

# **COI QUERY**

<b>Country of Origin</b>	Iraq
Title	Treatment of Yazidis by the state and by society in Iraq, in particular in the Kurdistan Region of Iraq (KRI); information on recruitment of Yazidi children by armed groups, including the PKK
Reference period	1 January 2022 - 18 November 2024
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## **COI QUERY RESPONSE - Iraq**

Treatment of Yazidis by the state and by society in Iraq, in particular in the Kurdistan Region of Iraq (KRI); information on recruitment of Yazidi children by armed groups, including the PKK

#### 1. Background information

#### 1.1. General background information

Yazidis¹ are an ancient ethno-religious group residing in northern Iraq,² as well as in parts of Syria, Türkiye, Armenia and Georgia.³ Other sources indicate that Yazidis are a distinct religious group within the Kurdish ethnic group.⁴ The religious beliefs and practices of the Yazidis have been 'misunderstood' and they have been called 'devil worshippers and polytheists' by religious extremists such as the Islamic State of Iraq and the Levant (ISIL)⁵ group.⁶ In August 2014, ISIL started its 'genocide campaign' against Yazidis in Sinjar. Up to 450 000 people were displaced,⁶ 5 000 killed,⁶ and over 6 400 abducted.९

Estimates of Yazidis living in Iraq range from some 550 000 - 600 000<sup>10</sup> to up to 800 000 people. According to Yazidi leaders, most of the Yazidis in Iraq live in the Ninewa governorate and in the Kurdistan Region of Iraq (KRI)<sup>12,13</sup> The January 2022 Iraq COI report by EUAA reported on a presence of Yazidis living as small minorities in the governorates of

<sup>&</sup>lt;sup>1</sup> Also referred to by sources as Yezidis and Ezidis.

<sup>&</sup>lt;sup>2</sup> BBC News, Yazidi women fear return to a broken land of rubble and brutality, 30 June 2024, <u>url</u>; Kirkuk Now, Shingal: PMF recruits locals for new brigade, 11 April 2023, <u>url</u>; Majid Hassan Ali, Yezidis in Iraq: Demographic Islamisation, Internal Divisions, and Drivers of Perpetual Genocide, 19 June 2024, <u>url</u>

<sup>&</sup>lt;sup>3</sup> Masarat, Minorities, n.d., url

<sup>&</sup>lt;sup>4</sup> Encyclopaedia Britannica, Yazīdī, last updated 31 October 2024, <u>url</u>; Eurasia Review, Who Are The Yazidis? – Analysis, 15 March 2022, <u>url</u>; MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, <u>url</u> <sup>5</sup> Islamic State of Iraq and the Levant; also known as Islamic State of Iraq and Syria (ISIS), the Islamic State (IS), or Daesh.

<sup>&</sup>lt;sup>6</sup> MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, url

<sup>&</sup>lt;sup>7</sup> New Humanitarian (The), 10 years into genocide, Yazidi survivors continue to demand their rights, 5 August 2024, url

<sup>&</sup>lt;sup>8</sup> BBC News, Fighting to free the women and children enslaved by IS, 6 July 2023, <u>url</u>; New Humanitarian (The), 'It's on our shoulders': Ten years after Yazidi genocide, survivors refuse to give up on the missing, 5 August 2024, <u>url</u> <sup>9</sup> New Humanitarian (The), 'It's on our shoulders': Ten years after Yazidi genocide, survivors refuse to give up on the missing, 5 August 2024, <u>url</u>; UNSC, Conflict-related sexual violence; Report of the Secretary-General, 4 April 2024, <u>url</u>, para. 36

<sup>&</sup>lt;sup>10</sup> Majid Hassan Ali, Yezidis in Iraq: Demographic Islamisation, Internal Divisions, and Drivers of Perpetual Genocide, 19 June 2024, <u>url</u>

 $<sup>^{\</sup>rm 11}$  Rudaw, Nearly 300,000 Yazidis remain in IDP camps: Yazidi leader, 4 August 2024,  $\underline{\rm url}$ 

<sup>&</sup>lt;sup>12</sup> The KRI includes the governorates of Dohuk, Erbil and Sulaymaniyah. See: UNCHR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, <u>url</u>, pp. 5-6

<sup>&</sup>lt;sup>13</sup> USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, url, p. 6



Diyala, Dohuk, Erbil, as well as in the Baghdad City.<sup>14</sup> Located in the Ninewa governorate,<sup>15</sup> 120 km west from the regional capital Mosul,<sup>16</sup> the city of Sinjar (called in Kurdish Shingal)<sup>17</sup> is considered the Yazidi historic homeland.<sup>18</sup> The city has a diverse population consisting of the Yazidi majority and the minorities including Sunni and Shia Arabs, Sunni Kurds, and Assyrian Christians.<sup>19</sup> Sinjar is one of the disputed areas between federal Iraq and Kurdistan Regional Government (KRG)<sup>20</sup> and it is under a dual administration of the both authorities.<sup>21</sup>

According to a Yazidi leader, almost 300 000 Yazidis resided in internally displaced persons (IDP) camps in Kurdistan, mostly in Dohuk and to a smaller extent in Sinjar, as of August 2024,<sup>22</sup> while another source puts the number at 200 000 IDPs.<sup>23</sup> According to Yazidi representatives, out of 6 417 Yezidis abducted by ISIL, 2 847 remained missing as of April 2024.<sup>24</sup> Additional hundreds of Yazidis remained detained in Syria, in particular in the Al-Hol camp in north-east Syria.<sup>25</sup> Yazidi activists organized in non-governmental organizations continued working towards finding missing persons.<sup>26</sup> Yazidi women continued to be rescued from ISIL captivity<sup>27</sup> and Yazidi mass graves continued to be discovered in the reference period.<sup>28</sup> As of August 2024, '61 of the 94 known mass graves in Sinjar have been exhumed'.<sup>29</sup>

<sup>&</sup>lt;sup>14</sup> EUAA, Irag, Security situation, January 2022, url, pp. 96, 120, 198, 214

<sup>&</sup>lt;sup>15</sup> CJA, Holding ISIL Accountable Prosecuting Crimes in Iraq and Syria, 2024, <u>url</u>, p. 9; International Crisis Group, Iraq: Stabilising the Contested District of Sinjar, 31 May 2022, <u>url</u>

<sup>&</sup>lt;sup>16</sup> International Crisis Group, Iraq: Stabilising the Contested District of Sinjar, 31 May 2022, url

<sup>&</sup>lt;sup>17</sup> EU, Council of the EU, YAZIDI: Statement by the High Representative on behalf of the EU on the situation of the Yazidi community in Iraq, 3 August 2023, <u>url;</u> Majid, H. A., Yezidis in Iraq: Demographic Islamisation, Internal Divisions, and Drivers of Perpetual Genocide, 19 June 2024, <u>url</u>

<sup>&</sup>lt;sup>18</sup> AP, The closure of camps in Iraq housing Yazidis displaced by IS attacks is postponed, an official says, 31 July 2024, <u>url</u>; CCCR, 'They Are in Control': The rise of paramilitary forces and the security of minorities in Iraq's disputed territories, January 2022, <u>url</u>, p. 26

<sup>&</sup>lt;sup>19</sup> International Crisis Group, Iraq: Stabilising the Contested District of Sinjar, 31 May 2022, url

<sup>&</sup>lt;sup>20</sup> Majid Hassan Ali, Yezidis in Iraq: Demographic Islamisation, Internal Divisions, and Drivers of Perpetual Genocide, 19 June 2024, <u>url</u>; Shafaq, German Embassy emphasizes importance of implementing Sinjar agreement, 11 April 2024, <u>url</u>; Yazda and The Zovighian Partnership, We cannot return, Part 1: Collapsed security threatens the future of Yazidis & minorities in Sinjar, September 2022, <u>url</u>, p. 10

<sup>&</sup>lt;sup>21</sup> Yazda, Wilson Center, and Zovighian Public Office, There is no future in Sinjar without safety and agency, Part 2: Frozen political will and a disempowered public administration threaten the future of Yazidis and minorities in Sinjar, 30 July 2024, url, p. 9

<sup>&</sup>lt;sup>22</sup> Rudaw, Nearly 300,000 Yazidis remain in IDP camps: Yazidi leader, 4 August 2024, url

<sup>&</sup>lt;sup>23</sup> New Humanitarian (The), 10 years into genocide, Yazidi survivors continue to demand their rights, 5 August 2024,

<sup>&</sup>lt;sup>24</sup> UNSC, Conflict-related sexual violence; Report of the Secretary-General, 4 April 2024, url, para. 36

<sup>&</sup>lt;sup>25</sup> Amnesty International, Syria: Yezidi survivors of Islamic State atrocities abandoned to indefinite detention in north-east Syria, 31 July 2024, url

<sup>&</sup>lt;sup>26</sup> New Humanitarian (The), 'It's on our shoulders': Ten years after Yazidi genocide, survivors refuse to give up on the missing, 5 August 2024, url

Rudaw, Yazidi woman, child rescued from ISIS captivity in Rojava, 1 August 2024, <u>url</u>; Rudaw, Yazidi woman rescued from ISIS captivity, <u>url</u>, 4 June 2024; Rudaw, 6 Yazidi women rescued after 8 years in ISIS captivity, 3 June 2023, <u>url</u>; Rudaw, Yazidi woman reunites with family nearly 10 years after ISIS abduction, 3 March 2024, <u>url</u>
 epic, ISHM (Iraq Security and Humanitarian Monitor): July 11 – 18, 2024, 18 July 2024,

<sup>&</sup>lt;u>url</u>; Rudaw, ISIS mass grave found in Shingal, 19 April 2024, <u>url</u>; USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, <u>url</u>, p. 35

<sup>&</sup>lt;sup>29</sup> New Humanitarian (The), 10 years into genocide, Yazidi survivors continue to demand their rights, 5 August 2024, <u>url</u>



At the United Nations level, the Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD), was mandated 'to support domestic efforts to hold ISIL (Da'esh) accountable by collecting, preserving and storing evidence of its crimes in Iraq that may amount to war crimes, crimes against humanity and genocide', including against Yazidis. On 11 September 2024, UNITAD published a report on its findings regarding Yazidis that concluded that 'UNITAD has reasonable grounds to believe that war crimes, crimes against humanity and genocide were committed.'<sup>30</sup> UNITAD's mandate concluded on 17 September 2024.<sup>31</sup>

#### 1.2. Closure of IDP camps and returns to Sinjar

In 2022, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) described the level of needs of IDPs in some of the camps, including in the KRI, as 'extreme or catastrophic'.<sup>32</sup>

In August 2023, the last IDP camp in federal Iraq was closed.<sup>33</sup> In January 2024, the Iraqi federal government announced the plan to close the remaining IDP camps in the KRI<sup>34</sup> to encourage people to return back to Sinjar.<sup>35</sup> The 23 camps for IDPs in the KRI, hosting mostly Yazidis, were meant to close by 30 July 2024.<sup>36</sup> In practice, the would mean the IDP camps in Dohuk, where all Yazidi camps were located, according to a January 2024 United Nations High Commissioner for Refugees (UNHCR) report.<sup>37</sup> The Iraqi government offered a one-time payment of 4 million dinars [about 2 823 EUR]<sup>38</sup> to those who leave.<sup>39</sup> Human Rights Watch (HRW) reported that other incentives for the returnees included 'some government jobs, social security benefits, and interest-free small business loans',<sup>40</sup> as well as 'a fridge, a stove, and a television', as reported by Rudaw.<sup>41</sup>

However, local KRG authorities refused to implement the order, arguing that Sinjar was not ready for the returns, and they negotiated the delay of the closure until the end of 2024.<sup>42</sup> As of April 2023, 43 % of over 300 000 displaced people returned to Sinjar.<sup>43</sup> In 2023, some 5

<sup>&</sup>lt;sup>30</sup> UNITAD, UNITAD Publishes Detailed Findings of International Crimes, including Genocide, Committed by ISIL (Da'esh) against the Yazidi Community in Iraq, 11 September 2024, <u>url</u>

<sup>&</sup>lt;sup>31</sup> UNITAD, History, n.d., url

<sup>&</sup>lt;sup>32</sup> UNOCHA, Humanitarian Needs Overview Iraq, March 2022, <u>url</u>, p. 45

<sup>&</sup>lt;sup>33</sup> MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, <u>url</u>; New Humanitarian (The), In Iraq, a rushed camp closure fuels unease over the safety of IS returns, 24 August 2023, <u>url</u>

<sup>&</sup>lt;sup>34</sup> IOM, Iraq — Tracking Tool: Movement of Camp IDPs (1 April – 15 August 2024), August 2024, url

<sup>35</sup> BBC News, Yazidi women fear return to a broken land of rubble and brutality, 30 June 2024, url

<sup>&</sup>lt;sup>36</sup> The Guardian, Yazidi survivors of Sinjar massacre alarmed by Iraq's move to close camps, 21 June 2024, <u>url</u>

<sup>&</sup>lt;sup>37</sup> UNHCR, International Protection Considerations with Regard to People Fleeing the Republic of Iraq - Update I, January 2024, <u>url</u>, p. 93

<sup>38</sup> Exchange rates from European Commission, Exchange rate (InforEuro), n.d., url

<sup>&</sup>lt;sup>39</sup> AP, The closure of camps in Iraq housing Yazidis displaced by IS attacks is postponed, an official says, 31 July 2024, url

<sup>&</sup>lt;sup>40</sup> HRW, Iraq: Looming Camp Closures in Kurdistan, 13 May 2024, url

<sup>&</sup>lt;sup>41</sup> Rudaw, Over 300 return to Shingal from Duhok camps, 8 November 2024, url

<sup>&</sup>lt;sup>42</sup> AP, The closure of camps in Iraq housing Yazidis displaced by IS attacks is postponed, an official says, 31 July 2024, url

<sup>&</sup>lt;sup>43</sup> AP, The closure of camps in Iraq housing Yazidis displaced by IS attacks is postponed, an official says, 31 July 2024, <u>url</u>



000 Yazidis returned to Sinjar.<sup>44</sup> Even though the closure of the camps has been postponed, some IDPs have started moving to Sinjar, according to an August 2024 report.<sup>45</sup> In the period of 1 April – 15 August 2024, the International Organization for Migration (IOM) recorded the return of 1 952 families to Ninewa, out of which 955 families returned to Sinjar.<sup>46</sup> As of June 2024, most Yazidis from Sinjar were still living in IDP camps in KRI.<sup>47</sup> Concerning the returnees to Sinjar, a Chatham House report indicated that they 'were either fighters or relatives of fighters associated with the PMF [Popular Mobilization Forces] and PKK [Kurdistan Workers' Party].'<sup>48</sup>

In August 2024, 10 years since ISIL started its campaign against the Yazidis, Sinjar has not been rebuilt.<sup>49</sup> According to a June 2024 report, 'most Yezidi areas in Sinjar remain uninhabited, destroyed, and abandoned'.<sup>50</sup> The return of people to Sinjar has been delayed because of poor infrastructure<sup>51</sup> and services,<sup>52</sup> safety and security concerns<sup>53</sup> and presence of armed groups.<sup>54</sup> Other obstacles were failures of the government to provide compensation for lost properties and to reconstruct damaged and destroyed homes and infrastructure,<sup>55</sup> as well as lack of justice and accountability for perpetrators of crimes against Yazidis<sup>56</sup> and political disagreements over the region's administration between the central and KRI governments.<sup>57</sup> Sources also reported on difficulties when accessing healthcare,<sup>58</sup>

<sup>&</sup>lt;sup>44</sup> USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, <u>url</u>, p. 19

 $<sup>^{45}</sup>$  New Humanitarian (The), 10 years into genocide, Yazidi survivors continue to demand their rights, 5 August 2024, url

<sup>46</sup> OM, Iraq — Tracking Tool: Movement of Camp IDPs (1 April – 15 August 2024), August 2024, url

<sup>&</sup>lt;sup>47</sup> Majid Hassan Ali, Yezidis in Iraq: Demographic Islamisation, Internal Divisions, and Drivers of Perpetual Genocide, 19 June 2024, url

<sup>&</sup>lt;sup>48</sup> Chatham House, Responding to instability in Irag's Sinjar district, updated 15 May 2024, url,

<sup>&</sup>lt;sup>49</sup> New Humanitarian (The), 10 years into genocide, Yazidi survivors continue to demand their rights, 5 August 2024, url

<sup>&</sup>lt;sup>50</sup> Majid Hassan Ali, Yezidis in Iraq: Demographic Islamisation, Internal Divisions, and Drivers of Perpetual Genocide, 19 June 2024, url

<sup>&</sup>lt;sup>51</sup> BBC News, Yazidi women fear return to a broken land of rubble and brutality, 30 June 2024, <u>url</u>; Diwan, The Yezidi Genocide Nine Years Later, 22 August 2023, <u>url</u>; New Humanitarian (The), 10 years into genocide, Yazidi survivors continue to demand their rights, 5 August 2024, <u>url</u>

<sup>&</sup>lt;sup>52</sup> Diwan, The Yezidi Genocide Nine Years Later, 22 August 2023, <u>url</u>; EU, Council of the EU, YAZIDI: Statement by the High Representative on behalf of the EU on the situation of the Yazidi community in Iraq, 3 August 2023, <u>url</u>; New Humanitarian (The), 10 years into genocide, Yazidi survivors continue to demand their rights, 5 August 2024, url

Figure 3 BBC News, Yazidi women fear return to a broken land of rubble and brutality, 30 June 2024, url; Diwan, The Yezidi Genocide Nine Years Later, 22 August 2023, url; EU, Council of the EU, YAZIDI: Statement by the High Representative on behalf of the EU on the situation of the Yazidi community in Iraq, 3 August 2023, url; Yazda and The Zovighian Partnership, We cannot return, Part 1: Collapsed security threatens the future of Yazidis & minorities in Sinjar, September 2022, url, pp. 9-10; NRC, "Your house is your homeland" How Housing, Land, and Property Rights Impact Returns to Sinjar, Iraq, 2022, url, p. 18

<sup>&</sup>lt;sup>54</sup> USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, url, pp. 1-2

<sup>&</sup>lt;sup>55</sup> HRW, Iraq: Looming Camp Closures in Kurdistan, 13 May 2024, <u>url</u>; HRW, Iraq: Political Infighting Blocking Reconstruction of Sinjar, 6 June 2023, <u>url</u>

<sup>&</sup>lt;sup>56</sup> HRW, Iraq: Looming Camp Closures in Kurdistan, 13 May 2024, url

<sup>&</sup>lt;sup>57</sup> HRW, Iraq: Political Infighting Blocking Reconstruction of Sinjar, 6 June 2023, <u>url</u>; Majid, H. A., Yezidis in Iraq: Demographic Islamisation, Internal Divisions, and Drivers of Perpetual Genocide, 19 June 2024, <u>url</u>

<sup>&</sup>lt;sup>58</sup> Diwan, The Yezidi Genocide Nine Years Later, 22 August 2023, <u>url</u>; HUMAN, Report: Racial Discrimination and the Right to Health for Ethnic Minorities in Iraq, CERD, 2024, <u>url</u>



education,<sup>59</sup> employment,<sup>60</sup> and documentation.<sup>61</sup> According to a report by the International Bar Association's Human Rights Institute (IBAHRI)<sup>62</sup>, 'Yazidis face significant scrutiny when attempting to pass through the check point to travel to Sinjar.'<sup>63</sup> BBC News reported that Yazidi women in particular were afraid of returning to Sinjar because of security concerns and a lack of infrastructure.<sup>64</sup>

#### 2. Treatment by the state

The 2005 Constitution of the Republic of Iraq states:

'This Constitution guarantees the Islamic identity of the majority of the Iraqi people and guarantees the full religious rights to freedom of religious belief and practice of all individuals such as Christians, Yazidis, and Mandean Sabeans.'65

In 2015, Iraq's Council of Ministers issued a decree stating that the crimes committed by Da'esh [Arabic for ISIL], including against Yazidis, amounted to the crime of genocide.<sup>66</sup>

Additionally, Iraq's Council of Representatives has issued a decree with provisions for:

- '(a) Measures by the Government to free abducted Yazidi women and to undertake reconstruction work in the district of Sinjar
- (b) The designation of victims of the acts committed by Da'esh terrorist gangs against the people of Sinjar as martyrs, thus making them eligible for all the concomitant rights and privileges
- (c) The formation of a committee to examine the genocide of Yazidis by Da'esh terrorist gangs.'67

In Mosul, federal Iraq's authorities established a body to investigate abuses committed by ISIL against women from minority groups, and in Ninewa, a special court to investigate ISIL's crimes has been set up. $^{68}$ 

<sup>&</sup>lt;sup>59</sup> Diwan, The Yezidi Genocide Nine Years Later, 22 August 2023, <u>url</u>; Rudaw, Students in Shingal forced to walk long distances to attend classes, 14 February 2024, <u>url</u>

<sup>&</sup>lt;sup>60</sup> Women for Women International, A Decade Of Transformation For Yazidi Women But The Trauma Continues, 30 July 2024, <u>url</u>

<sup>&</sup>lt;sup>61</sup> IBAHRI, Justice And Accountability For The Atrocities Of Daesh - Progress Made And The Way Forward, March 2023, <u>url</u>, p. 8

<sup>&</sup>lt;sup>62</sup> 'The International Bar Association's Human Rights Institute (IBAHRI), an autonomous and financially independent entity, works with the global legal community to promote and protect human rights and the independence of the legal profession worldwide.' IBAHRI, About the IBAHRI, n.d., <u>url</u>

<sup>&</sup>lt;sup>63</sup> IBAHRI, Justice And Accountability For The Atrocities Of Daesh - Progress Made And The Way Forward, March 2023, url, p. 8

<sup>&</sup>lt;sup>64</sup> BBC News, Yazidi women fear return to a broken land of rubble and brutality, 30 June 2024, url

<sup>&</sup>lt;sup>65</sup> Iraq, Constitution of the Republic of Iraq, 2005, <u>url</u>

<sup>&</sup>lt;sup>66</sup> UNCRC, Combined fifth and sixth periodic reports submitted by Iraq under article 44 of the Convention, due in 2020, 31 January 2024, <u>url</u>, para. 68, 240

<sup>&</sup>lt;sup>67</sup> UNCRC, Combined fifth and sixth periodic reports submitted by Iraq under article 44 of the Convention, due in 2020, 31 January 2024, url, para. 68

<sup>&</sup>lt;sup>68</sup> UNCRC, Combined fifth and sixth periodic reports submitted by Iraq under article 44 of the Convention, due in 2020, 31 January 2024, <u>url</u>, para. 67



Regarding the KRI, local authorities created special committees including one concerning abducted persons and another to investigate crimes by ISIL against Yazidis. In Dohuk, a 'genocide centre' was opened, a 'rehabilitation centre' was opened in Erbil, and another 50 'awareness-raising centres' were opened elsewhere in the country. People rescued from captivity, including almost 2 000 children, were provided with the required health services.

According to a 2009 federal law concerning compensation of victims of war,<sup>71</sup> people from Sinjar are entitled to financial compensation for loss of property, however, as of February 2024, no compensation was given even though over 8 000 claims have been registered, according to HRW.<sup>72</sup> In December 2022, Iraqi federal government issued a decree giving Yazidis ownership of their land and houses in Sinjar.<sup>73</sup> Further information on the implementation of the decree could not be found within time constraints.

In October 2020, the federal Iraqi government and the KRG signed an agreement that was meant to increase the stability and boost the reconstruction in Sinjar and enable the return of people to the area.<sup>74</sup> The agreement was also supposed to address the issue of armed groups and militias and specifically demanded the departure of the PKK.<sup>75</sup> Instead, a local security force consisting of Yazidis was to be created.<sup>76</sup> Of proposed 2 500 members of this force, 1 500 places were reserved for the returning Yazidis, while 1 000 place were to be divided between the residents, including Yazidis, Sunni Arabs, and Kurds.<sup>77</sup> The implementation of the October 2020 agreement has been slow<sup>78</sup> and as of August 2024, it has not been fully implemented.<sup>79</sup> According to a report, co-authored by Yazda, Wilson Center, and Zovighian Public Office, 'the lack of political will to enable an equitable and safer future for Yazidis is

<sup>&</sup>lt;sup>69</sup> UNCRC, Combined fifth and sixth periodic reports submitted by Iraq under article 44 of the Convention, due in 2020, 31 January 2024, url, para. 142

<sup>&</sup>lt;sup>70</sup> UNCRC, Combined fifth and sixth periodic reports submitted by Iraq under article 44 of the Convention, due in 2020, 31 January 2024, <u>url</u>, para. 142

<sup>&</sup>lt;sup>71</sup> See: Iraq, Law No. 20 of 2009: Law on Compensation of Victims of War Operations, Military Mistakes and Terrorist Operations, 2009, <u>url</u>

<sup>&</sup>lt;sup>72</sup> HRW, Iraq: Looming Camp Closures in Kurdistan, 13 May 2024, url

<sup>&</sup>lt;sup>73</sup> UN Iraq, Joint statement by Iraq's Prime Minister and the UN on the decision to grant Yazidis ownership of their lands in Sinjar after 47 years of denial, 4 January 2023, <u>url</u>

<sup>&</sup>lt;sup>74</sup> New Humanitarian (The), Despite government promises, lives in Sinjar remain on hold, 30 March 2021, <u>url</u>

<sup>&</sup>lt;sup>75</sup> International Crisis Group, Iraq: Stabilising the Contested District of Sinjar, 31 May 2022, <u>url</u>; New Humanitarian (The), Despite government promises, lives in Sinjar remain on hold, 30 March 2021, <u>url</u>

<sup>&</sup>lt;sup>76</sup> Shafaq, German Embassy emphasizes importance of implementing Sinjar agreement, 11 April 2024, <u>url</u>; Yazda and The Zovighian Partnership, We cannot return, Part 1: Collapsed security threatens the future of Yazidis & minorities in Sinjar, September 2022, <u>url</u>, p. 10

 $<sup>^{77}</sup>$  International Crisis Group, Iraq: Stabilising the Contested District of Sinjar, 31 May 2022,  $\underline{\text{url}}$ 

<sup>&</sup>lt;sup>78</sup> New Humanitarian (The), Despite government promises, lives in Sinjar remain on hold, 30 March 2021, <u>url</u>; EU, Council of the EU, YAZIDI: Statement by the High Representative on behalf of the EU on the situation of the Yazidi community in Iraq, 3 August 2023, <u>url</u>; Shafaq, German Embassy emphasizes importance of implementing Sinjar agreement, 11 April 2024, <u>url</u>; Yazda, Wilson Center, and Zovighian Public Office, There is no future in Sinjar without safety and agency, Part 2: Frozen political will and a disempowered public administration threaten the future of Yazidis and minorities in Sinjar, 30 July 2024, <u>url</u>, p. 11; USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, <u>url</u>, p. 20

<sup>&</sup>lt;sup>79</sup> Germany, BAMF, Länderkurzinformation Irak, Die Situation der Jesidinnen und Jesiden Stand: 08/2024, 12 September 2024, <u>url</u>, p. 4



clearly systemic'.<sup>80</sup> In 2023, the federal government ordered the reconstruction of the Koho village in Sinjar.<sup>81</sup>

In March 2021, federal Iraqi parliament adopted the Law on Yazidi female survivors (Act no. 8 of 2021), aimed at providing 'reparation for women belonging to ethnic and ethno-religious groups in light of the crimes against humanity and war crimes committed by Da'esh'.<sup>82</sup> In June 2021, the government allocated 25 billion dinars [about 17 645 833 EUR]<sup>83</sup> to implement the law.<sup>84</sup> As of September 2022, 600 beneficiaries were receiving the monthly payments,<sup>85</sup> and as of December 2023, some 1 400 survivors were receiving the monthly payments from the government.<sup>86</sup> The United Nations Security Council (UNSC) reported that 1 600 applications have been approved.<sup>87</sup> According to an Al Jazeera report from 2022, the federal government lacked a will to fully implement the law,<sup>88</sup> and Amnesty International (Al) stated that the requirement by the survivors to file a criminal complaint to access the assistance, announced by the authorities in April 2023, 'seriously undermines survivors' best interests and hinders adequate, prompt and effective reparation'.<sup>89</sup> The law did not include provisions on a situation of children born to fathers linked to ISIL and Yazidi mothers.<sup>90</sup>

According to the USDOS, in 2023, 'the [federal] government reported minimal progress in locating or rescuing missing Yezidis.'91 The same source noted that KRI authorities continued to work to release Yazidis abducted by ISIL in 2023.92 The office of the KRI presidency has established a dedicated Yazidi rescue office.93 Sources indicated that the office continued to conduct operations to free Yazidi women from ISIL captivity, with reported cases in 202394 and 2024,95 and it did so in cooperation with the Iraqi armed forces.96 In March 2024, a Yazidi woman was rescued from the al-Hol camp in Syria by the Kurdish-led Syrian Democratic Forces (SDF) and repatriated to Iraq by the federal Iraq's national intelligence service.97

<sup>80</sup> Yazda, Wilson Center, and Zovighian Public Office, There is no future in Sinjar without safety and agency, Part 2: Frozen political will and a disempowered public administration threaten the future of Yazidis and minorities in Sinjar, 30 July 2024, <u>url</u>, p. 10

<sup>81</sup> Rudaw, PM Sudani orders Yazidi village reconstruction, 15 August 2023, url

<sup>&</sup>lt;sup>82</sup> UNCERD, Concluding observations on the combined twenty-sixth and twenty-seventh periodic reports of Iraq 23 August 2024, url, para. 3

<sup>83</sup> Exchange rates from European Commission, Exchange rate (InforEuro), n.d., url

<sup>84</sup> USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, url, p. 21

<sup>85</sup> Diwan, The Yezidi Genocide Nine Years Later, 22 August 2023, url

<sup>&</sup>lt;sup>86</sup> USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, url, p. 21

<sup>&</sup>lt;sup>87</sup> UNSC, Conflict-related sexual violence; Report of the Secretary-General, 4 April 2024, url, para. 17

<sup>88</sup> Al Jazeera, Yazidi women survivors of ISIL crimes yet to find justice, 14 June 2022, url

<sup>89</sup> Al, The State of the World's Human Rights; Iraq 2023, 24 April 2024, url

<sup>90</sup> USDOS, 2023 Country Report on Human Rights Practices: Iraq, 23 April 2024, url, p. 47

<sup>&</sup>lt;sup>91</sup> USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, <u>url</u>, p. 2

<sup>92</sup> USDOS, 2024 Trafficking in Persons Report: Iraq, 24 June 2024, url

<sup>&</sup>lt;sup>93</sup> Rudaw, 6 Yazidi women rescued after 8 years in ISIS captivity, 3 June 2023, url

<sup>94</sup> Rudaw, 6 Yazidi women rescued after 8 years in ISIS captivity, 3 June 2023, url

<sup>&</sup>lt;sup>95</sup> Rudaw, Yazidi woman, child rescued from ISIS captivity in Rojava, 1 August 2024, <u>url</u>; Rudaw, Yazidi woman rescued from ISIS captivity, 4 June 2024, <u>url</u>; Rudaw, Yazidi woman reunites with family nearly 10 years after ISIS abduction. 3 March 2024, <u>url</u>

<sup>96</sup> Rudaw, Yazidi woman, child rescued from ISIS captivity in Rojava, 1 August 2024, url

<sup>&</sup>lt;sup>97</sup> Rudaw, Yazidi woman reunites with family nearly 10 years after ISIS abduction, 3 March 2024, url



Concerning the ability of Yazidis to relocate within the KRI, and if they originate from outside the KRI, a 2022 report by the UNCHR stated that in the case of Erbil and Sulaymaniyah, Yazidis were able to enter the governorates without restrictions upon presenting valid personal documentation. In the case of Dohuk, just like all other ethnic and religious groups, they would be subjected to a security screening and issued a temporary residency for 30 days that could be extended. Yazidis originating from KRI could relocate between the governorates 'generally' without restrictions. <sup>98</sup> According to a January 2024 UNHCR report, the KRG authorities stated that the IDPs must remain in the camps in Dohuk even though some were living in informal settlements outside of the camps in the same governorate. <sup>99</sup>

Covering 2023, the United States Department of State (USDOS) reported that 'local authorities in some provinces continued to impose restrictions' on Yazidis, without providing more information on the nature of the restrictions and in what governorates they occurred.<sup>100</sup> In August 2024, a Yazidi man in Sinjar was charged with blasphemy and arrested by a court in Ninewa.<sup>101</sup> In the KRI, Yazidis were allowed by local authorities to practice their religion 'without interference or intimidation' and some of their religious holidays were recognized as local holidays.<sup>102</sup>

Regarding the prosecution of persons responsible for crimes against Yazidis, the jurisdiction lies with the Iraqi judiciary and the office of the public prosecution. According to a UN report, 'no report needs to be made or complaint filed for such offences to be investigated and their perpetrators prosecuted, because they constitute crimes against the public weal which are prosecuted as a matter of course. BBC News reported that Iraqi courts have handed down hundreds of death sentences and life prison terms to men and women convicted of membership of a terrorist organisation. According to a September 2024 analysis, published by the Washington Institute for Near East Policy, while the Iraqi authorities have made attempts to prosecute those responsible for international crimes in Sinjar, they failed to effectively prosecute those responsible. In June 2024, a court in Baghdad court issued a death sentence to a suspected ISIL member for 'committing genocide' against the Yazidis. In July 2024, a wife of al-Baghdadi, a deceased former leader of the ISIL, was sentenced to death for detaining Yazidi women.

<sup>&</sup>lt;sup>98</sup> UNCHR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, <u>url</u>, pp. 5-6

<sup>&</sup>lt;sup>99</sup> UNHCR, International Protection Considerations with Regard to People Fleeing the Republic of Iraq - Update I, January 2024, url, p. 93

 $<sup>^{100}</sup>$  USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024,  $\underline{\text{url}}$ , p. 24

<sup>&</sup>lt;sup>101</sup> Rudaw, Iraqi court orders arrest of Yazidi Peshmerga commander, 8 August 2024, <u>url</u>

<sup>102</sup> USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, url, pp. 29-30

<sup>&</sup>lt;sup>103</sup> UNCRC, Combined fifth and sixth periodic reports submitted by Iraq under article 44 of the Convention, due in 2020, 31 January 2024, url, para. 66

<sup>&</sup>lt;sup>104</sup> UNCRC, Combined fifth and sixth periodic reports submitted by Iraq under article 44 of the Convention, due in 2020, 31 January 2024, <u>url</u>, para. 66

<sup>&</sup>lt;sup>105</sup> BBC News, Abu Bakr al-Baghdadi's widow sentenced to death in Iraq, 10 July 2024, url

<sup>&</sup>lt;sup>106</sup> Washington Institute for Near East Policy, As UNITAD's Mandate Ends, ISIL Survivors Still Lack Justice, 11 September 2024, <u>url</u>

<sup>107</sup> Rudaw, Iraq hands death sentence to ISIS suspect for genocide against Yazidis, 4 June 2024, url

<sup>&</sup>lt;sup>108</sup> Reuters, Iraq issues death sentence against wife of late Islamic State leader, 10 July 2024, <u>url</u>; Reuters, Iraq issues death sentence against wife of late Islamic State leader, 10 July 2024, <u>url</u>



#### 3. Treatment by society

Sources indicated that there is distrust between Yazidis and Sunni Arabs due to a perceived connection of Sunni Arabs to ISIL.<sup>109</sup> An older survey from 2018 found that some Yazidis believed that '90% of local Arabs to be ISIL members or supporters'.<sup>110</sup> Similarly, a strong negative stereotype amongst non-Yazidi populations is that Yazidis worship the devil.<sup>111</sup> Inna Rudolf, a Senior Research Fellow at the International Centre for the Study of Radicalisation (ICSR) interviewed by Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), described that [informal translation] 'it is important to recognize that deep-rooted and partly religiously motivated prejudices and hate speech against Yazidis still exist in the Kurdish region'.<sup>112</sup>

In August 2023, following the closure of the last IDP camp in federal Iraq, families with links to ISIL were sent back to Sinjar, which caused fear among Yazidis, according to the SEED Foundation, a local NGO supporting Yazidi survivors. At times, Yazidis have opposed return of displaced Sunni Arabs to Sinjar. II April 2023, Yezidis staged a protest in Sinjar after Sunni Arabs returned to the area. IIS

Following the protest, there were reports spreading on social media that Yazidis were throwing stones at mosques<sup>116</sup> and that they burned a mosque.<sup>117</sup> This was followed by violent hate posts online including death threats<sup>118</sup>, calling Yazidis infidels and devil worshippers<sup>119</sup>, including by local clerics.<sup>120</sup> According to sources, the accusations have been proven false.<sup>121</sup>

<sup>109</sup> CCCR, 'They Are in Control': The rise of paramilitary forces and the security of minorities in Iraq's disputed territories, January 2022, url, p. 26; Manara Magazine, The ISIS Threat in 2023, 22 February 2023, url; NRC, "Your house is your homeland" How Housing, Land, and Property Rights Impact Returns to Sinjar, Iraq, 2022, url, p. 18
110 Manara Magazine, The ISIS Threat in 2023, 22 February 2023, url

<sup>&</sup>lt;sup>111</sup> ACCORD, Gerlach, Daniel and Rudolf, Inna, COI-Webinar Irak, 12 January 2024, available at: <u>url</u>, p. 11; Majid Hassan Ali, Yezidis in Iraq: Demographic Islamisation, Internal Divisions, and Drivers of Perpetual Genocide, 19 June 2024, url

<sup>112</sup> ACCORD, Gerlach, Daniel and Rudolf, Inna, COI-Webinar Irak, 12 January 2024, available at: url, pp. 9-10

<sup>&</sup>lt;sup>113</sup> MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, <u>url</u>; New Humanitarian (The), In Iraq, a rushed camp closure fuels unease over the safety of IS returns, 24 August 2023, <u>url</u>

<sup>&</sup>lt;sup>114</sup> Majid Hassan Ali, Yezidis in Iraq: Demographic Islamisation, Internal Divisions, and Drivers of Perpetual Genocide, 19 June 2024, <u>url</u>

<sup>&</sup>lt;sup>115</sup> Rudaw, French embassy to Iraq condemns hate speech against Yazidis, 3 May 2023, <u>url</u>; USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, <u>url</u>, p. 37

<sup>&</sup>lt;sup>116</sup> Freedom House, Freedom on the Net 2024 - Iraq, 16 October 2024, url

<sup>&</sup>lt;sup>117</sup> MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, <u>url</u>; Rudaw, French embassy to Iraq condemns hate speech against Yazidis, 3 May 2023, <u>url</u>

<sup>118</sup> Freedom House, Freedom on the Net 2024 - Iraq, 16 October 2024, url

<sup>&</sup>lt;sup>119</sup> MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, url

<sup>120</sup> Rudaw, French embassy to Iraq condemns hate speech against Yazidis, 3 May 2023, url

<sup>&</sup>lt;sup>121</sup> Freedom House, Freedom on the Net 2024 - Iraq, 16 October 2024, <u>url</u>; MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, <u>url</u>



Yazidis in Iraq continued facing 'significant challenges'. Yazidis faced discrimination, stigmatization 123 and there were cases of hate speech against them. Yazidi students reported discrimination in education 125 and there was a lack of educational institutions in Sinjar. Yazidis faced discrimination in accessing employment 127 including in the public sector in KRI and they also faced challenges in accessing permits to start private businesses. Moreover, they reportedly could not work in the food industry or sell food items because of not adhering to Islamic rules and for their products not being halal. Yazidi IDPs reported that some shop owners near the IDP camps refused to sell products to them. According to a March 2023 article published by the Crown Center for Middle East Studies of the Brandeis University, to gain access to the KRG's patronage system, Yazidis must be members of one of the Kurdish political parties (the [Kurdistan Democratic Party] KDP or the Patriotic Union of Kurdistan [PUK]), which requires them to identify as ethnic Kurds and show support for the Kurdish cause.

Yazidi men faced insults for their appearance, namely for their mustaches, that are perceived as contravening Islamic law.<sup>132</sup> USDOS reported that religious minorities, including Yazidis, were 'verbally harassed and physically abused' by the PMF.<sup>133</sup> In 2023, Yazidis operating stores selling alcohol reported that they faced blackmail and attacks by PMF militias.<sup>134</sup>

In Yazidi culture, women are expected to behave 'in a way that does not cast doubt on chastity or fidelity' to protect the 'honour of the family'. Yazidi women who had children born from sexual violence faced exclusion from the community and some were forced to abandon their children. Children born out of sexual violence were not recognized as Yazidis by some

<sup>&</sup>lt;sup>122</sup> EU, Council of the EU, YAZIDI: Statement by the High Representative on behalf of the EU on the situation of the Yazidi community in Iraq, 3 August 2023, <u>url</u>

<sup>123</sup> New Humanitarian (The), 10 years into genocide, Yazidi survivors continue to demand their rights, 5 August 2024 url

<sup>&</sup>lt;sup>124</sup> EU, Council of the EU, YAZIDI: Statement by the High Representative on behalf of the EU on the situation of the Yazidi community in Iraq, 3 August 2023, <u>url</u>; Majid Hassan Ali, Yezidis in Iraq: Demographic Islamisation, Internal Divisions, and Drivers of Perpetual Genocide, 19 June 2024, <u>url</u>; New Humanitarian (The), 10 years into genocide, Yazidi survivors continue to demand their rights, 5 August 2024, <u>url</u>; USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, <u>url</u>, p. 37

<sup>125</sup> JISRA, JISRA in Iraq, n.d., url, p. 3

<sup>&</sup>lt;sup>126</sup> CREID, Violence and Discrimination Against Women of Religious Minority Backgrounds in Iraq, Challenges Faced by Yazidi Women as a Result of Displacement, 7 December 2022, url, pp. 29, 32

<sup>&</sup>lt;sup>127</sup> MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, <u>url</u>; Oliaei, H., The Yazidi Experience in Post-ISIS Iraq, Brandeis University, Crown Center for Middle East Studies, March 2023, <u>url</u>, pp. 5-6 <sup>128</sup> Oliaei, H., The Yazidi Experience in Post-ISIS Iraq, Brandeis University, Crown Center for Middle East Studies, March 2023, <u>url</u>, pp. 5-6

<sup>&</sup>lt;sup>129</sup> MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, <u>url</u>

<sup>&</sup>lt;sup>130</sup> USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, url, p. 37

<sup>&</sup>lt;sup>131</sup> Oliaei, H., The Yazidi Experience in Post-ISIS Iraq, Brandeis University, Crown Center for Middle East Studies, March 2023, <u>url</u>, p. 6

<sup>&</sup>lt;sup>132</sup> MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, url

<sup>&</sup>lt;sup>133</sup> USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, <u>url</u>, p. 16

 $<sup>^{134}</sup>$  USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024,  $\underline{\text{url}}, p.~25$ 

<sup>135</sup> AGO, Rapid Assessment of Yezidis in Sinjar Peace and Conflict Sensitivity, October 2023, url, p. 9

<sup>&</sup>lt;sup>136</sup> AGO, Rapid Assessment of Yezidis in Sinjar Peace and Conflict Sensitivity, October 2023, <u>url</u>, p. 9; USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, <u>url</u>, pp. 36-37



Yazidi leaders.<sup>137</sup> These children were also at the risk of honour killings<sup>138</sup> and some Yazidi women preferred to stay in camps in Syria instead of leaving their children behind.<sup>139</sup> Women also faced a risk of honour killings.<sup>140</sup> Returnee women are vulnerable to re-trafficking.<sup>141</sup> Female survivors of ISIL abuses suffered from mental health problems<sup>142</sup> including suicidal behaviour.<sup>143</sup> Some Yazidi women were assisted and provided shelter by international NGOs.<sup>144</sup> Women in Sinjar faced difficulties when obtaining documentation.<sup>145</sup>

Regarding the situation of children, there was a societal stigma attached to children born of Yazidi mothers and ISIL fathers.<sup>146</sup> Their exact number is not known but estimated in the hundreds.<sup>147</sup> According to Iraq's legislation, children inherit their fathers' religion and thus a child will be registered as Muslim even though the mother is Yazidi.<sup>148</sup> Returning women were reportedly more welcome than their children.<sup>149</sup> An October 2023 report by the Aid Gate Organization (AGO), an Iraqi NGO, providing support to the IDPs,<sup>150</sup> state that 'the Yazidi Supreme Spiritual Council stated in the third edict that children born of rape would not be welcomed back.'<sup>151</sup> Abandoned children did not receive any documentation or nationality.<sup>152</sup>

#### 4. Recruitment of children

### 4.1. Armed groups in Sinjar

<sup>137</sup> USDOS, 2023 Report on International Religious Freedom: Irag, 26 June 2024, url, pp. 36-37

<sup>138</sup> USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, url, pp. 36-37

<sup>139</sup> USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, url, pp. 36-37

AGO, Rapid Assessment of Yezidis in Sinjar Peace and Conflict Sensitivity, October 2023, <u>url</u>, p. 9; JISRA, JISRA in Iraq, n.d., <u>url</u>, p. 3; USDOS, 2023 Country Report on Human Rights Practices: Iraq, 23 April 2024, <u>url</u>, p. 47
 USDOS, 2024 Trafficking in Persons Report: Iraq, 24 June 2024, <u>url</u>

<sup>&</sup>lt;sup>142</sup> Kizilhan, J.I., Berger, T., Sennhauser, L., Wenzel, T., The psychological impact of genocide on the Yazidis. in: Front Psychol, March 2023, <u>url</u>

<sup>&</sup>lt;sup>143</sup> Kizilhan, J. I., Sennhauser, L., Wenzel, T., Suicidality after the genocide against the Yazidi in Iraq in 2014, 2024, published by the American Psychological Association in: Psychological Trauma: Theory, Research, Practice, and Policy, <u>url</u>; Kizilhan, J.I., Berger, T., Sennhauser, L., Wenzel, T., The psychological impact of genocide on the Yazidis. in: Front Psychol, March 2023, <u>url</u>; Shafaq, Yezidi woman's testimony haunts 10th anniversary of genocide: two daughters chose suicide over enslavement, 3 August 2024, <u>url</u>

<sup>&</sup>lt;sup>144</sup> USDOS, 2023 Country Report on Human Rights Practices: Iraq, 23 April 2024, <u>url</u>, p. 47

<sup>&</sup>lt;sup>145</sup> IOM, Women navigating durable solutions to displacement; Experiences from Ninewa governorate, 1 March 2024, <u>url</u>, pp. 7, 8-9

<sup>&</sup>lt;sup>146</sup> USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, <u>url</u>, pp. 36-37

<sup>&</sup>lt;sup>147</sup> USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, <u>url</u>, pp. 36-37

<sup>&</sup>lt;sup>148</sup> AIM, Report to the Committee on the Elimination of Racial Discrimination From Stakeholder Reports, CERD, 2024, <u>url</u>, p. 9; UN General Assembly, Report of the Special Rapporteur on violence against women and girls, its causes and consequences, Reem Alsalem; Violence against women and girls, nationality laws and statelessness, 28 July 2023, <u>url</u>, para. 19

<sup>149</sup> USDOS, 2023 Country Report on Human Rights Practices: Iraq, 23 April 2024, url, p. 47

<sup>150</sup> AGO, About us, n.d., url

<sup>&</sup>lt;sup>151</sup> AGO, Rapid Assessment of Yezidis in Sinjar Peace and Conflict Sensitivity, October 2023, url, p. 9

<sup>152</sup> USDOS, 2023 Country Report on Human Rights Practices: Iraq, 23 April 2024, url, p. 47



In 2022, it was reported that there were at least 11 armed actors active in Sinjar.<sup>153</sup> Some of the most prominent actors in Sinjar are the PKK and PMF (also known as PMU<sup>154</sup>, an umbrella term for various armed groups, some with links to Iran<sup>155</sup>).<sup>156</sup> The PKK rose to prominence because of their fight against ISIL.<sup>157</sup> Yazidi fighters have been affiliated with both Yazidi and Kurdish political parties, as well as, with the Shia PMF.<sup>158</sup> Yazidi armed groups include the Protection Forces of Ezidkhan and the Sinjar Resistance Units (YBS), both with alleged links to the PKK.<sup>159</sup> YBS has denied any affiliation with the PKK.<sup>160</sup> In May 2022, the Iraqi Security Forces (ISF) conducted an operation against the YBS-operated checkpoints in Sinjar and the clashes caused some 10 000 Yazidis to flee to the KRI. The displacement has been described as 'their [Yazidis] 'largest exodus' since the 2014 genocide'.<sup>161</sup>

Other active forces in the region include units of the Iraqi army, the Kurdish Peshmerga forces, <sup>162</sup> groups linked to PMF, <sup>163</sup> and federal and locals police forces. <sup>164</sup> Sources also indicated that the ISIL had a limited presence in the region. <sup>165</sup>

In March 2024, PKK was banned from operating in Iraq by the federal government, stating that it represents a threat to Iraq and Türkiye. Türkiye considers YBS and Ezidkhan Asayish to be part of the PKK and conducted numerous attacks against their members. 167

<sup>&</sup>lt;sup>153</sup> Yazda and The Zovighian Partnership, We cannot return, Part 1: Collapsed security threatens the future of Yazidis & minorities in Sinjar, September 2022, <u>url</u>, pp. 9-10

<sup>&</sup>lt;sup>154</sup> Yazda, Wilson Center, and Zovighian Public Office, There is no future in Sinjar without safety and agency, Part 2: Frozen political will and a disempowered public administration threaten the future of Yazidis and minorities in Sinjar, 30 July 2024, <u>url</u>, p. 10

<sup>&</sup>lt;sup>155</sup> CCCR, 'They Are in Control': The rise of paramilitary forces and the security of minorities in Iraq's disputed territories, January 2022, <u>url</u>, p. 7; Chatham House, Responding to instability in Iraq's Sinjar district, updated 15 May 2024, <u>url</u>

<sup>&</sup>lt;sup>156</sup> New Humanitarian (The), Despite government promises, lives in Sinjar remain on hold, 30 March 2021, <u>url</u>
<sup>157</sup> Yazda, Wilson Center, and Zovighian Public Office, There is no future in Sinjar without safety and agency, Part 2: Frozen political will and a disempowered public administration threaten the future of Yazidis and minorities in Sinjar, 30 July 2024, <u>url</u>; p. 10

<sup>&</sup>lt;sup>158</sup> Majid Hassan Ali, Yezidis in Iraq: Demographic Islamisation, Internal Divisions, and Drivers of Perpetual Genocide, 19 June 2024, <u>url</u>

<sup>&</sup>lt;sup>159</sup> Majid Hassan Ali, Yezidis in Iraq: Demographic Islamisation, Internal Divisions, and Drivers of Perpetual Genocide, 19 June 2024, <u>url</u>; Yazda, Wilson Center, and Zovighian Public Office, There is no future in Sinjar without safety and agency, Part 2: Frozen political will and a disempowered public administration threaten the future of Yazidis and minorities in Sinjar, 30 July 2024, <u>url</u>; p. 10

<sup>&</sup>lt;sup>160</sup> Yazda and The Zovighian Partnership, We cannot return, Part 1: Collapsed security threatens the future of Yazidis & minorities in Sinjar, September 2022, <u>url</u>, pp. 9-10

<sup>&</sup>lt;sup>161</sup> UNHCR, International Protection Considerations with Regard to People Fleeing the Republic of Iraq - Update I, January 2024, url, footnote 693

<sup>&</sup>lt;sup>162</sup> Majid Hassan Ali, Yezidis in Iraq: Demographic Islamisation, Internal Divisions, and Drivers of Perpetual Genocide, 19 June 2024, url

<sup>&</sup>lt;sup>163</sup> Majid Hassan Ali, Yezidis in Iraq: Demographic Islamisation, Internal Divisions, and Drivers of Perpetual Genocide, 19 June 2024, <u>url</u>

<sup>&</sup>lt;sup>164</sup> Kirkuk Now, Shingal: PMF recruits locals for new brigade, 11 April 2023, url

<sup>&</sup>lt;sup>165</sup> USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, <u>url</u>, p. 1-2; Yazda and The Zovighian Partnership, We cannot return, Part 1: Collapsed security threatens the future of Yazidis & minorities in Sinjar, September 2022, <u>url</u>, pp. 9-10

<sup>166</sup> Rudaw, Irag bans PKK, labeling it a threat to the country, 15 March 2024, url

<sup>&</sup>lt;sup>167</sup> Rudaw, Suspected Turkish drone attack targets vehicle in Shingal, 17 September 2023, <u>url</u>



Sources reported that the areas inhabited by Yazidis faced attacks by Türkiye<sup>168</sup> that were allegedly targeting PKK members.<sup>169</sup> In practice, YBS have also been targeted.<sup>170</sup> In June 2022, a Turkish airstrike in Sinjar killed a Yazidi boy.<sup>171</sup> In September 2023, a suspected Turkish drone attack targeting PKK hit a car with YBS members, killing three of them, according to the group.<sup>172</sup> In July 2024, another suspected Turkish attack on a vehicle injured three journalists.<sup>173</sup>

#### 4.2. Recruitment

Covering 2023, USDOS reported that Yazidi militias 'continued to draw some fighters' from the local population, 'but these groups remained subordinate to larger organizations controlled by Iran-aligned actors and militias'. According to the same source, 'Yezidi IDPs feel compelled to join one of the two armed factions to provide for their families. PMF factions recruited Yazidis who were 'desperate for protection and any source of income', including into the Kataib Imam Hussein (53rd PMF Brigade) and Yezidikan (80th PMF Brigade), as well as by Iran-backed, Ahrar Sinjar.

In April 2023, Kirkuk Now published an article about a recruitment process for a new brigade of PMF through a registration of volunteers. The Kurdistan 24 reported that the recruits must have an Iraqi passport and that they will be deployed at the Iraq-Syria border in western Sinjar, and they will receive a monthly salary of 3000 \$ [about 2774 EUR] A Chatham House report published in May 2024 indicated that many young Yezidis [...] have joined local PMF factions to access stable state salaries'. Salaries' 180

Covering 2022, USDOS reported that 'the PKK had kidnapped hundreds of Yezidi children to recruit and subject them to ideological "brainwashing" in the years since ISIL was defeated in Sinjar in 2015, although it was unclear how many of these kidnappings occurred during the year.' On 9 April 2022, a Yazidi boy returned to Sinjar after being kidnapped by PKK to become a fighter, after pressure by his family to release him. 182 According to another report

<sup>&</sup>lt;sup>168</sup> Chatham House, Responding to instability in Iraq's Sinjar district, updated 15 May 2024, <u>url</u>; IBAHRI, Justice And Accountability For The Atrocities Of Daesh - Progress Made And The Way Forward, March 2023, <u>url</u>, p. 8

<sup>&</sup>lt;sup>169</sup> USDOS, 2023 Report on International Religious Freedom: Iraq, 26 June 2024, url, p. 1-2

<sup>&</sup>lt;sup>170</sup> Diwan, The Yezidi Genocide Nine Years Later, 22 August 2023, url

<sup>&</sup>lt;sup>171</sup> Yazda and The Zovighian Partnership, We cannot return, Part 1: Collapsed security threatens the future of Yazidis & minorities in Sinjar, September 2022, <u>url</u>, p. 10

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