN Secretary General on

[42] The IFG announced in June 2023 that they would allocate 25 billion Iraqi dinars (19 million US dollars) towards supporting the implementation of the act (cf. Elias 2023: 5).

[43] "In two cases the Free Yezidi Foundation (FYF) consulted, the mother was told that the child born during captivity is not eligible. Considering that thousands of Yezidi women were kidnapped as of 3 August 2014, there are likely several women who were pregnant when ISIS abducted them and who gave birth while in captivity. These children were born into dangerous conditions, survived grave human rights violations, and were deprived of a healthy and stable childhood" (*Ibid*: 6).

[44] Human Rights Watch 2023c.

[45] Cf. Elias 2023: 5.

the Prevention of Genocide, the Special Adviser of the UN Secretary General on the Responsibility to Protect,[46] the Office of the United Nations High Commissioner for Human Rights,[47] and other such entities that acts committed by ISIS could constitute genocide. Subsequent investigations and reports were produced by UN bodies like UNITAD,[48] the Independent International Commission of Inquiry on the Syrian Arab Republic[49], as well as non-governmental organizations like Simon-Skjodt Center for the Prevention of Genocide.[50] These all officially concluded that, based on extensive investigations, ISIS committed genocide. There were, and still are, calls to try ISIS members before the International Criminal Court (ICC). As previously stated, neither Iraq nor Syria is party to the Rome Convention, and therefore the ICC has no territorial jurisdiction to prosecute issues of genocide from those regions.[51] The UN Security Council (UNSC) has the power, under Article 13 of the Rome Statute[52] to refer the matter to the ICC, and thereby confer jurisdiction. To date, there has only been one attempted UNSC vote at a resolution to do so, and it was vetoed by China and Russia.[53] Iraq has also continuously articulated, in its requests for help from the international community, that they maintain jurisdiction over prosecution of ISIS crimes within their borders.[54] The IFG may have some apprehensions over providing jurisdiction to an international body, with potential concerns over their own violations under international law. It is therefore unlikely that either state will bring itself under the auspices of the Rome statute, or have ISIS members within its territorial jurisdiction referred to the ICC by the UNSC; and time is very much of the essence in dealing with this atrocity. Other potential avenues for international prosecution include the creation of an ad hoc treaty-based international criminal tribunal, an ad hoc UN international criminal

[46] Cf. United Nations 2014, Statement by Adama Dieng and Jennifer Welsh.

[47] Cf. Office of the United Nations High Commissioner for Human Rights (OHCHR) 2014.

[48] UNITAD – United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL – was established by the UN Security Council (UNSC) in 2017 with resolution 2379, which tasked the UN Secretary-General with creating a specific investigative team to promote accountability from the international crimes committed by ISIS in Iraq (cf. United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL 2021 and 2024). Unfortunately, resolution 2697 of September 2023, which extended UNITAD's directive until September 2024, explicitly states that it does so without the possibility of renewal. Prior to the passing of resolution 2697, Iraq formally communicated its desire to limit any further extension to one final year. The communication emphasized the necessity for UNITAD to surrender all evidence collected within Iraq's borders since its inception. Additionally, Iraq requested that UNITAD refrain from disseminating additional evidence to other nations and provide full disclosure of previously shared evidence to Iraqi authorities (cf. Security Council Report 2024).

[49] Cf. Human Rights Council 2014.

[50] Kikoler 2015.

[51] Cf. Yazidi Justice Committee 2022.

[52] Cf. Rome Statute of the International Criminal Court 1998.

[53] Cf. Kaufman 2021.

[54] "We call on you to ask the international community to provide assistance, so that we can make use of international expertise in our effort to prosecute the terrorist entity ISIL […] Iraq must maintain its national sovereignty and retain jurisdiction, and its laws must be respected, both when negotiating and implementing the resolution" (*Ibid*).

tribunal, or an ad hoc hybrid tribunal – a court that combines domestic and international laws and staff as, for instance, in Cambodia.[55] Despite calls under all options to create a body to prosecute ISIS, there have been no real steps taken to create any.[56] There were some countries, as well as the European Union, that officially classified the acts as genocide fairly early on. For example, the Council of Europe and the European Parliament acknowledged the systematic nature of ISIS' actions as genocide in a resolution passed in January and February 2016, respectively.[57] By March 2016, the US House of Representatives had passed House Concurrent Resolution 75. This declared that the acts committed by ISIS in Iraq and Syria against Christians, Yezidis, Turkmen, Shabak, Sabaen-Mandeans, and Kaka'i, among others, constituted war crimes, crimes against humanity, and genocide.[58] It also called on other governments to recognize the international violations, and to further take measures to fulfil their duties to prevent and prosecute genocide. That July, the US Senate adopted a companion resolution that, among other things, directed the Attorney General to begin investigations and criminal proceedings into perpetrators, or those complicit in the crimes of ISIS within US jurisdiction.[59] It was with the signing of House Resolution 390 that the US officially passed legislation aimed at providing aid, as well as pushing to establish ISIS culpability abroad. The law authorizes the State Department and US Agency for International Development (USAID) to provide financial and technical assistance[60] to entities engaged in investigating ISIS' crimes or furnishing aid to vulnerable groups in the region. The act also directs the State Department to identify threats of persecution, genocide, crimes against humanity, and war crimes against religious and ethnic minorities in Iraq and Syria.[61] Armenia passed a resolution in 2018 recognizing the Yezidi genocide before many European states.[62] Other governments were relatively slow to achieve the same conclusion (e.g. the governments of the United Kingdom,[63] Germany,[64] Belgium, the Netherlands[65] and France). Part of the stated reason for the delay related to the fact

[55] Cf. *Ibid*.
[56] Cf. *Ibid*.
[57] Cf. Resolution 2016/2529(RSP) 2016.
[58] Cf. US House of Representatives 2016.
[59] US Senate 2015.
[60] Conducting criminal investigations; developing indigenous investigative and judicial skills to adjudicate cases consistent with due process and respect for the rule of law; and collecting and preserving evidence for use in prosecutions (cf. *Ibid*: Section 5).
[61] Cf. US Congress 2018.
[62] Cf. Armen Press 2018.
[63] The UK Government formally acknowledged the atrocities the Yezidis faced at the hands of ISIS as genocide in August 2023 (cf. Loft 2023).
[64] The German lower house of parliament passed a resolution recognizing the Yezidi genocide (cf. Le Mond 2023).
[65] Belgian Parliament voted on 30/06/2021, and the Dutch Parliament House of Representatives voted on 06/07/2021 unanimously to recognize the genocide (cf. Free Yezidi Foundation 2021).

that governments wanted international and domestic courts to recognize the issue first. However, even with late official recognition, western nations were already looking into how to prosecute returning and potentially extradited fighters. By 2021, the world began to see the successful prosecution of ISIS in courts in the West for war crimes, crimes against humanity, and genocide targeting the Yezidis. Germany was the first state to successfully convict a former ISIS member on the specific crime of genocide against the Yezidis.[66] The trial against Taha A., an Iraqi national, was remarkable for many reasons, but especially because it is the first instance of the application of universal jurisdiction[67] to an ISIS member accused of genocide. In fact, German courts convicted a second ISIS returnee, German-national Jalda A., of genocide in July of 2022.[68] Additionally, Germany oversaw the conviction of 5 additional ISIS members for crimes against humanity and war crimes against Yezidis. Such victories show non-state actors that there is no impunity for *hostes humani generis*. To facilitate domestic proceedings, several EU nations have formed Joint Investigation Teams (JITs)[69] to coordinate efforts to investigate, identify, and potentially prosecute foreign terrorist fighters, like ISIS, that have targeted the Yezidis. The teams' focuses on core international crimes, including genocide. France, Sweden, Belgium, and the Netherlands are part of a JIT, and their coordination efforts have already led to some successes.[70] Obviously, while the international community is taking steps in the right direction with regard to recognition, legislation regarding aid for victims and support for investigative teams, as well as prosecution of returning nationals, the domestic courts are not an adequate venue to deal with the totality of perpetrators. International extradition will not be an adequate avenue to handle the large quantity of those involved in the commission of genocide. Convictions carried out within borders of their nations will allow the Yezidis to provide their narratives in trials, and help the Yezidis feel like they are part of society once more; a society that not only recognizes and rallies around their pain, but stands up for them. For things to change, there will still need to be an amalgamation of pressuring and helping the governments of Iraq and Syria develop the necessary legal

[66] Cf. Clooney et al. 2023.

[67] Universal jurisdiction is an exception to the general international principles of state sovereignty.

[68] Cf. *Ibid*.

[69] A JIT is formed by an international agreement for cooperation between competent authorities of the State parties to said agreement. They coordinate efforts between the judicial and law enforcement branches of two or more nations, and usually have a specific scope of investigation (cf. European Union Agency for Law Enforcement Cooperation 2021).

[70] "In France, a Yezidi victim of a French jihadist couple, already prosecuted under terrorism offences, could be identified. Charges of genocide and crimes against humanity were added to an existing case" (European Union Agency for Criminal Justice Cooperation 2023).

framework to handle the proper investigation, evidentiary preservation, and prosecution of genocide domestically.

Sinjar: A Homecoming

According to both the KRI Government (KRG) and the International Organization for Migration (IOM) 105,150 Yezidi IDPs (21,100 families) are registered across 14 camps that were almost exclusively established for the Yezidis.[71] However, it should be noted that almost all IDPs registered in a KRG camp when they first arrived from Sinjar, and that a large number[72] of them have since, without deregistering, departed from the camps to integrate into the surrounding communities. Therefore, the figure of 105,150 does not accurately reflect the actual number of IDPs residing in camps. Instead, it appears to primarily represent all Yezidi IDPs living in the KRI. [73] This figure is relatively small compared to the total number of IDPs and refugees from Syria in the KRI, which stands at 631,174 individuals, predominantly of Arab-Muslim origin.

Unlike refugees, IDPs in Iraq can avail themselves of the basic human rights guaranteeing freedom of movement. They cannot be forced to return to Sinjar. Hence, the decision to return is left solely up to them. For IDPs who have found their niche within the KRI, and do not face economic constraints, the decision is quite easy. They will move to Sinjar only if and when they feel that they will be able to match, maintain, or achieve a better living standard than what they currently have in the KRI. This may also influence the return-decision of their parents and siblings, who are still in the camps. In most cases, they are dependent on their relatives for support. For the majority of the camp population the question is whether or not they want to exchange the auspices of the camp (including food security, health care, education, physical security, and minimal but secure shelter), for a place where they would have their own land, but where they will still be lacking most of this infrastructure provided in the camps. In many interviews the IDPs stated that their desire would be to return home. It is the absence of shelter, employment, financial support, and compensation for injustices suffered that hindered their return. Concepts such as overall security, the dangers posed by mines, etc.[74] were never a real issue in discussions concerning the return of Yezidis to Sinjar. These issues were only raised when KRG officials or KDP members were involved in the

[71] Cf. Nicolaus and Yuce 2024.
[72] The KRG indicates about 70% (cf. Rasul 2024).
[73] A margin of error around 8 to 12% came up repeatedly during informal discussions with NGOs and the IOM in 2022.
[74] Cf. United Nations High Commissioner for Refugees (UNHCR) 2019, as well as Ali 2022: 76–89, analysing in detail the situation in Sinjar.

discourse. In the event of return, most IDPs would place their trust in the protection offered by the Iraqi police, PMU, and the militias controlling various parts of Sinjar, such as the Êzîdxan Protection Force (HPÊ) and the Sinjar Resistance Units (YBŞ).[75] A number of my friends and international colleagues have visited Sinjar over the last three years and can attest to both the improved security situation, as well as to the deficient, and in some places, completely absent, state of the existing infrastructure. Furthermore, there are no overt efforts by the IFG to overcome these impediments to a Yezidi return. Nonetheless, approximately 148,000 IDPs have returned to the Sinjar district, with an increasing number of villages moving towards some semblance of their former normality – farming and sheepherding have recommenced, houses are being renovated or rebuilt, schools have opened once more,[76] shops are now offering more than just basic necessities, and in the evenings, one can sit peacefully to enjoy some warm tea with the local inhabitants. Despite these positive developments and interviews with IDPs, it's important to note that they do not outweigh the findings of the survey conducted by the United Nations High Commisioner for Refugees (UNHCR) in 2019. This survey concluded that only 3% of the IDP population intended to return, highlighting ongoing challenges and reservations among the displaced community. [77]

The individual Yezidi freedom to decide whether to return is influenced, or even negated, by the policies and politics of both the federal government and the KRG. The dispute between these two actors arises from the question of which entity should govern the disputed territories. The situation in Sinjar further complicates matters, as one party controls the land while the other controls the people. The IFG encourages people to return, while the KRG is attempting to stall the process. For instance, the latter "put a blockade on the roads leading to Shingal [Sinjar] so that the Yezidis who survived the genocide will not get any services or assistance,"[78] and find returning home to be very

[75] In the part of the Sinjar district controlled by the YBŞ, IDPs expressed greater fear of Turkish cross-border operations and bombings.

[76] However, there is the prevalent issue of unqualified instructors providing inadequate education at these schools. Many qualified teachers actually contract out their position to unqualified persons in order to accept a better paid non-governmental job, without losing insurance and pension benefits. While a common practice that is usually accepted by local education administration, it remains an unknown, and likely unacceptable, practice to the Education Directorate in Mosul.

[77] The reasons for this included: the presence of mines (42%); lack of security forces (41%); damaged or destroyed houses (33%); fear of discrimination (29%); and no financial means (13%) (cf. UNHCR 2019: 11, as well as Travers 2022).

[78] Patriotic Union of Kurdistan (PUK) 2018. The report continues, emphasising that "for more than a year, the closure of the Suhaila Road has been a barrier to the return of Yezidis in camps to Shingal" (apud United Nations Assistance Mission for Iraq (UNAMI) (2018)). Abid Shamdeen (Executive Co-Director, Nadia's Initiative) stated to the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development of the House of Commons of Canada: "I feel that Yezidis are held captive in these IDP camps, because, first, their areas have not been rebuilt; there is no security and the access has been blocked

difficult.[79] In April 2023, Iraqi Prime Minister Mohammed Shia al-Sudani allocated the equivalent of 34.2 million USD for the reconstruction of Sinjar. However, the KRG has, based on an agreement between the two parties dating back to 2020,[80] so far prevented the use of said funds.[81] At the same time, the KRG stressed that IDPs cherish "the support and respect from the Barzani Charitable Foundation and the warm reception from the Kurdistan Region which have been invaluable, offering the freedom to stay or return home."[82] The Iraqi federal government in Baghdad has also not been forthcoming with the timely provision of promised housing assistance for the IDPs. For instance, approximately 10,500 applications seeking compensation under Iraqi Law No. 20 have been submitted by IDPs upon their return to Sinjar, with approximately half of these applications already approved so far, "but not a single family has yet received a payout. This stands in stark contrast to other areas of Iraq, which have all seen at least some compensation awarded."[83] However, in January 2024 the federal government made another move and issued the Cabinet Decision No. 24007 of 2024, as well as pertinent mechanisms for implementation.[84] According to the relevant terms, this legislation applies to returning displaced families registered with the Ministry of Migration and Displaced Persons Database, and that reside in refugee camps in the KRI.[85] If the family decides to voluntarily leave the camps and return to their original regions (or another area of their choice), they will receive 4 million Iraqi Dinar (3,050 USD). Among the provisions of the resolution aimed at the reconstruction and rehabilitation of Sinjar district (e.g. building low-cost housing units, improving the education situation, individual job creation, and protection of disadvantaged returning IDPs), there is a mandate that the Ministry of Finance must release compensations for those IDPs returning to damaged homes. Finally, these legal instruments emphasise that by the end of July 2024 all camps in the KRG will be closed, and that the IDPs residing there should be informed that this decision is binding and final.[86]

to Sinjar. The roads that lead to Sinjar from Kurdistan, from the IDP camps, have been blocked since 2014 on and off, but since 2016 or 2017 these roads have been completely blocked." (cf. House of Commons of Canada 2024).

79 Cf. Westcott 2018.

80 This agreement stipulates that the federal government and the KRG must come to a consensus on how reconstruction and rehabilitation funds are spent.

81 Cf. Human Rights Watch 2023b.

82 Rasul 2024.

83 Coogle 2023.

84 Cf. General Secretariat of the Council of Ministers 2024.

85 Individuals who are not or no longer part of a family also receive the grant.

86 For more detail cf. *Al-Sudani's government assesses ministries and takes decisions regarding displaced individuals in Kurdistan* 2024.

As of April 2024, the first cohort of 450 IDP families have voluntarily[87] gone back to Sinjar, after receiving 4 million Iraqi Dinar, with some of these returns being facilitated by the IOM and its Return Program. The homecoming process has been gaining momentum, and at the time of writing[88] some 1,050 families (approximately 5,250 individuals) from various camps in the KRI returned to their respective villages in Sinjar.[89] The Ministry of Migration and Displacement (MoMD) has confirmed that the planned closure of the camps will proceed as scheduled in the summer of 2024,[90] but also insists that any return would be strictly voluntary. They also clarified that IDPs who chose to remain in the KRI or relocate to another region in Iraq would still receive their cash grant, but would not be permitted to stay in the camps slated for closure.[91] However, it remains to be seen whether this new approach will actually be implemented in full, and whether the KRG, led by the Kurdish Democratic Party (KDP), will indeed agree to the closure of the camps predominantly inhabited by Yezidis. The closure of the Ashti IDP Camp on the 21st of May 2024 does not necessarily reflect the KDP's willingness to cooperate, as the Yezidi population comprised less than 10% of the camp's inhabitants.[92] Additionally, its location in Sulaymaniyah, which is under the control of the Patriotic Union of Kurdistan (PUK), a group that both opposes the KDP and is also allied with the IFG, further complicates any such interpretation. In the context of the intended camp closures, it is important to recognize that the camps represent a significant form of leverage for the KRG in its strategy to reclaim influence in Sinjar, particularly following the setback suffered after the unsuccessful attempt towards Kurdish independence in 2017.[93] Consequently, now that the IFG has settled on a final date to shutter the IDP camps and announced that they will also stop providing IDP-related funds to the KRG, the KRG could still decide to fund the camps from its own budget. It could simultaneously seek contributions from international donors, as well as aid from international organisations. However, the latter possibility could easily be undermined by the IFG — it will likely prove challenging to secure international donors, or convince international NGOs and UN agencies to operate in the camps in Kurdistan without agreement from

[87] This information was shared during informal discussions with IOM in Sinjar and the Directorate of Migration in Duhok.
[88] Mid-June 2024.
[89] This was established during a telephone conversation with an MoMD representative on 12/06/2024.
[90] In telephone conversations, representatives mentioned that MoMD was no longer focused on a specific date for the implementation of the camp closure.
[91] The US Under Secretary of State for Civilian Security, Democracy, and Human Rights, Ms. Uzra Zeya, who met with the MoMD Minister Ms. Evan Faiq Jabro in Baghdad on 09/05/2024, did not seem to have any objections to this approach (cf. US Embassy & Consulate in Iraq 2024).
[92] Cf. Iraqi News Agency 2024.
[93] Cf. Nicolaus and Yuce 2024.

the Iraqi federal government. The uncooperative stance of the KRG is reflected in its management of the camps, where it does not actively facilitate the departure of IDPs, and even seeks to discourage them from leaving the camps. The KRG officially advises the IDPs that the areas of return are unsafe, and that they do not recommend undertaking the journey back to Sinjar. On the other hand, IDPs in the KRI have received the news regarding the commencement of the IFG supported return process with great interest, sparking significant activity in the area. Individuals who left the camps years ago are now showing up in the camps more frequently, while those who deregistered are making frantic efforts to be reregistered. Additionally, IDPs who were never registered in a camp are exploring both legal and illegal avenues to obtain a backdated registration – 4 million Iraqi Dinars is a significant amount for a destitute population. [94]

What We Plant in the Soil of Contemplation, We Shall Reap in the Harvest of Action[95]

The Yezidis have languished for far too long while international and domestic actors 'thoughtfully' contemplated the best path for attaining justice and restitution. The unwavering implementation of the Yezidi Female Survivors Law, as well as the Cabinet Decision No. 24007 of 2024, among the other legal instruments and administrative initiatives, would provide these tormented peoples the ability to restart their lives with dignity. Now that IDPs are receiving funding to facilitate their return to Sinjar, in addition to the potential for reparations under the YSL, it would seem that for the first time in a decade, there is real potential for the Yezidis to begin the reconstruction of their shattered world. It also means that if things progress without additional delays, then humanitarian intervention can potentially be scaled down, so that the focus can shift to regional development and infrastructure assistance. This is not the first genocide these resilient people have weathered, and, with the steadfast commitment to assistance and justice from the local and international communities, this too shall pass.

[94] Cf. *Ibid*.
[95] A sentence attributed to Eckhart von Hochheim (Master Eckhart).

Bibliography

Ali, Majid Hassan (2022), "The Forced Displacement of Ethnic and Religious Minorities in Disputed Areas in Iraq: A Case Study of the Post-2014 Yazidi Minority", *Al-Muntaqa*, Vol. V, Issue 1, 76–89

Armen Press (2018), "Armenian Parliament recognizes Yazidi genocide", https://armenpress.am / eng / news / 919052 / armenian-parliament-recognizes-yazidi-genocide.html (accessed: 27.03.2024)

Borda, Aldo Z. (2023), "A Litmus Test for International Justice: If not for the Yazidis, Then for Whom?", *Blog of the European Journal of International Law*, https://www.ejiltalk.org/a-litmus-test-for-international-justice-if-not-for-the-yazidis-then-for-whom/ (accessed: 28.03.2024)

Borda, Aldo Z. (2022), "Why Iraq Should Enact Laws Criminalizing Genocide", *International Center for Law and Religion Studies*, https://talkabout.iclrs.org/2022/12/01/why-iraq-should-enact-laws-criminalizing-genocide/ (accessed: 27.03.2024)

Ceasefire Centre for Civilian Rights and Minority Rights Group International (2021), "The Yazidi Survivors' Law: A Step Towards Reparations for the ISIS Conflict", https://www.ceasefire.org/wp-content/uploads/2021/05/Yazidi-Survivors-Law-Briefing.pdf (accessed: 03.11.2024)

Clooney, Amal et al. (2023), "German Federal Court of Justice confirms the first-ever conviction of an ISIS member for genocide", *Doughty Street Chambers*, https://www.doughtystreet.co.uk/news/german-federal-court-justice-confirms-first-ever-conviction-isis-member-genocide (accessed: 30.03.2024)

Coogle, Adam (2023), "The Iraqi Government Is Failing Victims of ISIS in Sinjar. Government Should Pay Compensation to All Sinjar Communities", *Human Rights Watch*, 17/05/2023, https://www.hrw.org/news/2023/05/17/iraqi-government-failing-victims-isis-sinjar (accessed: 20/02/2024)

Elias, Khalidah et al. (2023), "Iraq's Yezidi Survivors Law: Report on Year One of Reparation Applications", *Free Yezidi Foundation*, https://freeyezidi.org/wp-content/uploads/2023/09/Iraqs-Yezidi-Survivors-Law-Report-on-Year-One-of-Reparation-FYF.pdf (accessed: 03.12.2024)

European Union Agency for Criminal Justice Cooperation (2023), "Belgium and Netherlands sign up to joint investigation team targeting crimes against Yezidi victims in Syria and Iraq", https://www.eurojust.europa.eu/news/belgium-and-netherlands-sign-joint-investigation-team-targeting-crimes-against-yezidi-victims (accessed: 10.03.2024)

European Union Agency for Law Enforcement Cooperation (2021), "Joint Investigation Teams – JITs", https://www.europol.europa.eu/partners-collaboration/joint-investigation-teams (accessed: 21.03.2024)

Free Yezidi Foundation (2021), "Netherlands and Belgium Genocide Recognition", https://freeyezidi.org/news-updates/fyf-statements/netherlands-and-belgium-genocide-recognition/ (accessed: 30.03.2024)

General Secretariat of the Council of Ministers (2024), "Decisions of fourth regular session held on 1/23/2024", https://cabinet.iq/en/category/aDOu$GSzDnEA-_z/aDOu$GSzDnEA-_z (accessed: 02.04.2024)

House of Commons of Canada (2024), "Minutes of Proceedings", *Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development*, SDIR-128

20/11/2018, https://www.ourcommons.ca/DocumentViewer/en/42-1/Sdir/meeting-128/evidence (accessed: 12.06.2024).

Human Rights Council (2014), "Report of the independent international commission of inquiry on the Syrian Arab Republic", *A/HRC/25/65*, https://documents.un.org/doc/undoc/gen/g14/109/24/pdf/g1410924.pdf (accessed: 02.04.2024)

Human Rights Watch (2023a), "Iraq: Compensation for ISIS Victims Too Little, Too Late", https://www.hrw.org/news/2023/05/09/iraq-compensation-isis-victims-too-little-too-late (accessed: 31.03.2024)

Human Rights Watch (2023b), "Iraq: Political Infighting Blocking Reconstruction of Sinjar", https://www.hrw.org/news/2023/06/06/iraq-political-infighting-blocking-reconstruction-sinjar (accessed: 14.03.2024)

Human Rights Watch (2023c), "Joint Statement on the Implementation of the Yazidi Survivors Law", https://www.hrw.org/news/2023/04/14/joint-statement-implementation-yazidi-survivors-law (accessed: 22.03.2024)

Iraqi News Agency (2024), "900 IDPs Returned From the Last Camps in Sulaymaniyah", https://ina.iq/eng/32990-900-idps-returned-from-the-last-camps-in-sulaymaniyah.html (accessed: 29.05.2024)

Kaufman, Zachary (2021), "Addressing the Islamic State's Genocide Against the Yezidi at the Belgian Parliament", *Opinio Juris*, https://opiniojuris.org/2021/06/24/addressing-the-islamic-states-genocide-against-the-yezidi-at-the-belgian-parliament/ (accessed: 09/04/2024)

Kikoler Naomi (2015), "Our Generation is Gone. The Islamic State's Targeting of Iraqi Minorities in Ninewa", *United States Holocaust Memorial Museum Simon-Skjodt Center for the Prevention of Genocide,* https://www.ushmm.org/m/pdfs/Iraq-Bearing-Witness-Report-111215.pdf (accessed: 08.04.2024)

Loft, Philip (2023), "UK acknowledges Yazidi genocide by Daesh/Islamic State", *House of Commons Library,* https://commonslibrary.parliament.uk/uk-acknowledges-yazidi-genocide-by-daesh-islamic-state/#:~:text=In%20August%202023%20the%20UK,Cambodia%2C%20Srebrenica%2C%20and%20Rwanda (accessed: 31.03.2024)

Le Monde and AFG (2023), "German lawmakers recognize Yazidi genocide in Iraq", https://www.lemonde.fr/en/international/article/2023/01/20/german-lawmakers-recognize-yazidi-genocide-in-iraq_6012355_4.html (accessed: 31.03.2024)

Nicolaus, Peter and Serkan, Yuce (2024), *Ten Years After* (in print)

Nicolaus, Peter and Serkan, Yuce (2017), "Sex-Slavery: One Aspect of the Yezidi Genocide", *Iran and the Caucasus*, Vol. XXI, 196–229.

Office of the United Nations High Commissioner for Human Rights (OHCHR) (2014), "Press Briefing Note on Iraq", *United Nations Press Briefing Notes*, https://www.ohchr.org/en/press-briefing-notes/2014/06/press-briefing-note-iraq *(accessed: 09.04.2024)*

Patriotic Union of Kurdistan (PUK) (2018), "Ezidis Displaced are Trapped in Shingal", *PUK Media*, 16/11/2018.

Rasul, Srwa (2024), "Kurdistan Region: A Beacon of Hope for Displaced Persons and Refugees",

Kurdistan Regional Government, Department of Media and Information 03 Mar 2024, https://gov.krd/dmi-en/activities/news-and-press-releases/2024/march/kurdistan-region-a-beacon-of-hope-for-displaced-persons-and-refugees/ (accessed: 22.03.2024)

Resolution 2016/2529(RSP) (2016), *Resolution No. 2016/2529(RSP) of the European Parliament of 4 February 2016 on the Systematic Mass Murder of Religious Minorities by the So-called 'ISIS/Daesh*, https://www.europarl.europa.eu/doceo/document/TA-8-2016-0051_EN.pdf (accessed: 20.03.2024)

Rome Statute of the International Criminal Court (1998), *International Criminal Court*, https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf (accessed: 09.04.2024)

Security Council Report (2024), "Iraq (UNITAD), June 2024 Monthly Forecast", https://www.securitycouncilreport.org/monthly-forecast/2024-06/iraq-unitad-8.php#:~:text=In%20June%2C%20the%20Council%20will,expires%20on%2017%20September%202024 (accessed: 01.06.2024)

Statement by Adama Dieng, Special Adviser to the Secretary-General on the Prevention of Genocide, and Jennifer Welsh, Special Adviser to the Secretary-General on the Responsibility to Protect, on the Situation in Iraq (2014), *United Nations Press Release* https://www.un.org/en/genocideprevention/documents/media/statements/2014/English/2014-06-18-Special%20Advisors%20Statement%20on%20situation%20in%20Iraq.pdf (accessed: 09.04.2024)

The Statute of the Iraqi Special Tribunal (2003), "The Establishment, Organization and Competence of the Tribunal", https://www.legal-tools.org/doc/70f869/pdf/ (accessed: 31.03.2024)

Al-Sudani's government assesses ministries and takes decisions regarding displaced individuals in Kurstian (2024), *Shafaq News* apud *Hatha al-Youm*, https://english.hathalyoum.net/articles/101014-al-sudani's-government-assesses-ministries-and-takes-decisions-regarding-displaced-individuals-in (accessed: 22.03.2024)

Travers, Alannah (2022), "Yazidis welcome death of 'driving force' behind ISIS genocide, call for greater support", *Rudaw*, https://www.rudaw.net/english/middleeast/04022022 (accessed: 20.02.2024)

United Nations Assistance Mission for Iraq (UNAMI) (2020), "Human Rights in the Administration of Justice in Iraq: Trials under the anti-terrorism laws and implications for justice, accountability and social cohesion in the aftermath of ISIL", https://www.ohchr.org/sites/default/files/Documents/Countries/IQ/UNAMI_Report_HRAdministrationJustice_Iraq_28January2020.pdf (accessed: 31.03.2024)

United Nations Assistance Mission for Iraq (UNAMI) (2018), "Iraq Morning Media Monitoring Report Sunday 18/11/2018", *The Strategic Communications and Public Information Office*, Erbil (internal)

United Nations High Commissioner for Refugees (UNHCR) (2019), "COI Note on the Situation of Yazidi IDPs in the Kurdistan Region of Iraq", *Refworld Global Law & Policy Database*, https://www.refworld.org/reference/countryrep/unhcr/2019/en/122812 (accessed: 02.02.2024)

United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (2024), "Our Mandate", https://www.unitad.un.org/content/our-mandate (accessed: 09.04.2024)

United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (2021), "Letter dated 1 May 2021 from the Special Adviser and Head of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant addressed to the President of the Security Council", https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2021_419.pdf (accessed: 08.04.2024)

US Congress (2018), "Iraq and Syria Genocide Relief and Accountability Act of 2018", *H.R.390, 115th Congress (2017-2018)*, https://www.congress.gov/bill/115th-congress/house-bill/390 (accessed: 30.03.2024)

US Embassy & Consulate in Iraq (2024), "Under Secretary Zeya's Travel to Jordan and Iraq", *Media Note, May 8 2024*, https://iq.usembassy.gov/under-secretary-zeyas-travel-to-jordan-and-iraq/#:~:text=Under%20Secretary%20of%20State%20for,rights%2C%20and%20civilian%20security%20priorities (accessed: 28.05.2024)

US House of Representatives (2016), "Expressing the sense of Congress that the atrocities perpetrated by ISIL against religious and ethnic minorities in Iraq and Syria include war crimes, crimes against humanity, and genocide", *H.Con.Res.75, 114th Congress (2015-2016)*, https://www.congress.gov/bill/114th-congress/house-concurrent-resolution/75/text (accessed: 30.03.2024)

US Senate (2015), "A resolution condemning the ongoing sexual violence against women and children from Yezidi, Christian, Shabak, Turkmen, and other religious communities by Islamic State of Iraq and Syria militants and urging the prosecution of the perpetrators and those complicit in these crimes", *S.Res.310, 114th Congress (2015-2016)*, https://www.congress.gov/bill/114th-congress/senate-resolution/310?s=1&r=97 (accessed: 30.03.2024)

Westcott, Tom (2018), "Nobel Peace Prize-winner Nadia Murad Marks Yazidi Festival in Iraq ghost village", Middle East Eye, https://www.middleeasteye.net/news/nadia-mourad-marks-yazidi-festival-iraq-ghost-village-1919162015 *(accessed: 19.02.2024)*

Yazda (2017), "An Uncertain Future for Yazidis: A Report Marking Three Years of an Ongoing Genocide", https://irp.cdn-website.com/16670504/files/uploaded/Yazda_Publication_2017-09_Report3YearsOngoingGenocide_28062021_Download_EN_vf.pdf (accessed: 04.03.2024)

Yazidi Female Survivors Law, Iraq Law No. 8 of 2021 (2021), *Iraqi Council of Representatives*, https://www.refworld.org/legal/legislation/natlegbod/2021/en/124274 (accessed: 28.03.2024)

Yazidi Justice Committee (2022), "State Responsibility and the Genocide of the Yazidis", Aarif Abraham et al. (eds.) https://assets-global.website-files.com/627bd75ca5e3f80964e3b246/62c44c59b6125c40850062cc_YJC%20-%2006.07.22%20-%20State%20Responsibility%20and%20the%20Yazidi%20Genocide%20-%20Final.pdf (accessed: 29.03.2024)

Younis, Nussaibah (2019), "Achieving a Durable Peace by Reforming Post-ISIS Justice Mechanisms in Iraq", *Project on Middle East Political Science*, 63-67, https://pomeps.org/wp-content/uploads/2019/10/POMEPS_Studies_35.1.pdf (accessed: 08.04.2024)

Zaza, Khaled et al. (2020), "Mosul After the Battle: Reparations for Civilian Harm and the Future of Ninewa", *Ceasefire Center for Civilian Rights and Minority Rights Group International*, https://www.ceasefire.org/wp-content/uploads/2020/01/Mosul-after-the-Battle_Ceasefire-report-Jan20.pdf (accessed: 01.04.2024)

სერქან იუჯა (Serkan Yuce)

ათი წლის ამბავი: ეზიდების გენოციდის გლობალური გამოხმაურება

აბსტრაქტი: მოცემული ნაშრომი იკვლევს, როგორია ლეგალური და ადმინისტრაციული ლანდშაფტი ISIS-ის მიერ განხორციელებული გენოციდის მსხვერპლთათვის; კონკრეტულად კი, თემატიზებულია მსხვერპლისთვის სამართლისა და კომპენსაციის მოსაპოვებლად ადგილობრივი და საერთაშორისო ძალისხმევა. სტატიაში ასევე განხილულია, თუ რა ვითარებაა ერაყის ქურთისტანის რეგიონში (Kurdish Region of Iraq) გადასახლებული მოსახლეობის სინჯარში დაბრუნებასთან დაკავშირებით. აღნიშნული რემიგრაციისთვის მზადება ამ სტატიაზე მუშაობის პერიოდში მიმდინარეობს.

საკვანძო სიტყვები: გენოციდი, იძულებით გადაადგილებული პირები (IDP), ერაყი, ლტოლვილები, KRI, სირია.

Serkan Yuce

Serhatiya deh salan: dengvedana global ya ferman û cênosayda êzdiyan

Abstrakt: Ev gotar landşafta yasayî û îdarî ji bo qurbaniyên cênosayda ku ji aliyê DAIŞ va hatiye kirin lêkolîn dike, bi taybetî hewlên navxweyî û navdewletî yên bi armanca dabînkirina dadwerî û e'dalêtê, qerebûkirina qurbaniyên navbirî dinêre. Herwisa dîmenek ji rewşa niha ya vegera nifûsa merivên e'warebûyî li kampan li Herêma Kurdistana Îraqê (HKI) bo Şengalê peyda dike. Di dema nivîsandinê da hazirîya vegera wan kesên e'warebûyî tê kirinê.

Peyvên sereke: cênosayd, e'ware, Îraq, penaber, KRI, Sûrya.