

# **A Guide for NGOs Assisting Individuals to Apply for Reparations Under the Iraqi Yazidi [Female] Survivors' Law No. 8 of 2021**



# ACKNOWLEDGEMENTS

The Guide for NGOs Assisting Individuals to Apply for Reparations under the Iraqi Yazidi [Female] Survivors' Law (YSL) is a joint project of Taboo LLC, Farida Global Organization (FGO), and the Free Yazidi Foundation (FYF). Sherizaan Minwalla, founder and owner of Taboo LLC, served as the lead author, coordinating inputs and drafting the majority of the guide. Güley Bor, a consultant with FYF, and the following members of the Farida Global Writing Collective (FGWC) contributed additional content and provided valuable feedback: Khalid Qasim Salih, Naomi Whitney-Hirschmann, Christina Pesch, Saeed Qasim Sulaiman, Khawla Ali, Slvana AlNavkosh, Sanaa Alneamat, Khawla Alqaso, Farida Khalaf, and Diana Salih. We are also grateful to Olivia Wells of FYF, along with Dr. Kay Brauer, Ms. Nora Nixdorf, and Dr. Michaela Zöhrer for their thoughtful feedback and valuable input.

**Taboo LLC**, established in 2021, focuses on access to justice, human rights, and ethical engagement with survivors of conflict-related sexual violence. The practice also specializes in the documentation of survivors' experiences. Since its inception, Taboo LLC has provided technical expertise and consulting services to a range of international and local organizations working in Iraq and other conflict-affected regions. In this capacity, Sherizaan Minwalla, Taboo's founder, has been actively involved in implementing the YSL since September 2021.

**FGO** is a global non-profit and NGO founded and led by survivors of the Yazidi genocide (فرمان) and conflict-related sexual violence, who have advocated for survivors' protection and rights since their escape from ISIS captivity. FGO acts with its partners in the international community to give voice and support to and uphold the human dignity and well-being of survivors and their communities. FGO addresses critical gaps in justice, psychosocial support, education, and empowerment, making it a trusted ally for global partners committed to lasting impact for vulnerable populations and survivors.

**FYF** was established in August 2014 in response to ISIL's genocide against the Yazidi community in Iraq. As a pioneering, women-led Yazidi nonprofit organization, FYF is dedicated to empowering and uplifting the Yazidi people. Guided by a survivor-centric and community-driven approach, FYF addresses the lasting impacts of genocide through programs in advocacy, justice, protection, mental health and psychosocial support, legal aid, education, and livelihoods. With a strong focus on women, girls, and survivors of sexual and gender-based violence, FYF works to transform trauma into resilience, fostering healing, empowerment, and sustainable progress for the Yazidi community and other vulnerable populations in Iraq.



# Disclaimer

This guide has been developed to guide non-governmental organizations (NGOs) in supporting survivors of Islamic State of Iraq and Syria (ISIS) captivity and related atrocities in preparing applications for reparations under the Yazidi Female Survivors' Law (YSL). While this guide provides the most accurate and up-to-date guidance based on available information, there remain areas where government interpretations of the law and its procedures may differ from those of civil society organizations, the United Nations, or other stakeholders.

It is important to note that implementation of the YSL and its associated bylaws continues to evolve. Due to ongoing developments and variances in interpretation, this guide highlights areas where clarity is lacking or multiple interpretations exist. Users are encouraged to consult with qualified legal professionals or the Directorate overseeing reparations to ensure the most current and accurate understanding of the law and procedures. This guide is intended as a resource and does not substitute for legal advice.

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# Glossary of Terms

CIGE	Commission on Investigations and Gathering Evidence
CSOs	Civil society organization(s)
C4JR	Coalition for Just Reparations
Committee	Committee formed under the YSL Article 10
CRSV	Conflict-related sexual violence
Farman (فرمان)	A Kurdish-Kurmanji word that reflects this experience of extermination or genocide
FGO	Farida Global Organization
FYF	Free Yezidi Foundation
GBV	Gender-based violence
GDSA	Iraqi General Directorate for Survivors' Affairs
GoI	Government of Iraq
IDP	Internally displaced person
IOM	International Organization for Migration
KRI	Kurdistan Region of Iraq
KRG	Kurdish Regional Government
ISIL	Islamic State of Iraq and the Levant
ISIS	Islamic State of Iraq and Syria
MHPSS	Mental health and psychosocial support
MoLSA	Iraqi Ministry of Labor and Social Affairs
NGO(s)	Non-governmental organization(s)
UNHRC	United Nations Human Rights Council
UNITAD	United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL
YSL	Yazidi [Female] Survivors' Law



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**There are many  
challenges survivors  
face in submitting  
the applications and  
we hope for support**

— Feedback from a survivor who participated in one of FGO's first information sessions in September 2022.





# 1. Introduction

This Guide for NGOs<sup>1</sup> covers how to work with survivors of trauma using a survivor-centric approach, how to complete the YSL application, evidentiary requirements, and the appeal process. It also offers guidance to support individuals who are required to pursue a criminal investigation in order to qualify for reparations. The Guide focuses on the process for submitting initial (affirmative) applications to the YSL and does not provide detailed guidance on filing an appeal.

## Roadmap for the Guide

The main purpose of the Guide is as a reference for NGOs working with survivors applying for the YSL, although it can also serve as a resource to survivors applying pro se (on their own). It offers comprehensive information to ensure applications meet legal and administrative criteria and prepares providers for all stages of the submission process. It outlines ethical principles for survivor engagement, informed consent information and procedures, eligibility criteria, application and evidentiary guidance, and counseling techniques. The Guide is intended as a living document and will be updated periodically to include new information regarding changes to legal, evidentiary, and administrative

requirements; feedback and updates from the General Directorate for Survivors' Affairs; and experiences from survivors and civil society. All stakeholders are invited to contribute to its contents .

## Background

In 2014, the Islamic State of Iraq and Syria (ISIS) launched attacks on Yazidis<sup>2</sup>, Christians, Shabak, and Turkmen in Northern Iraq, committing severe human rights abuses against these populations, including sexual violence, enslavement, and murder. These acts, recognized as genocide by various national and international bodies, left deep scars on the affected communities. More than 2,500 Yazidis are still missing, and there is an urgent need for care and support to address the trauma and ongoing challenges associated with displacement, inadequate living conditions, and psychological distress.

ISIS' treatment of each group was influenced by its extremist religious ideology, which dictated not only how atrocities were justified and carried out, but also in the patterns of attacks against each community. These variations have implications for how the YSL is interpreted and implemented. The United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD,

2021), the United Nations Human Rights Council (UNHRC, 2016), the Government of Iraq (GoI, 2021), and several national governments, such as the Government of Germany (GoG, 2023), acknowledge what happened to the Yazidi community as genocide. Yazidis themselves understand the genocide to be an ongoing farman (فرمان).<sup>3</sup>

UNITAD has documented crimes of killing and abduction committed by ISIS against Turkmen, Christian, and Shabak communities. Although sexual violence was reported less systematically and to a significantly lesser extent, individuals from

all three communities have described experiencing various forms of sexual violence. These include sexual violence committed during detention and at checkpoints, sexual enslavement, forced

marriage, and child marriage. Shabak, Christian, and Turkmen women and girls were subjected to these atrocities by ISIS. UNITAD found there were reasonable grounds to believe that the crimes committed by ISIS against all four minority groups may amount to war crimes and crimes against humanity that include rape, torture, sexual slavery, persecution, and other inhuman acts<sup>4</sup>.

## Consequences and Survivors' Needs

### Box 1 – Use of the term “Survivor”

In the context of human rights and community engagement, “survivor” is a self-designated term to honor the personal choice of those who have endured atrocities. It serves to acknowledge their courage, their commitment to rebuilding, and their significant place within the community. This document primarily refers to individuals under the YSL as “survivors,” which is a term they have chosen, recognizing their agency and contributions, while still respecting all terms used by those affected. Section 4 of this guide explains the legal definition of “survivor” applied by the YSL.

Yazidi, Christian, Shabak, and Turkmen survivors continue to endure the long-term impact of these severe human rights violations. They face multifaceted challenges, from educational and economic disadvantages to health issues, depression, and complex post-traumatic stress disorder (PTSD). Displacement exacerbates survivors' struggles, affecting both their mental and physical well-being due to inadequate access to basic needs and services.

A 2021 study indicated a high prevalence of PTSD among Yazidis, especially for those in internally displaced persons (IDP) camps, where an alarming number of suicides and other harmful behaviors have been reported. These issues exist for female and male survivors alike, including Yazidi men who were subjected to forced military training by ISIS and suffer lasting effects as a result. The combined effects of trauma, social stigma, and limited access to resources hinder survivors' ability to seek justice and rehabilitation, leading to isolation and impeding their recovery process.

For survivors living inside Iraq, many of whom are internally displaced, insufficient access to food, shelter, medical services, work, education, and security continues to impact their mental and physical well-being.<sup>5</sup> The crisis has prompted many survivors, especially Yazidis and some Christians, to seek protection abroad through Special Quota Programs in Germany<sup>6</sup> and similar initiatives in Canada, France, Australia, and the United States.<sup>7</sup> Survivors living abroad face new and ongoing challenges due to their displacement as refugee survivors outside Iraq, including fear that survivors and their family members could be deported as asylum and other protected statuses become increasingly difficult to secure.<sup>8</sup>

Survivors and survivor communities are in urgent need of care and support beyond what is currently available to them. They should be able not only to realize their basic rights to life, health, and dignity, but also to redress the harms caused as a result of severe human rights violations. In the case of the Yazidis or the farman (فرمان), survivors require support tailored to the specific traumas and injustices they have endured. Their ongoing struggles highlight the critical need for a comprehensive approach to aid and rehabilitative services. The YSL aims to address several of these needs as described below in Section 5, YSL Reparations.

The YSL, enacted as part of Iraq's transitional justice efforts, responds to mass human rights violations committed by ISIS against Yazidi, Christian, Shabak, and Turkmen survivors. It offers a framework for reparations, reflecting survivors' key demands and adhering to international legal standards.<sup>9</sup> This landmark legislation aims to provide redress, locate missing persons, and prevent future violence. It ensures survivors' access to restitution, compensation, rehabilitation, satisfaction, and guarantees of non-repetition. In practice, survivors inside Iraq and abroad have faced burdensome barriers in accessing YSL benefits.

The General Directorate for Survivors' Affairs (GDSA) opened the YSL application process on September 7, 2022. At the time of publication of this Guide, 2,094 applications had been approved.<sup>10</sup>



## 2. Role of NGOs

NGOs, especially those founded and/or led by survivors or survivors' communities, are key stakeholders in implementing the YSL. These service providers are often on the frontlines of responding to survivors' legal, psychosocial, medical, educational, and livelihood needs. Based on their work and strong ties with survivors and affected communities, NGOs are well positioned to conduct outreach and assist survivors to apply for the YSL. NGOs were also at the forefront of advocacy efforts to pass the YSL, and the Coalition for Just Reparations (C4JR)—composed of 34 NGO members—plays an ongoing role in advocating for and monitoring implementation of a survivor-centric approach to the law.

**Below are a number of important roles that NGOs can play in implementing the YSL and supporting the application process:**

1. Conducting accessible, inclusive, and gender-sensitive outreach with survivors and affected communities;
2. Assisting survivors to apply for benefits under the YSL by filing applications or booking appointments with the GDSA through the online portal;
3. Assisting survivors to file appeals to the Committee and the Court of First Instance;
4. Monitoring implementation efforts and establishing survivor-informed feedback mechanisms to communicate challenges to the General Directorate for Survivors' Affairs (GDSA);

5. Coordinating with the GDSA and other governmental agencies to gather evidence to support survivors' applications; and Advocating alongside survivors for their rights and promoting a survivor-centric approach that minimizes undue burdens during the application process.

### Survivors as Experts and Decision-Makers

A survivor-centric approach to YSL implementation requires an acknowledgement that survivors are the foremost experts on their own needs. Therefore, survivors' knowledge, needs, and experiences should not only inform all aspects of this Guide, but they should also inform how YSL programming is designed and carried out. Ultimately, all decision-making power should lie with survivors, and it should be clear that only survivors can decide the kind and extent of assistance they wish to receive, including whether or not to proceed with the application process for reparations under the YSL. Survivors must weigh the requirements and challenges of applying, and there may be eligible individuals who choose not to proceed.

All survivors should have access to accurate, up-to-date, and consistent information on the YSL in order to make informed decisions about their options. NGOs play a critical role in supporting survivors to

decide whether or not to apply and helping those who choose to proceed in filing applications. NGOs have an ethical and moral responsibility to work with survivors in a way that is empowering and survivor-centric and mitigates the risk of further harm.

## **Responsibilities and Expertise of NGO Counseling Personnel**

In the context of mitigating the risk of harm, it is important to consider the identity and position of the NGO personnel who directly engage with survivors to provide support. While this Guide is intended to be accessible to a wide variety of organizations and individuals, the YSL application process involves many topics that are culturally and gender-sensitive. Some survivors may feel more comfortable talking

to someone of a similar background, while others may not trust members of their own community. The gender identity of the person guiding the application process may also be relevant to survivors' comfort level. Experienced NGOs, such as FGO and FYF, employ and train survivors as peer counselors. This approach ensures procedures are survivor-centric while also fostering opportunities for empowerment and self-reliance.



## NGO staff supporting survivors in applying for the YSL must be proficient in Arabic, as the YSL application

### Box 2 – Establishing trust with survivors

Building trust with survivors is essential both as an ethical responsibility and because it leads to stronger applications when they feel comfortable sharing sensitive or potentially stigmatizing information. This includes adhering to Do No Harm principles and fully explaining the law and the application process, as well as giving the survivor the opportunity to ask questions as part of obtaining informed consent. It is crucial that civil society organizations (CSOs) provide accurate information about the law to establish and maintain the trust of survivors, and to explain nuances and challenges using clear language that avoids jargon.

Below are important ways that NGOs can build trust with survivors and affected communities.

**Be accurate:** NGOs build trust when they provide accurate and up-to-date information about the YSL. Staff conducting outreach or assisting survivors should review the law and bylaws and be prepared to deliver reliable information and counter misinformation that is circulating in communities and on social media. It is crucial to be able to explain complex information in an understandable way, and that it is unhelpful to withhold or summarize information rather than take the time to explain it clearly.

**Be honest:** NGOs may worry that if they do not have all the answers, survivors will not trust them. However, if they give incorrect information, survivors will lose trust over time. Therefore, it is important to avoid filling in gaps with misinformation. Instead, NGOs should tell survivors that they will come back to them with the right information when it is available and explain why some information is unavailable.

**Manage expectations:** NGOs should ensure survivors understand that NGOs are not the decision makers for any applications. NGOs can and should work with survivors to put a strong case together but make it clear that they can never guarantee the outcome.

**Ethically engage with survivors:** NGOs working with survivors of atrocities must adopt ethical practices to ensure respectful and supportive interactions. This includes obtaining informed consent, communicating effectively, selecting appropriate meeting locations, providing female staff when necessary, ensuring confidentiality, maintaining secure data management, applying Do No Harm principles, and prioritizing survivor empowerment.

**Promote staff self-care:** NGOs should also take care of staff's well-being to prevent secondary trauma and staff burnout.



Building of the General Directorate for Survivors' Affairs in Mosul.

## 3. Key Agencies Implementing the YSL

Below is an overview of the key agencies involved in implementing the reparations process under the YSL. Included are summaries of their roles in receiving, reviewing, processing, and deciding on applications.

### 3.1 Iraqi General Directorate for Survivors' Affairs

The GDSA was established within the Iraqi Ministry of Labor and Social Affairs (MoLSA) to implement the YSL.<sup>11</sup> It is responsible for managing the YSL application process and supporting the work of the Committee responsible for adjudicating YSL applications. The GDSA is also charged with coordinating with other governmental agencies and NGOs to provide benefits to survivors and support the implementation of additional transitional justice mechanisms, including criminal accountability, memorialization, and the search for the missing.<sup>12</sup> The main office of the GDSA is located in Mosul with a branch office in Sinjar. The GDSA can open other branches in places where survivors live in Iraq.

### 3.2 Secretariat

The Secretariat is the administrative body within the GDSA that supports the work of the Committee. Secretariat staff review applications and follow up with individuals to ensure files are complete. Once a file is complete, Secretariat staff conduct a preliminary review of the file and send their recommendation to the Committee.<sup>13</sup>

Secretariat staff also help survivors complete their applications. Survivors can schedule an appointment with the Secretariat in either the Mosul or Sinjar offices via an online portal. This process is explained in more detail in Chapter 7.

### 3.3 Committee

Formed under Article 10 of the YSL, the Committee, a body responsible for reviewing YSL applications for reparations, is tasked with ensuring that reparations are available and accessible not only to survivors in Iraq but also to those living outside the country, as specified in Article 10(4).

The Committee is an eight (8) member body formed by MoLSA and consisting of the following members:<sup>14</sup>

1. A judge nominated by the Supreme Judicial Council (Chairperson)
2. Director General of Survivors' Affairs (MoLSA) (Vice President)
3. A representative of the Ministry of Interior (Member)
4. A representative of the Ministry of Health (Member)

5. A representative of the Ministry of Justice (Member)
6. A representative of the National Retirement Authority (Member)
7. A representative of the High Commission for Human Rights (Member)
8. A representative of the Kurdistan Regional Government (Member).

Under Article 10(5), thirty percent (30%) of the Committee shall comprise women members.

**The Committee is responsible for:**

- Reviewing applications and issuing decisions within 90 days of receipt (the 90-day period starts when the Committee receives a completed application from the Secretariat, and not from the date when the application is first submitted<sup>15</sup>).
- Meeting at least twice per week (an absolute majority is required to convene).
- Interviewing applicants if the Committee determines there is insufficient or contradictory evidence.
- Reviewing and deciding first level appeals that are filed within 30 days following notification to the applicant that their claim was rejected.

## 4. Eligibility for Reparations under the YSL

It is important for NGOs (?) to understand the YSL's legal requirements and eligibility criteria thoroughly in order to be able to explain them clearly to survivors prior to submitting an application.

The YSL<sup>16</sup> starts by defining the term survivor<sup>17</sup> to include female applicants who were subjected to at least one of the following:

1. Crimes of sexual violence, including sexual slavery (being sold in slavery markets), family separation, forced religious conversion, forced marriage, pregnancy, or forced abortion; or
2. Physical and psychological harm.

To qualify for reparations, an individual must prove that he or she meets the legal requirements under

Article 2 of the YSL<sup>18</sup>, which include:

1. **Every female Yazidi survivor:** Yazidi women and girls who were abducted by ISIS and subsequently liberated.
2. **Women and [adolescent] girls** from Turkmen, Christian, and Shabak communities, who were abducted by ISIS and subsequently liberated<sup>19</sup>.
3. **Yazidi child survivors (male and female):** Yazidi boys and girls who were under 18 years of age at the time of their abduction<sup>20</sup>.
4. **All persons (male and female) from Yazidi, Shabak, Christian or Turkmen** communities who were abducted by ISIS and personally survived a specific incident of ISIS mass killing<sup>21</sup>.

### Note:

Individuals falling into the categories above are eligible to apply whether they live in Iraq or outside the country<sup>22</sup>.

To qualify for the YSL, an individual from the above three categories must prove that they were abducted on or after August 3, 2014. If a person was abducted by ISIS before August 3, 2014, they must prove they were still held captive on or after August 3, 2014<sup>23</sup>.

### Example

Mariam is a 35-year-old Christian woman from Hamdaniya. ISIS abducted her when they attacked Qaraqosh on June 25, 2014. She was rescued on August 15, 2014. Mariam meets the date requirement under Art. 1, because even though she was abducted before August 3, 2014, she was still in ISIS captivity after that date.

### Example

Mariam is a 35-year-old Christian woman from Hamdaniya. ISIS abducted her when they attacked Qaraqosh on June 25, 2014. She was rescued on August 15, 2014. Mariam meets the date requirement under Art. 1, because even though she was abducted before August 3, 2014, she was still in ISIS captivity after that date.

**Note:**

NGOs assisting with YSL applications should advise individuals about legal requirements but not act as a gatekeeper or a judge. It is up to each individual to decide if they want to apply, and for the Committee to make an eligibility determination. At the same time, NGOs should not assist someone to submit an application if they have grounds to believe that the person is not eligible for reparations under the YSL. If an applicant's eligibility is unclear, NGOs should discuss any potential challenges so they can make an informed decision about proceeding. Keep in mind that survivors often have difficulty remembering details such as dates, but NGOs can help to find corroborating evidence. (See Chapter 7, Section 7.4, Review of the YSL Application Form) for more guidance on how to prove legal requirements, such as the date of abduction, when applying for benefits.) If someone does not qualify now (e.g., children born in captivity to mothers who were pregnant at the time of their abduction), it is possible that the YSL will be amended in the future.

**Table 1 – Eligibility categories and breakdown of legal requirements to qualify for the YSL**

Breakdown of legal eligibility to apply for the YSL						
	Category	Age	Gender	Community	Violation(s)	Date Requirements
1	<b>Female Yazidi survivor</b>	Any age (adults and minors)	Female	Yazidi	Abduction by ISIS	Abducted on or after August 3, 2014
2	<b>Female Turkmen, Christian, and Shabak survivors</b>	15-years old and above	Female	Turkmen, Christian, and Shabak	Abduction by ISIS	Abducted on or after August 3, 2014
3	<b>Yazidi child survivors</b>	Under 18-years old at time of abduction	Male and female	Yazidi	Abduction by ISIS	Abducted on or after August 3, 2014
4	<b>Survivors of mass killing</b>	Any age (adults and minors)	Male and female	Yazidi, Turkmen, Christian and Shabak	Survivor of mass execution/killing	Not restricted to August 3, 2014



## Note:

Note: Although Article 2 of the YSL focuses on the crime of abduction for the first three categories, the Committee also examines details of other crimes survivors experienced during captivity, such as forced religious conversion as well as physical and psychological harm. Female survivors, particularly younger ones, should be prepared to provide information about sexual violence they faced in captivity. For survivors with extensive and well-documented evidence of abduction, such inquiries may seem burdensome for those applicants who have already given testimony multiple times to various agencies. However, for those with limited evidence, providing detailed statements and testimony can be critical in establishing their case and credibility.

As discussed below in Sections 6 and 7, NGOs working with survivors must navigate the tension between encouraging detailed applications and maintaining a survivor-centric, trauma-informed approach. While providing more detailed information can help build a stronger case, it is essential to respect survivors' boundaries and choices about what they are comfortable sharing, particularly when it comes to sensitive topics like sexual violence. NGOs should explain clearly why such details are being requested; clarify that providing extensive information is not always mandatory; and empower survivors to decide how much they want to disclose. Ultimately, the process should prioritize survivors' agency and well-being while ensuring they are fully informed about the implications of their choices.

Survivors and affected communities often confuse the YSL with Compensation Law No. 20 for Victims of War Operations, Military Mistakes, and Terrorist Actions (Law 20). While these laws share some procedural similarities, they have distinct eligibility requirements and offer different types of benefits. NGOs working with survivors should be aware of this common confusion and be prepared to clarify the differences. Furthermore, some survivors may qualify for benefits under both the YSL and Law 20, and they should be informed of their rights and options under each law. In Box 3 below is information about who is eligible for compensation under Law 20.

## 5. Reparations Under the YSL

If the Committee approves an application and verifies that the applicant is a “survivor” under the YSL, they are eligible for reparations outlined in the YSL Article 6. Following approval of the application, the GDSA will work with other government agencies to coordinate the distribution of benefits.

### 5.1 Monthly Reparations Payment

If approved, a survivor is eligible for a monthly reparations payment that is, at a minimum, twice the pension stipulated in the Unified Pension Law No. 9 of 2014 and its amendments.<sup>24</sup> MoLSA is responsible for distributing payment to the survivor or his or her guardian, if the survivor is a minor (under 18 years of age).<sup>25</sup> Survivors will be able to withdraw funds using the QiCard, also referred to as MasterCard, in various locations in both the Kurdistan Region of Iraq (KRI) and Iraq, including QiCard branches and sponsor outlets, exchange offices, and public buildings.

#### Note:

The monthly payment is a benefit for each individual who is approved under the YSL. If there are multiple survivors in one household, each person who is approved by the Committee will receive a monthly payment. An individual can only receive one government payment, therefore if a survivor is a government employee or is eligible to receive a payment as reparation under the Law No. 20, they will need to select which payment to receive. Survivors who are approved under the YSL can also receive compensation under other local laws. However, they cannot receive more than one ‘salary’ at a time under Iraqi law.<sup>26</sup>

It is important to note that terminology matters. Payments identified as a “salary” (ratib) by the government may conflict with other forms of compensation. Other types of payments, such as “financial aid” provided by the Kurdish Regional

Government (KRG), are not considered salaries and therefore do not create issues with the YSL. NGOs should be mindful of these distinctions and ensure survivors understand how these terms may affect their eligibility for various benefits.

### 5.2 Land Entitlement

If approved, a survivor shall be granted a residential plot of land with a real estate loan that is exempted from the provisions of laws and decisions of the (dissolved) Revolutionary Command Council no. 120 of 1982—or provided a free housing unit.<sup>27</sup> The GDSA is responsible for working with relevant authorities to implement this benefit.<sup>28</sup> In May 2024, the GDSA distributed the first 262 plots of land to survivors in accordance with YSL article 6(2).<sup>29</sup>

### 5.3 Restoring Educational Opportunities

If approved, a survivor will have the right to return to study and will be exempted from educational age requirements.<sup>30</sup> The GDSA, in coordination with the Ministry of Higher Education and Scientific Research and the Ministry of Education, are required to provide educational opportunities for survivors to ensure the right of return to study.<sup>31</sup> Further, the YSL application form collects information on survivors’ educational paths and how human rights violations inflicted on them impacted their educational opportunities.

## 5.4 Prioritization in Public Employment

Survivors who are approved under the YSL are to be given priority in public employment at a rate of two percent (2%), which means that a designated percentage of public sector jobs must be reserved or prioritized for eligible survivors<sup>32</sup>. The GDSA will work with the Federal Public Service Council to execute this mandate.<sup>33</sup> It is unclear how this requirement will be applied to survivors residing in the KRI, and whether or how the KRG will implement this provision.

## 5.5 Access to Medical and Psychosocial Care

The GDSA is required to open health and psychological rehabilitation centers to treat survivors both within and outside of Iraq.<sup>34</sup> The GDSA will work with the Ministry of Health to establish health centers and psychological rehabilitation centers and to facilitate the provision of services to survivors.<sup>35</sup> The GDSA is currently working to open a center to provide mental health and psychosocial support (MHPSS) services to survivors and potentially the broader community, although the precise location is yet to be confirmed.

On March 26, 2023, the GDSA and eight NGOs signed an Agreement of Cooperation to establish a formal referral system for YSL beneficiaries to access MHPSS services. Under the agreement, the GDSA will refer survivors to participating organizations that have committed to providing ethical services to

survivors. At the time of this publication, six NGOs were still involved in this referral system, including FGO, FYF, Jesuit Rescue Services, Jiyan Foundation, SEED Foundation, and Yazda, all of which are operating in areas of displacement and return.

## 5.6 Other Reparative Measures

Other reparative measures under the YSL are particularly important for the healing and mental health of survivors, including the search for missing persons and the dignified burial of the returned remains.<sup>36</sup> The law includes articles about the prosecution and punishment of perpetrators,<sup>37</sup> and it also acknowledges that the crimes committed by ISIS against the Yazidis, Turkmen, Christians and Shabak shall be considered crimes of genocide and crimes against humanity<sup>38</sup>. In this context, the law tasks the GoI with remembrance

and awareness activities in domestic and international settings,<sup>39</sup> including making August 3rd of each year a national day to acknowledge crimes committed by ISIS against communities covered under the YSL,<sup>40</sup> and measures in support of building commemoration sites, monuments, statues and exhibitions.<sup>41</sup>

Further, the GDSA, Ministry of Higher Education and Scientific Research, and the Ministry of Education are required to develop specialized educational curricula about the crimes that ISIS committed against minority groups and to promote peaceful coexistence and renounce violence.<sup>42</sup>

### Box 3 – Compensation Law No. 20

Individuals who qualify for compensation under Law No. 20 for Victims of War Operations, Military Mistakes and Terrorist Actions include:

Immediate relatives of a person who was kidnapped, killed, or is missing due to war operations, military mistakes, and terrorism, including but not limited to the ISIS conflict;

**and/or**

If property (vehicles, houses, agricultural-farming lands, fixtures, stores and inventory, and companies) was damaged or destroyed due to war operations, military mistakes, and terrorism, including but not limited to the ISIS conflict.

Also, the application process and benefits under Law No. 20 are different from the YSL.



# Yazidi Survivors' Law (YSL)



## 6. Working with Survivors to Apply for YSL Benefits

### 6.1 Introduction

#### Purpose of this chapter

In order to ensure that survivors fully understand the law, application process, and evidentiary requirements, it is important that NGOs take a survivor-centric and trauma-informed approach after obtaining informed consent to apply for YSL reparations. Chapter 6 provides guidance on protocols for working with survivors applying for YSL benefits, including ethical principles, informed consent, MHPSS support, and interviewing both adult and child survivors.

A separate YSL application must be submitted for each applicant whether they are minors or adults.

If applying as a minor, the parent or guardian must sign the application.

A separate authenticated copy of investigation papers must be obtained for each applicant, both minors and adults. If a child previously obtained investigative papers as a minor, they would have to go through a new investigation process and update their investigative papers from the court to apply as an adult.

### 6.2 Ethical Principles: Do No Harm and A Survivor-Centric Approach

#### Do No Harm Measures

When working with survivors, it is essential to implement safeguarding measures to prevent further harm, including emotional and physical abuse, sexual exploitation, and financial exploitation. These measures protect both children and adult survivors by establishing policies and practices that prevent abuse and ensure accountability.

The “Do No Harm” principle provides the foundation for all survivor engagement and is considered the minimum standard of ethical practice. It requires practitioners to assess and mitigate potential risks of harm throughout the process of working with survivors.

**Safety:** NGOs have a responsibility to ensure survivor safety during any interactions with staff. When survivors report risks outside of those interactions, such as abuse in their family or community, staff should take appropriate steps to connect them with protection or mental health services.

NGOs must commit to protecting survivors from any harm, but especially from sexual exploitation and abuse. Staff should flag potential abuse cases

according to organizational protocols as well as the Iraq Prevention of Sexual Exploitation and Abuse (PSEA) Network,<sup>43</sup> particularly if minors are involved.

**Respect:** NGOs must uphold a survivor's wishes, choices, rights, and dignity. Support should empower survivors to make informed decisions autonomously and without judgment.

**Non-discrimination:** There should be no discrimination in prioritizing cases and in interactions with survivors. All survivors/potential beneficiaries of the YSL should be treated fairly and equitably, regardless of age, gender, race or ethnicity, religion, disability or other considerations, including those who have had children born of war, were forced into combat, or face community or family-level stigma. Survivors should not be judged or disrespected based on their appearance, culture, family, or social status.

**Privacy and confidentiality:** NGOs are required to treat all information provided by a survivor as confidential. Confidential information includes any information provided by the survivor to NGO staff that is related to their application or disclosed in the process of preparing their application. For example, information about their family situation, details regarding their case, and physical and mental health information, among others.

A survivor's application to the YSL is confidential. Whether or not someone has applied should not be shared with family members or others without the survivor's consent. Disclosing this information without permission could put the survivor's reparations at risk, particularly if exploitative or abusive individuals gain access to it.

The GDSA, YSL Committee, and other government agencies involved in the reparations process are legally required to ensure that survivors' information

is treated confidentially. Articles 6 and 9 of the YSL bylaws state that, "All government agencies and civil society organizations shall protect the confidentiality of applicants' information, data and documents."

### Means of Communication

NGO staff should discuss with survivors their preferred method(s) of communication, which may include in-person meetings, instant messaging services (IMS), or telephone calls. However, not all platforms—especially electronic ones such as Facebook Messenger and WhatsApp—meet the necessary standards for data protection and privacy. In contrast, platforms like Signal offer end-to-end encrypted and more secure communication.

While NGOs should respect survivors' communication preferences, staff must also inform them about potential security risks and suggest safer alternatives when needed. Additionally, NGOs should regularly review and delete messages that are no longer necessary to minimize security risks and protect survivors' confidentiality.

### Survivor-centric approach

NGOs should ensure that survivors play an integral role in the application process, especially when it comes to making key decisions about whether to apply or appeal, and what evidence to submit. Never make key decisions without consulting a survivor first. Key decisions include, but are not limited to:

- Whether to apply for the YSL.
- What information to include in the application. Survivors should be informed about which parts of the application can be replaced by statements already given to other governmental or non-governmental actors, so that they do not have to re-tell their stories over and over again.
- What evidence to submit.
- Which witnesses to include.
- Whether to file an appeal in the case of a denial.



## Box 4 – Specific measures protect confidential information

### 1) NGO Best Practices

- Control access to all data in all forms, including electronic and physical files by limiting access to staff who are working directly with the survivor.
- Keep hard copies of all documents about the survivor in secure and locked files.
- Store electronic files securely with adequate safety controls in place, including password protecting all files and folders.
- Prohibit staff from storing survivors' confidential data on personal computers, phones or other personal devices.
- Avoid taking photographs of clients for reasons unrelated to their application.

### 2) Best Practices Related to Survivors

- NGOs should provide survivors with the originals of documentation submitted with their application, such as court documents and other evidence. If the survivor does not have a safe place store original documents, an alternative is to store originals with the NGO.
- Once an application is submitted, advise survivors to delete sensitive data from their phones and other devices.

## 6.3 Staff qualifications and training

Interviews should be conducted by NGO staff with experience supporting survivors of trauma, specifically conflict-related sexual violence (CRSV) or gender-based violence (GBV) as well as working with male survivors who were forced into military training and combat. Staff must be trained in survivor-centric and trauma-informed interviewing techniques to ensure sensitivity and minimize re-traumatization.

Staff assisting survivors in completing YSL applications must be proficient in Arabic or know how to work with an interpreter. Staff should be able to communicate with survivors in their preferred native language whenever possible. If required, interpreters should be provided for survivors who cannot communicate well in Arabic.

To build trust and ensure continuity, NGOs should assign each survivor one or two designated contact persons who will remain available throughout the application process. This approach also helps

safeguard the survivor's privacy and data, limiting access to only those staff members who need it.

## 6.4 MHPSS services and support

When working with survivors, mental health and psychosocial support services should follow appropriate, trauma-informed protocols. Trauma can significantly impact survivors' ability to recall details as well as their self-perception related to stigma and shame. Further, survivors may face significant mental health challenges, including mental illness stemming from violence they experienced prior to, during or after captivity.

The YSL application process itself should not exacerbate existing mental health challenges or increase the potential for re-traumatization, flashbacks, and related symptoms. For example, the form asks survivors to:

- » Provide their place of origin and how they were abducted.
- » Describe the crimes they faced in captivity.
- » List all places where they were held captive, and how they escaped (route of escape).
- » List any missing relatives.

**NGOs should take the following steps to mitigate mental and emotional harm during the application process:**

**Compassionate and active listening:** It is essential that NGO staff working with survivors offer compassionate and active listening strategies, including psychological first aid and stabilization. These strategies acknowledge the different vulnerabilities and experiences of applicants in a survivor-centric way, building on compassion, empowerment, and empathy, rather than shafaqa, a concept well-known in Iraq that views victims as pitiful and in need of constant help.

**Trauma-informed approach:** Staff must provide transparent information, clear expectations, and emotional support from the beginning of the application process. This includes explaining why certain questions are being asked, allowing survivors to set their own pace, and ensuring they feel in control of their participation.

**Ownership:** NGO staff should discuss survivors' control and ownership over their own testimonies, decisions, and stories, noting that once they provide their account to certain organizations, they are typically not be provided with a copy.

**Cultural sensitivity:** NGO staff should communicate and ask questions based on culturally-sensitive approaches. Pending context and survivors' needs, e.g., for Yazidi survivors, the question "Have been subjected to sexual violence?" should be rephrased for Yazidi survivors, for example, in a more culturally accepted way. Translated literally from Kurdish-Kurmanji to English, "Dest dirêjî li ser te kirin?" means "Did they extend their hands?" or "Did they harass you?" And "Te xida li te kirin?" Means "Did they force you [to do something you did not want to do]?" Learn about similar ways of communicating in other languages spoken by survivors.

**Gender sensitivity:** NGO staff should communicate in ways that acknowledge the gendered experiences

of survivors. Male and female survivors were subjected to different forms of captivity under ISIS's rigid gender ideology. Staff should recognize that gender shapes individuals' rights, roles, and experiences within families, communities, and when interacting with government institutions.

Survivors should be asked if they have a preference regarding the gender of the staff they engage with, and that preference should be respected whenever possible. Female staff are often better positioned to work with female survivors, especially in cases involving sexual violence or other gender-specific violations. Male survivors may feel more comfortable speaking with male staff, but this should not be assumed. In all cases, the survivor's comfort and choice should guide staff assignments.

**Follow-up and referral:** NGO staff should ensure that survivors receive appropriate support after completing an application. Staff should be trained to identify signs of distress and know how to respond so that survivors do not feel isolated or afraid and are provided with MHPSS, medical or other services.

## 6.5 Informed consent

The informed consent process ensures that survivors clearly understand what they are agreeing to before deciding whether to apply for reparations under the YSL. It provides them with time, information, and support to weigh the potential risks and benefits, consider their options, and understand their rights.

Key components to include in the informed consent discussion are below. Also see Annex C for a Sample Consent Form.

- **Explain the purpose of informed consent:** to ensure that survivors understand the YSL requirements and procedures, as well as the potential risks and benefits of applying for reparations.
- **Provide a clear overview of the YSL legal**

**framework**, including its purpose, eligibility criteria, available benefits, and application process.

- **Explain the law's confidentiality provisions** and how they protect survivors' personal information.
- **Describe your NGO's data protection and information-sharing policies** to clarify how survivor data is safeguarded.
- **Clarify documentation requirements**, including what must be submitted and any additional evidence survivors may include, if available.
- **Inform survivors that the Committee requires proof** that they have filed and completed a criminal complaint against ISIS.
- See Chapter 7, Section 7.4, Review of the YSL Application Form for a detailed explanation of what the criminal investigation process involves.
- **Discuss any financial or travel requirements** and explain what support the NGO can offer.
- **Let survivors know they may pause or resume** the application process at any time, including on a different day, as the online portal saves incomplete applications.
- **Emphasize that applying is voluntary.** Survivors may choose to wait or not apply, and that decision will be fully respected.
- **Reinforce the survivor's control** over their application. They may choose which questions to answer and what information to share. However, explain that withholding certain information may affect the outcome of the application, and offer guidance without applying pressure.
- **Explain that survivors may be interviewed** by the Committee as part of the process.
- **Encourage survivors to ask questions** or raise concerns at any time.
- **Ask survivors directly if they would like to apply**, and whether they need more time to make a decision.

## Box 5 – Informed consent and children

When applying on behalf of a child, it is important to obtain informed consent from their parent or guardian if the child is under 18 years of age, and the parent or guardian must sign the YSL application form. Older adolescent children can “assent” by expressing willingness to apply and participate in the application process.

**Below are additional factors to consider when obtaining consent from a child:**

- Use age-appropriate language and terms.
- Ensure the child understands what they are consenting to by asking them to repeat it back to you.
- Explain that their parent or guardian will sign the application, they will need to know what information is included as well.
- In all cases, the best interests and wishes of the child should take priority, and they should never be pressured to apply for the YSL or be interviewed if they are unwilling to participate.

*See Annex C for a “Sample Consent Form”.*

## 6.6 Interviewing survivors to prepare the YSL application

When interviewing survivors of ISIS crimes for the purpose of reparations, it is important to create a supportive, respectful environment. Survivors, both children and adults, have experienced trauma that may affect how they communicate. The interviewing approach must be sensitive, non-judgmental, and survivor-centered.

See Annex E for a suggested “Opening Script”.

### Before the interview

#### *Meeting space*

Identify a location where the survivor is safe and comfortable. Ideally, staff should secure a private room with a reliable internet connection and a desk and chairs. The space could be within the NGO’s office or, if the survivor is comfortable, a private room arranged by a camp manager where the survivor resides. Ensure the space is child-friendly when working with child survivors.

When preparing the meeting space, NGOs should consider basic physical needs such as heating, cooling, and comfortable seating. Physical discomfort—especially in extreme temperatures—can make it harder for survivors to think clearly and communicate. Counseling rooms should be as calm and private as possible, with attention to potential trauma triggers such as loud noises, harsh lighting, lack of ventilation, or visible security staff. Where possible, the space should also accommodate survivors who experience anxiety, claustrophobia, or other forms of mental distress.

NGOs may also offer survivors the option to work with mobile teams, especially if travel is difficult due to disability, financial constraints, and trauma triggers. If staff opt to meet with survivors in their homes, it is important to avoid unwanted attention by neighbors as well as interruptions by family members. Privacy and a safe space are essential to

create an environment in which comfort and focus are prioritized.

### *Inform survivors what to bring to the interview*

Survivors should be informed in advance as to which types of documents they should bring with them as evidence. These include including government-issued identification and any available documentary evidence. See Chapter 7, Section 7.4, Review of the YSL Application Form for documents to submit with a YSL application. Where capacity allows, and with the survivor’s consent, NGOs should consider assisting survivors in obtaining relevant documents or evidence from courts, administrative bodies, or other sources.

### *Additional considerations when working with children*

If possible, NGO staff who are trained to interview and work with children, particularly children who have suffered abuse are best placed to assist child survivors and their parents or guardians to apply for the YSL. Children do not communicate their stories or testimonies in the same way as adults, and children may have a difficult time finding the words to express themselves, particularly if they have experienced trauma. Children should always be given the right to express their views and have those views taken into consideration, particularly in accordance with their age and maturity. Additionally, they have the right to receive information in a way that is sensitive to their age and maturity.<sup>44</sup>

### **During the interview**

- Offer the survivor water and refreshments, such as tea, coffee, or sweets.
- Introduce yourself with your name, role, and the name of your organization.
- Build trust and rapport by starting with neutral topics and use active, compassionate listening.
  - Use communication strategies that are appropriate for the person’s age, emotional state, and background.
  - Repeat and reflect their words to confirm that they understand.

- Believe what the survivor says and never blame or judge them for their experiences or responses (or lack of responses) regarding what they experienced in captivity.
- Avoid asking “why” questions or anything that could imply the survivor is responsible for what happened. These types of questions may make the survivor feel accused or ashamed.
- Clearly explain the purpose of the interview, how the information will be used, and how it relates to reparations.
- Use simple, accessible language and explain legal or technical terms in ways the survivor can understand.
- Survivors may need more than one meeting to complete the process. Be patient and go at their pace.
- Use open-ended questions to encourage the survivor to speak in their own words.
- If the survivor is hesitant to speak about sensitive topics, especially sexual violence, do not pressure them.
- Reassure them that it is fine if they do not remember details, and that the NGO staff can help explain difficulties with memory in their application.
- Avoid distractions during the interview, such as phone calls, text messages, and interruptions by other people.
- Watch for signs of distress, such as emotional withdrawal, confusion, agitation, or repeated responses. Offer breaks if needed and be prepared to end the interview early if the survivor shows signs of being overwhelmed.
- Consider providing stress balls to survivors during the interview, which is a very useful tool to manage stress for adults and children during the interview.
- Give children a sign to stop and take a break or end the interview before they become overwhelmed.

### **Closing the interview**

- **End on a supportive note**, for example by asking the survivor about their future goals. Express

thanks and appreciation for their time and trust.

- **Explain the next steps** in the reparations process.
- **Answer any questions** they may have.
- **Provide contact information** for follow-up. For children, this should also be shared with a parent or guardian.
- Assess whether the survivor needs referrals to services such as mental health care, legal support, or assistance with civil documentation

See Annex F for a suggested “Closing Script”.

### **Working with children and their guardians**

- A child’s parent or legal guardian must be present during the application process. Since the guardian will be signing the application, they should be informed about what information is being shared. This should also be communicated to the child in a way they can understand.
- Encourage open and honest communication between the child and their parent or guardian throughout the process.
- Be attentive to any signs of distrust, abuse, or exploitation. If you have concerns about the child’s safety or well-being, follow established safeguarding procedures.
- If a parent or guardian wants to be present during the interview but the child appears reluctant, gently remind the adult that the child may need privacy to feel safe and comfortable sharing sensitive information. If the guardian insists on being present, check in with the child privately to confirm whether they feel comfortable continuing the interview. Avoid discussing sensitive topics in front of the guardian unless it is essential for the application. If it is required, explain clearly why this information is important.
- Parents or guardians may be distressed by what they learn about the child’s experiences in captivity. Prepare them in advance and, if needed, offer referrals to appropriate mental health and psychosocial support services.

See Annex D for an “Interview Checklist”.



## 6.7 Working with survivors outside Iraq

### Differences in process for diaspora survivors

Survivors who reside outside of Iraq face heightened challenges to applying for reparations under the YSL. The goal to offer a fully remote online application process did not materialize, and survivors have traveled from overseas to Iraq in order to go through the process in person as required by Iraqi government offices. However survivors can start the process using the online portal, and as explained below there is a pilot program that would allow survivors to work with Iraqi embassies to complete the process from overseas.

Survivors applying from abroad will need to travel back to Iraq to complete the criminal investigation process which can only be conducted in person. Survivors may incur significant costs for the flight and related expenses in Iraq, as well as time to complete the full investigation requirements (See Chapter 7, Section 7.4, Review of the YSL Application Form). Travel to Iraq may also be required if the Committee requests an in-person interview. If the

case is denied and the survivor chooses to appeal to the Court of First Instance this could be another situation where the survivor must travel back to Iraq (see Section 7.7 on Appealing a rejection of a YSL application).

At the time of this publication, Yazidi survivors who provided testimony to the Commission on Investigations and Gathering Evidence (CIGE, locally referred to as Genocide/ Jînoside) can only receive certification for YSL reparations by visiting the office in Dohuk in person.

These additional hurdles make it difficult and, in some cases, impossible for survivors to complete the YSL process. Furthermore, some survivors cannot travel back to Iraq without compromising their immigration status.

Before a survivor decides to return to Iraq, it is essential to ensure they understand the requirements and what to expect. It is advisable that NGOs that help survivors overseas prepare survivors in advance in order to manage expectations and provide any support that can be offered.

### Box 6 - Pilot program to allow video-conference testimony

In December 2024, the GDSA announced that in cooperation with the Supreme Judicial Council and the Ministry of Foreign Affairs, survivors would be permitted to provide remote testimony through video conferencing at Iraqi diplomatic missions (consulates and embassies) in three cities: Berlin, Frankfurt, and Paris.

Survivors interested in scheduling an appointment may contact the GDSA by WhatsApp at **+964 751 100 2977** and should send the following information:

Full name of the survivor

- Mother's name
- Date of birth
- Current address
- Phone number
- Selected diplomatic mission for the application (Frankfurt, Berlin, or Paris)

**Note:** it is not clear whether survivors would still be required to return to Iraq to complete other aspects of the investigation, such as the security clearance, as well as to retrieve other documentation.<sup>45</sup>



## 7. Completing the YSL application

This chapter provides technical guidance for NGO staff completing the YSL application form developed by the GDSA. While the form may appear straightforward, some questions are more complex than they seem. For example, when a survivor is asked how many children she has, should she include only those who are living, or also those who are missing? If she has already provided detailed testimony to another agency—such as during an investigation or to CIGE—does she need to repeat everything, even if doing so may be distressing? This chapter addresses these and similar questions by walking through the application form in detail. It aims to help staff complete the form accurately while minimizing harm and distress to survivors.

### Note:

Anyone can apply under the YSL on their own, or with the help of an NGO, friend or relative. However, because the process can be confusing, NGO support and legal representation can increase the survivors' chance of applying successfully. Accessing the application requires Arabic literacy, basic IT-skills, and access to a computer or other digital device and a scanner. Furthermore, NGOs working on the YSL have a better understanding of the legal requirements including what evidence to submit to put together a strong application. These are some of the benefits of working with an experienced NGO, particularly if they have lawyers dedicated to guiding or representing survivors.

There is no deadline to apply for benefits under the YSL, however salary and other benefits will start from the date the application is approved.

### 7.1 Registering via the online portal

To submit an application under the YSL, an individual must first create an account on the online portal which is found here: <https://ur.gov.iq/login>. The first step is to create login information for the online portal. Here, survivors, must provide a phone number. The system will then send a unique registration code to the phone number provided.

- After receiving the unique registration code, it must be entered shortly after receiving it, estimated to be within 150 seconds (under three minutes) to complete the initial registration. If there is need to re-generate the code, for instance if it is not delivered in time due to poor cell reception, this is possible by starting the process again.
- They must have access to this phone number at the time of registration in order to immediately receive the registration code. The registered phone number is not shown in the YSL application form. It is registered in the database.
- NGOs are advised to never use their own phones to register survivors, because only one phone number can be used per registration code.

### Note:

It is essential that the survivor registers using a phone number that they have access to and that is a safe number. If the survivor has their own phone number, then that is the best number to use. If not, they should identify a trusted relative or friend who is reliable and can receive phone calls or messages from the GDSA on the applicant's behalf.

To complete the initial registration, the survivor must create a profile on the portal by filling out

basic information such as name and date of birth. Once a profile is created, it cannot be edited, so it is essential to enter this information carefully with the survivor. The profile information includes:

- personal and contact information which must match information on the survivor's civil documentation
- identity documents
- current and previous addresses
- information about the time and place of their abduction and liberation

## 7.2 Three (3) methods to submit an application

After registering the individual may select one of **three different ways** to submit their application:

1. **Online Portal:** A survivor can apply directly via the online portal. This has the advantage of allowing applications to be filled out at flexible locations, including several countries outside Iraq in which many survivors reside<sup>46</sup>. However, this method requires access to a computer and basic digital literacy.
2. **GDSA Appointment:** As part of their responsibilities, the GDSA offers appointments to assist survivors to complete applications in their offices in Mosul and Sinjar. A survivor can make an appointment with the GDSA **through the online portal** to request assistance completing the application. The portal allows users to select an appointment location as well as the date using the calendar tool and then generates a registration code that survivor must save. This is administered by the Secretariat, which is the body within the GDSA responsible for helping survivors complete applications. The survivor will need to be able to travel to either the Mosul or Sinjar office for the in-person application appointment.
3. **In-person Hard Copy:** A survivor can download and print out an official copy of the application **from the online portal**. They can then prepare a

hard copy (paper) application and hand deliver it with supporting evidence documents to the GDSA to the Directorate's office in Mosul or Sinjar. The survivor can only download the official form after registering online. This method also requires that the survivor be able to travel in person to one of the Directorate offices.

## 7.3 How to work with the survivor to complete the application from a survivor-centered perspective

The goal here is to empower the survivor to make key decisions impacting their case, and to minimize the risk of psychological or emotional harm. It is also essential that services are designed to protect survivors from being stigmatized as part of the reparations process.

Ask the survivor if they have difficulty remembering details and ask what is difficult, such as names, locations, dates, duration, or events. If the survivor tells you they have difficulty remembering any of these details, this would be useful to include at the beginning of the application form. This can help address questions about reliability of information due to memory issues.

**Suggested language:** "Please note: [Insert name] has difficulty remembering certain details such as [dates, names, places, sequence of events] and has provided this information to the best of his/her recollection."

### To support a survivor-centered process:

#### Review existing documentation first

Before asking the survivor to recount their story, review any existing materials they may have shared with NGOs, government agencies, or during criminal investigations. This could include testimonial notes, written narratives, or official case files. If they were involved in a criminal investigation, request a copy of the case file, with the survivor's consent.



### **Include other relevant sources**

If available, examine supporting documents such as media reports, social media posts, or other written evidence that provide relevant details. Always review this material with the survivor before incorporating it into the application.

### **Ensure survivor approves of witnesses and other evidence**

Survivors must decide what evidence to submit, and who to contact as witnesses in the criminal justice process and if requested by the Committee. It is possible survivors have strained relations with family members and may be uncomfortable contacting them to be witnesses, therefore support survivors in talking through options without pressuring them.

### **Verify the information with the survivor**

Go through the documentation with the survivor to confirm the accuracy of key details. Focus on reviewing what has already been recorded rather than asking them to repeat or expand on traumatic experiences.

### **Complete the application based on verified information**

Use the details from the verified documents to fill out the application. Ask for additional information only if it is necessary, and only with the survivor's full consent and understanding and following appropriate interview protocols. Also be prepared to explain any inconsistencies in information, such as due to difficulties with memory.

## **7.4 Review of the YSL application form**

In this section, we review all seven (7) sections of the application. In the online application there is an additional section that allows the individual to review and confirm the application and attached evidence documents before submitting them.

Once the application is submitted, it cannot be amended online. It is therefore important that NGO staff carefully reviews the information submitted with the survivors. However, information entered into the online system may be saved without submitting. It is crucial to regularly "save" the information to avoid losing what the NGO staff entered. The NGO staff should make clear that the survivor may take as much time as they need, and that they may submit at

a later point.

If new information becomes available later, NGO staff together with survivors should decide whether it is significant and should be provided to the GDSC. Be prepared to explain why the information was not provided with the initial application.

For each section of the YSL application form on the online portal, the NGO staff can find instructions by clicking on the "?" icon next to each question. Additional guidance is provided below on sections that request more complex and detailed information.

Service providers should complete every section together with the survivor to the best of the survivors' ability.

- Write "Unknown" if the survivor does not know the answer.
- Write "None" or "Does not apply" for questions that do not apply to the survivor, for example if they do not have an email.
- If the survivor is unsure about information, for example if they cannot recall specific details, then explain that in the response. For example, if they cannot remember the exact date of leaving captivity, provide what they can remember such as "approximately June 2015" or "during the summer of 2016."

## **YSL Application Section 1. Personal Information**

Section 1 (a) gathers personal and demographic details about the survivor such as name, date of birth, and family information. Below is guidance to some questions that may be difficult to answer.

### **Question 5: Marital Status (in forced marriage cases)**

Survivors who were forced into marriages by ISIS and issued "marriage certificates" were not legally married under Iraqi law, as ISIS was not a legitimate state or entity capable of recognizing or registering marriages.

Culturally, however, some survivors may describe their experience as a marriage—either as a way of referring to sexual violence or because of social expectations around honor, shame, and relationships. Survivors who were forced into such marriages and may have had children during captivity may feel conflicted

about how to answer questions about their marital status, especially in a context where having children outside a recognized marriage is stigmatized.

Discussing this issue requires sensitivity and clarity. It is essential to respect the survivor's perspective while also ensuring the application aligns with legal requirements.

### **Guidance for practitioners:**

- Explain the purpose of the question. Before asking about marital status, explain why this information is needed and how it relates to the legal framework of the application.
- Acknowledge complexity. Recognize that the survivor may have complex feelings or uncertainty about how to describe their status and reassure them that this is understandable.
- Refer to official records. Guide the survivor to use the marital status listed on their national ID, explaining why this is necessary for the application.

### **Sample script**

*"I understand that this question about marital status may be sensitive. For the purpose of this application and under the guidelines of the survivor law, your marital status should match what is listed on your national ID. I also want to acknowledge that your experience is valid, and it is completely okay if your feelings about it do not match what is written on the ID."*

*If you were forced into a marriage during captivity, please know that these are not recognized as legal marriages under Iraqi law, because ISIS was not a legitimate state.*

*Would it be okay if we refer to the marital status on your national ID for this application? If you feel differently about how you identify or want to talk more about how to approach this, we can do that together."*

This script acknowledges the survivor's experience without invalidating their feelings in the event that the survivor feels conflicted. It explains the legal rationale for aligning the application with the ID. Additionally, this approach empowers the survivor to participate in the process and ensures they understand the reasoning. This approach balances

sensitivity with the need for legal accuracy, reducing the risk of misunderstanding or raising red flags while respecting the survivor's perspective.

### **Question 7: Number of Children**

The number of children refers to minor children who are under the age of 18 at the time of application. This question can be confusing and very painful when the survivor whose children were killed or are still missing. The survivor might ask the NGO staff for guidance about whether this question is asking about how many children she had before being taken captive, or how many are with her now.

There is no "right" answer, however we suggest including the total number of children with a short explanation about any children that are missing or who are deceased. There is space to provide more details about missing family members later on in the form in Section 3. They should include minor (under 18-years old) children who are single and married.

**Example:** *"The survivor has 5 children total and 3 are missing."*

Section 1 (b) (Questions 17 – 23) is to be **completed by the individual who is assisting the survivor** to apply. If the NGO staff are preparing to help a survivor to apply the NGO staff must be prepared to provide this information about your relationship to the survivor, your name and ID information, or power of attorney if a lawyer is representing the survivor.

#### **Note:**

If the applicant is a minor, this section will need to include the guardian's details, not the NGO's.

#### **Note:**

According to Iraqi guardianship law, the child's guardian is the father, if he is alive. If the mother is widowed, she must provide appropriate documentation to prove that she is the child's guardian. If the applicant is an orphan, the guardian must provide appropriate documentation of their power of attorney. The NGO staff should then indicate that your NGO provided support in the text box for Question 22.

**Question 22:** State the reason for the applicant's inability to submit. Below are suggestions but there might be other explanations.



- Individual is a minor.
- Does not have internet or computer access.
- Cannot read or write.
- Does not know how to use a computer.
- Any other explanation.

## YSL Application Section 2. Social and Economic Status

Completing Section 2 is optional. The purpose of this section is to gather information about the applicant's skills, education and experience and social situation for the purpose of identifying educational and employment needs. It might be useful to include past work experience that indicates someone's skills, even if the work was unpaid, such as housework, or agricultural work.

## YSL Application Section 3. Crimes committed by the Islamic State (ISIS) against the survivor

Section 3 is one of the more difficult sections to complete, because it asks survivors to provide details about the crimes to which they were subjected while in ISIS captivity. Follow the guidance above in Section 7.3.

Why does this section matter?

This section provides an opportunity to recognize survivors' experiences in captivity and can strengthen their application. Although it is not legally/technically required that survivors prove that these crimes occurred, this information tends to be requested and expected by the Committee. Furthermore, this information can be used by the GDSA to understand and meet survivors' needs, promote accountability for perpetrators, and support memorialization and remembrance efforts.

It is therefore recommended to discuss with the survivor the extent to which they choose to recount the crimes committed against them during their appointment with you, and whether they wish the NGO staff to refer to testimony in the criminal investigations they have already given so that they do not need to repeat themselves.

- Survivors who have not provided a detailed statement to an international NGO or government

agency before are encouraged to provide a more detailed description in response to Question 7.

- Question 3 can be filled in after the NGO staff interview the individual based on what information they chose to disclose.
- Question 4 asks about places where the individual was held while in captivity. Many survivors remember dates precisely, or at least believe their recollection to be exact, while others have difficulty recalling where they were moved and timelines. Allow them time to provide this information to the best of their ability, and if they cannot recall in detail, the NGO staff can make a note of this in your answer.
- Question 6 asks for information about missing family members and part of the role of the GDSA is to support the search for missing persons. Explain this to the survivor while also managing expectations, since the results are not guaranteed.
- Question 7 asks for details about what happened to the person after being abducted. This can be filled out by the interviewer based on notes taken during the interview or testimony available from other sources. This section can therefore be somewhat time consuming depending on the scope of existing evidence and how much detail the survivor is advised to provide in the YSL application.

## YSL Application Section 4. Evidentiary and supporting documents for the application

### Reminder:

for online applications, all evidence must be uploaded before submitting the application.

Some survivors have extensive evidence to support their applications, while others have very little. How much evidence a person has or how long they were in captivity does not determine whether they are in fact a survivor. Some people were in captivity for several years and have no documentation to prove abduction. Once your NGO believes a person qualifies to apply, your role is to help that person put a strong case together and advocate for them, for example to explain the reasons why they have limited information.

The online application portal has strict specifications for the format and name of documents uploaded. The goal is to make it easy for the GDSA to manage the file and ensure the right documents go with the application. All files must be:

- In PDF format.
- Named in Arabic according to the document contents with the survivor's name: "Type of Document – Name of survivor". For instance, if the survivor has a letter from the Kidnapped Yazidi Rescue Office, the file should be named "Endorsement letter of the Abductees Rescue Office – name of the survivor".
- If there are multiple files from the same institution, e.g., court documents or a police report, the NGO staff can either merge these into one file or name the files with the same names with the addition of number 1, 2, 3, and so on.

The Bylaws Articles 8.1., 8.2., and 8.3 set out the requirements for applicants to submit evidence to support their application. According to the bylaws, applicants can submit:

- Official evidence from relevant authorities to prove exposure to crimes;
- Official records of competent governmental bodies;
- Reports and international documents;
- NGO documents including statements;
- Eyewitness testimony; and/or
- Proofs of evidence prescribed in Evidence Law No. 107 of 1979.

The following documentation is being required by the GDSA before sending files to the Committee for review

- Photograph of survivor. If survivor is a minor, also include photo of parent or guardian.
- Civil ID and Nationality ID or Unified ID.
- Residency Card, or Ration Card.
- A certified power of attorney if a lawyer is formally representing the survivor.
- Proof of parent relationship or guardianship if the applicant is a minor (under 18 years old) at the time of applying.
- Criminal investigation documents establishing the survivor initiated a complaint against one or more ISIS perpetrators.

#### Note:

As part of the criminal investigative process, survivors must bring two witnesses who can testify to their captivity. The witnesses must have either been present when the survivor was abducted or seen the survivor in ISIS captivity.

Yazidi survivors are also being required to submit the following:

- A certificate from CIGE.
- Letter from the Kidnapped Yazidi Rescue Office.

Additional (optional) evidence includes:

- A letter issued by a governmental department or institution proving the fact of liberation from captivity.
- The testimony of two witnesses who were recognized by the Committee as survivors.
- Registration with the Survivors' Grant at the Ministry of Migration and Displacement: If the survivor receives a grant of 2 million Iraqi Dinar through this process, it must be mentioned in the description field provided at the bottom of this section.
- Reports issued by reputable international committees and organizations that document the kidnapping and escape.
- Statements gathered by local NGOs – this mainly applies to Yazda which documented survivors' statements.
- Pictures and videos proving the kidnapping and escape (e.g. recording of reunification with family members after liberation, photos of a survivor taken in the captivity).
  - o Bear in mind that the videos must be smaller than 20 MB in order to upload to the GDSA site.
- Any relevant medical reports, including psychological reports.
- Registration for resettlement, or any documents related to resettlement to countries outside Iraq, no matter where the survivor is currently living.
- Documents and papers issued by ISIS for the applicant (e.g. marriage certificate).

#### Evidence that survivor completed a criminal investigation

The former Head of the Committee has required that all survivors file and complete a criminal investigation process in order to qualify for reparations. This

procedure was specifically not included in the YSL in order to avoid burdening survivors both inside Iraq and abroad. However as long as this process is in place, it is important to communicate to survivors what to expect, and to provide as much support as possible to survivors going through this difficult process.

### **Criminal investigation process (general overview)**

1. The process begins when the survivor files a complaint. To start a case against one or more ISIS members, they must see an investigative judge who then directs them to the police station where the crime took place for further action.
2. The police take a full statement and create a written complaint, which is sent back to the investigative judge.
3. To check for any links with ISIS, the victim must go through a background check also referred to as biometrics by the Iraqi National Intelligence Service.
4. At the investigative judge's office, the victim must attend a hearing with two witnesses and answer questions related to the case. **The witnesses must have seen the survivor kidnapped, and/or seen them in ISIS captivity.**
5. If the victim does not know the ISIS member's name, the judge will usually close the case after the investigation. The completed file goes to the YSL application committee, and the victim can request a certified copy of the documents.
6. If the victim knows who the ISIS member is, the judge can send the case to the Mosul investigation court for more investigation. The case stays open at the counter-terrorism court until the trial ends.

Survivors living abroad must return to Iraq to complete the investigation process. See Box 6 regarding the Iraqi government's pilot program to enable survivors to provide testimony remotely.

If the Committee determines there is insufficient evidence, they can request an interview with the survivor. As discussed below, the Committee is also inviting witnesses in for interviews. The Committee added an additional rule that all survivors must file a criminal complaint and complete the investigation process before they can qualify for the YSL.

## **YSL Application Section 5. Physical and Psychological Harm**

Completing Section 5 is optional. This information about the harm suffered by survivors helps the GDSA to determine where to refer individuals for medical and mental health services. The question provides the option to check several boxes and to provide additional written details. Also, Question 12 asks if there is a need for urgent medical attention. If the survivor is uncomfortable providing details, they are encouraged to provide a short statement that they would like to discuss their needs with the GDSA if their case is approved.

## **YSL Application Section 6. Legal Accountability**

Completing Section 6 is optional. The purpose of this section is to gather information about ISIS perpetrators known by the survivor for possible future investigation and prosecution. Survivors can provide whatever information they know, including aliases or nom de guerre (kunyat) used by ISIS members in addition to their real names. This section also asks whether the survivor filed a lawsuit after captivity, whether they have any documents issued by ISIS, and whether they would be interested in cooperating in future investigations.

It is important to manage expectations and explain to the survivor that future outcomes are uncertain. Currently, the only investigations taking place in Iraq are through anti-terrorism courts, which do not address international crimes such as genocide. However, part of the GDSA's mandate is to help establish a mechanism in Iraq to investigate and prosecute ISIS members for international crimes. Even if an investigation moves forward, the survivor's involvement cannot be guaranteed. At this stage, the NGO can inform the survivor that the GDSA is focused on gathering information and may follow up with questions or requests for participation at a later time.

## YSL Application Section 7. Online Version Only

Section 7 of the online application displays all answers entered in the previous sections. The NGO staff can print this section and give the survivor a copy for their records. It is advisable to maintain a copy in the survivor's file at the NGO for future reference.

## YSL Application Section 7 (Paper Form) and 8 (Online Version). Pledge and Signature

Before signing the pledge and submitting the application, the NGO staff should review the application with the survivor to ensure that they agree with the information included and they have the opportunity to make changes. They will need to certify that the information in the application is true and correct to the best of their knowledge.

Once the application is received by the GDSA, a Secretariat member may contact the survivor to schedule a brief online call to verify the survivors' identity. During this "verification interview" the Secretariat will ask questions to determine the survivor's identity which might include requesting to see a copy of her Iraqi ID.

## 7.5 Next steps after submitting the YSL interview

After completing the application, it is important to review next steps in the process, manage expectations, answer any questions, and ensure the survivor knows how to reach the NGO staff if they have follow-up questions.

- The Secretariat will review the application and once it is complete, they will refer the file with their recommendation to the Committee.
- The Committee might request an interview with the survivor after reviewing their case.
- Provide the survivor with the registration code of their application to be able to follow up on their own and show them how they can follow up by sending them the link and demonstrating on your phone or computer. The NGO staff should also offer a hard (print) copy of the application, e.g., by printing Section 7 of the online form.

- Provide a working contact for the NGO to the survivor for follow up questions.
- Service providers should never tell the survivor that their case will be approved and avoid making any promises about the survivor's case, about missing persons, or justice against ISIS, and about future benefits. Remind the survivor that the Committee members are the decision makers, and that the NGO's role is to advocate for the survivor by helping them put a strong case together.

See Annex F for a suggested "Closing Script".

## 7.6 Committee interviews and decision-making process

### Committee interviews

Some, but not all survivors, can anticipate being interviewed by the Committee, whose members are responsible for reviewing and deciding on applications to determine whether an individual shall receive benefits under the YSL. Generally, the Committee will conduct interviews if the following conditions are met:

- Evidence is limited, or does not appear to be credible, or there are major discrepancies in key facts (dates, location, names, etc.).
- In cases where the survivor was held captive for a short period of time; or
- Survivors applying from outside Iraq through the online portal.

There are a several important things to consider when a survivor has been contacted for an interview:

- The interview provides an opportunity for the Committee to gather additional testimonial evidence.
- Being called for an interview does not indicate whether or not a person is likely to be approved for reparations under the YSL.
- Committee interviews are conducted in person in the Mosul at the GDSA.
- Committee interviews usually two or more Committee members present, and possibly a member of the Secretariat observing. It is possible the entire eight-member Committee will be present for interviews and the survivor should be aware of this in advance to be prepared.



Interviews with authority figures, especially before the full Committee, can be intimidating. It is crucial to support survivors to prepare and to accompany them to the GDSA. It is advisable to arrange mental health support both before and following a Committee interview. If NGO accompaniment is not possible, a discussion should take place about who the survivor would prefer to bring, like a family member or friend.

Survivors unfamiliar with formal interviews may omit vital details because they are nervous, unprepared, or do not know what information is relevant. Also, survivors often avoid focusing on difficult details, trying to put these things behind them, so they need a refresher before testifying. **Prepare the survivor before the interview.**

- Review the survivor's YSL application to refresh their memory.
- Practicing with trusted NGO personnel in a secure environment is beneficial. This practice should be voluntary and conducted by qualified staff, like a lawyer or case manager.
- The Committee is likely to ask questions about the abduction and what happened in captivity. They may also ask about known ISIS members the survivor encountered as well as missing family members.
- Advise the survivor that the Committee may not permit anyone to be in the room during the interview – the person accompanying the survivor will likely be required to stay in the waiting area.
- Advise the survivor to be honest and if they have difficulty remembering information to explain that – never fill in gaps with information that is inaccurate. If there are inconsistencies the survivor can explain these. For example if the survivor shared different dates or names, they could explain that difficulty with memory.
- Advise the survivor to ask the Committee to clarify questions they do not understand.
- If the survivor becomes overwhelmed, advise her to ask for a break.

On the day of the interview:

- Be on time – anticipate traffic or other delays.
- Bring a copy of the survivor's civil documentation, YSL application and evidence.

## Adjudication of the YSL application

### Decision timeline

The Committee must approve an application within 90 days. This starts after the GDSA sends a complete file to the Committee for review. It does not start from the date the survivor submits the application.

- The Secretariat in the GDSA sends a completed YSL application/file to the Committee to review.
- The Committee reviews the application and supporting evidence and either:
  - Approves the case;
  - Requests an interview or additional documents (e.g. redoing testimonies);
  - Rejects the case.
- Once the Committee makes a decision, the GDSA requests the survivor to visit the GDSA to receive the decision in person.
- The GDSA will call the survivor using the phone number on file, which is why it is essential this is either the survivor's phone, or the phone of someone they trust and have regular access to.
- If the Committee approves the application, the GDSA is responsible for coordinating benefits such as the salary, education, health, and land and the GDSA will guide the survivor on how to apply for these benefits.
- If the Committee rejects the case, the survivor has the right to appeal. There are two levels of appeal:
  - First appeal in 30 days to the Committee; and
  - Second appeal to the Court of First Instance (no clear timeline).

### Request written notice of decision

The NGO is strongly advised to accompany the survivor to the GDSA to receive the decision. The NGO/survivor should request a copy of a written decision noticed. This is crucial if the case was rejected. In order to file the appeal, the survivor should have the date the decision was made and to know the reasons the Committee rejected the case. The GDSA does not automatically provide such a letter, and even on request it is possible the survivor (or representative) will not obtain a copy of the rejection letter. This makes it difficult for survivors to know how to prepare their appeals.



## 7.7 Appealing a rejection of a YSL application

This Guide does not provide detailed guidance on filing an appeal and it is important to consult with a lawyer who has experience filing administrative appeals and appeals to the Court of First Instance. NGOs will need to decide whether they have the capacity to file appeals on behalf of survivors and should consider hiring legal staff to represent survivors. If the lawyer did not file a power of attorney in the underlying application, they might decide to file a power of attorney for the first appeal, and it will be required for the second appeal which is in the court.

Lawyers must have a clear understanding of both the legal framework and the facts of each case, as well as the reasons provided for a rejection. There are several possible reasons why a survivor who should qualify for reparations may have had their application rejected:

- The survivor did not have sufficient corroborating evidence.
- The survivor's testimony appeared weak, possibly because they were nervous, forgot key details, or struggled to answer questions in depth.
- The Committee found the survivor not to be credible. As noted earlier, inconsistencies or memory gaps are common among survivors due to the impact of trauma. Lawyers can play a critical role in explaining these issues and demonstrating how trauma may affect testimony.
- The Committee made an error in assessing the case.
- Other reasons specific to the individual case.

Lawyers should review the rejection carefully and, where appropriate, advocate for reconsideration by explaining gaps, clarifying misunderstandings, and presenting additional evidence or legal arguments to support eligibility.

### First administrative appeal to the Committee

These cases must be filed with the Committee within 30 days after the date the Committee rejects the case. If the survivor did not receive the decision immediately, the NGO should request the GDSA's

support in asking the Committee to amend the date of the decision so that the survivor can appeal.

If the NGO works on the appeal, the lawyer should work closely with the survivor to ensure they understand why their case was denied, and what steps are being taken to appeal to the Committee. The survivor must agree with major decisions regarding their appeal, including the submission of additional evidence. Also, the survivor can help the lawyer to understand additional information that would help with their case, and to explain any inconsistencies or deficiencies.

### Second (and final) appeal to the Court of First Instance

If the Committee denies a survivor's appeal of a negative decision, the survivor has the right to a second and final appeal to the Court of First Instance. There is nothing in the YSL that requires survivors to file an appeal to the Court of First Instance within 30 days, however it is essential to consult a lawyer for accurate information.

The NGO will need to discuss the decision with the survivor and evaluate the reasons for the decision and determine whether to file the second appeal. If the NGO staff believe the survivor qualifies for the YSL, even if their case is difficult, it is important to try to secure their rights if they want to appeal. If the NGO lacks the resources, staff are encouraged to find a lawyer who can represent the survivor.

**If the Court denies the case, this decision is final.** The survivor will have no further legal recourse through the YSL process. This outcome can be deeply painful, particularly for those who endured captivity but were unable to meet the evidentiary requirements of the law.

It is important to acknowledge that a denial does not negate a person's experience or identity as a survivor. Lack of approval for reparations does not mean their harm was not real or significant.

NGO staff should be prepared to provide continued support after a final decision. This includes referrals to MHPSS services as well as access to livelihoods, education, or other services that may help the survivor move forward.

## 8. Feedback Mechanisms on the Application Process

Effective, survivor-centric feedback systems are essential for the ongoing, successful implementation of the YSL. This guide was developed through a participatory process, with survivors as key contributors. Organizations such as FGO and FYF actively collect survivor input on the YSL application and support processes, sharing it with other NGOs and relevant government bodies, including the GDSA, to ensure that reparations remain responsive to survivors' needs.

To improve access to information and services, NGOs are encouraged to engage with all communities, particularly those in remote areas, by providing information sessions where survivors can learn, connect, ask questions, and offer feedback.

The C4JR contributes to monitoring the implementation of the YSL and advocates for a process that aligns with survivors' needs and best practices. This includes tracking the implementation process, assessing survivor satisfaction with both the application and benefits distribution, and lobbying for improvements in accessibility, effectiveness, efficiency, quality, transparency, and accountability. C4JR publishes a regular newsletter with updates on the YSL implementation along with other resources found at <https://c4jr.org/>.

This guidance is dynamic—continuously shaped by feedback from survivors, NGOs, and other stakeholders to reflect emerging challenges and insights. It invites ongoing contributions from survivors, their families, and communities, including those abroad, fostering a comprehensive dialogue on best practices for YSL application support. The approach remains survivor-focused, inclusive, culturally sensitive, and psychosocially informed.

## 9. Conclusion

This guidance note offers background information and practical recommendations to assist NGOs working with survivors of genocide and CRSV from the Yazidi, Turkmen, Shabak, and Christian communities in applying for reparations under the YSL.

The YSL represents a milestone towards ensuring survivors' rights to reparations. Our guidance is designed to empower NGOs with the necessary tools to effectively support these survivors. We stress the importance of survivor-centric approaches, grounded in the expertise and trust established by NGOs in the region. The guidance encourages continuous adaptation of services, driven by survivor feedback, to navigate the complexities of the application process. Ultimately, our goal is to ensure that the path to reparations is clear, accessible, and responsive to the needs of survivors from all affected communities.

Additionally, NGOs play a crucial role as advocates with survivors by presenting their concerns and requests to the GDSA and other government entities, as well as by elevating survivor voices. Survivors face ongoing challenges during the application process, and this document aims to offer the necessary support, making reparations both available and accessible to them globally.

# Annex A - Yazidi [Female] Survivors' Law

In the name of the People

Presidency of the Republic

Based on what was approved by the House of Representatives in accordance with the provisions of first clause of Article 61 and the third clause of Article 73 of the Constitution.

The President of the Republic decided on 8/ 3 / 2021 the issuance of the following Law No. (8)  
for the year 2021  
Yazidi [Female]1 Survivors' Law

## Article 1

For the purpose of this law, the following terms shall have the meaning ascribed to them below:

First - The [female] survivor: Every woman or girl who has been subjected to crimes of sexual violence from her kidnapping, sexual slavery, selling her in slavery markets, separating her from her family, forcing her to change her religion, forced marriage, pregnancy and forced abortion or inflicting physical and psychological harm to her by ISIS since the date 3/8/2014 and was freed afterwards.

Second - The Directorate: The General Directorate of Yazidi Female Survivors' Females Affairs.

## Article 2

The provisions of this law apply to:

First - Every Yazidi [female] survivor kidnapped by Daesh and was freed afterwards.

Second - Women and girls from the (Turkmen, Christian, Shabak) components who were subjected to the same crimes mentioned in Article 1 (First) of this law.

Third - Yazidi children survivors who were under the age of eighteen at the time of their kidnapping.

Fourth: Yazidi, Turkmen, Christian and Shabak survivors from the mass killings and mass elimination carried out by ISIS in their areas.

## Article 3

First: General Directorate shall be established to care for female survivors' affairs and will be linked to the Ministry of Labor and Social Affairs and is based in Nineveh Governorate and has the right to open branches in the areas where female survivors are present, whenever necessary.

Second: The General Directorate stipulated in the first clause of this article is managed by an employee under the title of Director General, from the Yazidi component, who holds at least a first university degree in the field of law or administration and has experience and practice of no lesser than ten years in his field of work and shall be appointed by the Council of Ministers.

## Article 4

IOM comment: The term **female** is put between bracket to mean that while the term is not mentioned *per se* in the original text of the law, it is used in this translation to replace the suffix added to the term survivors in the Arabic text, to refer to female (women, girls) survivors.

This law aims to:

First: Compensate the [female] survivors and those covered by the provisions of this law financially and morally and to secure a decent life for them.

Second: Rehabilitate and take care of [female] survivors and those covered by the provisions of this law and to prepare the necessary means to integrate them into society and prevent the recurrence of the violations that occurred against them.

## **Article 5**

The Directorate undertakes the following means to achieve its goals:

First: Statistics and preparation of [female] survivors' data and those included in the provisions of this law based on information issued by governmental and non-governmental institutions working in this field.

Second: Providing the necessary care for [female] survivors and groups covered by the provisions of this law.

Third: Coordinating with all government institutions, local and international organizations in order to support [female] survivors and groups covered by the provisions of this law.

Fourth: Providing educational opportunities for [female] survivors and those covered by the provisions of this law.

Fifth: Securing employment and job opportunities to enable [female] survivors to achieve their economic and social well-being.

Sixth: Opening health and psychological rehabilitation centers to treat [female] survivors and working to open health clinics inside and outside Iraq.

Seventh: Searching for the kidnapped of Yazidis, Turkmen, Christians, and Shabak men, women and children, whose fate is still unknown. This work shall be done in coordination with the competent authorities inside and outside Iraq and the victims' families, treating their conditions legally and granting them benefits and compensating them or their families in accordance with the relevant laws.

Eighth: Coordination with the Martyrs Foundation / Department of Mass Graves' Affairs and Protection in relation to mass graves to complete all procedures related to searching and investigating, opening mass graves, revealing the identity of the remains and return them to their families in order to bury them in a manner befitting their sacrifices.

Ninth: Coordination with investigative and judicial bodies and international committees concerned with investigation and gathering evidence, and providing them with all statistics, data and evidence that contribute to documenting and establishing crimes committed by ISIS in a way that helps prosecute the perpetrators of these crimes.

## **Article 6**

First – The [Female] survivors and those covered by the provisions of this law shall be given a monthly salary that shall not be less than twice the minimum pension salary stipulated in the Unified Pension Law No. 9 of 2014 and its amendments.

Second – [Female] Survivors and those covered by the provisions of this law shall be granted a residential plot of land with a real estate loan and shall be exempted from the provisions of laws and decisions of the (dissolved) Revolutionary Command Council no 120 of 1982 or a free housing unit.

Third– [Female] survivors and those covered by the provisions of this law have the right to return to study and shall be exempted from the age requirement.

Fourth– [Female] survivors and those covered by the provisions of this law shall be given a priority to public employment at a rate of 2%.



## **Article 7**

First – Crimes committed by Daesh against the Yazidis and other components, (Turkmen, Christians and Shabak) shall be considered crimes of genocide and crimes against humanity.

Second – The Ministry of Foreign Affairs, in coordination with the official concerned institutions, undertakes to reveal the crimes mentioned in the first paragraph in international forums, especially those committed against [female] survivors and those covered by the provisions of this law.

Third – The Ministry of Foreign Affairs, in coordination with the official concerned institutions, shall undertake initiating criminal proceedings against the perpetrators of the crimes in the first clause, and cooperate for the extradition of criminals in order to be tried before the competent courts.

## **Article 8**

First: The 3rd of August of each year shall be considered a national day to reveal the crimes committed against the Yazidis and other components and media shall provide all programs for this date and clarify the abuse, kidnapping, sexual violence, captivity, and displacement committed by Daesh.

Second – The Ministry of Culture, Baghdad Municipality and the concerned authorities shall take the necessary measures to immortalize the Yazidi victims and other components and to build monuments, statues, and exhibitions on this occasion.

## **Article 9**

First: The perpetrators of the crimes of kidnapping and captivity of Yazidis shall not be included in any general or special amnesty.

Second: Punishment prescribed by law for perpetrators of the crimes mentioned in the first clause of this article shall not be dropped, and the judicial and administrative authorities are obligated to follow up to arrest the perpetrators and accomplices in committing these crimes, as well as implementing the provisions of the law and provide protection for witnesses and victims.

## **Article 10**

First – A committee shall be formed by the Ministry of Labor and Social Affairs to consider the requests of survivors and groups covered by the provisions of this law, and it shall consist of a judge nominated by the Supreme Judicial Council.

Chairman.

Director General of Women Survivors' Affairs (MOLSA)

A representative of the Ministry of Interior

A representative of the Ministry of Health

A representative of the Ministry of Justice

A representative of the National Retirement Authority

A representative of the High Commission for Human Rights

A representative of the Kurdistan Regional Government

Vice President

member

member

member

member

member

member

Second – The committee decides on the validity of the requests submitted to it within a maximum period not exceeding 90 days from the date of receiving the request.

Third – The applicant has the right to appeal to the same committee its decision within a period of 30 days from the date of issuance of the decision in order to reconsider it. And in case of refusal for the second time, the applicant can appeal the decision before the court of first instance, and its decision shall be final and binding.

Fourth – The committee may open an electronic platform to receive and consider applications from inside and

outside Iraq, and the approval for being covered by the provisions of the law takes place after conducting the interview for the applicant before the committee that was formed in the first clause of this article, to facilitate receiving their entitlements according to this law.

Fifth – The percentage of women in the committee to be formed in the first clause of this article shall not be less than 30%.

Sixth – The number of meetings of the committee formed in the first clause of this article shall not be less than two meetings per week.

Seventh – The committee holds its meeting when the presence of the absolute majority of its members is achieved.

Eighth – the decision to be covered by the provisions of the law shall be voted on by a simple majority, and in case the votes are equal, the side on which the chairman is will prevail.

### **Article 11**

Compensation for [female] survivors and those included in the provisions of this law does not prevent them from receiving compensations according to local laws or special international decisions related to them.

### **Article 12**

The Council of Ministers shall issue instructions to facilitate the implementation of the provisions of this law within a period not exceeding 90 days from the date of its publication in the Official Gazette.

### **Article 13**

This law shall be enacted from the date of its publication in the Official Gazette.

Barham Salih      President of the Republic of Iraq

## **The Rationale**

Crimes committed by ISIS against the Yazidis and the rest of the components (Christians, Turkmen and Shabak), shall be considered genocide crimes and crimes against humanity, and given the physical, psychological, social and material damage that these crimes have resulted on all victims, especially women and children, and with the aim of addressing these damages and the negative effects resulting from them and granting the necessary rights for [female] survivors and those covered by the provisions of this law, their rehabilitation and reintegration into society, and as reparations and compensation for what happened to them, and [female] survivors in particular, and to protect them and their areas.

This law is promulgated.

# Annex B – Bylaws No. 4 of 2021 Facilitating the Implementation of the Provisions of the Yazidi [Female] Survivors Law

Based on the provisions of Article (12) of the Yazidi [Female] Survivors' Law No. 8 of 2021, we issued the following bylaws:

## No. (4) of 2021

### Bylaws Facilitating the Implementation of the Provisions of Yazidi [Female] Survivors Law

## No. (8) of 2021

### Article 1

These bylaws apply to victims of crimes committed by ISIS against the groups stipulated in Articles 1 and 2 of the Yazidi [Female] Survivors' Law No. 8 of 2021.

### Article 2

The Directorate of [Female] Survivors' Affairs is linked to the Minister of Labor and Social Affairs and shall, in addition to the tasks entrusted to it under Article 5 of the Yazidi [Female] Survivors' Law No. 8 of 2021, undertake the following:

**First-** Receiving the decisions of those covered by the provisions of the law, registering decisions in a special register, and following up on their implementation with relevant bodies.

**Second-** Communicating with those covered by the provisions of these bylaws and following up on their social, health and psychological affairs with relevant bodies.

**Third-** Setting a specific timetable for completion of applications of those who are eligible in accordance with the law.

**Fourth-** Addressing all inquiries submitted by those who are eligible when visiting the Directorate.

**Fifth-** Submitting a monthly report to the Minister of Labor and Social Affairs including the number of accomplished applications for those eligible, the obstacles preventing the completion of their registration and proposing solutions for addressing them.

**Sixth-** Preparing training and development programs related to the work of the committee formed pursuant to the law, its secretariat, and its employees, in coordination with ministries, bodies not affiliated with a ministry, and international and local organizations.

**Seventh-** Holding conferences, seminars, and workshops to reveal the crimes committed against those covered by the provisions of the law.

### Article 3

**First:** The Directorate of Survivors' Affairs shall, in coordination with the Ministry of Higher Education and Scientific Research and the Ministry of Education, undertake the following:

- A. Providing opportunities for educational attainment and ensuring the return of those covered by the provisions of these bylaws to their studies and shall be exempted from the age requirement.
- B. Developing specialized curricula to reveal the crimes of ISIS committed against components of the Iraqi society and emphasis on peaceful coexistence and renunciation of violence.

**Second:** The Directorate of Survivors' Affairs shall, in coordination with the Ministry of Health, undertake the following:

- A. Opening health centers and psychological rehabilitation departments for survivors and working on opening health clinics inside and outside Iraq.
- B. Coordinating with the Directorate of [Female] Survivors' Affairs to facilitate the provision of health and psychological services to those covered by these bylaws.

**Third:** The General Directorate of Survivors' Affairs shall coordinate between relevant authorities to grant those covered by the provisions of this law a residential plot of land with a real estate loan, as an exception to the provisions of the laws and the (dissolved) Revolution Command Council Resolution No. 120 of 1982, or a free housing unit.

#### **Article 4**

First: The Ministry of Labor and Social Affairs is responsible for disbursing the salary amount based on Article 6- First Clause of the aforementioned law to those covered by the provisions of these bylaws, and the salary shall be disbursed to the care provider or guardian of the entitled child if he has not completed eighteen years of age, taking into consideration the provisions of the Minor's care law no78 of 1980.

#### **Article 5**

The Federal Public Service Council shall secure job opportunities for those covered by these bylaws and shall be prioritized in public employment with a ratio of 2%.

#### **Article 6**

The Kurdistan Regional Government, federal ministries, bodies not related with a ministry and civil society organizations shall be in charge of providing the Directorate of [Female] Survivors' Affairs with information, data, and documents for those covered by the provisions of these bylaws, and the directorate shall protect the confidentiality of the information, data and documents received.

#### **Article 7**

**First-** The committee formed under Article 10 of the Yazidi [Female] Survivors' Law No. 8 of 2021 shall convene at least twice a week upon the call of its chairperson or deputy, in presence of the absolute majority of its members.

**Second-** The committee shall issue its decisions with the simple majority of its members and if the votes are equal, the side with which the president voted shall prevail.

**Third-** The committee may seek the expertise of whom it deems is of experience and competence, and the latter shall not be entitled to vote.

**Fourth-** The Supreme Judicial Council, ministries and other bodies represented in the committee shall name a chair and members for the committee who are of expertise and competence.

#### **Article 8**

The committee stipulated in Article 4 of these bylaws shall undertake the following tasks:

**First-** Receiving requests of those covered by the provisions of these bylaws either directly or through the Directorate of [Female] Survivors' Affairs, or through the electronic portal accompanied with their legally considered written proofs of eligibility, including official records of competent governmental bodies, reports and international documents and non-governmental organizations, and can be proved by eyewitness testimony enhanced with evidence or resorting to proofs of evidence prescribed in Evidence Law No. 107 of 1979.t

**Second-** Exhausting official evidence and addressing the relevant authorities to prove the exposure to the crimes stipulated in the Yazidi [Female] Survivors Law No. 8 of 2021 before resorting to the proofs of evidence stipulated in clause (First) of this article.

**Third-** Conducting the interview with the requester applying through the electronic portal and verifying the validity of the documents and proof of identification of the eligible.

**Fourth-** Deciding on requests of eligibility within a maximum period of 90 days from the date of receiving the request.

**Fifth-** Determining the amount of the monthly salary according to the material or moral damage suffered by the eligible.

## **Article 9**

**First-** The committee shall have a secretariat run by an employee with a primary university degree at minimum, and shall be of experience and competence, assisted by a number of employees assigned from the Directorate of [Female] Survivors' Affairs, and shall report to the chair of the committee, performs his orders and guidance, and is in charge of preparing and organizing requests presented to the committee and coordinating the relationship between the committee and the directorate and following up on decisions and appeals.

**Second-** The secretariat shall take into account, when accomplishing the tasks entrusted to it, the privacy of the cases brought before it, and the confidentiality of the documents related to those covered by the provisions of these bylaws.

## **Article 10**

These bylaws shall be implemented from the date of publication in the Official Gazette.

*Mustafa Al-Kathimi*

*Prime Minister*

*09/2021*



# Annex C – Sample Consent Form

**Internal Applicant Code:** \_\_\_\_\_

## CONFIDENTIAL CONSENT FOR SERVICES

This form is for you to provide your consent for [NGO] to assist you with services related to the Yazidi Survivors' Law. During our discussion, we explained the support we can provide, how your information will be handled, and your rights regarding confidentiality and data protection. By completing this form, you agree to the services selected below and understand how your information will be used. If you have any questions or concerns, we encourage you to ask before signing.

I, \_\_\_\_\_, hereby consent for [NGO] to provide the following services:

Please indicate your choices by checking the box if you agree.

- Support me with making an online application for reparations under the Yazidi Survivors' Law. I understand that any information I provide will be shared with the Iraqi General Directorate for Survivors Affairs. I understand that [NGO]'s role is limited to assisting me in applying and that the Government of Iraq will decide on my claim.
- Support me with making an appointment with the Iraqi General Directorate for Survivors Affairs office in Sinjar or Mosul to apply for reparations under the Yazidi Survivors' Law.
- Provide my contact information to the Iraqi General Directorate for Survivors Affairs to facilitate my access to education. I understand that the Directorate will then share my information with the Iraqi Ministry of Education.
- Provide my contact information to the [NGO] mental health and psychosocial services team for me to receive support.
- Provide my contact information to [specific organization] to receive [specific services].
- Use the information I provide to anonymously monitor and track the implementation of the Yazidi Survivors' Law. I understand that no information that can be used to identify me will be shared or published.

## Confidentiality

I understand that [NGO] will keep all information I provide confidential. My information will not be shared with any third party, organization, or individual without my specific and explicit consent, except as required by law.

## Data storage and protection

All information I provide will be stored securely by [NGO] in a password-protected digital system and/or a locked file cabinet, accessible only to authorized personnel.

My information will be stored for a maximum of [specify time period, e.g., five years] unless required otherwise by legal or regulatory obligations. After this period, my data will be securely deleted or destroyed.

## **Right to withdraw consent**

I understand that I can withdraw my consent at any time without giving a reason.

To withdraw consent, I can contact [insert contact name, role, and contact information, e.g., phone number, email address].

Withdrawing my consent will not affect the services I have already received or my eligibility for future services, unless specific actions depend on my consent.

## **Data concerns and complaints**

If I have concerns about how my data is being stored, used, or shared, I can reach out to [insert contact person/department and their contact information, e.g., Data Protection Officer at NGO].

I have been informed that [NGO] has policies in place to address data breaches or other security issues, and I can request further details if needed.

## **Acknowledgment and consent**

I confirm that I have been informed about the purpose of this consent form, the services available, how my data will be handled, and my rights, including the right to withdraw my consent.

Signature/Thumbprint of client: (or parent/guardian if client is under 18): \_\_\_\_\_

Name of NGO staff assisting: \_\_\_\_\_

Date: \_\_\_\_\_

# Annex D – Interview Checklist

Before the interview:

- ◇ I made sure the applicant is comfortable and offered them refreshments.
- ◇ I explained the YSL and the application process.
- ◇ I explained the criminal investigation process.
- ◇ I explained the purpose of today's meeting and what to expect.
- ◇ I explained the role of the NGO.
- ◇ I asked whether the applicant would like to be referred to the NGO's MHPSS services.
- ◇ I obtained informed consent from the applicant.

During the interview:

- ◇ I explained the purpose of each section before asking the questions contained therein.
- ◇ I took a break every hour.
- ◇ I checked for signs of distress and asked the applicant if they needed a break.

After the interview:

- ◇ I informed the applicant of next steps.
- ◇ I noted down the survivor's application form code on a Next Steps leaflet and gave it to the applicant.
- ◇ I showed the survivor how to check the application status.
- ◇ I made necessary referrals based on informed consent.

# Annex E – Suggested Opening Script During Meeting with Survivor to Prepare YSL Application

Hello, my name is [NAME], and I am a [ROLE] at [NGO name]. I am part of the team helping survivors access their rights under the Yazidi Survivors' Law (YSL). The YSL is a law passed by the Iraqi Parliament that provides benefits to certain groups of ISIS survivors. Today, I will explain the law, the services we can provide, and what we will do together during this meeting.

This process may feel long or confusing at times, so please feel free to stop me at any point to ask questions or for clarification. It is important that you fully understand before deciding whether to proceed. Thank you in advance for your patience.

## Eligibility and benefits under the YSL

The YSL provides benefits if you belong to one of the following groups:

- Adult or adolescent female survivors of ISIS captivity from the Yazidi, Shabak, Christian, or Turkmen communities
- Male Yazidis who were abducted by ISIS while under 18 years old
- Individuals from these communities who survived a specific ISIS mass killing

If you meet these criteria, you may be eligible for benefits such as:

- A monthly salary
- A plot of land with a real estate loan or a free housing unit
- Access to education and employment
- Medical and mental health support

## How to apply for benefits

To access these benefits, you need to submit an application to the General Directorate for Survivors' Affairs. There are three ways to apply:

1. Visit an office: Schedule an appointment at the Directorate's office in Sinjar or Mosul and submit your application in person. I can help you book this appointment online.
2. Submit a hard copy form: Fill out a paper form and deliver it to the Directorate. I can assist you in registering online to get your unique registration code and print the form.
3. Apply online: Submit your application and documents through the Directorate's online portal. If you choose this option, the Directorate will later interview you to verify your identity. You can complete this process independently or with our support.

Once your application is submitted, a government committee will review it and decide whether to approve it. If needed, you may be called for an interview in Mosul, where you will meet with a group of officials.

## **What to expect today**

If you choose to apply online, I will help you fill out and submit the application. During this meeting, we will:

- Sit together at the computer and complete the application form. I will guide you through each question and explain which are mandatory and which are optional.
- Cover sections about your personal information, family, economic situation, health, and the violations you experienced.

This process may take up to two hours. We will take a break after one hour, or whenever you need one. If you prefer, we can pause and continue on another day. There is no deadline to apply.

At the end of the form, you will pledge that the information you provide is accurate. It is important to answer only what you are certain of and let me know if you are unsure about anything.

## **Emotional support**

I understand that some questions may be difficult to answer. You are in control of how much you share and whether you wish to continue. If you are receiving mental health or psychosocial support, you may want to seek that support after this conversation. If not, I can help connect you with services.

## **Confidentiality and next steps**

The information you provide will be sent to the Directorate to support your application. Both the Directorate and our NGO are committed to keeping your information confidential. We will only share your details with others if you give explicit permission.

If you agree, I will take a photograph of you for the application and upload copies of any documents you provide. Once uploaded, I will permanently delete these copies from our devices.

After submitting the application, you will receive a unique registration code on your phone. It is important to keep this code safe, as it allows you to check the status of your application. If you would like, we can also keep a backup copy for you.

Our role is to support you in filling out the application. We do not influence the government's decision or the timeline for distributing benefits, but we will update you if we learn more.

## **Before we begin**

Do you have any questions about this process?

Would you like me to clarify anything?

Do you consent to applying for reparations under the Yazidi Survivors' Law with our support?

*[If yes, proceed with the written consent form and obtain a signature or fingerprint if the applicant is illiterate.]*



# Annex F – Suggested Closing Script After Submitting YSL Application with Survivor

Thank you for sharing your information with us today. Before we finish, is there anything you would like to add or clarify about your application? Do you have any questions about the process or next steps?

Based on your consent, we will now submit your application to the Directorate. The information you have provided will be used to determine whether you qualify for benefits. By submitting the application, you are pledging that the information you provided is accurate.

The Directorate will contact you by phone or SMS to let you know the status of your application. They may also request additional information, so it is important that you have access to the phone number you provided.

In some cases, the Directorate may schedule a video call to confirm your identity. This call is only to verify who you are and is not part of the decision-making process. If you need a private and safe space to complete this call, we can provide a computer or phone in our office to help.

Once your file is complete, the Directorate will send your application to the Committee, which is expected to review it within 90 days. If the Committee needs more evidence or finds inconsistencies in your application, they may ask for an interview. If this happens, we will discuss how to prepare.

If your claim is accepted, the Directorate will help you access the benefits. If your claim is rejected, you can appeal the decision within 30 days. We may be able to assist with your appeal, so please let us know if you need help. If the Committee denies your appeal, you can file a final appeal with the Court of First Instance.

Before we finish, I will show you how to check the status of your application on the online portal. Here is a leaflet with next steps, and I have noted your unique application code on it. Please keep it safe.

Do you have any other questions or concerns?

Thank you for trusting us to support you with your application.

# Annex G – Sample Intake Form

## NGO Intake Form for YSL Legal Services (SAMPLE)

This form is designed to gather basic information to determine eligibility for support under the Yazidi Survivors' Law (YSL). All information collected will be kept confidential and securely stored. To protect survivors' privacy, only a unique code will be used in this form, with identifying details kept in a separate, secure document.

### PART 1: General information

- Intake worker's name: \_\_\_\_\_
- Date of intake: \_\_\_\_\_
- Unique code: \_\_\_\_\_
- Current location (residence): \_\_\_\_\_

### PART 2: Survivor information

1. Date of birth: \_\_\_\_\_ Number of children: \_\_\_\_\_

2. Gender:

- Female
- Male

3. Community:

- Yazidi
- Turkmen
- Christian
- Shabak
- Other (please specify): \_\_\_\_\_

4. Were you abducted by ISIS?

- Yes
- No

5. If yes, do you remember when you were captured? (Exact date or approximate year/month):  
\_\_\_\_\_

6. Do you remember when you left captivity? (Exact date or approximate year/month): \_\_\_\_\_

### **PART 3: Accessibility and identification**

7. Do you have any disabilities or health conditions that make it difficult for you to travel?

- Yes
- No
- If yes, please specify: \_\_\_\_\_

8. Do you have any of the following Iraqi civil documents?

- Yes

- Civil ID
- Passport
- Unified ID
- Ration card
- Other (please specify): \_\_\_\_\_

### **PART 4: Living situation**

- What is your current living situation?
- Displaced and living in a camp
- Displaced and living in a rented home
- Living in your original home
- Living with family or friends
- Other (please specify): \_\_\_\_\_

How many people live in your household? \_\_\_\_\_

Are you currently facing any of the following challenges with housing?

- Lack of access to basic utilities (e.g., water, electricity)
- Unsafe or unstable housing conditions
- Risk of eviction
- Other (please specify): \_\_\_\_\_

### **PART 5: Education**

What is the highest level of education you completed?

- No formal education
- Primary school
- Secondary school
- Vocational training
- University degree or higher
- Other (please specify): \_\_\_\_\_

Are you currently enrolled in any educational program or training?

- Yes
- No
- If yes, please specify the program: \_\_\_\_\_

## **PART 6: Employment**

Are you currently employed?

- Yes
- No

If yes, what is your current occupation? \_\_\_\_\_

If no, what challenges are you facing in finding work?

- Lack of job opportunities
- Lack of skills or training
- Health or disability-related challenges
- Other (please specify): \_\_\_\_\_

Have you received any vocational training or skills development?

- Yes
- No
- If yes, please specify: \_\_\_\_\_

## **PART 7: Previous interactions**

Have you previously provided a statement to any government or non-government organization as a survivor?

- Yes
- No

If yes, please specify where:

- CIGE
- Office of Kidnapped and Rescue Affairs
- Court
- Ministry of Migration and Displacement
- Security authorities
- NGO (If yes, do you remember the name?): \_\_\_\_\_
- Other (please specify): \_\_\_\_\_

10. Have you previously received or are you currently receiving any services from [NGO name]?

- Yes
- No
- If yes, please indicate which services: \_\_\_\_\_

# Endnotes

1 The terms NGOs, staff, and service providers are used interchangeably to indicate the institution and its employees of various titles who are supporting YSL survivors and their applications for reparations.

2 Ibid./ UNHRC (2016): “They came to destroy”: ISIS Crimes Against the Yazidis (A/HRC/32/CRP.2), (online: <https://reliefweb.int/report/syrian-arab-republic/they-came-destroy-isis-crimes-against-yazidis-human-rights-council>); see also: GoI (2021): YSL, see Annex A.

3 The Kurdish-Kurmanji word farman (فرمان) thoroughly reflects this experience of extermination and genocide. After 74 genocides inflicted on Yazidis, the term فرمان (farman) is recursive in Yazidi folklore and history, and it is how Yazidi survivors and the community know and understand their experience of genocide at the hands of ISIS.

4 For more detailed analysis of crimes committed by ISIS against women and girls, see “Report on sexual violence against women and girls committed by ISIL,” UNITAD, p. 25 and 27-28; see also “Sexual and Gender-Based Crimes Against or Affecting Children Committed Against the Shi’a Turkmen Community by ISIL (Da’esh), UNITAD (Aug. 2024).

5 UN General Assembly (UNGA, 2005): Basic Principles and Guidelines on the Rights to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (General Assembly Resolution 60/147), (online: <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-and-guidelines-right-remedy-and-reparation>); see also UN Secretary-General (June 2014): Guidance note of the Secretary-General: reparations for conflict-related sexual violence (ST/SG(02)/R425), (online: <https://digitallibrary.un.org/record/814902?ln=en>).

6 Germany established a Special Quota Program specifically for Yazidi survivors, particularly women and children who escaped ISIS captivity. The program, implemented by the German state of Baden-Württemberg in collaboration with NGOs, provided trauma-focused support and resettlement services.

7 Countries such as Canada, France, Australia, and the United States have implemented various resettlement initiatives that prioritized survivors of ISIS atrocities, including Yazidis and Christians. These programs provided pathways to protection and integration for individuals who faced severe persecution.

8 International Organization for Migration (IOM, 2021): Yazidi Survivors in Germany and Iraq’s Reparation Programme: “I want for us to have a share in Iraq,” (online: <https://iraq.iom.int/resources/yazidi-survivors-germany-and-iraqs-reparation-programme-i-want-us-have-share-iraq>).

9 UN General Assembly (UNGA, 2005): Basic Principles and Guidelines on the Rights to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (General Assembly Resolution 60/147), (online: <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-and-guidelines-right-remedy-and-reparation>).

10 GDSA Facebook page, October 30, 2024, (online: [https://www.facebook.com/permalink.php?story\\_fbid=pfbid033K8MsGc8wBZagj3obWav19HvBN7odWXiY46uMSxGXqypSmhNk81cncFTqYDwZ1gml&id=100076062182514](https://www.facebook.com/permalink.php?story_fbid=pfbid033K8MsGc8wBZagj3obWav19HvBN7odWXiY46uMSxGXqypSmhNk81cncFTqYDwZ1gml&id=100076062182514)).

11 YSL Art. 3.

12 YSL Art. 5 and detailed further under Bylaws Articles 2, 3, 4 and 5.

13 YSL Bylaws Article 9.

14 YSL Art. 10(1).

15 YSL Art. 10(2) and Bylaws Art. 8.

16 The original version of the YSL is annexed to this report (Annex A), and the Bylaws No. 4 can be found in Annex B. Translations of the law does not lead to any legal claims against the translators and shall incur no legal liability by the translators and are intended for informational purposes only.

17 YSL Art. 1. “Survivor” under the YSL is grammatically feminine in Arabic to reflect the specifically gendered nature of the crimes committed by ISIS against Yazidis, Turkmen, Shabak, and Christians.

18 YSL Art. 2.

19 There are differing interpretations regarding the eligibility of girl survivors from Shabak, Turkmen, and Christian communities. The Committee has interpreted this to refer to adolescent girls who were 15 years old and above when



they were abducted.

20 At this time, males who are Christian, Shabak, or Turkmen and who were abducted when they were under 18 years old do not qualify to apply for reparations under the YSL. It is possible the law will be amended in the future to include these survivors.

21 The individual must have himself or herself have survived a mass killing perpetrated by ISIS, it does not apply to anyone who was abducted and survived captivity, but not a mass killing or execution.

22 YSL Art. 10(4). The law allows for the establishment of an online portal to allow applications to be submitted from outside Iraq.

23 YSL Art. 1.

24 YSL Art. 6(1).

25 YSL Bylaws Art. 4.

26 While legal precedents like the Martyrs Foundation Law No. 2 of 2016 provide a basis for receiving more than one benefit, the YSL does not yet explicitly clarify whether this would provide an exception. Similarly, Law No. 126 of 1980 governs social welfare and reinforces the principle of preventing duplicate salaries to ensure equitable distribution of financial resources. However, this law also underscores the importance of safeguarding the financial stability of vulnerable populations, providing a foundation to advocate for tailored exceptions for survivors under the YSL.

27 YSL Art. 6(2). The Revolutionary Command Council Law No. 20 of 1982 does not apply to the land entitlement.

28 YSL Bylaws Art. 3(3).

29 GDSA Facebook page, May 29, 2024 (online: [https://www.facebook.com/permalink.php?story\\_fbid=pfbid0TXoTBn5S9r5Ao4pT4J6KVDvmYgTCg11jzTizPv2kV6wuthzNY22dPYKbn3filK86l&id=100076062182514](https://www.facebook.com/permalink.php?story_fbid=pfbid0TXoTBn5S9r5Ao4pT4J6KVDvmYgTCg11jzTizPv2kV6wuthzNY22dPYKbn3filK86l&id=100076062182514)).

30 YSL Art. 3.

31 YSL Bylaws, Art. 3(1)(A).

32 YSL Art. 4.

33 YSL Bylaws, Art. 5.

34 YSL Art. 5(6).

35 YSL Bylaws, Art. 3(2)(A and B).

36 YSL Art. 5 (7,8).

37 YSL Art. 7 (3), Art. 9.

38 YSL Art. 7 (1).

39 YSL Art. 7 (2).

40 YSL Art. 8 (1).

41 YSL Art. 8 (2).

42 YSL Bylaws, Art. 3(1)(B).

43 Terms of Reference for the Inter-Agency PSEA Network, (online: <https://reliefweb.int/report/iraq/iraq-terms-reference-tor-inter-agency-psea-network#:~:text=The%20Iraq%20PSEA%20Network%20serves,Iraq%2C%20endorsed%20by%20the%20UNCT>).

44 UN Convention on the Rights of the Child, Article 12.

45 GDSA Facebook page, Decemeber 1, 2024, (online: <https://tinyurl.com/y3ym6zb9>).

46 At the time of this publication, individuals can apply from Germany, France, Sweden, Australia, the United States, and Canada.



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